April 21, 1965

Minutes

01

A general meeting of the citizens of Lake Dallas was called at the Duck Inn April 21, 1965. There were approximately 45 people in attendance. Steve Howard opened the meeting as temporary Chairman. A motion was made by Mr. Keyes to retain Steve Howard as permanent Chairman of the meeting. The motion was seconded by Mr. Bill Goodwin and carried although Mr. Howard stated he did not want the job.

Mr. Hunter was asked to brief the people on our standing here in Lake Dallas. He stated that two elections had carried for incorporation of Lake Dallas, one by 53% and one by 68%. This demonstration at the polls shows we are united even though we have determined opposition. Since this meeting was called to select candidates for City Mayor and City Counsel, Mr. Hunter stated we should pick someone with foresight, patience, and endurance to lead our city and leave personalities out of it.

Pee Wee Reisin made a motion to pick 5 members on the nominating committee and one from each section of the town. The motion was put to a vote and carried. The 5 members selected for the Nominating Committee were: C. L. Randolph, Wayne Black, Henry Sargent, Lynella Birdsong, and Thurman Garrison.

Ballots were passed out to the people and they listed names of Lake Dallas citizens who would be eligible people for the Nominating Committee to consider for Mayor and City Counselmen. The Nominating Committee retired to a private room and considered all of the ballots handed in for eligible candidates. After consideration and a vote they selected the following candidates:

Tommy Coulter - Mayor
Joyce Plumley - Counselman
C. L. Randolph - Counselman
Bill Grammer - Counselman
W. L. Hunter - Counselman
Thurman Garrison - Counselman

W. L. Hunter refused the nomination and stated he could do more good on the outside. Ken Vanderhoof called for a standing vote to keep Mr. Hunter on the ballot, but Mr. Hunter again declined to be a candidate. His request was granted and his name was stricken from the ballot. The Nominating Committee was asked to go back and select another name. Pee Wee Reisen was selected to replace Mr. Hunter, Mr. Reisin declined the nomination and withdrew his name. John Dunn was selected and voted in as Counselman candidate by a show of hands.

It was suggested that we have a Coordinating and Publicity Committee to get election information out to the people. Steve Howard, appointed Mr. Keyes, Pee Wee Peisin, Don Fraser and Mrs. Werner on the Committee. Mr. Reisin stated he thought he could have circulars printed at $6.50 per 1000 which would be cheaper than buying a mimeograph machine, paper, etc. to do it ourselves. Mr. Reisin was appointed to see that all candidates filed and got their names on the ballot legally.
The meeting adjourned at 9:30 p.m.

Respectfully submitted
Georgianna Werner
Georgianna Werner

CITY OF LAKE DALLAS
Council Meeting

A special meeting of the City Council was called with the following Councilmen present, John Dunn, C. L. Randolph, Joyce Plumlee, Bill Grammer and Mayor Coulter.

Joyce Plumlee made a motion for Council meetings to be held on the second Thursday of each month. The motion was seconded by Mr. Randolph and carried.

John Dunn made a motion that Bill Grammer be appointed Mayor Pro tem, seconded by Joyce Plumlee and the motion was carried.

It was decided that Corporation Court will be held every Tuesday at 9:00 a.m.

Mr. Randolph made the motion to use the Lewisville State Bank for City Depository, seconded by John Dunn and the motion was carried.

John Dunn made the motion that Denton Record Chronicle be used for City Publication, seconded by Joyce Plumlee and the motion was carried.

Mr. Grammer made a motion to apply for courtesy cards for use for purchasing gas and supplies for the Police car. Mr. Randolph seconded the motion and it was carried.

Mr. Randolph made a motion to buy a filing cabinet, seconded by John Dunn and the motion was carried.

A motion was made by Mr. Randolph to give the City Secretary authority to pay routine bills each month without being voted on by City Council. The motion was seconded by Joyce Plumlee and was carried.

Mr. Dunn made a motion to buy new traffic ticket books to replace old ones now on hand, seconded by Mr. Randolph and the motion was carried.

Mr. Randolph made a motion to pass a resolution for rescheduling traffic violation rate, seconded by Mrs. Plumlee and the motion was carried.

A motion was made by Mr. Randolph to rent an empty building from A. W. Risien to use for a City Office, seconded by Mr. Dunn and the motion was carried.

Mr. Dunn made a motion to use A. W. Risien for bonding and insurance agent for the purpose of insuring the Police car and bonding Police Chief, Mayor and Mayor Pro tem, seconded by Mr. Randolph and the motion was carried.

Another special meeting was called for 9:00 a.m. Saturday, June 12, 1965 in the City Hall.

Mr. Grammer made a motion to adjourn, seconded by Mr. Dunn and the motion was carried.

Bill Grammer, Acting City Secretary
(By: G. Werner)

CITY OF LAKE DALLAS
Counsel Meeting

June 12, 1965

The City Counsel met June 12, 1965 at 9:00 a.m. in a special meeting called by Mayor Coulter. Mr. C. L. Randolph, Mr. Dunn, Joyce Plumlee and Tommy Coulter, Mayor, were present. The special meeting was for the purpose of reading and passing of City Ordinances and Resolutions.

Ordinance No. 1 provided for Regulations concerning liability for damages of the City of Lake Dallas, repealing all ordinances in conflict therewith, declaiming an emergency. Motion was made by C. L. Randolph to accept the Ordinance, seconded by John Dunn and the motion was carried.

Ordinance No. 2 provided for a Speed Limit in the City of Lake Dallas. A motion to accept the Ordinance was made by Joyce Plumlee and seconded by C. L. Randolph. The motion was carried and the Speed Ordinance was adopted and passed.

Ordinance No. 3 provided that all offices of the City of Lake Dallas, except members of the governing body, shall be filled by appointment, as set out in the Ordinance, providing that officers who have been elected by vote of the people shall be allowed to serve until the expiration of their terms of office. The acceptance motion was made by C. L. Randolph and seconded by John Dunn. Motion was carried.

Ordinance No. 4 provided the definition of certain Nuisances and unlawful Acts and prohibiting same. The acceptance motion was made by Joyce Plumlee and seconded by John Dunn. The motion was carried.

Ordinance No. 5 pertained to certain laws in connection with the ownership of dogs, rabies shots and barking dogs. The acceptance motion was made by C. L. Randolph and seconded by John Dunn. The motion was carried.

Ordinance No. 6 created the Office of Building Inspector. A motion to accept the Ordinance was made by C. L. Randolph and seconded by John Dunn. The motion was carried.

Ordinance No. 7 established the City Zoning Commission. The motion was made to accept the Ordinance by C. L. Randolph and seconded by John Dunn and carried.

Resolution No. 1 was to adopt a City Seal for Lake Dallas. A motion was made by Joyce Plumlee, seconded by John Dunn and carried to accept the Resolution.

Resolution No. 2 designated Lewisville State Bank as depository for the City of Lake Dallas. A motion was made by Joyce Plumlee to adopt this resolution, seconded by John Dunn and carried.

Resolution No. 3 provided to strike from other minutes that newspaper be changed from Record Chronicle to Lewisville Leader. A motion was made by John Dunn to accept this Resolution, seconded by C. L. Randolph and carried.

A motion was made by Mr. C. L. Randolph to appoint Georgianna Werner as City Secretary. The motion was seconded by John Dunn and carried.

Joyce Plumlee, Acting City Secretary (By: G. Werner)

Mr. Randolph made a long conference table for the City Hall and the Secretary was authorized to pay Mr. Sargent for the plywood used in making the table as soon as we had sufficient money in the treasury.

It was decided to have an extra key made so the Secretary would have access to the new file cabinet, which would be moved into the City Hall, along with the old records of the City government.

A City Planning and Zoning Commission was discussed, but was left for further consideration at the next meeting.

Joyce Plumlee made a motion for adjournment, seconded by Mr. Dunn and the motion was carried. The Council meeting adjourned at 5:10 p.m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary
Lake Dallas, Texas

A special meeting was called by the Mayor with the following people present: Mayor Coulter, Councilmen Dunn, Plumlee, Randolph and Garrison and City Secretary, Werner. Visitors present were, Tom Rush of the Texas Power and Light Company, John Farmer, Police Chief, and Thomas Calvert of the Lake Dallas Disposal Unit.

Ordinance No 8 pertained to a Franchise for electric current from the Texas Power and Light Company of Decatur, Texas. Mr. Rush, their representative, presented a 50-year Franchise for the City of Lake Dallas for the use of electricity. He stated that a check for $1,165.00 would be ready within 10 days. Mr. Dunn made a motion to accept the 50-year Franchise with TP&L, seconded by Joyce Plumlee. The motion was carried. The Franchise was corrected and dated to July 1, 2015 and conformed by the Mayor and City Secretary.

The rates for electricity usage were read by Mr. Rush. A motion was made by Mr. Randolph to accept the Rate Schedule of Texas Power and Light Co., seconded by Joyce Plumlee. The motion was carried and a copy of the Rate book was given to the Secretary and also a copy of the Rate Book acceptance letter.

Joyce Plumlee made a motion to sign an agreement for renewing the service for street lights. Mr. Randolph seconded the motion and it was carried. The Council discussed getting new vapor lights and mowing weeds and grass, but no action was taken at this time.

Mayor Coulter read a letter covering insurance on the Police car. There is $171.00 due, with $35.00 down and $17.38 monthly payment for 8 months. Mr. Randolph made the motion to pay the $35.00 as soon as we have the money, seconded by Mr. Dunn and the motion was carried. Mayor Coulter gave the insurance policy on the Police car and other papers to the Secretary. It was noted that we still owe $380.00 on the Police car.

A Resolution granting authority for the purchase and maintenance of an automobile by the Police Department was presented. Mr. Randolph made a motion to adopt the resolution for operation of the police car, seconded by Mr. Garrison and the motion was carried.

John Farmer, Police Chief, stated we need new tires on the rear of the Police car. He was provided with a Continental Credit card for gasoline purchases and he will turn the gas tickets over to the Secretary to pay them. There is also a bill for radio service due on the Police car.

Mayor Coulter stated he received the Incorporation letter and plat and he would put it in the Ordinance Book.

Ordinance No. 9 concerned the Municipal League letter, which was read by the Mayor, determining which Aldermen would draw a short term of office (1 year) and which would draw a long term (2 years), and the terms shall be overlapping. Mr. Dunn made a motion to accept the Ordinance, seconded by Joyce Plumlee and the motion was carried.

Mr. Thomas Calvert stated he wished to have a Franchise with the City of Lake Dallas for hauling off garbage and trash, but did not have the Franchise drawn up yet. He would present it at a later date.

Minutes
Lake Dallas City Council Meeting July 10, 1965

CC

A special meeting of the Lake Dallas City Council was called at 3:30 p.m. by Mayor Tommy Coulter at the City Hall with the following Councilmen in attendance - John Dunn, C. L. Randolph, Thurman Garrison and Joyce Plumlee, who arrived late. Secretary, Georgianna Werner and Police Chief, John Farmer were also present.

The Secretary read the minutes of the previous meeting which were accepted as read with a minor correction. The new bank balance as of July 10, 1965 was $1,459.20, after depositing the franchise check for $1,165.00 from Texas Power and Light Co.

Mayor Coulter presented all the unpaid bills and turned them over to the Secretary for payment.

Mr. Dunn made a motion to pay off the Police car, in the amount of $380.00 plus interest. Mr. Garrison seconded the motion and it was unanimously carried.

Mr. Dunn made a motion to pay the Police Chief $150.00 a month, seconded by Mr. Garrison and the motion was carried. It was agreed to pay the first check of $150.00 to July 1, 1965 and then make the checks payable $75.00 on the 1st and 15th of each month. Mr. Dunn made a motion to pay Mrs. Werner $20.00 a month for miscellaneous and car expenses and travel to the bank. The motion was seconded by Mr. Randolph and carried.

Mowing the city's weeds and ditches was discussed and it would cost $125.00 or more for each complete mowing. It was decided that we might purchase a mower for the City after the Police car was paid in full, but nothing definite was decided upon at this time.

Mayor Coulter read Ordinance No. 10 establishing Corporation Court in the City of Lake Dallas, Texas, which has jurisdiction of fines to be paid into the City Treasury. Mr. Randolph made a motion to accept the Ordinance as read, seconded by Joyce Plumlee and unanimously carried.

Mayor Coulter read a letter from John Connally thanking the City of Lake Dallas for their interest in H. B. 759 which was signed June 17, 1965.

Joyce Plumlee made a motion to pay $20.00 for 4 bonds at $5.00 each for City Officers. The motion was seconded and carried.

Since there was no more business, it was decided not to have the regular monthly meeting on Tuesday evening, July 13, 1965, unless something special came up.

Mr. Dunn made a motion to adjourn, seconded by Mr. Randolph and the motion was carried. The meeting adjourned at 5:10 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

A special meeting of the Lake Dallas City Council was called at 3:00 p. m. in the City Hall. The following people were present: Mayor Coulter, Councilmen Dunn, Randolph and Plumlee, Secretary Werner and Chief of Police Farmer.

Mr. Randolph made a motion to dispense with the reading of the minutes of the previous meeting. The motion was seconded by Joyce Plumlee and the motion was carried.

Mayor Coulter read his letter to Mr. Corn, President of the Community Water Service, in answer to complaints about water lines with dirt in them.

Mayor Coulter read a letter inviting someone to represent the City of Lake Dallas at the Denton County Civic League on July 27, 1965.

The Mayor also read a letter from a traffic violator extending his appreciation of the way his ticket was handled by John Farmer, Chief of Police.

Mr. Randolph made a motion to pay the current bills, the motion was seconded by Mr. Dunn and carried. Some of the bills were, $140.00 to Bruce Davis for drawing up City Ordinances and $52.36 to Texas Power and Light Co. for street lights.

The Council drafted up a set of rules and procedures governing the Lake Dallas Police Department. The Secretary was instructed to write a letter and send a copy of the rules to the Chief of Police. The Secretary read the rules and procedures to the Chief of Police and they were discussed with the Council.

The Mayor stated he had called the MKT Railroad concerning the weeds on the railroad tracks, and told them he wanted every bit of the right-of-way mowed and not just a few feet alongside the tracks.

The Mayor stated he would contact Lone Star Gas Co. and also the Telephone Co. and two water companies and see if they would furnish franchises in the near future.

John Farmer stated he would see Hoyt Wilson regarding his dump as a nuisance, creating mosquitoes and flies and see if some dirt couldn't be spread over the dump to alleviate the situation.

The proposed Planning and Zoning Commission was discussed. Joyce Plumlee nominated C. L. Randolph to the Planning and Zoning Commission as a member from the City Council. The nomination was seconded by Mr. Dunn and Mr. Randolph was elected to the Commission unanimously.

Mr. Randolph made a motion to adjourn, seconded by Joyce Plumlee and the motion was carried. The meeting adjourned at 5:00 p. m.

Georgianna Werner

Respectively submitted
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council
Meeting August 7, 1965

A special meeting was called at 2:30 p. m. in the City Hall. The following people were present. Mayor William T. Coulter, Councilmen, John Dunn, Joyce Plumlee and Thurmond Garison, and Secretary, Georgianna Werner.

Joyce Plumlee made a motion to dispense with the reading of the minutes of the previous meeting, which was seconded by Mr. Garrison and the motion carried.

The Secretary read a letter from the Texas Municipal League to Bruce Davis, Attorney. We have the authority by law to levy taxes on the residents of Lake Dallas to provide extra full time police protection, buy police cars and to build a jail, which will all be necessary if the city votes for liquor to be sold within its limits. Mayor Coulter stated he would put an open letter in the paper and send the letter out to the people before voting time to let them know that they would have to be taxed again for a jail and extra police protection. Wiley Barnes stated to Mayor Coulter that the county couldn't do anything for us.

Mayor Coulter read a letter from Community Water Service saying they would try to give us better service.

Several bills were presented from Bill Howell, Inc., Harper Texaco Stqtion, Calvert's Skelly Station, and the Police Car Insurance payment for August. A motion was made by John Dunn to pay the bills, seconded by Joyce Plumlee and the motion was carried.

Mayor Coulter stated he had contacted prospective members for the Planning and Zoning Commission and so far the people on the list were, C. L. Randolph, Mrs. Birdsong, Floy Risien, Mr. Clancey and Leon Pledger and possibly L. H. Wood and Jess Pope. We will have to have new maps made up of the city before we can start planning.

Joyce Plumlee made a motion to adjourn, seconded by John Dunn and the motion was carried. The meeting adjourned at 4:00 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

August 28, 1965

C9

MINUTES
Lake Dallas City Council
Meeting

A special meeting of the Lake Dallas City Council was called at 3:00 p. m. in the City Hall. The following people were present: Mayor William T. Coulter, Councilmen, Joyce Plumlee, Thurmond Garrison, C. L. Randolph, and Bill Grammer. Joyce Plumlee acted as Secretary for the meeting.

A motion was made by Bill Grammer, seconded by Mr. Randolph to install a streetlight at the Methodist Church. The motion was carried.

A motion was made by Joyce Plumlee to pay the current bills, seconded by Bill Grammer and the motion was carried.

A motion was made by Bill Grammer to paint a new sign on the Police car and office. It was seconded by Mr. Randolph and carried.

Mayor Coulter appointed Mr. Randolph to see into having a Civil Defense Unit organized in Lake Dallas.

A motion was made to send a letter out on the Liquor Election, seconded by Mr. Randolph, and the motion was carried.

A motion was made by Bill Grammer and seconded by Thurman Garrison to appoint members for the Zoning Committee. The following people were selected; Mr. Lex. H. Wood, Lynella Birdsong, Mr. Clancey, Jesse Pope, Floy Risien, and C. L. Randolph as a member of the City Council.

Bill Grammer made a motion for adjournment, seconded by Mr. Randolph and carried. The meeting adjourned at 4:30 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
(By: Joyce Plumlee, Acting
City Secretary)

A regular monthly meeting of the Lake Dallas City Council was called to order at 7:30 p. m. in the City Hall by Mayor Coulter. The following Councilmen were present, John Dunn, Joyce Plumlee, Thurman Garrison, C. L. Randolph and Bill Grammer. John Farmer, Police Chief and Georgianna Werner, Secretary were also present.

Howard Davis of the Water Board presented the latest developments and stated that the City had bought out Stowe's well and were making plans to soon start digging another well. He stated all complaints should be forwarded to Mr. Hunter, Manager of the Water Authority. They plan a billing rate of $3.50 for the first 1000 gallons of water and $1.00 additional for each 1000 gallons thereafter. The Water Board will furnish the water meter. Members of the City Council were going to check with the Fire Department and see if the City and Fire Department couldn't buy 5 to 12 reconditioned fire plugs. The Secretary was instructed to write the Texas Municipal League to get the same information.

The minutes of the previous meeting were read by the Secretary and approved as read. The balance in the treasury at September 9, 1965 was $756.51.

The deputizing of John Farmer was again discussed. Mr. Farmer stated that Mr. Duvall wanted to hire him for a while to patrol Hickory Creek, but the Council agreed that they couldn't spare him and the use of the Police car to go that far. Since Lake Dallas now has a football field and will hold Friday night football games, there is a need for at least 2 officers to be present when there is a large crowd. Mr. Robinson of Lake Dallas was to be deputized for the football games only. The motion was made by Mr. Randolph and seconded by Joyce Plumlee and carried.

Mr. Randolph made a motion to allow the Police Chief to purchase three shirts and three pairs of trousers to be paid for by the City. The motion was seconded by Mr. Grammer, and carried.

Joyce Plumlee made a motion to buy all gasoline for the Police car from local gas stations, and since there were no Mobil or Sinclair stations, take up the credit cards and keep them in file. The motion was seconded by C. L. Randolph, and carried.

Mr. Dunn made a motion to pay all current bills for car repairs, printing, etc. The motion was seconded and carried.

Several franchises were found to be in arrears, namely, Stowe's Water franchise for 6 months of 1964 and all of 1963, Lone Star Gas and Calvert Garbage collection. Mr. Randolph made a motion to turn the past due Harper Water franchise over to Bruce Davis for collection. The motion was seconded by Mr. Dunn and carried.

Mayor Coulter stated he wrote a letter, as a private citizen to the Denton Record Chronical, telling them that he objected to the way they always wrote up a biased article on what the people in Lake Dallas did and said.

Mr. Randolph made a motion for adjournment, seconded by Mr. Dunn. The meeting adjourned at 9:00 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

This meeting was called by Mayor Coulter at 7:30 p. m. in the City Hall to take the place of the regular Thursday night meeting of October 7, 1965. Mayor Coulter and the following Councilmen were present: C. L. Randolph, Mr. Dunn and Mr. Garrison. Secretary, Georgianna Werner and Police Chief, John Farmer were present and the following members of the Zoning Commission: Jess Pope, Lynella Birdsong, Floy Risein, and L. H. Wood.

The minutes of the previous meeting were read by the Secretary and approved as read. The treasury balance was $592.84 as of this date.

Attorney Bruce Davis advised to hold up on the water franchise with Harper Water Service. Mr. Davis drew up an Ordinance with Stowe's Water Service and they were to pay up their overdue water franchise with the City as one of the conditions of the sale of their well to the City, but the franchise is still unpaid as of this date. The Secretary read the City Ordinance #1[illegible] to cancel and terminate the water franchise with Jess Stowe and wife, dated March 9, 1961. It was discussed and decided upon to hold the Stowe Ordinance a while and get the past due franchise money first.

Mr. Dunn made a motion to get Mr. Grubbs to mow the grass and weeds in the City once more before winter. The motion was seconded by Mr. Randolph and carried. A discussion was held about sending property owners a letter about cutting weeds or burning off the grass and weeds, but no definite action was taken.

Two decal signs were purchased for the sides of the police car instead of having the sign painted on the car. Mr. Farmer showed the signs to the Council and they met with approval.

Mr. Dunn made a motion to pay the current bills, which were given to the Secretary. Mr. Grammer seconded the motion and it was carried.

There was a discussion of putting the Police Chief on full time for a month as a trial to see if he could write enough tickets to pay his salary. He would choose his own time for working, either in the morning or evening, spreading his time and working at the busiest times of traffic. Mr. Dunn made a motion to adopt this plan for a month, seconded by Mr. Grammer and the motion was carried. The Police Chief's paydays would remain the same, but the salary would be $300 a month, plus warrant pay, beginning October 1, 1965.

Mr. Dunn made a motion to change the name Turbyville Road to Hundly Drive when the next city maps were drawn up. The motion was seconded by Mr. Grammer and carried.

Mr. Randolph made a motion to adjourn, seconded by Mr. Grammer and the motion was carried. The meeting adjourned at 8:45 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting
October 28, 1965

A special meeting was called at 7:30 p. m. in the City Hall by Mayor Coulter to consider the Lone Star Gas Company franchise.

Present were: Mayor William T. Coulter, Councilmen, Dunn, Randolph, Grammer, Garrison and Plumlee, Secretary Werner. Mr. Virgil Stroup represented the Lone Star Gas Company.

The meeting was called to order by Mayor Coulter and Mr. Stroup explained the franchise to the City Council. Attorney Bruce Davis had looked over the franchise earlier in the day and suggested several minor changes. Otherwise, the franchise was almost the same as our previous one with the Lone Star Gas Co. Mayor Coulter thought we should have a copy of the Gas Company's policy letter explaining rates for reconnection of gas service and repair to gas appliances with no charge for pilot lights.

There are about a dozen families in Lake Dallas who need and would like gas lines to their homes. It is estimated that about 500 to 700 feet of gas pipe is needed to supply them.

Mayor Coulter read the franchise and it was thoroughly discussed by the Council members. The Gas rate schedule for consumers was also read.

It was decided not to sign the franchise now until it was determined if we would be paid for the full year 1965 on or before April 1, 1966. If this is the case, the Council is agreeable and are ready to sign the franchise contract. Mr. Stroup was going to clarify these points and let the Council know if they would be changed.

Paying the Police Chief full time salary was discussed and due to the City's financial position, it will be hard to continue paying full salary at this time.

The City has 8 stop signs that can be installed. A blinker light was discussed for the road near Calvert's Station. Mayor Coulter and Police Chief John Farmer are going to install the stop signs in the near future.

The meeting adjourned at 9:30 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

The regular monthly meeting of the City Council was called to order by Bill Grammer in the absence of Mayor William T. Coulter. The following people were present: Councilmen, John Dunn, Joyce Plumlee, C. L. Randolph, Thurmon Garrison and Secretary Georgianna Werner. The meeting began promptly at 7:30 p. m. in the City Hall.

Mr. L. M. Tibbals, Regional Manager of the Lone Star Gas Company out of Denton and Mr. Virgil Stroup, Representative were at this meeting to present the Franchise and Rate Schedule. Mr. Tibbals stated they would back date the franchise to the City's incorporation date (April 17, 1965) instead of the present date of signing the franchise contract. They had also checked the extension of gas lines to several homes in Lake Dallas and thought the lines could be extended there. The franchise was discussed and was agreeable to all present. Mr. John Dunn made a motion to accept the 25-year franchise, seconded by Joyce Plumlee and the motion was passed. The franchise is City Ordinance No. 12 and the Rate Schedule is City Ordinance No. 12. Mr. Tibbals stated the city would receive the money shortly after the first of the year, as soon as the necessary reports were available.

The current bills were presented and were turned over to the Secretary for payment.

Due to the City's lack of funds, it was decided by the Council that full time salary for Police Chief John Farmer was out of the question right now. Mr. Garrison made a motion to pay him full salary, $150 up to November 15th and then drop back to $75 twice a month from then on.

Joyce Plumlee also brought up the problem of the Police Chief's telephone. It is now listed in his wife's name and they pay their regular bill and are reimbursed for any city calls the Chief may make in the line of duty. Mrs.Gross of the Lake Dallas Telephone Co. says it will be $8.00 a month to have the phone listed as a business phone in the City's name and have a private line. Mr. Randolph made a motion to put in a private line, subject to Mayor Coulter's approval, and list it as Lake Dallas Police Department and the bill will come to the City for payment. The motion was seconded by Mr. Dunn and carried.

Mr. Dunn made a motion to adjourn, seconded by Mr. Randolph and the motion was carried. The meeting adjourned at 8:10 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

The regular monthly City Council meeting was called to order in the City Hall at 7:30 p. m. by Mayor Coulter. The following members were present: Mayor Coulter, Thurman Garrison, John Dunn, C. L. Randolph, Joyce Plumlee and Georgianna Werner, Secretary. Police Chief John Farmer was also present.

The minutes of the previous meeting were read by the Secretary. Mr. Randolph made a motion to accept the minutes as read, seconded by Mr. Garrison and the motion was carried.

Mayor Coulter stated that the green highway signs at the north end of town would have to be taken down since they were outside the city limits. Attorney Bruce Davis advised this should be done.

Mayor Coulter also talked to Mr. Davis concerning the water franchise. Mrs. Stowe owes payments for all of 1963 and 7 months of 1964. She is going to extend a 2 inch water line instead of the 1 inch line that is now there.
The Harper water franchise is almost identical with Stowe's and they owe 7 months of 1964. Mayor Coulter stated he will clarify with Bruce Davis on December 11th, 1965 to find out if Mr. Harper or Community Water Service is liable for the water franchise for that 7 months.

Mayor Coulter also talked to Mr. Calvert concerning their franchise and was informed that one would be drawn up soon.

Mayor Coulter stated he would call Mr. Gross and have him get a new telephone franchise up to date. In the past their franchise was paid quarterly. If possible, he would have Mr. Gross at the next City Council meeting. Mr. Randolph said he would call the Telephone Co. and inform them of this, since they are in arrears since April 17, 1965.

Mr. Randolph asked about an emergency zoning ordinance until the final ordinance could be put into effect. The Mayor was inclined to think the Council would have to pass on the whole complete ordinance. Then there would have to be a Building Inspector and he would issue permits. It was discussed and felt that nothing could be done about bringing in old buildings until the zoning ordinance was complete.

Joyce Plumlee inquired to see if the Council couldn't get Virgil Greer, Commissioner, to get the water drained off the road in front of Mrs. Mosley's house. Mayor Coulter stated he would try to see Mr. Greer to see if he would do something about fixing our streets.

It was stated that the City is automatically exempt from paying tax, and Mayor Coulter instructed the Secretary to deduct such tax from car repair and gasoline bills before paying them.

The new Texas Criminal Code will go into effect in January 1966 and it will effect our Court Procedure in some ways and we have several warrants to be served before the first of the year. The Secretary was instructed to send letters with respective warrants to the cities involved, namely, Dallas, Ft. Worth, Irving, and Grand Prairie. In October 29 tickets were written up and 27 collected. In November 7 tickets were written and 6 collected.

It was discussed and decided to warn the teen-age drivers once and give them a ticket the next time for traffic offenses, and also not having a driver's license. The older residents should be treated the same as the young drivers and no partiality shown to anyone. It was brought to the Council's attention that we need more 20 mph signs posted especially on Main Street, since offenders say they did not find it posted. 30 mph is a State law, unless otherwise specified.

Mr. Randolph asked about annexing more property into the City. A petition for annexation would have to be brought to the Planning & Zoning Commission, who in turn would bring it to the City Council and they would act upon it. The Water Authority has annexing powers which the City does not have. People who want water should see Howard Davis, as they need all the customers they can get on the new water line.

Joyce Plumlee made a motion to adjourn, seconded by Mr. Randolph and the motion carried and the meeting adjourned at 8:35 p.m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting

A special meeting of the City Council was called at 7:30 p. m. in the City Hall by Mayor Coulter to discuss the financial position of the city at year end. The following people were present: Mayor Coulter, Councilmen, Plumlee, Garrison and Dunn, Secretary Georgianna Werner and Police Chief John Farmer.

The city's bank balance is down to about $185.00 with about $300 in outstanding bills. This was discussed as well as the income that might be coming in from franchises after the first of the year and it was decided to make a loan at the Lewisville State Bank and try to get about $600 to pay bills. Joyce Plumlee made a motion to appoint Mayor Coulter to contact the bank and borrow the money to cover current expenses. The motion was seconded by Mr. Garrison and was carried.

Three warrants for arrest had been returned unserved by the Dallas Warrant Office, for reason that they had to be endorsed by a County Judge. John Lawhon, District Attorney of Denton County, was contacted and he saw no reason why the warrants had to be signed by a County Judge. Mayor Coulter asked the Secretary to contact the Dallas Warrant Office and clarify what had to be done.

The various overdue franchises were discussed again. It was decided to wait until after the next bond election in about 2 weeks before contacting Mr. Harper and Community Water Service about the franchise, or sending them a statement. This would amount to about $200. The same would apply to the Stowe franchise which would amount to about $300. The Telephone Company franchise is also due and was paid quarterly. Mr. Gross stated to Mayor Coulter that he would have a new one drawn up.

Mayor Coulter stated he wanted to call a special meeting with members of the Water Authority and the Planning and Zoning Commission and set the meeting for Monday, January 3, 1966 at 7:30 p. m. in the City Hall.

Mr. Dunn made a motion to adjourn, seconded by Joyce Plumlee and the meeting adjourned at 8:45 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

A special meeting was called and held in the City Hall with members of the Municipal Water Authority Board, City Planning and Zoning Commission and City Council in attendance. Mr. Straken of Reilly Engineers of Ft. Worth and news reporters of the local papers were also present. There were about 25 to 30 people present.

Howard Davis, President of the Water Authority Board, presided over the meeeting. Mr. Stracken informed the group of the progress made with the Municipal Water well and lines, and said the water plant should be ready to go into use by February 1st with the new storage tank. He stated that the City was in a good position to go ahead if this bond election goes through and the City would be provided with a complete water and sewer system. The new well has 120 gallons a minute pumping capacity and will pump more with continuous pumping. They are very happy with the well that has been completed. Another well could be put in that same site and put down to the Trinity water line and then 350 gallons a minute could be pumped.

Mr. Hunter spoke and gave a resume of the work done by the Municipal Water Authority and stressed the point that the water and sewer system is not a cost, but it is an investment and there is an income from it.

A long form letter and a short form letter to be sent out to the city voters was discussed, each setting out the progress and future needs for the bond election. Donations were taken from the people present and $15.00 was donated by the Lake Dallas Citizens League, making a total of $51.00 and several people said they would donate later. The money was to go for printing of the letters, stamps, and advertising in two newspapers for the election of January 15, 1966.

The posting of 3 or 4 Notices of Election was discussed and it was decided to post them at Ruckers, Sargents, Risien's Hardware and also Stowe's Laundry.

Mr. Randolph made a motion to adjourn, seconded by Mr. Wood and the motion was carried. The meeting adjourned at 9:15 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

A special called meeting was held in the City Hall immediately following the General Meeting on the proposed Bond Election to be held January 15, 1966. The meeting was called to order by Mayor Coulter with the following people present: Joyce Plumlee, John Dunn, Thurman Garrison, Bill Grammer, C. L. Randolph and Mrs. Werner.

The financial position of the City was discussed. Mayor reported he had made a loan at the Lewisville State Bank in order to pay the bills until more money comes in from tickets and franchises, which is the City's only means of support at the present time.

The average cost of the upkeep of the Police Car, for gasoline, repairs, and insurance runs about $125 to $135 per month. Since the traffic tickets have dwindled down to 6 or 7 during the slack winter months, it has come to the point where the City can not meet expenses and may have to cut off the Police Car. Mr. Randolph put this in the form of a motion, seconded by Joyce Plumlee and the motion was carried and would be discussed again at the next meeting.

Mr. Dunn made a motion to take up all gasoline Courtesy Cards except the one that would be used for a month, then use another one the following month. This motion was seconded by Mr. Garrison and carried.

The next meeting would be the regular monthly meeting on Thursday, January 13, 1966.

Mr. Garrison made a motion to adjourn, seconded by Mrs. Plumlee and the motion was carried. The meeting adjourned at 10:00 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting January 13, 1966

The regular monthly meeting of the City Council was called at 7:00 p.m. in the City Hall. The following people were present; Mayor Coulter, Bill Grammer, John Dunn, Joyce Plumlee, Thurman Garrison, C. L. Randolph and Mrs. Werner.

Mr. Randolph made a motion to buy gasoline for the Police Car for one month from Calvert's Skelly Station. The motion was seconded by Mr. Dunn and was carried. The other credit cards, Sinclair, Mobile, Texaco and Conoco were given to the Secretary for filing.

The feasibility of having a work authorization order for repairs to be done on the Police Car was discussed. Mr. Randolph made a motion to adopt such a Work Order Authorization to be signed by a City Official before the work is done. The motion was seconded by Mr. Garrison and was carried. The Mayor asked the Secretary to make up some sample copies of such an order.

The possibility of taking the Police Car out of service was discussed again, since the City's expenses were running so high and the number of traffic tickets had decreased in the past couple of months. Mr. Dunn made a motion to go on until the 15th of February and then John Farmer can figure out what hours he can work in the event he takes another full time job. The Counsel does not wish to take the Police Car out of Service, but definitely needs more revenue from the Police Department at the present time. This motion was seconded by Mr. Grammer and the motion was carried.

Current bills were given to the Secretary for payment. John Farmer presented 5 warrants which he had served. Mayor Coulter advised the Secretary to pay for the warrants at the rate of $7.50 each on his next paycheck.

Literature from the North Central Texas Counsel of Governments was presented. The cities and towns of ten north central Texas counties were asked to join this group to coordinate planning for surveys, roads, recreation areas, etc. Joyce Plumlee made a motion that the City of Lake Dallas join the North Central Texas Counsel of Governments, seconded by Mr. Garrison and the motion was carried. The Secretary was advised to send a check for the $25 membership fee.

The Planning and Zoning Commission represented by Jess Pope, Floy Risien, C. L. Randolph and L. H. Wood Chairman, met with the Council at 7:30 p.m. The preliminary hearing of the Commission was discussed and it was mutually decided to wait until after the Bond Election which had been set for January 15th. The Commission needs revised maps of the new City limits. Mr. Taylor, Mr. Buford and Paynes would like to come into the City. Since this would take some time, it was decided to draw up the maps now and change the boundaries later. Mr. Grammer made a motion to provide maps to the Zoning Commission which include our present corporate limits. The motion was seconded by Mr. Dunn and carried.

The Planning and Zoning Commission reported that they intended to revise the Aubrey Zoning Code to fit their needs. They would also add a trailer and a junk yard zoning code.

Civil Defense School is being held in Bryan, Texas, February 29th to March 5th. John Farmer expressed a desire to attend the week of school. The room and board cost, about $60, would be paid by the City.

Mr. Dunn made a motion to adjourn, seconded by Mr. Randolph and carried. The meeting adjourned at 8:00 p.m.

Respectfully submitted Georgianna Werner
Georgianna Werner, City Secretary

MINUTES
Lake Dallas City Council Meeting

February 10, 1966

The regular monthly Council Meeting was called to order by Mayor Coulter at 7:30 p. m. in the City Hall, with the following people present: Joyce Plumlee, John Dunn, C. L. Randolph, Bill Grammer, Mrs. Werner and Louis Gross.

Mr. Randolph made a motion to order an election of City Officers, get absentee ballots printed and material worked up for the election. The motion was seconded by Joyce Plumlee and carried.

Joyce Plumlee made a motion to get Eva Garrison for Election Judge for April 5th. The motion was seconded by Mr. Randolph and carried.

Mrs. Werner, Secretary, read a letter written to acknowledge the Lone Star Gas Company franchise.

Mr. Louis Gross was present to present his franchise for the Lake Dallas Telephone Company. He also presented a franchise for a closed circuit and antenna hookup in Lake Dallas, which we may never need. If it meets with the Council's approval and if it becomes available, Mr. Gross would like the franchise. Mayor Coulter stated that the Council would look into the telephone franchise as presented and have Attorney Bruce Davis look it over and act on it.

Joyce Plumlee spoke of the need to clean up the streets after the pipes were laid down for the water. She stated Virgil Greer would come and fix the culverts if the City would pay for them. So it was decided to get in touch with him and get a couple of bad spots in the streets fixed.

Joyce Plumlee made a motion to adjourn, seconded by Mr. Dunn and carried. The meeting adjourned at 8:45 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

A special meeting of the Lake Dallas City Council was called by Mayor Coulter and met in the City Hall at 7:00 p. m. The following people were present; Mayor Coulter, Councilmen Grammer, Dunn, Plumlee, Garrison, and Randolph, Secretary Werner and Police Chief Farmer.

John Farmer turned in his written resignation for the office of Police Chief. Mr. Grammer made a motion to accept his resignation, which was seconded by Joyce Plumlee and the motion carried.

Mr. Grammer made a motion that John Farmer should be paid full salary until the end of his elective term (4-5-66) in appreciation for his services. Mr. Dunn seconded the motion and it was carried.

The coming election of City officers was discussed. There are approximately 425 qualified voters and the Secretary was instructed to order 500 regular ballots and 25 extra for absentee voters.

The telephone franchise was discussed and had been given to Bruce Davis to look it over. Mayor Coulter appointed a 3-man Committee made up of Bill Grammer, Joyce Plumlee and C. L. Randolph to check on the rate schedule and the old franchise with the Telephone Company.

Mr. Grammer made a motion to adjourn, seconded by Mr. Randolph and carried. The meeting adjourned at 9:15 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting March 14, 1966

A special called meeting was held in the City Hall at 7:00 p. m. Mayor Coulter and all of the Council members were present; John Dunn, Joyce Plumlee, Bill Grammer, and Thurman Garrison, Secretary Mrs. Werner and Chief of Police, C. L. Randolph.

Mr. Grammer made a motion to dispense with the reading of the minutes of the last meeting, which was seconded by Mr. Garrison and the motion was carried.

Mayor Coulter made a recommendation to the Council that they put C. L. Randolph on full time as Police Chief. Mr. Grammer put a motion before the Council to make the Chief of Police job full time with a salary of $350 a month. The motion was seconded by Joyce Plumlee and was carried. Mr. Dunn made a motion to make the pay retroactive to February 15th, 1966. Mr. Garrison seconded the motion and it was carried by vote.

The Secretary was instructed to secure an Identification No, for the City and see about taking Social Security and Income Tax Withholding from the wages of employees in the future.

Police Chief Randolph showed a Citizens Band 2-way radio to the Council and explained the need for it in his job. Mr. Grammer made a motion to buy a set of 2 radios and antennas for installation. Mr. Garrison seconded the motion and it was carried. Mr. Randolph was to compare prices and decide about the purchase of the radios.

The Lake Dallas Volunteer Fire Department discussed with the City Council the possibility of the City assuming title to the 4 fire trucks, which would exempt them from purchasing license plates and save about $300 a year for the Fire Dept. Mrs. Plumlee made a motion to assume title to the fire trucks by the City, seconded by Mr. Dunn and the motion was carried.

City annoyances and disturbances were discussed, and something will soon have to be done in this direction.

Mayor Coulter read several invitations to various meetings and luncheons, but no one could attend them at this time.

The Mayor read two Ordinances, one on Overlapping Terms of Office and the other Liability for Damages of the City of Lake Dallas, which released the City from damages on the streets. It was decided to hold the Ordinances in abeyance until after the April 5th election of City Officers.

Delinquent franchises for water from Stowes and Mr. Harper were discussed. It was decided to put this in the hands of Attorney Bruce Davis after the election.

The Council discussed the possibility of deputizing Pee Wee Risien as Clerk to take up fines when people came looking for the Corporation Court. Mr. Dunn stated he would contact Mr. Risien and talk to him about accepting this job.

Joyce Plumlee made a motion to give the Secretary $30 a month for expenses, retroactive to March 1st, 1966, since there was more work involved as the City progressed. This was seconded by Mr. Dunn and the motion was carried.

The regular meeting on the third Thursday was dispensed with since there was this called meeting.

Mrs. Plumlee made a motion to adjourn, seconded by Mr. Garrison, and carried. The meeting adjourned at 8:45 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner, City Secretary

A special meeting of the City Counil was called by Mayor Coulter at 7:00 p. m. in the City Hall. Three members of the old City Council were present, Mrs. Plumlee, John Dunn and Bill Grammer. The new members elected to the City Council were present, Lex H. Wood and Fred Carlisle.

It was decided that the old City Council should canvass the votes of the election of City Officials held April 5, 1966. The tally of votes resulted in the following count: Joyce Plumlee 159, Bill Grammer 155, Lex H. Wood 152, John Dunn 140 and Fred Carlisle 140, Mrs. Lula Bell Nixon 92 and Marvin Haney 70, for City Councilman. The vote for Mayor resulted in the following count: William T. Coulter 139, Roy Harper 68 with Winston Harper written in and also B. E. Brown written in.

Mr. Grammer made a motion to accept the election returns as stated. The motion was seconded by Mrs. Plumlee and the motion was carried.

Mr. Wood asked the Council to accept his resignation as Chairman of the City Planning and Zoning Commission, since he was now to serve on the City Council. Mrs. Plumlee seconded the motion made by Mr. Grammer that the City Council accept his resignation. The motion was carried.

Pee Wee Risien swore in the new Councilmen with the Oath of Office and also the Mayor. The Secretary was to prepare a copy of the Oath for each of the people.

The Councilmen drew lots to determine the length of their term of office. A two-year term was drawn by Mr. Grammer, Mr. Wood and Mr. Carlisle. A one-year term of office was drawn by Mr. Dunn and Joyce Plumlee.

The need for a new traffic Ordinance was discussed. Mr. Grammer made a motion to have Attorney, Bruce Davis draw up a new traffic ordinance with all the traffic violations listed. This was seconded by Mr. Dunn and the motion was carried. Mayor Coulter stated he would call Mr. Davis and have him start work on it immediately

The Telephone Franchise was discussed. Mr. Davis had suggested that it be held up until after the election. A copy of the telephone franchise was given to the new Councilmen, Mr. Wood and Mr. Carlisle to read until the next meeting. Mr. Dunn made a motion for the Council not to consider the Closed Antenna TV System at this time since the telephone company cannot show cause to build this system within the next 6 months. The motion was seconded by Mr. Carlisle and carried.

Mr. Carlisle made a motion that the monthly Council meeting should be reset for the second Thursday of the month instead of the third Thursday. The motion was seconded by Joyce Plumlee and carried.

Mr. Dunn stated that Mr. Risien had been collecting $40 to $50 in fines at his Hardware store from people who came to pay their fines and were looking for the City Hall during the day. Mr. Grammer made a motion that we pay Mr. Risien the sum of $100 for lease of his buiding for the City Hall for the past year, since he would not accept payment for collecting fines. Mr. Dunn seconded the motion and it was carried.

(Continued)

The Nuisance and trash Ordinance was discussed and would have to be enforced. The hours for burning trash are from 5:30 a.m. to 10:30 a.m. while the grass is wet. The fine for burning trash at any other hour is not less than $5.00 nor more than $100 and each day is a separate offense.

Mr. Randolph asked for a work order to have the speedometer on the Police Car calibrated. Mr. Dunn made a motion to have Mr. Randolph buy three uniforms and ties. The motion was seconded by Mrs. Plumlee and carried. Mr. Carlisle made a motion for the City to pay for cleaning of Police uniforms. The motion was seconded by Mr. Wood and carried.

Mr. Dunn made a motion for Bill Grammer to act as Mayor Pro-tem when needed. The motion was seconded by Mr. Wood and carried.

Mrs. Plumlee made a motion to contact Bruce Davis and have him write letters to Harper Water Service, Calvert Garbage Disposal and Stowe's Water Service and request payment of past due franchises with the City. Mr. Dunn seconded the motion and it was carried. Mayor Coulter stated he would contact Mr. Davis.

The Secretary had contacted authorities regarding Social Security coverage for City employees. Mayor Coulter suggested to talk to Mr. Randolph and then go ahead and contact the Social Security Board in Austin and get the City covered for withholding from all City employee's wages now and in the future.

The meeting adjourned at 8:45 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting

April 14, 1966

The regular monthly meeting was called to order by the Mayor, William T. Coulter, with the following people present: Councilmen, L. H. Wood, John Dunn, Joyce Plumlee and Fred Carlisle, Secretary, Mrs. Werner and Police Chief, C. L. Randolph.

Mayor Coulter read Ordinance No. 15 concerning "Overlapping Terms of Office". Mr. Wood made a motion to pass the Ordinance as read. The motion was seconded by Mrs. Plumlee and the motion was carried.

The Ordinance specified two 2-year terms of office for Councilmen and three 3-year terms. Another drawing was held and Fred Carlisle drew the 1-year term of office.

Mayor Coulter read Ordinance No. 16 concerning the regulations for"Liability for Damages by the City of Lake Dallas."Mr. Dunn made a motion to pass the Ordinance relieving the City of public liability. Mr. Carlisle seconded the motion and it was carried.

Mayor Coulter read Ordinance No. 17 concerning Corporation Court violations and fines. This was to be published in the Lewisville newspaper as soon as possible. Joyce Plumlee made a motion to pass the Ordinance as read, and the motion was seconded by Fred Carlisle and carried.

Mr. Dunn made a motion to put a street light at the intersection of Carlisle Drive and Sargent Street. Mrs. Plumlee seconded the motion and it was carried.

Mr. Dunn made a motion to raise the Police Chief's salary by $25.00 per month since he was doing such an excellent job. The motion was seconded by Joyce Plumlee and the motion was carried

Traffic signs were discussed and it was decided to put 40 mile per hour signs on the Service road. Mr. Randolph was told to go ahead and put them up.

Mayor Coulter appointed Mr. Wood to the Planning and Zoning Commission to represent the City Council.

Joyce Plumlee made a motion to adjourn, seconded by Mr. Dunn and carried. The meeting adjourned at 8:30 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

A special meeting was called in the City Hall at 8:30 p. m. by Mayor Coulter. The following Councilmen were present: Bill Grammer, John Dunn, Joyce Plumlee, and Fred Carlisle. Police Chief, C. L. Randolph and Secretary, Georgianna Werner were also present.

The meeting had been called to discuss traffic tickets and the objection by several people to the number of tickets written. Several people had been invited to attend the meeting and discuss the problem but these people did not show up.

Mrs. Plumlee made a motion to contact Mr. Grubbs and see if he would contract to keep the grass mowed for the city all summer long. The motion was seconded by Mr. Dunn and carried.

Mr. Dunn made a motion to clean out the culvert across Thompson Drive near the Duck Inn. The motion was seconded by Fred Carlisle and carried.

Mayor Coulter read the Ordinance of Traffic Violations to the Council. This is to be published in the Lewisville Leader newspaper as soon as possible.

Mr. Handley stopped by and stated Mr. Randolph had not scratched the surface in catching the speeders going by Sargent's store. He expressed the opinion that Mr. Randolph was doing a very fine job.

The meeting adjourned at 9:30 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council
Meeting

The regular monthly meeting of the City Council was called to order in the City Hall by Mayor Coulter at 7:00 p. m. The following Councilmen were presnet, Bill Grammer, Lex H. Wood, John Dunn, Joyce Plumlee and Fred Carlisle.

Louis Gross of the Lake Dallas Telephone Co. met with the Council and withdrew the original franchise he had presented and substituted another one. He stated this new franchise was better for the city and the phone company. The rate Schedule was made as a separate Ordinance. He stated he would have more copies made and present them to the Council at a later date.

Several property owners living in the vicinity of Stowe's Laundry and Buddy Howard's place discussed the problem of sewerage running out in the open on top of the ground. Mr. Stowe stated that a new sewer line was needed and that several connections onto the sewer line were made improperly causing the drainage to back up. Also, because the lake water was at such a high level, it was thought maybe the lake water was backing up into the sewer lines. It was decided to wait until the lake goes down and things dry up and then see where the water comes from.

Due to so much rain, high water and sewerage, the mosquitoes are abounding this year. The subject was discussed and decided to inquire about spraying the city for bugs and mosquitoes. Mr. Randolph stated he would get some information about spraying.

The problem of buying a tractor for cutting weeds and grading the roads was discussed in detail. A mower was located in Denton that could be bought for $1300. It was decided it would be better to buy a maintainer for road work and pay someone to do the mowing.

The traffic situation is getting heavier with each weekend as the summer season gets underway. Mr. Randolph needs some help for the weekends. He had inquired and found that Denton Policemen would work on their days off for $2.50 an hour and would help us if we needed it. Mr. Wood made a motion to hire a part time Policeman. Mr. Dunn seconded the motion and it was carried.

The Insurance on the Police Car was discussed and it was decided to drop the collision and comprehensive coverage on the insurance the next time it was to be renewed.

The purchase of a new Ford Police Car was discussed in detail. Mr. Dunn made a motion to buy a new car, seconded by Joyce Plumlee and the motion was carried. Mr. Grammer and Mayor Coulter stated they would check into prices and try a car with a smaller motor, but with the police equipment package.

Mr. Grammer suggested that we don't select people for the Corporation Court Jury who are connected with the city or related to city council members or who live in their household.

Mrs. Mayberry was suggested to serve on the Planning and Zoning Commission to fill the vacancy left by Mr. Wood. Fred Carlisle stated he would contact Mrs. Mayberry and see if she would accept it.

Ordinance No. 18 was read establishing traffic regulations for the City of Lake Dallas. Mr. Grammer made a motion to pass this Ordinance, seconded by Mr. Carlisle and the motion was carried.

The purchase of a duplicating machine was discussed. More information would be needed before making the purchase.

Mrs. Plumlee made a motion to adjourn, seconded by Mr. Dunn and the meeting adjourned at 10:15 p. m.

Respectfully submitted,
Georgianna Werner

Georgianna Werner

A special Council meeting was called by Mayor Coulter at 7:30 p. m. in the City Hall. The following people were present; Fred Carlisle, Lex H. Wood, John Dunn, Joyce Plumlee, Police Chief C. L. Randolph and Mrs. Werner, Secretary.

The Secretary read the minutes of the previous meeting, which were accepted as read, and gave a bank balance of about $1900.

Mayor Coulter stated he would not be at the Corporation Court on Tuesday evenings to act as Judge since he was taking a night job for the summer. Mr. Grammer would act in his place and perhaps the Council meetings could be arranged for Saturday mornings during the summer.

Fred Carlisle was unable to contact Mrs. Mayberry to see if she would consider taking a place on the Planning and Zoning Commission. He stated he would try again and also contact Leon Pledger.

The unpaid franchises were discussed, namely, Mr. Bryant, Thomas Calvert, Stowe Water Service and Lake Dallas Telephone Co. Since no attempt has been made to pay up these back franchises, the Secretary was instructed to send letters to Mr. Bryant and Mr. Calvert asking them to send in a franchise and ask Mr. Calvert to meet with the Council next Thursday evening.

Mr. Wood made a motion to contact Weldon Knight and Bruce Davis, Attorneys and let them follow through for collection from the Stowe Water Service. The motion was seconded by Mr. Dunn and was carried. Mayor Coulter stated he would contact Howard Davis of the Water Authority Board to see if this plan was agreeable with them.

It was decided to invite Mr. Hunter and Howard Davis to the next Council meeting, Thursday, June 9th, to bring the City Council up to date concerning the progress of the Water Board.

Joyce Plumlee reported that the problem of the sewerage running on top of the ground in her neighborhood had been corrected and each property owner paid a part of the cost.

Joyce Plumlee made a motion to pay Denton County for drainage pipe we received. The motion was seconded by Mr. Dunn and was carried. Mr. Carlisle made a motion to get Mr. Bragg and Mr. Sublett to dig the ditches and lay the new drainage pipes and culverts. The motion was seconded by Mr. Wood and carried.

We have lost our two part-time Policemen from Denton. Their Chief called them in and told them they would have to do their police work in Denton. We still need a policeman to work on weekends. Mr. Randolph said he would talk with the Lewisville Police Chief to find out if he knew of anyone that would work part-time.

Joyce Plumlee made a motion to pay Wiley Barnes for Board and keep for prisoners. The motion was seconded by Mr. Dunn and carried.

Joyce Plumlee made a motion to pay Mr. Randolph for each Warrant served in the amount of $7.50. The motion was seconded by Mr. Carlisle and carried.

Mr. Dunn made a motion to pay our $600 note at Lewisville Bank, plus interest. The motion was seconded by Mr. Carlisle and carried. Mrs. Werner said she would pay it the next day.

The meeting adjourned at 9:15 p. m.

Respectfully submitted,
Georgianna Werner
City Secretary
Georgianna Werner

APPROVED:

_____

_____

A regular monthly meeting of the City Council was held in the City Hall at 7:30 p. m., with the following people present: Mayor Tom Coulter, Councilmen Bill Grammer, Lex H. Wood, John Dunn and Joyce Plumlee and Mrs. Werner, Secretary.

The minutes of the previous monthly meeting were read by Mrs. Werner and accepted as read by the Council.

Mayor Coulter stated that the meeting which was to be held June 9th with members of the Water Authority attending had been called off, since a quorum of Council members could not attend the meeting.

Mayor Coulter stated we had received the annual franchise payment from Texas Power and Light Co., in the amount of $1,370.44, which had been deposited to the City's account.

The Secretary gave a bank balance of $2616.00.

Mr. Dunn made a motion to approve payment for a red light, siren, and 2-way radio for the new 1966 police car. Mr. Wood seconded the motion and it was carried.

Mr. Grammer brought up the subjects of paying the Police Chief $7.50 for each warrant he delivered and paid vacation days for the Chief. Mr. Wood made a motion to allow 7 days paid vacation a year to the Police Chief, since he worked 7 days a week. The motion was seconded by Mrs. Plumlee and was carried.

Mayor Coulter stated that our part-time Policeman, Mr. Sparks, was going to resign to take a full time job with the Lewisville Police Department on Aug. 1, 1966. This matter was discussed and it was decided to do without a part-time Policeman for the rest of the summer if possible.

A discussion was held concerning the changing of the Citizens Band Radio in the '64 Police car to the '66 Police car. Mr. Wood made a motion to make the change if and when it was necessary. Mr. Dunn seconded the motion and it was carried.

Mr. Grammer suggested taking the restrictions off one of the parks on this side of the Lake so we can get control of one of the parks. It was discussed but no action was taken at this time.

Mayor Coulter stated he and several other men had looked at a Caterpillar Maintainer for the upkeep of our gravel roads. One could be purchased for about $4,000. Lewisville State Bank would set up the payments the same way as for the Police car.

Mayor Coulter told of many complaints about dogs from the citizens of the town. The Council discussed what could be done about the situation. Denton or Lewisville could not come here and pick up the dogs, so it would be our problem. It was decided to get a letter printed outlining the dog ordinance and the trash ordinance and distribute it to the homeowners. Mr. Dunn made a motion to get a letter printed (about 500) and deliver the letter by Boy Scouts and pay them. The motion was seconded by Mrs. Plumlee and was carried.

Weldon Knight sent a letter concerning the Stowe franchise. After a lengthly discussion, Mr. Grammer made a motion to collect the franchise voluntarily within 30 days or the City will start suit for collection. This motion was seconded by Joyce Plumlee and was carried.

Mr. Dunn made a motion to send a letter to Mr. Bryant and Mr. Calvert to appear at the August 11th City Council meeting with a complete financial statement for the time they operated during 1965 and 1966. The motion was seconded by Mrs. Plumlee and carried.

Bruce Davis forwarded an Ordinance #19 concerning trailer houses in town. Mayor Coulter read the ordinance to the Counsel. Mr. Grammer made a motion to approve and accept Ordinance #19, seconded by Mrs. Plumlee and carried. The caption was given to the Secretary for publication in the next issue of the Lewisville Leader.

Mr. Grammer made a motion to issue building permits and specifications on new culverts that will be installed in the future. The motion was seconded by Mr. Wood and carried.

Another person is needed on the Planning and Zoning Commission and Mayor Coulter asked the Council to suggest someone for the position. The City needs new maps drawn up and Mayor Coulter stated he would see about getting a start on it.

Mr. Grammer suggested that the Council see about taking in the territory north of the City limits.

The meeting adjourned at 8:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary
City of Lake Dallas

APPROVED:

_____

_____

The regular August monthly meeting of the City Council was called to order at 7:30 p. m. in the City Hall by Mayor Tom Coulter. The following Councilmen were present, John Dunn, Joyce Plumlee, Fred Carlisle, Bill Grammer, and L. H. Wood. Secretary Georgianna Werner and Police Chief C. L. Randolph were present.

Mrs. Plumlee made a motion to dispense with the reading of the minutes of the last meeting, seconded by Fred Carlisle and the motion was carried.

Mr. Bill Merrett met with the Council in response to an invitation to meet and bring a financial statement and franchise for his garbage disposal business within the city limits of Lake Dallas. He had no definite franchise drawn up because he explained he did not know the exact boundaries of the city limits. Mr. Wood made a motion to give a 5-year franchise for garbage disposal within the city limits, payable at 2% of gross receipts from the garbage disposal and payable quarterly, retroactive to the day Mr. Merrett took over the business. The motion was seconded by Mr. Grammer and carried. Mr. Merrett stated that at the present time he had 178 customers within the city limits and collected about $400 a month gross. He said he would get a franchise drawn up next week and present it at the next regular meeting on September 8, 1966.

The Secretary gave a bank balance of $3,216.00. A bill for $29.78 from the Duck Inn for dinners for the North Texas Police Association dinner was presented. A letter was read by the Mayor from the North Texas Police Association in appreciation for the dinner. The current bills were discussed and given to the Secretary. Mr. Grammer made a motion to pay all current bills, seconded by Mr. Dunn and the motion was carried.

An ordinance prohibiting junk yards within the city limits was discussed. A cleanup campaign was discussed to get rid of existing junk and old junked cars on public streets and private property as well. Mr. Grammer stated he would contact Attorney Bruce Davis and see what could be done and also get a copy of Denton's new junked car ordinance as a guide. He would also see if we could charge a fee for copies of city ordinances, when people request them.

Mr. Emory H. Pritchett was present at the meeting and presented a map drawn up showing his property across from the Elementary School, which he intended to use as a trailer parking lot. The Mayor read aloud the new Trailer Ordinance again and it was discussed with Mr. Pritchett. It was decided that he would bring a plat up to date and show the place where his septic tanks were located, driveways and the number of spaces now ready for occupancy. Then it must be inspected to see that it comes to city specifications before a permit could be granted by the City Secretary. He stated 2 spaces were now available. The Secretary was instructed to send Mr. Pritchett a copy of the Trailer Ordinance. Mrs. Plumlee made a motion to have Trailer Park and Coach permits and Building permits printed up by the Secretary. The motion was seconded by Mr. Dunn and carried.

Mr. Dunn made a motion to pay Pee Wee Risien in advance for lease of the City Hall for one year, April 1, 1966 to April 1, 1967. Mr. Grammer seconded the motion and it was carried.

Mrs. Werner, Secretary, stated she had talked with Mr. Savage, Lewisville City Secretary and he recommended Mr. Judd of Parish Murrell & Co., C.P.A. to audit the city books and records. Mr. Grammer made a motion to have an estimate made on an audit of the Lake Dallas records since there had never been one since the city incorporated in April 1965. Mrs. Plumlee seconded the motion and it was carried. Mrs. Werner stated she would get in touch with Mr. Judd and make an appointment for him to visit City Hall.

Mr. Grammer stated that Mr. Handley wants to erect a sign at the exit of the Expressway so people will come into Lake Dallas to shop. The sign would be paid for by the merchants of Lake Dallas.

Mayor Coulter stated that Tuesday, August 16th, there would be a Road Maintainer in town for the Council members to look at and decide whether it would be feasible to purchase one for maintaining the city's gravel streets and the ditches.

John Dunn made a motion to adjourn the meeting, seconded by Fred Carlisle and carried. The meeting adjourned at 10:00 p. m.

Georgianna Werner

Respectfully submitted,
Georgianna Werner
City Secretary
City of Lake Dallas

APPROVED:

Joyce Plumlee

[illegible]

Councilmen

Date_____

MINUTES
Special Meeting of
Lake Dallas City Council

A special meeting was called at 1:00 p. m., Saturday, August 27, 1966, in the City Hall. The following people were present: Mayor Coulter, Councilmen, Fred Carlisle and Joyce Plumlee and Secretary Mrs. Werner. The meeting was called in regard to purchase of a road maintainer by the City.

Mr. Sam Raper representative of Hi-way Machinery Company was present at the meeting. He had brought into the city a Caterpillar Motor Grader Model #112 the past week for the Councilmen to examine, try out and decide whether it should be purchased by the City. The total price was $4,500, payable at $125.00 a month plus interest to the Lewisville State Bank. The Council had previously made a resolution to purchase the Maintainer if the Council thought it feasible after its inspection.

Mrs. Plumlee made a motion to adopt the resolution and buy the Motor Grader. The motion was seconded by Fred Carlisle, and was carried. Mr. Dunn and Mr. Wood voted in favor by proxy.

Mr. Carlisle made a motion to adjourn, seconded by Mrs. Plumlee and the meeting adjourned at 1:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary
City of Lake Dallas

APPROVED:

Joyce Plumlee

L Wood

MINUTES
Lake Dallas City Council Meeting

The regular monthly meeting of the Lake Dallas City Council met in the City Hall at 7:30 p. m. with Mayor Tom Coulter presiding. The following Councilmen were present: Joyce Plumlee, Fred Carlisle and John Dunn. Secretary Mrs. Werner and Police Chief C. L. Randolph were present.

Under old business, the past due franchises were again discussed. No word had been received concerning any of the past due franchises since letters were sent out about 6 weeks ago. Mrs. Plumlee made a motion to contact Bruce Davis and Weldon Knight and proceed with the suits for past due franchises. The motion was seconded by Fred Carlisle and carried.

Joyce Plumlee made a motion to approve payment of road repairs in the amount of $134.00 to Mr. Bragg and $55.00 to Leonard Shelton. The motion was seconded by Mr. Carlisle and carried.

The Planning and Zoning Commission was discussed and one more member is needed to fill a vacancy. So far, no one has been available to take this position. Mayor Coulter said he would contact Henry Sargent to see if he would serve on the Commission. Mr. Dunn made a motion to meet with the Water Authority Board and use their Use District Map to start with and have new maps drawn up. The motion was seconded by Mrs. Plumlee and carried.

Joyce Plumlee made a motion to approve the firm of Parish Murrell & Co. of Dallas to audit the city's books from the time of incorporation in April 1965 to the present, with a new accounting period beginning October 1, 1966. The motion was seconded by Fred Carlisle and carried.

A discussion was held as to whether the City and the Water Authority Board might get together and hire one man between them to read the water meters and maintain the streets. Nothing definite was decided upon.

Mr. Dunn made a motion to buy 25 folding chairs for the City Hall, seconded by Mr. Carlisle and the motion was carried. Mr. Randolph stated he would check in 3 different places and we would buy where the price was best.

Mr. Carlisle made a motion to adjourn, seconded by Mrs. Plumlee and carried. The meeting adjourned at 8:30 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner, City Secretary

APPROVED:
Joyce Plumlee
Fred Carlisle

Councilmen

A special meeting of the City Council and the Lake Dallas Municipal Water Authority Board was called to order in the City Hall at 8:00 p. m. with Howard Davis as presiding officer.

Members of the City Council present were: Mrs. Plumlee, Mr. Lex Wood, Bill Grammer, John Dunn and Mayor Tom Coulter and Secretary Mrs. Werner. Members of the Municipal Water Authority Board who were present were: Mr. Blalock, Howard Davis, Pee Wee Risien, Mr. Whitehead and Mr. Garrison. Also attending the meeting was Jim Street of the Bonding Company and Bob King of Rady Associates, Engineers, who met with the group to discuss tax and Revenue bonds for water and sewer construction.

Mr. Street read the two resolutions and explained them and a discussion followed.

Mr. Blalock made a motion to adopt the resolution for the issuance of tax bonds for the city water and sewer system, seconded by Mr. Hunter and the motion was carried.

Mr. Street read the resolution authorizing issuance of $200,000 in Revenue Bonds for the purpose of refunding $140,000 water bonds and providing funds for improving the existing water and sewer system combined. The bonds were to extend over a period of 40 years. Mr. Garrison made a motion to adopt the resolution, seconded by Mr. Risien and the motion was carried.

There followed a lengthy discussion as to how the Water Authority Board and the City together could hire a man to maintain the water pipes and meters as well as city streets and any other jobs necessary. A salary of about $400 a month was suggested. Mayor Coulter stated he would contact Leonard Shelton and see if he would accept the job.

Mr. Dunn made a motion to adjourn, seconded by Mrs. Plumlee and carried. The meeting adjourned at 10:30 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary
City of Lake Dallas

APPROVED:

Councilmen

The regular monthly meeting of the City Council was called to order by Mayor Coulter in the City Hall at 7:30 p. m. The following people were present: Councilmen, John Dunn, Joyce Plumlee, Lex Wood, Bill Grammer, and Fred Carlisle, and Secretary, Mrs. Werner.

The Lake Dallas Planning and Zoning Commission had been invited and the following members were present: Pee Wee Risien, Jess Pope, Mr. Clancy and Mr. Whitehead. Mr. Henry Sargent was given the oath of office to fill the position left by Mr. Lex H. Wood.

Joyce Plumlee made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. Grammer and the motion was carried.

Mr. Bill Merritt came to present his application for a Garbage Disposal Franchise. Mayor Coulter read the new franchise to the Council members and minor changes were suggested before the franchise could be adopted. Mr. Merritt stated he would have the franchise changed to meet with the City Council's approval as soon as possible.

Mr. Dunn stated that Leonard Shelton is interested in the job at the salary offered by the Municipal Water Authority and the City as maintenance man for both parties.

Mr. Larry McWhorter and Mr. Bob King of Rady Associates were present to meet with the Council and the Planning and Zoning Commission. Mr. McWhorter discussed the need for planning and zoning in our growing community, especially since the water and sewers would soon be completed and the community should grow rapidly. He stated we need a Use District Map before we can do anything, then regulations setting the city into districts, such as residential, commercial and industrial. There may be a need also for the districts to be broken down into light industrial and heavy industrial, which would include a drop forge and junk yard. He suggested, since we have growth potential, within the next 5 years, to make up an ordinance that will be for our protection and will fit our needs. The Zoning Ordinance coupled with the map is all we need. It should be a large scale map that we can keep up to date with the zoning changes. A planned commerical district would include shopping centers. This would take care of drainage and parking facilities, etc.

Any use that is operating before the zoning ordinance goes into effect can still be used. But if it is destroyed, it may be better to relocate this business in another place.

A comprehensive Master Plan costs about $7500 to $8000, even for a small town. It is a 6 to 8 month project. A big town would run into a 2-year project. The ~~plan~~ for Lake Dallas would cost between $1200 and $1800. It would take 4 to 6 meetings with the Zoning Commission and City Council jointly to complete the plan. It would take 2 or 3 months if they met twice a month.

Mr. Grammer made a motion to go ahead and have Rady Associates draw up a map and get started. The motion was seconded by Mr. Carlisle and carried.

Mr. Bob King stated he would write a letter which he thought would help speed up the Government Water Authority loan.

The Planning and Zoning Commission selected Mr. Henry Sargent as Chairman and Mrs. Floy Risien was selected as Secretary. The Commission will be notified when the next meeting would be held.

Mayor Coulter asked the Secretary to get copies of the trailer ordinance and Mr. Randolph would give them to the trailer owners now in the city and if they don't make application and comply with the ordinance, they will be fined. There are about 6 different people operating trailer parks now within the city limits.

Mayor Coulter stated he would get a legal opinion to see if the city could annex the Service Road on the west boundary of the city and put up traffic signs.

The meeting adjourned at 9:15 p. m.

Respectfully submitted,

Georgianna Werner
City Secretary

APPROVED:

Councilmen

The City Council met with the Planning and Zoning Commission in a special called meeting at 7:30 p. m. in the City Hall. Mr. Sargent presided over the meeting with the following Zoning Commission members present: Mrs. Birdsong, Mrs. Risien, Mr. Clancey and Mr. Pope. The following Council members were present: Joyce Plumlee, Fred Carlisle, Lex Wood, John Dunn, Mayor Tom Coulter and Secretary Georgianna Werner.

Larry McWhorter and Bob King were present representing Rady & Associates, Inc. of Ft. Worth. Mr. McWhorter presented a Schedule to everyone in attendance of the next 5 proposed meetings and everyone was agreeable with the dates set out for the meetings. He then presented a Land Use Map(part 1 of the map form) which shows the existing land use in various colors. This is the basis for a plan to be developed later for a Zoning District Map.

Mr. McWhorter gave each member present a copy of a suggested zoning ordinance for the City of Lake Dallas and reviewed it Section by Section through Section 7. Several small changes were made and each person noted the changes on their individual copies. This ordinance discussion will be continued at the next meeting to be held on November 21, 1966.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

Councilmen

MINUTES
Lake Dallas City Council Meeting November 10, 1966

41

The regular monthly meeting of the City Council was called to order by Mayor Coulter in the City Hall at 7:30 p. m. The following Councilmen were present: Joyce Plumlee, Fred Carlisle, Lex H. Wood, Bill Grammer and John Dunn, and Secretary Mrs. Werner.

The Secretary read the minutes of the two previous meetings and they were approved as read with a minor change.

Mr. Wendell Judd of Parish, Murrell & Co. Auditors, was present and he discussed the audit report covering the period April 6, 1965, the date of the city's incorporation, to September 30, 1966, and answered a few questions about it. He stated he would meet with Mrs. Werner, Secretary, the next Saturday at 9:00 a.m. and set up the new books for the record keeping for the city. Mr. Grammer made a motion to accept the audit report, seconded by Mrs. Plumlee and the motion was carried.

Mr. Carlisle made a motion to pay the Secretary a salary of $75 a month, seconded by Mr. Grammer and the motion was carried.

The Secretary gave a bank balance at November 10, 1966 as $1,752.50.

Ballot counted 11-25-66

The Council requested the Secretary to write a letter to Mr. Gross of the Lake Dallas Telephone Co. requesting a new Utility Franchise and financial statement for the period since the City has incorporated.

Mayor Coulter read general Ordinance #20 concerning the disposal of Garbage and Trash and discussed the manner in which it is to be picked up once a week. Mrs. Plumlee made a motion to adopt the Trash Disposal Ordinance #20, seconded by Mr. Wood and carried.

Bruce Davis recommended issuing a permit to Bill Merritt to collect garbage instead of a Franchise Agreement. Mayor Coulter read such a permit to the Council members. Mr. Wood made a motion to set a flat fee of $100 a year, paid in advance and not transferrable for the permit. Mrs. Plumlee seconded the motion and it was carried. He must also pay $25 for drawing up the permit. Mr. Dunn made a motion to issue the permit to Mr. Merritt, seconded by Mr. Wood and carried.

Mayor Coulter read Ordinance #11 Cancelling the Franchise dated 3-9-61 issued to Stowe Water Service. Mrs. Plumlee made a motion to approve Ordinance #11 cancelling the Stowe contract. This was seconded by Mr. Wood and carried, and the Stowe Contract is cancelled.

Mr. Carlisle asked if there is anything that could be done about the burned building on Main Street. Mayor Coulter stated he would see what could be done about it or contact the owner.

Mr. Wood made a motion to adjourn, seconded by Joyce Plumlee and carried. The meeting adjourned at 9:30 p. m.

APPROVED:

Fred Carlisle

John Dunn

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

MINUTES
Lake Dallas City Council Meeting
with
Planning and Zoning Commission

November 21, 1966

A special called meeting of the City Council was brought to order by Mayor William T. Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present: Joyce Plumlee, Lex H. Wood, Fred Carlisle and John Dunn, and Secretary Mrs. Werner. The following members of the Planning and Zoning Commission were present: Henry Sargent, Chairman , Mrs. Birdsong, Mrs. Floy Risien and Jess Pope. Mr. Larry McWorter of Rady & Associates, Inc. was also present.

Jack Worrell, Fire Marshall of the Lake Dallas Fire Department was present to discuss the problem of the high, dry weeds and grass around the city and about the Fire Department burning the weeds. After a discussion, it was put into a motion by Joyce Plumlee to warn the people to cut their weeds down, then give them 2 weeks time to clear it off, keep a record and then file a complaint against the property owner and bring them to Corporation Court. The motion was seconded by Fred Carlisle and carried.

Mr. McWhorter presented the existing Land Use Map and discussed traffic, main streets, boulevards, secondary streets and small collective streets on the Development Plan Map. The Commission and Council were asked for their suggestions or revisions, but the maps were very nearly correct the way they were drawn up.

It was suggested to annex some surrounding land, which would require petitions from the property owners to come into the City. Subdivision controls now extend 2 miles beyond the city limits, but the zoning must be within the city limits.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

APPROVED:

Fred Carlisle
John Dunn

MINUTES
Lake Dallas City Council Meeting

A special meeting of the Lake Dallas City Council was called at 7:30 p. m. in the City Hall by Mayor William T. Coulter. The following Councilmen were present: Joyce Plumlee, Fred Carlisle, John Dunn, and Bill Grammer. Lex Wood of the Planning & Zoning Commission and C. L. Randolph, Police Chief and Secretary Mrs. Werner were present.

Mr. Carlisle made a motion to suspend the reading of the minutes of the last meeting, seconded by Mr. Grammer and the motion was carried.

Mr. Bill Merritt was present and discussed with the Council his permit to operate his trash and garbage disposal business within the incorporated city limits. It would be a 3-year contract at $100 per year franchise payment. Mr. Merritt stated he would take out his liability insurance in the next week and get his performance bond. He also asked for one month in which to pay the first $100. This payment would be retroactive from May 1, 1966 and would pay for the period to April 30, 1967. He also was to pay $25 for drawing up the permit.

Mr. Wood made a motion to give Mr. Merritt 30 days in whicn to pay the $100 franchise, seconded by Mrs. Plumlee and the motion was carried.

Mayor Coulter stated he had been contacted by the Municipal Water Authority and stated that Leonard Shelton is willing to work for the City and the Water Authority Board combined. The Water Board would pay his salary at $100 a week with allowances for his pickup. When the City used his services on the maintainer, etc. , the City would reimburse the Water Authority Board for the time he worked for the City. Mr. Grammer made a motion to reimburse the Utility Authority Board for the time Mr. Shelton worked for the City, seconded by Mr. Wood and the motion was carried. His salary would be approximately $2.25 per hour, plus allowances on his pickup.

Mr. Randolph stated he was invited to Police Traffic School in Arlington, Texas January 9 to January 13, 1967. He would like to attend and felt it would be worthwhile. Joyce Plumlee made a motion to send Mr. Randolph to the Police School at $20 registration fee, plus meals. The motion was seconded by Mr. Carlisle and carried.

Mayor Coulter stated he had been contacted by the Mayor of Hickory Creek and that Hickory Creek wants to come to an agreement with the City of Lake Dallas and Corinth that we would not annex any territory on the east side of Highway 77 and by the same token they would not come on the west side of Highway 77. This agreement would prevent it ever becoming a legal issue. After a discussion, it was decided that the only direction the City of Lake Dallas could expand is northward. Mr. Wood stated he would contact Mr. Gibson and some of the people living north of the city boundary line to see if they wanted to come into the city. Mr. Grammer made a motion not to take any action on the extraterritorial rights of annexation and shelve the Hickory Creek proposal for the present time. It was seconded by Mr. Dunn and carried.

Mrs. Plumlee made a motion to pay the audit bill of $250 to Parish Murrell & Co. The motion was seconded by Mr. Carlisle and carried.

Mayor Coulter read a letter from the Texas Municipal League pertaining to a City Sales Tax. The Council decided after discussion to take no action of any kind on a city sales tax at this time.

The meeting adjourned at 9:20 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary
City of Lake Dallas

APPROVED:

Mrs Joyce Plumlee

_____

MINUTES
Lake Dallas City Council Meeting
with
Planning anf Zoning Commission

The City Council met with the Planning and Zoning Commission at 7:30 p. m. in the City Hall. Mayor William T. Coulter, Councilmen, Joyce Plumlee, John Dunn, Lex Wood and Bill Grammer and Secretary Mrs. Werner were present. Members of the Zoning Commission present were: Chairman, Henry Sargent, Jess Pope and Floy Risien. Larry McWhorter and Bob King of Rady Associates, Inc. were present.

All people present agreed to change the last meeting of this series from January 2nd to January 9, 1967.

Mr. McWhorter read and explained, starting with Section 8 of the Ordinance and each part was discussed thoroughly. He then presented the third map in the series which he called a "Development Map" in the District map study. This map covered within the city limits only. He explained the map and answered questions that came up. Mr. King presented a bill for $765, part payment for services of Rady Associates, Inc.

The meeting adjourned at 9:35 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary
City of Lake Dallas, Texas

APPROVED:

John Dunn

Mrs. Joyce Plumlee

December 8, 1966

MINUTES
Lake Dallas City Council Meeting

46

The regular monthly Council Meeting was called to order by Mayor William T. Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present: Joycle Plumlee, John Dunn and Bill Grammer and Secretary Mrs. Werner.

Louis Gross of the Lake Dallas Telephone Company presented a franchise for operation of his business in the City of Lake Dallas and gave a financial report to the Council. He left the franchise with the Council for their consideration. After a discussion it was decided to send the franchise back and ask for a rate schedule to be included with the franchise. No increase in rates had been voted on at a previous meeting.

Secretary Mrs. Werner read the minutes of the previous meeting, which were accepted.

Joyce Plumlee made a motion to pay all current bills, including the part payment of $765 to Rady & Associates, Inc. The motion was seconded by Mr. Dunn and carried.

The Secretary gave a bank balance of $1308 as of this date. Selling the old 1964 Police car was discussed to raise money to operate the city through the winter months. Collecting all outstanding franchises was again discussed. Otherwise, it might become necessary to make a loan to finance the city.

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

Mrs Joyce A Plumlee

_____

MINUTES
Lake Dallas City Council
and
Planning and Zoning Commission
Meeting

Members of the City Council and Planning and Zoning Commission met in the City Hall at 7:30 p. m. in connection with the series of meetings on Zoning. Mayor Coulter, City Secretary Georgianna Werner and Jess Pope of the Planning and Zoning Commission were present. Also present was Larry McWhorter of Rady and Associates, Inc.

Since there were not enough members present for a quorum there was no further discussion of the Planning Ordinance. All business was postponed until the next meeting.

The meeting adjourned at 8:15 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner

APPROVED:

Joyce A. Plemlee

Lake Dallas City Council
Special Meeting

A meeting was called to order in the City Hall at 7:30 p. m. by Mayor Coulter with Councilmen Joyce Plumlee and John Dunn and Secretary Mrs. Werner present. Members of the Lake Dallas Water Authority present were, Walter Hunter, Mr. Blalock, Bud Whitehead and Howard Davis. Members of the Planning and Zoning Commission present were, Floy Risien, Lynella Birdsong, Henry Sargent, and Jess Pope and Mr. Clancy.

Larry McWhorter and Bob King were present from Rady Associates Engineers and discussed some more of the Articles of the Planning and Zoning Ordinance. The total cost of the work would run around $1800, the highest of the prices quoted by Rady Associates. The cost of the final printed booklets would be around $200 for 200 booklets, which was agreed upon by the people present as part of the total of $1800.

Mr. King stated the next meeting would be in about 4 weeks at which time the final booklet would be finished.

The meeting adjourned at 8:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____
Councilmen

The regular monthly meeting of the City Council was called to order at 7:30 p.m. in the City Hall by Mayor William Coulter. The following Council members were present, Lex Wood, Joyce Plumlee and John Dunn, Secretary Mrs. Werner and Police Chief, C. L. Randolph.

Bill Merritt was present and asked permission from the Council to have his Garbage and Disposal permit revoked at his own request. Joyce Plumlee made this in the form of a motion, seconded by Mr. Wood and the motion was carried.

Jack Ezzell was present and stated he bought the Garbage Disposal business from Bill Merritt. Jack Ezzell was going to operate the business and needed a permit. Mr. Dunn made a motion that the permit should be $100.00 a year, to be paid quarterly in advance. Mr. Ezzell was to furnish the City Secretary a copy of his Insurance policy and performance bond for the city files. The business will be retroactive to January 1, 1967. The motion was seconded by Mr. Wood and carried.

Louis Gross was present and brought with him a separate Ordinance for his Telephone Co. rate schedule. He also presented a financial statement to December 31, 1965. He owes from April 6, 1965 to December 31, 1965 and all of the year 1966 franchise tax.

Mayor Coulter stated he would have a special called meeting January 19, 1967 at 7:30 p. m. to discuss the franchise changes with Mr. Gross. Mr. Dunn stated he would take the franchise and rate schedule to Bruce Davis to look over before the Council accepts it.

Jack Worrell and Bill Yaeger of the Fire Department came and met with the Council. Mr. Ezzell stated they need money to operate the Fire Department. Mr. Wood made a motion to give them $500 during 1967 to help defray their operating expenses. Mrs. Plumlee seconded the motion and it was carried.

Mayor Coulter read a letter about standardizing Highway signs and signals. The American Society of State Highways has a manual 1961 Edition for $2. Mr. Dunn made a motion to purchase the book, seconded by Mr. Wood and carried.

A State Maintainance Engineer told Mr. Randolph, Police Chief, that if the City annexed the east service road, the State would put up new signs on that road. Mr. Dunn stated he would contact Bruce Davis and see if we can annex the service road.

Mr. Dunn made a motion to make a loan of $1500 to operate the city, seconded by Joyce Plumlee and carried. Mrs. Werner was to contact Mr. Payne at Lewisville Bank about getting the loan.

The meeting adjourned at 9:45 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

APPROVED:
Mrs Joyce A Plumlee

A special meeting was called to order by Mayor William Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present; John Dunn, Lex Wood and Joyce Plumlee and Secretary Georgianna Werner.

Jack Ezzell met with the Council and after some discussion, signed a Permit for Garbage and Trash Disposal. He paid the first quarter of 1967, in the amount of $25.00 in advance.

Louis Gross met with the Council and again discussed his telephone franchise. Mr. Gross stated his telephone company was ready for direct dialing now, but he could not get the equipment for handling it until 1968. He could not give us a definite date for direct dialing to go into effect. Mr. Gross presented his franchise again and a rate schedule. The Council asked to have the back franchise payments paid before acceptance of the new franchise, since our Attorney advised the old franchise is still good and the back payment is due. According to Mr. Gross' records the amount due would be:

1965 tax due	$214.88
1966 tax due	312.96
Total	$527.84

Mr. Gross asked for a rate increase and the Council stated they would consider the rate increase and have the franchise looked over by Bruce Davis.

The need for new street signs was discussed since so many had been ruined by paint on Hallowe'en. The signs cost about $8 each but no money was available at this time to purchase them.

Mayor Coulter read a letter from the State of Texas stating the Highway Department could help maintain the highways that go through the city. This includes streets that do not have curbs and gutters and they will also maintain the ditches. Contact should be made with Mr. D. L. DeBerry, District Engineers in Dallas.

Meeting adjourned at 8:45 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

APPROVED:
Mrs Joyce A Plumlee

The regular monthly meeting of the Lake Dallas City Council was called to order at 7:30 p. m. in the City Hall by Mayor Coulter. The following Councilmen were present: Joyce Plumee, Lex Wood, Bill Grammer and John Dunn, and Secretary Georgianna Werner.

Mayor Coulter read the new franchise Ordinance for the Lake Dallas Telephone Co. written up for a period of 35 years and he drew attention to the changes made by Bruce Davis, Attorney for the City. The new Ordinance also gives the City authority to examine the telephone company's books at any time if needed or in line with the City's audit. It was decided that the Lake Dallas Telephone Co. would have to operate under the old franchise rates until the direct dialing system goes into effect. Then at that time, an increase in rates would be granted as follows:

Business	$8.00	to	$10.00
2 Party	6.50		7.50
1 Party Residence	5.25		5.75
2 Party Residence	4.75		5.50
4 Party Residence	4.00		4.50
Extensions	1.50		
Pay Station Calls			.10

This rate schedule was decided upon after comparing Mr. Gross's proposed rate schedule with other cities in the vicinity of Lake Dallas. The Council proposed the above increase which was less than what was asked by Mr. Gross.

Mr. Grammer made a motion to accept the Ordinance #21 granting the Lake Dallas Telephone Co. a franchise for 35 years, seconded by Mrs. Plumlee and the motion was carried. Mr. Gross was in attendance and took the new franchise home to look it over. Mr. Wood made a motion to adopt the rates discussed, seconded by Mr. Grammer and the motion was carried. ORDINANCE #21-A

Mr. Randolph was authorized to order 12 or 15 yards of blacktop mix to repair the city streets. Mr. Grammer made a motion to hire Mr. Sublett at $6 an hr. and he would load it and furnish one man and help Mr. Randolph to patch the holes in the streets. The motion was seconded by Mrs. Plumlee and carried.

The Secretary was authorized to order an election kit with 25 applications for Alderman and 25 absentee ballots. News of the election of 3 Aldermen was to be published in the newspaper and then again just before voting time and state the names of the people running for office of Alderman.

Mayor Coulter stated he would try to call a meeting next Thursday, February 16, 1967 to meet with the Water Authority Board to see what they are doing about the sewer.

Mayor Coulter stated he would have Bruce Davis check into a Junk Ordinance before the Council could do anything about the junk around town.

Mr. Grammer made a motion to set the speed limit on Main Street at 30 mph instead of the present 20 mph, except the 20 mph in the school zones. Mr. Wood seconded the motion and it was carried.

The purchase of a radar unit was discussed. Mr. Grammer figured it would cost around $800 and pay for itself in a short time and the people would not contest the tickets as much.

The meeting adjourned at 9:30 p. m.
APPROVED:

_____

_____

Georgianna Werner
Respectfully submitted,
Georgianna Werner

A special meeting was called to order in the City Hall at 7:00 p. m. by Mayor Coulter with the following people present: John Dunn, L. H. Wood, and Bill Grammer.

After discussion on the subject, a motion was made by Mr. Wood to purchase a Radar Unit and signs to that effect. The motion was seconded by Mr. Grammer and carried. The Radar Unit was to be purchased from Smith Municipal Supplies, Inc. for the amount of $950.00 for the Unit and $48.70 for signs. Mr. Smith would come back February 17th to give instructions to Mr. Randolph, Police Chief, on the operation of the Unit.

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Gill Grammer
Acting Secretary

APPROVED:

_____

_____

A special meeting was called to order in the City Hall at 8:00 p. m. by Howard Davis of the Water Board wherein the City Council with members, John Dunn, Lex Wood, Secretary Mrs. Werner, and Mayor Coulter met with the Lake Dallas Water Authority Board with 5 members present.

Mr. Hunter of the Water Board informed everyone of the current tax problem. They sold $70,000 of tax bonds and the tax had to be levied to pay for the bonds. The tax was for that purpose. It was not to build a sewer plant at this time. They had received a grant from the Anti-polution Board of $42,000 to use in construction of a plant that has been already approved. They expect to let the contract to use that money in May if they can meet the schedule, otherwise, they will have to ask for a postponement.

The problem at the present time is a site for the disposal plant. Mr. Hunter stated he had talked with the engineers and the owner of the property they wished to purchase, but nothing is settled yet. The Board expects to get some land as soon as possible. The land they want could be condemned and it would take about 30 days and then they could start working on it, according to Court procedure.

Mayor Coulter stated the City had not received the back franchise payment from the Community Water Service and it was the Water Board's understanding that it was to have been paid at the time of the transaction. Mr. McNally stated to Mr. Hunter and the Water Board that he would send the City a check for the Community Water Service's franchise and it had been 3 months and no word from them. Howard Davis said to contact Mr. Corn as he was the man that made the contract.

Mayor Coulter stated the City had a radio unit for the police car. He also informed people present that Main Street speed limit had been raised from 20 miles per hour to 30 miles per hour.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

March 20, 1967

A special Council meeting was called at 7:30 p. m. at the Lake Dallas Telephone Company office. Mr. Jerry Jones represented the Telephone Co., Mrs. Gross and Fred Purser were present. The following Councilmen were present: John Dunn, Bill Grammer, Lex Wood and Mrs. Joyce Plumlee, Mayor Coulter and Mrs. Werner, Secretary.

Mr. Jones read the proposed telephone Rate Schedule. He stated they could not accept the Ordinance because of a Rate Schedule. They have had no rate increase since 1958, expenses are high and they have a large government loan. He stated the franchise was a standard franchise as used in cities the size of Lake Dallas. This franchise is accepted by the Federal Government, which is their lending agency and recommended that the Council reconsider it.

Mr. Jones stated, after some discussion, that Section 6, page 3, temporary removal of wires, would be acceptable to the Telephone Company.

Section 9, pertaining to wires needed by the City and Fire Department was discussed. Mr. Grammer made a motion to delete Section 9 in its entirety and change the last sentence of Section 18, seconded by Mr. Wood and it was carried.

So Ordinance No. 22 is in agreement. Rate Schedule, which is Ordinance 21, was discussed in detail. The Council agreed upon the following rates.

	From	to	Increase
Business 1	$10.00		$10.25
Business 2	7.50		8.00
Residence 1	5.75		6.00
Residence 2	5.50		5.75
Residence 4	4.50		4.75

It was agreed not to put the new rates into effect until after April 4, 1967. The clause that "these rates will go into effect after automatic dialing" was to be deleted. Mr. Grammer made a motion to change the rates as listed above and make the deletion. The motion was seconded by Joyce Plumlee and carried, and Ordinances No. 21 and 22 were adopted.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

MINUTES April 3, 1967
Lake Dallas City Council
Meeting

A special Council meeting was called by Mayor Coulter at 7:30 p.m. in the City Hall. The following Councilmen were present; John Dunn, Lex Wood, Bill Grammer, Joyce Plumlee, and Secretary Mrs. Werner.

The Council discussed the paying of $7.50 for each warrant served by the Chief of Police. It was decided it should be charged to "other than normal work hours" or "Overtime for serving Warrants" and the check stubs should be changed.

Mr. Dunn stated he thought the Mayor should be paid for his services as Corporation Court Judge since there is so much time involved now. Mayor Coulter stated he would contact Bruce Davis, Attorney, to write up an Ordinance to pay the Corporation Court Judge. Mr. Dunn made a motion that we write an Ordinance setting up a salary for Corporation Court Judge retroactive to March 1, 1967. Mr. Wood seconded the motion and it was carried. Mayor Coulter stated he would accept $100 a month, for the time being.

Another special meeting was called for Wednesday, April 5, 1967, at 7:30 p. m. to canvass the votes from the Councilman Election on April 4th.

Mayor Coulter stated that Weldon Knight, Attorney, had written Community Water Service about the past due franchise with the City, that had not been paid. Two Registered letters had been received and signed for, but no word received from Community Water Service yet. The Council gave their approval to go ahead and bring suit against them.

It was brought to the attention of the Council that a Prosecuting Attorney was needed at least one Court session a month for the trials. It was decided to bring in a Prosecuting Attorney for April 18th Corporation Court session.

Mr. Birdsong brought up the question of how the jurymen were selected. The Corporation Court Jury is chosen from the Registration Poll List and Old People's Voting List and selected by the City Marshal, which is according to the Law on Corporation Court Jury Selection.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

A special meeting was called to order in the City Hall by Mayor Coulter at 7:30 p. m. for the purpose of canvassing the votes from the April 4th Councilman election. The following Councilmen were present: Lex Wood, Bill Grammer, John Dunn was present and thanked the Council for their cooperation during his tenure of office.

The votes were canvassed and found to be correct. The final vote was cast as follows:

Joyce Plumlee	153
Donald Fraser	141
Robert Gregory	104
John Dunn	101
Charles Birdsong	1

Mr. Grammer made a motion to accept the votes as cast, seconded by Mr. Wood and the motion was carried.

Mr. Fraser was not present at the meeting. The two new Councilmen, Robert Gregory and Joyce Plumlee were sworn into office by Notary Public, A. W. Risien. Mr. Fraser will be sworn into office at a later date.

Howard Davis and a delegation of citizens asked to meet with the Council at the next regular meeting, Thursday, April 13, 1967, concerning complaints on traffic tickets.

The city's past due franchises were again discussed and Mayor Coulter stated suit would be started against Community Water Service and Mrs. Stowe for franchise payments in arrears.

Secretary, Mrs. Werner, was instructed to write letters to trailer park and trailer owners since only a small number of them were paying their permits according to the City Ordinance.

Also, Jack Ezzell was to be reminded that his quarterly payment of franchise tax was due April 1, 1967, in advance.

A new type combination traffic citation and complaint was discussed and a sample from Steck Co. was examined and would be brought up again at the next meeting.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

The regular monthly meeting was called to order at 7:30 p. m. in the City Hall by Mayor Coulter. The following Councilmen were present; Joyce Plumlee, Lex Wood, Robert Gregory, Donald Fraser, Bill Grammer and Secretary Mrs. Werner.

Mr. Allen Bartley of the Lone Star Gas Co. was present and discussed with the Council a proposed rate schedule increase, which would amount to about 2% gross, as set by State Law. This would amount to an increase of about 26¢ per month on the average home-owner's bill. Mr. Wood asked, percentage-wise how many customers in Lake Dallas would be effected by the rate increase. Mr. Bartley stated he would give an accurate figure at the next meeting.

Mayor Coulter read Section 8 of the Lake Dallas Telephone Franchise, adding the date of the city's incorporation. Mrs. Plumlee made a motion to adopt this change in the franchise, seconded by Mr. Wood and the motion was carried.

Howard Davis was present representing the Lake Dallas Water Authority. He stated they were getting bonds printed to go ahead and buy the land for the sewerage plant. He said it would take about a year from the time all the money is received and the land is purchased.

The Council discussed getting the trailer park owners to get their permits. Mrs. Werner stated she had drawn up a letter to be sent to all the owners to get them to comply with Ordinance #19.

Mr. Randolph was present and said we needed more new traffic tickets and some corrections made in the working of the ticket. Mr. Wood made a motion to correct the ticket and order a new supply, seconded by Mr. Grammer and the motion was carried..

Mr. Randolph stated the Citizen's Band Radio was not working and would need extensive repair. Mrs. Plumlee made a motion to buy a new police radio, 110 volt and trade in the 2 old ones and pay an additional $175.00 from Phillips Radio in Denton. The motion was seconded by Mr. Wood and carried.

The Council discussed getting Social Security and income tax withheld from salaried city employees. Mr. Gregory made a motion to start retroactive to January 1, 1967 on Social Security and income tax withholding on Mr. Randolph, seconded by Mr. Grammer and the motion was carried.

Also discussed was the hiring of extra help on the Police Dpt. for the summer months when the traffic is heavy. Mr. Wood made a motion to hire part time help as needed at $2.50 an hour during the summer months, seconded by Mr. Grammer and the motion was carried.

Howard Davis, Kib Hundley, Mr. Handley and Steve Howard were visitors, saying the issuance of traffic tickets harmed the business from people coming to Lake Dallas. Several citizens and Mrs. Hunter complained concerning parking next to the Post Office.

Mayor Coulter appointed Mr. Handley as Chairman of a Committee to study Traffic Problems and make recomendations. Also appointed to the Committee was Steve Howard, Bill Goodwin, Bud Whitehead and T. E. Mayberry, Dave Handley & Junior Drozd.

The meeting adjourned at 11:15 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner, City Secretary

APPROVED:

_____

_____
Councilmen

A joint meeting of the Planning and Zoning Commission and the City Council was held at 8 p. m. in the City Hall. The meeting was called to order by Mayor Coulter with the following Councilmen present: Joyce Plumlee, Don Fraser, Robert Gregory, and Lex Wood. The following members of the Planning and Zoning Commission were present: Jess Pope, Lynella Birdsong, Henry Sargent, and Floy Risien. Larry McWhorter of Rady & Associates, Mr. Hunter and wife of the Lake Dallas Utility Board, and Bruce Davis, Attorney, were present.

Mr. Davis stated he had been briefing the Planning and Zoning reports that Mr. McWhorter had sent him. He recommended that the Councilmen read it over very well and study the Districts, such as R-1, R-2, C-2, and M-1. Lewisville has only 4 Districts and our new Ordinance is more complex. The Ordinance follows the Texas statutes fairly well. Minor changes could be made by a Board of Adjustments, but major changes must go through the Planning and Zoning Commission. Public hearings should be held to discuss it with the citizens. The final hearing could be on the same night if it is brought before the City Council. Fifteen days notice must be given to the public before a hearing. Mr. Davis recommends sending out notices by mail. Mr. McWhorter also stated there should be one preliminary hearing and he would be glad to come and answer questions.

Mr. Davis asked Mr. McWhorter for the office procedure of Rady & Associates for passing on Ordinances and Mr. McWhorter said he would send it to him. Mr. Davis does not recommend that the Zoning Ordinance be referred to the City for a vote.

Actually the Zoning was started back in 1963. Mr. Davis warned to leave out anything that might bring about another conflict or opinion with the people and any legal trouble. He asked for time to study the Zoning Ordinance a little more before the first preliminary hearing and if he finds anything wrong, he would inform the Council.

In case the City decides to expand to the North, it could extend its boundary ½ mile. Mr. McWhorter advised to start annexing land to the North as soon as possible. The best way by far, in the opinion of Bruce Davis, is to get the signatures of all the land owners in the territory to be annexed. Councilman Don Fraser agreed and thought we should do this annexation right away.

Mayor Coulter asked Mr. Davis' opinion about a Maintenance Tax for streets and was advised that the City might establish a tax rate after the sewers were put in. This should be worked up a year in advance, but should be a modest tax to start with. Time Warrants could be gotten from a Bank, but there must be a tax established first.

Mr. McWhorter gave each person a new Zoning Ordinance pamphlet as revised and presented a plastic map drawn in pencil which could be changed. The map would be adopted along with the Ordinance as a part of it.

Mr. Hunter was present and promised his cooperation as well as the Water Board's cooperation to work along with the City. The meeting adjourned and was followed by a short Council meeting.

Respectfully submitted,
Georgianna Werner, City Secretary
Georgianna Werner

APPROVED:

_____

_____
Councilmen

A short Council meeting was called by Mayor Coulter at 9:00 p. m. immediately after the meeting with the Planning and Zoning Commission. The following Councilmen were present:

Joyce Plumlee
Don Fraser
Robert Gregory
Lex H. Wood

Mr. Gregory made a motion to buy a load of asphalt mix to fix the holes in the streets. Mr. Fraser seconded the motion and it was carried. The Secretary was advised to write a letter to Virgil Greer, County Commissioner, Lewisville, Texas to get him to come to the next Council meeting if possible to discuss fixing our streets. Also, write a letter to E. L. Boynton, in Lewisville and order the asphalt and dump it by the Fire Hall.

Mr. Fraser thought we should go ahead with the annexation to the North. Mr. Hunter stated he would give us a list of the property owners in that vicinity. Mrs. Plumlee stated she would copy off the list of tax owners to the Cemetery.

The meeting adjourned at 10:00 p. m.

Respectfully submitted,
Georgianna Werner
Georgianna Werner
City Secretary

APPROVED:

_____
Councilmen

June 29, 1967

MINUTES
Lake Dallas City Council
Meeting

A special meeting was called to order by Mayor Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present: Bill Grammer, Lex Wood, Joyce Plumlee, and Robert Gregory. Joyce Plumlee made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. Grammer and the motion was carried.

The main purpose of this meeting was to discuss the Traffic Advisory Committee Report, which was done in detail. Factors bearing on the situation:

1. Traffic situation - The City Council at this time can do nothing about the narrow streets because when the town was laid out the streets were narrow, and nothing can be done until such time that the property owners will get together and give footage to widen the streets.
2. Council agrees.
3. The City is patching the streets from present revenue, but as far as any major street work is concerned, the Council feels this should be done after the sewer is laid, which will be in the near future.

4, 5, 6, 7, 8. - Council agrees.
9. Is questionable and will have to be clarified.
10. Will have to be clarified.

Recommendations for Police Department Procedures were discussed in length and tentatively drawn up. Mr. Grammer made a motion that the rules of policy and procedure for the Police Department be accepted. The motion was seconded by Mr. Wood and carried.

[redacted]r. Gregory made a motion that log books and warning tickets be printed for Police Officer's records of daily activities, seconded by Mrs. Plumlee and carried.

The high grass along the railroad track was discussed again and the Secretary was asked to contact the MKT Railroad again to have the grass mowed.

Mr. Grammer made a motion that the Corporation Court clerical help shall be paid on the 1st and 15th day of the month. The motion was seconded by Mr. Wood and carried. The meeting adjourned at 10:30 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

[redacted]_____

MINUTES July 13, 1967
Lake Dallas City Council Meeting

The regular monthly Council Meeting was called to order by Mayor Coulter in the City Hall at 7:30 p. m. The following Councilmen were present: Lex Wood, Joyce Plumlee, Robert Gregory, and Bill Grammer.

A complaint was heard from Mrs. Jessie Mullins about a lot that needs mowing near her home.

A complaint was heard from R. J. Howard pertaining to boys shooting firecrackers within the City limits.

Methodist Pastor, John Lancaster, presented a map of the City which he had obtained and wondered if the City needed such copies while he had the original. The Council did not need the map, since they had a more recent one on hand.

Secretary Mrs. Werner, read the minutes of the last meeting. Mr. Grammer made a motion to accept the minutes of the meeting as read, seconded by Mr. Wood and the motion was carried.

Mayor Coulter read the Policies and Procedures of the Police Department as drawn up by the Council. Mr. Grammer made a motion to accept the Policies and Procedures as read, seconded by Mr. Wood and the motion was carried.

The Council again discussed warning traffic tickets and the Secretary stated they were being printed. Also, the Secretary will see about having the Police activity log printed up with a sample from Lewisville Police Department.

Ken Vanderhoof presented a map for a proposed shopping center and motel with swimming pool on his property within the City limits. He asked the Council for an estimate of what the City Maintenance Tax would be, but the Council was unable to give him an estimate or answer to his question. Mr. Vanderhoof asked for the project to be all zone commercial. The Council requested a platt and survey first and advised Mr. Vanderhoof he could put up signs and go ahead with the leasing since there was no zoning ordinance at the present time.

The Secretary reported she had checked with Internal Revenue Service and found that the motion made by Mr. Gregory to cover Officer Randolph for Social Security purposes retroactively to 1-1-68 was illegal. All City employees would have to be covered and it was learned this would have to be worked out through the State of Texas in Austin and this coverage would require a substantial deposit of funds in a special account for a year in advance. The City does not have funds available for this and it was determined that they could not follow through with Mr. Gregory's motion for Social Security coverage.

Ordinance #22 fixes the salary for Mayor of Lake Dallas, Texas. Mr. Wood made a motion to adopt this ordinance, seconded by Mr. Grammer and the motion was carried.

The Council discussed the recommendation of the Traffic Advisory Committee and decided on the following:

1. The Council has issued specific instructions to the law enforcement officers.

2. The appointing of a Judge for Corporation Court other than the Mayor is not adviseable at this time

3. We are in the process of having warning tickets printed up at this time.

4. Warning tickets should take care of this situation.

5. This information distribution to the public may be considered, but the Council feels the warning tickets take care of this problem.

6. The City Council complies with this and takes every effort to insure that all traffic laws, controls, tickets, etc., are administered in the sole interest of traffic safety.

7. The Council decided it was not adviseable to report the story of Lake Dallas Traffic problems to the newspapers, dispelling any rumors of a "spped trap." This would merely emphasize the rumor.

8. The Council does not feel the use of the Fire Hall for a City Hall would be adequate without remodeling and extensive changes. The financial rources of the City will not allow such a project at this time.

9. The Council decided it was inadviseable to raise the speed limits on any of the streets at this time.

In conclusion a letter was to be drawn up and mailed to each member on the Traffic Advisory Commitee along with a copy of the Lake Dallas Police Department Policies and Procedures. Mrs. Plumlee made a motion to send each member this letter, seconded by Mr. Gregory and the motion was carried.

Mayor Coulter called a special meeting for Monday July 17th at 7:30 p. m. to present the Policies and Procedures to the Police Chief

The meeting adjourned at 10:45 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

Special Meeting
Lake Dallas City Council

A special meeting was called in the City Hall at 7:30 p. m. by Mayor Coulter. The following people were present:

Councilmen	
Lex H. Wood	Mayor William T. Coulter
Joyce Plumlee	Secretary Mrs. Werner
Robert Gregory	Police Chief C. L. Randolph
Bill Grammer	

Each member of the Council received a copy of the Policy and Procedures of the Lake Dallas Police Department and they read and discussed them.

The new Warning Tickets were introduced for the Police Department and would be put into effect immediately and given to Traffic violators going between 36 and 40 miles per hour in a 30 mile per hour zone for the first offense. There would be a fine on the second offense.

Various complaints from the city residents were discussed. It was decided that people should make a formal written complaint before either party could be heard.

Bruce Davis notified Mayor Coulter that he would have the zoning ordinance ready in a couple of weeks and the Council will then have to go over it item by item again before it can be accepted.

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

MINUTES
Special Meeting
Lake Dallas City Council

A special meeting was called in the City Hall at 8:30 p. m. by Mayor Coulter. The following Councilmen were present: Lex H. Wood, Bill Grammer, Robert Gregory and Joyce Plumlee.

Police Chief, C. L. Randolph gave his resignation from the Police Department and it was with deep regret that the Council accepted the resignation. The Council agreed to pay Mr. Randolph the regular hourly rate of $2.50 for appearing in Court and finishing up on his traffic tickets.

Mr. Wood made a motion to pay Mrs. Werner, Secretary, $150.00 a month to post Corporation Court Docket and type Traffic Complaints and Warrants, and various letters and correspondence. The motion was seconded by Mr. Grammer and carried.

Joyce Plumlee made a motion to make the Secretary's new salary retroactive to the first of the month, seconded by Mr. Wood and carried.

Mr. Robert E. McCullough, part time Policeman was asked if he would consider the position of Police Chief. Mr. McCullough accepted the position. Mr. Grammer made a motion to pay him a salary of $350.00 per month and pay overtime for Warrants at $7.50 each collected. Mrs. Plumlee seconded the motion and it was carried. Mr. McCullough will work as part time Policeman until he has given notice to his employer in Denton, which will be about one week's notice.

The Secretary was to see Pee Wee Risien about cancelling the old Bond on C. L. Randolph and get a new one for R. E. McCullough.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

_____

A regular meeting of the City Council was called by Mayor Coulter at 7:30 p.m. in the City Hall with the following Councilmen present: Joyce Plumlee, Lex Wood, Don Fraser and Robert Gregory.

The minutes of the last monthly meeting and two special meetings were read by the Secretary and accepted as read.

Jack Worrell and Bill Yaeger, two members of the Lake Dallas Fire Department were present and stated that the Fire Department needed money and would like to have the City make the donation which was promised earlier in the spring.

Mr. Wood made a motion to pay the $500 which the City pledged earlier in the year, seconded by Mrs. Plumlee and the motion was carried.Mayor Coulter presented the $500 check to them.

The Secretary read a letter to be sent to the Lake Dallas Traffic Advisory Committee. There would be an individual letter to each member of the Committee.

Mayor Coulter read a resolution to change the bylaws of the North Central Council of Governments and cast a vote. The Council looked it over but no one could attend the meeting August 16, 1967 and vote.

The Council discussed the zoning ordinance. They feel Rady and Associates should reprint the ordinances and pay the legal fees of about $300 to Bruce Davis for redoing the ordinance and making corrections. The Council read the ordinance item by item and made changes in all copies. It was decided to meet with the Planning and Zoning Commission and read the ordinance with them since it was so long and time consuming. A special joint meeting was to be held Monday, August 14, 1967 at 8:30 p.m.

Mr. Fraser brought up the question of our extrateritorial rights and the Council feels the City should take the land north of the City between the north boundary and the Cemetery into the City limits. Mrs. Plumlee supplied the Council with a list of the property owners north of the Lake Dallas City limits. Secretary, Mrs. Werner was told to draft up a letter advising them of the plan and that the City could provide them with Police protection, fire protection and in the future there is a strong possibility of water and sewerage from the Lake Dallas Municipal Water Authority.

Mayor Coulter brought up the question of buying the building now occupied by the City Hall for our permanent building. With some remodeling, it would serve the purpose at this time.

Mrs. Plumlee made a motion to adjourn at 10:00 p. m., seconded by Mr. Fraser and the motion was carried.

APPROVED:

_____

_____

Respectfully submitted,

Georgianna Werner
City Secretary
Georgianna Werner

MINUTES
Lake Dallas City Council
Joint Meeting with Zoning Commission

A special called meeting was held in the City Hall at 8:00 p. m. with the members of the Lake Dallas Planning and Zoning Commission present. The following Councilmen were in attendance: Lex Wood, Joyce Plumlee and Don Fraser. Henry Sargent, Chairman of the Planning and Zoning Commission had called his members and the following were present: Floy Risien, Jess Pope. Mr. & Mrs. Henderson and Mr. & Mrs. Robinson, visitors, were present.

The Zoning Ordinance as corrected by Bruce Davis was read through Section 12. The remaining part of the Ordinance will be read at a meeting called for Monday, August 21, 1967 at 8:00 p.m.

The building which is used as the City Hall is for sale by Pee Wee Risien. We asks $9,000 for the building with $1000 down and the balance at 6% interest. The purchase of the building was discussed.

Mr. Wood made a motion to put a stop sign on 2 corners at the intersection of Alamo and Market Streets. The motion was seconded by Mrs. Plumlee and the motion was carried.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Georgianna Werner
City Secretary

APPROVED:

_____

_____

August 21, 1967

MINUTES
Special Joint Meeting
Lake Dallas Zoning Commission and
City Council

A special joint meeting was called to order in the City Hall by Mayor Coulter with the following members of the Zoning Commission present: Chairman, Henry Sargent, Floy Risien, and Jess Pope. The following members of the City Council were present: Joyce Plumlee, Robert Gregory, Don Fraser and Bill Grammer. The meeting came to order at 8:00 p. m.

Police Chief, Bob McCullough and Randy Dickerson presented a plan to have Reserve Policemen to help out when needed in Lake Dallas. They figure on getting about 6 men who would pay for their own uniforms with no pay for their services. The Council decided to take the plan under consideration at this time and discuss it more at a later date.

Mayor Coulter read orally to the Council the Ordinance on Zoning beginning with Section 13 to the end.

The Mayor also read aloud a letter from Bruce Davis, Attorney, outlining the procedures for putting the Ordinance into effect.

Another special meeting was set for Thursday, August 31, 1967 at 8:00 p.m.

Respectfully submitted,

Georgianna Werner

Georgianna Werner
City Secretary

APPROVED:

_____

MINUTES
Lake Dallas City Council and
Planning and Zoning Commission

A special meeting was called to order in the City Hall at 8:00 p. m. by Mayor William T. Coulter. The following members of the City Council were present: Joyce Plumlee, Robert Gregory, Don Fraser and Bill Grammer. Members present from the Planning and Zoning Commission were Jess Pope, Floy Risien and Chairman Henry Sargent.

The main topic of discussion was buying the building now occupied by the City Council from Pee Wee Risien. The building contains 3300 sq. ft. and is approximately 67 x 50 ft on a 50 x 100 ft lot. Bruce Davis, Attorney was present and explained ways in which the building could be purchased. Time warrants could be issued and this is what he recommends. The money for the time warrants would be gotten from a tax structure. Mr. Wood made a motion to buy the building, seconded by Mr. Gregory and the motion was carried.

Bruce Davis also discussed proceeding with the Zoning Ordinance and stated he would get the papers made up for a preliminary hearing on zoning.

Mr. Bob McCullough, Police Chief, presented the policies and procedures for the Lake Dallas reserve Police Department and the Council stated they would take the program under consideration. The Chief had three men ready to take the job at this time The City would pay about $10 for each man for 2 badges.

Mayor Coulter read the Platt Ordinance out loud to the Council. The public hearing will be the next move and the Platt Ordinance and Zoning Ordinance will be displayed in 3 public places until passed.

The meeting adjourned at 10:15 p. m. until the next regular meeting, September 14, 1967.

Respectfully submitted,

Georgianna Werner Edson
Georgianna Werner Edson
City Secretary

APPROVED:

_____

_____

The regular monthly meeting of the City Council was called to order by Mayor William T. Coulter at 8:00 p. m. in the City Hall with the following Councilmen present: Joyce Plumlee, Lex H. Wood, Bill Grammer, Robert Gregory and Donald Fraser.

Mr. Grammer made a motion to dispense with the reading of the minutes from the last meeting, seconded by Joyce Plumlee and carried.

Mayor Coulter stated he had checked with Attorney Bruce Davis and Riley Fletcher of Texas Municipal League, about getting the money to buy the building now occupied as City Hall on an open note. It was decided the best way to buy the property was by time warrant.

Pee Wee Risien was present and stated he would rent the property to the City at $75 a month retroactive to September 1, 1967, and he would be responsible for the taxes and interest and unforeseen repairs. Pee Wee said he would like to sell his merchandise and building together at one time.

Mr. Grammer made a motion to rent from Mr. Risien at $75 a month retroactive to September 1, 1967, seconded by Mr. Wood and carried. Mr. Risien stated he would get a memorandum from Bruce Davis regarding the rental. The City will pay the utilities. Rental will not apply on the purchase price at this time.

Officer McCullough stated his need for 6 sets of Police badges which would amount to $63.66 for the reserve policement who will be under his supervision. Mr. Grammer made a motion to form the Police Reserve and buy badges for them. Mr. Wood seconded the motion and it was carried. The Secretary wrote out a purchase order for the badges so Officer McCullough could get them.

Officer McCullough requested a purchase order for winter clothes. Mr. Fraser made a motion to buy winter clothes, seconded by Mr. Grammer and carried.

Mr. Grammer made a motion to overhaul the 1964 police car, doing a major job. The motion was seconded by Mr. Wood and carried.

Mr. Bob King and Mr. Larry McWhorter of Rady & Associates were present and stated that a new State Law went into effect on August 31, 1967, where an Ordinance does not have to be posted, but it does have to be published in the paper. This would apply to the proposed Zoning Ordinance.

The balance due on the Zoning Ordinance was $935.00, but since it cost $225.00 to have Bruce Davis retype the Ordinance, Mr. King and Mr. McWhorter of Rady & Associates agreed to settle for a balance due in the amount of $710.00. Joyce Plumlee made a motion to pay Rady & Associates $710.00, seconded by Mr. Grammer and the motion carried. Secretary, Mrs. Edson, wrote the check and paid the balance in full. Mayor Coulter stated the Secretary would notify Rady & Associates when the public hearing would be held and they said they would be glad to come to answer any questions at the hearing.

Mr. Fraser suggested that we should get word to the people that the Council is meeting and working on these problems. He thought we should send out a letter of information on what is happening. Or, we might write an article and publish it in the Lewisville Leader.

A budget for next year was discussed. Mayor Coulter asked Mrs. Edson, Secretary, to contact Parish & Murrell Auditors for the annual audit of the City's books. If a budget had to be made before the audit, a special meeting of the Council would be called.

The meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

A regular monthly meeting was called to order in the City Hall by Mayor Wm. T. Coulter at 8:00 p. m. The following Councilmen were present: Bill Grammer, Robert Gregory, Joyce Plumlee, Lex H. Wood, Donald Fraser and Secretary Mrs. Edson.

The Secretary read the minutes of the last meeting which were accepted as read.

Police Chief, Bob McCullough stated that the Police force in Argyle would like to buy a police car. The Council discussed selling them our 1964 Police Car including the radio for $700 to $750. Officer McCullough stated he would contact them again regarding the sale.

Officer McCullough stated he had Reserve Policemen on call to help him when needed. They are C. E. Horton, Ben Erving, W. Grady Barnes and Randy Dickerson. They had all agreed to buy their own uniforms within the next 30 days. Chief McCullough planned to have some of the Reserve Policement help during Hallowe'en.

Mr. Dave Handley was present and talked about buying the building housing the present City Hall from A. W. Risien. He stated he would like to rent to the City if he did buy the building and said he might sell it back to the City at a later date at a higher price, of course. Mr. Handley stated he didn't have anything definite in mind. Mayor Coulter stated the Council would have a decision within 2 weeks about whether the City would buy the property.

Glenmore Savage, City Secretary of Lewisville, advised Mayor Coulter that the City could set up a tax structure and get the tax lists from the School District and Water Board. This would provide for the Maintenance Tax, to improve the streets, which are getting in very bad condition. Virgil Greer, Denton County Road Commissioner, had previously offered the use of his equipment for fixing the streets. We must have an Ordinance in effect and the paperwork started before the first of the year, and are required to have an election to put this tax into effect.

Mr. Grammer made a motion to send out a letter indicating the Council is thinking about putting a tax into effect, seconded by Mr. Fraser and carried.

Mr. Wood stated he would get his wife to type up a tax list of property owners. Mr. Grammer made a motion to go ahead with a tax roll with the anticipation of starting a City Tax, and get the ordinance made up. The motion was seconded by Mr. Gregory and carried. The proposed tax rate would be $.50 on $100 of 40% of evaluation. This would net between $6000 and $7000 a year revenue. Mr. Wood will get the standard tax form number from Steck Co. Mayor Coulter stated he would contact Bruce Davis to get started on the Ordinance.

Mr. Coulter stated he thought we should purchase this City Hall property and get the loan from the Lewisville Bank since we are starting on the tax structure. Mr. Gregory made a motion to get the note for $9,000, seconded by Mr. Wood and carried.

We received a letter from the County Engineers which stated they must have a City Ordinance on record before they could change Frontage Road to Hundley Drive. The Council was agreeable to getting the Ordinance drawn up if Mr. Hundley would pay for it. The Secretary was to notify Mr. Hundley of this.

Mr. Grammer suggested making a park on the lake, probably Willow Park, which is the only space left on the Lake. Mr. Grammer stated he would talk to the Corps of Engineers and get some information about it.

The meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
and
Zoning Commission

A joint meeting of the City Council and Zoning Commission was called to order in the City Hall at 8:00 p. m. by Mayor Coulter. Council members present were: Lex Wood, Joyce Plumlee, and Donald Fraser. Zoning Commission members present were: Henry Sargent, Chairman, and Floy Risien and Jess Pope. Bruce Davis, Attorney, and Larry McWhorter of Rady & Associates, Engineers, were present.

Larry McWhorter explained the Zoning Ordinance to the property owners who came for information. Mrs. Stowe asked several questions, and requested that her property be zoned oommercial. She was advised she should make her request in writing to the Zoning Commission, giving lot number and legal description and Abstract Number.

Mr. Pope of the Zoning Commission, made a motion to accept the Ordinance and pass it on to the City Council. Mrs. Risien seconded the motion and it was carried.

Mr. Wood made a motion to hold the final public hearing on November 20, 1967, seconded by Mrs. Plumlee and the motion was carried.

Mayor Coulter read the caption to be published in the paper alerting the property owners of the final hearing on November 20, 1967, at 8:00 p. m. in the City Hall. This will be a public hearing where all citizens may be heard.

The meeting adjourned at 9:15 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

A special meeting was called to order in the City Hall at 7:30 p. m. by Mayor Wm. T. Coulter. Council members in attendance were: Joyce Plumlee, Lex Wood, Robert Gregory, Bill Grammer and Secretary Mrs. Edson.

Mayor Coulter had received a letter from the Mayor of Denton asking if Lake Dallas was going to adopt the 1% Sales Tax. Riley Fletcher of Texas Municipal League suggested that we take the 1% tax under consideration and also have a maintenance tax which would be lower. Dallas is planning on holding the Sales Tax election on December 5th. An Ordinance would have to be passed calling an election.

Mr. Gregory made a motion to deputize a Reserve Policeman at the rate of $2 an hour, for Hallowe'en night and drive both cars that night. The motion was seconded by Mr. Wood and carried. He would start work about 8 p. m. and work as long as needed.

Mayor Koepke of Shady Shores was present and the annexation of land between Shady Shores and Lake Dallas was discussed. Hidden Walley wants to go into Shady Shores. Hickory Creek wants to annex territory extending to the lake, which is the property immediately north of Lake Dallas. Lake Dallas would like the land to the Graveyard Slough which would include the Cemetery and Monserrat Retreat property. Mayor Coulter suggested to get the 3 cities together with their Councils and decide about the boundaries.

Mr. Grammer made a motion to have an Ordinance written up to call a City Election for 1% Sales and Use Tax. Mr. Gregory seconded the motion and it was carried. The election will be set for December 5, 1967, to coincide with surrounding cities' election date. Mayor Coulter stated he would contact Druce Davis to have the Ordinance drawn up. He would also compose a letter to be sent to all property owners and voters in the city limits of Lake Dallas alerting them to the situation. The coming sales tax election would have to be held in the City Hall.

Wiley Henderson was selected for Election Judge and he will get 3 clerks to help him.

Mayor Coulter stated that Bruce Davis got the Abstract back on the City Hall property. One lot has a clear title, and the other has a limitation title. By next week the purchase transaction should be closed out. The note to Lewisville State Bank is already drawn up and signed by the Mayor and Secretary.

The North Central Texas Council of Governments is holding school for law enforcement officers November 13, 14, and 15, 1967 in Arlington, Texas at a cost of $10.00. Mayor Coulter recommended Police Chief McCullough to attend training school. Mr. Grammer made a motion to send Chief McCullough to Communication School, seconded by Mr. Wood and carried.

The meeting adjourned at 9:20 p .m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

A special Council Meeting was called to order by Mayor Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present: Bill Grammer, Lex Wood, Joyce Plumlee and Robert Gregory.

This meeting was called to discuss the annexation of land north of the City of Lake Dallas, since Hickory Creek was contemplating taking it into their city. Mr. Hunter of the Lake Dallas Water Utility Authority met with the Council and he stated that people in the north extra-territorial jurisdiction of Lake Dallas were anxious to get into the city. He thought the water board would go along with the City Council and do what they could to annex the area to the Cemetery. The Council plans on getting together with Shady Shores Council on November 2, if they wil invite us. Secretary Mrs. Edson was asked to write letters to all the property owners in that area.

Mayor Coulter read the Ordinance calling the special election on the 1% Sales Tax on December 5, 1967, in the City Hall. Mr. J. W. Henderson would be Judge and Henry Sargent would be Alternate Judge and 3 Clerks would be selected. Mr. Grammer made a motion to accept the Ordinance calling a Sales and Use Tax Election, seconded by Mr. Gregory and carried.

Mayor Coulter read 2 letters he composed addressed to all residents of Lake Dallas, which will be sent to all property owners, real and personal. Secretary Mrs. Edson will see that 500 of each letter will be printed up and mailed out.

Mayor Coulter read the opinion letter on the Abstract on the City Hall property written up by Bruce Davis, Attorney.

Mayor Coulter read a Resolution to make an unsecured note at Lewisville State Bank in the amount of $9000. This had been passed October 12, 1967, as a motion.

Mayor Coulter read the Ordinance changing Turbeybille Road to Hundley Drive. Bill Grammer made a motion to accept the Ordinance, seconded by Mr. Gregory and carried.

The city needs new maps to send to Austin after the Sales Tax Election. The last maps were made by Bill Parker in Lewisville. Mr. Grammer said he would take the old map to Denton and have another one brought up to date for us. Council agreed to get about 25 maps and have them for sale if anyone wanted one at $2 each. This would be a white map with blue lines.

The meeting adjourned at 9:40 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

The regular City Council Meeting was called to order at 7:30 p. m. in the City Hall by Mayor Coulter, with the following Councilmen present: Robert Gregory, Joyce Plumlee, Lex Wood and Bill Grammer, and Secretary Mrs. Edson.

Mrs. Plumlee made a motion to dispense with the reading of the minutes of the last meeting. The motion was seconded by Mr. Gregory and carried.

There were about 15 to 20 people present interested in annexation to the city limits. Mayor Coulter discussed annexation of property north of Lake Dallas city limits and asked the people for their opinions. Mr. Hunter told the position of the Water Authority Board and stated they were figuring a way now to supply water if they can possibly extend the water services north of the city.

Mayor Coulter stated the application for a $9,000 loan went through and $9,000 had been deposited in the City's account at Lewisville State Bank for the purchase of the City Hall property. Pee Wee Risien will transfer the water, gas, and electric utilities over to the city. Secretary Mrs. Edson wrote Mr. Risien a check for $9,000 in payment of the city hall building.

The 1% Sales and Use Tax Election set for December 5, 1967 was discussed in detail.

Police Chief, Bob McCullough stated all the Police Reserve men had quit their jobs.

Mr. Kib Hundley had expressed his desire to purchase signs for Hundley Drive. Mr. Wood made a motion to allow Mr. Hundley to buy his signsto be placed on Hundley Drive on the SE corner, 8 feet high. The motion was seconded by Mr. Gregory and the motion was carried.

Mayor Coulter stated we now have the Ordinance as drawn up by Bruce Davis for the final hearing to be heard on the Zoning Ordinance on November 20, 1967. After the Ordinance is adopted a zoning change can only be made by notifying all property owners within 200 feet by postcard for a hearing on the matter according to law.

Mrs. Wood made up 3 x 5" cards on all property owners on the tax roll of the Water Authority. This was the beginning of a proposed tax structure for the city. Mayor Coulter was going to contact Bruce Davis to have a tax Ordinance drawn up, and the Councilmen were to start thinking about a board of Equalization and a Tax Assessor and Collector.

The meeting adjourned at 9:45 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council and
Planning and Zoning Commission
Special Joint Meeting

A special meeting of the City Council and the Zoning Commission met at 8:00 p. m. in the City Hall. This was the Public Hearing on the Zoning as published in the newspaper. Several property owners appeared and discussed the zoning of their property.

The following Councilmen were present: Don Fraser, Joyce Plumlee, and Lex Wood. The following members of the Zoning Commission were present: Jess Pope, Mr. Clancey, Henry Sargent and Floy Risien.

Mrs. Aldena Stowe discussed in length her property and had it changed to commercial zoning.

Ken Vanderhoof asked for his 27 plus acres to be zoned commercial or combination commercial and residential. His request was granted.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

November 21, 1967

A special meeting was called by Mayor Coulter at 8:00 p. m. in the City Hall. The following Councilmen were present: Lex Wood, Don Fraser, and Joyce Plumlee, and Secretary, Mrs. Edson.

Mr. Sargent of the Planing and Zoning Commission presented their Zoning Ordinance and Use Map to the Council for consideration.

Mr. Wood made a motion to adopt the Zoning Ordinance #25 , seconded by Mrs. Plumlee and the motion was carried.

Mr. Fraser made a motion to adopt the Plat Ordinance #26, seconded by Mr. Wood and the motion was carried.

Bruce Davis supplied a copy of the 1967 National Building Code Abbreviated. Joyce Plumlee made a motion to accept the National (1967) Building Code, Abbreviated Edition. The motion was seconded by Mr. Faser and carried.

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

A special meeting of the City Council was called at 7:30 p. m. in the City Hall. Councilmen in attendance were: Lex Wood, Joycle Plumlee, Robert Gregory, and Don Fraser, and Mayor Wm. T. Coulter and Secretary, Mrs. Edson.

The meeting was called to canvas the votes from the Sales and Use Tax Election, held on Tuesday, December 5, 1967. Mr. J. W. Henderson was present and witnessed the canvassing and found the count of 138 for Sales Tax and 50 votes against the 1% Sales Tax to be correct. There were 188 votes cast, according to Election Judge, J. W. Henderson.

Joyce Plumlee made a motion to accept the election returns of 188 votes cast, 138 for and 50 against the 1% Sales and Use Tax for the City of Lake Dallas. The motion was seconded by Mr. Gregory and carried.

Secretary Mrs. Edson was to send one copy of the Resolution and a City Map to Austin, as soon as possible by Registered Mail, along with the results of the election held December 5, 1967.

Mr. Wood made a motion to take out fire insurance on the City Hall and pay it out in three payments. The motion was seconded by Mr. Fraser and carried.

Mayor Coulter read a letter from Bruce Davis concerning setting up a tax structure for 1968. Also, read a letter from Riley Fletcher, Attorney of Texas Municipal League giving advice.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

The regular monthly City Council meeting was called to order in the City Hall at 7:30 p. m. by Mayor William T. Coulter. The following Councilmen were present: Don Fraser, Lex Wood, Joyce Plumlee, and Secretary, Mrs. Edson.

Mr. Wood made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mrs. Plumlee and carried.

Mr. Wendell Judd, C. P. A. for Parish & Murrell, presented the 1966-67 audit report of the city's books. Each Councilman was given an individual report to study. Mr. Judd also presented a proposed budget for the city based upon the facts and figures for the previous year.

There were to be a few minor changes made to the proposed budget, but it was considered acceptable. The Council discussed the matter and decided it should be published in the newspaper.

Mr. Wood made a motion to accept the audit report for 1966-67 as presented, seconded by Mr. Fraser and carried.

Mrs. Plumlee made a motion fixing the fiscal year for taxes for the city for accounting and budget purposes at a fiscal year ending September 30. The motion was seconded by Mr. Fraser and carried.

Mayor Coulter read the Texas laws concerning the Board of Tax Equalization and there was a discussion about selecting an Assessor-Collector for the city's proposed ad valorem tax on property, real and personal.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson
Georgianna Edson
City Secretary

APPROVED:

_____

_____

A special City Council meeting was called with all Council Members present.

Police Chief, Bob McCullough reported to the Council that he thought he had a buyer for the old 1964 police automobile at $500 or $600. A motion was made by Mr. Wood and seconded by Mr. Frazer that we sell such vehicle for either of those amounts, less, radio, lights, etc. The motion was carried.

Three members of the Water and Sewer Board met with the Council at the Mayor's invitation, at which time the matter of renting part of the City Hall building to the Water and Sewer Authority was discussed. Mr. Davis said that at the present time they had no plans to move their tax office, but might in the future need space for an Engineer. Those present from the Water and Sewer Board were: Messrs. Davis, Blaylock and Whitehead.

The Council discussed the upcoming election of City Officials on April 6, 1968 and ordered the election for that date.

The Council also discussed matters of City Tax, equalization board and tax Assessor-Collector. No action was taken pending a search for qualified citizens to serve in these capacities.

A letter from Mrs. Stowe addressed to the Mayor and City Council was read by members who did not receive such letter. No action was taken.

The meeting adjourned at 9:00 p. m.

Lex H. Wood
Acting for City Secretary

APPROVED:

_____

_____

A special meeting was called by Mayor Coulter at 7:30 p. m. in the City Hall, mainly to discuss the tax problem. The following Councilmen were present: Joyce Plumlee, Don Fraser, and Bill Grammer.

Mayor Coulter stated that a Board of Equalization for the City Ad Valorem Tax was needed to meet in April, probably on a Saturday. Three people were selected: namely, Henry Sargent, Chairman, Wily Henderson and Jess Pope.

Jack Luna of Lake Dallas was present and Mayor Coulter asked him if he would be willing to take the part-time job of Tax Assessor-Collector. He was agreeable. The salary for the Tax Assessor-Collector was discussed but nothing definite was decided upon. Mr. Luna stated he could be at the City Hall on Monday and Friday of each week until March 31, from 6:30 to 8:30 p. m. so people could come in and render their property for taxes.

Secretary, Mrs. Edson was advised to get some postcards printed up to inform the property owners to come in and render their property for taxes between now and April 1, otherwise if their property was not rendered in person by March 31, the Assessor-Collector would then render it for them.

Secretary Mrs. Edson was advised to order sample tax statements with carbon inserts and a catalog of tax forms and have them rush the order from Steck Co. in Austin, Texas.

The Council discussed the need for funds in the City Treasury. Mrs. Edson stated there were bills unpaid totaling over $1000. The Council made a resolution to have Mayor Coulter and Secretary Mrs. Edson make a loan for $1500.00 from the Lewisville State Bank, if they would loan that much.

Mayor Coulter read a letter from the Department of Public Health, making recommendations to improve the sewer service in Lake Dallas. There was nothing the City could do at this time about it.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

A regular meeting was called to order in the City Hall at 7:30 p. m. with 3 Councilmen present; Robert Gregory, Bill Grammer, and Joyce Plumlee.

Mr. Grammer made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. Gregory and the motion was carried.

Police Chief, Bob McCullough gave a report of the Police Department and stated he had 3 Reserve Officers now, George Buchanan, Randy Dickerson and Mr. Irvin. He stated he had applied for license for the Police Radio and it would take about 2 months to get it.

Mr. Grammer made a motion to buy a hand searchlight for the Police Car, seconded by Mr. Wood and the motion was carried.

Mr. Audie Nicholson was present and told of his Police experience to the Council and asked for part time police work. The Council stated they would take his qualifications under consideration if there was a need for part time police work.

Chief McCullough stated that the Health Officer came down from Denton to see about the sewerage running out in the open. Several property owners had complained to the Health Department.

Jack Luna was present and plans were discussed with him about getting the rendering of property for City Tax underway. Mrs. Edson, Secretary, was to contact Steck Co. inAustin again to rush the tax statements, and also get the 5¢ stamps for mailing out the postcards to property owners in the City.

Jack Luna decided to work on a part time basis by the hour. He had spent 7 hours time already in preparation. Mrs. Plumlee made a motion to set Mr. Luna's salary at $3.00 per hour, seconded by Mr. Grammer and the motion was carried.

Bill Prince was present since some of his neighbors complained against him for burning trash in the street. The Council warned him to observe the hours for burning trash. There was also a complaint against him for starting up a tropical fish business, selling acquariums, fish and supplies.

Mayor Coulter and the Council selected a list of people who might serve on the Zoning Commission. The list included; Richard Edson, Marcus Rucker, Paul Shurtz, Jr. Drozd, James McCurley, Elmer Sublett, Hazel Gregory, Lula Bell Nixon, J. W. Vaughn, Frances Grammer, Bee Whitehead, Patsy Testerman.

The Council decided to contact John Dunn and get him to paint the sign on top of the City Hall or tear it down.

Secretary, Mrs. Edson, was instructed to post notices of the Order of Election 30 days prior to the election. Mrs. Edson was also to notify the Lewisville Leader of the election and write an article about City Beautification Week, which was proclaimed the first week of March, beginning March 2nd, a Saturday. Property owners should be urged to clean up the cans in the ditches and throw away their trash and clean up their yards in the Beautification Program.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

A special meeting of the City Council was called by Mayor Coulter with the following members present: Bill Grammer, Lex Wood, Joyce Plumlee, Donald Fraser and Robert Gregory. Members of the Zoning Commission present were: Floy Risien, Jess Pope, and Henry Sargent, Chairman. The meeting was called to consider a complaint against Bill Prince for operating a business in a non-business zone.

After hearing all the evidence, the Zoning Commission made a recommendation that they could do nothing since the business permit was applied for on 11-11-67 and Mr. Prince's check cleared his bank on 11-17-67 and he was in business prior to 11-20-67, the date the City Ordinance was adopted. Therefore, Mr. Prince would be free to operate his business of raising tropical fish and selling supplies.

Mr. Prince moved in a portable building in the first part of September, 1967, and is adding on an 8 x 16 ft. addition at this time. Mr. Prince made a plea for a variance in the zoning ordinance to make this addition on to his present portable building. This would have to be published and all residents owning property within 200 feet would have to be notified and a public hearing held to decide the matter. Mr. Gregory made a motion to turn this matter over to the Board of Adjustment, seconded by Mr. Fraser and was carried.

The meeting adjourned at 9:50 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting March 14, 1968

A regular meeting of the City Council was called to order by the Mayor at 7:30 p. m. in the City Hall. The following Councilmen were present: Bill Grammer, Lex Wood, Joyce Plumlee, and Don Fraser.

Mr. Wood made a motion to dispense with reading of the minutes of the last regular meeting, seconded by Mr. Fraser and the motion was carried.

Mr. L. M. Hamilton discussed his starting a taxi cab service in Lake Dallas and asked for a franchise with the City. Mr. Hamilton stated he would get in touch with the Railroad Commission to see if a permit was necessary from them. In the meantime, the Council would take the taxi franchise under consideration.

Jack Ezzell asked for information about putting up an apartment house in a single family residence zone. He was advised to see Henry Sargent and get the exact specifications of his lot and buildings.

A representative of Edwards Realty asked the City Council to consider changing the residential zone to a trailer park zone where he wishes to have a trailer park for 30 to 35 trailers. This would have to be considered by the Zoning Commission first.

Jack Luna, Tax Assessor-Collector, gave a report on the rendering of property for City Tax, which he has been doing every Monday and Friday night during March. To date, only 10% of the property owners have rendered their property. Mr. Wood stated Steve Ashford would be glad to serve on the Zoning Commission.

Police Chief McCullough asked if he could use George Buchanan, Captain of the Police Reserve as a part-time Policeman to start about April 15th. The Council was agreeable to try him out. Mr. Wood made a motion to that effect, seconded by Joyce Plumlee and the motion was carried.

Chief McCullough stated that the Police Reserve wants to sponsor an Easter Egg Hunt with the businessmen of Lake Dallas donating the eggs and the Reserve would donate candy eggs and anything else that was necessary. The Vanderhoof property was to be the site of the Hunt, with plots marked off for different age groups of egg hunters.

Chief McCullough stated the Police car was in need of at least 2 new tires. Mrs. Plumlee made a motion to buy 2 tires for the Police Car, seconded by Mr. Wood and carried.

The neeting adjourned at 10:15 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

March 21, 1968

A special meeting was called to order by Mayor Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present; Lex Wood, Joyce Plumlee, Robert Gregory, Don Fraser and Bill Grammer.

Mr. Wood made a motion that the minutes of the last meeting, as read by Secretary, Mrs. Edson, be accepted as read. The motion was seconded by Mr. Gregory and the motion was carried.

Police Chief, McCullough reported he had the Speedometer calebrated on the Police car and had bought 2 new tires. Chief McCullough asked for Police clothes for himself and the part time policeman.Mr. Grammer made a motion to purchase 3 shirts for McCullough and 2 shirts and 1 pair of pants for the part time Policeman, seconded by Mr. Fraser and the motion was carried.

Mayor Coulter read the taxi cab franchise from Mr. L. M. Hamilton, discussed it and made some minor changes. Secretary Mrs. Edson was to type up a new franchise for him.

The Council discussed the 3 bids on the Police car, as follows:

Bill Utter	$2,875.00
Newt Miller	2,837.00
Chester Morris Chrysler-Plymouth	2,778.00

Mayor Coulter made the recommendation that if a car is bought, it should have standard transmission and no air conditioner. The Council decided to table the purchase of the police car until after the election and take it up again at the next regular meeting.

Mayor Coulter read the proposed Ordinance on Junked Vehicles. Mr. Gregory made a motion to adopt the Junk Ordinance, seconded by Mr. Fraser and the motion was carried. The caption of the Junk Ordinance is to be published in the Lewisville paper by Secretary, Mrs. Edson.

Mr. Grammer discussed issuing permits to businesses within the City limits. Mayor Coulter stated he would talk to Bruce Davis about an Ordinance to cover this. Also, a Health Department Permit for businesses handling food was discussed.

The Council discussed buying fire hydrants at about $200 apiece, since the Water Authority and Sewer Bond money could not be spent for fire hydrants.

The meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

A special Council meeting was called by Mayor Coulter at 7:30 p. m. in the City Hall. The following Councilmen were present: Lex Wood, Joyce Plumlee, Robert Gregory, Don Fraser and Bill Grammer.

Secretary, Mrs. Edson read the minutes of the last special meeting. The minutes were accepted as read.

Mrs. Edson stated the Junk Vehicle Ordinance was published in the Lewisville newspaper 3-28-68 and is now in full force. Chief McCullough reported that some people were complaining about the new Junk Ordinance and wanted to get rid of all animals in the City.

It was suggested by the Council that Chief McCullough keep a log of his police calls. He said he would keep a day by day log and also would not go out of the City to fires.

Chief McCullough stated Randy Dickerson wanted to buy the 1964 Police car. After lengthy discussion, it was decided not to sell the police car, since funds were ~~funds were~~ too low for the purchase of another new car. Instead, repairs would be made to the 1964 Police car.

Jack Luna sent word that 261 owners had rendered their property for city tax. Some more had rendered their property by mail. Mr. Luna would neet with the next regular Council meeting and give a report of the rendering of property at that time.

It was decided to place Jack Luna, Tax Assessor and Collector on a $5000 Bond. Secretary Mrs. Edson had contacted Glenmore Savage of Lewisville to see what amount they had as bond on their Tax Assessor-Collector, and $5000 was considered to be sufficient. Mrs. Edson was to get him covered with the Bond.

A meeting was scheduled for next Monday evening at 7:30 p. m. to canvass the votes from the City Official Election to be held April 6th.

It was decided to wait until the next meeting to appoint new members to the Zoning Commission.

Mayor Coulter read an extension and Supplement to the Platting Ordinance. This pertains to property within one-half mile in any direction outside the City. The Zoning Ordinance would also apply to this territory. Mr. Grammer made a motion to accept the Supplement to the Platting Ordinance, seconded by Mr. Wood and the motion was carried.

The Council discussed the past due bills and Joyce Plumlee made a motion to authorize Mayor Coulter to make a Commercial Loan at Lewisville State Bank for $1000. to pay off some of the larger bills such as the Attorneys and Auditors.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson, City Secretary

APPROVED:

_____

_____

A special meeting was called at 2:30 p. m. in the City Hall to convass the votes for the City Official Election. The following Council members were present: Lex Wood, Joyce Plumlee, Robert Gregory and Donald Fraser.

The votes were recounted with the official count as follows:

Mayor	
William T. Coulter	106
Jack L. McInnish	173
Roy Harper	1
Total	280

Councilmen	
James L. McCurley	132
Johnny J. Vinson	192
Bill Grammer	88
Lex Wood	51
Marcus Rucker	1
McKinney	1
Total	528

The total number of voters was 286. Joyce Plumlee made a motion to accept the recount of the votes, seconded by Mr. Gregory and the motion was carried.

Secretary Mrs. Edson was advised to publish the outcome of the election in the Denton and Lewisville newspapers.

Mayor Coulter spoke of the problems facing the new Mayor and Council. He decided to call the next meeting to swear in the new people on the Monday after Easter, or on April 15th, since everyone was busy during Easter week and couldn't make the meetings.

The members on the Equalization Board for City Tax tentatively stands as: Henry Sargent, Chairman, Jess Pope, and Floy Risien.

Mayor Coulter stated the Council should consider making a budget in July, and set the tax rate. The Secretary should also get new bonds on the new City Officials. The new Council should also select and appoint a Board of Adjustments for the City Tax.

Mayor Coulter stated he had made a loan for $1000.00, signed by Secretary Mrs. Edson, at the Lewisville State Bank to pay the current bills. The loan is to be repaid in 6 months.

The meeting adjourned at 5:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary
City of Lake Dallas, Texas

APPROVED:

_____

_____

The regular meeting in April was set aside until after Easter. The meeting was called to order at 7:30 p. m. in the City Hall by Mayor Coulter. The following Council members were present: Lex Wood, Joyce Plumlee, Robert Gregory, Bill Grammer, and Don Fraser.

Mayor Coulter read an Ordinance pertaining to the Board of Equalization on City Ad Valorem Taxes and discussed salary to be paid to the three Board Members for the days they worked. Nothing definite was decided.

Bill Grammer made a motion to cancel the bonds on the present Mayor Coulter and Mayor Pro-Tem Bill Grammer, since they were going out of office. The motion was seconded by Mr. Fraser and carried.

Secretary Mrs. Edson administered the Oath of Office to the incoming Mayor Jack L. McInnish and Councilmen Johnny Vinson and J. McCurley. Mayor Coulter welcomed the new people to their City Offices and thanked the Councilmen and Secretary for their cooperation during his tenure of office.

Mayor McInnish took his seat at the Council meeting and called for a nomination for Mayor Pro-Tem. Donald Fraser nominated Robert Gregory, seconded by Joyce Plumlee, and the motion was carried. Mr. Gregory is now the new Mayor Pro-Tem.

Mayor McInnish appointed Johnny Vinson from the Council to represent the City on the Zoning Commission.

Police Chief McCullough reported that he had many complaints of junked cars on Hoyt Wilson's property.

Chief McCullough reported the Easter Egg Hunt on Easter Sunday Afternoon was a big success and a big crowd of about a thousand people turned out for the hunt.

Johnny Vinson stated he would like to have the holes filled up in the streets. The bad condition of the streets was discussed and due to lack of money and the fact that the streets would be dug up for sewer installation in the near future, it was cedided to patch up the main holes at the present time.

Mr. Coulter suggested that Mayor McInnish should get his signature card filled out at the Bank as soon as possible.

Mr. Vinson stated that the water Board needed fire plugs and that they could get some in Farmers Branch at $25 apiece. No action was taken at the present time since no money was avialable for such a project.

Mr. Vinson brought up the idea of night work for the Police Dept. and discussed it with no action taken. Mr. McCurley made a motion to raise Police Chief McCullough's salary to $400 per month to start May 1st. The motion was seconded by Mr. Vinson and the motion was carried.

The meeting adjourned at 9:30 p. m.

Respectfully submitted
Georgianna Edson
Georgianna Edson, City Secretary

APPROVED:

_____

_____

A special meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall. All Councilmen except Mr. Gregory were present.

The Council voted to dispense with reading of the minutes of the last meeting and Secretary Mrs. Edson mentioned the main topics of discussion and the action taken at that time.

Mayor McInnish came up with a list of people for the Zoning Commission that he had contacted. They were as follows: Marcus Rucker, Donnie Hanson, Roy Harper, Steve Ashford, and Francis Grammer. Mr. J. W. Vaughn was under consideration, but dropped from the list.

Mr. Vinson made a motion to accept the 5 members, seconded by Mr. Fraser and the motion was carried unanimously.

A discussion was held concerning the Ordinance appointing the Board of Equalization and setting a salary for them. The 3 people selected for the Board of Equalization for City Taxes were Jess Pope, Bill Grammer and Floy Risien. Mr. McCurley made a motion to accept the 3 member Board, seconded by Mr. Vinson and the motion was carried.

Jack Luna advised the Council that on May 20th he would present his tax roll to the City Council. There will be a meeting of the Council on that date, May 20th, with the Board of Equalization and they can select their Chairman at that time. The salary for the Board members was set at $1.25 per hour. Mr. Vinson made a motion to set the meeting date at May 20th and set the salary for the 3 Board members at $1.25 per hour. The motion was seconded by Mr. Fraser and carried.

The Secretary was to send the names and addresses of the new Councilmen and Mayor to the Texas Municipal League and North Central Council of Governments for their current publication list.

The meeting adjourned at 8:45 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

The regular Council meeting was called to order in the City Hall by Mayor McInnish at 7:30 p. m. The following Councilmen were present: Joyce Plumlee, Johnny Vinson, Robert Gregory, James McCurley, and Don Fraser.

Secretary, Mrs. Edson, read the minutes of the last special meeting. Mr. Fraser made a motion to accept the minutes as read, seconded by Mrs. Plumlee and the motion was carried.

Mrs. Hunter addressed the Council concerning the road between the Post Office and Sargent's General Store. She stated the road was always congested during the day and she can not get out of her driveway. She also told of potholes in the street that needed fixing between the School and the Post Office. She requested to allow Chief McCullough to come by the Post Office and advise the people not to block the road and driveway on the front and side of her property.

Winston Harper presented a petition to close the road south of the Baptist Church. Mr. Gregory suggested that the people in the area go ahead and close the street at the Service Road entrance. The Council was agreeable and gave their permission to close the street at that end.

Chief McCullough gave a report on the Police Department. He has a new man, Melvin Lee James, lined up for full time Police work. He would work 6 nights a week and work when the Chief was off duty. Mr. Gregory made a motion to hire Melvin Lee James at $325.00 base salary and after 45 days probationary period, raise him to $350.00, motion seconded by Mr. Vinson and carried. This was based on the approval of the renewal of the $1500.00 loan at Lewisville State Bank, which was to become due in June, 1968. Mayor McInnish stated he would contact the Bank about the matter.

A discussion was held about mowing the grass and weeds. Gene Smith had submitted a bid for $160.00 for complete mowing of streets. Mr. Grubbs did it for $150.00 last year. The Council decided to give the job to Mr. Grubbs.

Building and Trailer Permits were discussed. It was decided the builders would have to submit their drawn up plans to the Zoning Commission and have their decision referred to the City Council for final action in accordance with the Ordinance.

Secretary Mrs. Edson brought up the fact that Mrs. Lewis Grimm had moved in a housetrailer and paid $8.00 by check for the permit for the rest of the year. Mr. Gregory made a motion to send the check back to Mrs. Grimm with a letter, with a copy to the Zoning Commission. The Zoning Commission will have to consider the request to park the trailer. The motion was seconded by Mr. Fraser and carried.

The problem of opening up a new street on the F. Gordon property was discussed. Mr. Gregory made a motion to give the matter over to the Zoning Commission, seconded by Mrs. Plumlee and carried.

Mayor McInnis stated ha had talked to Bruce Davis, Attorney, about the position of Corporation Court Judge. He was advised that the City Assessor-Collector could not hold another position for the city such as Corporation Court Judge.

Mr. McCurley made a motion to adjourn, seconded by Mr. Gregory and the meeting adjourned at 9:30 p. m.

APPROVED:

Respectfully submitted,
Georgianna Edson
Georgianna Edson, City Secretary

_____

_____

A meeting of the Board was called to order in the City Hall by Chairman, Bill Grammer, with Board members Jess Pope and Floy Risien present.

Jack Luna, Tax Assessor-Collector, presented the tax rolls he had assembled for the City of Lake Dallas. He used the tax list of the Water Authority who got their list from the School Board and they in turn, got theirs from a survey.

Mr. Luna stated the taxpayers had been contacted by Post Card and most of the people came in and rendered their property for taxes and went along with the Water Authority evaluation. Approximately 622 property owners are on the tax rolls. Of these, about 200 came in and rendered their property and Mr. Luna rendered the rest himself. The total valuation amounted to $3,022,285.00. Figuring at 50% ~~of $1.00 valuation~~, amounts to $1,511,142.50. Mr. Luna stated he expected to collect 95% of this amount or about $15,000.00.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

A special meeting was called to order by Mayor McInnish at 7:30 p. m. with the following Council members present: Joyce Plumlee, Johnny Vinson, Robert Gregory, J. McCurley, and Don Fraser.

This meeting was called since the Water Authority Board had proposed to move into the vacant side of the City Hall, bearing all of the expense of moving in and cleaning up and remodeling to make a suitable office. The Water Board intends to hire an employee for 5 days a week and would not expect the City to pay any part of the expense of the salary since the office space would be rent-free, until such time that the City could afford it. When the City does pay a portion of the salary for the clerk, then there will be some sort of an agreement worked out as to payment of rent for the office space.

The employee would also work for the City as far as taking in fines and applications for building and trailer permits and information. This person would collect water bills for the Water Authority. They had in mind a salary of about $65.00 a week.

Mr. Vinson made a motion the Water Board should pay all of the cost of the utilities. The motion was seconded by Mr. McCurley and carried.

Secretary Mrs. Edson, had received a letter from the Lake Dallas Municipal Utility Board to apply for sewer connection. Mr. McCurley made a motion to tie into the sewer line when the pipe was laid down the street. The motion was seconded by Mr. Vinson and carried.

Insurance is due on the two Police cars in the amount of $296.00. A motion was made to pay the first installment of the bill, seconded, and the motion was carried.

Bill Grammer, Chairman of the Equalization Board was present and stated some people pay personal property tax and some do not, and he wished to make the payment of this tax uniform for everyone. He suggested we get the Denton County Tax rolls and get a list of all personal property owners, such as car owners. Mr. McCurley suggested to buy a book priced at $50.00 with the Denton County Car Registration list in it. Mr. McCurley decided to table this subject until the meeting next Thursday and would also get a list of last year's personal property taxpayers.

Secretary, Mrs. Edson, stated the Bank Balance was down below $200. Mr. McCurley asked the Secretary to present a forecast for the rest of the year, and bills for the balance of the year, revenue coming in and the outstanding bills. Mrs. Edson said she would have it by the next meeting.

The Waldon-Prince complaint was again discussed, but no conclusion was reached.

Mr. McCurley made a motion to alternate the purchase of gasoline and oil for the Police cars between the station owners selling standard brand products, such as Texaco, Conoco, Humble, and Sinclair. After discussion, the motion was withdrawn. Mr. McCurley stated he would check with the gas station owners to negotiate for a discount on gasoline and oil and let the Council know by the next meeting. If they all give the same discount, we will alternate our business. If not, we will have to take the low bid on gasoline.

Mr. Gregory made a motion we approach the 4 major brand stations in town and ask them to enter a bid for all gasoline and oil for all city vehicles. The motion was seconded by Mr. Vinson and carried..

MINUTES
Lake Dallas City Council
Meeting

June 13, 1968

Mayor McInnish called the regular Council meeting to order at 7:30 p. m. in the City Hall. The following Councilmen were present: Robert Gregory, James McCurley, and Johnny Vinson.

Mr. Vinson made a motion to dispense with the reading of the minutes, seconded by Mr. McCurley and the motion was carried. Secretary, Mrs. Edson, mentioned the main topics in the minutes of the last meeting as a quick summary.

Mr. Hunter addressed the Council and stated he had been contacted by someone who wanted to know about starting light industry in the 17 acres north of the City and within the City's extraterritorial area. Mayor McInnish stated he would get in touch with the man, since the Council feels it would welcome new industry in the City.

Mr. Lambert, a homeowner on Glen Rhea Road, addressed the Council and stated the Hoyt Wilson property had been used recently as a dumping ground for old cars and trash by some of the local citizens. Mr. Lambert was of the opinion that Mr. Wilson gave no one permission to dump on his property. Officer McCullough stated Mr. Wilson had given Mr. Kelly permission to dump cars and gave him 2 weeks to cut up the cars and fill in the ditch, which had not been done to date.

Mr. Gregory made a resolution, seconded by Mr. Vinson, to write a letter to Hoyt Wilson, telling him to clean up the dump on his property as it is in violation of the City Ordinance and people are complaining and signing complaints about the eyesore. Mr. Lambert stated if it was not cleaned up in 6 months, he intended to sell his property and move out of Lake Dallas.

Chief McCullough brought the Denton County Auto Registration Book for the Council to look at, but nothing definite was decided upon.

The Council discussed the Waldon-Prince complaint and decided to get Tommy Coulter to come to the next meeting, since he had been to all the previous hearings on the matter and probably knew more about it than anyone else.

Mr. Cox addressed the Council and stated he had a 550 gallon gasoline tank on his property located 100 feet from the street, and wanted the Council's interpretation of the City Ordinance as to whether this was permissible or considered a hazard or nuisance. Mr. Gregory suggested we have Fire Marshall Jack Worrell, look at it and classify it, since the Council could find no Ordinance against it, at the present time.

Chief McCullough gave a report of the Police Department and on the new second shift man and stated everything was working out fine.

The tax program was again discussed and Mr. Hunter stated the Water Board collected about 85% of their water taxes and we could probably figure on about the same percentage of collection on City Taxes.

Secretary, Mrs. Edson, presented a projected budget to the Council for the last 7 months of 1968, which was discussed in length. It was suggested that this should be the basis for the next year's budget.

Councilman McCurley reported that he had checked at four gasoline stations and it appears that gasoline is about the same price at all stations. Mr. McCurley made a motion to trade 2 months at a time with each of the four major brand stations. The motion was seconded by Mr. Vinson and carried. A drawing was made to determine the stations in order of their 2-month trading, starting July 1, 1968, as follows: 1. ~~Sinclair~~ Enco, 2, Enco, 3. Conoco, and 4. Texaco.

Mr. Vinson made a motion to appoint James McCurley as City Representative to the North Central Council of Governments, seconded by Mr. Gregory and the motion was carried.

Mr. Gregory made a motion to adjourn, seconded by Mr. McCurley and carried. The meeting adjourned at 10:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

The regular monthly Council meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall with the following Councilmen present: Johnny Vinson, Joyce Plumlee, James McCurley, and Robert Gregory.

Secretary Mrs. Edson, read the minutes of the last meeting and they were accepted.

Mayor McInnish stated he had come to some agreement with Mr. Prince, who had agreed to put the wall back in his building and use the part of the building he had first used before his remodelling. The Mayor stated we should issue a Certificate of Occupancy to conform to uses as of this date.

Marcus Rucker and Jack Ezzell were present and informed the Council of the Zoning Commission's actions on the rezoning of a piece of property for Jack Ezzell. Mr. Ezzell told the Council of his plans to move an eight-unit, two-story apartment building onto one acre of land he had bought for this purpose. There would be four units on each floor with outside construction of brick and redwood. Two out of of 8 or 9 people at the Zoning Commission's public hearing had voted against the rezoning for the partment building. One party didn't want the dust from the traffic and the other did not want "progress." The Zoning Commission recommended a change in the zoning to allow the erection of the apartment building,nevertheless, since the reasons for the objection were insignificant and the location is in the proposed zoning for future development. Mr. McCurley made a motion that under the recommendation of the Zoning Commission, that Jack Ezzell should be granted the zoning change for his partment building. The motion was seconded by Mr. Vinson and carried. Mayor McInnish advised the Secretary to issue a building permit to him on the the apartment house.

Mayor McInnish asked the Secretary to write a letter to Virgil Greer, County Road Commissioner, Lewisville, Texas 75067, and invite him to the next meeting of the Council, and tell him we appreciate his fixing some of the streets and furnishing the trucks and men.

The Mayor had been contacted about renting the road grader for private work and after a discussion of the matter, Mr. McCurley made a motion to rent it at a minimum cost for three hours at $15.00 an hour which includes our operator, gas, oil, and machinery maintenance. The only way they would rent it is with our operator only. The motion was seconded by Mr. Vinson and carried. The Secretary would be notified of the rental in order to bill the renter for maintainer use.

Mr. Vinson made a motion in the form of a Resolution that the Council should renew the loan due June 30, 1968, for $1500.00 with Lewisville State Bank for another six months. The motion was seconded by Mr. Gregory and carried.

Mr. McCurley made a motion to adjourn, seconded by Mr. Vinson and carried. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

The meeting was called to order with all members present. Since the Secretary, Mrs. Edson, was on vacation, the minutes of the last meeting were not read.

Under new business, the problem of running the sewerage lines down a street that is not a public street was discussed by the Council. This particular street is actually owned by property owners, Tunnicliff, Galbraith, Decatur Savings & Loan, and Sudderath. These are property owners adjoining the street on the south side of the street. Johnny Vinson suggested that the property owners be invited to meet and discuss the problem. Mr. Sudderath wishes to close the street that adjoins his property. The question was whether the street had been used as a public street for a period of time that would make it legally a public street. It was suggested by James McCurley that if the Water Authority could obtain an easement for the sewerage, that the City would not take any legal action at this time. Mr. Gregory agreed. Mr. Hunter requested the Council to discuss this problem and advise him if the City had any plans concerning legal action to keep the street open. Mr. Fraser suggested that when the time came when the City decides to pay the street, then the question of whether the street is a public street could be more easily settled. It was agreed that Mr. Hunter be advised of these facts.

Police Chief talked to the Council concerning the condition of the Police Cars. The newer model 1966 can no longer be used since it needs a complete overhau on the engine. He is now using the old 1964 model, which uses a lot of oil. Jack Ezzell advised the Council that a rebuilt engine would probably last no more than 20,000 miles at a cost of approximately $200, with the exception of other repairs. Replacing the broken piston would probably run around $250.00. Nothing definite was decided upon.

Police Chief McCullough advised the Council that the night Policeman quit Friday, August 2, 1968 and that Labor Day was the last day for the temporary man. Mr. McCurley suggested the problem of the police cars be tabled for the time being until they could investigate the cost of a new car. The Council agreed. It was agreed that a special meeting would be called in a few days to persue the matter.

Mr. Virgil Greer, County Road Commissioner, was introduced to the Council. The Council explained the bad condition of the roads at this time due to sewerage construction. He was asked if the County could help keep the roads in travelable condition. Mr. Greer advised the Council he would do all he could in any way until such time as taxes were assessed. At that time, the County is not supposed to help with the street work. He stated he would help with the labor if the City furnished the material for blacktopping the streets. The Council expressed their appreciation to Mr. Greer for coming and all his help in the past.

Mr. Hunter of the Water Utility Authority came before the Council concerning the Barmachar Subdivision immediately west of Old Highway 77. The property owners would like to make their streets and alleys public. He intends to run the lines down the alley to service both sides of the alley. Some property owners want their streets to be dedicated as a public street. Mr. Sanders wrote out a dedication for the streets to be for general public use. The Council would have to approve this dedication before it goes to the zoning committee. The street is not 50 ft. wide, but approximately 30 feet wide. Every property owner must sign a dedication of the street or alley pertaining to their property. One alley and two streets are involved. Mr. Gregory stated it was the property owners place to approach the Council with the legal papers for accepting these streets and the alley for public use. The Council agreed that there were no objections to accepting this if the property owners follow this procedure.

Mrs. Plumlee suggested that some of the vacant property grown up with weeds should be mowed. She thought letters should be written advising the property owners to cut the weeds, expecially James McClains property, Bill Merritt and the lot by the 7-11 building which probably belongs to Lon Brown.

The proposed budget made by Mrs. Edson, Secretary, was presented to the Council and discussed. Someone needs to check with the bank to see when the payments will start on the building.

James McCurley made a motion to call a meeting to discuss the budget further, seconded by Mrs. Plumlee and carried. A public hearing will have to be made before the budget can be approved. A notice of the public meeting should be published in the newspaper.

A motion for adjournment was made by Mr. Fraser, seconded by Johnny Vinson and carried. The meeting adjourned at 9:30 p. m.

Mrs. James McCurley
Acting Secretary
(BY: G. Edson)

APPROVED:

_____

_____

MINUTES

Lake Dallas City Council Meeting

A special Council Meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall to discuss the 1969 Budget and bids on the Police Car purchase. The Following Councilmen were present: Johnny Vinson, Joyce Plumlee, Robert Gregory, Donald Fraser and James McCurley.

Mr. McCurley did not have all the bids in since the new car dealers did not have their prices on the 1969 cars yet. It would take 40 to 60 days delivery on the new Police Car. Changing engines in the car bodies was discussed and Mr. McCurley suggested putting this off until Wednesday August 28th meeting. The approximate price of a new car is $3000 and the approximate price of a replacement engine is $400. With a replacement engine, one car would be in good operation during the winter.

The 1969 proposed Budget was discussed by each item separately. It was found that the City has approximately 10 miles of streets within the City. The approximate cost for blacktopping is $1200.00 per mile with the work and machinery furnished by the CountyIf Warrants were sold for a 5-year period, plus approximately 8 percnet interest, it would come to $3500. per year in the Budget.

Mayor McInnish was called away from the meeting due to an emergency in the family. Mayor Pro-Tem, Robert Gregory, took charge of the balance of the meeting.

Chief McCullough told of a family living in a bus with no bath facilities. The Council discussed the matter and Johnny Vinson made a motion that there must be bathroom facilities provided or he must move out within 10 days. The motion was seconded by Mr. Fraser and the motion was carried. It was decided that Mokie Vinson was liable in this case and had to put in bath facilities for men and womenif it is considered a trailer court.

The meeting adjourned at 10 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A special meeting was called at 7:30 p. m. in the City Hall and brought to order by Mayor Pro-Tem, Robert Gregory. The following Councilmen were present: Joyce Plumlee, Johnny Vinson, Donald Fraser and James McCurley.

The special meeting was called to discuss the proposed 1969 Budget in detail, since a public hearing had been set for August 28, 1968 and published in the Lewisville Leader Newspaper.

A few minor changes were made to the proposed budget as first drawn up by Mrs. Edson, City Secretary and Treasurer. There was practically no way to reduce the budget and yet allow for the expenses of the year 1969.

The City Tax Rate was discussed but was not set. Bruce Davis was on vacation and Mayor McInnish wanted to talk with him before setting the tax rate for 1969.

The increase in the annual trailer and trailer court permit was discussed as a possible source of revenue for 1969. It seems our permit charge is far below such permit charges in surrounding cities. It was also suggested to bring about better enforcement of the Trailer Ordinance, with the Police Chief watching for new trailers moving into town unnoticed and without permits.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

A Public Hearing was held in the City Hall at 7:30 p.m. for the purpose of discussing the proposed 1969 Budget. Mayor Pro-Tem, Robert Gregory presided at the Hearing. The following Councilmen were present: Mrs. Joyce Plumlee, James M Curley, Donald Fraser and Johnny Vinson and Secretary, Georgianna Edson.

Several property owners were present at the hearing and expressed their opinions. Tom Coulter suggested that the tax rate should be set at $1.50 per $100.00 with about 40 percent valuation of property. He stated this was used by surrounding cities and suggested by Bruce Davis.

Mr. Coulter also suggested collecting more tickets and warrants outstanding at this time, since the Court receipts are down compared to the two previous years' receipts.

Jack Worrell was present representing the Lake Dallas Volunteer Fire Department, and presented a financial report for the Fire Dept. He stated they were badly in need of financial help to pay for fire trucks and equipment. They were soliciting payment from nearby cities to help defray their costs, but still needed much more.

He asked the City Council to include the Fire Department in the Budget for an amount, at least $500, as was given by the City last year, or more if possible.

Other people present were, C. L. Randolph, Donnie Hansen, Mrs. Stowe, John Dunn, Patsy Testerman and others.

Mrs. Plumlee made a motion for adjournment at 9:00 p. m., seconded by Mr. McCurley and the motion was carried and meeting adjourned.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

The regular monthly meeting was called to order by Mayor McInnish in the City Hall at 7:30 p. m. with the following Councilmen present: James McCurley, Donald Fraser, Joyce Plumlee and Johnny Vinson.

Secretary, Georgianna Edson, read the minutes of the last meeting and they were accepted as read.

Frances Grammer turned in her resignation as Secretary and member of the Lake Dallas Zoning Commission stating that she felt she got poor cooperation from the Mayor and City Council on trailer and trailer park enforcement.

Mr. McCurley read aloud Ordinance No. 19 concerning trailers and trailer courts. It was suggested that the Secretary give the list of trailer permit owners to the Water Board and School Board for their tax lists. The Ordinance was discussed and since the trailer park operator needs a permit for a park and the trailer owner needs a permit to be within the City limits, it appears they all need permits. Mr. Vinson made a motion to notify people to come in and comply with the trailer laws by buying their permit or apply for a special use permit within 10 days. The motion was seconded by Mrs. Plumlee and carried. Trailer owners should be referred to Donnie Hansen, Chairman of the Zoning Commission, and make application for the permit. Chief McCullough will contact the people who have trailers or trailer parks without permits and they will be notified to comply within 10 days.

Mr. Fraser asked Mrs. Grammer, under these conditions, if she would withdraw her resignation. Mrs. Grammer replied she would table her resignation for a period of 30 days to see how the situation worked out.

The proposed budget for 1969 was discussed. Tom Coulter was present and stated the budget should be adopted soon or before October 1st, and the tax rate after that so it will be in the proper procedure to be legal. Mr. Vinson made a motion to accept the budget, seconded by James McCurley and the motion was carried. The tax rate must be set in the next 30 days.

The worn-out condition of the police cars was discussed again. Mr. McCurley made a motion to repair the 1966 car, just the bad piston and minor repairs and get it in running condition, seconded by Joyce Plumlee and carried. The prices on 1969 cars were not available yet and it would take about 6 weeks on delivery of a new car.

Mr. Vinson stated he had many complaints about the condition of the roads after the sewerage construction, and that the streets were left in bad condition. It was suggested to tell the people to see Randy Dickerson, Inspector, to fix up the repairs, or contact Bob King, of Rady & Associates in Fort Worth.

Mayor McInnish stated he tried to see Bruce Davus about the condemnation of certain streets within the City limits. One particular street had been used for 22 years and another had been used for about 40 years. Bill Grammer stated he would see if he could get some more property owners to dedicate their private streets to the City.

Mr. Vinson said he would check with the Water Authority to have the red light bulb on top the water tank replace, since it was not burning.

Mr. Fraser made a motion to adjourn, seconded by James McCurley. The meeting adjourned at 10:00 p. m. and will convene again in a special meeting on Thursday, 9-19-68 at 7:30 p. m. in the City Hall.

Respectfully submitted,
Georgianna Edson, City Secretary
Georgianna Edson

APPROVED:

_____ and _____

MINUTES
Lake Dallas City Council Meeting

A special meeting was called to order in the City Hall by Mayor McInnish at 7:30 p. m. The following Councilmen were present: Joyce Plumlee, Robert Gregory, Johnny Vinson, James McCurley, and Donald Fraser. Secretary, Mrs. Edson, read the minutes of the last meeting and they were approved as read.

Mr. McCurley stated with regard to the repair of the 1966 Police Car, that Jack Ezell had it torn down and now he could see what work had to be done. Jack Ezell gave an estimate of $175.00 to overhaul the engine. Mr. McCurley made a motion to overhaul the complete engine for $175.00, seconded by Mr. Vinson and the motion was carried.

Mr. McCurley stated he had a bid on a Plymouth of $3,004.04, but still did not have the bids on a Ford and Chevie. Bill grammer was present and suggested that if a new car was bought, the red light should be mounted on a bar instead of boring holes in the top of the car. This would help in the resale value of the car.

Mr. Vinson made a motion to buy a 1969 Plymouth Police Car for $3,004.04, seconded by Mr. McCurley and carried. Mr. Gregory and Mr. Fraser abstained in the vote.

Mayor McInnish stated he had talked to Bruce Davis, Attorney, about the extraterritorisl jurisdiction of $\frac{1}{2}$ mile from the City limits. He was advised that changes have to be made through the Zoning Commission. A new trailer park is planned north of the City for 200 trailers on lots 25 x 50 '.

Mayor McInnish also talked to Bruce Davis about the City accepting private streets that are too narrow. It was decided he would call Riley Fletcher concerning the streets that people had blocked off. The Sewer Contractor had told Mr. Vinson that as soon as it dried up they would fix the streets as good or better than they were before sewer construction began.

Chief McCullough told that gasoline had escaped into the sewer lines from leaky tanks at Harper's Texaco Station. The Denton Fire Dept. came and checked the gasoline content in the sewer lines and decided to leave the manhole covers off for a few days and then check it again.

Mr. Vinson stated he ordered a street light on the corner of Hundley Drive off the Service Road and it would be installed as soon as the Light Co. could do it.

Bill Grammer stated he wanted the dirt hauled from in front of his home, since it had been there for 2 weeks now and the dirt pile stops drainage and water collects. He said he had waited long enough and now put his problem in the hands of the Council to do something.

Bill Grammer stated the Gun Club wanted to rent the City's maintainer to do some work and they would furnish the operator, Mr. Pockrus. The Council stated it was agreeable since the maintainer was made available by a vote on the Council on 7-11-68. Mr. Pockrus was approved as an operator.

Mrs. Plumlee made a motion to adjourn, seconded by Mr. Fraser and the meeting closed at 9:45 P. M.

Respectfully submitted,

APPROVED:

Georgianna Edson
City Secretary

Georgianna Edson

_____

_____

A special meeting was called to order by Mayor McInnish in the City Hall at 7:30 p.m. with the following Councilmen present: Joyce Plumlee, James McCurley, Donald Fraser, and Johnny Vinson.

Mayor McInnish stated he had talked with Glen Savage, Lewisville City Secretary and Bruce Davis, Attorney, and they both suggested we set the tax rate for 1968 at $1.50 per hundred ($100) valuation and the percentage lower, perhaps at 35%.

After discussion, James McCurley made a motion to set the assessed valuation at 35% of actual value with a tax rate of $1.50 per $100. This would bring in approximately $15,750.00 and collection of taxes was expected to run about 85%, making approximately $14,387.50 that we could expect from the City tax. The motion was seconded by Mr. Vinson and unanimously carried.

Jack Luna discussed the City tax with the Council and stated he would run a new tape on the tax list as it stands now since the Board of Equalization had made their adjustments. He said he would need a rubber hand stamp to use on the tax statements to notify the taxpayers where to send their payments. Mayor McInnish stated he would get the stamp made and the tax bills can be mailed to Jack Luna at home.

Financing of the new Police Car was discussed. Mr. McCurley stated Lewisville State Bank will give us a car loan at 6% for 2 years for about $191.28 interest on the $3,004.04 purchase price of the 1969 Plymouth. The first payment could start in February 1969.

The Council voted to open the road closed by Mr. Suddereth and any other streets that had been blocked off. These streets have all been used for years and should not be closed now. Mr. McCurley suggested using the City's maintainer and moving the road over a few feet and grading the street in one case. The Council also agreed to take down the blockade near Winston Harper's home and maintain the street. Mr. McCurley made a motion that Mr. Suddereth remove the blockade on his street, and he would be notified to do so, seconded by Mr. Vinson and the motion was carried.

Mayor McInnish stated he had called State Comptroller, Mr. Calvert, and he will send a copy of all the businesses that paid the 1% City Sales and Use Tax in Lake Dallas.

Donnie Hanson of the Zoning Commission stated several trailer owners had contacted him. He stated Bill Merritt's trailer would be out in 2 weeks. Doyle Jennings has made application for a trailer special use permit. Mrs. Louis Grim will get one trailer out. Tom Barnes wants a temporary permit until his son gets back from Service

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A special Council meeting was called to order in the City Hall by Mayor McInnish at 7:30 p. m. The following Council members were present: Joyce Plumlee, Donald Fraser, James McCurley and Johnny Vinson.

Mr. McCurley made a motion to omit the reading of the minutes, seconded by Mr. Vinson and the motion was carried, since there were visitors present.

Mr. J. F. Byrne, 720 N. Britton Road, Irving, Texas and Dennis Wood, 9423 Angleridge, Dallas, Texas were present and addressed the Council. They have a tract of land consisting of 32 lots, directly behind the football field to the north. The lots are 50 x 90 and 50 x 100 feet. The lots are too small for building homes and they asked advice and procedures for trailer park consideration. They wish to sell the lots for mobil home lots. They were advised to contact Donnie Hansen of the Zoning Commission and file for a zoning change.

Mr. E. E. Riddle, 2218 Peerless Lane, Dallas Texas, addressed the Council and stated he had about one-half acre of land near Alma Feister property and he wants to put 2 trailers on the land although it is not subdivided. The Zoning Commission did not come to any conclusion and turned the case over to the City Council. The Council discussed the matter and advised Mr. Riddle to divide the land into two lots and then two trailers could be put there. The case would go back to the Zoning Commission for their opinion. Mr. Fraser made a motion to uphold the Zoning Commission's adverse decision and seconded by Mr. McCurley and the motion was carried. Now Mr. Riddle will need a special use permit for each trailer and he will have to reapply with the Zoning Commission.

Trailers were discussed and also the procedure for bringing them into town. Mr. McCurley suggested we get the trailer ordinance explained by an Attorney and then call a community meeting for anyone interested and tell them what they had to do to comply.

Mr. R. J. Howard's request for setting up a trailer park on 10 lots was approved by the Zoning Commission. The Council decided they did not have enough material to give an opinion on the matter.

The Volunteer Fire Department is in the process of changing their Charter since they want 13 members on the Board of Directors: 9 will be firefighters in the Fire Department, 1 from Lake Dallas, 1 from Shady Shores, 1 from Corinth, and 1 from Hickory Creek. They are trying to get a lot better public relations and get more money for the Fire Department. Mr. Vinson stated Mr. Hamby was suggested as the man to represent Lake Dallas, since he is retired and was interested in the job.

Mayor McInnish stated he had informed Mr. Suddereth that the Council decided he should open up the street he had blocked off. He was supposed to come to this meeting but did not show up.

Mr. Vinson made a motion to have the City books audited, seconded by Joyce Plumlee and the motion was carried. Mrs. Edson stated she would get in touch with Parish & Murrell, Accountants.

The selling of Time Warrants was again discussed and it was decided that Mrs. Edson Secretary, and Robert Gregory, Mayor Pro-Tem, and James McCurley Councilman would go to see Bruce Davis, Attorney, in Denton the next Saturday, November 9, 1968 and get the Time Warrants underway if possible.

Mr. Fraser made a motion to approve the rider to the TP&L Franchise, which allowed a cheaper rate for electricity current in all-electric homes during 6 months of winter usage. This motion was seconded by Mr. Vinson and the motion was carried.

The meeting adjourned after a motion was made for adjournment by Mrs. Plumlee and seconded by Mr. Fraser. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

A special meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall for the purpose of considering decisions handed down by the Zoning Commission on rezoning the land for a trailer park. The following Councilmen were present: James McCurley, Robert Grefory, Johnny Vinson Joyce Plumlee and Donald Fraser.

The zoning Commission recommended thezoning be changed to allow a trailer park to R. J. Howard. Mr. Gregory made a motion to accept the rezoning for R. J. Howard trailer park, with the added stipulation that he must abide by all rules and regulations of City Ordinance #19 pertaining to trailers and trailer parks. The motion was seconded by Mr. Vinson and carried.

The Zoning Commission, represented by Mrs. Frances Grammer, presented the request for a special use permit for Mr. Rushing for a trailer. The Commission had voted 3 to 1 in favor on November 13, 1968. Mr. Gregory stated that this particular case was not handled according to the Ordinance since all of the property owners within 200 feet of the property and proposed trailer lot were not notified of the zoning change and notified of the hearing. Mr. Gregory stated he thought this particular case should go back to the Zoning Commission for reconsideration. Mr. McCurley made a motion to this effect, seconded by Mr. Gregory. with the stipulation recommendation that the Zoning Commission do this with no charge to Mr. Rushing, since as soon as possible and do this in a special meeting. The motion was unanimously carried.

The Lake Dallas Zoning Commission met on November 13, 1968 for to consider the request for a special use permit for trailer parking for Doyle Jennings. The Zoning Commission had voted in favor of the special use permit. Mrs. Plumlee made a motion to accept the Zoning Commission's recommendation and allow a special use permit to Doyle Jennings. All property owners were ntoified in this case according to procedures. The motion was seconded by Mr. Vinson and carried.

It was generally decided that there would be a Zoning Commission and Council Meeting Monday, November 25, 1968 at 7:30 p. m.

The meeting adjourned at 9:30 p.m.

MINUTES

Lake Dallas City Council
Meeting

A special meeting was called to order at 8:15 p. m. in the City Hall by Mayor McInnish. The following Councilmen were present: Donald Fraser, James McCurley, Joyce Plumlee, Robert Gregory and Johnny Vinson.

Members of the Zoning Commission were present and Donnie Hansen, Chairman, stated they had a meeting on November 25, 1968 to consider a special use permit for Mr. Rushing to park a trailer on his property. They had voted 3 to 1 for the zoning change. They now presented the case to the Council for consideration.

Section 26, Paragraph 7, states that both Zoning Commission and City Council decisions must be unanimous before approval can be given for the permit.

Mr. Gregory made a motion to take a vote to get the general feelings of the Council although the Council could not change the decision, since it was a split vote by the Zoning Commission. The motion was seconded by Mr. McCurley and the motion was carried. A ballot was taken which showed 3 Against the Rezoning and 2 for Rezoning.

Mr. Gregory made a motion that the application be denied, seconded by Mr. Fraser and the motion was carried. Mr. Rushing was denied the Rezoning special use permit for his trailer.

The meeting adjourned at 9:50 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A regular monthly meeting of the City Council was called to order at 7:30 p. m. at the City Hall, with the following members present: Joyce Plumlee, Johnny Vinson, Robert Gregory, and Donald Fraser.

Mrs. Plumlee made a motion to dispense with the reading of the minutes since there were visitors present and a lot of business on the agenda.

Mr. Wendell Judd of Parish Murrell firm of Public Accountants was present with the Audit Report for fiscal year ending September 30, 1968. He made comments on the audit and answered questions asked by the Council. He stated we should collect the taxes and make no exceptions in forgiving penalties and set a precedent. We must not let the taxes become delinquent. He advised putting a notice in the paper about penalties and interest acruing on unpaid taxes to alert the property owners before they are delinquent.

Mr. Vinson made a motion to accept the audit report, seconded by Mr. Fraser and the motion was carried.

Mayor McInnish received the opinion from Bruce Davis that legally the City did not have to pay back the $40.00 rezoning fee for application for rezoning.

Mrs. Elliott was present and asked about the rabbit house being built near her home and wondered if the people had a permit. Mayor McInnish stated that they were in the process of getting a permit.

Ken Vanderhoof was present and stated that stray dogs were causing him inconvenience and damage to his horses and he had to pay high Veterinary bills because the dogs chased his horses. He asked that his complaints be entered in the minutes, although he was not here to complain.

He stated he had written a letter asking about a Chamber of Commerce and to date, he had no reply. He stated he wanted some business sense put into the City. He stated that if a highway was relocated north and east of the City, Lake Dallas would not be the hub as it is now. He thinks the City Council should take steps that will get up and organize the development of the City of Lake Dallas so it will not be a non-entity.

He understands that the maintainer is for rent. He recommends that steps be taken to sell and replace the maintainer with a small tractor that can be run by any farm hand instead of this big maintainer. He wants the tractor run on a monthly basis and remove the beer cans and trash from the streets and not hide it in the long grass.

He is in complete accord with the Lions group and believes a Doctor should be brought into the area. He does not agree with the purchase of a new police car, but thinks a little more thought should be given to buying a station wagon with a folding bed instead of a Police car, to carry injured people to the Hospital.

He stated that according to the tax rate, land is about $50.00 an acre in the City of Lake Dallas. Within the next few years it should be $100.00 an acre approximately. He stated the City had 495 acres of taxable property in the City and the rest was non-taxable, such as school property, community center, football field, and streets. To sum up, he stated he would like the City Council and Office of the Mayor to establish some type of agency that will be capable of promoting a Chamber of Commerce.

Mr. Vanderhoof also stated the City should take over the Municipal Water Utility Board so there would be one tax bill instead of two. He stated the Legislature created the Water Utility and it would have to repeal it. Bruce Davis stated at one time, that this matter might have to be put to a vote.

The Council again discussed the raising of the trailer and trailer park fee, but decided to hold the matter up until the next meeting on Monday, December 16, 1968.

Mr. Gregory made a motion to adjourn, seconded by Mr. Fraser, and the meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

On this the 16th day of December, A. D. at 7:30 o'clock p. m., the City Council of the City of Lake Dallas, convened in a Special Meeting at the City Hall in Lake Dallas, Denton County, Texas, with the following members present, to wit:

Jack McInnish, Mayor	Donald Fraser
Robert Gregory	Johnny Vinson
Joyce Plumlee	James McCurley

(Secretary, Georgianna Edson, was also present).

and the following members absent, to wit: None, constituting a quorum, at which time the following among other business was transacted, to wit:

The Mayor called the meeting to order and the Minutes of the last meeting were read and approved. The Mayor presented for the consideration of the Council an Ordinance authorizing issuance and delivery of certain interest-bearing Time Warrants of the City of Lake Dallas, Texas. The Ordinance, Number 32, was read in full by the City Secretary. Alderman James McCurley made a motion that any and all rules requiring Ordinances of the City to be read at more than one meeting of the Council be suspended, and that this Ordinance be placed on its final reading. The motion was then passed and adopted by unanimous vote.

It was then moved by Alderman James McCurley, and seconded by Alderman Joyce Plumlee, that the Ordinance be finally passed, which motion was passed and adopted by unanimous vote.

Whereupon the Mayor declared said Ordinance finally passed and approved.

Mr. McCurley asked the Council's opinion about selling the 1964 Police car. The Council decided to get bids. Mr. Vinson made a motion that $250.00 be accepted or above this amount. The motion was seconded by Mr. McCurley and the motion passed.

Mr. Vinson asked about the City streets and wondered if the Sewer Contractor should be notified of the bad spots in the streets before they left town and finished the job. They decided that the Contractor was liable for the bad spots showing up now.

Mrs. Edson, Secretary, was advised to write a letter to Texas Power and Light asking for a plain street light to be installed at Hundley Drive and the Service Road.

Mr. McCurley made a motion to adjourn, seconded by Mr. Vinson and passed. The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

Present:
Donald Fraser
James McCurley
Robert Gregory
Johnny Vinson

Minutes
Lake Dallas City Council Meeting

The regular monthly meeting of the Lake Dallas City Council was called to order in the City Hall by the Mayor, Jack McInnish at 7:30 p. m. Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Gregory made a motion that the minutes be approved as read, seconded by Mr. Fraser and the motion was carried.

Mr. Vinson spoke of a new newspaper being put out, with the first issue this week and they had given Lake Dallas the first page of news.

Mr. Randolph was present and complained of water running down the street toward the Lake from the Henry house. He asked that someone go down there and talk to them and do something about it. Mr. Fraser suggested that we check the Nuisance Ordinance to see what could be done in this case. Mayor McInnish stated that someone would go down there and talk to the Henrys.

Winston Harper was present and asked about why he had to open the road he had baracaded at the end of his street. He stated he had been advised to open it up. Mr. Gregory made a motion to recind their previousmotion concerning Winston Harper's street, seconded by Mr. Vinson and the motion was carried. It was decided to leave the baracade until further study had been made on the problem.

Howard Davis was present and wondered if the Lake Dallas Municipal Utility Authority could move into the other side of the City Hall and fix some offices and pay the utilities. He stated they were going to have a meeting on the 16th and would let the Council know if they had any new plans.

Mayor McInnish had talked with Bruce Davis about fixing the streets and Mr. Davis said he would write up the warrants on the streets. He advised, we needed 3 bids and advertise for them. The warrants would be for just material, nothing else. Mr. McInnish also contacted Virgil Greer, and he was still agreeable to do the work for the City, and advised that we should find out how much of the streets had to be fixed. The Council agreed on approximately 10 miles to be fixed. It would be early spring before Mr. Greer could do the work. Mr. Greer suggested to drive over the miles and figure $1400 to $1500 a mile for material. He also stated the ditches would have to be cleaned and cleared of water before he could work on the streets.

The time warrants would be issued to the person from whom we are buying the material. A Committee of Vinson, Gregory, McCurley and McInnish decided to drive Saturday morning over the streets, meeting at the coffee shop at 9:00 a.m. and figure the number of miles of streets they wanted fixed.

James McCurley suggested to have a special Council meeting with Mr. Greer and draw up the figures on the streets.

Mayor McInnish stated he had called Riley Fletcher, from the Texas Municipal League, co concerning a Chamber of Commerce, about which Ken Vanderhoof has asked some time ago. He stated the City could not donate money to the Chamber of Commerce of help out, so if Ken Vanderhood wanted to organize a Chamber of Commerce, it was up to him.

It was decided not to pay Mrs. Garrison for parking the Police cars, since one could be parked in the back of the City Hall and the other one out in front.

A letter from Bruce Davis concerning the City being sued by a man who ran into a pile of dirt. After discussion the Council decided it was up to the Contractor since they were responsible for the pile of dirt being there and referred the letter to the Water Authority.

Johnny Vinson stated the Lions Club wanted to put up a sign by the road coming into the City advertising the Lions Club and other Churches and busnesses as well. The various organizations would pay for the sign. The City could use the sign also to give the population, etc. He stated he would bring in more information concerning their plans for such a sign.

Donnie Hanson was present from the Zoning Commission and stated that Stanley McNeil and the Boliver permit was turned down and it would be pending before the Council at a later date. He stated the only way a trailer is allowed in Lake Dallas now is in a trailer park. Also, Dennis Wood wanted to put trailers on his lots and sell them. Donnie Hanson was of the opinion that this was illegal.
Mr. Rushing had asked for his $40 back since his permit was denied. After discussion, Mr. McCurley made a motion we do not refund the $40 application fee given by Mr. Rushing and Mr. Riddle, since the City was not legally obligated according to Bruce Davis Attorney. The motion was seconded by Mr. Vinson and carried.

The meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES January 23, 1969

Lake Dallas City Council Meeting

A special meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall, with the following Council members present: Joyce Plumlee, Donald Fraser, James McCurley, Robert Gregory and Johnny Vinson.

Mayor McInnish announced that Robert E. McCullough had resigned effective February 1st, 1969, and had sent resignation letters to each Council member. Chief McCullough recommended George Buchanan, our part time Policeman for the position of Police Chief. Mayor McInnish had contacted George Buchanan and he said he would accept the job. Mr. Gregory made a notion to get George Buchanan on the payroll at $400 per month, as soon as possible so he could work with Chief McCullough and learn on the job for about a week. The motion was seconded by Mr. McCurley and carried.

Mayor McInnish reported the Committee on Street Fixing had driven over the streets last Saturday morning with Virgil Greer and decided on a little over 10 miles to be paved. The first thing to be done was to clean out the ditches and make better drainage. He would furnish 700 or 1000 yards of gravel and it may not cost anything or about $1.00 per load. Virgil Greer did not want to send a grader up here and grading is a problem with property owners. He said he would send a grader to help and we would have to run the city grader. Randy Dickerson stated one man could not do it and he needed someone to move drainage tiles. If we could get a part time man to help Randy, they could do quite a bit in a day. The Water Board would let Randy run the City Grader and have someone paid by the City to work with him. James McCurley suggested $300.00 per month for a helper and he could work for the Water Board and for the City and Randy Dickerson would work for the City to offset the new man. Mr. McCurley made a motion to hire the new man, Joe Lester, at $300 per month, seconded by Mr. Vinson and the motion was carried.

Mr. Carroll Hasten had bid on the purchase of the 1964 Police Car. Mr. McCurley made a motion that the City accept the $225.00 offered from Carroll Hasten for the 1964 Ford Police Car. The motion was seconded by Mr. Fraser and the motion carried. The transaction was completed and the title turned over to Mr. Hasten.

Mr. McCurley suggested that we have an article in the Lake Dallas News soon explaining to the people that the ditches need to be cleaned out and ready for the street fixing. He stated he would have a reporter come by to see the Mayor for news items about the City.

Secretary Mrs. Edson had not started taking the increase in salary as noted in the 1969 Budget, and Mayor McInnish said to take it retroactive to October 1, if there was enough money in the bank.

Secretary Mrs. Edson was to write a letter to disconnect the guard lite on Sargent St. at Robert McCullough's house and take it off the service billing.

The meeting adjourned at 9:15 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

February 13, 1969

A regular monthly meeting was called to order in the City Hall by Mayor McInnish at 7:30 p.m. with the following Council members present: Johnny Vinson, Joyce Plumlee, Robert Gregory and Donald Fraser.

Secretary, Mrs. Edson, read the minutes of the last meeting and Mr. Gregory made a motion to accept the minutes as read, seconded by Mr. Fraser and the motion was carried.

Mrs. Jess Stowe was among the visitors present and she brought up the subject of individual trailer owners having to get permits for their trailers in a trailer park. After a discussion, Mayor McInnish told her he would give her an answer by the weekend.

Mr. Quinten Kelly was present and asked for the Council to look over the trailer ordinance and see if it is fair to property owners. Mayor McInnish stated it would be brought up again and discussed to see if it could be improved in any way.

The Mayor brought up the subject of street fixing and the need for a survey on some of the streets. There are some places that are out of line with property boundaries and really need a bonded survey. Jr. Drodz was present and joined the discussion about laying out the streets. There is the problem of time and cost involved in a survey. Mr. Fraser made a motion to investigate a survey and then call a special meeting. Mr. Gregory seconded the motion and it was carried. Mayor McInnish stated he would contact someone about a survey for more information. In the meantime, the road repair men would fix up the ditches and spread gravel for the road beds. Culverts are needed on Stockard Avenue and Adolphus Street and other streets. Mayor McInnish presented some prices on culverts. No. 1 Grade 18" tile was $1.90 per foot and No. 2 Grade pipe was $1.40 per foot.

It was reported that the Water Utility Board has been building office sections in the other side of the City Hall with a pay window for paying water bills and a sitting room. They are also building bathroom facilities and fixing the heat and air ducts.

Mr. Gregory made a motion to call a City Officer Election on April 5th to fill three vacancies on the Council. The motion was seconded by Mr. Fraser and carried. Secretary, Mrs. Edson, was to type up the Election Notice and have it posted in three public places and insert an article in the paper.

Mayor McInnish appointed J. Wiley Henderson as Judge of the City Official Election and Lois Robertson as Assistant Judge and Mr. Henderson will pick two Clerks.

The meeting adjourned at 9:30 p. m.

Respectfully Submitted,
Georgianna Edson
Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A regular monthly meeting of the Lake Dallas City Council was called to order at 7:30 p. m. in the City Hall by Mayor Jack McInnish. The following Councilmen were present: Joyce Plumlee, Donald Fraser, Johnny Vinson and James McCurley.

The Secretary read the minutes of the last meeting. Mr. Vinson made a motion to accept the minutes as read, seconded by Mr. Fraser and the motion was carried.

The Secretary, Mrs. Edson, stated that the total amount of taxes collected to date was $12,348.82 and that delinquent letters were ~~going to be~~ sent out by the Tax Assessor-Collector to the property owners who had not paid to date.

Mayor McInnish stated he had contacted two consulting firms in Dallas about surveying some of the streets before proceeding with the street repair. One firm, McElyea Consulting & Surveyors was contacted for an estimate. They would start and the fees would be $500 to $1000 and they would not guarantee that Lakeview would be surveyed, but a certain amount of field work would be done. Most of the time would be spent in book work instead of in the field. We could stop them at any time. He could give us a figure after this for any particular section of town. This discussion concerned Lakeview alone. Virgil Greer said to forget about the County Surveyor as they would cost more and we could not get them for about 6 months.

Mr. Fraser suggested that we should go ahead with the work on the streets that were ready and wide enough and then contact the people about having a meeting about widening their particular streets.

Mayor McInnish stated the price of paving would run about $1500 per mile, or $3975.00 for paving Hundley Drive, Lakeview, Main Street and Carlisle. There was a general agreement that they go ahead with this approximate figure of $3975.00.

The Council discussed contacting the people on Lakeview first, Carlisle next, and have them bring in their deeds and see where the front property line is located. It was decided the Mayor would contact people and go this route rather than hire surveyors. It was decided to write Marvin Jones of the Lake Dallas News to put an article in his paper that the City is going to bring the streets up to specifications and make them wider were needed. Marvin Jones was present and stated he would write something to this effect. It was decided to have a special meeting and have Randy Dickerson there with maps and the people on Lakeview to bring their deeds.

It was decided that Mayor McInnish and Mrs. Edson would get together and look at the budget to see if we could do any of the street repair on a cash basis.

The Zoning Commission had recommended to the Council that the Zoning Ordinance be amended so that the R-1 7200 Classification with a minimum of 900 square feet of dwelling space be changed to 1200 square feet. The second recommendation was to change the R-1 6000 Classification with a minimum of 650 square feet to 900 square feet of dwelling space.

Mr. McCurley made a motion to approve the Zoning Commission's recommendation to change the R-1 7200 square feet minimum to 1200 square feet minimun and the R-6000 classification from 650 square feet minimum to 900 square feet minimum. Mr. Fraser seconded the motion and the motion was carried. Mayor McInnish was going to see Bruce Davis about changing the Ordinance by Amendment.

The Zoning Commission recommended that the Council authorize the issuance of a building permit for metal buildings in order to eliminate and control the trailer houses a little more. This recommendation would be Council Policy. Nothing definite was done at this time.

Police Chief George Buchanan brought up the suggestion that the Police Reserves would serve as part time police hlep this summer and that they would take their salary and turn it over to the Police Reserve treasury. It was discussed and decided that all the reserves could not work, but possibly one could be selected to work part time.

Mayor McInnish stated he had a telephone conversation with Riley Fletcher of Texas Municipal League concerning the 1% Sales Tax. He was given the same information as from the State Comptroller, and they couldn't release any information whatsoever, but they would check it out and we would never know except that the Sales Tax would increase.

Mr. Vinson brought up the subject of changing from the Lewisville Leader to the Lake Dallas News as the official City paper. After discussion it was decided to continue with the Lewisville Leader for a while longer.

Mayor McInnish had some City Maps printed up and several were sold at the price of $2.00 each and the Zoning Ordinance was $3.50.

Mr. McCurley made a motion to adjourn the meeting at 9:40 p. m., seconded by Mrs. Plumlee and the meeting adjourned.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Special Meeting
Lake Dallas City Council

A special meeting was called to order in the City Hall at 8:15 p. m. by Mayor Jack McInnish. The following Councilmen were present: Joyce Plumlee, James McCurley, Robert Gregory, Johnny Vinson, and Donald Fraser.

A canvass of the votes from the April 5, 1969 City Official Election was made. The count as made by the Election Judge, J. W. Henderson, was accepted by the Mayor and Council. The count was as follows:

Total valid and legal votes cast was 175

For City Alderman

C. L. Randolph	148
Bill Grammer	119
Robert Gregory	128
Roy V. Harper	73
Q. F. Kelly	15
Ken Vanderhoof	14
Marcus Rucker	2
Slats Beene	1
Louis Gross	1

The meeting adjourned at 9:00 p. m. after Mayor McInnish thanked Joyce Plumlee and Donald Fraser for their service as Councilmen. A new meeting was called to order at 9:00 p.m. with the new City Councilmen present, namely, C. L. Randolph and Bill Grammer. Secretary, Mrs. Edson, administered the Oath of Office to Mr. Randolph and Mr. Grammer.

Nominations were opened for Mayor Pro-Tem. Mr. Grammer made a motion to nominate Mr. C. L. Randolph, seconded by Mr. Vinson. Mr. Randolph nominated Mr. Gregory, seconded by Mr. Grammer. Mr. Randolph was elected Mayor Pro-Tem by a vote of 3 to 2.

Mayor McInnish told the new Council members how work was progressing on the Street Improvement Program. The Council discussed widening Lakeview Drive north from Hundley Drive and straightening it out, figuring 22 feet of blacktop paving and 40 feet right-of-way, fence to fence.

Mr. McCurley made a motion to pave 22 feet wide and try to obtain a 40 foot right-of-way, north on Lakeview Drive to the City Limits. Mr. Vinson seconded the motion and it was carried.

The Council discussed having a Plumbing and Electrical Code drawn up by Bruce Davis. Mayor McInnish stated he would contact Mr. Davis about the matter.

Jack Luna, Tax Assessor-Collector, was present and stated that property owners had until April 30 to render their property for tax purposes, and if it was not done, he would go ahead and assess it for them. It was stated that the Water Board and School Board would be glad to meet with the City Council and discuss ways of taxation.

The meeting adjourned at 11:00 p. m.

Respectfully submitted,
Georgianna Edson
Georgianna Edson
City Secretary

APPROVED:

_____

MINUTES
Lake Dallas City Council Meeting

A regular meeting was called to order at 7:30 p. m. in the City Hall by Mayor McInnish, with the following Council members present: Johnny Vinson, C. L. Randolph, Robert Gregory, Bill Grammer and James McCurley.

The minutes of the last regular meeting were read by Secretary, Mrs. Edson. Mr. Vinson made a motion to accept the minutes as read, seconded by Mr. Randolph and the motion was carried.

Mr. R. J. Howard was present and complained of the salvage yard run by Jim McClain that it is an eye sore and also the Lake Dallas Garage should clean up around their property. Mayor McInnish stated the City had an Ordinance against Nuisance and Junk. Mr. Randolph stated that since there was a complaint signed in this case, it would be handled through Corporation Court and each complaint should be handled separately as they were filed. The Council agreed with this suggestion. It was also suggested by Donnie Hansen to move the City's maintainer from in back of the Fire Hall, away from the heart of town.

The City has 3 cars impounded at the Lake Dallas Garage and it was decided to go ahead with the procedure to hold a sale and get rid of these cars and help clean up Main Street.

Mr. Gregory made a motion to hold a meeting April 24th at 8:00 p. m. in the City Hall for the property owners on Lakeview Drive to discuss paving of Lakeview. Mrs. Edson would notify the property owners by Certified Mail of the meeting. Mr. McCurley seconded the motion and it was carried. Mr. McCurley stated he would supply the names and addresses of all the property owners on Lakeview from Hundley Drive north to the City limits.

Mr. McInnish stated he had talked with Bruce Davis, Attorney, about the amendment to the Zoning Ordinance showing a change in dwelling footage, and the amendment to Trailer Ordinance No. 19, which would be ready soon, probably by Monday, April 14th.

The Mayor brought up the question of part time Police help for the summer. Mr. Randolph thought during the summer months, during the peak of traffic, we might need a policemen at night if the budget could stand it. Mr. McCurley stated we should hire a policeman to work on the Chief's day off and on the week ends.

Mr. Vinson made a motion to hire a part time policeman to work days, with a 40-hour week, at $300 a month, working Friday night, Saturday afternoon and Sunday afternoon and night and the Chief's day off, during the week and let the Chief control the part time man's hours of work. The motion was seconded by Mr. Randolph and carried.

Mr. Hunter was present as Manager of the Water Utility Board. He stated they had nothing on their records which will show what kind of deal they have with the City concerning the quarters built in the City Hall.

Jake Garrison was present and asked why the street grading was stopped on Sycamore Street. Mr. McCurley made a motion to open up Sycamore Street according to the map. The motion was seconded by Mr. Vinson and carried.

Mr. Vinson made a motion to give a work order to any person authorized to work on the streets, to be given by the Mayor. The motion was seconded by Mr. Randolph and carried. Randy Dickerson was present and stated since he was working for both the Water Board and the City that the Water Board work comes first before City work.

Howard Davis was present and expressed his desire to work together with the City and not have any more misunderstandings in the future.

The meeting adjourned at 9:40 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council

A special meeting was called to order in the City Hall by Mayor McInnish at 8:00 p. m. with the following Council members present; Johnny Vinson, C. L. Randolph, Bill Grammer, Robert Gregory and James McCurly, and property owners on Lakeview Drive who had been notified of the discussion of the paving of their street. Approximately 40 property owners were present out of the 48 property owners who were notified by Certified Mail.

Mr. Gregory made a motion to dispense with the reading of the minutes since this was a special meeting. The motion was seconded by Mr. Grammer and carried.

The Mayor discussed plans for 20 foot paving and 40 foot of right-of-way for ditches and drainage. There is about 15 feet of pavement now. Mr. Ashford asked if a survey had been made, to which the Mayor answered "No." R. J. Howard stated that Ballard & Associates surveyed his property for a fence line for $25.00 and it took about 2 hours.

Mr. John H. Powers, Mrs. Clark and Bill Beaubien all spoke concerning the paving and survey. Mr. E. J. Sublett offered to give $100 toward paying for a certified survey if the City was short of funds. Mr. Davis stated that the survey was the only wasy to do it.

Mayor McInnish asked if it was agreeable to pave from Duck Inn to Hundley and get a bonded surveyor to survey from the bottleneck north. The property owners seemed agreeable with this idea. He also stated the City would install culverts which would run about $1.40 per foot and the property owners would pay for the pipe used in their culverts.

Mr. Grammer made a motion to hire a bonded surveyor to come and check a certain number of lots to get a survey that will hold up and be correct. Mr. Vinson seconded the motion, and it was unanimously carried.

Mr. Grammer made a motion to pay up to $500 to get a survey that would be guaranteed on a minimum of 12 pieces of property to be surveyed, located within the area of Hundley Drive north to city limits, and if it can't be done, a special meeting would be called. The motion was seconded by Mr. McCurley and carried. Mr. Vinson stated he would see the County Surveyor.

Mr. Vinson made a motion to notify Mr. Greer we are ready to make a stock pile of gravel and start on the roads. Mr. Randolph seconded the motion and it was unanimously carried.

Bill Grammer made a motion to buy 2 new tires for the Police car, seconded by Mr. McCurley and unanimously carried.

Chief Buchanan asked the Council to reconsider their motion on part time help since he can not get a man to work under the conditions they specify, such as one year's experience, work 40 hours per week for $300 per month and 4 10-hour days. He stated Bobby Cates would work for $2.50 an hour and he stated he had started to train him already.

Mr. McCurley made a motion to have the Mayor, Mr. Randolph and Chief Buchanan interview interested men and hire one of them. The motion was seconded by Bill Grammer and was unanimously carried.

The meeting adjourned at 10:40 p. m.

Respectfully submitted,

APPROVED:

Georgianna Edson, City Secretary

The regular meeting of the City Council was called to order in the City Hall at 7:45 p. m. by Mayor Pro-Tem, C. L. Randolph. The following Councilmen were present: James McCurley, Johnny Vinson, Robert Gregory and Bill Grammer.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Vinson made a motion to accept the minutes as read, seconded by Mr. McCurley and the motion carried.

The Council discussed the program for the work on the streets. Due to the rains, work has stopped for a while.

Kib Hundley was present and spoke of putting in curb and gutters instead of ditches along Hundley Drive. He stated he would be willing to give the land for widening the street. He stated he got a price from a man in Denton of $1.50 a foot for curb and gutter. Mr. Hundley also asked for a fire plug to be put down before the street was put in. He said the Water Board had promised to put in a fire plug but they didn't have one yet. Mr. McCurley suggested that he talk to the Water Board since they were having a meeting at this time right next door.

The Council discussed taking in some property into the City. It was thought if the Water Board would hold off giving water and sewer to the people in the trailer park north of the city, then it will be easier to take the land into the City limits.

The Council discussed mowing the weeds and grass along the city streets for the summer months. Mr. Vinson made a motion to rehire Mr. Grubbs to mow for the same price as last year, seconded by Mr. Gregory and the motion was unamimously carried. This was $150.00 each time he mowed, which would be three or four times during the summer.

Mr. Grammer read a proposed amendment to the Zoning Ordinance changing ~~changing~~ R-1-7200 regulation for single family dwellings so as to read a minimum dwelling of 1200 square feet of living floor space per family. The R-1-6000 regulation would be changed and amended to read a minimum of 900 square feet of living floor area per family.

It was decided that when we get the survey back that was made on Lakeview Drive, there would be a called meeting to make plans for programming on the streets. Mr. McCurley made a motion that Mr. Randolph notify the Utility Companies to move their lines, seconded by Mr. Grammer and the motion was unanimously carried.

Mayor Pro-Tem, Randolph, briefed the Council on the prospective part-time Policemen, Bobby Jones of Lewisville, Bobby Cates and a 65-year old man from Denton with 25 years of Police work at North Texas State College.

Chief Buchanan spoke of buying a remote control radio set to be put in the Courthouse for a dispatcher's use. Nothing was decided upon it.

Mr. Vinson made a motion to call a recess and to continue later, since the Water Board members came in and joined the meeting. The motion was seconded by Mr. Gregory and carried.

The Water Board members came into the meeting and Howard Davis spoke of an agreement they would like to make with the City concerning the hiring of Jack Luna to work for both units. Jack Luna would run the City Tax Office and Water Tax office and collect traffic fines, if people came to pay during the day. He would work for the City for $100.00 per month and $300 per month from the Water Board and provide hime an office to do his own work as Luna Business Service. The Water Board had proposed a 6 month contract to Mr. Luna and thought it would consolidate the City and Water Board a little more.

Jack Luna would pay a girl to work for him and be there in the office when he is out.

Mr. McCurley made a motion to hire Jack Luna at $100 a month for a 6 month contract effective the 15th of the month, as discussed with the Water Board. The motion was seconded by Mr. Grammer and unanimously carried.

Howard Davis brought up the question of a Plumbing Inspector and wondered if the City would care about getting an Ordinance for this. He was advised that the matter is before Bruce Davis, Attorney, at this time.

Howard Davis suggested the City should take in more land north of the City limits before they get their water from the Utility Board. If this happens, then the people will not want to be included in the City limits.

The Water Board suggested that the City make the Utility companies put up a performance bond and put the streets back in good shape after tearing them up. It was decided that this was written in the franchise of each Utility Company, but an Ordinance should be written up for a Contractor coming into the City and tearing up the streets.

Howard Davis stated he would be glad to have a man from the City Council meet every third Thursday with the Water Board so there would be some laiason between the two.

James McCurley talked of putting in culverts for the new paving job and contracting labor for this and wondered how much time Randy Dickerson could give to the City. Randy stated that it would be quite buisy in the near future and he could not give very much time at all to the City.

This concluded the meeting with the Water Board and the regular Council meeting continued.

Mr. Vinson made a motion to hire Leonard Shelton to grade the streets tomorrow, May 9, 1969, since they were badly in need of blading. The motion was seconded by Mr. Gregory and was unanimously carried. His salary was discussed but not decided at this time.

The meeting adjourned at 11:40 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A special meeting was called to order in the City Hall at 8:00 p. m. by Mayor Jack McInnish, with the following Councilmen present: Johnny Vinson, C. L. Randolph, James McCurley and Robert Gregory.

A motion was made by James McCurley to investigate a lift truck from A. Herd and if it worked all right to buy it for $ 500.00. The motion was seconded by Mr. Gregory and carried.

Mr. McCurley made a motion to buy a tractor for $1500.00 including miscellaneous parts. The motion was seconded by Mr. Vinson and the motion carried.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Special Meeting
Lake Dallas City Council

A special meeting was called to order in the City Hall by Mayor Jack McInnish at 9:00 p. m. with the following Councilmen present: Johnny Vinson, James McCurley and C. L. Randolph.

Mr. McCurley discussed buying a truck and came up with a cost of $400 and the City could repair the truck as needed.

Mr. Randolph made a motion to buy the truck at $400.00 and make repairs to pass inspection and James McCurley would use his own judgment in repairing it. The motion was seconded by Mr. Vinson and carried.

Mr. Vinson made a motion to pay the surveyor's bill of $470.00 since his work was finished and accepted. The motion was seconded by Mr. Randolph and carried.

Mr. McCurley made a suggestion to invite the four property owners on Lakeview who were the most concerned about the road taking in some of their property. Mr. Randolph made this into a motion, seconded by Mr. Vinson and the motion was carried. The property owners were: Hogan Davis, E. L. Zinn, George Buchanan, and Glenn Burnes of Denton. Mr. McCurley was to supply the addresses for these people to Secretary Mrs. Edson, so she could notify them to be at the meeting scheduled for June 12, 1969.

Donnie Hansen, Chairman of the Zoning Commission, reported that the Commission had voted unanimously on rezoning John Henry Powers' property from Residential R1-7200 to M-1, light industrial. They had accepted Mr. Powers' check for $40.00 for a rezoning hearing. Mrs. Grammer will give the Council the recommendation at the next meeting.

The Zoning Commission had been contacted again by Dennis Wood, 9423 Angleridge, Dallas, Texas and John J. Miller & Co. concerning Garza Beach Estates rezoning as a trailer park. This was first mentioned in the minutes of a Council Meeting on January 9, 1969.

Mayor McInnish read the Ordinance, No.33, amending original Zoning Ordinance, changing zoning restrictions, by increasing the minimum dwelling size under Section 6, District R-1-7200 of said ordinance, and increasing the minimum dwelling size under Section 7, District R-1-6000 of said ordinance. The Zoning Commission had voted to accept this new Ordinance. Mr. Randolph made a motion to accept the Amendment to the Zoning Ordinance, seconded by Mr. Vinson and the motion was unanimously carried.

Leonard Shelton had asked for more money for grading the streets with the City Maintainer. The City is now paying him $2.50 an hour. Mr. Randolph made a motion to pay him $3.25 an hour retroactive to the last work he did for the City, and if that was not enough, the Council would have to discuss it further. The motion was seconded by Mr. Vinson and carried.

The Council discussed allowing firecracker stands in the City limits for the sale of firecrackers. Mr. Vinson made a motion to amend our Ordinance forbidding the sale of fireworks, according to the laws of the State of Texas and we would try selling fireworks for a year or so. The motion was seconded by Mr. McCurley and carried. Mayor McInnish stated he would contact Bruce Davis for advice on this.

The meeting adjourned at 11:00 p. m.

Respectfully submitted,
Georgianna Edson
Georgianna Edson, City Secretary

APPROVED:

_____

MINUTES
City Council Meeting

The regular monthly meeting of the City Council was called to order in the City Hall at 7:30 p. m. by Mayor McInnish. The following Councilmen were present: Johnny Vinson, Robert Gregory, Bill Grammer, and James McCurley.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Grammer made a motion that the minutes be accepted as read, the motion was seconded and carried.

Mr. Rushing was present and contested Mr. C. L. Cannon's permit to place a trailer on the Joe Thrasher property. Mr. McCurley stated to Mr. Rushing that it would be investigated to see if Mr. Cannon's permit was in order and he would let Mr. Rushing know the outcome. Secretary, Mrs. Edson, was asked to check if Henry Clark, ever had a permit to put a trailer in the place now occupied by Mr. Cannon's trailer. It was checked out and found that no permit had ever been issued to Mr. Henry Clark.

Mr. McCurley stated more tile, preferably 15 inch was needed.. He also stated the truck and tractor needed some more repairs so the work on the streets could get underway. Louis Drodz stated he would help with the work on Lakeview using his machinery and he asked that the City draw up a contractLease Agreement on the Equipment used at $1.00 a month so he will not be liable for the equipment. Mr. McCurley made a motion to get a Lease Agreement for the Equipment drawn up for Louis Drodz as stated above, seconded by Mr. Vinson and the motion was unanimously carried. Mr. Randolph stated he would contact Bruce Davis about the matter.

Mr. Linwood Arthur, Surveyor, was present to discuss the Lakeview problem on surveying and widening the street. The only conflict in the property lines is between Mosely and Meyers Streets with property belonging to George Buchanan, E. L. Zinn, Hogan Davis, and Glenn Burns. Mr. and Mrs. Davis and Mr. and Mrs. Buchanan were present for the discussion. The land in that block was surveyed in error years ago and there is a street behind the block which was not used.

Mr. McCurley suggested to the property owners to close up the street behind them to help make up the footage taken from their frontage.

Mr. McCurley made a motion that just as soon as we get the equipment leased, we start work on Lakeview Drive according to the Bonded Surveyor's report. The motion was seconded by Mr. Grammer and unanimously carried. Mayor McInnish told the people that if they wanted to contest the street widening, they should contact their Attorney. A motion was made to install a culvert at Hundley Drive and Montserrat Road immediately because it is a hazard to the City. Mr. Vinson seconded the motion and it was carried.

Inserted 7-10-69 See Minutes

Mr. McCurley made a motion to hire whatever County man that Virgil Greer releases for vacation to help with the streets temporarily. This was seconded by Mr. Vinson and the motion was carried.

The recommendation made by the Zoning Commission for rezoning the John Henry Powers property from R-1-7200 to M-1, light industrial was discussed. Mr. Grammer made a motion to accept the recommendation and change the zoning on that property as stated. The motion was seconded by Mr. Vinson and the motion was carried.

The meeting adjourned at 9:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

MINUTES
SPECIAL MEETING
Lake Dallas City Council

A special meeting was called to order by Mayor McInnish at 7:30 p. m. in the City Hall. The following Councilmen were present: Johnny Vinson, C. L. Randolph, Robert Gregory, James McCurley and Bill Grammer.

Mr. Andrews was present and stated he wished to expand his building, formerly the 7-11 building owned by Slats Beene. He wishes to build to the property line and showed his proposed building to the Council. Normally, this problem would go through the Board of Adjustments, but since we do not have one, it has come before the City Council. Mayor McInnish had called Riley Fletcher of the Texas Municipal League for advice and learned that the Council could act on this variation. A variance was needed because the property is triangular and odd shaped.

Mr. Randolph made a motion to investigate and if it is legal, allow the variance to Mr. Andrews to build to the property line. The motion was seconded by Mr. Vinson and carried.

Mayor McInnish stated he would contact Bruce Davis to see if the Council could grant the variance without a hearing on the matter.

George Farrell wants to move his small house to another part of his property. Mayor McInnish stated he would also check with Bruce Davis on this matter before anything can be done.

Mr. McCurley stated that the truck was now licensed and is just about repaired and ready for use.

Mr. Randolph made a motion to get a load of drain pipe here to be ready for use. Mr. Grammer seconded the motion and it was carried.

The Council made plans to start work on the streets Monday, July 7th and have the graders and truck ready at that time. It was decided to pay the men $3.00 per hour from the County. Leonard Shelton will receive $3.25 per hour salary.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES

Lake Dallas City Council
Meeting

The regular monthly meeting of the City Council was called to order by Mayor McInnish at 7:30 p. m. in the City Hall. The following Councilmen were present: C. L. Randolph, Bill Grammer and Johnny Vinson.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Grammer asked that an omission from the minutes be inserted, namely, that the Mayor told the people at the last regular meeting, that if they wanted to contest the street widening, they should contact their Attorney.

Mr. Hunter was present and stated that he appreciated the way the Council had the street fixed at Hundley Drive and Lakeview Drive intersection, where they had put in tile and ditch drainage. He mentioned again the problem of blocking his driveway. The street between the Post Office and the General Store is a dedicated street and it needs to be maintained by the City. He stated he would pave in front of the Post Office if the City would pave that side street which was from 60 to 63 feet wide. The Council stated they would take the matter under consideration and let Mr. Hunter know as soon as possible.

Mrs. D. Stowe was present and wanted to know when the street in front of her business was going to be paved. Johnny Vinson stated they would know in about a month when the work would start and the road beds were repaired.

The Council discussed the Jack Ezzell Garbage and Trash Disposal Franchise. It was brought to the Council's attention that Jack Ezzell wanted to raise his franchise rates by about 37½% and had notified his customers to that effect, and had not contacted the Council before doing this.

Mr. Grammer made a motion for Secretary, Mrs. Edson, to write and notify Mr. Ezzell by letter to stop collecting the extra increase in rates until he can come before the Council with his records and show why he needs the increase in rates. He should contact Mayor McInnish and set a time for a special meeting to discuss the Garbage and trash Disposal franchise. Mr. Randolph seconded the motion and it was carried.

The Council discussed getting a dump some place on Government property for the City. Mr. Grammer stated he would talk to the Government Engineers and see what could be done about getting a City Dump for Lake Dallas.

Mr. Vinson made a motion for Mr. Grammer to contact Mr. Lovette, of the Corps of Engineers, to get a City Dump. The Motion was seconded by Mr. Randolph and carried.

Mr. Vinson spoke of several sites he knew of that had deep gullies, 25 to 30 ft., one behind the Graveyard and the Sam Goren property, which would be suitable for a dump.

There was a discussion about paying the extra help to work on the streets, as follows:

David Lively	18 hrs. @ $2.00	$36.00
Bennie Thompson	63 hrs. @ $3.00	189.00
Dave Tinsley	50 hrs. @ $3.00	150.00
Cary Ward	38 hrs. @ $$2.00	76.00

George Buchanan, Police Chief, asked what the Council thought about putting speed b bumps in the Main Streets. Mr. Randolph stated he was not in favor of putting anything in the streets.

George Buchanan stated that the part time Policeman, Bobby Jones, resigned tonight and handed in his Police clothes and badge.

The Council again discussed the sale of firecrackers within the City limits. Bruce Davis had advised that it might raise the fire insurance rates. Mr. Randolph made a motion to hold off to find out if the insurance rate would be raised by the sale of fireworks. The motion was seconded by Mr. Vinson and carried. Mayor McInnish stated he would contact Bruce Davis and let the Council know what he advised.

The meeting adjourned at 10:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES July 21, 1969

Lake Dallas City Council
Meeting

A Special Meeting was called to order in the City Hall at 8:30 p. m. Monday, July 21, 1969, by Mayor Pro-Tem, Mr. C. L. Randolph. The following Councilmen were present: James McCurley, Bill Grammer, Johnny Vinson, and Robert Gregory.

Mr. Grammer made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. McCurley and the motion was carried.

Jack Ezzell had been asked to come to this Special Meeting to discuss his franchise and his proposed increase in disposal rates to his customers. Mr. Ezzell addressed the Council and stated he had hired a man to work for him and bought equipment and he needs this increase to make a profit in his business. The increase would amount to about $.75 per customer.

Mr. McCurley made a motion to approve Jack Ezzell's request for the increase in rates, seconded by Mr. Gregory and the motion was carried unanimously.

Jack Ezzell stated he would use some 18 inch tile taken from the ditches and pay for No. 2 Pipe at the current price the City is paying.

The Council discussed the streets that were being fixed. Virgil Greer is hauling in some more gravel for the stock pile. Mr. Grammer made a motion that Mr. Randolph see Virgil Greer and explain our situation and see if we can come up with some better streets for the money. Mr. Vinson seconded the motion and the motion was carried. Mr. McCurley suggested that Mr. Randolph ask Virgil Greer the price of a load of oil and ask him what can be done to make better streets out of the ones that are oiled now, also ask him the price of the gravel and can we pay the Contractor for the material with Time Warrants. How long does he have to pay the bill?

Mr. Grammer stated he thought the Police Chief should get the consent of the Council before he makes a statement to the Press.

Mr. Randolph stated we needed some special procedures for the Police Department on searching cars.

Mr. Grammer made a motion to adjourn, seconded by Mr. McCurley and the meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A regular monthly meeting of the City Council was called to order in the City Hall at 7:30 p. m. by C. L. Randolph, Mayor Pro-Tem. The following Council members were present, Johnny Vinson and James McCurley. A regular meeting could not be held since there was not a quorum of Councilmen present.

Mr. M. C. Birka of Field Oil Refinery of Roanoke, Texas, was present and told the Council that he could provide the City with refined oil at 4 cents per gallon, delivered and spread on the streets. It is hauled in 2100 gallon trucks at the price of $84.00 a load. The amount of oil spread on the street can be regulated from a thin coat to a thick undercoat and it can be put on at any time of the year. It makes a good base for blacktop. He has plenty of oil available for up to 5 miles of streets on short notice. He would like a day or so notice in advance and told just what streets should be worked on and he could go ahead and fix the streets with a coat of oil.

Chief Buchanan stated he needs an extension from his home phone to his office at the City Hall. He would also like remote control for his radio.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A special meeting was called to order in the City Hall by Mayor Jack McInnish at 9:00 p. m. with the following Councilmen present: James McCurley, Bill Grammer, C. L. Randolph and Johnny Vinson.

After discussion Mr. Randolph made a motion to adopt a Resolution to get an extension phone for the Police Department from the Police Chief's home to the Coty Hall office, and to send a copy of the Resolution to the Lake Dallas Telephone Company as authorization to install the extension. The motion was seconded by Mr. McCurley and the motion was unamimously carried.

Mr. Witherspoon of Lakeview Drive was present and wanted to know when the regular meetings of the Council were held. He was informed that meetings were held every second Thursday of the Month at 7:30 p. m.

Mr. Elbert O'Brient was present and requested a larger culvert at the corner of his property. A 12 or 15" pipe is needed at that location and the street is about 32' wide. The culvert would be put in to replace the square wooden box drain there now. Mr. Grammer made a motion to fix O'Brient's ditches so they would drain properly and replace the culvert. The motion was seconded by Mr. Randolph and carried.

Mr. Grammer made a motion to get Bruce Davis to draw up an ordinance to have all contractors and Utilities Companies get a no charge permit before doing any work on the City streets and perhaps have them put up a bond for performance so that they will put the streets back in good shap after completing their work. The motion was seconded by Mr. Vinson and Unanimously carried.

Mr. McCurley suggested having one man as a City Manager. Mayor McInnish stated he would have a man at the next meeting to discuss management.

After discussion it was decided to get R. J. Howard to give us a notarized statement that he has dedicated a street to the City of Lake Dallas.

The Council discussed annexation of land north of the City limits but nothing definite was decided upon.

The Council discussed getting together and making out the new Budget. Also, discussed people who might serve on the Board of Equalization and the Hearing for Tax Equalization. Mayor McInnish stated he would come up with members for the Equalization Board soon.

Chief Buchanan stated he needs someone to help police the streets this next weekend because of the Pop Festival in Lewisville International Race Track, since many of them will be camping out at the lake. Mr. Randolph made a motion to give Police Chief the support of Bobby Cates for part time police help at $2.50 per hour. The motion was seconded by Mr. McCurley and carried.

An instance was brought before the Council where Art Green had stopped a citizen by pulling him over with his siren. Mr. Grammer made a motion to get a list of Firemen in good standing and pull the red lights and siren off all the rest of their cars, since State Law prohibits sirens otherwise. The motion was seconded by Mr. McCurley and unamimously carried.

Mayor McInnish read the new proposed trailer and trailer park ordinance to the Council. Mr. Randolph made a motion to raise the fees to $10.00 per trailer unit per year in the park regardless of how many and $3.00 per month service and inspection fees to be collected by the trailer park owner. The motion was seconded by Mr. Grammer and unanimously carried.

Mr. McCurley made a motion to adopt the trailer coach and trailer park Ordinance as Ordinance No. 34 , after the above correction in rates were made. The motion was seconded by Mr. Grammer and carried.

Mr. Vinson made a motion to buy an air conditioner at Gibson's for $269.00 and put it in the City Hall. Mr. Randolph seconded the motion and the motion was unanimously car ied. Mr. Randolph stated he would install the airconditioner in the City Hall building.

It was brought to the Council's attention that Mr. Luther Fields had closed up a drainage tile on Stockard Street by hauling in a load of dirt. Mr. Crubaugh and Mr. Smith were present and stated they would buy the pipe to lay under Mr. Fields' property for drainage if the City would install it. Mr. Grammer made a motion not to fine Mr. Fields this time, but if he stopped the culvert up again he would be fined and appropriate action taken. The motion was seconded by Mr. McCurley and unanimously carried.

It was decided to charge the property owners for the drainage tile used in their ditches at the following rates: 12" tile at $1.75 per foot, 15" tile at $2.00 per foot, and 18" tile at $2.25 per foot.

Mr. Randolph made a motion to clean out existing ditches and prepare Lakeview Drive and ger E. J. Sublett to work with Leonard Shelton on the ditches and culverts. The motion was seconded by Mr. McCurley and carried.

The Council discussed the leaking roof on the City Hall building. Mr. Vinson stated he would get someone to look at the roof to see what had to be done.

Mayor McInnish made a list of prospective members for the Board of Equalization for City Taxes. On the list were; Floyd Gillian, Jess Pope, Shirley Johnson, Gene Mayberry and J. W. Webb.

The meeting adjourned at 12:15 a. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

A special meeting was called to order in the City Hall at 8:00 p. m. by Mayor Pro-Tem, C. L. Randolph, with the following members present: Robert Gregory, Bill Grammer, James McCurley.

Secretary, Mrs. Edson, read the minutes of the last two meetings. Mr. Grammer made a motion to accept the minutes as read, seconded by Mr. McCurley and the motion was carried.

Mr. Randolph read a letter from Mr. Luther Fields' Attorney. Mr. McCurley made a motion to answer the letter to his Attorney and invite him to the next regular meeting of the Council which would be on October 9, 1969. At this time, Mr. Fields could plead his case. The motion was seconded by Mr. Grammer and carried. Mrs. Edson was to write to Mr. Fields' Attorney.

Donnie Hanson, Chairman of the Zoning Commission, was present and was given a copy of the new Trailer and Trailer park Ordinance by the Secretary. He was also given a copy of the Zoning Ordinance.

Mr. McCurley suggested having a special meeting to get a budget together. The Council discussed a budget and began getting the figures together then set a Special meeting for Thursday, September 25, 1969, at 8:00 p. m. to discuss the budget.

Mr. Grammer stated that he wanted to go on record that he is against paying for any more lunches for County workers.

The Council discussed the street fixing program and wished to get it speeded up. Mr. McCurley stated that Becham Street is ready except for one culvert. Lakeview is just about ready except for some more drainage.

Mr. McCurley made a motion, the first street to be repaired is Lakeview Drive and it is to be torn up and proper road base put down before the blacktop is put on it, from Hundley Drive to Meyers; the second street to be Carlisle Drive and the shoulders and holes to be patched properly with cold rolled before the new blacktop is applied; the third street to be Goetcher and the holes and shoulders be patched properly with cold rolled before the blacktop is applied. The motion was seconded by Mr. Grammer and unanimously carried.

Mr. Randolph stated he would talk to Virgil Greer and get the work done as set out in the above motion.

Mr. Grammer made a motion to get a written agreement with the Water Board as to their mutual responsibilities in regard to the upkeep of the Municipal Building, and that the Water Board would get the City Council's approval before making any modifications to the building, with the City Council having the right to accept or reject the modifications. The motion was seconded by Mr. Gregory and carried.

Mr. Randolph stated that Bruce Davis had advised him that if the City accepts any street dedicated to the City, the City must have a quit claim deed before the street can be legally accepted as City property.

MINUTES September 25, 1969
Lake Dallas City Council
Meeting

A special meeting was called to order at 7:30 p. m. in the City Hall by Mayor Jack McInnish, with the following Councilmen present: James McCurley, Bill Grammer, C. L. Randolph, Robert Gregory, and Johnny Vinson.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. McCurley made a motion to accept the minutes as read, seconded by Mr. Gregory and the motion was carried.

About 15 visitors were present to see about fixing their streets. People from Glenn Rhea Drive presented a petition to make a dead-end street so traffic could not drive through to the lake. They also requested that Glenn Rhea Drive be posted at 20 miles per hour speed limit. Mayor McInnish assured them the petition will be taken up at a later date and they would be advised as to the Council's decision.

Leon Smith asked the City to acquire some Government land for a park and requested that the Corps of Engineers be contacted in this regard.

Lawrence Summers of Glenn Rhea Drive, suggested that some industry should be encouraged to come into the City since water and sewerage was now available.

Mr. Spencer, of Glenn Rhea Drive, complained of dogs running around dumping over garbage cans and barking and asked that something be done about it.

Jack Ezzell was present and discussed with the Council the problem of the City's impounded cars at his garage. Mr. Grammer made a motion authorizing Jack Ezzell to sell the five cars that have been impounded by the City which he has in storage to satisfy the tow-in fee as of this date. The motion was seconded by Mr. McCurley and the motion was carried.

Jack Ezzell asked what was the possibility of closing up the street between his garage and car-wash, which dead ends at the alley. The street has been dedicated but never used as a street. The Council decided to take the matter under consideration at a later date.

Mr. Grammer made a motion to send Jack Luna to Tax School and the City would share the expense of the school with the Water Board. The motion was seconded by Mr. Vinson and unanimously carried.

Mayor McInnish stated he had appointed three members to the Tax Equalization Board, namely, Jess Pope, Shirley Johnson, and J. W. Webb. The Tax Equalization Board Hearing was set for Saturday, October 18, 1969, from 8:00 a.m. to 4:00 p. m., in the City Hall. Notices will be sent to the people who had building permits and increase their tax valuation accordingly. Mrs. Edson said she would see that the nocite was published in the Lewisville Leader next week. The rate of pay for the Equalization Board members was set at $1.25 per hour.

Mr. Grammer made a motion to accept Ordinance #35, appointing 3 Board of Equalization members and setting the rate of compensation for them and setting a Hearing date of October 18, 1969. The motion was seconded by Mr. Randolph and was unanimously carried.

Mr. Grammer made a motion to pay the brother of Leonard Shelton $3.75 per hour for running the blade machine and working on the streets. The motion was seconded by Mr. Vinson and carried.

It was suggested to give a copy of the minutes to the Water Authority so they could see what the Council wants to do about maintaining the building, and they will probably agree to it. It is understood that they want to pay half of the repair of fixing the roof.

Mr. McCurley made a motion to buy the desk and chair now stored in the City Hall from Charles Birdsong for $50.00 for the Police Department. The motion was seconded by Mr. McCurley and carried.

Mr. Vinson made a motion to get a bill from Virgil Greer and pay for the street fixing to date and get it in this year's budget. The motion was seconded by Mr. McCurley and carried. The bill would be approximately $3,190.00.

The meeting adjourned at 11:15 p. m.

Respectfully submitted,

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Special Meeting
Lake Dallas City Council

October 3, 1969

A special meeting was called to order at 8:00 p. m. by Mayor Pro-Tem, C. L. Randolph, in the City Hall with the following members present: Bill Grammer, Robert Gregory, Johnny Vinson, and James McCurley.

Mr. Grammer made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. McCurley and the motion was carried.

Mr. Borchardt was present and spoke for his mother, stating that she is paying taxes on about 10 acres of land, but that she does not have that much land left, since portions of the 10 acres have been sold. He requested a letter from the City of Lake Dallas to the effect that all the land they have left is approximately 5½ acres. Mr. Randolph stated he would check with Jack Luna to adjust the taxes. This tract of land was surveyed August of 1969 and Mr. Borchardt left the papers with the Council.

Mr. Grammer made a motion to have the Katy Railroad fix all the crossings in the City of Lake Dallas as soon as possible. The motion was seconded by Mr. McCurley and was carried. Mrs. Edson was asked to notify the Railroad regarding the matter.

The Council discussed traffic procedures witn Police Chief, Buchanan, and asked him not to go into the parks, since the parks are under the jurisdiction of the Sheriff of Denton County. Mr. Grammer made a motion that the Chief not go into the parks at any time unless requested to do so by the State Officers and allow no one not authorized by the Mayor or Mayor Pro-Tem to ride in the Police Car at any time. Also, the Police Chief is to take orders from the Mayor Pro-Tem in the absence of the Mayor. The motion was seconded by Mr. Vinson and carried.

The Council discussed 1969 Property Taxes and agreed to continue the City taxes at the same rate of $1.50 per $100.00 valuation for the year 1969, with no change in the rates from 1968.

The Council discussed the budget and came up with the proposed figure of a total of $34,636.00 expenditures and $39,725.00 estimated revenues, leaving $5,089.00 over and above the budget, which will be earmarked for major street repair and/or retirement of the Building Time Warrants.

Mr. Grammer made a motion to accept the budget for fiscal year ending September 30, 1970, seconded by Mr. Gregory and the motion was carried.

Mr. Grammer made a motion to take down the red signs that were put up on the streets advertising businesses on Main Street and Hundley Drive. The motion was tabled until the next meeting.

W. Tillman 10-7-69

The meeting adjourned at 11:15 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

The regular monthly meeting was called to order in the City Hall by Mayor Jack McInnish at 8:00 p.m. with the following Council members present: Johnny Vinson, C. L. Randolph, James McCurley and Bill Grammer.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Vinson made a motion to accept the minutes as read, seconded by Mr. Randolph and the motion carried.

Mr. Grammer withdrew his motion about the advertising signs on Main Street and Hundley Drive, which he made in the previous Council Meeting, on October 3, 1969.

Mr. Luther Fields was present and addressed the Council. He stated he would gladly let the City have the $100 fine he paid if the City would fix the drainage problem on his property. Mr. Vinson stated the mud hole had always been in the same place on Mr. Field's property and the City installed a culvert to help in the natural drainage. Mr. McCurley suggested that perhaps the City could cut a little ditch just inside Mr. Field's fence line. Mr. Fields did not want to do this and stated he might want to put a garden there. Mr. Grammer stated the course of the water has not been changed, but just put through a culvert. Mr. Fields still thinks it should run over the road like it did before naturally. The Council decided the case was closed and that no further work would be done on the culvert. Mr. Fields took down the names of the Councilmen and stated he would wait until a good rain and see what happens.

Junior Drozd was present and asked for Police protection in Willow Grove Park since he is located in the Park. Mr. Grammer made a motion that the Police Chief should patrol Junior Drozd's property and Lakeview Camp and also Hundley Boat Company property. The motion was seconded by Mr. McCurley and was unanimously carried.

Mr. Grammer suggested sending George Buchanan, Police Chief, down to Mrs. Frady's property where they are installing a trailer. Mayor McInnish asked the Chief to go down to see Mrs. Frady in the morning, and stop her from putting in the trailer.

Mr. Grammer made a motion to return a $40.00 check to Mr. Konroe Stahl, since the Zoning Commission had no meeting with a quorum of members present to act on his zoning request, seconded by Mr. Vinson and carried. Mrs. Edson was advised to return the check to Mr. Stahl.

Mr. McCurley made a motion that No Parking signs be placed on Lakeview Drive on both sides of the street from Main Street to the North City Limits, and be made a 30 mile per hour street from Main Street to Myers Street and 20 miles per hour from Myers to North City Limits. The motion was seconded by Mr. Randolph and carried.

Mr. Grammer made a motion to put a stop sign at the corner of Thompson Drive and Lakeview Drive going East and one at Thompson Drive and Lakeview going West with Lakeview Drive an open street, and a stop sign on Lakeview Drive and South Main Street and remove the stop sign on Lakeview and Thompson Drive going North. The motion was seconded by Mr. McCurley and was carried.

Mr. Vinson made a motion to buy street signs as needed for all the streets, seconded by Mr. McCurley and the motion was carried.

Mr. Randolph made a motion to table the possibility of closing Glen Rhea Drive and see about getting a City Park from the Corps of Engineers. The motion was seconded by Mr. Vinson and carried.

The Council discussed leasing Government land for a Park with Junior Drodz. Mr. Randolph made a motion to appoint Johnny Vinson to look into leasing Willow Grove Park and see Junior Drodz about concessions. The motion was seconded by Mr. Grammer and the motion was carried.

Mr. Grammer made a motion to buy Quit Claim Deeds for use in dedicating streets, seconded by Mr. Vinson and the motion was carried. Secretary, Mrs. Edson, stated she would see about getting the Quit Claim Deeds.

Mr. Grammer stated that the School Board was going to write it in their minutes that the City could use their street to patrol traffic.

The Council discussed getting the road equipment repaired. Mr. McCurley recommended a good tractor mechanic in Aubrey. Mr. Vinson made a motion for Mr. McCurley to take the tractor to Aubrey and get the truck fixed also. The motion was seconded by Mr. Randolph and carried.

Mrs. Cecil Hawk's baby was bitten by a stray cat and the matter was taken care of by Police Chief Buchanan. Mr. McCurley made a motion to pay the $15.00 Veterinarian fee this time and instruct Chief Buchanan to inform the people the City will not pay the bill on the testing of animals in the future. The motion was seconded by Mr. Vinson and carried.

Mr. McCurley made a motion to call in the Auditor to go over the books since the City's fiscal year had closed. The motion was seconded by Mr. Randolph and carried.

Mayor McInnish stated he would get the Equalization Board on City Taxes together to go over the tax rolls before October 18th, the date set for the Public Hearing.

The meeting adjourned at 11:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

October 16, 1969

MINUTES
Special Meeting
Lake Dallas City Council

A special meeting was called to order by Mayor Pro-Tem, C. L. Randolph in the City Hall at 8:00 p. m., with the following members present: Johnny Vinson, Bill Grammer and James McCurley.

Mr. Grammer made a motion to dispense with the reading of the minutes of the last meeting, seconded by Mr. Vinson and the motion was carried.

Mr. Vinson told of his meeting with the Corps of Engineers and found that they would give a 25-year lease on the government property for a park, with improvements done in 5-year periods. Mr. McCurley read the requirements for the upkeep of th park. He stated Mr. Lovette of the Corps of Engineers would meet with the Council at any time and help get the park underway.

Mr. McCurley made a motion that Mr. Randolph should pursue the park problem and see Bruce Davis on the legal part of it. Mr. Vinson seconded the motion and the motion was carried.

The Council discussed the Board of Equalization meeting set for October 18, 1969. Secretary, Mrs. Edson, stated she would meet with them at 7:30 a.m. and give the Oath of Office, the morning of the Hearing. The Board was going to go over the tax list and then notify the people who were going to have their taxes raised and have them come in for a hearing at another date before the Board of Equalization.

Mr. McCurley made a motion to pay the last of the meal tickets for the County Men who worked on the streets and not pay for any more meals in the future. Mr. Grammer seconded the motion and the motion was carried.

Mr. McCurley stated there was a blade in Aubrey that could be put to good use on our tractor for the price of $195.00. He asked Mr. Randolph to go and look at it.

Mr. Grammer made a motion to adjourn, seconded by Mr. Vinson and the meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED

_____

_____

MINUTES
SPECIAL MEETING
Lake Dallas City Council

October 21, 1969

A special meeting was called to order by Mayor Pro-Tem, C. L. Randolph at 8:45 p. m. in the City Hall with the following Council members present: Robert Gregory and Bill Grammer.

No formal meeting was held since a quorum of members was not present. Several matters were discussed but no business could be transacted. Another Council meeting was called for October 28th, 1969 at 8:00 p. m. after Corporation Court session. Mrs. Edson stated she would call each member the evening before as a reminder.

The meeting adjourned at 11:00 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

October 28, 1969

MINUTES
Special Meeting
Lake Dallas City Council

A special meeting was called to order in the City Hall at 8:30 p. m., by Mayor Jack McInnish, after Corporation Court Session. The following Council members were present: Bill Grammer, C. L. Randolph, Johnny Vinson and James McCurley.

Secretary, Mrs. Edson, read the minutes of the last two special meetings. Mr. McCurley made a motion that the minutes be accepted as read, seconded by Mr. Vinson and the motion was carried.

Mr. Steve Howard and Howard Davis were present and asked for a variance in the Zoning Ordinance to extend additions to the Duck Inn. Mr. Howard presented a building plat and explained the additions to his property. Howard Davis stated he would contact Bruce Davis to see what procedure was necessary to get the building variance as soon as possible.

Bruce Davis advised Mr. Randolph that there must be a public hearing on the budget. Notice of the public Hearing was to be published in the Lewisville paper in the November 6, 1969, Edition by Secretary Mrs. Edson and the Hearing was set for November 18, 1969, at 8:00 p. m. in the City Hall.

Willow Grove Park was discussed again. Mr. Randolph had consulted with Bruce Davis, and was advised that after the Council had worked out what is to be done in the way of improvements each year on the park, the papers should be taken back to Bruce Davis to be finished up. There is a total of 72 acres in the Willow Grove Park.

Mr. Randolph made a motion to buy a used tractor blade for $195.00 from Jameson Equipment Co., in Aubrey, Texas, and sell him an old tractor blade for $75.00. Mr. Vinson seconded the motion and the motion was carried.

Mr. Grammer made a motion to have the City Hall roof fixed and accept the bid of $915.00 from the Gay Roofing and Sheet Metal Company of Denton, providing the Water Utility Board pays one-half of the cost of the fixing. Mr. McCurley seconded the motion and the motion was carried. Johnny Vinson will inform the Water Utility Board that the City has approved of fixing the roof and paying one-half of the cost.

The Council asked Mrs. Edson to send Mr. J. W. Webb a bill for $30.00 for Maintainer rental.

Mr. Grammer made a motion to adjourn, seconded by Mr. McCurley and the motion was carried. The meeting adjourned at 11:05 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

The regular monthly meeting of the Lake Dallas City Council was called to order at 7:30 p. m. in the City Hall by Mayor Jack McInnish, with the following Councilmen pr4sent: Johnny Vinson, Charles L. Randolph, Robert Gregory, Bill Grammer, and James McCurley. Mr. McCurley made a motion to dispense with the reading of the minutes, seconded by Mr. Grammer and the motion was carried.

Several visitors were present. Slats Beene was present and asked for a copy of the new trailer Ordinance. Secretary Mrs. Edson said she would either send him one or he could pick it up himself.

Lynn Gilliam was present and asked about getting a street outlet from his property. The only street now is on Mrs. Treece's property and she seems willing to dedicate it to the City. It was decided to give Mrs. Treece a quit claim deed for this purpose.

A petition to close Glen Rhead Drive was placed before the Council. Mr. McCurley made a motion to leave Glen Rhea Drive open, seconded by Mr. Grammer and the petition was denied.

Mr. Bartley was present from the Lone Star Gas Companh and explained the gas rate increase which was designed to increase the small gas user about $.27 per month and rates would graduate accordingly to a lesser rate with the amount of gas used. It was decided to notify Mr. Bartley when the application for the proposed residential and commercial rate schedule for natural gas is voted on.

Mayor McInnish read a letter from Jack Lune Business Services requesting an increase in salary for performing extra services for the City, requesting $100 additional salary retroactive to October 1, 1969. The Council discussed having the Police Reserve men answer the telephone and help out with the Police calls in the office to relieve Jack Luna from this duty. The Council discussed the extra salary and decided against it and told Jack Luna to ignore the Police phone when it rings.

Mayor McInnish read a letter from Mrs. Margaret Cain, stating that a road had been cut through her property and some trees cut down. After discussion, the Council decided no road had been constructed or trees cut down on her property. The property has not been touched with a blade. The City has improved the present road but did not cut down any trees or damage any property. The Secretary was asked to write Mrs. Cain a letter to this effect.

Mr. Grammer brought up the subject of getting another ordinance prohibiting trailers except in trailer parks within the City. Mr. Grammer made a motion to pass an ordinance, if it is legal, prohibiting house trailers except in trailer parks within the City Limits, and onee the trailer is moved out, it can not be moved back in with th exception of a travel trailer, which will not be lived in. The motion was seconded by Mr. Gregory and carried. Mr. Grammer stated he would see Bruce Davis about this.

The building under construction by Glen Little came up for discussion and it was decided that this variance would have to be published in the paper. Mr. Randolph was asked to get the $40 zoning fee from Mr. Little by the next regular Council meeting.

Mayor McInnish read a request by Mr. Dennis Wood, 9423 Angleridge, Dallas, Texas 75238, for a Mobil Home Park. The Zoning Commission recommended that this request be denied. After discussion, Mr. Grammer made a motion to concur with the Zoning Commission's recommendation and also deny the request for a trailer park. The motion was seconded by Mr. Gregory and the motion was carried. Secretary, Mrs. Edson will write a letter telling Mr. Wood of the denial of his request for a trailer park.

The 1968 delinquent taxes were discussed. Mr. Randolph made a motion for Mayor McInnish to look into the matter of delinquent taxes and take steps to collect them. The motion was seconded by Mr. Grammer and carried.

Eddie Hansen was present and asked that the grass be cut on the Bumpas property between his house and the Elliott property.

Johnny Vinson stated he had contacted men to work on the Park Committee with him. Some of the men contacted were: Steve Ashford, Dave Handley, Mr. Hamby, Marcus Rucker, and Carroll Hasten, and Leon Smith.

The new stop sign near the Duck Inn was discussed and it was decided to move it out on the North side of the ditch from the South side of the ditch. The property owners wanted to put up a dead end sign at the end of Lakeview. Mr. Grammer suggested that the City buy the sign and put it up.

The stray dog situation was discussed and the Council thought perhaps a letter should be sent out to the public concerning allowing their dogs to run loose. Mr. Randolph suggested making a cage to put in the back of the police car and take a stray dog to Denton when it is caught.

Mr. Gregory made a motion to adjourn, seconded by Mr. Randolph and the motion was carried. The meeting adjourned at 10:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

The Lake Dallas City Council met in a special meeting at 8:00 p. m.in the City Hall as the Board of Adjustment for a variance on the property of Steve Howard, who requested a variance for the building of an addition to the Duck Inn. The following members of the City Council were present: Johnny Vinson, C. L. Randolph, Robert Gregor and James McCurley.

Mr. Steve Howard was present and showed the plat of his proposed building addition to the Duck Inn and explained it to the Council in detail. The addition would contain approximately 1800 square feet.

Mr. McCurley made a motion to approve the variance, seconded by Johnny Vinson, and the motion was carried. Mr. Howard paid for the legal notice in the Lewisville paper and for his building permit.

Mr. Quintin Kelly was present to see about his daughter getting a permit to move her trailer onto his property while her husband went to Viet Nam. Mr. Randolph made a motion to take the matter under consideration and give him an answer soon. Mr. McCurley seconded the motion and it was carried.

Mr. Grubbs told Mr. Randolph he would mow the remaining weeds and grass for $125.00 and also had mowed a lot belonging to a Mrs. Lamb. It was discussed and decided to write to her and send a bill on the mowing and if not paid, to add it to their taxes.

Mr. Gregory made a motion to adjourn, seconded by Mr. Vinson, and the motion was carried. The meeting adjourned at 10:00 p. m.

Respectfully submitted,

Georgianna Edson
Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES November 18, 1969

Lake Dallas City Council Meeting

A special meeting was called to order at 8:00 p. m. in the City Hall for the Public Hearing on the 1970 Budget. The following Councilmen were present: Johnny Vinson, Robert Gregory, Bill Grammer, James McCurley and Mayor Jack McInnish.

Mayor McInnish read the proposed Budger for the fiscal year Ending September 30, 1970, item by item. There were no corrections. Mr. Vinson made a motion to accept the Budget for fiscal year ending September 30, 1970, seconded by Mr. McCurley and the motion was unanimously approved.

Mr. Grammer made a motion to adjourn, seconded by Mr. McCurley and the motion was carried. The meeting adjourned at 8:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

The regular monthly meeting of the Lake Dallas City Council was called to order in the City Hall by Mayor McInnish at 7:30 p. m., with the following members present: Johnny Vinson, C. L. Randolph, Bill Grammer, and James McCurley.

Secretary, Mrs. Edson, read the minutes of the last regular meeting. Mr. McCurley made a motion to accept the minutes as read, seconded by Mr. Randolph and the motion was carried.

Mr. Randolph stated he could get a 5-ton airconditioner given to the City free of charge from McLendon Corporation if the Council agreed. All members of the Council agreed to get the airconditioner.

Delinquent taxes were discussed. Mayor McInnish stated he had inquired about the City of Carrollton's procedure and found that they wait a year and then send a delinquency letter, then turn it over to an Attorney for collection. Farmer's Branch does not wait that long, but writes a letter after 3 months, then turns it over to an Attorney.

Mr. Randolph presented a dog nuisance letter, which could be sent out warning the people about their dogs running loose. Mayor McInnish stated he would get some copies made for distribution.

Mr. McCurley stated he would tell the people on Lakeview Drive to go ahead and put up their dead-end street sign. He also suggested getting some more street signs. Police Chief, Buchanan, was advised to get 3 dead-end street signs and also get any other signs that are needed.

Mr. McCurley made a motion to notify all property owners of lots grown up with weeds and grass, by letter to mow their lots. If not done in 10 days, then mow it and send them a bill. Also, mow Mr. Bumpas's lot now, since he had been notified. Mrs. Edson was advised to send a bill to Slat Beene for mowing the Lamb property for $15.00. The motion was seconded by Mr. Vinson and unanimously carried. The Police Chief was advised to make a list of all lots with grass over 12 inches high and give the list to Mrs. Edson to write the letters.

Mr. Wendell Judd of Parish and Murrel and Co. presented the annual audit report for the fiscal year ending September 30, 1969. He read the report and explained it to the Council and answered questions concerning the proposed acquiring of a park. Mr. Randolph made a motion to approve the audit report, seconded by Mr. Vinson and the motion was carried.

Fred Carlisle, the new Fire Chief of the Lake Dallas Volunteer Fire Department, presented several issues to the Council, such as trash burning. It was restated that trash burning hours are from 5:30 a.m. to 10:30 a.m. only.

1. He asked the City to say who can burn and when. He was advised the Mayor sometimes gives a permit to burn after hours.
2. He asked the procedure for writing tickets on burning. The Council decided it was the Police Chief's duty to write tickets on unauthorized burning after hours.
3. He stated the Fire Department was hoping to buy another fire truck and have the City get exempt license plates for it. The Council agreed to this.
4. He asked whose responsibility it is to put the fire plug back in the Beck Addition. The Council stated the gas lines would have to be lowered before the plug could be put in.
5. Does the City have any plans for house numbering? The Council stated it had been discussed but nothing done up to this time.

Donnie Hansen stated the Fire Department was planning on getting some training for their men. Mr. McCurley made a motion to buy the fire truck through the City and furnish the license. The motion was seconded by Mr. Vinson and carried.

Jack Worrel wanted an agreement for working within the City limits. Mr. Carlisle stated that if any member of the Council wishes to join,the Fire Department would be glad to have them. They also need men in their Administrative Department.

Mayor McInnish stated he would like to see the Fire Department set up fire zones. Mr. Carlisle said they had plans to zone their entire fire area. Jack Worrel asked the Police Chief to issue permits for fire sirens and lights and he would approve them.

Leon Smith of the Water Authority, asked what could be done about tampering with water meters, since the Water Board is limited except to cut off the water supply. Mr. Randolph stated a complaint would have to be made out and if the fine was under $200, it could be handled by the Municipal Court.

Mr. Frank Herendeen from the Electric Shop stated there had been some very bad electrical work done around Lake Dallas and he has found many cases of bad wiring and is afraid someone will get electricuted. Mr. Grammer stated that maybe Mr. Herendeen could inspect some electrical wiring for the City some time in the future.

Mr. Al Bartley from the Lone Star Gas Co. told what other cities were doing in regard to the raise in gas rates. The Council asked questions and discussed the rate increase. Mr. Vinson thought about a 15% increase would be adequate. Mr. McCurley thought it would be a fair percentage and the City needed more gas lines lowered and much more work done in Lake Dallas by the Lone Star Gas Co. to put the gas lines in good condition.

Mr. McCurley suggested a 16% increase instead of the 24.72% requested by the gas company. Mr. Vinson, Grammer and Randolph agreed. Mr. McCurley made a motion to propose a 16% increase in gas rates, seconded by Mr. Vinson and the motion carried. It was agreed that Mr. Bartley would call Mayor McInnish if the 16% rate increase was acceptable.

Mayor McInnish read an ordinance regarding the construction and cutting of pipe and lines in the streets without first obtaining a special permit for the work from the City Secretary. It must be agreed to by the Mayor and no permit will be refundable. Also, a performance bond may be necessary before such work is started. Secretary, Mrs. Edson, was instructed to publish the notice in the paper regarding a public hearing set for January 2, 1970, at 8:00 p. m. in the City Hall.

The Lake Dallas Telephone Co. also asked for a rate increase. It was decided to invite Jerry Jones, Manager of the Lake Dallas Telephone Co., to the next regular Council Meeting to discuss his rate increase.

Mayor McInnish read an agreement drawn up by the Lake Dallas Municipal Utility Authority between themselves and the City of Lake Dallas, regarding their rental of part of the City Hall building and payment of Utilities. Mr. Grammer thought it best to get a temporary agreement from year to year type of contract. Mr. Randolph made a motion to accept the contract revised with a statement regarding building maintenance costs to be shared by both parties with a temporary agreement renewable each year. Also, reword that fines can be collected, instead of all fines collected. The motion was seconded by Mr. McCurley and the motion carried.

Mr. Grammer brought up the subject of junked cars. It was decided to file several complaints at one time and bring the people into Court and get rid of cars that are junk and unlicensed.

Mr. McCurley made a motion to adjourn, seconded by Mr. Grammer and the motion was carried. The meeting adjourned at 11:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council Meeting

A special meeting was called for the Public Hearing regarding an Ordinance proposed for the City of Lake Dallas, regulating the excavation and cutting of public streets and alleys, requiring permits therefor, requiring the restoration, reconstruction and repair thereof, providing for a performance bond, providing a penalty, and declaring an emergency. The meeting was called to order in the City Hall at 8:00 p. m. by Mayor Jack McInnish, with the following Council members present: C. L. Randolph and James McCurley. A quorum was not present, so no business could be transacted at this meeting.

Jerry Jones was present representing the Lake Dallas Telephone Company and he asked if he could get a blanket permit for doing jobs in Lake Dallas instead of getting a permit for every cut that was made in the streets. He was invited to come back on January 8, 1970, at the next regular meeting of the Council.

The meeting adjourned at 9:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

The regular monthly meeting was called to order in the City Hall by Mayor Jack McInnish with the following Council members present: Johnny Vinson, C. L. Randolph, Robert Gregory, Bill Grammer and James McCurley. Secretary, Mrs. Edson, read the minutes of the last meeting and public hearing and the minutes were accepted as read.

Mr. Grammer made a motion to accept the Ordinance regarding the regulating, excavation and cutting of public streets and alleys, requiring permits in the amount of $3.00 therefor, requiring the restoration, reconstruction and repair thereof, providing for a performance bond and providing a penalty. The motion was seconded by Mr. McCurley and carried.

Mrs. Edson was asked by Mr. Grammer to write a letter to the Katy Railroad to repair the crossing at Hundley Drive.

Al Bartley was present and presented a new rate schedule of 19.78% increase in gas rates for the Lone Star Gas Company. The Council had previously offered a 16% increase then came to a tentative agreement on the 19.78% increase in rates. Al Bartley stated he would get a copy of the new rate schedule to Mrs. Edson as soon as possible so that a date could be set for a public hearing and notice of the hearing published in the newspaper for the next regular meeting in February.

Mr. Jerry Jones of the Lake Dallas Telephone Co. presented his proposed rate increase which includes a package deal for DDD (Direct Distance Dialing) and one-party service in the Lake Dallas area. It has been approved in the other three cities in this area. This is an increase from rates in effect since 1956. They did not put the rate increase grated in 1967 into effect because there was a big public demand for one-party lines. Upon completion of the construction, the one-party line will go into effect approximately August 3, 1970, the target date for this work. The new rate schedule is in the neighborhood of a 25% increase.

The telephone company can not offer direct distance dialing service on four-party lines and it must be either a two-party or one-party line. Two-party lines must call the operator and identify themselves before making the call. Mr. Jones stated he would send along a letter concerning people on the four-party lines to be attached to the Ordinance. He stated he would send the Secretary a new Ordinance which would have to be published in the newspaper.

Mr. Vinson asked for the support of the City in the form of a pledge, for the new bank to be started in Lake Dallas. This is not a binding pledge, but something to take to Austin to show the people's support in starting up the bank. Mr. McCurley stated the City could not pledge to put money in that bank until the ordinance was changed. Mayor McInnish stated he would call Bruce Davis to find out about making a pledge to the new bank.

The Council agreed to send Police Chief, George Buchanan, to the Police Academy in Arlington, Texas, five days a week, 8:00 a.m. to 4:30 p. m. from January 26, 1970, to April 3 , 1970. Mr. Randolph made a motion to do without hiring extra help while the Police Chief was in school. The motion was seconded by Mr. Grammer and carried.

Mr. Randolph made a motion to allow the Police Chief to use the Police car and receive $10.00 per week for meals, to be added to his salary. The motion was seconded by Mr. Vinson and carried.

Virgil Greer presented two bills for rock and asphalt for about $2700 and stated the County would pay Dave Tinsley to do any work that the City needed now. Mr. Greer wants to start stock piling the paving rock because there will be a price increase soon. The streets will not take as much rock this time and no oil will be needed.

Mr. Randolph made a motion to get the rock needed for recovering the streets with another coat and then do some more streets with one coat, seconded by Mr. Vinson and the motion was carried.

Mr. Grammer made a motion to pay the $1460.00 for rock and $1320.00 for oil to Mr. Greer, seconded by Mr. Randolph and the motion was carried.

Mayor McInnish stated Jack Luna will start sending out delinquent tax notices next week. If the taxes are not paid in 30 days, he will turn it over to Bruce Davis, Attorney.

The Secretary was advised to send letters to Mr. Bumpass, Route 2, Denton, and to Mrs. Rucker for mowing grass on their property.

Mayor McInnish stated he would get 12 or 15 copies of the new trailer park ordinance made up and a copy would be sent to each park owner.

Mr. Randolph made a motion to adjourm, seconded by Mr. Vinson and the meeting adjourned at 10:30 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

The regular monthly meeting of the City Council was called to order in the City Hall at 7:45 p. m. by Mayor Pro-Tem, C. L. Randolph, with the following members present: Robert Gregory, Bill Grammer, and James McCurley.

Secretary, Mrs. Edson, read the minutes of the last meeting. Mr. Gregory made a motion to accept the minutes as read, seconded by Bill Grammer and the motion carried.

Bill Grammer made a motion that no salary bills for street work be paid until o.k.'d by the Council. Mr. McCurley seconded the motion and it was carried.

Jerry Jones of the Lake Dallas Telephone Company brought in a letter to be attached to the proposed rate schedule to be voted upon at the next regular meeting. A notice of the proposed rate increase was to be printed in the next paper by Mrs. Edson.

Al Bartley was present regarding the Lone Star Gas rate increase pending before the City Council. After discussion, Mr. McCurley made a motion to accept the gas rate increase, seconded by Mr. Grammer and the motion was carried.

Mr. Randolph, Mayor Pro-Tem, called a City Official Election for April 5, 1970. Mrs. Edson had ordered the election kit and absentee ballots and would have the Notice of Election posted.

Mr. Randolph stated the gas lines had been lowered at Hundley and Montserrat Road and the fire plug was ready to be put in. Mr. McCurley made a motion to have the fire plug fixed or put in by the Water Board or by someone else, but have it done. Mr. Grammer seconded the motion and it was carried.

Mr. Roy Bragg offered to work for the City and would put in a culvert for $40.00 and would haul gravel and dirt. He asked $10.00 an hour for tractor and operator. Mr. Grammer suggested getting bids on jobs. Mr. Randolph thought it more economical to have someone to run our tractor and truck.

Mr. Grammer asked about the Odell suit and would like to see it finished up as soon as possible. Mr. Grammer made a motion to see Bruce Davis and get the Odell suit either dropped or brought to trial. Mr. McCurley seconded the motion and it was carried. Mr. Grammer stated he would see Bruce Davis about the matter.

Police Chief, George Buchanan, stated the old 66 Ford Police car is being looked over by Stanly McNeil to see what is wrong with it. The Council agreed to let him check it out.

The Council talked about having a driver's license road block and have the Police Reserve help in the check.

Mr. Grammer stated he would talk to Bruce Davis to see if a time limit could be put on building permits for getting the work done after the permit had been issued.

Mr. Grammer made a motion to adjourn, seconded by Mr. McCurley and the meeting adjourned at 9:45 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas Council Meeting

A special meeting was called to order in the City Hall by Mayor McInnish at 8:00 p. m. with the following Council members present: Johnny Vinson, C. L. Randolph, Bill Grammer and James McCurley.

Bill Grammer stated he had been to see Bruce Davis, Attorney, and was advised that the Odell vs. City of Lake Dallas case would come to trial March 23, 1970 at 9:30 a.m. Bruce Davis also advised the City to get liability insurance for the City. Mayor McInnish stated he would contact Ramey and King again, since he still had not received a reply from them.

The Council discussed the budget, since the figures for street work allowances had almost been reached for the year. Mr. Grammer made a motion to set aside the amount of $6,500.00 for capital improvements from the the estimated surplus there would be in the budget at year end. The motion was seconded by Mr. Vinson and carried.

Mr. Vinson made a motion to open up the road south of the Baptist Church that Winston Harper had barricaded at the west end of the street joining the Service Road to Highway 35E. The motion was seconded by Mr. Grammer and carried unanimously. Secretary, Mrs. Edson, was asked to write a letter to Mr. Harper asking him to remove the barricade so the street could be graded and used for public purposes.

The Council discussed annexing property north of the City. Mr. Randolph made a motion that the Mayor have the papers drawn up for annexation. The motion was seconded by Mr. McCurley and unanimously carried.

Mr. Grammer made a motion to adjourn, seconded by Mr. McCurley and the meeting closed at 9:15 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Lake Dallas City Council
Meeting

A regular Council Meeting was called to order in the City Hall by Mayor Jack McInnish with the following members of the Council present: Johnny Vinson, James McCurley, C. L. Randolph, and Bill Grammer.

Secretary, Mrs. Edson, read the minutes of the last regular meeting and a special meeting held February 24, 1970. Mr. Grammer made a motion to accept the minutes as read, seconded by Mr. Randolph and the motion was carried.

Mayor McInnish read a report from the Zoning Commission concerning Mr. T. E. Mayberry's request for a Special Use Permit for a mobile home park, which was denied March 4, 1970 by the Commission. After discussion, it was decided to have the Council vote on Mr. Mayberry's request for the Special Use Permit by ballot. The ballots cast were 3 No and 1 Yes. The request was denied by the Council.

Jerry Jones of the Lake Dallas Telephone Company was present in behalf of his company and discussed their requested rate increase. Mr. Grammer made a motion that the Ordinance be rewritten and include exactly when the rates will go into effect and the Ordinance will go into effect upon completion of construction work and the Ordinance should specify what the improved facilities will be. Mr. McCurley seconded the motion and it was carried.

Mr. Vinson introduced Mr. Johnnie W. Jones to the Council. Mr. Jones stated he would work for $3.00 an hour, driving our equipment and would patch holes in the streets as needed. The Council was agreeable that Mr. Jones would work as needed on the street maintainance.

The street barricade was still standing in front of Winston Harper's property joining 35E Service Road after he had been asked by letter to remove the barricade. The Council decided to have the barricade removed by the City equipment.

The Council talked of fixing different streets and making a concrete Valley in the street in the Beck Addition to drain off the water. Mr. Vinson made a motion to buy material and do whatever is necessary to drain the street properly, not to exceed $200.00. The motion was seconded by Mr. McCurley and carried.

Mr. Randolph made a motion to write to Mr. Bumpas to drain his lot, and if he has no way to do it, the City will do it and bill him for the work done. Mr. Grammer seconded the motion and it was carried. Mrs. Edson was asked to write the letter.

Mr. McCurley stated that Hundley Drive, Myers Street and R. J. Howard's newly dedicated street would need most of the repair to be done next.

The Council agreed to buy supplies for repairing holes in the streets, such as brooms, and mops and tar. Mr. Vinson would get the materials. It was decided to clean out the holes, patch the holes and clean the ditches with the tractor and haul off the dirt.

Mr. Randolph spoke of fixing the corner at Hundley and Lakeview Drive and putting tile in front of Stowe's house and lot with 15" tile. The Council agreed to fix this corner and have Mr. Johnny Jones work with the maintainer man.

Mr. McCurley made a motion that Johnny Vinson be Supervisor of Labor on street maintainance and if an emergency comes up, have a called meeting on the matter. The motion was seconded by Mr. Grammer and unanimously carried.

The Council agreed to pay Mr. Jones for the work he did previously.

Jack Luna spoke in regard to getting a permit to do work on the streets 24 hours a day by the Water Authority. A job had been stopped and the work is still unfinished, since Mr. Ely, the Contractor did not have a performance bond.

Mr. Vinson made a motion to fix a certain hole that Leon Smith requested to be fixed, even though Mr. Sublett still did not have his performance bond from the insurance company. The motion was seconded by Mr. Randolph and carried.

Leon Smith stated the City needs an Ordinance to prohibit any utility from tying on to any lead lines until it has passed City inspection. He also stated the Municipal Utility Authority could expand with the City when more land is annexed, since their facilities are large enough to take in more houses and the land in the annexed property. Mr. Smith stated the Gibson Addition could expect to get utilities in about 6 months after annexation.

Mr. Vinson made a motion to pay Stanley McNeil for fixing the 66 Police car, seconded by Mr. McCurley and carried.

The City had been advised by Bruce Davis that 9.99 acres of land could be annexed. It was tenatively agreed upon to take in the Gibson Addition, Mr. Roper's property and whatever else to make the allotted amount to be annexed.

Mayor McInnish stated the new Texas Tort Law, beginning January 1970, requires a minimum coverage on employees and vehicles of $100,000 to $300,000 and he would check further into the cost of this insurance from different companies.

Mr. McCurley spoke of buying the fire truck for the Volunteer Fire Department. The Fire Department would pay for the fire truck, a total of about $14,000. The Council was in agreement, providing Bruce Davis gives the approval on the matter.

Mr. Vinson made a motion to buy two decals or warning signs for the two tractors, seconded by Mr. Grammer and the motion was carried.

Police Chief Buchanan spoke of part time Police help for the summer. Mr. Randolph suggested holding up on the matter until the next regular meeting.

Mr. McCurley requested that the minutes of the meetings be typed up and sent to the Councilmen after each meeting. He made the motion that they be typed and a copy mailed to the Councilmen, seconded by Mr. Vinson and the motion was carried.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES
Special Lake Dallas City Council Meeting

April 6, 1970

A special meeting was called to order in the City Hall at 7:30 p. m. by Mayor Jack McInnish, with the following Council members present: Johnny Vinson, C. L. Randolph, Robert Gregory, Bill Grammer and James McCurley. The special meeting was called to canvass the City Official Election votes cast on April 4, 1970, and to administer the Oath of Office to the newly elected Mayor and two Councilmen.

Johnny Vinson made a motion to accept the ballots as counted by the Election Judge, Mr. J. W. Henderson, and the Election Clerks. The motion was seconded by Bill Grammer and unanimously carried. There were 396 valid votes cast and each candidate received the following votes:

For Mayor

W. L. "Slat" Beene	205
William T. Coulter	120
Jack McInnish	67
Q. F. Kelly	2

For Alderman

Johnny Vinson	219
Fred Carlisle	151
Roy V. Harper	147
William F. Robbins	129
James McCurley	102
Roy Crawford	2
Ken Vanderhoof	1
Howard Davis	1

Secretary, Mrs. Edson, administered the Oath of Office to W. L. Beene, Mayor, Fred Carlisle and Johnny Vinson, the new Councilmen.

Jack McInnish turned the meeting over to the new Mayor, W. L. "Slat" Beene, who asked for nominations for Mayor Pro-Tem. Mr. Randolph nominated Fred Carlisle. Mr. Gregory nominated Johnny Vinson, and nominations were closed. Two votes were cast for each of the nominees. Alderman Grammer and Randolph voted for Fred Carlisle and Aldermen Carlisle and Gregory voted for Johnny Vinson. Johnny Vinson declined to vote. Since there was a tie, the Mayor cast a tie-breaking vote in favor of Johnny Vinson, who was then elected Mayor Pro-Tem for the next term of office.

Mayor Beene suggested the City should have a full time Secretary on duty all day in the City Hall. The Council discussed the pros and cons of the matter. The Mayor suggested taking applications for a full time City Secretary. Mr. Grammer suggested someone come in and take minutes and see how they come out. Mr. Randolph suggested making a list of the qualifications needed for City Secretary for use in determining the qualifications of applicants for the position. Mayor Beene asked for a motion to consider a full time Secretary. No motion was made, but the matter was put off until the next regular meeting on Thursday, April 9, 1970.

Mayor Beene asked for an audit to be made by the City Secretary of the City's finances so far this fiscal year. Mrs. Edson stated she would have a financial report ready by the next Thursday meeting.

Mr. Vinson said the tractor was leaking oil down on the clutch and it needs to be sent to Massey-Furguson to be fixed. Mr. Vinson asked if it was permissable to go ahead and have the machinery fixed instead of waiting for the Council's approval. Mr. Randolph made a motion to send the tractor to be repaired and put the new tires on it. Fred Carlisle seconded the motion and it was carried.

Mr. Grammer suggested getting work orders before having anything fixed. Mr. Randolph suggested getting bids on any large purchase over $100.00. It was also suggested having the City tax number printed on the purchase order so that State and City sales tax will not be charged, since the City is Tax Exempt.

Mr. Vinson made a motion that the Mayor have printed and pick up purchase orders and work orders. The motion was seconded by Mr. Randolph and unanimously carried.

Johnny Vinson asked Mayor Beene if he wanted to discuss employment of a Municipal Court Judge. Mr. Grammer suggested there might be some legal restriction on the employment of a Judge. Mayor Beene stated he would be at Municipal Court tomorrow to act in the capacity of Municipal Court Judge.

Police Chief Buchanan reported that the airconditioner went out on the police car and needed repair. No action was taken.

Former Mayor McInnish advised that he had authorized Ramey and King Insurance Co. to issue a policy in compliance with the State Tort Claims Act, with $100,000. to $300,000. coverage bodily injury liability and $50,000 property damage. Three bids had been received. The premium of approximately $790 with Ramey & King was the lowest bid received.

Mr. Grammer made a motion to adjourn, seconded by Mr. Randolph and the meeting adjourned at 8:50 p. m.

Respectfully submitted,

Georgeanna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES April 9, 1970
City Council Meeting

The regular Council meeting was called to order in the City Hall at 7:30 p. m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, C. L. Randolph, Fred Carlisle, Robert Gregory, and Bill Grammer.

Secretary, Mrs. Edson read the minutes of the last regular and a special meeting. Mr. Randolph made a motion that the minutes be accepted as read, seconded by Fred Carlisle and the motion was unanimously carried.

Mrs. Edson read the revised rate schedule for the Lake Dallas Telephone Company. Mr. Grammer made a motion to accept the Rate Schedule as Ordinance No. 21-B, seconded by Mr. Randolph and the motion was carried. The Ordinance was signed and sealed and copies given to Jerry Jones, Manager of the Lake Dallas Telephone Company.

Mayor Beene had Buck Mays speak to the Council concerning insurance coverage for the Police Chief. Mr. Mays discussed disability and sickness coverage and also a life insurance policy. Mr. Mays stated he would bring in some more figures before a definite amount would be settled upon.

Mayor Beene brought in a proposed ordinance for Office of Recorder. The Council discussed and decided to withhold the ordinance for future reference until a man could be secured with the proper qualifications.

Mayor Beene had a letter from Jack Luna, Tax Assessor and Collector, regarding what he would do as City Secretary for $250.00 per month. Mr. Gregory read his proposal to the Council. Mr. Beene suggested to try him along that basis. Mr. Gregory expressed the opinion that more than one proposal was needed. Mr. Vinson made a motion to accept Jack Luna for Secretary. The motion was not seconded and was dropped.

Cancelled 3-13-70

Mr. Gregory made a motion to get letters from various people to serve as applications for the job. The motion was seconded by Mr. Vinson and unanimously carried. Mr. Grammer suggested looking into the matter better and Mayor Beene stated he was not averse to any suggestions.

Mayor Beene asked for a motion regarding the Secretary position. Mr. Randolph made a motion to continue the Secretary position as in the past until something definite was decided upon. The motion was seconded by Mr. Grammer and the motion was carried.

Mayor Beene asked Secretary, Mrs. Edson, to remain on the Secretary job until the next regular Council meeting. Mr. Randolph made a motion to amend previous discussion on the Secretary position to extend to the next regular meeting night, seconded by Mr. Vinson and the motion was carried.

Chief Buchanan stated the airconditioner on the Police Car needed fixing. The compressor had frozen and this would mean a complete revuilt compressor at approximately $150.00, with a 90-day guarantee. The Chief was asked to get another price on it before fixing it.

The Council discussed having Mr. ~~Jones~~ Homer Johnson clean the City Hall and wash the front windows. Johnny Vinson stated he would contact Mr. Jones about doing occasional cleaning in the City Hall.

Mayor Beene asked Mrs. Edson to take signature cards to the Lewisville State Bank for their file on check signatures; two signatures being necessary on each check. Mrs. Edson stated she would take care of it.

Johnny Vinson stated he needed more culverts in fixing the streets. He also spoke of fixing the tractor clutch and putting tires on the tractor and stated this work was being done.

Mr. Grammer made a motion to purchase a load of tile and another load, if necessary, seconded by Mr. Randolph and the motion was carried.

Mr. Grammer made a motion that Mayor Beene and Johnny Vinson write up the Purchase Orders, not to exceed $150.00 each, seconded by Johnny Vinson and the motion was carried.

The Council discussed annexation of land north of the City Limits and Johnny Vinson said we could take in some property now and after 30 days take in some more. A 147-space trailer park was also discussed. Mr. Grammer stated he would get the names of two San Antonio Attorneys for a minor child, concerning annexation of their property. Mr. Grammer suggested contacting property owners. Mr. Grammer made a motion to get the annexation underway, seconded by Mr. Gregory and the motion was carried.

Mr. Grammer made a motion to adjourn, seconded by Mr. Gregory and the motion carried. The meeting adjourned at 10:45 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES April 29, 1970
Lake Dallas City Council
Special Meeting

A special meeting was called to order by Mayor Beene at 7:30 p. m. in the City Hall, with the following Councilmen present: Johnny Vinson, C. L. Randolph, Fred Carlisle, and Bill Grammer.

Mayor Beene asked to dispense with the reading of the minutes, since this was a special called meeting. He asked Secretary, Mrs. Edson, to call Ramey and King Insurance Company and check on the City's coverage by insurance under the new Texas Tort Law and see if the insurance binder was still in effect. Mrs. Edson said she would call and check on it.

Johnny Vinson asked the Council if James and Leonard Shelton could work on the streets on Saturday and Sunday for about the next two weekends and also Johnny Jones. Mr. Grammer made a motion to go ahead and do the work; the motion seconded by Mr. Randolph and the motion was carried.

Mr. Grammer made a motion to pay bills on the street cleanup of trees from the last windstorm. The motion was seconded by Mr. Randolph and the motion was carried. Mrs. Edson paid salaries for J. W. Jones and Vernon H. Spring, his helper, and James Shelton, maintainer operator tonight.

The Council discussed budget revision, since more money was needed for street fixing. Johnny Vinson planned on fixing Myers Street first and then fix Hundley Drive again. They agreed to pay for the material as it was bought and try not to make a loan for the money at this time.

Mr. Randolph made a motion to pay E. L. Boynton of Lewisville for gravel in the amount of $3,123.42. The motion was seconded by Fred Carlisle and the motion carried.

Mrs. Edson presented the bills for the month of April and the Council looked them over. Mr. Grammer made a motion to pay bills in the amount of approximately $4500.00, seconded by Johnny Vinson and the motion was carried.

Mr. Randolph made a motion to buy a mower to mow grass and weeds along City streets and set a charge of $5.00 minimum for mowing an ordinary size lot, or any lot, and the City will mow lots and send the property owners a bill. The motion was seconded by Mr. Carlisle and unanimously carried.

Mayor Beene stated is was time to reappoint members to the Zoning Board and that terms of office for Roy Harper, Steve Ashford, and Mrs. Frances Grammer had run out. Mayor Beene recommended J. B. Briggs to be approved by the Council to take Frances Grammer's place on the Zoning Board. Mr. Grammer was of the opinion that a person was needed with the ability to take down shorthand and compose legal minutes of the meetings and be able to carry on correspondence for the Zoning Board. He also stated all of the old members would serve again on the Zoning Board except Roy Harper, Mr. Grammer did not contact Mr. Harper.
Mr. Randolph nominated Mr. J. B. Briggs to replace Roy Harper on the Zoning Board. There was some discussion about who was to be replaced. Mr. Grammer stated that the Mayor could recommend or appoint people to the Zoning Board as he wished, but any appointment was subject to confirmation by the City Council.

Mayor Beene commented that if he didn't have any authority, there was no point of his coming to the Council meetings and he stated that he was not going to get down on his knees to Bill Grammer and do what Mr. Grammer wanted. Mr. Grammer stated that the Mayor should have an Agenda prepared for the meetings and the Council would then discuss it and vote on it. Mr. Randolph stated that maybe Mayor Beene didn't understand and that, in any event, they should settle their differences like adults. Mayor Beene invited "Old Man" Randolph outside to settle the matter. Mr. Grammer asked that this discussion be included in the minutes of the meeting. Mayor Beene objected. Mr. Grammer made a motion that this discussion be recorded in the minutes and the motion was seconded by Mr. Randolph. Mr. Grammer and Mr. Randolph voted for the motion, Mr. Vinson opposed it, and Fred Carlisle abstained from voting. The motion was carried.

Mr. Vinson stated he would like to replace all three members of the Zoning Board. Mr. Grammer said he would like to see James McCurley on the Board. Mayor Beene suggested Helen "Scotty" Stein, who could possibly take shorthand and minutes, and J. B. Briggs. Steve Ashford was also available for the post. Johnny Vinson made a motion to vote on three new members, J. B. Briggs, James McCurley and Helen Stein for Secretary, and in case one won't take the job, Steve Ashford will be put back on the Board. The motion was seconded by Fred Carlisle and unanimously carried.

Mr. Vinson made a motion that Fred Carlisle be appointed to the Zoning Board to represent the City Council. The motion was seconded by Mr. Grammer and unanimously carried.

Mr. Vinson told of how the Little League wants to fix up a couple of ball parks, one on Government land and one north of Lakeview Marina with lighted fields, for about 90 boys who want to start in the Little League. Mr. Vinson stated he wants an o.k. from the Council to use the maintainer in making the ball parks. Mr. Carlisle made a motion to authorize the use of the maintainer with a City operator at our operator's convenience, to do the work. The motion was seconded by Mr. Vinson and unanimously carried.

Mrs. Edson suggested paying off time warrant #2 on the City Hall, plus interest, since the funds were now available in the Special Time Warrant Fund. Mr. Grammer made a motion to pay Time Warrant #2 and interest ahead of time and save interest to December 16, 1970. Mr. Carlisle seconded the motion and it was carried.

The meeting adjourned at 10:15 p. m.

Respectfully submitted,

Georgianna Edson

Georgianna Edson
City Secretary

APPROVED:

_____

_____

MINUTES June 11, 1970
City Council Meeting

The regular Council meeting was called to order in the City Hall at 7:45 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, C. L. Randolph, Fred Carlisle, Robert Gregory, and Bill Grammer.

Reading of the minutes of the previous meeting was dispensed.

A motion was made, seconded and carried to hire Miss MacManus on a permanent basis. Also a motion was made, seconded and carried that Miss MacManus be allowed time off of approximately two weeks. During this time Mr. Jack Luna would continue in his capacity as Tax Assessor-Collector, and would be paid through the month of June.

Mayor Beene presented the contract for continuation of trash pick-up by Mr. Jack Ezell, along with a franchise check in the amount of $100.00. Mr. Gregory made a motion that they accept the Lake Dallas Garbage Disposal Service at this time subject to the terms and conditions of the contract. The motion was seconded and carried.

Discussion was held concerning collection for installing culverts. No decision for method of collection was made.

George Buchanan made the suggestion that a powder could be purchased to put on the streets to keep them from bleeding. Mayor Beene mentioned that there was a lot of high-price rock laying on the side, if they had some kind of broom to sweep it back up. Mr. Grammer said that they had one last year. Mr. Vinson stated that they had used the County's broom but that the motor had burned out on it and suggested that perhaps they could pick up a used one.

Mayor Beene asked Mr. Jack Luna whether he had mailed out the delinquent tax notices the other day. Mr. Luna stated that the delinquent notices were mailed out in April for April and May.

The council went over the financial report. It was determined that the insurance for the city be pro-rated on a quarterly basis, and Miss MacManus was instructed to make arrangements accordingly. Further perusement of financial report resulted in determining which account are to be paid at this time.

Mr. Grammer made the motion that Miss MacManus' hours be changed to 9:00 - 5:00 with an hour for lunch, 5 days per week, plus court nights and City Council meetings, for the salary of $350.00 per month. Motion wasseconded by Mr. Randolph and the motion was carried.

Miss MacManus was instructed to write a letter to Sheriff Wylie Barnes requesting a deputy to live in the Lake Dallas area to patrol the area, particularly the park areas; said letter to have signatures of each Council member.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,
Billye Dee MacManus
Billye Dee MacManus
City Secretary

MINUTES July 9, 1970
City Council Meeting

The regular City Council meeting was not held on this date. The meeting was scheduled for 7:30 p.m. Those present were: Mayor W. L. Beene, Johnny Vinson, and Mr. R. E. Gregory. Councilmen Bill Grammer, C. L. Randolph, and Fred Carlisle did not appear, as they allegedly have decided to "boycott" the City Council meetings. Those in attendance did not constitute a quorum; so the meeting was called off at 8:15 p.m., after waiting 45 minutes for the absent members.

Billye Dee MacManus

Billye Dee MacManus
City Secretary

Special Meeting
August 4, 1970

MINUTES
City Council Meeting

The special meeting of the City Council was called to order in the City Hall at 8:05 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, C. L. Randolph, Fred C rlisle, and Bill Grammer.

Reading of the minutes of the previous meeting was dispensed.

Trailer Ordinances were discussed with James McCurly and Marcus Rucker included in the discussion. A motion was made by C. L. Randolph that James McCurly and Marcus Rucker be given until next meeting night to prepare new ordinances for trailers. The motion was seconded by Fred Carlisle and the motion was carried. Mr. McCurly and Mr. Rucker will present the new ordinance at the next regular meeting.

Mr. Bural and Mrs. Girdley were present to present a petition for annexation to the City of Lake Dallas for the Modular Mobile Home Community (Lake Haven). The petition is by Wilson Brown and Robert Girdley. A copy of the petition will be taken to Hickory Creek, as the 17.8356 acres involved are in overlapping extraterritorial jurisdiction of the City of Lake Dallas and Hickory Creek. Mr. Randolph suggested that they hire inspectors for utilities. Johnny Vinson made a motion that perpetition we take this into the city now and then go ahead with plans and accept the petition as written. Fred Carlisle seconded the motion. Mr. Randolph and Mr. Grammer abstained from voting. Motion was passed. Petition was signed by Mayor Beene, Johnny Vinson, Fred Carlisle, and Billye Dee MacManus.

The street program was discussed. Hundley Street and Meyers Street needed completion. Mr. Grammer made a motion to put in culverts on Hundley Driveand get the property owners to sign an agreement before installation. Motion was seconded by Fred Carlisle and passed. Comm. Virgil Greer will be contacted about gravel.

Mr. Randolph made a motion to adjourn. Bill Grammer seconded the motion and motion was carried.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,
Billye Dee MacManus
Billye Dee MacManus
City Secretary

Special Meeting
August 17, 1970

MINUTES
City Council Meeting

The special meeting of the City Council was called to order in the City Hall at 8:05 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert E. Gregory, and Bill Grammer.

Councilman Randolph's letter of resignation from the city council was discussed. Johnny Vinson made a motion to accept the resignation. The motion was seconded by Mr. Gregory and the motion was carried. Mayor Beene suggested Roy Harper as a replacement to finish Mr. Randolph's term as councilman. Discussion was held on this. Mr. Grammer suggested Steve Ashford as the replacement. Johnny Vinson made a motion to appoint Mr. Harper to fill Mr. Randolph's unexpired term. The motion was not seconded. Mr. Grammer made a motion that the nomination be postponed until the next regular council meeting. Mr. Gregory seconded the motion. Mr. Vinson abstained from voting.

The need for a police mobile phone unit was discussed. The cost per month would be $40.00 full mobile rate. Mr. Gregory made a motion to get the mobile unit. Motion was seconded by Johnny Vinson. Motion carried.

A petition (with 20 signatures) to open Adolphus and Stockard streets was presented to the council. Mrs. Kelly states that the time element closes these streets permanently. Mr. Kelly stated that Gerald Stockard drew up the deed when purchased and said that the streets could not be opened. Mayor Beene said that these are dedicated streets and that the burden of proof that they are not is on Mr. Kelly. Mr. Kelly has a guaranteed title. The matter was postponed until the next regular council meeting scheduled for September 10, 1970, at which time Mr. Kelly will bring his title to the property.

A petition from Mr. Moorehead for annexation to the City of Lake Dallas on his property 1300' x 1072', leaving 190' for commercial zoning was presented. Mr. Roger Roper said that he would sign the petition also if the ordinances for property maintenance would be effective. He also stated that he wanted the remainder of his property and the trailer park (modular mobile home community) taken in. Mr. Roper signed the petition to be annexed into the City of Lake Dallas.

Jerry Jones stated that he will bring a petition to be annexed to the City of Lake Dallas if the city will give him water and sewage.

Bill Grammer made a motion to accept the petition presented by the parties in the extra territorial jurisdiction by a plat of the metes and bounds. Johnny Vinson seconded the motion. Motion carried. (This would include approximately 108 acres.) Mayor Beene was instructed to go ahead with advertising and any other procedures necessary to complete this.

Johnny Vinson made a motion to annex all the property to Shady Shores and Corinth City Limits to 515' elevation of government lake and along government shoreline South to a line parallel to existing city limits and back to the north boundary line back to existing city limits. Bill Grammer seconded the motion and the motion was carried.

Discussion of current bills and the budget analysis was held. A raise for the Police Chief, George Buchanan, was discussed. Mr. Roger Roper offered to pay $50.00 per month of Mr. Buchanan's salary toward a raise for him. Police Chief Buchanan stated that Lewisville is giving $100 per month raise to their police officers. It was decided that the raise would be considered when the budget for the next fiscal year is drawn up. (Mr. Roper's offer cannot be accepted.)

Mr. Gregory made a motion that the mayor and secretary get together and pay $2,000.00 of the urgent bills. Bill Grammer seconded the motion. Motion carried.

Bill Grammer made a motion that the meeting be adjourned. Mr. Gregory seconded the motion. Motion carried.

The meeting was adjourned at 9:47 p.m.

Respectfully submitted,

B. D. MacManus

B. D. MacManus
City Secretary

Special Meeting
August 25, 1970

MINUTES
City Council Meeting

The special meeting of the City Council was called to order in the City Hall at 7:35 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert E. Gregory, Bill Grammer, and Fred Carlisle.

The secretary read the minutes of the last special called meeting. Minutes stand as read.

Discussion was held regarding Adolphus and Stockard Streets. Checking with the Courthouse records, it was found that they are dedicated streets.

Discussion was held regarding annexation of Burrell St. Mr. Beene should get a petition to annex same.

Mr. Vinson said that they are getting the streets done and telephone poles moved. Johnie Jones and Sommers are working at this. A grader man is getting $24.00 per day. Mr. Vinson agreed that the city would pay half of this amount.

Mr. Gregory suggested that we wait to borrow money to pay for streets until after the first of the fiscal year (which is September 30, 1970).

Mayor Beene would like to get "okay" to go ahead filing, etc. of new petition to get in Burrell Street without having another meeting.

Mr. Grammer made a motion to adjourn Mr. Vinson and Mr. Carlisle seconded the motion.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,
Billye Dee MacManus
Billye Dee MacManus
City Secretary

MINUTES
City Council Meeting

September 10, 1970

The regular Council meeting was called to order in the City Hall at 8:00 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert Gregory, Fred Carlisle and Bill Grammer.

City Councilman's job to replace Mr. Randolph was opened for nominations. Mr. Gregory nominated Howard Davis. Johnny Vinson seconded the nomination. Mr. Grammer nominated Roy Harper. Mr. Carlisle asked the discussion be held concerning replacement. He felt that since there was only a 6 months period left to be filled that they need not replace Mr. Randolph. However, a vote was held, and there were three votes for Howard Davis. Mr. Grammer abstained from voting. Mayor Beene swore him in.

Bill Grammer made the motion that the City of Lake Dallas sign the note on the new fire truck, which is to be paid by the Fire department. (This is a one year note of $14,200 principal at 6% interest the first year - $852.00; 10% after the first year) Johnny Vinson seconded the motion. Motion carried.

9-22-70 ALSO STREET LIGHT ON CORNER OF DONALD AND SUMMERS.

A petition was presented to the Council for street lights on Hundley drive. Discussion was held on same. Johnny Vinson made a motion that three lights, or two if necessary, be put in and that Johnie Jones check to see where they should be installed. Fred Carlisle seconded the motion. Motion carried.

Mr. Phil Phillips, attorney at law, was present to represent Mrs. Stowe and the Kelly's with regards to the opening of Adolphus and Stockard streets. He read a portion of Article 6703a of Vernon's Civil Statutes, vol. 19A. He brought a copy of Garza Beach Estates sub-division from 1932, which is to be returned to Mrs. Stowe. Mayor Beene said that we will have our City Attorney look into the matter.

Mike Sparks came before the Council to ask permission to put up a fence around his property, Blk. 17, Lots 1 and 2. After discussion, it was found that his survey is not certified; so he was advised to talk to Milliken.

The 1970-71 Budget was discussed. Fred Carlisle, Chief of the Fire Department, is to survey to find how many street signs the city would require if signs are to be put up. The following changes were made from the tentative budget: Judge and Other - from $2,600.00 to $2,100.00; Sinking Fund addition was made in the amount required of $1,500.00; Policeman's salary was approved at $7,200.00 with an additional $4,800.00 added to hire an additional policeman; Extra Help on police force was then taken off; $250.00 was set up for membership to the Training School; A new squad car is needed, so the balance of the note due (922.50) plus 12 monthly payments on a new car ($1,200.00) was entered in place of the old balance alone; Interest was then changed to correspond with a new note. A Special Meeting for public hearing of the Budget was set for September 22, 1970, at 7:30 p.m., following Municipal Court.

Bill Grammer made a motion to adjourn. Everybody seconded the motion.

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
1970-71 Budget
September 22, 1970

MINUTES
City Council Meeting

A special Council meeting was called to order in the City Hall at 7:50 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Fred Carlisle, Howard Davis, and Bill Grammer.

The secretary read the minutes of the last meeting. An addition to the minutes regarding the street lights was added. Minutes were approved.

Discussion was held regarding the 1970-71 fiscal year budget. Mr. Grammer suggested that the salaries be changed to the following: Secretary - $5,100.00; Police - cut to one policeman at $7,200.00; Street Department - $3,500.00. He suggested that not enough was budgeted for streets.

Howard Davis suggested that the conservative revenue figure be changed to a higher figure rather than cutting proposed budget.

Mr. Vinson made a motion to accept the budget as proposed. Howard Davis seconded the motion. Bill Grammer and Fred Carlisle voted against acceptance. Mayor Beene broke the tie vote by voting in favor of accepting. Proposed budget for the fiscal year 1970-71 accepted.

Johnny Vinson made a motion that the meeting be adjourned. Fred Carlisle seconded the motion. Motion carried. The meeting adjourned at 8:37 p.m.

Respectfully submitted
Billye Dee MacManus
Billye Dee MacManus
City Secretary

MINUTES October 8, 1970
City Council Meeting

The regular meeting was called to order in the City Hall at 8:22 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Howard Davis, and Fred Carlisle.

Mayor Beene said that he wanted Attorney Jerry Cobb (Lewisville) to file an answer to the citation served October 1, 1970. We have 20 days plus the following Monday to answer, which is the 26th of October. Johnny Vinson said that choice of the attorney to file should be left up to the Mayor. Howard Davis made a motion to obtain an attorney of the Mayor's choice to answer the citation filed by City of Corinth. Johnny Vinson seconded the motion; motion carried.

Johnny Vinson suggested that the Mayors of Lake Dallas, Corinth, Shady Shores and Hickory Creek get together by themselves to see about working it out without going to Court. (re: annexations)

Johnny Vinsons stated that he needs and "OK" on two more street lights which Johnnie Jones recommends in Lake Dallas. Johnny Vinson made a motion to put up two more street lights (a total of 5). Fred Carlisle seconded the motion; motion carried.

Fred Carlisle gave a report on how many street signs the City would require if streets were to be marked. He stated that he would get prices from the catalog for street signs and posts and inform the Council of same. Fred Carlisle suggested numbering the houses in Lake Dallas. He made a motion to follow through on house numbering. Howard Davis seconded the motion; motion carried. He is not to buy the street signs and numbers until approved by Council.

It was mentioned that Texas Water Quality Board would be holding a meeting regarding the sewer plant in Shady Shores. There will be a meeting the 13th of October in Arlington regarding same. Mayor Beene will attend if possible.

Helen Steen came before the Council to state that Jess Matthews is raising poinsonous snakes at his residence. Ordinance 4 - Nuisance - covers this. George Buchanan, Police Chief, is to tell the boy to get rid of them.

Howard Davis suggested that secretary make up an agenda of council meetings and mail to the councilmen before meetings.

Fred Carlisle stated that in the minutes of September 27, 1970, he wanted it understood that he was not opposed to all of the budget, only parts of it.

Mayor Beene suggested that the Zoning Application fee might be too high. Johnny Vinson stated that he thought it was not too high. Discussion was held and it was decided not to change the fee.

Fred Carlisle made a motion that bills be paid for the last fiscal year. Johnny Vinson seconded the motion; motion carried.

Johnny Vinson made a motion that the City of Lake Dallas get a new city attorney to the satisfaction of the Mayor. Fred Carlisle seconded the motion; motion carried.

Johnny Vinson made a motion to fix the road by the railroad from Hundley street to Main street (in front of the Methodist Church). Fred Carlisle seconded the motion; motion carried.

Howard Davis made a motion to approve the request of Lake Haven Estates (modular mobile home community) to accept formerly being within the City Limits of Lake Dallas as of September 23, 1970, waiving the prior petition of 180 days. Fred Carlisle seconded the motion; motion carried.

Fred Carlisle made a motion that the meeting be adjourned. Howard Davis seconded the motion; motion carried.

The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Billye D. MacManus
City Secretary

MINUTES November 12, 1970
City Council Meeting

The regular meeting was called to order in the City Hall at 7:46 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Howard Davis, Robert Gregory, Bill Grammer and Fred Carlisle.

The Audit Report was read by the secretary, and the auditor's bill of $400.00 was presented to the Council. Robert Gregory made a motion that the bill be paid. Johnny Vinson seconded the motion; motion was carried unanimously.

The need for new Trailer Ordinances was discussed.

Discussion was held regarding the re-zoning of Frank Herendeen's property from R-1 to C-2. A description of C-2 zoning was read. Johnny Vinson made a motion to accept the change in zoning. Howard Davis seconded the motion. Bill Grammer voted against the change; and Fred Carlisle and Robert Gregory abstained. It was suggested that Mayor Beene call an attorney to find out how many votes are required for re-zoning. There was further discussion regarding the change in order that Mr. Herendeen might keep his business at his residence. Mr. Gregory suggested that a Special Use Permit be issued. Bill Grammer made a motion that a Special Use Permit be given to install, maintain electrical supply and repair shop at Mr. Herendeen's residence. Howard Davis seconded the motion; motion carried unanimously.

Mr. Carlisle presented an estimate of the cost to install street signs in the City of Lake Dallas.

Discussion was held regarding the annexation of Kingswood, Inc. Trailer Park as a commercial or trailer park. It was discussed annexing a larger area. Mayor Beene asked permission to act on it when they submit the metes and bounds. Howard Davis made a motion that this be considered the first reading on the petition to take into the City of Lake Dallas. If all agree it will be put in the newspaper and a second reading with the metes and bounds of any other property adjacent to it to be annexed at the same time. Bill Grammer seconded the motion; motion carried. Mayor Beene is to proceed with the necessary steps and a second reading will be heard at a Special Meeting with no three day notice required, when the metes and bounds are presented.

Numbering of streets was discussed. The City Square will be the dividing of numbering. Fred Carlisle is to work out the cost and requirements for the street signs.

Johnny Vinsons made a motion to adjourn. Bill Grammer seconded the motion; motion carried. The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES December 10, 1970
City Council Meeting

The regular meeting was called to order in the City Hall at 7:40 p.m. by Mayor W. L. Benne, with the following Councilmen present: Johnny Vinson, Robert E. Gregory, Howard Davis and Fred Carlisle.

Minutes of the last meeting were read and approved.

Mayor Beene stated that the Father at the Jesuit Retreat House said that he would be delighted to get into the City Limits. It was decided that they should be petitioned in.

The Folly Beach petition for annexation was discussed.

Johnny Vinson made a motion to accept the petition of Kingswood, Inc. for annexation into the City Limits. Fred Carlisle seconded the motion; motion carried unanimously.

Johnny Vinson made a motion to accept the Jesuit Retreat Property and the Government property parks adjacent to the North and East, with the approval of the Corps of Engineers, to be annexed into the City. Howard Davis seconded the motion; motion carried unanimously.

Discussion was held regarding leasing government property parks on 20 year lease, including Hundley and Lakeview Boat Works.

Collision insurance was discussed for the new fire truck. Secretary to get cost of premium from Ramey and King Insurance.

The bill from the Denton County for Denton City-County Halth Department budget was discussed. Johnny Vinson made a motion to pay the bill. Howard Davis seconded the motion; motion carried unanimously.

Johnny Vinson made a motion to pay the current bills. Fred Carlisle seconded the motion; motion carried.

Fred Carlisle gave a report on the cost of street signs. Fred Carlisle made a motion to send a letter and plat of the City of Lake Dallas to Sa-So for an estimate from them on the cost of street signs at their 25% discount if ordered before January 31, 1971. Johnny Vinson seconded the motion. Motion carried unanimously.

Johnny Vinson made a motion to adjourn. Howard Davis seconded the motion; motion carried.

The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES
City Council Meeting

January 14, 1971

The regular meeting was called to order in the City Hall at 7:30 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Fred Carlisle and Bill Grammer.

Minutes from the last meeting were read and approved.

Mildred Rountreestated that the people were here from the Rags Thompson survey to see about getting the streets paved. She had ruined two tires on the roads. Requested a hard surface road this summer. Johnny Vinson stated that drains have to be put in first.

Sal Cacciatore appeared to request a lease of the dead-end portion of Gotcher Road adjoining his cafe property. This was discussed and Bill Grammer made a motion to grant a lease or possibly sell to Sal Cacciatore, providing that the attorney for the city approves it. Johnny Vinson seconded the motion. Motion carried.

Gene Herd asked about the re-zoning of Pauline Herd's property that had come before the Zoning Board. Mayor Beene informed him that legally the re-zoning did not pass, as it required a unanimous decision, and the vote was three to two in favor of re-zoning.

Helen (Scotty) Steen approached the Council with her offer of assessing and gathering names, etc. of trailers in the city. Johnny Vinson made a motion to hire Scotty for rendition on trailers at $1.00 per unit. Fred Carlisle seconded the motion; motion carried.

Police Chief George Buchanan stated that someone wanted to buy the dome light from the old squad car. After discussion, it was decided that bids would be taken for the dome light, with a starting point of $50.00.

Mayor Beene called a Special City Council meeting for Monday, January 18, at 7:30 p.m. for final hearing on annexation of Montserrat Retreat property and Kingswood, Inc. property.

Leon Smith asked the City fo furnish fire plugs - three behind the football field and two on Hundley Drive. This is to be worked on with Sublett to get the correct size fittings. This would require 5 plugs; 5 - 6 x 6 T's; 5 6" gate valves; and 5 valve boxes and covers. Johnny Vinson made a motion to buy five fire plugs with all accessories and Fred Carlisle is to inspect and work on Sublett's fittings. If possible to get them second hand. Bill Grammer seconded the motion; motion carried.

Johnny Vinson made a motion to let Fred Carlisle purchase signs for the streets up to $1,000. Bill Grammer seconded the motion; motion carried.

Bill Grammer made a motion to pay the outstanding accounts payable. Fred Carlisle seconded the motion; motion carried.

Johnny Vinson made a motion to adjourn. Fred Carlisle seconded the motion; motion carried.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus, City Secretary

Special Meeting
January 18, 1971

MINUTES
City Council Meeting

A Special Council meeting was called to order in the City Hall at 7:10 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert Gregory, Fred, and Bill Grammer.

Robert Gregory made a motion to adopt Ordinance No. 39, incorporating Kingswood and Montserrat Jesuit Retreat, as advertised in the Lewisville Leader after a hearing on January 14, 1971. Johnny Vinson seconded the motion, motion carried unanimously.

The five dead-end streets without names were named: Ash, Elm, Oak, Pine and Pecan. Numbering of streets was discussed.

Bill Grammer made a motion to adjourn. Robert Gregoy seconded, motion carried.

The Special called meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
February 4, 1971

MINUTES
City Council Meeting

A Special Meeting was called to order in the City Hall at 7:55 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Howard Davis, Robert Gregory, Fred Carlisle and Bill Grammer.

The petition for annexation of Swisher Cemetary and other lands was read and discussed. Robert Moorehead requested that a jutting portion of his land be included in the annexation, in order that all but a small portion of his property would be in the city limits. Johnny Vinson made a motion to accept the petition as amended with Mr. Moorehead's request. Fred Carlisle seconded the motion; motion carried unanimously.

Mr. Moorehead presented a plat showing utility easements on his property, the proposed Executive Mobile Park, for approval by the City of Lake Dallas for being within the extraterritorial jurisdiction, a total of 12.153 acres. All present voted to approve same.

Johnny Vinson made a motion to adjourn. Howard Davis seconded the motion; motion carried.

The Special Called Meeting adjourned at 8:31 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINTUES
City Council Meeting

February 11, 1971

The regular meeting was called to order in the City Hall at 7:40 p.m. by Mayor W. L. Beene, with the following Councilment present: Johnny Vinson, Howard Davis, and Bill Grammer.

The minutes from the previous meeting were read and approved as read.

Mr. Roper appeared to discuss the telephone situation in the area. Jerry Jones was present to represent the Lake Dallas Telephone Company. Mr. Roper stated that it had been four weeks and three days since he had ordered an extension telephone and that he had called three times to check on it. Jerry Jones stated that the direct dialing system was scheduled to be in operation March 3, 1971, but that the date had been changed to April 21, 1971. Completion of all the work that the telephone company is doing is scheduled for May 1, 1971. Mrs. Elliott stated that she was receiving billings for calls which she had not made. Mr. Jones stated that this matter has been looked into, and that the direct dialing system will eliminate this problem.

Ken Vanderhoof presented plat of the changes which he wishes to make from the plat in the deed records of the county. The change would be from ten lots to twelve lots. He was told to go to the City Attorney, Bruce Davis, to see whether it could be "okayed" by the City Council for filing with the County. Howard Davis made a motion to change from the ten lots to twelve lots within the existing Beck Addition, with all of said lots to be a minimum of 7,200 square feet to meet with the City Code, should the City Attorney approve same, to file an amended plat in Deed of Records and the City of Lake Dallas. Bill Grammer seconded the motion; motion carried unanimously.

Jack Galbraith appeared to request permission to build a carport which would extend almost to his property line. He was advised to get a letter from Carl Bittle, the neighbor on that side, to build the carport with his approval.

Mr. Nichols requested a Special Use Permit to build additional boat stalls on his property. He was advised to go through the Zoning Board for same.

Order Establishing Procedure for City Officers Election was presented. Howard Davis made a motion for a Resolution to call an election for City Officers on April 3, 1971. Johnny Vinson seconded the motion; motion carried.

Notice of a Public Hearing on the current annexation to the City of Lake Dallas was given for Monday, February 22, at 7:30 p.m.

Johnny Vinson made a motion to adjourn. Howard Davis secnnded the motion; motion carried unanimously.

The meeting adjourned at 8:58 p.m.

Respectfully submitted

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
February 22, 1971

MINUTES
City Council Meeting

A Special Meeting was called to order in the City Hall at 7:35 p.m. by Mayor W. L Beene, with the following Councilmen present: Johnny Vinson, Robert E. Gregory, Fred Carlisle and Bill Grammer.

This meeting was held for Public Hearing of Annexation.

Both Harrison and Bolivar were present to ask whether their property was included in this annexation (Ordinance #40). They were informed by Mayor Beene that it was not included. The Mayor showed on the map the boundary lines of annexation for this hearing.

Nobody was present who lives within the boundary lines of this current annexation.

Johnny Vinsons made a motion to approve and accept the annexation. Bill Grammer seconded the motion; motion carried unanimously.

Rebert E. Gregoy made a motion to adjourn. Bill Grammer seconded the motion; motion carried.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
February 23, 1971

MINUTES
City Council Meeting

A Special Meeting was called to order in the City Hall at 7:30 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert E. Gregory and Fred Carlisle.

Johnny Vinson made a motion to adopt Annexation Ordinance #40 as set out by Public Hearing and as Published in the newspaper. Robert E. Gregory seconded the motion; motion carried.

There being no further business, Fred Carlisle made a motion to adjourn. Robert Gregory seconded the motion.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES March 16, 1971
City Council Meeting

The regular meeting was called to order in the City Hall at 8:18 p.m. by Mayor W. L. Beene, with the following Councilmen present: Johnny Vinson, Robert Gregory, Howard Davis and Fred Carlisle.

Discussion was held regarding our annexations and attorneys' viewpoints. No cases of this type have been tried. Councilmen to vote whether to give property of Mr. Morehead and Mr. Roper to Corinth or whether to keep the annexations and possibly go to Court for same. Howard Davis made a motion to keep our annexation boundary lines as set out. Robert Gregory seconded the motion; motion carried unanimously.

Fred Carlisle made a motion to execute the Quit Claim Deeds of the dead-end portion of Gotcher Street. Howard Davis seconded the motion; motion carried unanimously. (Johnny Vinson was excused from voting.)

Johnie Jones prepared a list of additional street signs needed. Purchase of these signs was discussed. Johnny Vinson made a motion to order additional signs needed. Howard Davis seconded the motion; motion carried unanimously.

Marvin Beleck requested a Vendor's permit to sell snow cones in Lake Dallas. He was told that should he create a traffic hazard that he would be governed by the police department. He is not to sell at the school grounds. Permit would be subject to termination at the discretion of the Mayor. Johnny Vinson made a motion to give a permit until September 1, 1971 for one unit. Fred Carlisle seconded the motion; motion carried unanimously.

Numbering of houses was discussed. It was decided that perhaps this would be a good project for the Senior Class. Johnny Vinson made a motion that Fred Carlisle contact the Senior Class at Lake Dallas High School to number the town. Robert Gregory seconded the motion; motion carried unanimously.

George Buchanan stated that he would like to start a new policeman at the first part of April. Robert Gregory made a motion to start a new police officer off April 1st on a probationary period. Fred Carlisle seconded the motion; motion carried unanimously.

Accounts payable were gone over. Johnny Vinson made a motion to pay the bills. Robert Gregory seconded the motion; motion carried unanimously.

Johnny Vinson made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus
City Secretary

Special Meeting
April 6, 1971

MINUTES
City Council Meeting

A special meeting was called to order in the City Hall at 7:30 p.m. by Mayor W. L. Beene, with the following Council members present: Johnny Vinson, Robert Gregory, Howard Davis, and Fred Carlisle. The special meeting was called to canvas the City Official Election votes cast on April 3, 1971, and to administer the Oath of Office to the newly elected three Councilmen.

Johnny Vinson made a motion to accept the ballots as counted by the Election Judge, Joyce Plumlee, and the Election Clerks. The motion was seconded by Rober Gregory and carried unanimously. There were 201 valid votes cast and each candidate received the following votes:

Roy V. Harper	104
Howard M. Davis	87
Donald H. Fraser	83
Jess L. Pope	76
Michael S. Cox	66
F. A. (Buck) Mays	65
J. C. (Jim) Payne	61
Robert E. Gregory	31

Secretary, Miss MacManus, administered the Oath of Office to the new Councilmen, Roy V. Harper, Howard M. Davis, and Donald H. Fraser.

Robert Gregory made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The special meeting adjourned at 7:40 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES April 8, 1971
City Council Meeting

The regular meeting was called to order in the City Hall at 7:30 p.m. by Johnny Vinson, Mayor pro-tem, with the following Councilmen present: Howard Davis, Donald Fraser, Fred Carlisle and Roy Harper.

Minutes from the previous meeting were read and approved as read.

New Zoning Commission members were voted on. Howard Davis made a motion to accept J. C. (Jim) Payne and F. A. (Buck) Mays; Don Fraser seconded the motion. Motion carried unanimously.

R. J. Howard was in to ask about Margaret Cain's property. It was suggested that City Secretary write the adjoining property owners to see whether they would sell their property or buy Mrs. Cain's property. R. J. Howard said that he would bring the names and addresses of the other property owners. Howard Davis made a motion to have the secretary write. Fred Carlisle seconded the motion; motion carried.

George Buchanan suggested the we need some new City Ordinances. The following were discussed: (1) Ordinance on Soliciting; (2) Ordinance for Obstructing views on street corners; (3) Ordininance for Curfew under 18 years of age. Curfew was decided upon as 11:00 p.m. Fred Carlisle made a motion that George go up to have Bruce Davis draw up the ordinances. Howard Davis seconded the motion; motion carried unanimously.

Howard Davis made a motion to pay the accounts payable. Fred Carlisle seconded the motion; motion carried unanimously.

To check on J. Kibler Hundley's City Sales Tax. Has opened a sales office in Hickory Creek.

Fred Carlisle reported that the Senior Class will number the town. The cost will be 3 numbers for $1.25 and 4 numbers for $1.50.

Fred Carlisle made a motion to adjourn. Don Fraser seconded the motion. Motion carried unanimously.

The meeting adjourned at 8:55 p.m.

Respectfully submitted
B. D. MacManus
B. D. MacManus
City Secretary

MINUTES May 13, 1971
City Council Meeting

The regular meeting was called to order in the City Hall at 7:35 p.m. by Mayor Beene, with the following Councilmen present: Johnny Vinson, Howard Davis, Donald Fraser, and Fred Carlisle. Roy Harper arrived after the meeting was called to order.

Minutes from the previous meeting were read and approved as read.

Street light on Bumpass Street was discussed. Johnny Vinson made a motion to put a street light near Bodiford's near the end of Bumpass Street. Fred Carlisle seconded the motion; motion carried unanimously.

Mrs. Elliott wants Bumpass Street name changed. Howard Davis suggested that Mrs. Elliott get a petition from the property owners on Bumpass Street to agree on a new name and present it to the council at their next regular meeting, June 10, 1971.

Accounts payable were gone over. Johnny Vinson made a motion to pay them. Fred Carlisle seconded the motion; motion carried unanimously.

Ivan Bounds property on Betchan Street has been used for dumping. Howard Davis suggest that a letter be sent stating that nothing except dirt and/or rock be dumped there in the future. The city will assists in covering this with the tractor. After discussion, Howard Davis made a motion that George would tell Mr. Bounds that no more dumping must be done there or he will be fined. Don Fraser seconded the motion; motion carried. Roy Harper abstained from voting.

The Zoning Board requires one more member. Mr. Herendeen and Mrs. Gregory were suggested to fill this vacancy. Mr. Herendeen could, at a later date, also act in the capacity of an electrical inspector. A vote was taken, and Mr. Herendeen won the place by a vote of 3 - 2.

Five new ordinances were read over and discussed: Curfew Ordinance, an Ordinance amending Section 18 of the Traffic Regulation Ordincance (Impounding), an Ordinance regulating trees and shrubs, billboards and advertising signs, an Ordinance regulating Littering in the City, and a Peddler's Ordinance, requiring a license. After discussion, it was decided to amend the Curfew Ordinance by deleting an age stipulation. Johnny Vinson made a motion to accept the ordinances as written and the Curfew Ordinance as corrected. Fred Carlisle seconded the motion; motion carried unanimously.

George Buchanan, Police Chief, stated that he now had a license for the Police Radio Station. Mr. Briggs of the Municipal Utility Authority gave permission to put the antenna on the water tower. The remote control could be put in the city hall. It will be 180 W. units. He suggested a sign at the water tower "No Trespassing". Johnny Vinson made a motion to give George the authority to get costs to submit to the Mayor. If not over $200 the mayor can give an okay to install. Howard Davis seconded the motion; motion carried unanimously.

The secretary is to write a letter to Robert S. Calvert, State Comprtroller, about Hundley Boat Company moving their sales office out of the City Limits

to avoid City Sales Taxes.

Johnny Vinson suggested that the Corps of Engineers give the city the parks by lease or annexation, including Hundley Boat Company and Lakeview Marina. The Mayor will talk with Mr. Lovett regarding this.

Howard Davis made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES June 10, 1971
City Council Meeting

The regular meeting was called to order in the City Hall at 7:35 p.m. by Mayor Benne, with the following Councilmen present: Johnny Vinson, Howard Davis, and Don Fraser.

Permit forms were discussed. Johnny Vinson made a motion to get form samples from Lewisville and have some printed. Howard Davis seconded the motion; motion carried unanimously.

The council members were advised to think of three qualified people to ask to be on the City Board of Equalization for this year. This will be taken up at the next meeting.

Keeping of a police log was discussed. It was suggested that the police officers keep a daily log of their activities. Chief Buchanan stated that all confidential information should be kept locked up. The Mayor would have access to all information at all times. It was suggested the Chief Buchanan get a form type from Denton or Lewisville police and have printed for Lake Dallas. Don Fraser made a motion to obtain forms; Howard Davis seconded the motion; motion carried unanimously.

The minutes from the previous meeting were read. Correction to minutes: Police Chief is not to talk with Mr. Bounds about dumping. The secretary is to write a letter. Don Fraser made a motion to accept the minutes as corrected. Howard Davis seconded the motion; motion carried unanimously.

Howard Davis made a motion to change the name of Bumpass Street to Wildwood Lane. Don Fraser seconded the motion; motion carried unanimously.

Request for permit of following was discussed: National Advertising Company, a division of 3M, requested a permit for an ARCO sign, 8' x 32', at least 8' off the ground, to be placed .3 mile north of I-35E overpass, on the east side of I-35 on MKTRR right-of-way. After discussion, it was decided that the council was not in favor of a sign within the corporate limits of Lake Dallas. Howard Davis made a motion that the secretary write a letter informing Mr. Black that they could not put up the sign. Johnny Vinson seconded the motion; motion carried.

Lynn Bural, James Ezell and Craig Cagle presented plans for development of the Vanderhoof property if purchased. They have an option on this property. The plans would include 260 lots for houses, 12 duplexes, apartment houses, shopping center, possibly a service station and a professional building. The single-dwelling lots are planned 60' x 115', making a total of 6,900 square feet. It was later suggested that alleys be put between the backs of lots, for garbage truck pick-up, which would take off $7\frac{1}{2}$' of each lot, making a total of 6,450 square feet per lot. Streets would be asphalt. All houses will be FHA requirements. Single-dwelling houses will be approximately 60% brick, in the price-range of approximately $15,000. Apartment buildings will have the bottom floor brick and the top floor siding. Mr. Bural is agreeable on 40' streets, with the city maintaining same. FHA financing would be 203 and/or Title 1. It would be required that purchaser would file a Certificate of Occupancy with the City of Lake Dallas in order that property owners would be on the

tax rolls.

The Council was advised that our amended Curfew Ordinance is unconstitutional per our city attorney, who checked on the legality of same. Don Fraser made a motion to repeal the Curfew Ordinance. Howard Davis seconded the motion; motion carried unanimously.

Accounts payable were gone over and discussed. Howard Davis made a motion to pay all current bills. Johnny Vinson seconded the motion; motion carried unanimously.

Howard Davis made a motion to adjourn. Johnny Vinson seconded the motion; motion carried unanimously.

The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
June 17, 1971

MINUTES
City Council Meeting

A special meeting was called to order in the City Hall at 7:30 p.m. by Mayor W. L. Beene, with the following Council members present: Johnny Vinson, Don Fraser, Howard Davis and Roy Harper. This meeting was called with the Zoning Board. The following zoning board members were present: J. C. Payne, James McCurley, and Buck Mays and Frank Herendeen.

Minutes from the last meeting were read and approved as read.

Changing of the zoning ordinances was discussed. It was stated that as they are, any type construction can be built.

Adding on to trailers to make the 900 square feet required is not right. Also, zoning ordinances should agree with the deed restrictions.

Buck Mays stated that he felt that 30' back footage is too much.

After some discussion it was suggested that the city should get a professional to draw up some new ordinances with the zoning board making recommendations.

Johnny Vinson suggested that a committee get together to study the present zoning ordinances to see what changes are needed.

A Special Use Permit is not through the zoning board but through the City Council. The Zoning Board can make recommendations to the council regarding same.

The Plat presented to the Council at the last meeting (100 acres) should go before the zoning board.

If the Zoning Board says, "No," to a zoning change, the Council cannot approve the change, but they CAN issue a Special Use Permit.

Howard Davis made a motion to get a professional with the knowledge to review the zoning ordinances and make recommendations to the City Council whereby they can be amended to up-date them and "have teeth in them". These recommendations to be approved by a committee. Roy Harper seconded the motion; motion carried without opposition. Two Zoning Board members and two City Councilmen are to meet with the professional. The committee appointed: James McCurley, Jim Payne from the Zoning Board, and Howard Davis and the Mayor from the City Council.

Johnny Vinson suggested that the Trailer Ordinance be re-written.

It was noted that Deed Restrictions can be changed if everybody in the area agrees.

Julius Trotter of the Denton Record Chronicle stated that the City can go through the Government "Land Use Plan". The L.U.P. follows a Master Plan. Mr. Trotter will get the information for plan - who to contact, etc. He stated that the Government pays 2/3 cost.

Johnny Vinsons suggested that the same committee appointed make a new Trailer Ordinance recommendation and yardage in back. Mayor Beene suggested that a trailer should be allowed on a 50' x 100' lot.

At the next meeting the council is to take up the subject of City Store Licesnes.

Special Meeting
July 20, 1971

MINUTES
City Council Meeting

A special meeting was called to order in the City Hall at 7:45 p.m. by Mayor W. L. Beene, with the following Council members present: Johnny Vinson, Fred Carlisle and Roy Harper.

Minutes from the previous meeting were read and approved as read.

As Howard Davis is in the hospital and unable to be on the Special Committee for Planning and Zoning and re-writing zoning ordinances, Johnny Vinson was appointed to take his place.

A vote was taken for ratification of acceptance by the City Council on settlement of the Annexation Suit, Judgment No. 70995-A. Acceptance was unanimous.

Replacing the Plymouth squad car was discussed. Johnny Vinson made a motion to get three bids on a police special. If the price is right, Mayor Beene can give okay for the lowest bid for purchase of a new squad car. Fred Carlisle seconded the motion; motion carried unanimously.

Additional signs - new City Limits, Peddlers Ordinance Enforced, Wildwood Lane, Speed Limits - was discussed. Johnny Vinson is to get together with Micky Bean to see what signs are needed.

Mr. D. J. Jospeh requested permision to put a 10' x 56' trailer on his 50' x 100' lot on Lakeview near R. J. Howard's. The council members voted unanimously to give him a Special Use permit for same.

Mr. Nichols $40.00 re-zoning application fee is to be refunded.

Police Chief Buchanan discussed sending the other officer, Dave Garland to the Police Academy. It was decided to wait until a later date when the city is more financially able to do so.

Johnny Vinson made a motion to adjourn. Fred Carlilse seconded the motion; motion carried without opposition.

The meeting adjourned at 9:10 p.m.

Respectively submitted,
Billye D. MacManus
Billye D. MacManus
City Secretary

MINUTES
City Council Meeting

August 12, 1971

The regular meeting was called to order in the City Hall at 7:30 p.m. by Mayor Pro. Tem. Johnny Vinson, with the following Councilmen present: Don Fraser, Fred Carlisle and Roy Harper.

Ken Dunn from the Mobile Home Park, Kingswood, Inc., appeared with a complaint against Police Chief George Buchanan for the way the arrest of his employee, Paul Chamberlain, was handled. Mr. Dunn advised that Paul was not stated his rights nor told that he was arrested or that Chief Buchanan had a warrant for his arrest until he was part way to Denton. Bob Fouts also had a complaint that Chief Buchanan had allegedly used profane language to his son when told to watch his "reckless" driving. Johnny Vinson advised that the council would discuss the matter further next week.

The end of Thompson and the side lanes were discussed for repairs. Johnny Vinson stated that if it doesn't rain, Leonard Shelton will get down there with the Maintainer Saturday and Sunday, August 14 and 15. Ditches need to be cut and gravel put on. Mr. Vinson advised that this can't be done on the main road until the Municipal Utility Authority lowers the mains.

Special Use Permits for trailers was re-affirmed by the Council for David J. Joseph, Wilford Lee Tate, and B. J. Spradlin. Mr. Fraser's approval was added to the previous approvals by telephone.

The Petition for Annexation of Dobbs Road area was presented. Fred Carlisle made a motion to annex the property; Roy Harper seconded the motion; motion carried unanimously.

The Water Department's letter of requests for ordinances was presented. After discussion, it was decided to table paragraph one until a later date. Fred Carlisle made a motion to pass an Ordinance on paragraph two. Roy ~~Howard~~ HARPER (okay) seconded the motion; motion was passed without opposition.

Lynn Bural presented revised plot plans for Kings Manor Addition (Vanderhoof property). The number of lots was changed from 260 to 328 for single dwelling units. The area for single dwelling units was changed to 68.67 acres of the 100 acre tract, and the shopping center area would be cut down. Most of the lots would be 60' x 110', with $7\frac{1}{2}$' being taken from each for alleys. Some of the lots are 70' x 110'. These will be low-cost housing untis. Plans include building some 1700 square foot houses at a later date. The Shopping Center area has been cut to include 100,000 square feet. Deed Restrictions will be 900 square feet minimum dwellings. Mr. Bural signed an agreement to change easements to 15' alleys. Fred Carlisle made a motion to accept the plot plan with the changes from easements to alleys. Roy Harper seconded the motion; motion carried unanimously.

Scotty Steen and several people who had dogs poisoned appeared before the council. Mayor Pro. Tem Johnny Vinson will talk with the Mayor and will notify Scotty to contact the people regarding action. Johnny Vinson suggested to George Buchanan to set up watchmen every few houses. Neighbors are to get together with George.

The financial reports were gone over. Council approved paying some of the outstanding bills at this time.

Julius Trotter of the Denton Record Chronicle and the Airport Advertiser came before the Council to request that the city's official paper be changed to the Airport Advertiser. Don Fraser made a motion that the Airport Advertiser be the City of Lake Dallas' official publication for legal notices, etc. Fred Carlisle seconded the motion; motion carried without opposition.

Electronic siren for the new squad car was discussed. George Buchanan presented bids on new tires for the squad car. Lake Dallas General Store gave a price of $35.13 (6 ply), Enco Station gave a price of $35.00 (6 ply); General Store gave a price of $25.37 on 4 ply and $27.85 on 4 ply. Dayton Tires were given as $25.79. Chief Buchanan was told to get two more bids and to buy tires at the lowest bid. (To get bids from Bob Hilliard and Bill Grammer.)

Fred Carlisle made a motion to adjourn. Don Fraser seconded the motion; motion carried.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
Sept. 7, 1971

MINUTES
City Council Meeting

Mayor Beene called the City Council Meeting to order at 7:30 p.m. with the following councilmen present: Howard Davis, Johnny Vinson, Don Fraser and Roy Harper for the purpose of annexing territory as set out in Ordinance No. 45.

Mr. Neitzel was present and requested that his 3.271 acres be omitted from the annexation to go into Shady Shores. Mayor Beene had talked with Mr. Koepke of Shady Shores and this can be excluded from the Lake Dallas annexation.

Johnny Vinson stated that this should be feasible. Howard Davis made a motion to accept Ordinance No. 45 deleting the 3.271 acres of Mr. Neitzel's. (250' x 575' along Shady Shores Road from Dobbs Road.) Johnny Vinson seconded the motion; motion carried unanimously.

Jud Herd appeard to state that he felt that our Police Chief Buchanan made a mistake in giving him a warning ticket for 44 m.p.h. less than ½ of a 10th of a mile from where he started. He stated that Chief Buchanan accused him of being drunk.

Lynn Bural requested a permit for a billboard. He will come before the City Council on Thrusday, September 9th. It was suggested that the billboard permit be given on a six months basis. Mr. Harper is to talk with Mr. Brown about the sign. It was suggested that the permit be $50 for the six months period.

Don Fraser made a motion to adjourn. Johnny Vinson seconded the motion; motion carried without opposition.

The Special Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES September 9, 1971
City Council Meeting

The regualr meeting was called to order by Mayor Beene at 7:30 p.m. with the following councilmen present: Johnny Vinson, Howard Davis, and Don Fraser.

Johnny Vinson made a motion to allow Mrs. Allen to sell the back part of her lots to her brother and get the alley fixed up to use as a road. Howard Davis seconded the motion; motion carried without opposition.

The Council was informed that Roy Harper had talked with Mr. Brown about a billboard for Lynn Bural. It was agreed that Mr. Bural could put the sign up, provided that it would not obstruct the view from Mr. Brown's trailer park. Permit for the sign will be issued on a six months basis for a fee of $50.00. (Billboard not to be less than 7' from the ground.)

Ordinance No. 45, the Annexation to Dobbs Road, had a final reading. Johnny Vinson made a motion to accept Ordinance No. 45 as set out in metes and bounds as corrected at the public hearing. Don Fraser seconded the motion; motion carried unanimously.

The current accounts payable were gone over. Discussion of borrowing $5,000 on a 180 day note was held. Howard Davis made a motion to give Mayor Beene the authority to borrow $5,000 on a 180 day note from the Lewisville State Bank. Don Fraser seconded the motion; motion carried unanimously.

The 1971 - 1972 Budget was gone over. It was discussed that our night police officer, Dave Garland, had finished his 6 months probation and should have a raise. Howard Davis made a motion that Dave Garland be given a $50 per month raise effective when the wage freeze goes off. To offset the wage increase, the same amount would be deducted from the Street Maintenance budget figure. Johnny Vinson seconded the motion; motion carried unanimously. September 28 at 8:00 p.m. was set for the Public Hearing on the Budget.

Howard Davis made a motion to adjourn. Johnny Vinson seconded the motion; motion carried unanimously.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES
City Council Meeting

Special Meeting
September 28, 1971

The Special Meeting was called to order by Mayor Benne at 8:00 p.m. with the following councilmen present: Howard Davis, Roy Harper, Don Fraser, and Fred Carlisle.

Minutes of the September 9 meeting were read and approved as read.

Last year's Budget was discussed.

New Budget changes were made. No one appeared pro or con regarding the City Budget at the Public Hearing.

Howard Davis made a motion that the budget be approved as corrected. Fred Carlisle seconded the motion; motion carried unanimously.

Fred Carlisle made a motion to pay $2,500 at this time on the $5,000 note at the Lewisville State Bank. Don Fraser seconded the motion; motion carried unanimously.

Don Fraser made a motion to adjourn, seconded by Howard Davis.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus,
City Secretary

MINUTES
City Council Meeting

October 14, 1971

The regular meeting was called to order by Mayor Beene at 7:45 p.m. with the following councilmen present: Howard Davis, Don Fraser, Roy Harper and Fred Carlisle.

Minutes of the previous meeting were read and approved as read.

Monthly financial reports were gone over and discussed. Howard Davis made a motion to pay the bills at the Mayor's discretion. Fred Carlisle seconded the motion, motion carried unanimously.

Renewal of the fire truck note was discussed. Don Fraser made a motion to renew the note. Roy Harper seconded the motion; motion carried without opposition.

A contract by Jerry Cobb, Attorney, was read regarding collection of delinquent taxes for the City of Lake Dallas. Don Fraser made a motion to accept the Contract to have the taxes collected by Attorney Jerry Cobb. Fred Carlisle seconded the motion; motion carried.

Dave Denison with Hunter Associates came before the council to discuss the sewage treatment system to include Lake Dallas, Shady Shores, Corinth and Hickory Creek. He stated that each city would be requested to recommend 2 Civil Engineers and would like the City of Lake Dallas to consider his company.

Mr. Woodard brought a plat of Kings Manor before the council. Re-naming of the Courts was discussed, because of the requirements of the U.S. Postal Department for delivery.

Mayor Beene stated that he had talked with the Corps of Engineers about annexation to the 515' line without obligation of maintenance of same. The City can request lights and a boat ramp in Willow Grove with no expense to the City. There will be further discussion of same at the next regular meeting.

Don Fraser made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
November 4, 1971

MINUTES
City Council Meeting

The Special Meeting was called to order by Mayor Beene at 7:30 p.m. with the following Councilmen present: Johnny Vinson, Howard Davis, Don Fraser, Fred Carlisle, and Roy Harper.

Ora Wakeland appeared with Mary Price regarding a Quit Claim Deed on the 20' easement through her property. Johnny Vinson made a motion to give Mrs. Wakeland the Quit Claim Deed on the easement between lots 24, 25 and lots 26,27 in the Thompson Addition. Roy Harper seconded the motion; motion carried unanimously.

Discussion of additional street lights was held. Suggested street lights were by Grace Pipkins' and Paul Shurtz's area. Julian Street and Summers Lane need new street lights. Johnny Vinson made a motion to put up any necessary street lights at the discretion of the Mayor. Roy Harper seconded the motion; motion carried without opposition.

It was suggested that the night police officer check out street lights every night and make a report of any that are out.

Jack Ezzell sold his Trash Disposal Service to Glenn Farley October 15, 1971. The existing City Franchise is non-transferable. It would be due again January 15, 1972. Jack Ezzell stated that it required 60 days written notice to cancel the Franchise with the City. Howard Davis made a motion to waive the 60 day notice period and let him close the deal with Mr. Farley and to sign a new Franchise with Glenn Farley. Johnny Vinson seconded the motion; motion carried unanimously.

Mack Bragg is now working for the City Street Dept. on the hard-core unemployment plan. His pay is $3,960.00 annually plus $440.00 contributed to the County Auditor (refundable) by the City. Mayor Beene requested that we send the first half of the $220.00 to the County Auditor at this time. Johnny Vinson made a motion to send the $220.00 at this time. Don Fraser seconded the motion; motion carried unanimously.

The changing of names to meet the requirements of the U.S. Postal Department of Kings Manor was brought up. A new plat with corrections was brought before the Council by Mayor Beene. Finalization of acceptance of the new plat was postponed until the next regular meeting, November 11, 1971.

Fred Carlisle made a motion to adjourn. Don Fraser seconded the motion; motion carried without opposition.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus
City Secretary

MINUTES
City Council Meeting

November 11, 1971

The regular meeting was called to order by Mayor Beene in the City Hall at 7:30 p.m. with the following councilmen present: Howard Davis, Johnny Vinson, Fred Carlisle, Don Fraser and Roy Harper.

Minutes of the last two meetings were read and approved as read.

Financial reports were gone over and discussed. Fred Carlisle made a motion to pay the bills as set out in discussion. Johnny Vinson seconded the motion; motion carried unanimously.

It was suggested that Oak Lakes Subdivision regarding deed restrictions and zoning complying be brought up at the next regular meeting.

Annexation of parks was discussed. Johnny Vinson has the papers for same. There could be no revenue, but there would be no obligation for maintenance. This will be looked into further.

Filing cabinets for the city hall were discussed. Fred Carlisle mentioned that the company where he is employed had sold some for 50¢. Fred Carlisle is to check into this and advise.

Public Audience was held concerning Police Chief George Buchanan. George Sanders, Manager of Lake Haven Mobile Home Park, gave a speech on the good job that George Buchanan is doing. He stated that the mobile park was a half million dollar project and had requested that George patrol the park and that he is doing so. Bob Hilliard, Hilliard's Texaco station, appeared to say that George had accused the station of duplicating tickets. Mike Flowers, a station attendant, appeared to verify that Police Chief had said that they wouldn't trade there because of duplication of tickets. One ticket had been duplicated erroneously and had been refunded to the City. It was pointed out that it was a misunderstanding. Don Fraser felt that the city should trade with Hilliard's Texaco. Mr. Fraser made a motion that George be instructed to purchase gas in an equal amount of business with Hilliard's as well as the other stations. Johnny Vinson seconded the motion; motion carried without opposition.

Wayne Gould appeared about his horse being impounded. He had called the Mayor when he got a certified letter that the horse was impounded and that there was an impounding fee and feed bill. The mayor told him to contact George and pick the horse up. He was told that he couldn't pick the horse up without paying the impounding fee and the feed bill; so he didn't pick up the horse. Johnny Vinson made a motion to abate the impounding fee and to pay the charges for the feed bill as set out by Police Chief Buchanan and to get the horse. Don Fraser seconded the motion; motion carried unanimously.

Howard Davis said that the City owed Mr. Hilliard an apology and that it was a misunderstanding. Johnny Vinson apologized to the citizens for the misunderstanding created by the newspaper articles.

Johnny Vinson made a motion to adjourn the public meeting. Fred Carlisle seconded the motion; motion carried unanmously.

The closed session of the meeting opened immediately after the City Hall was cleared.

November 11, 1971

City Council agrees that George Buchanan as Police Chief is to obey all orders of the Mayor and Judge. Any time that he fails to obey orders, he will be put on report and come before a Special Meeting of the City Council to answer to same. Three day notice of Special Meetings for this purpose is waived.

Courtesy cards will be issued to Dave Garland, night patrolman, for all stations.

Anything detrimental to the Citizens or businessmen of Lake Dallas by accusations by the Police Chief will come before the City Council at a special called meeting before being discussed anywhere outside of the limits of Council and City employees.

J. E. Hankins

Johnny Vernon

Roy V Harper

Howard M. Davis

R. E. Green

W. L. Beene

Howard Davis said that George doesn't have the right to assess fines or make fees.

Mayor Beene wanted to know whether he had any authority regarding the police department. He stated that he did not want the Chief's badge, but he just wants cooperation.

Police Policies and Procedures were read to the council members.

The following agreement was signed by the Mayor and all members of the Council:

"City Council agrees that George Buchanan as Police Chief is to obey all orders of the Mayor and Judge. Any time that he fails to obey orders, he will be put on report and come before a Special Meeting of the City Council to answer to same. Three day notice of Special Meetings for this purpose is waived.

Courtesy cards will be issued to Dave Garland, night patrolman, for all stations.

Anything detrimental to the Citizens or Businessmen of Lake Dallas by accusations by the Police Chief will come before the City Council at a special called meeting before being discussed anywhere outside of the limits of Council and City employees."

The above was put into the form of a motion by Johnny Vinson, was seconded and carried unanimously.

The Mayor and Police Chief came to a decision that the problem between them was a lack of communication.

Fred Carlisle made a motion to adjourn. Don Fraser seconded the motion; motion carried unanimously.

The meeting adjourned at 10:35 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

Special Meeting
December 2, 1971

MINUTES
City Council Meeting

The Special Meeting was called to order by Mayor Beene at 7:30 p.m. with the following Councilmen present: Howard Davis, Fred Carlisle, Roy Harper, Don Fraser and Johnny Vinson. Mayor Beene excused himself from the meeting as he might have conflicting interests with the subject matter concerned. Mayor Pro. Tem. Johnny Vinson presided at the meeting.

The meeting was a Public Hearing on the Re-Zoning of properties for apartments and commercial districts (see plats submitted by Highland ~~Lakes~~ Lake Developers) which had previously been passed by the Zoning Board.

The City's Zoning Ordinance requires 850 square feet minimum in one bedroom apartments. Mr. Gerald Cobb, attorney representing the company, requested that the 850 square feet minimum be changed to 650 square foot minimum for this complex of apartments, town houses, dubplexes, etc.

Howard Davis made a motion to accept the Zoning Boards recommendation for re-zoning on boththe R-3 and C-2 zoning requested. Don Fraser seconded the motion; motion carried unanimously.

Fred Carlisle made a motion to waive the 850 square foot minimum for 1 bedroom dwellings to approximately 650 square feet. Don Fraser seconded the motion; motion carried without opposition.

Don Fraser made a motion to adjourn. Fred Carlisle seconded the motion. Motion carried unanimously.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES December 9, 1971
City Council Meeting

The regular meeting was called to order in the City Hall at 7:30 p.m. by Mayor Beene with the following Councilmen present: Johnny Vinson, Don Fraser, Howard Davis, Fred Carlisle and Roy Harper.

Reading of the minutes of the previous meeting was dispensed with and Johnny Vinson made a motion to accept the mintues. Fred Carlisle seconded the motion; motion carried unanimously.

The Official newspaper for the city was discussed and it was pointed out that the use of the Airport Advertiser according to law was not acceptable at this time. Howard Davis made a motion to use the Lewisville Leader. Fred Carlisle seconded the motion; motion carried without opposition.

Mayor Beene presented a letter received from C.O.G. stating that the City of Lake Dallas' portion would be $48 for the Study of Land-Fill (solid waste). Johnny Vinson made a motion to pay the $48.75 as billed. Howard Davis seconded the motion; motion carried unanimously.

Johnny Vinson made a motion to accept Holidays for city employees as set out by the County List. Don Fraser seconded the motion; motion carried unanimously. The list reads as follows: If holiday falls on Saturday, Friday will be taken. If holiday falls on Sunday, Monday will be taken. The Holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving Day and Friday following Thanksgiving, Christmas Eve and Christmas Day.

Zoning of annexed property was discussed. Deed Restrictions on Oak Lakes Subdivision require 1500 square ft. living area with a 30 ft. set back from lot line in front. Mayor Beene is to check into the requirements with an attorney.

Fred Carlisle reported that he was unable to obtain the file cabinets from his place of employment.

The accounts payable were gone over. Johnny Vinson made a motion to pay what bills we can at this time. Fred Carlisle seconded the motion; motion carried without opposition.

The night patrolman's raise was discussed. Roy Harper made a motion to table the decision until the next regular meeting. Howard Davis seconded the motion; motion carried unanimously.

Discussion was held regarding pro-rating taxes for trailers in trailer parks which are not in the city the first of the year and perhaps leave before the following tax assessments. J. B. Briggs stated that some towns place a sticker on the tongue of the trailer when they are moved into the park. There would be $100 fine if the trailer were moved without checking with the tax authorities for any taxes owed. Mayor Beene will check into the possibility of an Ordinance for trailers with an attorney. Taxes would be pro-rated for the time that they are in the city. Don Fraser made a motion that the Mayor check with an attorney

Special Meeting
December 15, 1972

MINUTES
City Council Meeting

The Special Meeting was called to order by Mayor Beene at 7:45 p.m. with the following Councilmen present: Howard Davis, Don Fraser, Fred Carlisle and Johnny Vinson.

Mrs. Bogart appeared before the council with a re-plat of Mrs. Borchardt's property. Currently it is zoned R-1-6000. They want to dedicate a 60 foot street from Hundley to Sycamore St. They will make application for C-2 Zoning on part of the property. This will be done at a later date.

Steve Metrovich and Woody Woodard appeared with a re-plat of Kings Manor Addition. Lots were changed in a cul de sac reducing the total number of lots from 326 to 326 in the residential area. Don Fraser made a motion to accept the amended plat for T.P. & L. easements and lot changes. Johnny Vinson seconded the motion; motion carried unanimously.

Fred Carlisle made a motion to adjourn. Howard Davis seconded the motion; motion carried without opposition.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus,
City Secretary

MINUTES January 13, 1972
City Council Meeting

The regular meeting was called to order in the City Hall at 7:25 p.m. by Mayor Beene with the following councilmen present: Roy Harper, Johnny Vinson, Howard Davis and Fred Carlisle.

Mr. Moody from Texas Power & Light addressed the Council about rate increases. 1951 was the last rate increase, and there had been a few decreases since that time. Reasons for requesting a 6% rate increase were: interest rates on borrowed money, cost of fuel, and volume of borrowed money. A 6% increase on an average of 750 KW hours at .0215¢ per KW hour would increase about 3½¢ per day - or about 90¢ to $1.00 per month. As of January 10, 1972, 14 towns passed the rate increase and the first 5 towns in this area have accepted the rate increase. Rate increase includes city street lights. Johnny Vinson has studied this for the past months. Johnny Vinson made a motion to pass the Ordinance for the 6% rate increase. Howard Davis seconded the motion; motion carried unanimously.

Minutes of the previous meeting were read and approved as read.

Johnny Vinson suggested a petition for annexation of Folly Beach. It was suggested that letters from the Mayor and J. B. Briggs be taken around with the petition. J. B. Briggs, Manager of the Municipal Utility Authority stated that they cannot put water and sewer down there at this time. They have a grant for water but not for sewer. Possibly within 12 months they could get water. Mr. Briggs would like to dig a 400' well in that area and could pump 50,000 gallons of water within 12 months, but he can't guarantee it. The sewer plant is currently within 50,000 gllons per day of being loaded. Denton couldn't take the sewer for 4 or 5 years. Johnny Vinson made a motion to hire someone to go door to door to get a petition for annexation signed. Roy Harper seconded the motion; motion carried unanimously.

An Ordinance Regulation the moving of structures was read. Permit for moving would be free.

B. E. Brown announced his candidacy for Mayor.

Homer Tumbleson said to get on with the Ordinance.

Nelson Johnson asked whether any reports would be required by mobile home park managers. Mayor Beene stated that no liability would be on the trailer park owners. Nelson Johnson stated that they would inform the City of any evictions. Fred Carlisle made a motion to adopt the Ordinance. Johnny Vinson seconded the motion; motion carried.

J. B. Briggs stated that a trailer cannot be taxes if less than 60 days in the taxing authority. He suggested putting a sticker on the trailer when it moves in. Nelson Johnson stated that Lake Haven Estates will submit a monthly report on trailers in the park. The secretary can send a form letter to new residents of trailer parks.

Homer Tumbleson talked with an attorney and checked with 4 localities. Taxing of trailers is legal. Nelson Johnson recommended the guide for the evaluation of trailers as the Blue Book. Mayor Beene informed him that the Board of Equalization will have the book to refer to. Nelson Johnson is in agreement with a new mobile home ordinance.

Fred Carlisle made a motion to accept Order Establishing Election Procedure and Ordering Election April 1, 1972. Johnny Vinson seconded the motion; motion carried unanimously.

Ronald Vanzura came before the Council for a Special Use permit to build a 22' x 44' garage 3½ feet from his property line. A letter of approval from his neighbor, Mr. Hamby was presented. Johnny Vinson made a motion to issue the Special Use Permit. Fred Carlisle seconded the motion; motion carried without opposition.

Mrs. Hubert Bragg requested a Special Use Permit to put a trailer on a 50' x 100' lot. She had gotten consent of neighbors. Howard Davis made a motion to issue Special Use Permit; Roy Harper seconded the motion; motion carried unanimously.

Kingswood requested a permit for a sign on a 6 months basis. Johnny Vinson made a motion to allow the sign for 6 months with an option for 6 additional months. Howard Davis seconded the motion; motion carried unanimously.

K. C. Properties, Inc. requested a permit for a sign on their property. Howard Davis made a motion to issue the permit. Roy Harper seconded the motion; motion carried unanimously.

Woody Woodard of Kings Manor presented a plat with two roads in the commercial portion of same. He requested tentative approval of the two roads by the Council. Johnny Vinson made a motion to give tentative approval of the roads. Fred Carlilse seconded the motion; motion carried without opposition.

Beatrice Vincent paid 1968, 1969 and 1970 taxes and requested a refund, as the property is not within the City Limits. Johnny Vinson made a motion to refund the taxes, penalties and interest that she had paid. Fred Carlisle seconded the motion; motion carried unanimously.

Rotation by months of service stations for squad car service was discussed. It was decided to leave this up to the Police Chief.

Mrs. Hunter addressed the Council with a complaint that Chief Buchanan was harassing her.

The financial report was gone over. Howard Davis made a motion to cash the Certificate of Deposit and pay the Time Warrant due and interest on time warrants. Fred Carlisle seconded the motion; motion carried unanimously. Johnny Vinson made a motion to pay all the current bills and to give the Mayor the power to borrow money for the February 1st payroll if needed. Fred Carlisle seconded the motion; motion carried unanimously.

Mr. Brown of Brown Organization presented a letter to the Council requesting the Lake Dallas Police to patrol Lake Haven Estates Trailer Park.

Howard Davis made a motion to act on the letter and do as requested. Roy Harper seconded the motion; motion carried unanimously.

Frank Herendeen, Electrical Contractor, stated that aluminum wiring on the inside of structures is not safe. Johnny Vinson made a motion to draw up an Ordinance to have aluminum wiring outlawed inside of house or structures and that copper be required. Fred Carlisle seconded the motion; motion carried without opposition.

Johnny Vinson made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES February 10, 1972
City Council Meeting

The regular meeting was called to order in the City Hall at 7:30 p.m. by Mayor Beene with the following Council members present: Howard Davis, Johnny Vinson, Fred Carlisle and Don Fraser.

Minutes of the previous meeting were read and approved as read.

Don Hansen presented the Council with a list of fireplugs that need servicing. Don Fraser suggested that the Mayor get together with J. B. Briggs of the Municipal Utility Authority to see what can be worked out. Johnny Vinson made a motion to give the Mayor the power to get this taken care of. Fred Carlisle seconded the motion; motion carried unanimously.

Quentin Kelly appeared to request a Special Use Permit to put a trailer on his property while he made repairs to his house. Johnny Vinson made a motion to issue the Special Use Permit for a period of six months. If the trailer remains after that time, Mr. Kelly is to add on to bring it up to 900 square feet living area. Fred Carlisle seconded the motion; motion carried unanimously.

Mr. G. C. Burns requested a special use permit. Johnny Vinson made a motion to issue same. Fred Carlisle seconded the motion; motion carried unanimously.

Mayor Beene presented the Council with a Road Easement from Gideon, Pledger and Keith properties. Johnny Vinson made a motion to accept the dedicated 40 foot road easement. Howard Davis seconded the motion; motion carried unanimously.

Jack Ezzell sent a Quit Claim Deed for the street by the car wash which had never been opened. Fred Carlisle made a motion to give Jack Ezzell the Quit Claim Deed. Johnny Vinson seconded the motion; motion carried without opposition.

The Council was informed that Commissioners Court in Denton had approved the additional Southbound Lake Dallas exit which had been sent to Austin.

The Council was informed the Texas Municipal League dues had been increased for the current year. Howard Davis made a motion to continue membership. Johnny Vinson seconded the motion; motion carried unanimously.

Letter from Robert Calvert was read regarding Hundley Boat Company sales office in Hickory Creek. Don Fraser made a motion to check with an attorney for what recourse we have. Fred Carlisle seconded the motion; motion carried unanimously.

Invitation to a tea by the Mental Health Unit was read to the Council.

Deed Restriction in the Oak Lakes Subdivision were discussed. Fred Carlisle made a motion to Zone Oak Lakes Subdivision in accordance

with Deed Restrictions. Howard Davis seconded the motion; motion carried unanimously.

Lynella Birdsong asked about water and sewer on Oak Lakes Subdivision. She was informed that there has to be an election to get into the Municipal Utility Authority.

Bids for gasoline and oil for the squad cars was discussed. Two bids were presented - both from the Bell Stations. George Buchanan stated that he wanted to save the "people's" money. It was noted that on the gasoline credit cards Federal Tax is discounted. It was decided to remain on rotation with the local service stations as is now being done.

Police Chief George Buchanan requested two weeks vacation per year. Johnny Vinson made a motion to give the Police Chief two weeks vacation per year. Howard Davis secondedthe motion; motion carried unanimously.

Mayor Beene informed the Council that a new zoning board member was needed to fill the position of Helen Steen who had resigned. Bette Dunn's name was suggested. Johnny Vinson made a motion that Bette Dunn be put on the Zoning Board if she would accept the position. If not, the Mayor would have the authority to appoint a member. Fred Carlisle seconded the motion; motion carried unanimously.

Leon Smith requested a new city map. He was informed that Fred Carlisle is in the process of making some up-to-date maps.

Johnny Vinson made a motion to pay the current accounts payable. Fred Carlisle seconded the motion; motion carried unanimously.

Johnny Vinson stated that the City needs someone to work on a Master Plan for the town. T.P. & L. engineers and architects might plan with the City. He suggested that they call a Special meeting to meet with the Council. Johnny Vinson made a motion to get together with some engineers for a Master Plan. Howrad Davis seconded the motion. Motion carried unanimously.

Johnny Vinson made a motion to adjourn. Fred Carlisle seconded the motion; motion carried unanimously.

The meeting adjourned at 9:50 p.m.

Resepctfully submitted,
Billye D. MacManus
Billye D. MacManus
City Secretary

MINUTES March 9, 1972
City Council Meeting

The regular meeting was called to order by Mayor Beene in the City Hall at 7:30 p.m. with the following Councilmen present: Howard Davis, Roy Harper, Fred Carlisle, Don Fraser and Johnny Vinson.

Minutes of the previous meeting were read and approved as read.

Repairing and/or servicing the fireplugs was brought up. Mayor Beene stated that the city will pay for the materials to repair them if the Municipal Utility Authority would do the work (David Westley). It was stated that parts are missing from one of the fireplugs. Johnny Vinson stated that they had an agreement that the Municipal Utility Authority would help with this type of services and that they had agreed to swap-out work with the City. He suggested that the City charge the Utility Authority $100 per month rent if they won't cooperate.

Hundley Boat Company informed Mayor Beene that they had paid $14,531.00 on 1% Sales Tax since the City Sales Tax was effective (from March 31, 1969 through December 31, 1971). The State Comptroller does not send a break-down of who has paid. Hundley Boat Company paid $845.00 in the year 1971, as sales were down.

Johnny Vinson suggested that Micky Bean and David Westley work on the fireplugs in their spare time. Fred Carlisle will check with some of the firemen to see whether they might help. Mayor Beene stated that we have to get the fireplugs in shape, as the insurance rates are lower for residents with fireplugs in their areas.

Electrical Code was presented to the Council. It is the same as the National Code with the exception that copper wiring be required anywhere within the structure. The Ordinance was adopted unanimously. An Electrical Inspector is needed. Johnny Vinson stated that the City should charge 1% of the cost of the building for a permit. The only men known to be qualified for electrical inspector are Frank Herendeen and Vic Johnson. Johnny Vinson made a motion to give Mayor Beene the authority to hire an electrical inspector and plumbing inspector. Fred Carlisle seconded the motion. Motion carried unanimously. Fred Carlisle made a motion to accept the Electrical Ordinance. Roy Harper seconded the motion; motion carried unanimously.

The new law for insurance policy on city equipment was gone over. Council okayed renewing the city insurance.

Odes Baggs requested a Special Use permit to build a storage building 12 feet from the back lot line, as the house was in the way to allow the full footage required. Johnny Vinson made a motion to issue the Special Use permit. Fred Carlisle seconded the motion; motion carried unanimously.

Mr. Webb requested a Quit Claim deed on the 10 foot alley strip which is not used by the city between his two properties. Johnny Vinson made a motion to give the Quit Claim Deed. Howard Davis seconded the motion; motion carried unanimously.

Mr. Fulton wants to move a trailer onto his property to live in while he builds a house. Johnny Vinson made a motion for a six months special use permit to be issued. Howard Davis seconded the motion; motion carried unanimously.

George requested permission to sell the red light and siren. Johnny Vinson made a motion to let George sell them and get what he can for them. Fred Carlisle seconded the motion; motion carried unanimously.

Mr. Howell from Motorola Corporation spoke to the Council about improved communications. C.O.G. has $90,000 for communications systems in 15 count area. The Government is furnishing 75% of funds. The Frequencies are crowded, skip interference is high, and are generally ineffective. According to their calculations, the City of Lake Dallas required $8,000 worth of equipment - actual cost $7,758.00. They would get this at 60% list price, making it $4,700. Federal Government would pay 75%, leaving approximately $1,200 for Lake Dallas to budget for improved communications systems. This would be VHF (off skip interference) and would be all 4-channel equipment. One unit can have 4 frequencies. Third frequency would be inter-city communications. There would be 2 mobile, 2 portable and base. The range would be at least county-wide and Dallas included.

George Buchanan informed the Council that the high school had reuqested that he use the maintainer to make a track at the football field. Mayor Beene stated that it was up to the Council. Don Fraser asked whether the city's insurance would cover George's using the maintainer. It was stated that it would. Johnny Vinson made a motion to let George help in any way that he can. Don Fraser seconded the motion; motion carried unanimously.

The financial report was gone over. Fred Carlisle made a motion to pay the current bills; Johnny Vinson seconded the motion; motion carried nanimously.

L. M. Hamilton came before the Council regarding a Lake Dallas Cab Co. Franchise. Mayor Beene said that he would look into the matter. Howard Davis made a motion that the Mayor check into it. Fred Carlisle seconded the motion; motion carried unanimously,

It was discussed about partitioning off an office for the City Secretary. Mayor Beene stated that he has a door that he will donate. Johnny Vinson made a motion to let the Mayor get with Mr. Robbins and construct whatever is needed. Fred Carlisle seconded the motion; motion carried unanimously. Shirley Johnson, Secretary for the Water Board, suggested that curtains were needed, also.

Mr. Skelton wants a street name. Johnny Vinson told him to come to the Council regarding same. Johnny Vinson made a motion to put the spare Bumpass Street sign up on Mr. Skelton's street. Fred Carlisle seconded the motion; motion carried unanimously.

Howard Davis made a motion to put two street lights on Carlisle Drive. Fred Carlisle seconded the motion; motion carried unanimously.

Fred Carlisle presented a rough sketch of the new City Map which he is

Special Meeting
April 3, 1972

MINUTES
City Council Meeting

A Special Meeting was called to order in the City Hall at 7:30 p.m. by Mayor W. L. Beene, with the following Council members present: Howard Davis, Fred Carlisle, Don Fraser and Roy Harper. The Special Meeting was called to canvas the Official City Election votes cast on April 1, 1972, and to administer the Oathes of Office to the newly elected Mayor and two Council members.

Howard Davis introduced a resolution and order and moved its adoption. The motion was seconded by Fred Carlisle and the motion carrying with it the adoption of the resolution and order prevailed by the following vote: Ayes 4, Noes 0. The resolution is as follows: There came on to be considered the returns of an election held on the 1st day of April 1972 for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 435 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR:	
W. L.(Slat) Beene	194
Johnny J. Vinson	155
William T. Coulter	55
W. L. Hunter	27
Michael B. Sparks	4
FOR ALDERMAN:	
F. A. (Buck) Mays	140
J. C. (Jim) Payne	135
Fred C. Carlisle	125
Garnett N. Bruce	112
R. J. (Buddy) Howard	81
Jesse L. Pope	63
George Jim Sanders	53
John Farmer	49
Frank L. Herendeen	35
Mrs. Robert E. Gregory	27
Write-Ins -	
E. J. Sublett	2
B. E. Brown	1

Therefore, be it resolved by the City Council of the City of Lake Dallas, Texas: That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that W. L. (Slat) Beene was duly elected Mayor of said City at said election and F. A. (Buck) Mays and J. C. (Jim) Payne were duly elected Alderman of said City at said election, and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

A vote of thanks was given to the elction judge and clerks.

Mayor Beene informed the Council that a new Mayor Pro. Tem. was needed. Buck Mays made a motion that Roy Harper be Mayor Pro. Tem. Jim Payne seconded the motion; motion carried unanimously.

New members for the Zoning Board were discussed. It was noted that the Chairman's term was expired and James McCurley's term was expired. Buck Mays and Jim Payne were no longer on the Zoning Board having been elected to the City Council. Howard Davis made a motion to re-appoint Bette Dunn as Chairman of the Zoning Board and appoint William Crump and Homer Tumbleson as Zoning Board members. Jim Payne seconded the motion; motion carried unanimously.

Don Fraser made a motion to adjourn. Buck Mays seconded the motion; motion carried without opposition.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES April 13, 1972
City Council Meeting

The regular meeting was called to order by Mayor Beene in the City Hall at 7:30 p.m. with the following Councilmen present: Howard Davis, Roy Harper, Don Fraser, Buck Mays and Jim Payne.

Minutes of the previous meeting were read and approved as read.

Mr. Herendeen came before the Council to request a re-zoning of his property from a Special Use Permit to Commercial Zoning. Jim Payne felt that if 75% of the residents within the required 200 feet from his property were in agreement that re-zoning would be okay. Mr. Herendeen stated that the Council previously had over-ruled the Zoning Commission. It was tabled until the next meeting when Mr. Herendeen would bring his petition from the residents in the area.

Buck Wilson requested a Special Use Permit to build his garage four feet from the West line of the property and 5 feet from the back property lines. He was informed that there was an easement on the back side. He could build within five feet without an overhang. Don Fraser made a motion that a Special Use permit be issued providing that there were no objections from the neighbors adjacent to Mr. Wilson's property and that he bring a letter from the neighbor with their approval. Jim Payne seconded the motion; motion carried unanimously.

The request for Special Use Permit for the new Rebekah Lodge in the Thompson Subdivision was brought before the Council. Bette Dunn, Chairman of the Zoning Commission, stated that 16 letters had been sent to property owners and that only two objections came before the Zoning meeting. The Zoning Commission passed the request. There was no objection at the Council. The construction of the building was discussed. R. J. Howard stated that the building would be masonry. Howard Davis made a motion to issue the Special Use Permit. Jim Payne seconded the motion. Roy Harper abstained for reason of conflicting interests. There were 4 ayes. Motion carried.

The financial report was gone over. Jim Payne said that he would like to discuss the bills later. Jim Payne wanted to know how much the police cars travel. Don Fraser made a motion to pay the bills. Buck Mays seconded the motion. Motion carried unanimously.

Jim Payne suggested that the police should wear uniform at all times. Buck Wilson stated that he can't go 24 hours a day in uniform, as he is on call 24 hours per day. Don Fraser suggested that the council think it over and table it until a later date.

Mr. Moorehead's 64.7 acres re-zoning request was brought before the Council. Bette Dunn stated that 28 letters had been sent to property owners within 200 feet of the property and that only 6 owners showed up with a negative vote on re-zoning. The Zoning Commission approved the re-zoning as follows: C-1 - 9.9 acres; R-III - 41.02 acres; M-1 - 14.56 acres. The Zoning Commission recommends Re-Zoning of same to the Council. Mr. Moorehead's attorney, Sam Houston, was present to represent Mr. Morehead's interest. Mr. Houston stated that when a man owns a piece of property that he should be able to do with it

what he wants as long as it doesn't injure anyone or harm anyone. There was discussion with George Seaman and Jim Clem regarding getting too much property re-zoned to Commerical in the area. Attorney Houston stated that progress includes competitiveness. Mayor Beene heard the pros and cons of the re-zoning of this property. Buck Mays made a motion to have a closed meeting for the further discussion and vote of re-zoning. Don Fraser seconded the motion; motion carried unanimously.

Don Fraser asked whether utilities would be supplied and would the utility authority be able to supply what is needed. It was noted that utilities are already in and being put in Phase II of King's Manor and that the Utility Authority would have water in on Mr. Morehead's property within the year. Buck Mays made a motion to accept the re-zoning as set out. Howard Davis seconded the mtion. Motion carried by four votes. Mr. Harper voted against re-zoning.

Don Fraser made a motion to adjourn. Buck Mays seconded the motion; motion carried unanimously.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES May 11, 1972
City Council Meeting

The regular meeting was called to order by Mayor Beene in the City Hall at 7:30 p.m. with the following Council members present: Howard Davis, Roy Harper, Don Fraser, Jim Payne and Byck Mays.

Minutes of the previous meeting were read and approved as read.

Per request of Mr. Harper, minutes were later corrected to read that Re-Zoning of Robert Morehead's property was carried by four votes and that Mr. Harper voted against it.

Ted Freeman of Shady Shores came before the Council to request that the City send two people along with 2 people from each municipality to participate and see about a grant for a regional water and sewer plan in Hickory Creek. He had met with Denton and Shady Shores. It would be 5, 6, or 10 years before we would be able to pump to Denton. Jim Payne wanted to know who is heading the committee for this planning. Jim Payne and Buck Mays were requested to represent the City of Lake Dallas.

Texas Municipal League sent a letter regarding a hiring of an attorney along with several other cities to look into the Lone Star Gas Company's request for rate increase. Discussion was held whether to do this. Don Fraser made a motion not to participate at this time. Howard Davis seconded the motion and the motion carried unanimously.

Sales Tax for 1970-71 was read to the Council.

Need for an electrical inspector was discussed. The inspection fee of $5.00 per house could be paid to the inspector. Mayor Beene stated that by law the inspection fees must be paid for inspections. Howard Davis made a motion that the Mayor hire an electrical inspector to be paid the inspection fees for his services. Buck Mays seconded the motion; motion carried unanimously.

Purchase of a tractor was discussed. Jim Payne wanted to know what's wrong with the old tractor and what it would cost to overhaul it. Don Fraser suggested that we check to see how much overhauling would cost. Roy Harper suggest that we get someone from a tractor company to estimate the cost. Jim Payne suggested that we price a good, used tractor. He is not in favor of buying a new one. Buck Mays suggested checking with other companies from the one company that the street man had checked with. Roy Harper suggested that possible we could trade the old one in on a used tractor. Buck Mays stated that the city tractor is worn out all over, not just the motor. If we trade for a used one we need to trade with a reliable company that will stand behind it.

Financial report was gone over. Don Fraser made a motion that the current accounts payable to paid. Jim Payne seconded the motion; motion carried unanimously.

Mrs. Blaisdell appeared before the council with an objection to the way her family dog was picked up by George Buchanan. Chief Buchanan had gone to the school and taken her daughter out to pick up the dog

and take it to a vet to be kept 10 days for observation. Mrs. Blaisdell felt that Mr. Blaisdell, who works in Lake Dallas, should have been contacted rather than taking their daughter out of school and upsetting her. Don Fraser suggested that this be discussed further in a closed session. Jim Payne apologized for the episode to Mrs. Blaisdell.

Mayor Beene informed the council that the builders at Kings Manor addition will purchase the material to have Ed Elbert black-top the roads down Hundley Street and out Shady Shores Road. The builders would put the money up with the City of Lake Dallas and the city would, in turn, pay the county commissioner, Ed Elbert. Roy Harper made a motion to accept this proposal. Howard Davis seconded the motion; motion carried without opposition.

Jim Payne said that we should make some kind of arrangements to have dogs impounded. He suggested that posters be posted around town stating that the leash law will be enforced on a certain date. Margaret Cates came before the Council and stated that her boy had been bitten and that her pediatrician said that the dog had to be impounded. The "Dog" Ordinance was read to the Council by the secretary. Howard Davis made a motion to look for a dog catcher. Jim Payne seconded the motion; motion carried unanimously. It was decided that letters of the "leash law" would be sent to all boxholders. Buck Mays made a motion to mail letters to all boxholders. Jim Payne seconded the motion. Motion carried unanimously.

Leon Smith, chairman of the Municipal Utility Authority Board, came before the council to state that the representatives for the Regional Planning Committee of the Hickory Creek Water Shed from Garza-Little Elm to the Krum area were not to be a part of any governmental bodies of the cities represented. Mr. Smith stated that a petition for a "101" grant for 2,000,000 gallons tratment facilities was in. This would take 3 or 4 years. Present wells will last for 2 or 3 years. A New well will put out 320 gallons per minute. A grant application for addition to sewer plant for 700,00 additional gallons (bringing the total to 900,000) will take care of 10,000 people. At present they can service 2,500 people. A second alternative would be to pump to Denton's Pecan Creek plant through Shady Shores. The 3rd alternative would be to pump through Corinth. The water portion has been approved but can't finance it. With Lake Dallas it would be 19¢ per 1,000 gallons; to Denton would be 22¢ per 1,000; and Corinth wants $20,000 per year. If they could pump $1\frac{1}{2}$ miles to Hickory Creek water shed would be feasible. It is $7\frac{1}{2}$ miles to the Denton plant. We cannot afford to go to Denton. C.O.G. says to go to Denton, but this is not feasible. The Committee will have a meeting with Krum on June 6, 1972. Representative can contact Randy Dickerson for information. Buck Mays made a motion to give the Mayor the authority to appoint to people to represent Lake Dallas on this Regional Planning Committee. Howard Davis seconded the motion; motion carried.

Howard Davis made a motion to adjourn. Buck Mays seconded the motion. Motion carried unanimously.

Closed Session was called to order by the Mayor.

Jim Payne stated that he had received 2 or 3 calls regarding the Blaisdell dog incident. Mr. Payne felt that George Buchanan should have gone down to see the father. He should have used a little diplomacy.

Roy Harper stated that the parents should have been contacted.

George stated that he took the shortest route when informed that the dog had to be impounded.

Jim Payne stated that the Federal Government should allow a grant toward a dog pound.

Mayor Beene stated that Federal Grants are about one year pre-mature at this time.

George Buchanan stated that he had applications for a night policeman. Roy Harper stated that with a Deputy that one City policman should be enough.

Jim Payne wanted to know when we get use out of the deputy. George stated during the daytime.

George stated that he will hold it down by himself until the city gets some funds built up. He advised that the reserves are going to school to get certified.

Jim Payne made a motion to adjourn. Buck Mays seconded the motion; motion carried unanimously.

The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Billye D. MacManus

Special Meeting
May 25, 1972

MINUTES
City Council Meeting

A Special Meeting was called to order in the City Hall at 7:30 p.m. by Mayor Beene, with the following Council members present: Howard Davis, Buck Mays, Roy Harper and Jim Payne. The Special meeting was called to determine whether to buy a new tractor.

Bids for new tractors were submitted by Dal Worth Tractor & Equipment Co. of Dallas, Jackson Ford Tractor, Inc. of Denton, and G. & G. Tractor Co. of Denton.

G. & G. Tractor submitted the lowest bid as follows: New Massey Ferguson 135 Tractor with Diesel engine, 13' x 28' rear tires and 650 x 16, 6 ply front tires, 6 speeds forward, stabilizers, water and anti-freezes in rear and power steering. $3,560.00. Massey-Ferguson gas tractor same equipment as the diesel $3,195.00. Add for crankshaft pulley plus labor pulling loader from old tractor and installing it on new tractor $75.00. Trade 35 Utility (City's old tractor) - deduct $550.00. Minimum finance charges would be $50.00 to March 1, 1973, with interest at the rate of .0775% deferred until that date.

After discussion of the pros and cons of purchasing a new tractor, Buck Mays made a motion to purchase the tractor from G. & G. Tractor Company. Howard Davis seconded the motion and the motion carried with three votes for purchase and J. C. Payne voting against.

A motion was made to adjourn, seconded and the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES June 8, 1972
City Council Meeting

Mayor Beene called the regular meeting to order in City Hall at 7:30 p.m. with the following council members present: Howard Davis, Don Fraser, Jim Payne, Buck Mays and Roy Harper.

Minutes from the previous meeting were read and approved as read.

Re-zoning of Ruby Rhodes property described as Lot 10, Block A, Barmarcher Sites was presented to the Council. The Zoning Board had receommended rezoning unanimously from R-III to C-1. Lynella Birdsong presented a copy of the Deed Restrictions on the property which are in effect until 1975. The property owners stated that not everyone had received letters of nitification of the Zoning Board meeting. Don Fraser made a motion that in the future letters to property owners regarding re-zoning be sent by certified mail. Jim Payne seconded the motion; motion carried unanimously. Jim Payne made a motion to re-zone the property to C-1. Buck Mays seconded the motion; motion was carried by unanimous vote.

Ordering of Tax Statements was presented to the Council. Roy Harper suggested that they are too expensive and that we should shop around before buying. Mr. Harper will check with other printers and give his prices to the secretary by Wednesday, June 14. Jim Payne made a motion that if Mr. Harper could not come up with a better price by Wednesday the secretary should go ahead and order the Tax Statements. Howard Davis seconded the motion; motion carried without opposition.

Letter from Lewisville was read regarding backing them against a Lone Star Gas Company rate raise. The Council voted that the Mayor sign the letter.

A Board of Equalization was discussed. The following names were submitted: Otis Hamby, Johnny Vinson, Bill Grammer, Garnett Bruce, B. E. Brown, Morris Mahaffey, Buddy Howard, Lee Kingston, and L. M. Hamilton. Howard Davis made a motion that the secretary call these people and try to get three of them to serve on the Board of Equalization. Buck Mays seconded the motion. The motion carried.

District Manager R. L. Branan and L. J. Thogmartin of Lone Star Gas Company came before the Council requesting a 10% rate increase. Jim Payne stated that he could not see where a rate increase was justified at this time. Mayor Beene stated that we did not have enough information to justify a rate increase. Jim Payne made a motion not to accept the request for a rate increase. Buck Mays seconded the motion. There were 4 votes for the motion. Don Fraser stated that he is opposed to taking action at this time.

Mr. Webb came before the Council to request gravel on the City Street in fron of his new building.

Current accounts payable were gone over. Don Fraser made a motion to pay them. Jim Payne seconded the motion; motion carried unanimously.

John Fraser made a motion to adjourn. Jim Payne seconded the motion; motion carried unanimously. Meeting adjourned at 10:20 p.m.

Respectfully Submitted,
Billye D. MacManus
Billye D. MacManus, City Secretary

MINUTES July 10, 1972
Special City Council Meeting

The Special Meeting was called to order in City Hall at 7:30 p.m. by Mayor Beene with the following Council members present: Howard Davis, Roy Harper, Jim Payne and Buck Mays.

Attorney Jerry Cobb was present.

Discussion was held regarding liquor permits, controls, etc.

Jim Payne made a motion that a package store license (liquor, beer and wine) be $200 and that a Beer and Wine license be $100, and that, if legal, an additional 1% be charged (over and above city sales tax) on all liquor, beer and wine. Buck Mays seconded the motion. There were three votes in favor. Howard Davis did not feel that it was enough.

It was noted that liquor, beer and/or wine sales must be 300 feet from churches and schools. FRONT DOOR - to - FRONT DOOR - OUT TO PROPERTY LINE, FOLLOW PROPERTY LINE TO FRONT DOOR AND DOWN A STRAIGHT LINE.
Jim Payne made a motion that any new structures for commercial property be 60% masonry or brick construction. Buck Mays seconded the motion; motion carried unanimously.

It was noted that the office hours had been chsnged temporarily to 6:00 a.m. to 1:00 p.m. because of the heat and the air-conditioner not putting out cold air. Guy Vince with Buckeye Liquors offered to donate an air-conditioner of one ton to the City Hall provided that the City also get a one-ton and would then have addequate cooling facilities. Buck Mays made a motion to allow Guy Vince to donate a one-tone air conditioner to the City. Roy Harper seconded the motion; motion carried unanimously.

Howard Davis made a motion that liquor stores could operate in a temporary building for a maximum of 140 days while constructing a permanent 60% masonry or brick building. Jim Payne seconded the motion. Motion carried unanimously.

George Buchanan, Police Chief, requested that the Council allow $475 per month rather than the current $400 per month for a night patrolman. He also requested that he be granted a raise at this time to be effective October 1, 1972. The reason for requesting it at this time is that the government might put another freeze on wages and he would be unable to have a raise. Jim Payne made a motion that this be postponed until the reuglar meeting Thursday, July 13. Buck Mays seconded the motion; motion carried without opposition.

Buck Mays made a motion that the City adopt an ordinance requiring a store license for businesses at $10 per year effective January 1, 1973. Jim Payne seconded the motion. Three votes were for the motion; motion carried. Roy Harper was opposed to a store license.

Buck Mays made a motion to adjourn. Jim Payne seconded the motion; motion carried unanimously.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Billye De. MacManus, City Secretary

MINUTES July 13, 1972
City Council Meeting

The regular meeting was called to order by Mayor Beene at 7:30 p.m. in the city hall with the following council members present: Howard Davis, Roy Harper, Jim Payne and Buck Mays.

Minutes of the previous meeting were read and approved as corrected.

Jim Payne made a motion that the 1% additional tax on liquor, beer and wine be made to the City in quarterly payments at the same time as the sales tax payments are made. Buck Mays seconded the motion; motion carried unanimously.

Mayor Beene suggested that there be a 10% discount on 1972 ad valorem taxes. Jim Payne stated that he didn't feel that we can at this time. The money should be put in the streets. Roy Harper stated that we just can't do it. Mayor Beene told Roy Harper that he told the people when he ran for election that he would cut taxes. Roy Harper stated that he would be 100% for it if he felt that we could do it at this time. Roy Harper made a motion to leave taxes the same with exception of additions to property and disount taxes 10%. Buck Mays seconded the motion. Three voted for and 1 against. Motion carried.

Buck Mays was suggested for the new Street Commissioner. Howard Davis made a motion that Buck Mays be appointed Street Commissioner. Roy Harper seconded the motion; motion carried unanimously.

Mayor Beene stated that a man was needed to help Mack Bragg get caught up on the street work.

A letter from Richard King, former Lewisville Leader employee, as read to the council.

A letter from C.O.G. about radio equipment was passed around to the councilmen.

Dorothy Pierson requested 3 street lights on Stockard Street. Howard Davis made a motion to put up any street lights as needed. Buck Mays seconded the motion; motion carried unanimously.

The current payables were gone over. Jim Payne made a motion to pay the bills. Buck Mays seconded the motion; motion carried unanimously.

Application from Ken Mills for additional policeman was read to the council by Chief Buchanan. He would work for $400.00 monthly. Mayor Beene suggested that Chief Buchanan get more applications. The new policeman would have to attend 140 hours school required by the state within a year from date of employment. Buck Mays made a motion to hire Ken Mills after George Buchanan runs a check. Jim Payne seconded the motion. Three voted for and 1 against. (Roy Harper was opposed.) Motion carried.

Howard Davis made a motion to adjourn. Buck Mays seconded the motion. Motion carried unanimously.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Billye Dee MacManus, Sec'y.

MINUTES August 10, 1972
City Council Meeting

Mayor Beene called the regular meeting to order in City Hall at 7:30 p.m. with the following council members present: Howard Davis, Don Fraser, Jim Payne, Buck Mays and Roy Harper.

Reading of the minutes from the previous meeting was dispensed.

Discussion of the Court case in Denton of Michael Sparks vs. Mayor Beene, Police Chief Buchanan, Secretary Billye D. MacManus, and Clerk, Kathy Touchstone was held. Jim Payne made a motion that Jerry Cobb, attorney, be hired to represent the city's interest. Buck Mays seconded the motion; motion carried unanimously.

Licensing of Private Clubs in the City Limits was discussed. Mayor Beene felt that licensing of Clubs should be approved by the Council. Don Fraser made a motion that private clubs be prohibited unless approved by the City Council. Jim Payne seconded the motion; motion carried unanimously.

Lloyd Wharton came before the council to request a Special Use Permit for a 24' x 50' trailer on his lots. Jim Payne made a motion that Mr. Wharton take the matter before the Zoning Board. Don Fraser seconded the motion; motion carried unanimously.

Re-Zoning of the Faught property and the Barnes property was brought before the Council from the Zoning Board Chairman. The Zoning Board had voted negative 3 to 1 for re-zoning the Faught property on Hundley Drive. Chairman, Bette Dunn had abstained from voting due to conflict of interest. The Barnes property on Main Street had been approved by the Zoning Board 4 to 1. Jeff Petes from Lewisville told the Council that he planned to put up an auto repair shop with approximately $40,000 building on the B rnes property. He presented a preliminary sketch to the Council. The entire property will be fenced with the exception of entrance and exit. Mrs. Henry Sargent stated that the street beside the property is still open. Jim Payne made a motion to issue a Special Use Permit for a garage with no junk outside and with a board fence bordering all sides except entrances and/or exits. Buck Mays seconded the motion; motion carried unanimously.) The Faught property zoning from R-3 to C-1 was discussed. Don Fraser made a motion to go along with the zoning board and reject re-zoning. Jim Payne seconded the motion. Motion carried 3 to 1. (Mayor Beene excused himself from discussion due to conflict of interest. Roy Harper acted as Mayor Pro. Tem.) Buck Mays voted against the rejection.

Accounts payable were gone over. Chief Buchanan stated that he had a new policeman, Ken Mills, beginning at $400 montly August 1, 1972. Don Fraser made a motion to pay the bills. Jim Payne seconded the motion; motion carried unanimously.

Chief Buchanan called Officer Ken Mills in and introduced him to the Mayor and Council Members.

Fred Carlisle turned in his map with house numbers along with $11.68 reimbursed to the city on numbers that had been sold.

Lone Star Gas Company was represented by Mr. A. C. Haley, Don Huff and Mr. Branan at the meeting. The 10% rate increase was discussed. Representatives were told that they would be informed tomorrow morning about the Council's decision on the rate increase.

Jim Payne made a motion to consider a 3.3% increase. Buck Mays seconded the motion; motion carried unanimously.

Howard Davis stated that he wanted another vote on the re-zoning of the Faught property. He stated that if Sara Rucker who lives directly across from said property doesn't object to the re-zoning that he doesn't object. Another vote was taken, with Mayor Beene excusing himself as having a conflict of interest. The vote was 2 for re-zoning and 2 against. Roy Harper broke the tie vote in his capacity as acting Mayor by voting against the re-zoning.

Jim Payne made a motion to adjourn. Don Fraser seconded the motion; motion carried unanimously.

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES
Special City Council
Meeting

August 23, 1972

Mayor W. L. Beene called the meeting to order in City Hall at 7:30 p.m. with the following council members present: Howard Davis, Roy Harper, Don Fraser, Jim Payne and Buck Mays. Ed Bright, Mayor of Hickory Creek and Councilwoman Louise Eix and Perry Harvell from Hickory Creek were in attendance with a joint meeting between Lake Dallas and Hickory Creek. (Rudy Starnes, councilman of Hickory Creek, was absent.)

Discussion of the additional exit from I-35E was held. The State had submitted plans which would require service roads on both sides of the highway to be one-way. Ed Bright stated that it would be a hardship on the people who lived South of the overpass. He suggested that the offer not be accepted. He further stated that it should be one way all the way from Denton to Lewisville or leave it as it is. He felt that it would be too much to give up for the exit. He would like to bargain with the State.

After further discussion Ed bright suggested that Mayor Beene and himself get together with the highway department and explain that the plan submitted was not feasible, and that it would create a hardship.

Both councils voted unanimously that the two mayors get together with the highway department to work out a more feasible plan.

Buck Mays made a motion to adjourn. Louise Eix seconded the motion; motion carried unanimously.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,
Billye D. MacManus
Billye D. MacManus
City Secretary

MINUTES September 14, 1972
City Council Meeting

Mayor Beene called the regular meeting to order in the City Hall at 7:30 p.m. with the following council members present: Howard Davis, Don Fraser, Buck Mays, Jim Payne and Roy Harper.

Discussion was held on the Lake Cities State Bank possibly going into Hickory Creek. The service road proposed one-way would be a hardship on the bank. Jim Payne suggested getting together with the bank directors. Mayor Beene suggested tabling the matter for now and calling a special meeting if the bank announced going into Hickory Creek. Jim Payne said that the Council should have a meeting with the bank. Don Fraser made a motion that the City Council write the Board of Directors of the bank that it is the feeling of the City Council that the bank should be in Lake Dallas and request a meeting at the Board's convenience. Buck Mays seconded the motion; motion carried unanimously.

Insurance on policeman Kenneth Mills was discussed. Howard Davis made a motion that he be insured by the city in the same amount as Chief Buchanan. (Life and Hospitalization.) Motion was seconded and carried unanimously.

Street signs for Kings Manor subdivision were discussed. Jim Payne made a motion to buy the street signs. Buck Mays seconded the motion; the motion carried unanimously.

Mayor Beene suggested getting engineers to lay out street planning. It was suggested contacting companies. Jim Payne suggested talking with the County Commissioner. Maybe they will furnish labor if we furnish the materials. Mayor Beene suggested contacting Rady and Associates (water department's engineers) and requesting them to come to the next regular meeting and get together with the Mayor as soon as possible. It was suggested that the State will furnish a part of the expense.

Jess Stowe requested a Special Use Permit to put a 12' x 65' trailer in back of the laundry for Mrs. Matthews to live in. He wanted this on an annual basis. Buck Mays made a motion to grant a Special Use Permit for the period of one year (renewable). Roy Harper seconded the motion. Motion carried with a vote of three for and 2 against. Don Fraser wanted it understood that he was not against the Special Use Permit per se, but that he felt that it should go before the Zoning Board first.

The monthly financial report was gone over. Don Fraser made a motion to pay the current bills. Buck Mays seconded it; motion carried unanimously.

Don Fraser made a motion to adjourn the open seesion and hold a closed meeting for discussion of the proposed budget and personnel. Jim Payne seconded the motion; motion carried unanimously.

The regular meeting adjourned at 9:00 p.m. and the closed session was called to order.

The proposed budget was gone over and discussed. Changes were suggested that Police Department Insurance be increased to cover the cost of insurance for the other policeman, Ken Mills. Police Chief Buchanan's requested raise was discussed. The Council agreed on a $100 per month raise instead of the requested $400 per month. Also, the new policeman would be sent to the Police Academy for Certification.

Jim Payne made a motion to call a special council meeting if Chief Buchanan tried to fire policeman Kenneth Mills. Buck Mays seconded the motion; motion carried unanimously.

Jim Payne made a motion that Ken Mills use the squad car with the telephone at night. Roy Harper seconded the motion; motion carried unanimously.

Jim Payne made a motion that a police log is to be turned in every day and be available to city officials. Buck Mays seconded the motion; motion carried unanimously.

Jim Payne made a motion that police wear uniforms at all times while on duty. Roy Harper seconded the motion; motion carried unanimously.

Jim Payne made a motion that Chief Buchanan have a day off every week other than our local deputy's day off. Motion was seconded and carried unanimously.

George Buchanan was called back into the meeting to tell him of the $100 approved raise. Chief Buchanan felt that he should have the same as Coppell Police Chief. After further discussion, the $100 per month raise was finalized.

A Public Hearing for the budget was set for September 28, 1972 at 7:30 p.m. in the City Hall.

Howard Davis made a motion that the budget be approved as corrected. Buck Mays seconded the motion; motion carried unanimously.

Howard Davis made a motion to adjourn. Buck Mays seconded the motion; motion carried unanimously.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Billye D. MacManus

Billye D. MacManus
City Secretary

MINUTES October 12, 1972
City Council Meeting

The meeting was called to order in City Hall at Lake Dallas by Mayor W. L. Beene at 7:30 p.m. The following council members were present: Howard Davis, Donald Fraser, Jim Payne, Buck Mays and Roy Harper.

Minutes of the previous meeting were read and approved as read.

Engineer Hensley from Rady and Associates addressed the Council. He was asked to appear in regard to programs for road construction within the city. Mayor Beene stated that a set of plans was needed by the city. Government plans will be looked into and Mr. Hensley will get with Mr. Bob Keene to see what can be done. He stated that it would take 3 to 4 months to get a grant and another 8 monhhs to complete planning on street plans, cost estimates, time schedules and suggested widths. Mr. Hensley will call or write a letter to the city when he gets the necessary information.

Re-Zoning for the bank was brought before the Council. Jim Payne made a motion to re-zone from R-111 to C-2. The motion wax seconded by Councilman Fraser and carried unanimously.

Mr. J. B. Briggs of the Municipal Water Authority was present. He stated that the city needs an ordinance that gas, oil, chemicals cannot be dumped into the sewer. Howard Davis made a motion to pass an Ordinance prohibiting gas, oil and chemicals from being dumped into the sewer and to have an attorney draw up the ordinance. Donald Fraser seconded the motion and the motion carried.

Fire Truck note renewal was brought before the Council. Buck Mays made a motion to renew the note, which was seconded by Donald Fraser and carried unanimously.

Revenue Sharing Plan was discussed.

The copy of a letter from Mayor Bright of Hickory Creek to Mr. Keller of the Highway Department regarding exit ramp was read to the Council.

The need for a fireproof safe to keep the city records in was discussed. The secretary was told to put an ad in the Dallas Times Herald advertising that the City wanted to buy a used safe.

The monthly payables were gone over. Donald Fraser made a motion to pay the accounts (and to check out a possible duplicate invoice on G. and G. Tractor Company). The motion was seconded by Councilman Payne and carried unanimously.

James McCurley of the Fire Department stated that there was a need for a paid fireman to be on duty 5 or 6 days per week. He will talk with the other towns in the area, also.

Buck Mays made a motion to adjourn. Motion was seconded and carried. The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Billye Dee Horton
City Secretary

MINUTES
City Council Meeting

October 26, 1972
Executive Meeting

A Special Executive meeting of the Lake Dallas City Council was called to order Thursday, October 26, 1972, at 6:30 p.m. in the Lake Dallas City Hall by Mayor Beene. Council members Howard Davis, Donald Fraser, and Jim Payne were present and constituted a quorum, as was City Secretary Billye Dee Horton.

The purpose of the meeting was to discuss the insubordination and misconduct of Lake Dallas Police Chief George Buchanan and was thereby called in accordance with the City Council motion of November 11, 1971, which allows a closed meeting of the City Council to discuss personnell. This November, 1971 decision allows such special meetings without the regular three day notification of Council members.

Mayor Beene asked the Council if they wished to have Chief Buchanan called immediately or if they wished to review the complaints before asking Chief Buchanan to appear. The concensus of the Council was to review and discuss the actions and complaints against Chief Buchanan before his appearance.

The following questionable actions and complaints attirbuted to Chief Buchanan were discussed:

1 - His actions following the discovery that Hilliard's Texaco had erroneously duplicated a $4.25 gas ticket. He imputed the reputation and character of a local businessman.

2 - Mistreatment and abuse of an attorney for driving too slowly through the City. The attorney was jerked from the car after he told the Chief he could not get out since he had only one leg. All charges were dropped by the Court when the Chief admitted to abusive treatment.

3 - The slapping of Ricky T ylor during his appearance in Municipal Court. When Chief Buchanan drew back to hit the defendant with his fist, Judge Beene orderd him to be seated and to "cool it".

4 - Mistreatment by physical abuse of a defendant charged with drunkeness in the Lake Dallas Municipal Court, Roy Harper presiding.

5 - Use of a teen-age city employee as a decoy in a lake park after the Mayor had instructed him not to consider such action because of the danger to the girl and the city's liability.

6 - Failure to obey a direct order of thee Mayor. Mayor Beene instructed Chief Buchanan to turn in a potted marijuana plant to the Denton County Sheriff's Department. Chief Buchanan refused to comply with his instructions and allowed his picture to be taken with the plant for publication in the Denton Record-Chronicle. On publication, District Judge Scofield

called Mayor Beene and told him to turn the plant over to the Sheriff's Department. Mayor Beene asked a Denton County Deputy Sheriff to surrencder the plant which he did while accompanied by Chief Buchanan.

7 - Chief Buchanan arrested two men at a lake park which was outside City's jurisdidction, and brought them to the Lake Dallas City Offices in their bikini underwear. He then refused to allow the prisoners to dress before taking them to the Denton Sheriff's office.

8 - Public embarrassment of a lady by using the squad car's public address system to call her across the street in order to cite her with a traffic violation.

9 - Poor judgment in telling a group of minors that their actions at a local lake park were out of his jurisdiction resulted in their subsequent arrests and an inquiry into local police actions by the Denton Juvenile Board.

10 - His consistent patrolling of areas outside his jurisdiction against Council instructions and without being requested by other law enforcement agencies.

11 - Disobeying direct orders of the Mayor. The Council has instructed the Chief to obey all instructions of the Mayor. Example: Tailure to attempt so apprehend the driver of a car who had burned out on Main Street because he was busy writing a police report.

12 - Chief Buchanan failed to obey Council instructions and transferred four minors to Denton authorities without first appearing before the local judge.

13 - There have been complaints and reports of the Police Chief getting rough with people stopped for traffic violations.

14 - Young women have complained of harassment by Chief Buchanan after being stopped without cause (no violation) and having their purses searched.

15 - The Chief's attitude toward Council members is very impudent and condescending.

16 - Chief Buchanan was considered guilty of lax security measures.

Basically, the Council thought the Police Chief had consistently used poor judgment, lacked tact, brought discredit upon the Municipal Government, and was hostile and impudent toward superior authorities. The Police Chief came without the Council's invitation to the meeting and demanded to know the purpose of the meeting and the reason why he had not been called. Councilman Fraser told the Chief the Council had planned to ask him to come to discuss the matter with the Council.

The Council then proceeded to review the allegations cited with the Police

Chief. Chief Buchanan throughout the review was hostile and uncooperative. Before all complaints had been covered, the Police Chief prepared to leave. At this time, Councilman Payne asked for resignation from the Chief. Chief Buchanan replied, "I will not resign." At this time Councilman Fraser suggested the Council could go into Executive Session.

In view of the Police Chief's repeated warnings and reprimands and instructions and his current hostility to the Council, the Council believed the Police Chief would not cooperate with instructions from either the Mayor or Council. It was decided to terminate his employment on a motion by Councilman Payne. It was seconded by Councilman Davis. The vote was unanimous. The City Secretary was instructed to write a letter of termination, to prepare severance checks for salary to date ($233.32), two weeks' termination pay ($350.00), and two weeks' vacation pay ($350.00), to receive all city properties held by Police Chief Buchanan, and to advertise for an immediate replacement.

Councilman Howard Davis moved that the Executive session adjourn. The motion was seconded and passed unanimously. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Billye Dee Horton
City Secretary

MINUTES
City Council Meeting

Special Executive Session
November 6, 1972

The special meeting was called to order by Mayor Benne in City Hall at 7:30 p.m. with the following council members present: Howard Davis, Donald Fraser, Jim Payne, Buck Mays and Roy Harper.

Jim Payne made a motion to dispense with the reading of the minutes at this time. The motion was seconded by Buck Mays and carried.

Wayne Cook from Bishop, Texas was interviewed. His capacity at Bishop is Police Chief. His reason for application for job as Police Chief was that he wanted in this area. Also, working conditions at his present employment are not as they were before a new council went in and the City Attorney and others resigned. Mr. Cook has 144 hours of schooling. Also he has 9 hours in Constitutional Law. He is Certified. A portion of his salary is through a Government Grant at this time. (See resume for particulars.)

Jim Payne noted that he felt that possibly $200 per month could be saved from police department expenses, mainly the squad car expenses. That would enable the Council to meet higher salaries for Police Department than previously, since a certified officer was wanted.

Mr. Ron Phillips of Richardson was interviewed. He stated that he would want the position of patrolman, rather than Police Chief and would work for $500 per month. Mr. Phillips is Certified, also, but is required to take Texas Law (about a week's school at the Academy). Mr. Phillips also stated that he would prefer night work.

Jim Payne recommended that a letter be written to the Lake Dallas Police Reserves in appreciation of their work.

Mr. O'Connor would be able to work part-time while we are in need of extra police patrolmen. He is a Certified Reserve.

Councilman Payne made a motion that we try to hire Mr. Cook as Police Chief at $700 per month with $20,000 Life Insurance (Double Indemnity), Hospitalization Insurance, and furnish the cleaning of uniforms, as well as furnishing uniforms. Also, that the City hire Mr. Phillips as Patrolman at $500 per month with $20,000 Life Insurance (Double Indemnity), Hospitalization Insurance, and furnish the cleaning of uniforms.

Mr. Cook and Mr. Phillips came back in separately to talk with the Council. Mr. Cook stated that he wanted to talk it over with his wife before making a decision. He would call Mayor Beene in the morning to let him know his decision.

Mr. Phillips accepted the position of Patrolman and will begin employment Wednesday, November 8, 1972.

The minutes of the Special Executive Session Meeting of October 26, 1972 were then gone over by the Council. Minutes in which Police Chief George Buchanan was relieved of his duties were approved unanimously by the Council.

Buck Mays made a motion to adjourn. The motion was seconded and carried unanimously.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Billye Dee Horton

Billye Dee Horton
City Secretary

MINUTES
City Council Meeting

December 27,1972
Executive Meeting

A special Executive meeting of the Lake Dallas City Council was called to order Wednesday, December 27,1972, at 7:30 P.M. in the Lake Dallas City Hall. Council members Howard Davis, Jim Payne, Roy Harper, Don Fraser & Buck Mays were present. Mayor Beene was also Present.

Replacement for Billye Dee Horton was discussed. Mayor Beene brought up Mrs. Shurtz . The council then decided to Let Jim Payne talk to Mrs Shurtz

The need for another signature on the checks was brought up. Jim Payne made a motion for Linda Flowers' signature to be on the checks, which was seconded by Buck Mays and carried unanimously.

Buck Mays made a motion that we hire another policeman (John William Easter) on probation. Howard Davis seconded the motion, motion was carried unanimously.
Howard Davis made a motion to let Buck Mays hire a streetman . Jim Payne seconded the motion; motion was carried unanimously.

Howard Davis made a motion the meeting adjourn. Buck Mays seconded the motion; motion was carried unanimously.

The Meeting adjourned at 8:45 p.m.

Ass't City Secretary
Linda Flowers

CITY OF LAKE DALLAS

1970 - 71 BUDGET

REVENUE

City Sales Taxes	$ 16,500.00
Property Taxes (Approx. 80%)	16,000.00
Loans	-
Court Receipts (Avg. $350 mo.)	4,200.00
Franchises	3,500.00
Permits	300.00
Miscellaneous Income (Culverts, Mowing)	2,000.00
Bonds, etc.	-
	$ 42,500.00

EXPENDITURES

ADMINISTRATIVE:

Office Expenses	$ 100.00
Elections	120.00
Professional Services	400.00
Advertising & Notices	150.00
Dues & Subscriptions	85.00
City Sec'y. & Tax Assessor-Collector	5,400.00
Insurance & Bonds (Incl. Police, etc.)	1,028.00
Interest	100.00
Tel. & Util. (Incl. w/Police Dept.)	-
Judge & Other (Extra helpt etc.)	2,100.00
Donations	-
Bldg. Maintenance & Repairs	550.00
Office Equipment	475.00
Building Note (Sinking Fund)	1,500.00
	$ 12,008.00

POLICE DEPARTMENT:

Salaries	$ 12,000.00
Office Supplies	10.00
Gas, Oil, etc.	1,300.00
Auto Maintenance & Repairs	500.00
Vehicle Supplies	-
Insurance & Bonds	415.96
Uniforms & Cleaning	170.00
Interest	152.00
Tel. & Util. (Adm. Tel. incl.)	825.00
Court Supplies	250.00
Jury Duty	20.00
Recording	15.00

(cont'd.)

CITY OF LAKE DALLAS

1970 - 71 BUDGET

EXPENDITURES

POLICE DEPARTMENT (cont'd.):	
Handling Prisoners	$ 150.00
Training School	250.00
Equipment	-
Capital - Vehicles	2,122.50
	$ 18,180.46
STREET DEPARTMENT:	
Salaries	$ 5,000.00
Street Lighting	482.00
Gas, Oil, etc.	175.00
Vehicle Maintenance & Repairs	500.00
Street Maintenance	545.00
Maintenance - Grounds	-
Interest	-
Captial - Signs, etc. (Incl. w/streets)	-
Capital - Vehicles (Bal. Note)	598.41
Capital - Streets	5,000.00
	$ 12,300.41
	$ 42,488.87

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
June, 1971

RECEIPTS		
City Sales Taxes		$ 2,770.22
Property Taxes		840.06
Court Receipts		427.00
Permits		211.14
Miscellaneous Income (Mowing, Culvertx, Int. etc.)		100.82
Appearance Bonds		40.00
Total Receipts		$ 4,389.24
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 14.77	
Advertising & Notices	16.00	
Salaries: Secretary	450.00	
Judge	150.00	
Building Maintenance	6.06	$ 636.83
POLICE DEPARTMENT:		
Salaries	$ 1,000.00	
Office Supplies	31.65	
Gas, Oil, etc.	67.78	
Vehicle Repairs	54.31	
Vehicle Supplies	19.50	
Insurance (Polkce Chief)	33.83	
Uniforms (Police Chief)	108.85	
Interest (Squad Car Note)	15.25	
Telephones and Utilities	74.64	
Equipment (Radios)	75.05	1,480.86
STREET DEPARTMENT:		
Salaries	$ 568.75	
Street Lighting	49.09	
Gas, Oil, etc.	24.95	
Equipment Repairs	214.03	
Street Maintenance	18.30	
Capital - Signs	40.80	915.92
Total Operating Expenses		~~$ 2,832.81~~ 3,033.61
OTHER DISBURSEMENTS:		
Note Payments (3)		$ 266.49

CITY OF LAKE DALLAS
July 8, 1971

CASH IN BANK		$ 3,772.29
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Lewisville Leader	$ 139.16	
Massie Office Supply	3.20	
Nu-Art Printing Co.	44.50	
Ramey & King Ins. (Bond)	10.00	
Richey Business Machines	13.41	$ 210.27
POLICE DEPARTMENT:		
Continental Oil Company	$ 116.71	
Enterprise Printing Co.	41.00	
Roy V. Harper	5.40	
Lake Dallas Tel. Co. (Mobile & Office)	75.48	
Lynch Welding (Wrecker Service)	12.50	
Marcus' Cleaners	25.10	
Newt Miller Ford	8.60	
Texaco, Inc.	$ 3.00	287.79
STREET DEPARTMENT:		
E. L. Boynton (Gravel)	$ 484.56	
Continental Oil Co.	11.28	
Darr Equipment Co.	270.40	
Lynch Welding	6.00	
Texas Power & Light (77 days)	142.10	914.34
		$ 1,412.40
OTHER:		
Handley Food Store:		
Office Expense	$ 1.33	
Building Maintenance	6.10	7.43
Lake Dallas Hardware:		
Building Maintenance	$ 1.79	
Police Auto Repairs	16.47	
Poliee Supplies	6.99	
Street Dept. Gas, Oil	19.35	
Street Eqpt. Repairs	10.22	
Street Maint. Splys.	1.29	56.11
		$ 1,475.94
Note Payment (Squad Car)	$ 114.25	
Federal Payroll Deposit	246.90	
Payroll June 15th	990.50	1,351.65
		$ 2,827.59

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
May, 1971

RECEIPTS		
Property Taxes		$ 1,125.76
Court Receipts		393.00
Permits		102.03
Miscellaneous Income		96.02
Total Receipts		$ 1,716.81
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 34.00	
Professional Services	135.00	
Dues & Memberships	50.00	
Salaries: City Secretary	450.00	
Judge	150.00	
Insurance (Qtrly. Cars, Eqpt., etc.)	459.75	
Building Maintenance	7.48	$ 1,286.23
POLICE DEPARTMENT:		
Salaries	$1,000.00	
Office Supplies	5.34	
Gas, Oil, etc.	141.55	
Auto Repairs	36.28	
Vehicle Supplies	28.01	
Insurance (Police Chief)	33.83	
Uniform Cleaning	33.55	
Interest (Squad Car Notes)	16.25	
Telephones & Utilities	83.69	
Court Supplies	53.78	
Equipment (Police Radio Base Station)	197.00	1,629.28
STREET DEPARTMENT:		
Salaries	$ 61.00	
Street Lighting	51.10	
Gas, Oil, etc. (2 mos.)	65.30	
Vehicle Repairs	48.39	
Street Maint. (Incl. Contract Labor)	324.67	
Capital - Signs, Posts, etc.	277.98	
Capital - Streets (Asphalt)	152.62	981.06
Total Operating Disbursements		$ 3,896.57
OTHER DISBURSEMENTS:		
Notes Payable (3)		$ 266.49

CITY OF LAKE DALLAS

June 10, 1971

CASH IN BANK		$ 2,326.01
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Massie Office Supply, Inc.	$ 6.31	
Richey Business Machines, Inc.	3.06	$ 9.37
POLICE DEPARTMENT:		
Gary Brown	$ 50.05	
Enterprise Printing Company	31.65	
Ladd Uniform Company	108.85	
Lake Dallas Tel. Co. (Office & Mobile)	70.89	
Texaco, Inc.	67.78	329.22
STREET DEPARTMENT:		
Jameson Implement	$ 7.50	
Texas Power & Light	52.84	60.34
		$ 398.93
OTHER:		
Huey & Philp Co. (House nos. (to be reimbursed))		40.80
Handley Food Store:		
Building Maintenance	$ 6.06	
Street Vehicle Repairs	4.98	11.04
Lake Dallas Hardware & Garage:		
Squad Car Repairs	$ 4.80	
Street Dept. Gas & Oil	8.10	117.34
Street Vehicle Repairs	.18	13.08
Lewisville Leader (New City Ord. Notices)		139.16
Total		$ 603.01
Payroll 6-15-71 (estimated):		
Administrative		$ 225.00
Police Dept.		500.00
Street Dept.		301.75
		$ 1,026.75

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
June, 1971

RECEIPTS		
City Sales Taxes		$ 2,770.22
Property Taxes		840.06
Court Receipts		427.00
Permits		211.14
Miscellaneous Income (Mowing, Culverts, Int. etc.)		100.82
Appearance Bonds		40.00
Total Receipts		$ 4,389.24
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 14.77	
Advertising & Notices	16.00	
Salaries: Secretary	450.00	
Judge	150.00	
Building Maintenance	6.06	$ 636.83
POLICE DEPARTMENT:		
Salaries	$ 1,000.00	
Office Supplies	31.65	
Gas, Oil, etc.	67.78	
Vehicle Repairs	54.31	
Vehicle Supplies	19.50	
Insurance (Police Chief)	33.83	
Uniforms (Police Chief)	108.85	
Interest (Squad Car Note)	15.25	
Telephones and Utilities	74.64	
Equipment (Radios)	75.05	1,480.86
STREET DEPARTMENT:		
Salaries	$ 568.75	
Street Lighting	49.09	
Gas, Oil, etc.	24.95	
Equipment Repairs	214.03	
Street Maintenance	18.30	
Capital - Signs	40.80	715.92
Total Operating Expenses		~~$ 2,832.81~~ 3,033.67
OTHER DISBURSEMENTS:		
Note Payments (3)		$ 266.49

CITY OF LAKE DALLAS
July 8, 1971

CASH IN BANK		$ 3,772.29
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Lewisville Leader	$ 139.16	
Massie Office Supply	3.20	
Mu-Art Printing Co.	44.50	
Ramsey & King Ins. (Bond)	10.00	
Richey Business Machines	13.41	$ 210.27
POLICE DEPARTMENT:		
Continental Oil Company	$ 116.71	
Enterprise Printing Co.	41.00	
Roy V. Harper	5.40	
Lake Dallas Tel. Co. (Mobile & Office)	75.48	
Lynch Welding (Wrecker Service)	12.50	
Marcus' Cleaners	25.10	
Newt Miller Ford	8.60	
Texaco, Inc.	$ 3.00	287.79
STREET DEPARTMENT:		
E. L. Boynton (Gravel)	$ 484.56	
Continental Oil Co.	11.28	
Darr Equipment Co.	270.40	
Lynch Welding	6.00	
Texas Power & Light (77 days)	142.10	914.34
		$ 1,412.40
OTHER:		
Handley Food Store:		
Office Expense	$ 1.33	
Building Maintenance	6.10	7.43
Lake Dallas Hardware:		
Building Maintenance	$ 1.79	
Police Auto Repairs	16.47	
Police Supplies	6.99	
Street Dept. Gas, Oil	19.35	
Street Eqpt. Repairs	10.22	
Street Maint. Splys.	1.29	56.11
		$ 1,475.94
Note Payment (Squad Car	$ 114.25	
Federal Payroll Deposit	246.90	
Payroll June 15th	990.50	1,351.65
		$ 2,827.59

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
June, 1971

RECEIPTS		
City Sales Taxes		$ 2,770.22
Property Taxes		840.06
Court Receipts		427.00
Permits		211.14
Miscellaneous Income (Moving, Culverts, Int. etc.)		100.82
Appearance Bonds		40.00
Total Receipts		$ 4,389.24
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 14.77	
Advertising & Notices	16.00	
Salaries: Secretary	450.00	
Judge	150.00	
Building Maintenance	6.06	$ 636.83
POLICE DEPARTMENT:		
Salaries	$ 1,000.00	
Office Supplies	31.65	
Gas, Oil, etc.	67.78	
Vehicle Repairs	54.31	
Vehicle Supplies	19.50	
Insurance (Police Chief)	33.83	
Uniforms (Police Chief)	108.85	
Interest (Squad Car Note)	15.25	
Telephones and Utilities	74.64	
Equipment (Radios)	75.05	1,480.86
STREET DEPARTMENT:		
Salaries	$ 568.75	
Street Lighting	49.09	
Gas, Oil, etc.	24.95	
Equipment Repairs	214.03	
Street Maintenance	18.30	
Capital - Signs	40.80	915.92
Total Operating Expenses		$ 2,032.81
		3,033.61
OTHER DISBURSEMENTS:		
Note Payments (3)		$ 266.49

CITY OF LAKE DALLAS
July 8, 1971

CASH IN BANK		$ 3,772.29
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Lewisville Leader	$ 139.16	
Massie Office Supply	3.20	
Nu-Art Printing Co.	44.50	
Ramsey & King Ins. (Bond)	10.00	
Richey Business Machines	13.41	$ 210.27
POLICE DEPARTMENT:		
Continental Oil Company	$ 116.71	
Enterprise Printing Co.	41.00	
Roy V. Harper	5.40	
Lake Dallas Tel. Co. (Mobile & Office)	75.48	
Lynch Welding (Wrecker Service)	12.50	
Marcus' Cleaners	25.10	
Newt Miller Ford	8.60	
Texaco, Inc.	$ 3.00	287.79
STREET DEPARTMENT:		
E. L. Boynton (Gravel)	$ 484.56	
Continental Oil Co.	11.28	
Darr Equipment Co.	270.40	
Lynch Welding	6.00	
Texas Power & Light (77 days)	142.10	914.34
		$ 1,412.40
OTHER:		
Handley Food Store:		
Office Expense	$ 1.33	
Building Maintenance	6.10	7.43
Lake Dallas Hardware:		
Building Maintenance	$ 1.79	
Police Auto Repairs	16.47	
Police Supplies	6.99	
Street Dept. Gas, Oil	19.35	
Street Eqpt. Repairs	10.22	
Street Maint. Splys.	1.29	56.11
		$ 1,475.94
Note Payment (Squad Car	$ 114.25	
Federal Payroll Deposit	246.90	
Payroll June 15th	990.50	1,351.65
		$ 2,827.59

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
April, 1971

RECEIPTS			
Court Receipts			$ 551.00
Franchise Payment (Lake Dallas Tel. Co.)			122.50
Permits			56.88
Misc. Income: Repairs		$ 98.00	
Culverts		50.00	
Quit Claim Deed		10.00	
Re-Zoning Application		40.00	
Mow Lot		30.00	228.00
Total Receipts			$ 958.38
DISBURSEMENTS			
ADMINISTRATIVE:			
Office Expense		$ 3.34	
Election		156.23	
Salaries: Judge & Secretary		600.00	
Insurance (New Squad Car - addtl.)		146.00	
Donation (Denton City-County Health)		50.00	
Building Maintenance & Repair		53.16	1,008.73
POLICE DEPT.:			
Salaries		$ 1,000.00	
Gas, Oil, etc.		72.76	
Auto Repairs		26.38	
Insurance (Police Chief)		33.83	
Uniform Cleaning		10.00	
Interest (2 Squad Cars)		17.25	
Telephone & Utilities		73.06	1,233.28
STREET DEPT.:			
Salaries		$ 220.50	
Vehicle Maintenance & Repairs		2.71	
Street Maintenance		129.30	352.51
Total Operating Disbursements			$ 2594.52
OTHER DISBURSEMENTS:			
Squad Cars & Equipment Notes (3)			$ 266.49

CITY OF LAKE DALLAS

MAY 13, 1971

CASH IN BANK		$ 4,972.26
ACCOUNTS PAYABLE:		
ADMINISTRATIVE:		
Nu-Art Printing Co. (Ltrhds.)	$ 18.00	
Bruce Davis, Atty. (Ordinances)	135.00	$ 153.00
POLICE DEPT.:		
Cobb's Cleaners	$ 10.00	
Conoco (Gas & Oil)	141.55	
Denton Dodge	9.50	
L. D. Tel. Co. (Mobile & Office)	79.94	
Nu-Art Prntg. Co. (Stamp)	4.65	
Stafford-Lowdon Co. (Warrants)	53.78	299.42
STREET DEPT.:		
E. L. Boynton (Asphalt)	$ 152.62	
Sargent-Sowell, Inc. (Signs)	255.30	
J. W. Jones (Tools - misc.)	46.50	
Texas Power & Light	54.85	509.27
OTHER:		
Ramey & King Ins. (Qtrly.)		459.75
Lake Dallas Hardware (2 mos.) -		
Bldg. Maint. & Rep.	$ 7.48	
Police Office Splys.	.69	
Squad Car Repairs	26.78	
Vehicle Splys.	26.54	
Street Dept. Gas and Oil	65.30	
Vehicle Repairs (St. dept.)	1.89	
Street Maint. Matls.	6.67	
Cement for Sign Installation	22.68	158.03
		$ 1,579.47

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
March, 1971

RECEIPTS		
City Sales Taxes	$ 2,209.86	
Property Taxes	535.64	
Court Receipts	245.50	
Franchise Payments	824.83	
Permits	22.00	
Misc. (Culverts, Pen & Int. on Taxes, Mowing)	334.13	
Reimbursements (Insurance - Fire Truck)	250.00	
Total Receipts		$ 4,421.96
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 26.29	
Elections	25.00	
Advertising & Notices	24.00	
Dues & Memberships (Texas Mun. Lge.)	84.00	
Salaries: Judge	150.00	
Secretary	450.00	
Bonds (Officials)	10.00	
Building Maintenance	13.31	$ 782.50
POLICE DEPT.:		
Salary	$ 600.00	
Office Supplies	16.97	
Gas and Oil	70.54	
Auto Repairs	23.40	
Insurance and Bond	38.83	
Uniform Cleaning	26.40	
Interest	18.25	
Telephone and Utilities	82.35	
Jury Duty	3.00	
Recording	2.00	
Equipment	250.00	1,131.74
STREET DEPT.:		
Salaries	$ 585.75	
Street Lighting	46.15	
Gas and Oil	31.91	
Vehicle Repairs	1.50	
Street Maintenance	154.05	
Capital - Signs, Posts	1,063.52	
Capital - Streets	810.95	2,693.83
Total Operating Disbursements		$ 4,608.07
OTHER DISBURSEMENTS:		
Note Payments	$ 266.49	

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
March, 1971

RECEIPTS		
City Sales Taxes	$ 2,209.86	
Property Taxes	535.64	
Court Receipts	245.50	
Franchise Payments	824.83	
Permits	22.00	
Misc. (Culverts, Pen & Int. on Taxes, Mowing)	334.13	
Reimbursements (Insurance - Fire Truck)	250.00	
Total Receipts		$ 4,421.96
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 26.29	
Elections	25.00	
Advertising & Notices	24.00	
Dues & Memberships (Texas Mun. Lge.)	84.00	
Salaries: Judge	150.00	
Secretary	450.00	
Bonds (Officials)	10.00	
Building Maintenance	13.31	$ 782.50
POLICE DEPT.:		
Salary	$ 600.00	
Office Supplies	16.97	
Gas and Oil	70.54	
Auto Repairs	23.40	
Insurance and Bond	38.83	
Uniform Cleaning	26.40	
Interest	18.25	
Telephone and Utilities	82.35	
Jury Duty	3.00	
Recording	2.00	
Equipment	250.00	1,131.74
STREET DEPT.:		
Salaries	$ 585.75	
Street Lighting	46.15	
Gas and Oil	31.91	
Vehicle Repairs	1.50	
Street Maintenance	154.05	
Capital - Signs, Posts	1,063.52	
Capital - Streets	810.95	2,693.83
Total Operating Disbursements		$ 4,608.07
OTHER DISBURSEMENTS:		
Note Payments	$ 266.49	

CITY OF LAKE DALLAS
SCHEDULE OF RECEIPTS & DISBURSEMENTS
FEBRUARY, 1971

RECEIPTS				
Property Taxes			$ 3,057.41	
Court Receipts			75.00	
Permits			10.00	
Misc. Income:	Pen. & Int. on Taxes	$ 7.38		
	Tax Certificate	1.00		
	Mow Lot	5.00		
	Street Repair	25.00	38.38	
TOTAL RECEIPTS				$ 3,180.79
DISBURSEMENTS:				
Administrative:				
Office Expenses		$ 9.20		
Elections		22.90		
Professional Services		197.50		
Salaries:	Judge	150.00		
	City Secretary	450.00		
Insurance (Fire Truck - $250.00 Reimbursed)		306.00		
Building Maintenance		2.17	$ 1,137.77	
POlice Department:				
Salaries		$ 600.00		
Gas, oil, etc.		279.37		
Squad Car Maintenance		.92		
Vehicle Supplies		18.43		
Insurance		33.83		
Interest (Squad Car Notes)		19.25		
Telephone and Utilities		77.42		
Recording		16.50	1,045.72	
Street Department:				
Salaries		$ 456.50		
Street Lighting		40.59		
Gas, oil, etc.		37.27		
Vehicle Maintenance & Reparis		32.54		
Street Maintenance		139.38	706.28	
TOTAL OPERATING DISBURSEMENTS				$ 2,889.77
Other Disbursements:				
Note Payments (3)				$ 266.49

CITY OF LAKE DALLAS

MARCH 10, 1971

CASH IN BANK		$ 7,328.42
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Richey Business Machines	$ 28.32	
Texas Municipal League	84.00	
Bruce Davis, Attorney	25.00	$ 137.32
POLICE DEPARTMENT:		
Cobb's Cleaners (Jan. - Feb.)	$ 26.40	
Humble Oil & Refining Co.	6.66	
Lake Dallas Tel. Co. (Mobile & Office)	82.60	
Ramey & King (Chief of Police Bond)	5.00	
Texas Power & Light	3.75	124.41
STREET DEPARTMENT:		
Jackson Concrete, Inc.	$ 66.00	
E. L. Boynton (Asphalt)	148.25	
Sargent-Sowell, Inc. (Street Signs)	869.92	
Sargent-Sowell, Inc. (School Traffic Signs)	127.60	
Texas Power & Light	46.15	
Trans-Tex. Supply Co. (Fire Hydrant Fittings)	675.95	1,933.87
		$ 2,195.60
Lake Dallas General Store:		
Office Expense	$ 2.45	
Building Maintenance & Repairs	13.21	
Police Office Supplies	.49	
Gas - Squad Car	5.91	
Gas - Street Equipment	31.91	
Street Equipment Repairs	1.50	
Street Maintenance	5.80	61.27
		$ 2,256.87

Note: Texaco and Conoco statements not yet received.

CITY OF LAKE DALLAS
Schedule of Receipts & Disbursements
October, 1971

RECEIPTS		
Property Taxes		$ 2,129.16
Franchise Payments		189.92
Miscellaneous Income		3.61
Total Receipts		$ 2,322.69
DISBURSEMENTS		
ADMINISTRATIVE:		
Professional Services	$ 50.00	
Notices (Tax)	6.33	
Salaries: Secretary	450.00	
Mayor	150.00	
Insurance (Equipment - Police & Street)	461.41	
Building Maintenance	9.65	$ 1,127.39
POLICE DEPARTMENT:		
Salaries	$ 1,000.00	
Gas, Oil, etc.	304.79	
Vehicle Supplies	1.89	
Insurance (Police Chief)	33.83	
Interest (Squad Car Notes)	27.37	
Telephones & Utilities	81.45	1,449.33
STREET DEPARTMENT:		
Salaries	$ 134.14	
Street Lighting	48.17	
Gas, Oil, etc.	79.54	
Equipment Repairs	50.48	
Street Maintenance	.70	
Capital - Signs	13.20	
Capital - Streets	335.00	661.23
Total Operating Expenses		$ 3,237.95
OTHER:		
Squad Car Notes		200.00
Total Disbursements		$ 3,437.95

CITY OF LAKE DALLAS

OCTOBER 11, 1971

CASH ON HAND AND IN BANK			$ 2,386.62
ACCOUNTS PAYABLE			
ADMINISTRATIVE:			
Cravens, Dargan & Co. (Interest on Insurance)	$ 60.48		
→ Denton County City Health Department	50.00		
Richey Bus. Mach. (Typewriter Repairs)	18.50		
Stafford-Lowdon (Property Tax Forms)	208.28	$	337.26
POLICE DEPARTMENT:			
Continental Oil Co.	$ 22.38		
Denton Dodge (WRITE LETTER)	15.00		
Humble Oil Co.	95.22		
Ladd Uniform Co. (Dave Garland)	96.40		
Lake Dallas Tel. Co.	85.94		
Marcus Cleaners (2 mos.)	44.45		
Sargent-Sowell (Decals for new Squad Car)	14.00		
→ Stafford Lowdon (Docket Book)	101.63		
Texaco, Inc. (Balance)	12.74		487.76
STREET DEPARTMENT:			
Barney's Auto Parts	$ 11.59		
Continental Oil Co.	19.44		
G. & G. Tractor	19.30		
→ Lester & Street Co.	499.80		
Sargent-Sowell, Inc. (Signs)	62.50		
Texas Hydraulic & Equipment Co.	5.60		618.23
OTHER:			
Handley's: Office Expense	$ 2.59		
Building Maintenance	5.04		
Police Supplies	5.39		13.02
Massie Office Sply.: Office Expense	$ 18.40		
Notices (Tax)	17.45		
Police Office Sply.	3.60		39.45
Lake Dallas Hardware (Invoices not yet received)	160.88		192.13
		$	1,687.85
Squad Car Notes			226.38
Federal Payroll Deposit			181.00
Payroll 11-15-71			822.49
Total		$	2,917.72

CITY OF LAKE DALLAS
October 12, 1972

Cash in Bank		$ 8,093.39
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Lake Dallas Hardware	$ 3.94	
Lake Dallas Telephone Co.	34.94	
Massie Office Supply	63.25	$ 102.13
POLICE DEPARTMENT:		
Continental Oil Co.	$ 4.26	
Lake Dallas Automotive	212.43	
Lake Dallas Hardware	25.65	
Lake Dallas Telephone Co.	105.76	
Sam Laney, Inc.	33.63	
Medical-Surgical Clinic (Dave Garland)	119.00	
Mobil Oil Corp.	13.66	
Nu-Art Printing Co.	43.00	557.39
STREET DEPARTMENT:		
Caruthers Oil Company	$ 14.30	
G. & G. Tractor Company	73.36	
Grammer's Mobil Station	37.65	
Lake Dallas Hardware	3.18	128.49
		$ 788.01

CITY OF LAKE DALLAS
September 1971

	September	FISCAL YEAR
REVENUES		
City Sales Taxes	$ 3,434.16	$12,656.27
Property Taxes (incl. delinquent)	330.27	18,273.97
Court Receipts	440.50	3,351.50
Franchise Payments	-	3,822.50
Permits	75.48	812.92
Miscellaneous Income	57.70	1,617.52
Bonds & Reimbursements	-	310.00
Total Revemues	$ 4,338.11	$ 40,844.68
EXPENDITURES		
ADMINISTRATIVE:		
Office Expense	$ 9.89	$ 223.88
Elections	-	204.13
Professional Services	-	1,260.00
Advertising & Notices	72.10	410.50
Dues & Memberships	-	143.00
Salaries: Secretary-Tax Collector	450.00	5,400.00
Mayor	150.00	1,800.00
Extra Help	-	49.50
Insurance & Bonds	122.00	1,536.00
Interest	-	456.00
Donations (Denton Co. City Health)	-	450.00
Building Maintenance	.98	144.63
Office Equipment - Capital	-	550.00
Total Administrative	$ 804.97	$ 12,167.64
POLICEDEPT.:		
Salaries	$ 1,000.00	9,600.00
Extra Help	-	143.75
Office Supplies	-	98.36
Gas, Oil, etc.	141.87	2,008.39
Squad Car Maintenance & Repairs	182.84	685.31
Vehicle Supplies	23.54	313.32
Insurance & Bonds	33.83	410.96
Uniforms & Cleaning	16.45	307.75
Interest	28.38	157.63
Telephones & Utilities	78.44	918.47
Court Supplies	-	149.36
Jury Duty	-	3.00
Recording	5.50	30.50
Handling Prisoners	10.00	44.00
Training School	-	(25.00)
Equipment	240.00	978.57
Capital - Vehicles	-	113.97
Total Police Department	$ 1,760.85	$ 15,938.32

FWD.

EXPENDITURES (cont'd.)		
STREET DEPT.		
Salaries	$ 369.00	$ 4,450.50
Street Lighting	55.08	583.57
Gas, Oil, etc.	118.21	522.48
Vehicle Maintenance & Repairs	132.15	893.14
Street Maintenance	292.34	1,987.20
Grounds Maintenance	4.19	4.19
Capital - Signs, Posts, etc.	-	1,382.30
Capital - Streets	1,093.49	2,057.06
Total Street Department	$ 2,064.46	$ 11,880.44
Total Expenditures	$ 4,630.28	$ 40,446.40

CITY OF LAKE DALLAS
SCHEDULE OF RECEIPTS & DISBURSEMENTS
August 1971

RECEIPTS		
Property Taxes		$ 194.21
Court Receipts (2 mos.)		509.50
Franchise Payments		144.97
Permits		123.84
Miscellaneous		187.24
		$ 1,159.76
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 11.07	
Professional Services (Board of Equalizations)	142.50	
Notices	34.00	
Salaries: Secretary	450.00	
Mayor	150.00	
Building Maintenance	.82	$ 788.39
POLICE DEPT.:		
Salaries	$ 1,000.00	
Gas & Oil	422.07	
Vehicle Supplies	25.95	
Insurance	33.83	
Uniform Cleaning	31.70	
Interest	13.75	
Telephones & Utilities	72.88	1,600.18
STREET DEPT.:		
Salaries	513.75	
Street Lighting	49.34	
Vehicle Repairs	61.86	624.95
		$ 3,013.52
OTHER:		
Note Payment		$ 100.00
Reimbursement - Zoning Appl. Fee		40.00
		$ 140.00

CITY OF LAKE DALLAS

September 9, 1971

CASH IN BANK		$ 490.29
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Airport Advertiser	$ 8.10	
Handley's	2.53	
Massie Office Supply	1.71	
Minor & Knight, Attorneys	206.50 PAY	
Ramey & King Insurance	122.00	
Richey Business Machines	5.65	$ 346.49
POLICE DEPT.:		
Fire Appliance Co. of Texas	$ 125.00	
Humble Oil Co.	141.87	
Harry Hundley (Enco Station) - Tires	140.00	
Lake Dallas Telephone Co.	74.69	
Marcus Cleaners	16.45	
Newt Miller Ford, Inc.	42.84	
Sargent-Sowell, Inc.	14.85	
Texas Power & Light	3.75	559.45
STREET DEPT.:		
E. L. Boynton	$ 289.93	
Darr Equipment Co.	83.21	
Denton County Prct. #2	605.00	
Denton County Prct. #2	488.49	
G. & G. Tractor	1.86	
Lynch Welding	33.00	
Texas Power & Light	55.08	1,556.39
		$ 2,462.33
JACK HUTLEY	10.00	
OTHER:		
Lake Dallas Hardware -		
Building Maint. & Repair	$ .98	
Police Vehicle Splys.	8.69	
Street Dept. Gas, Oil, etc.	118.21	
Street Vehicle Repairs	4.26	
Street Maintenance	2.41	
Grounds Maintenance	4.99	138.74
Lewisville State Bank - Squad Car Notes ~~(PAY INTEREST)~~		228.38
Federal Payroll Deposit		248.80
August 15th Payroll		867.10
		$ 3,945.35

CITY OF LAKE DALLAS
SCHEDULE OF RECEIPTS & DISBURSEMENTS
July, 1971

RECEIPTS		$ 2,487.13
DISBURSEMENTS		
ADMINISTRATIVE:		
Office Expense	$ 33.94	
Advertising and Notices	183.66	
Salaries: Secretary	450.00	
Judge	150.00	
Insurance & Bonds	10.00	
Donations (Denton City-County Health)	50.00	
Building Maintenance & Repairs	7.89	$ 885.49
POLICE DEPT.:		
Salaries	$ 1,000.00	
Office Supplies	41.00	
Gas, Oil, etc.	119.71	
Vehicle Maintenance and Repairs	37.57	
Vehicle Supplies	6.99	
Insurance	33.83	
Uniform Cleaning	25.10	
Interest (Squad Car Notes)	14.25	
Telephones and Utilities	85.11	
Equipment (Part of Antenna)	5.40	1,368.96
STREET DEPT.:		
Salaries	$ 527.25	
Street Lighting	132.47	
Gas, Oil, etc.	30.63	
Vehicle Maintenance & Repairs	316.62	
Street Maintenance	643.35	1,650.32
		$ 3,904.77
Squad Car Note		$ 100.00

CITY OF LAKE DALLAS
August 12, 1971

Cash In Bank		$ 2,021.50
ACCOUNTS PAYABLE		
ADMINISTRATIVE:		
Massie Office Supply	$ 3.20	
Minor & Knight, Attorneys	206.50	
Nu-Art Printing Co.	18.00	
Richey Business Machines	6.57	$ 234.27
POLICE DEPT.:		
Denton Dodge	$ 83.34	
Humble Oil Co. (June & July Stmts.)	257.41	
Fire Appliance Co. (Vizibar)	125.00	
Lake Dallas Telephone Company	69.13	
Marcus' Cleaners	31.70	
Newt Miller Ford Co.	98.84	
Mobil Oil Co.	162.73	
Texaco, Inc.	130.63	958.78
STREET DEPT.:		
Darr Equipment Co.	$ 83.21	
Denton County	605.00	
Denton County	488.49	
G. & G. Tractor Co.	1.86	
Texas Power & Light Co.	53.09	1,231.65
		$ 2,424.70
OTHER:		
Ramey & King Insurance		122.00
Handley Food Store		2.12
Lake Dallas Hardware:		
Police Supplies	$ 8.69	
Street Dept. Gas	63.57	
Street Dept. Repairs	3.79	76.05
		$ 2,624.87
Payroll August 15th		$ 840.00

MINUTES OF
REGULAR MEETING
OF CITY COUNCIL HELD ON JANUARY 11, 1973

A regular meeting of the City Council was held on January 11, 1973, at 7:30 o'clock P. M., in the City Hall of Lake Dallas, Texas. The following persons were present:

W. L. Beene	Mayor
Jim Payne	Councilman
Buck Mays	Councilman
Howard Davis	Councilman
Roy Harper	Councilman

Don Fraser, City Councilman, was absent from said meeting.

W. L. Beene acted as Chairman of the meeting. Linda Flowers acted as Secretary. The meeting was called to order by the Chairman. Linda Flowers read aloud the minutes of the Executive Meeting which was held on December 27, 1972, at 7:30 P. M. The minutes were approved and ordered of record.

The Councilmen and the Mayor were furnished a financial statement, covering the period from December 13, 1972 through January 9, 1973. After full discussion and examination of the financial statement, the same was unanimously approved.

The Chairman brought up the matter of employing May R. Shurtz as City Secretary, and after discussion Buck Mays made motion that she be employed and the motion was seconnded by Jim Payne, and unanimously approved. Her monthly salary to be $400.00.

The next matter of business was reading a sealed bid from Brutex Aggregates, Inc. for supplying asphalt to the City of Lake Dallas to be used in topping Hundley Drive to Lakeview Street. The Chairman called Roy Bragg to determine what he had been charging for asphalt.

The Chairman and Councilmen agreed to purchase asphalt from Brutex for the purpose of topping Hundley Drive to Lakeview Street.

The Chairman and Councilmen discussed the hiring of a street man. Mr. Mays informed them that at the Executive Meeting he was authorized to hire a man for this position. He stated that he had done so, and that John Farmer would start to work immediately as street man at a monthly salary of $550.00. Mr. Mays' employment of John Farmer was accepted by the Council - Jim Payne made motion and it was seconnded by Howard Davis, to employ Mr. Farmer as street man at a monthly salary of $550.00. It was unanimously carried.

The confusion and trouble stray dogs are causing in Lake Dallas was discussed at length. After full discussion it was decided to get some figures on building a pound and other methods of handling the situation to be reported and discussed at a later meeting.

Ron Phillips, Chief of Police, addressed the meeting concerning the purchase of a radio for his squad car. He stated that the radio he is using fades out and makes it utterly impossible for him to hear conversations or orders. After full discussion and considering the matter, Howard Davis made a motion that a new radio for the squad car be purchased and Buck Mays seconded the motion, and it was unanimously agreed that the radio be purchased, at a price of $532.00.

The Chairman instructed the Secretary to write North Central Texas Regional Police Academy at Arlington to refund the $100.00 officer tuition paid on October 19, 1972, by the City of Lake Dallas, inasmuch as the officer in question resigned from the Lake Dallas Police Department.

The accounts payable were examined and after discussion thereof Howard Davis made motion that the bills be paid, and Roy Harper seconded the motion; it was unanimously carried.

The Chairman told the Councilmen that he wanted to allow the city employees sick leave each year. This subject was discussed, and Jim Payne made motion and Buck Mays seconded it and it was unanimously carried that each city employee should have seven days sick leave annually, with pay.

Being desirous of improving the appearance of City Hall, the Chairman asked the Councilmen for suggestions as to how this could be done. Jim Payne suggested that they start by improving the outside, letting the Water Department pay half the expenses. Jim Payne made motion to this effect and it was seconded by Buck Mays and was unanimously carried.

There being no further business to discuss at this meeting, Jim Payne made motion that the meeting be adjourned and Buck Mays seconded the motion. It was unanimously carried and the meeting was adjourned.

Mary R. Shurtz
SECRETARY

MINUTES OF
REGULAR MEETING
OF CITY COUNCIL HELD ON FEBRUARY 8, 1973

A regular meeting of the City Council was held on February 8, 1973, at 7:30 o'clock P. M., in the City Hall of Lake Dallas, Texas. The following were present:

W. L. Beene	Mayor
Jim Payne	Councilman
Buck Mays	Councilman
Roy Harper	Councilman
Don Fraser	Councilman

Howard Davis, City Councilman, was absent from said meeting.

The meeting was called to order by Mayor, W. L. Beene. Mr. Beene acted as Chairman of the meeting, and May R. Surtz acted as Secretary. It was noted by the Chairman that a quorum was present, and the meeting proceeded.

The Secretary then read the minutes from the meeting held on January 11, 1973, and the Chairman invited corrections, additions, or deletions to be made. There being none, the minutes were approved as read.

The Chairman then discussed the matter of taxes on businesses in Lake Dallas, which had been passed at Special City Council Meeting, July 10, 1972, whereby effective January 1, 1973, it was required for each business to have a store license at $10.00 per year. This tax was rescinded. Not necessary to have a motion passed on this matter.

At this point some of the visitors who were seated on the benches in the back of the City Hall, complained that they could not hear what was being said at the Council table. Councilman Fraser recommended that we have a speaker system installed in order for all persons attending the meeting to hear the proceedings. Mr. Fraser made motion to investigate the loud speaker, and Jim Payne seconded it, and it was unanimously carried. At a later date prices will be submitted for this purpose and decision made to install speakers.

The Chairman then stated that the City of Lake Dallas would have an election on April 7, 1973, for the purpose of electing three City Councilman, since Don Fraser, Howard Davis and Roy Harper's terms as Councilmen would expire. It was unanimously agreed to have the said election on April 7, 1973, and the Chairman instructed the Secretary to order the necessary forms for said election,

Mr. Bob Landrum, 1224 Josey Lane, Carrollton, Texas asked permission to address the Council and Mayor in regard to numbering the houses and places of business in Lake Dallas. He explained that the town is growing at a rapid pace and that it is important to decide on a system for numbering and get it done immediately. The Chairman asked Mr. Landrum if he would be willing to set up a plan of numbering the houses and present it to the Council at a later date and he said he would be glad to do this. Councilman Payne asked Mr. Landrum what system he preferred, and he said he would prefer the square, which had been suggested by the Chairman. Councilman Payne stated that what Mr. Landrum offered to do was appreciated by the Council and suggested that Landrum make a feasibility check before the next Council meeting, which would be on March 8, 1973. Councilman Fraser made a motion that Mr. Landrum explore the situation, and it was seconded by Councilman Jim Payne, and unanimously carried.

Don Hansen, Fire Chief of the Volunteer Fire Department, invited the Mayor and at least two councilmen to a meeting at the Fire Hall on March 6, 1973, at 7:30 P. M., to discuss some matters pertaining to the interest of the Fire Department and the volunteers. It was tentatively agreed that Mr. Beene, the Mayor, Mr. Jim Payne and Mr. Don Fraser should attend.

Introduced to the meeting by the Chairman was the matter of the $3,000.00 homestead exemption for persons over the age of 65 years. Mr. Fraser suggested that since he and Councilman Harper are over the age of 65 that they should disqualify themselves from the discussion and decision, which they did. Councilman Mays stated that he is for giving the $3,000 deduction in homestead tax for persons over 65 years of age, and made Motion that this be done. Jim Payne seconded the motion and it was unanimously carried. Whereupon the Chairman stated that the City Attorney would draw up an Ordinance to this effect; the Public be notified, and that forms for application for the $3,000 deduction on homestead tax be ordered.

The Chairman and Councilmen discussed Linda Flowers' salary, and it was decided to place her on straight time at a salary of $400.00 a month. Councilman Mays made motion that she be considered a fulltime employee and receive a monthly salary of $400.00. The motion was seconded by Councilman Payne and it was unanimously carried.

Chief of Police, Ron Phillips showed the Chairman and Councilmen a radar gun that he was using on a trial basis, and he explained how simple it was for him to clock the speed of the cars from a distance by pointing the gun toward the car in question. If the Council decided to buy the gun, Mr. Phillips explained that it could be purchased for $37.50 a month for twenty-four months, and that during that time if anything goes wrong with the gun the company will fix it. The total cost is $982.00, which is considerably cheaper than other guns he has examined. Councilman Fraser asked Mr. Phillips if he thought it was a good thing to have and the Chief of Police replied that he did, and he recommended that the city buy it. He promised that he would not set up any traps for anybody with the radar gun. Councilman Payne wanted to know if Mr. Phillips thought the use of the radar gun was all right, and if its findings would be legal to present in court. Mr. Phillips said yes. After full examination and full discussion of the radar gun, a motion was made by Councilman Mays and seconded by Don Fraser to buy the radar gun, and it was unanimously carried.

Fire Chief, Don Hansen, brought samples of forms permitting the granting of special permission to burn trash after the hours of 5:00 a.m. and 10:00 a.m. These forms to be signed by the Fire Marshall, John Farmer. Also presented was a form to be filled out by the Fire Marshall fining a person who burned trash after the hours mentioned above, without first obtaining special permission. Mr. Hansen wanted the City of Lake Dallas to pay for the forms. The Chairman told the Councilmen that he thought we should pay for the forms, and that we should order at least two hundred. Councilman Fraser made motion that the City pay for the forms, and it was seconded by Councilman Mays and unanimously carried.

Present at the Council Meeting was Mr. J. B. Briggs, Manager of Lake Dallas Municipal Utility Authority which occupies half of the building where City Hall is located. He explained that he and the Chairman had been discussing having a new City Hall building constructed on the lot with the Lake Dallas Fire Department. Mr. Briggs said that they discussed having the present City Hall refurbished.

A Mr. Avery looked the building over and figured roughly just how much work it would take to restore the building, and he advised Mr. Briggs and the Chairman that they could build a new building for such a little more that it wouldn't be wise to try to work the old building over. That after doing so we still wouldn't have anything. The Chairman asked the Councilmen if they wanted Mr. Briggs and the Chairman to see about what it would cost to build a new City Hall. Mr. Fraser made a motion that Mr. Briggs and the Mayor to get some figures on a new building, also some plans for the structure, the motion was seconded by Mr. Mays, and unanimously carried.

The financial statement was read by the Secretary and and it was ordered approved as written. Current accounts payable were examined by the Councilmen, and approved and Council Mays made motion to pay the bills on February 15, and Councilman Fraser seconded the motion. The motion was unanimously carried, and the Chairman instructed the Secretary to pay the bills.

The resignation of Officer Neil Howard Resnik, dated January 29, 1973, was accepted.

Councilman Fraser asked for the floor. On being granted the same stated that he had been receiving telephone calls involving four items: (1) The parking system at the Post Office. Mr. Fraser suggested that lines be made for head-in parking only. Councilman Payne said something should be done about the situation. Councilman Fraser made motion that the front and the side of the postoffice have stripes for seven or eight cars to park, and the motion was seconded by Councilman Jim Payne - it was unanimously carried.
(2) Councilman said he had received several calls about trash being burned after the legal time for it. (3) Several complaints about letter on Glynn Ray Drive on Corp of Engineer's property. (4) Complaints about so many newspapers being thrown in yards. The Chairman said most people wanted the papers. Chairman added that he didn't think the litter law would apply in this case. Mr. Payne said he didn't know what could be done about it. Mr. Fraser said that was all he had to report.

Just as the Chairman called for a motion to adjourn the meeting, Don Glockel said he wanted to talk to the Mayor and Councilmen about the Chief of Police, Ron Phillips, firing him, and that he wanted to get some things straight about it. Several persons joined in with Mr. Glockel stating that they witnessed the incident. Words became fast and heated and the Chairman said he didn't want the details discussed at the present Council Meeting, but that a special executive personnel meeting would be set at a later date, and that the meeting would be closed to the public.

At this point, the Chairman called for a motion to adjourn the meeting. Councilman Fraser made motion that the meeting be adjourned and the motion was seconded by Councilman Jim Payne.

Mary L. Shurtz
Secretary

NOTICE OF EXECUTIVE SPECIAL MEETING

PERSONNEL

Notice is hereby given that the Mayor of the City of Lake Dallas, has called an Executive Special Meeting - Personnel - to be held in the City Hall of the City of Lake Dallas, on February 22, 1973, at 7:30 P. M., and all Councilmen have been duly notified of the time and place of said meeting.

THIS NOTICE DATED FEBRUARY 21, 1973.

MUNICIPAL COURT

CITY OF LAKE DALLAS

LAKE DALLAS, TEXAS 75065

January 29, 1973

To: Lake Dallas City Council

This is notice of my resignation from the Lake Dallas Police Force, effective this date.

Neil Howard Resnik

EXECUTIVE SPECIAL MEETING
CLOSED TO THE PUBLIC
Re: Personnel

On February 22, 1973, at 7:30 P. M., Mayor Beene called the meeting to order to discuss keeping Don Glockel on the police force, but after discussing the matter at length Mr. Glockel maintained that he would prefer to be relieved of his duties as part time officer. Present at the meeting were: W. L. Beene, Mayor, and the following Councilmen:

Buck Mays
Howard Davis
Roy Harper
Don Fraser

The Mayor acted as Chairman of the meeting and May R. Shurtz acted as secretary.

The Chairman asked the Councilmen to tell him what they thought about the matter, and they stated that it was unanimously agreed that the Council should give Mr. Glockel permission to resign from the Police Force. Mr. Fraser made motion and it was seconded by Howard Davis that Mr. Glockel be allowed to resign and that he turn his equipment in.

Next, the matter of Bobby Cates was brought up for discussion. Mr. Cates told the Councilmen and the Chairman that after he finished the Police Acadamy that he wanted to turn in his resignation as a police reserve with the Police Force of Lake Dallas. He was told to turn his equipment in and resign if he desired. It was unanimously accepted by the Councilmen, and the Chairman.

At this point, the Chairman spoke to the Council concerning the Chief of Police, how dedicated he is to his work, and that it was the opinion of the Chairman that a motion should be made that the by-laws be changed, and that the Police Chief, Ron Phillips, should have charge of the policeman and reserves, and that said Chief should have authority to fire and hire as he sees fit. Howard Davis made motion that Ron Phillips, Police Chief, be vested with the authority to hire and fire the personnel of Police Department. Said motion was seconded by Roy Harper, and unanimously carried.

There being no further business to come before the meeting, same was adjourned.

May R. Shurtz
Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL
HELD ON MARCH 8, 1973

At 7:35 P. M., on March 8, 1973, a Regular Meeting of the City Council was called to order by Mayor W. L. Beene.

Mr. Beene acted as Chairman, May R. Shurtz acted as secretary.

Present at the meeting were the following Councilmen:

Jim Payne, Buck Mays, Howard Davis, and Roy Harper.

Mr. Fraser was out of town.

The Chairman asked the Secretary to read the minutes from the Council meeting which was held on February 8, 1973. After the minutes were read they were unanimously approved and ordered of record.

The Chairman explained the workings of the $3,000.00 homestead deduction in taxes for citizens of Lake Dallas who are over the age of 65. This matter was brought up, discussed and passed at the Council meeting which was held on February 8, 1973, but the Chairman wanted to clarify some points. He also advised the Councilmen that the forms had been ordered, the Public notified and ~~and~~ that the citizens who are eligible for this $3,000.00 deduction had begun signing forms for this purpose.

At the meeting of the Council, which was held on February 8, 1973, Councilman Fraser told the Councilmen and Chairman that he had received several calls regarding the parking situation at the post-office. The Chairman reported that he had talked with Mr. Boyd the postmaster about the situation. A plan to have a parallel line drawn and marked with cement and automobiles should be parked here only while the owners are in the postoffice getting their mail. A further study of this matter will be made, and if it is decided to do this then a price on cementing a line will be secured and re-ported to the Council.

Don Hansen, Fire Chief of Lake Dallas Volunteer Fire Department addressed the Councilmen and Chairman as follows:

1. Please have an Ordinance passed making it mandatory for trans-port trucks bringing gasoline into stations in Lake Dallas to be guarded by the driver at all times while the hose from the gasoline truck is connected with the underground gas storage at the station.

2. Also included in the Ordinance should be a provision making it unlawful to have overhead storage tanks in the city of Lake Dallas containing combustible liquids.

The Chairman instructed the Secretary to get in touch with the City's attorney and have these two matters incorporated in an Ordinance, if the Councilmen agreed. Councilman Payne made motion that the above be incorporated in an Ordinance, and the motion was seconded by Buck Mays and unanimously adopted.

The Chairman had the Secretary read a letter from Mr. John G. Keller, Texas Highway Department, "Reference is made to our letter of December 20, 1972, concerning the issue of one way frontage roads in the Towns of Hickory Creek and Lake Dallas.

"In order for us to proceed with the necessary planning to construct the additional exit and entrance ramps we need an ordinance, passed by the Town Councils of Lake Dallas and Hickory Creek, converting the concerned frontage roads within your respective jurisdictions to one way operation.

"Your assistance in this matter will be appreciated."

Signed: John G. Keller
District Engineer

Chairman explained that they had met with Corp of Engineers and they didn't want to do this. He also stated that it had not been decided what Lake Dallas would do about this.

Councilman Harper and Chairman discussed various angles to this matter, and Jim Payne said just want until they write us again.

Chairman stated that they have an estimate of $57,480.00 for construction of the new City Hall. He showed the Council the plans and told them that the Water Department has agreed to go halves on this City Hall. Mr. Stokes is looking into the legal aspects of it without any cost. Chairman further stated that is about all we have to report on it at this time.

The Chairman reported on the streets and stated that they had a Mr. Crawford, a man about 42 years of age who had agreed to go to work for the City of Lake Dallas working on the streets and roads. Roy Bragg has been delivering asphalt, but at this time has not been able to deliver on account of bad weather, but that he had told Chairman that he should have a load here around the 9th.

The Chairman asked the Councilmen to consider the application of Mr. Crawford for position of street maintenance man. Jim Payne wanted to know when he could start. Chairman said just as soon as we agree

agree on him. Buck Mays made motion and Howard Davis seconded it to employ Mr. Crawford for street man at a salary of $500.00 a month, for five days a week work. The motion was unanimously carried.

A discussion was had at this point on insurance, especially the insurance on fire trucks. The Chairman also stated that they should have a full-time fireman, and that his salary should be paid by Hickory Creek, Shady Shores and Corinth and Lake Dallas, inasmuch as all of these towns have the protection of Lake Dallas Volunteer Fire Department and should pay the salary as above stated. Mr. Mays made a good talk along this line, and the Chairman said perhaps at a later date we might get one full- ime fireman.

Councilman Payne wanted to know how much money we have, and Chairman told him. Then Countilman Payne suggested that we get busy and start paving Shady Shores Road, inasmuch as Mr. Landrum said Shady Shores has $2500.00 in escrow to help us to do this. Mr. Payne suggested that we do more than we have formerly planned on doing, and Mr. Elbert said if we would run the road to the cemetery he would take it on to Dobbs road.The Chairman said we need to get Lakeview road. The roads were discussed at length, and just as soon as Brutex can get out here the work will be started, The Revenue sharing money received will be used on expenses of road work as far as it will go. It was agreeable with citizens in audience and with the Council.

Chairman asked Mr. Briggs to tell about the Lake Dallas sewer and water service expansion. He had a map on the wall and pointed out just where the expansion would be, and explained in detail just what has happened on this project and just what is expected to take place about this. He said that a $450,000 grant has been approved by a North Central Texas Council of Governments review Board, but more kinks are to be ironed out. A grant approval from Texas Water Quality Board and the Environmental Protection Agency must also be secured. Too, we can't get any money until the President of the United States turns loose of the money. Mr. Briggs also explained who would be served when the new system is installed. He, Mr. Briggs, was very optomistic about the whole thing and his enthusiasm was catching, and it seemed that the Councilmen, the Chairman and the visitors were very impressed.

Mr. Briggs then talked about the plans for a new City Hall, and said he was the person who suggested it in the first place, and told his reasons for doing this: the building is run down and shabby and makes a bad first impression on new-comers to the Town of Lake Dallas. Too, the offices are crowded and need to expand. Also, if we hae a city Hall, all tax collecting departments will be under one roof and a taxpayer won't have to run to three different places to pay his tax. He elaborated at length about the new City Hall and all of it made good sense.

At the hearing on zoning Mr. Stone's property, a C-2 was not granted. Mr. Stone asked why, and the Chairman told him because the people surrounding the property he wanted zoned C-2 said he didn't need a C-2 if he wanted it for a Western Auto Store. That a C-1 would be sufficient. The Chairman explained that they would go along with a zoning of C-1 for Mr. Stone's property. Chairman asked the Councilmen to take a vote on C-1 zoning. Councilman Mays made it for

C-1, and Councilman Payne seconded the motion, and it was unanimously carried that Mr. Stone's property be zoned C-1.

The Chairman and Councilmen examined the financial statement which covered the period from February 3, 1973 through March 8, 1973. The accounts payable were also examined, and Councilman Payne made motion and it was seconded by Councilman Mays that financial statement be approved, and that the accounts payable be paid by Secretary on March 15, 1973.

Mr. Don Willard asked to speak, and he stated that the citizens of Lake Dallas that he had talked to were not opposed but are wondering how we are going to pay for a new City Hall. Mr. Willard asked how much it would cost, and the Chairman explained that they are still working on the plans for the City Hall, but at this time it would cost in the neighborhood of $57,000.00, and that the Water Board would pay half of whatever it did cost. Mr. Willard said that he personally thought the City should take first things first. For instance, the streets were number one, and something done about the stray dogs here should be number two. Mr. Willard kept the floor for quite a while and during this entire time he was talking about the poor management of the City officers, poor manners, the uncouth treatment and etc. that was afforded against anyone wanting to look at the records at City Hall. Mr. Beene, the Chairman, explained to Mr. Willard that anybody who had some specific question or even several specific questions could ask and they would be furnished with this particular information, but that during working hours nobody would be allowed to roam in and out of the records, asking for supporting bills and other information that kept the two City employees at the City Hall busy getting the information for them for at least three hours. Also, Mr. Willard said the citizens of Lake Dallas had given up on ever having the roads fixed, even though promises and promises had been made. The Chairman explained that the City had let a contract for this road work, and the money is in a special fund for that purpose, but the contractor had informed the Chairman that the weather hasn't been settled enough for the work, but that when the weather settles down and it gets a little warmer that the work will begin and the streets will be worked on just as the public had been informed.

Mr. Dean Bower jumped up and said he would like to make a suggestion. If it is true that the City needs a City Hall that the City should give the public the right to speak about it and decide what should be done about it. He also brought up the subject of roads. He was rather excited and talked loud and angry, and shook his finger in the air several times while talking, and asked the Councilmen if they did work on the roads what were they going to use for a topping. When told that a 1-1/2 inch topping, which would cost about $1.00 a foot, would be used. Mr. Bower wanted to know why they didn't pave the streets, because this other topping would not last. Then Mr. Bower wanted to know what size the City Hall would be. He asked question after question and critized everything that had been discussed on the agenda and tried to incorporate his thinkings about everything. His voice was high and full of temper and there was no way to quiet him. The Chairman told Mr. Bowers that the City Councilmen and the Mayor were elected by the voting citizens, and that the only way the public should interfere with what the Council did about things could only be corrected by getting them out of office. He then shouted that the citizens did have a right to

tell the City Council what to do. At this point Mr. J. B. Briggs said Mr. Bowers, I don't want to get into an argument with you, but I can't resist reminding you of an incident that took place when you were on the Water Board. I suggested that we need a new truck. Someone objected to it and you asked him if the Board was running the Utility Authority, or are the citizens? Mr. Bowers became even more angry and loud and he and Mr. Briggs were exchanging words fast and furiously. With Mr. Willard, Mr. Bowers and Mr. Kingston were a group of citizens, and every person was mumbling and talking among themselves. They became so unruly that the Chairman announced that the meeting would be forced to ajorn that he could not permit such a demonstration in the City Hall. That nothing could be accomplished by it, and anything he, the Chairman, or any of the Councilmen said would go unnoticed. None of them seemed willing to listen and then form an opinion; they had already formed opinions and nothing on earth would change them. Some of them most unreasonable. At this point Mr. Willard shouted that he and Mr. Bowers and Mr. Kingston wanted WATCHERS at the election coming up, and the Chairman assured him that would be all right with the Council.

Mr. Landrum asked the Chairman not to adjourn until he had shown the map he had drawn showing a number system that was recommended for numbering the houses in Lake Dallas. Also the stoors and places of business. Mr. Landrum said if you gentlemen would see fit to appoint me, without cost, I would be glad to do the work for the City. He stated that he would furnish maps and help with assigning numbers to the City tax rolls. The Chairman said they would work with him, and appreciated his efforts. A motion was made and approved.

During the time that Mr. Landrum was discussing the numbering plan, Mr. Willard, Mr. Bowers, Mr. Kingston and the people who were with them talked so loud and were so noisy and rude, it was impossible for the Chairman and the Councilmen to hear what Mr. Landrum was saying. The Chairman beat on the table trying to quiet them, but they(Mr. Willard etal) kept getting louder and louder and the Chairman said we just must call this meeting to a close clear the City Hall.

Councilman Jim Payne made motion to adjourn and Councilman Mays seconded the motion and it was unanimously carried and the meeting was adjourned.

Mary R. Shurtz
Secretary

SPECIAL MEETING OF CITY COUNCIL

APRIL 9, 1973

A special meeting was called to order in the City Hall at 7:35 P. M., by Mayor W. L. Beene, who acted as Chairman of the meeting, and May R. Shurtz acted as Secretary. The following Council members were present: Jim Payne, Roy Harper and Howard Davis. The Special Meeting was called to canvass the City Official Election votes cast on April 7, 1973, and to administer the Oath of Office to the newly elected three Councilmen.

Howard Davis made a motion to accept the ballots as counted by the Election Judge, Joyce Plumlee, and the Election Clerks. The motion was seconded by Jim Payne and carried unanimously. There were 401 valid votes cast, and each candidate received the following votes:

J. W. Webb	146
Larry Kingston	147
Dean Bowers	127
Johnny Vinson	203
Marvin Haney	33
Howard Davis	125
Sue Rucker	121
J. B. Wabstaff	2
Mickey Bragg	45
Roy Harper	81
Don Willard	139

The following men were elected to serve as Councilmen:

J. W. Webb	146 votes
Larry Kingston	147 votes
Johnny Vinson	203 votes

which fills the three places that were open.

The Chairman administered the Oath of Office to the newly elected Councilmen, J. W. Webb, Larry Kingston and Johnny Vinson.

Motion was made by J. W. Webb, and it was seconded by Jim Payne that Johnny Vinson be appointed Mayor Pro-tem. It was unanimously carried.

The Chairman asked that the meeting be adjourned. Johnny Vinson made motion to adjourn the meeting and it was seconded by Jim Payne, and unanimously carried. Since there was no further business the meeting adjourned at 8:15 P. M.

May R. Shurtz
City Secretary

MINUTES OF
REGULAR MEETING OF CITY
COUNCIL
HELD ON APRIL 12, 1973

There was a regular meeting of the City Council on April 12, 1973, at the City Hall.

The following were present:

W. L. Beene	Mayor
Jim Payne	Councilman
Buck Mays	Councilman
Johnny Vinson	Councilman
J. W. Webb	Councilman
Larry Kingston	Councilman

Mr. Beene called the meeting to order at 7:30 P. M., and stated that he would be Chairman and that May R. Shurtz would be Secretary of the meeting.

Secretary read minutes from the regular meeting of the Council held on March 8, 1973, and said minutes were approved and ordered of record.

The Chairman stated that the members of the Zoning Committee should be looked into and that new members be appointed. Johnny Vinson's term had expired. Chairman said he was thinking that they would appoint Thurman Bartley. Chairman asked if Frank Hernedeen would go off the Committee this time, inasmuch as he has been on the Committee two years. Chairman read the Ordinance No. 33 on zoning. Buck Mays said he would like to see Howard Davis on the Committee. Chairman read part of Ordinance No. 7, covering the part of how many must serve. And also giving qualifications, etc. If Betty wants to stay on the board she will have to be appointed. Johnny Vinson said Betty and Howard Davis would be good. Betty asked if Hernedeen could be appointed and also she wanted to check on Fred Carlisle. Betty wanted to wait until next Council Meeting before reporting. Betty was appointed for two years, Howard Davis was appointed for two years, Frank Hernedeen and Gene Chambers two years, and Fred Carlisle one year. Chairman asked the Council what they wanted to do about the appointments. Jim Payne suggested that we appoint them as set out above, and a general discussion followed. Johnny Vinson said we must have one member from City Council and the Mayor. Buck Mays made motion and J. W. Webb seconded it and it was unanimously carried that the above be appointed, and that Johnny Vinson represent City Council.

The Chairman asked Sgt. Easter to talk to the Councilmen about purchasing new squad cars. Mr. Easter proposed that the City buy the two new cars. He said he feels that we are spending too much on the old cars. He gave a list of bills for the current month. The Chairman asked Easter if he was still having work done and Mr. Easter said yes. He

stated that he had a bid from Bill Utter and read it to the Councilmen and the Chairman. The new cars to be painted different from the usual squad cars, and he gave his reason for wanting this. Sgt. Easter said that so many times they are mistaken for the Lewisville Police Squad Cars. Chairman asked what the payments would run on the new cars, and Sgt. Easter said about the same as the other cars. The Councilmen discussed this matter between themselves and different questions were asked Sgt. Easter. After discussions and questions, Johnny Vinson made motion to get bids on Galaxy and Custom Fords, Jim Payne seconded the motion. These bids will be presented to the Councilmen at the next meeting.

The Chairman said we are going to have to buy a truck. Johnny Vinson suggested the Army Surplus stores. Councilman Kingston said tell me what you want and I will find it for you.

Mr. Kingston said he would like for the City to use hot mix on the streets instead of cold mix. Nothing more was said about this issue.

Councilman Vinson said talk to Water Department and find out about the Government grant in helping fix the streets. He said he thought it would be 80% for the Government and 20% or 25% for us. Johnny Vinson said he talked to Mr. Moody of Texas Power and Light, and he said we should be able to get a grant. However, it might take about 18 months to get it through.

Mr. Kingston asked Jim Payne if he had suggested that the City extend the topping 2 more miles. Councilman Payne said since the City has more money than we have ever had why can't we go ahead and fix 4 miles. A general discussion of this matter was had. Mr. Kingston asked a lot of questions about it. Jim Payne made motion that we do a minimum of 2 more miles, making a total of 4 miles. Johnny Vinson seconded the motion and it was unanimously carried. There was quite a bit of idle talk and the Chairman said lets get back to business and talk about what we should do. How about going all the way down to Hundley. Buck Mays suggested Shore Drive. Jim Payne said how are we going to know we get what we buy? Councilman Kingston said they have weights on the tickets. The Chairman said we have arranged to watch it.

The Councilmen and the Chairman got back to the subject of the two extra miles of topping. Motion was made and seconded as above set out, and all of the Councilmen agreed with the Chairman that they should get as much topping done as they had money to pay for. Using Revenue Sharing money we receive.

The Chairman said we have a memorandum from North Central Texas Council of Governments showing that Lake Dallas and Lake Dallas Municipal Utility Authority owe $1,000 as our part of Denton County-Hickory Creek Wastewater Management Planning Coordinating Committee

Recommended Budget. The Water Department has already paid their $500.00, and I suggest that we go along with them. Councilman Kingston asked if that is our part, and the Chairman said yes. Johnny Vinson made motion and J. W. Webb seconded it and it was unanimously carried that the City of Lake Dallas pay this $500.00. The Chairman read different cities and the amounts they would pay.

There was a general discussion and explanation of the money that is sent to the City of Lake Dallas by the State of Texas for tax on sales tax, etc.

The Council discussed buying a new typewriter and table for the office, and inasmuch as there are two employees who have to use the typewriter and time is wasted when one is using the machine and the other one has to wait for it. Councilman Webb made a motion and Buck Mays seconded it to buy the typewriter and table. It was unanimously carried.

The Chairman mentioned that the Council had never certified Bill Smith's employment. Buck Mays made motion and Johnny Vinson seconded the motion to certify Bill Smith as a Patrolman, and it was unanimously carried.

The Councilmen studied the financial statement furnished by the Secretary, and were pleased with the amount of money shown to be in the bank in the name of City of Lake Dallas, and also studied the accounts payable and Buck Mays made motion and Johnny Vinson seconded it and it was unanimously carried. The financial statement was approved and Secretary was ordered to pay accounts payable.

Councilman Payne suggested that we have two Council meetings a month inasmuch as once a month seems inadequate to take care of the business at hand. The Chairman said he didn't think too much of this idea because some of the Council members had things to do along personal lines and it would work a hardship on them to have to report for Council meeting twice a month instead of one time. The subject was dropped.

Councilman Vinson wanted to get a motion for a paid fireman and the Chairman said no - let the other towns help with it. Councilman Payne said they are supposed to help and it is being investigated now. The subject of insurance for the firemen was discussed fully, and all Councilmen agreed that the fireman should be insured against fatal accidents or permanent injuries. It was suggested by Councilman Jim Payne that Larry Kingston make investigation and report at next meeting.

Councilman made suggestion about lots that are growing up in grass and that if the owners do not cut it that the City do so and then bill the owner. If they don't pay for cutting the grass we can add it on their tax. Councilman Payne stated further that we need a clean up. No motion was made.

Buck Mays made motion that we adjourn and it was seconded by J. W. Webb, and there being no further business the meeting was adjourned at 9:15.

Mary R. Shurtz City Sec.

MINUTES OF A
CALLED EXECUTIVE PERSONNEL
MEETING, CLOSED TO THE PUB-
LIC - APRIL 16, 1973

On Monday Night, April 16, 1973, at 7:30 P. M., the City Council of Lake Dallas had a closed meeting for the purpose of discussing some reports and charges made against the Police Chief, Mr. Ron Phillips. The following members of the Council were present:

W. L. Beene, Mayor
Jim Payne
Buck Mays
Johnny Vinson
John Webb
Larry Kingston
May R. Shurtz, City Secretary

Mr. Beene acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

Bette Dunn was present at the meeting. She is a reporter for the Lewisville Leader, but she wasn't present at the meeting in the capacity of reporter. The Chairman asked Mrs. Dunn if she had some papers with her that she wanted the Council to see and examine, and she said yes. Whereupon, she produced records that had been sent to George Buchanan, at his request, showing that a Ronald Phillips, and a Ronald Roger Phillips had a prison record in the State of Ohio. Mrs. Dunn also showed a picture of a young man, about 17 or 18 years of age, which she said was an early picture of the Phillips involved in the offenses mentioned in the papers. The records showed that the offenses had been committed in the late 50s, and was a closed subject. After much discussion and talk, Councilman Johnny Vinson asked Mrs. Dunn to please not run a story about this matter in her paper until the Councilmen and the Mayor could investigate it a little further and then they would tell her to proceed with the story. Mrs. Dunn said she was glad that Mr. Vinson brought that up because she knew for sure that two papers in Denton: the Chronicle and Enterprise had the information and were going to come out with the story in their very next issue. The Chairman asked her who had informed the papers and she said she didn't know. The Chairman also asked Mrs. Dunn why Mr. Buchanan took it upon himself to dig up the past and she said so many people in Lake Dallas were very dissatisfied with Chief Phillips and they seemed to think he should be investigated. Mrs. Dunn stated further that she confronted Mr. Phillips with this information and that he denied it, saying that he was not the one involved in the prison record. Mrs. Dunn further stated that on Sunday (just about April 1) Mr. Phillips' wife and three sons left town. On the 11th of April Mr. Phillips received a call from his wife that her car had burned and Mr. Phillips left to bring them back. At the meeting Mr. Phillips hadn't returned and was not at the meeting to defend himself. Therefore, Chairman said he thought before doing anything that we should wait until Mr. Phillips could be here and discuss

this matter with them and defend himself. However Mr. Vinson said he thought that since Mr. Phillips had left town on Wednesday, April 11, 1973, and was to return to Lake Dallas on Friday, April 13, 1973, and inasmuch as he had not returned on the 16th, nor had he tried to contact anyone since he left that the Council should take steps to get another Police Chief. Councilman Vinson made motion that Mr. Phillips be dismissed as of this date, April 16, 1973, without pay, and the motion was seconded by Councilman Webb. The Chairman then asked if all were in favor of this motion, and Jim Payne, Larry Kingston said yes, but Councilman Buck Mays said he wouldn't vote to dismiss Chief Phillips because he believed Phillips was a good honest man and that he was opposed to all of the talk and turmoil going on trying to run Phillips down. So, he refused to vote.

Councilman Kingston said we had better give some thought to getting a new Chief, but the Chairman said not yet because we are going to get to the bottom of this matter and will give you our report at a later date. If we prove that Chief Phillips is not guilty as charged, then we will have a meeting to reinstate him, that is if he still wants the position.

The Chairman said he was going to let the Councilmen employ a man to serve temporarily until the investigation is over. Johnny Vinson, Larry Kingston, John Webb and Jim Payne were appointed to commission someone to serve as police patrolman, on 90-day probation.

The Chairman said that Sgt. John Easter should take the responsibility of the Police Department until we can get the place of Chief filled. Tommy Burks can work, starting Wednesday Night, about six (6) hours. Councilman said we need one more officer and Vinson introduced Bill Phelps for temporary work and made motion that he be employed, the motion was seconded by Jim Payne, and unanimously carried. Mr. Phelps was asked when he could start and Mr. Phelps said "tonight." A salary of $450.00 was decided on for Mr. Phelps.

The Chairman asked Bette Dunn if she would get a copy of the papers for the Council and she said yes.

The Councilmen and the Chairman were quite disturbed by the grim matter at hand and the discussions were not smoothe, but one thing after another was discussed. At this point Councilman Jim Payne said if Chief Phillips comes back and the charges are not true we will take him back. All members of the Council agreed, as well as the Chairman.

Sgt. Easter explained that when Bill Smith was employed that he was promised a $50.00 raise when he proved that he could take care of the job. Johnny Vinson made motion to raise Bill Smith $50.00 per month, and the motion was seconded by Buck Mays, and unanimously carried.

Councilman Kingston asked when the meeting would be held giving a report on what the City had learned from its investigation, and the

Chairman said in a few days. Stated further that he would notify Councilman Kingston and the rest of the Councilmen when he was ready to meet with them.

The Councilmen and the Chairman thanked Mrs. Dunn for bringing the papers to the meeting. She said she felt as bad about the whole matter as anyone and it was a sad thing.

A few more things were discussed, but none of importance and no motions were made and it doesn't affect anything said here therefore seems immaterial.

All agreed that they had done all they could at this meeting and should adjourn. Councilman Vinson made motion that the meeting be adjourned and Buck Mays seconded it, and the meeting adjourned at 8:55 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF A
CALLED EXECUTIVE PERSONNEL
MEETING, CLOSED TO THE PUB-
LIC - APRIL 25, 1973

On Tuesday Night, April 25, 1973, at 7:34 P. M., the City Council of Lake Dallas had a closed meeting for the purpose of further discussing the status of the Police Chief, Ron Phillips. Said Police Chief attended the meeting.

The following members of the Council were present:

W. L. Beene, Mayor	
Jim Payne	Councilman
Buck Mays	Councilman
Johnny Vinson	Councilman
John Webb	Councilman
Larry Kingston	Councilman
May R. Shurtz	City Secretary

Mr. Been acted as Chairman of the meeting, and May R. Shurtz acted as Secretary. The meeting was officially called to order at 7:34 P. M., by Chairman.

The Chairman explained why the tape recorder was sitting on the Council table. He said he did not want the minutes of this meeting misunderstood not now nor at any future date, therefore, each and every word would be taped for future reference, in case anyone questioned any act or deed in connection with the business transacted at this meeting. That the tape would be kept in the safe, and that no person should have authority to listen to the tape except the Mayor and the five Councilmen, unless someone requested that they hear the tape to satisfy some question they had, then the permission of the Councilmen and the Mayor must be obtained. Is this agreed by all of you Councilmen? All members of the Council replied yes, making it unanimously agreed to use the tape for the meeting.

All of you know the purpose of this meeting. On April 16, 1973 there was a special meeting called by Mayor Beene to discuss a problem that had presented itself, that is, Betty Dunn came to the April 16, 1973 meeting with papers showing that Chief of Police, Phillips, had served a term in the Reformatory in Ohio. Mr. Phillips had left town on the 11th, and his plan was to return to Lake Dallas and his job on Friday, April 13, 1973. On April 16, 1973, he still was not back in Lake Dallas, and no one had heard from him. The Chairman instructed the Secretary to read the minutes of the April 16 meeting, stating that inasmuch as Mr. Phillips was not here for the April 16 meeting that he, the Chairman, thought Mr. Phillips should hear the minutes of the meeting. The Secretary read the minutes of said meeting. Chairman asked the Councilmen if they had any questions about

the minutes, or any alterations they would like have made to the minutes, and Councilman Vinson said the minutes sound about like the meeting was, and Chairman said all in favor of approving the minutes, as read, say aye. It was unanimously voted that the minutes be approved and that they be ordered of record.

The Chairman said all of you the purpose of this meeting. At the April 16 meeting, Bette Dunn came to the meeting with papers which had been sent to George Buchanan, on his request, from the District Attorney in the town where Mr. Phillips lived when he was a young man. These papers showed that Mr. Phillips had served a term in the reformatory. after a lengthy discussion and consideration, and due to the fact that Mr. Phillips still had not been heard from, Councilman Vinson made motion that Mr. Phillips be dismissed, and the motion was seconded by Councilman Webb. However, it was agreed that if Mr. Phillips came back and wanted his job back and could give a good explanation of his absence that the Council would grant him the chance to tell his story and to answer questions from the various Councilmen who wished to question him. The Chairman asked Mr. Phillips to move over to the Council table and prepare to answer questions that would be propounded by the Councilmen, in an effort to get the matter resolved one way or the other.

The Chairman then announced that Mr. Phillips and the Councilmen start the discussion. Councilman Rush Mays said I make a motion that Ron Phillips be put right back where he was. Councilman Kingston said oh no, the motion is a little bit hasty. Chairman said Mr. Kingston, Councilman Mays can make a motion anytime he wants to. It might die for want of a second, but you don't have the authority to tell him he can't make a motion.

Councilman Jim Payne said I make a suggestion that we hear from Mr. Phillips. Chairman said Jim when-I was interrupted I was talking explaining that the meeting would be turned over to a discussion of the matter at hand, and any questions pertaining to this subject that you want to ask him will be in order.

Councilman Kingston said Mr. Phillips I have several questions that I want to ask you. Mr. Phillips said all right.

Kingston Q. Are you the man the Councilmen and Chairman were talking about having a record?

A. Yes I am the one.

Q. Then this is factual?

A. Yes, the only difference is the fact that they said I had a prison record - I was in Ohio State Reformatory for boys.

Q. How old were you at that time?

A. 18. I got out when I was 20.

Q. You got out in 1957?

A. Yes.

Q. You were 23 when you got out?

A. Yes, no, about 23.

Q. You were born in the year 1934?

A. Yes.

The question which remains in my mind, well really there are two questions:

Q. When you were presented with the facts about your record didn't you deny them?

A. Yes. I had three good reason for that. I have been married 15 years. I have a 13 year old boy, an 8 year old boy and a 5 year old boy. My children do not know about my past. I haven't seen fit to tell them. My wife knows about it, even though it happened before we were married. My main concern at the time I was confronted with this information was that I knew the matter was going to break since Bette Dunn had the material in her hands when she did confront me and ask me if that concerned me in Mayor Beene's office was my family - "God" my kids. I had never thought this would be brought out. The next day my wife and children left town because I didn't want anyone to tell my boys. If it had to be told I wanted to do it in my own way at the appropriate time.

Q. When did you finally come back?

A. I didn't leave at the time my wife and sons did. Her car burned and I had to go and get the family and I brought them back. When we got back I found out that my phone had been cut off and the burglar alarm at the bank had been disconnected. I figured something had happened, so I drove down to Tommy Burk's and he told me that the City Council had dismissed me the night before (this was April 17). So, I went back to the house and told my wife to pack and I would drive them to her mother's in Ohio.

Q. Is that where they are now?

A. Yes that is correct. Also, I was looking for another job. I figured that I was out of a job and I had the equipment that belonged to Lake Dallas Police Department and wanted to turn it in, but I figured when I came back to Lake Dallas to get my household furniture I would turn my equipment and go on back to Ohio. This is the reason for my being gone so long.

Q. In keeping with this, the fact that you have or have not a police record was not the only thing that was brought up. It was reported in many cases that you did not always perform the way a police officer should conduct himself in public.

A. This is my fourth year as a police officer and I think I have always conducted myself in a policeman-like-manner, except when a situation demands other tactics.

Q. I was told that your car was repossessed. Is that true?

A. Yes, that is true.

Q. I was also told that you left the City of Lake Dallas and went after the man who repossessed your car and took his driver's license.

A. I asked him for his driver's license and I didn't realize that I still have his driver's licens.

Q. You still have his license?

A. Yes, I have been waiting for him to notify me to return the license.

Q. I think he probably has notified the State Patrol by now.

A. That really doesn't matter.

Q. Why did you go after him?

A. I didn't know whether my car had been stolen or not.

Q. Did he show you the pick up order?

A. Yes, and I asked for his driver's license too because I wanted to know who he was.

Q. Didn't he show you the papers first?

A. No.

Councilman Kingston said I have asked the questions of you that I wanted to.

Jim Payne: How long does a person have to go before he pays his debt to society? I work for one of the largest companies in the country, and I found out from them today when they go back and check on a person's record they go back 10 years. The man I asked about it said if a man lives a clean life with a good record for ten years, and has been a good citizen that is good enough for them. I have been thinking about this for a week. It is a tough situation. I can understand Ron's position, and I probably would have done the same thing, except, I perhaps wouldn't have been enough man to come back, probably would have just kept going. But I respect a man who puts his family before himself. I realize that we have the whole city of Lake Dallas to look after and consider - (Councilman Kingston broke in with "that's right") but as Ron said in a time like this your first thought is of your family without exception. Councilman Payne continued - the only thing I can say

is for each and every one of you Councilmen to decide just let your conscience be your guide. I have investigated around here and the majority of the people with whom I talked answered "well afterall haven't we all made mistakes?" Some of the things I did when I was 17, 18, 19 or 20, if I had been caught I guess they would have put me under the jail. I believe if all of you would be honest about it you would say the same thing.

At this point the Chairman placed a rock on the Council table and said you know the story in the bible - and Jim Payne said I don't want that rock. All of the Councilmen joined in saying they could not cast the first stone.

Buck Mays: I have a lot of people insured in the City of Lake Dallas and I have heard more good about Ron than otherwise. I have never felt like Ron was guilty of a crime. I trust him thoroughly.

Johnny Vinson: You said you were going to make an investigation as Mayor, Mr. Chairman. We would like to hear from you on that.

The Chairman stated that the night we had the April 16 meeting that he had some questions concerning Chief Phillips, but, as of now, everything has been taken care of satisfactorily and any questions that I might have had have been completely resolved.

Johnny Vinson: I want to be the first to tell Ron that the position I took at the meeting of April 16, concerning him, was all wrong and hasty. I talked to him yesterday and he answered my questions, and I want to tell the Councilmen and the Chairman that I made a mistake by listening to other people. We all acted a bit hasty - we should have had a thorough investigation before deciding anything.

A round-table discussion was had, and Mr. Webb asked Mr. Phillips if he thought he could and if he would take over his job of Police Chief, and Mr. Phillips answered yes.

The Chairman then said what is your wish in this matter?

Councilman Buck Mays made motion that Ron Phillips be reinstated to his position as of the 16th of April, 1973. The motion was seconded by Councilman Webb. The Chairman asked if that was the unanimous decision, and there were 4 Ayes: Buck Mays, Jim Payne, John Webb, Johnny Vinson; there was 1 no: Councilman Kingston. The motion to reinstate Chief of Police Ron Phillips to position of Chief of Police of Lake Dallas, as of April 16, 1973, was unanimously carried.

This is the end of the matter concerning Chief of Police Phillips, however Council is still in session in regard to some other personnel matters which will be found on the following pages.

May R. Shurtz

May R. Shurtz - City Secretary

COMTINUATION OF

COUNCIL MINUTES

CALLED EXECUTIVE PERSONNEL
MEETING CLOSED TO THE PUBLIC
APRIL 25, 1973

Councilman Kingston reported to the meeting that he had received several calls concerning Sgt. John Easter, two of which were from women and one call from a man, all three of them complaining about some things Easter had done while dressed in his police uniform and driving one of the Lake Dallas Police squad cars. The allegations were not serious, but not becoming to an officer of the law. Several other things were discussed at the meeting, and it was decided to have Sgt. Easter come into the Council meeting and discuss the matter with the Councilmen and the Mayor. All members of the Council spoke highly of Sgt. Easter, and told him so, but also told him that he just must stop doing a few little acts that are not acceptable to the standards of a policeman. Easter was informed that the Councilmen would make it their business to see that he does shape up and perform in a good policeman-like manner. Councilman Payne said Easter you have heard do right because it is right to do right.

After speaking generally with Sgt. Easter the Councilmen and the Mayor wished him luck, and told him they appreciated his hard work and that each of them felt that he would profit by the friendly talks and would continue to make a good policeman.

Sgt. Easter was dismissed, and this phase of the meeting was adjourned. No motions were made and none were necessary.

May R. Shurtz

May R. Shurtz, Secretary

CONTINUATION OF
Council Minutes
Called Executive Personnel
Meeting Closed to the Public
April 25, 1973.

The five Councilmen discussed the Chairman of the Zoning Board and agreed that it would be to the best interest of said Zoning Board to remove her and appoint someone else who had more time to devote to the Zoning Board.

Inasmuch as the Mayor, who was acting as Chairman of the meeting, had excused himself from the meeting because of the fact he is in real estate business and anything concerning zoning or re-zoning might be questioned by some if he sat in the meeting where the Chairman of the Zoning Board was dismissed, the Chairman had delivered the gavel to Johnny Vinson who is Mayor Pro-tem, and asked him to conduct the hearing. The reason for wanting to remove the Chairman of the Zoning Board was that she seemed too engrossed in the newspaper she was working for and it seemed that she did not have time to perform duties of Chairman of the Zoning Board. On different occasions she had been asked to stop by the City Hall and get papers concerning request for re-zoning of property, which she didn't do for a week or so.

After full discussion and due consideration Councilman Webb made motion that she be dismissed and the motion was seconded by Councilman Mays. Johnny Vinson, Mayor-Pro-tem, acting as Chairman asked if the Councilmen were in agreement with this action. There were three yes and 1 no: John Webb, yes, Jim Payne, yes, Buck Mays, yes, and Larry Kingston, no. The City Secretary was authorized to write the Chairman of the Zoning Board a letter informing her of her dismissal and asking her to return any property in her possession that belonged to the Zoning Board.

The Councilmen brought up the subject of Geo. Buchanan interferring with the local police work, and suggested that it be reported to the proper authority. Mr. Beene, who had returned to the table, said this matter should not be discussed at this meeting because it was strictly personnel. Mr. Kingston said we want their help but we don't want interference. At this point Johnny Vinson made motion to adjourn the meeting and it was seconded by Jim Payne. There being no further personnel matters to discuss it was unanimously agreed to adjourn the meeting at 8:49 P. M.

May R. Shurtz
May R. Shurtz, Secretary

MINUTES OF
REGULAR MEETING OF CITY COUNCIL
MAY 10, 1973

The Regular Meeting of City Council was called to order by Johnny Vinson, Mayor Pro Ten on May 10, 1973, at 7:35 P. M. Mayor W. L. Beene was out of town. The following members were present:

Johnny Vinson	Mayor Pro Tem
Lawrence Kingston	Councilman
John Webb	Councilman
Jim Payne	Councilman
Buck Mays	Councilman
May R. Shurtz	City Secretary
Chief of Police	Ron Phillips

Johnny Vinson, Mayor Pro Tem, acted as Chairman and May R. Shurtz served as Secretary of the meeting.

Mr. Derrell Johnson, P.E., who is with Rady and Associates, Inc., a consulting engineer firm addressed the Council in connection with representing the City of Lake Dallas with their engingering problems. At an earlier date some of the Councilmen had approached Mr. Johnson with the thought in mind that he could help the City locate some government program that would assist the City with the building and repairing of the streets in and around Lake Dallas. Mr. Johnson explained that he didn't know of any program that would come in and help us defray the expenses of repairing the streets, but that we should contact some of our Congressmen and Senators and have them advise what, if any, programs are available. He suggested Walt Parker, Dale Milford and John Towers. He also told the Councilmen that he didn't think we needed a full-time engineer, but that when a problem arose which required engineering advice he would be happy to work with us. He was asked what fee he charged and he said $35.00 an hour for the senior partners of the firm, or $25.00 an hour for an associate. Each of the Councilmen asked Mr. Johnson several questions regarding inspection fees, and he, Johnson, said he felt that we were not charging as much for inspections as we should. After a general discussion by all of the members of the Council the Chairman said we thank you, Mr. Johnson, for coming to the meeting tonight, and also asked if any of the Councilmen had any questions - Councilman Payne said he felt that we are going to need to consult with an engineer, but that he would like to read the contract Mr. Johnson furnished that Councilmen will sign with the engineer before deciding definitely. This matter will be discussed and we should have an answer at the next regular meeting of the Council, June 14, 1973.

Secretary read minutes of the last regular meeting of the City Council, which was held on April 12, 1973. The minutes were approved as read and ordered of record.

Chairman announced that Mrs. Sarah Carey should be appointed as Chairman of the Zoning Board. Councilman Kingston wanted pertinent information concerning Mrs. Carey, since he did not know her, and he was apprised of her qualifications to act in such capacity. Mr. Webb made

motion to accept her as Chairman of Zoning Board and the motion was seconded by Buck Mays, and it was unanimously voted that Mrs. Sarah Carey be Chairman of the Zoning Board.

Councilman Payne introduced the matter of employing a Master Electrician to make inspections on the electrical work, and a Master Plumber to act as plumbing inspector, Councilman Payne made motion to that effect and Councilman Webb seconded it, and the matter was unanimously carried. Councilman Kingston wanted to know if we had someone in mind for the place of inspector and the Chairman said yes, Frank Hernedeen. Mr. Hernedeen was attending the meeting and the Chairman asked him if he would consider doing the job of inspector and what he would charge. Mr. Hernedeen said he would take the job and that he would charge $3.00 a trip. Councilman Jim Payne made motion to appoint Mr. Frank Hernedeen as electrical inspector at a salary of $3.00 for each trip, making a total of $6.00 per inspection, and the motion was seconded by Buck Mays and unanimously carried.

Chairman told the members of the Council about the form on Revenue Sharing that had to be filled in with information pertaining to how the City planned to use the money. Councilman Kingston said he would take the form and make extra copies of it so that each Councilman could study it. It was agreed that it would be examined and discussed at the next meeting of the Council.

Chief of Police, Mr. Ron Phillips showed the Councilmen and Mayor Pro Tem bids he had received from various Ford Dealers, and it was decided that Bill Utter Ford at Denton had the best offer, and also allowed more trade-in value on the old squad cars. There was a general discussion pertaining to purchasing two new cars for the Police Squad Cars - Councilman Webb made motion and it was seconded by Buck Mays that the City of Lake Dallas buy two new Ford Galaxyses from Bill Utter, Ford Dealer, Denton, Texas. The motion was unanimously carried.

Councilman Kingston stated that he lives on Glenn Rhea Drive and that several times cars have driven down this street to the very end run into mud, not knowing the street ends at the lake. This subject was discussed and it was decided to barricade three streets, Glenn Rhea Drive, Summers Street, and Lakeland. The barricade should be situated at the end of the streets, large enough that it can be seen before reaching the end of the street. Councilman Mays made motion that the City barricade the three above named streets and the motion was seconded by Councilman Webb, and was unanimously carried.

Mrs. Jess Stowe told the Councilmen that when it rains hard the water washes up into her yard and causes a lot of inconvenience, having the yard full of water. Councilman Webb had been to the spot where the water left the road and flowed on to Mrs. Stowe's yard, and he suggested that something should be done about the situation. Chairman said Councilman Mays should get with Mr. Stowe and work it out. Chairman further stated that this matter did not require a motion, but that the flooding condition would be adjusted.

Chairman read a deed from Ethel Elbert to Roy Harper, which consisted of an old abandoned road. Mr. Harper was to put a fence around the property and would also pay the City of Lake Dallas tax on it. Mr. Kingston said he wanted to know about Mr. Harper's taxes, what he paid and if he carried his share of the tax burden of the City. When Councilman Kingston suggested that the Chairman pull the tax cards on Mr. Harper's property and let the Councilmen examine them and see just what he does pay for taxes, but the Chairman told him that this could not be done; the only thing we can do is present the matter to the Board of Equalization when it convens. Councilman Kingston said he would like to have that done, and Councilman Payne said he felt that Councilman Kingston is right, and that the matter should be looked into. Councilman said to hold up the deed until the tax situation can be examined and cleared up. Councilman Payne made motion to table the deed and Councilman Kingston seconded the motion and it was unanimously carried.

The next subject to be discussed was the roads and streets in Lake Dallas. The Revenue Sharing money Lake Dallas has received will be used to pay for the roads. To date we have received $8,290.00, and have publicly discussed it with the citizens, and they are in favor of this money being spent for the purpose set out above. Councilman Webb made motion that City of Lake Dallas maintain a permanent stockpile of asphalt and that all of the streets be fixed in good shape, and the motion was seconded by Councilman Jim Payne and unanimously carried.

Mrs. Helen (Scottie) Steen spoke to the Council about the road to her home and what a bad shape it is in. Chairman told Mrs. Steen that he had been on the road and knew that it is rough and that it should be fixed. Chairman then asked Councilman Mays to look into getting the road in good shape, and Councilman Mays said he would.

Chairman asked Police Chief Phillips why Ronny Miller's request for a radio in his wrecker was denied. Councilman Kingston said he also would like for Chief Phillips to answer this question, and Chief Phillips said that he has ten channels, or numbers, and that he had to have all of them for the squad cars and for his reserves. Phillips also explained that if he let Mr. Miller have a radio in his wrecker that he would have to let all of the wreckers in Lake Dallas have a radio. Conversation between Chief Phillips and Ronny Miller became quite heated and the Chairman interrupted and said lets not have any further discussion about this - it is up to Chief Phillips what he does about this.

Mr. Frank Hernedeen asked about the zoning of his property to commercial. This matter had come before the City Council at its November 12, 1970 meeting, but was voted down by one vote, with the other Councilmen abstaining. One of the Councilmen suggested that Mr. Hernedeen be issued a Special Use Permit to install main electrical supplies and repair in his shop at his

residence. Nothing further was done about this re-zoning until April 13, 1972 - when Mr. Herendeen came before the Council to request a re-zoning of his property from a Special Use Permit to Commercial Zoning. Jim Payne felt that if 75% of the residents within the required 200 feet from his property were in agreement that re-zoning would be all right. Mr. Williard told the Council that he owned more land near Mr. Hernedeen than any other property owners around there and that he did not object to Mr. Hernedeen's property being zoned commercial. The Chairman said all of you know where F & R Electric Company is. Chairman said he believed Mr. Hernedeen's land should be zoned for business. Councilman Webb made motion to re-zone Mr. Hernedeen's property to Commercial property, Buck Mays seconded the motion, and it was unanimously carried that Mr. Hernedeen's property be zoned as per Zoning Board Hearing. (Zone C-2) (1970)

Councilman Kingston recommended that all work on city automobiles be done in Lake Dallas, if possib le.

The Financial Statement for the period from April 10, 1973 through May 7, 1973, prepared by the City Secretary, was examined by the Councilmen and Chairman and approved. The accounts payable for the City were discussed. Councilman Buck Mays made motion and it was seconded by Councilman Payne to pay the accounts payable, it was unanimously carried.

Chairman told Councilmen that the City was in need of a new truck, or at least a better truck, to be used by the Street Department. Councilman Kingston told the Council members that he thought he could find one that would be in good shape and the price would be reasonable. Chairman suggested that Councilman Kingston and Councilman Mays be appointed to find a truck, such as the one described above. Councilman Mays said he thought the City needed a half ton pickup.

Mr. and Mrs. Gary Roberts came before the Council Meeting asking permission to sell a few Chihuahua puppies from their home on Hundley Drive. Chairman asked him how many puppies he had at his home and he said 16. The Councilmen discussed the subject and didn't find anything against Mr. and Mrs. Roberts selling the puppies, as requested. Mr. Roberts was told by the Chairman to go ahead and sell the puppies. Mrs. Roberts asked if they could put a small sign up, and the Chairman said yes so long as it is not too close to any neighbor's yard.

Councilman Kingston brought to the Council table a brochure of a pick-it-yourself insurance for the fireman of the Lake Dallas Volunteer Fire Department. Councilman Mays called Don Hansen, Fire Chief, and asked him if he could come to the meeting to discuss this insurance, and he said he couldn't. Chairman advised Councilman Kingston to see Mr. Hansen and take it up with him and let the Councilmen know at the next Council meeting what was decided about the insurance.

Mr. Ron Phillips suggested speed limit for Hundley Drive from the residence of Jess Stowe to Hundley Boat Company of 20 miles per hour. Councilman Buck Mays made motion and John Webb Councilman seconded the motion that the speed limit be reduced to 20 miles per hour on Hundley Drive from Stowe residence to Hundley Boat Company. It was unanimously carried.

The Chairman said he thought it would be a good thing to have a Corporate Judge for the Court. Councilman Kingston agreed with him, and Chairman said that a good man, Mr. Stokes a retired lawyer who lives in Lake Dallas might be willing to be the Judge. The Chairman suggested that it be discussed at a later date.

The Chairman asked if there were any further questions and there were none. Councilman Mays made motion that the meeting be adjourned and motion was seconded by Councilman Kingston. There being no further business the meeting adjourned at 10:15 P. M.

Mary L. Shurtz
Secretary

MINUTES OF SPECIAL CALLED MEETING
CITY COUNCIL JUNE 5, 1973

The Special Meeting of Lake Dallas Council was called to order by Mayor Beene, at 7:30, P. M., Tuesday June 5, 1973, at the City Hall. This was a called meeting between the City Council of Lake Dallas and the City Council of Hickory Creek.

Mr. Been acted as Chairman of the Meeting, and May R. Shurtz acted as Secretary.

The following members of Lake Dallas City Council were present:

John Webb
Lawrence Kingston
Jim Payne
Buck Mays

Johnny Vinson was absent.

The City Council of Hickory Creek was represented by the Mayor and members of the City Council. (Louise Eix Councilman of Hickory Creek was absent.)

This meeting was called for the purpose of discussing changes in the ramps entering and leaving IH 35 which have been under discussion for at least three years. Mr. Bright, the Mayor of Hicory Creek, read the following letter:

"Texas Highway Department
P. O. Box 3067
Dallas, Texas 75221

May 17, 1973

"Control 196-2
I.H. 35E
Denton County

Honorable Edmond S. Bright Mayor
Town of Hickory Creek Texas
Box 453
Lake Dallas Texas 75065

Dear Mayor Bright:

We have your letter of April 25 1973 concerning the additional exit and entrance ramps on I. H. 35E and the conversion of frontage roads to one-way operation in the towns of Lake Dallas and Hickory Creek Texas.

As you will recall your request for additional ramps was forwarded to our Austin office and the Federal Highway Administration for their concurrance. By our letter dated August 15 1972, we

informed you that the addition of these ramps had been approved contingent upon conversion to one-way frontage road operation within the city limits of Lake Dallas and the Town of Hickory Creek.

In subsequent discussions and correspondence you have stated that the cities are agreeable to one-way frontage road operation with the exception of the small area on the east side of I.J. 35E north of the Hickory Creek Bridge.

We have reviewed this area on several occasions and conclude that two-way operation with increasing traffic volumes in this area, is compounding the hazards of wrong way entry to the freeway as well as the hazardous entry to Arrowhead Park.

In order to alleviate this hazardous operation and at the same time permit two-way operation of the frontage road we are contemplating the ramp modification shown on the attached schematic layout. This scheme is to eliminate the existing Lake Dallas exit ramp at the north end of the Hickory Creek Bridge and replace it with a new exit ramp approximately 1,000 feet further north. This arrangement will allow two-way operation of the frontage road from Lake Dallas to the Arrowhead Park entrance.

If this scheme is satisfactory to the cities we will seek the concurrence of our Austin Office.

Yours very truly,

/s/ John G. Keller
District Engineer

Attachment
(Texas Highway Department
I.H. 35-E"

After reading the above letter, Mayor Bright showed the Councilmen and Mayor the schematic layout from: Lake Dallas to: Hickory Creek as Revised May 1973. It met with unanimous approval and Mayor Bright explained that the roads won't be one-way until the Highway Department has finished the additional ramps. Councilman Buck Mays made motion and Councilman Kingston seconded it to accept the changes in travel on IH 35 as reflected by said schematic layout shown to the City Council by Mayor Bright of Hickory Creek. It was unanimously carried.

The Chairman brought up the subject of annexing the East Side of I.H.35E from Hickory Creek City Limits to Cornith City Limits whereby the Police Department of Lake Dallas would have authority to patrol the East Side of I.H. 35E from said city limits, and Hickory Creek would have authority to patrol the West Side.

Mr. Ron Phillips, Police Chief of Lake Dallas, stated that Mr. Neil Reeves, a builder who is building apartment houses in

Hickory Creek asked the Dallas Police Department for protection for at least one month while he is out of the country. After full discussion it was agreed that the Lake Dallas Police Department could patrol this project without neglect to the City of Lake Dallas. Motion was made by Councilman Buck Mays, and seconded by Jim Payne that we give police protection to the builder's property and supplies, and that the Police Department should receive $750.00 for this service. It was unanimously carried.

There being no further business, Councilman Mays made motion to adjourn, and Councilman Payne seconded the motion and the meeting was adjourned at 8:45 P. M.

May R. Shurtz
Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL OF LAKE DALLAS JUNE 14, 1973

The regular meeting of the City Council was held on June 14, 1973 at 7:30 P. M., in City Hall of Lake Dallas, Texas.

The meeting was called to order by the Mayor, W. L. Beene, and the following were present:

W. L. Beene,	Mayor
Buck Mays	Councilman
Jim Payne	Councilman
John Webb	Councilman
Lawrence Kingston	Councilman
May R. Shurtz	City Secretary

Councilman, Johnny Vinson, was absent.

Mr. Been requested Councilman Kingston to take the chair and Mr. Beene removed himself from the Council table. Mr. Kingston read the minutes from the Zoning Board Meeting of May 9, 1973:

"City of Lake Dallas Zoning Board Meeting"

"The meeting was called to order at 8:50 P. M. by Chairman Sara Carey with the following members present: Howard Davis, Jean Chambers, Frank Herendeen, Johnny Vinson and Buck Mays.

"After long discussion, the Board voted on recommendation to the City Council, the rezoning of Mrs. Nellie Howard's property described as MEP&P RR s u r v e y containing 8 acres, A-924 from R-1 (single family) to R-3 (multiple family). The Board voted by written votes and was unanimously carried to rezone the property to R-3 (multiple family.)

"Jean Chambers made motion to adjourn, Frank Herendeen seconded the motion. The meeting adjourned at 9:40 P. M."

The above decision was published for three consecutive weeks in the Lewisville Leader as follows:

"Notice is hereby given to all interested persons and citizens of Lake Dallas, Texas, that the City Council of the City of Lake Dallas, Texas will hold a public hearing on June 14, 1973 at 7:30 P. M., in the City Hall in the City of Lake Dallas, Texas to consider the application of owner: Nellie P. Howard for a change of zoning classification under the provisions of the Zoning

Ordinance of the City of Lake Dallas, Texas, to change the Zoning Classification of the following described property as a part of the R-1 7200 single family District and cause same to be classified as a part of the R-3 1500 multiple family District of the City of Lake Dallas, Texas: Description: 8 Acres, Abstract 924, MEP&P Survey.

"At the same hearing the City Council will consider and act upon the recommendation of the City Zoning Commission in the above matter.

/s/ "W. L. Beene
Mayor
"City of Lake Dallas, Texas

"S-5-20,27,6-3."

Attached to the above Notice was the following:

"Before Me, the undersigned authority, on this day personally appeared Scott Dorsey who, after being duly sworn by me says on oath that he is the Publisher of the Lewisville Leader, a semi-weekly newspaper published in Lewisville, Denton County, Texas, and that the attached Notice of Publication was published in its issue of May 20th and May 27th and June 3rd, 1973, and that his charges therefor at the rate of five cents per word for the first insertion and each subsequent insertion, is $23,85.

/s/ Scott Dorsey

Sworn and Subscribed to before me, this 7th day of June, 1973.

(Seal) /s/ Jeannine M. Wright, Notary Public
Denton County, Texas."

Mr. Gerald Cobb, attorney for the company which is to build the townhouses was present at the meeting and made a nice talk explaining to the audience, which consisted mainly of persons living within 200 feet of the 8 acres to be rezoned, just what his client intended to build on the tract, and had pictures of the finished townhouses. A lengthy discussion followed but Mr. Kingston, who occupied the chair, asked if there were any further questions, and the answer was negative. Councilman Jim Payne made motion and Buck Mays seconded it that rezoning of the 8 acres of land be finalized and go from R-1 (single family) to R-3 (multiple family), and the motion was unanimously carried.

Mr. W. L. Beene, Mayor, returned to the chair and acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

Chairman asked for a motion and a second to spend all of Revenue Sharing Funds on any streets and roads that needed repair in the City of Lake Dallas. All citizens of Lake Dallas are fully advised of this due to publication in the news-paper Lewisville Leader, published in Lewisville, Texas, Denton County, Texas, twice each week, also from being present at Council Meetings where this matter was discussed fully. Buck Mays made motion to this effect and Councilman Kingston seconded the motion and it was unanimously carried that the City of Lake Dallas spend all Revenue Sharing Funds on roads and streets in the City of Lake Dallas.

Chairman explained to the members of the Council that after approval of the purchase of two squad cars for the Lake Dallas Police Department that it would be necessary to finance the cars. After checking the different lending facilities it was found that Lewisville State Bank offered the best rate of interest: 6% simple interest, and Chairman asked for a motion and a second to borrow the money from Lewisville State Bank to finance the new cars. Jim Payne made motion and it was seconded by Buck Mays to borrow the money from Lewisville State Bank, and it was unani-mously carried, to finance the cost of the two squad cars through said bank.

The Chairman introduced Mr. Frank J. Medavick, Vice-President of First Southwest Company, who discussed the erection of the new city hall. Mr. Medavick gave valuable information concerning the first steps to be taken in preparing to build a municipal building, and said if the City of Lake Dallas did decide to build, First Southwest Company would arrange all of the plans and give advice on financing, etc., for a total sum of $2300.00. This would in-clude everything except advertising. Councilman Kingston exchanged ideas and suggestions with the visitor, as did the Chairman and all of the Councilmen. As soon as it is decided to go forward with plans for the new City Hall we are to get in touch with Mr. Medavick.

Chairman told the Councilmen that the old grader sitting on the side of the road near the Mayor's home should be sold or other-wise disposed of inasmuch as it is of no more use to the City, and authorized Councilman Buck Mays to sell it. Councilman Webb made motion to have Mays sell it and the motion was seconded by Councilman Kingston. It was unanimously carried.

The Councilmen discussed buying a truck for the City to re-place the old one that is now being used. Nothing definite was decided about it. However, Councilman Mays was instructed to try and find one. This will be discussed at a later meeting.

Chairman instructed Secretary to draw up Resolutions showing the transfer of title to dead-end streets to various citizens by quit claim deeds from the City, being quit claim deed from City to Mary Price, Dave Handley, Jack Ezell, John Webb and Sol Cacciatorie. The deed from Mrs. Elbert to Roy Harper was tabled until such time as the Councilmen are satisfied about the rate of tax that Mr. Harper is paying.

Chairman stated that the Ordinance showing that Lake Dallas controls East Side of IH 35 is shown by Ordinance No. 38.

Chairman passed the financial statements out to the Councilmen and after studying it it was approved.

Accounts payable were shown to the Councilmen and after due study it was recommended that they be paid.

Mr. Williard concerned himself with the matter of a sign being erected near the home of Mr. and Mrs. Welch, stating that they could not see the road for the sign. Chairman told Mr. Williard and Mr. and Mrs. Welch that this question would be discussed further and a decision reached.

Buck Mays made motion that the meeting be adjourned and Jim Payne seconded it, and it was unanimously agreed to bring the meeting to a close.

Mary R. Sturtz
Secretary

MINUTES OF SPECIAL CALLED MEETING OF CITY COUNCIL OF LAKE DALLAS JUNE 21, 1973

The special called meeting of the Lake Dallas City Council was called to order at 8:05 on Thursday, June 21, 1973 in the City Hall. Present at the meeting were:

W. L. Beene	Mayor
Buck Mays	Councilman
Jim Payne	Councilman
John Webb	Councilman
Lawrence Kingston	Councilman
Johnny Vinson	Councilman
May R. Shurtz	City Secretary

W. L. Beene, Mayor, acted as Chairman of the meeting, and May R. Shurtz acted as Secretary.

Councilman Buck Mays told the Councilmen that he had located a truck belonging to Mr. Tweed, being 1961 model, and having the bed and all equipment needed thereon for a price of $2300.00 cash. Councilman Payne asked Mr. Elmer Crawford, the road man, if he went with Mr. Mays to look at the truck and Mr. Crawford said yes I did. The Councilmen had an open discussion in regard to how bad the present truck is and that a different one would have to be bought before too much could be accomplished by the road man, Mr. Crawford. The Councilmen also discussed buying a new truck, and that was ruled out as being too much money. Chairman said he knew the truck and thought it was worth the money even if the City had to spend a little money here and there to put the truck in perfect shape. Councilman Mays continued by saying that with the right treatment the truck in question should last the City for at least 10 years. Jim Payne made motion to buy the truck for $2300.00 cash, and Buck Mays seconded the motion, and it was unanimously carried.

Councilman Vinson said we also need a pickup truck. At this point it was brought to the attention of the Councilmen that Mr. Lawson had been using his pickup truck for the City, and Councilman Payne said let me make a motion to buy the gas for Mr. Lawson's car, having Mr. Crawford sign the tickets, and pay Mr. Lawson $10.00 per week for the use of his pickup truck, the motion was seconded by Buck Mays, and it was unanimously carried.

Councilman Payne made motion and Johnny Vinson seconded it to adjourn the meeting.

May R. Shurtz
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL - HELD ON JULY 12, 1973, at 7:30 P. M.

A Regular Meeting of the City Council was held at the City Hall on July 12, 1973, at 7:30 P. M. Mayor W. L. Beene called the meeting to order at 7:30 P. M., with the following being present:

W. L. Beene	Mayor
Jim Payne	Councilman
Buck Mays	Councilman
John Webb	Councilman
Larry Kingston	Councilman
Johnny Vinson	Councilman
Ron Phillips	Chief of Police
May R. Shurtz	City Secretary

Mr. Beene acted as Chairman of the meeting, and May R. Shurtz acted as secretary.

Minutes from a regular meeting of June 14, 1973 were read and unanimously approved with Buck Mays making motion and John Webb seconding the motion.

Chairman explained that Mrs. Carey who had been serving as Chairman of the Zoning Board had moved from Lake Dallas and that it was necessary to fill the vacancy. Councilman Johnny Vinson told the Councilmen that Jean Chambers would serve as Chairman of the Zoning Board and that she was well qualified to do so. After a discussion Chairman called for a motion to be made to appoint Mrs. Chambers Chairman of the Zoning Board. Johnny Vinson made the motion and Buck Mays seconded it to appoint Jean Chambers Chairman and to appoint Blanche Tweed and Thurmon Bartley to serve on the Zoning Board, finishing out the present terms of the vacancies. The motion was unanimously carried.

Mr. John W. Keith, Jr., P.E., with Thurman and Associates, Inc. discussed the matter of numbering the houses in Lake Dallas. Mr. Keith consulted a map and explained what he had in mind and in fact what he had been working out relative to numbering the houses. It was agreed between the Councilmen and Mr. Keith that he should proceed with the house numbering starting at a given point on his map and going North. John Webb made motion and Johnny Vinson seconded the motion that Mr. Keith should start numbering the houses in order that Kings Manor could go ahead and get their house numbering done. The Chairman said all in favor say yes, which all of the Councilmen did.

Mr. Keith said he knew an architect, Mr. Tom J. Dance, who is a good architect and that if the Councilmen and the Mayor were interested Mr. Dance would come to a meeting and discuss with the Councilmen and the Mayor his doing the specifications

for the new City Hall. Mr. Keith stated that Mr. Dance very likely would do this work for the City for 4-1/2% of the total construction costs. Here follows a lengthy discussion not necessary to appear in the minutes, and the Councilmen decided that they should call a meeting for July 17, 1973, on Tuesday night and have Mr. Dance meet with them to discuss this subject further. Mr. Keith then said that was all he had to say right now.

Chief of Police, Ron Phillips talked about the new radio that the government would help the City buy, but Mr. Phillips said it isn't good for us, and to become involved in this deal, and the matter was tabled.

Councilman Buck Mays said that when the City employed Mr. Elmer Crawford as Superintendent of streets he was told that if he proved satisfactory in every respect that at the end of 90 days he would receive a $50.00 a month raise, which would make his monthly salary $550.00. Mr. Mays said that Mr. Crawford's services had been quite satisfactory and Johnny Vinson made motion, and Buck Mays seconded it that Mr. Elmer Crawford be given a $50.00 a month raise. The motion was unanimously carried.

Mr. Mays told the Councilmen that the City should arrange to buy a used pickup truck. Mr. Payne said what is the main purpose for having a pickup truck. Mr. Mays said it is very necessary in many respects, such as short hauls, etc., when it would not be practicable to use the large flat bed truck. Mr. Vinson asked Mr. Mays to find a suitable used pickup truck and report on it at a later meeting.

Councilman Johnny Vinson brought before the meeting the furnishing of a credit card for the Mayor when he is on official business for the City. After discussing the matter Councilman Webb made motion and Buck Mays seconded it that the Mayor be furnished a credit card to use when driving his car on official city business. The motion was unanimously carried.

Current accounts payable were examined and and Councilman Vinson made motion and Buck Mays seconded it to pay the accounts payable, and all Councilmen voted yes.

Mr. Kingston mentioned the sign that is erected near the property of Mr. Welch, which had been discussed at a prior meeting. The owner of the sign said he would have it down in a few days. Councilman made motion and Buck Mayes seconded it that the sign be removed from the spot within 30 days. Unanimously carried.

Gerald Morris addressed the Councilmen telling of an experience he had with Chief of Police. The Councilmen listened to what he had to say which when summed up was really no problem. Councilman Vinson thanked Mr. Morris for coming to the meeting.

Chief of Police, Phillips, gave an order book to the Councilmen and told them the City was badly in need of some new signs that had been introduced by the Highway Department. After examining the

signs and discussing them, Councilman Kingston made motion and John Webb seconded it to buy 61 new street signs. It was unanimously carried.

The Councilmen and Chairman had a discussion of the fire plugs in the City and how many are in good condition and how many are not. There was no motion made - just a discussion had.

Councilman Johnny Vinson made motion to adjourn and Buck Mays seconded it, and the meeting was adjourned at 9:25 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF SPECIAL CALLED MEETING OF CITY COUNCIL HELD ON TUESDAY, JULY 17, 1973, at 7:30 P. M.

A called meeting of the City Council was held at the City Hall on Tuesday, July 17, 1973, at 7:30 P. M. In the absence of the Mayor, W. L. Beene, Johnny Vinson acted as Mayor Pro-tem. The meeting was called to order by Mayor Pro-tem.

Present were:

Jim Payne	Councilman
John Webb	Councilman
Larry Kingston	Councilman
Buck Mays	Councilman
Johnny Vinson (Serving as Mayor Pro-tem)	Councilman

Mayor Pro-tem acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

The meeting was called for the purpose of discussing with Mr. Tom J. Dance plans for a new City Hall. Mr. Dance asked a number of questions concerning materials to be used, size, etc., and various other things that should be included in specifications that Mr. Dance will draw for the City. Councilman Kingston suggested that perhaps it would be a good thing to have Mr. Dance inspect the building as it goes up, from time to time, and Mr. Dance said he would do this for an extra 2% of building costs. This would make the total fee of 6-1/2% for Mr. Dance for specifications and inspections. Councilman Buck Mays made motion and it was seconded by John Webb that the City pay the extra 2% to have Mr. Dance's approval of the material and construction of the new City City Hall. It was unanimously carried. Mr. Dance told the Councilmen that he would proceed with drawing up a contract between the City of Lake Dallas and Mr. Dance, and he would mail it to the City.

Speed signs on Kings Manor should be erected, showing the speed limit as at 15 miles per hour. Mayor Pro-tem continued saying there should be erected about 10 signs. Jim Payne made motion and Larry Kingston seconded it that we put 15 miles per hour spped limit on Kings Manor all the way through from Lakeview to Shady Shores road. The motion was unanimously carried.

Mayor Pro-tem suggested to the Councilmen that on Court days and City Council meeting days that the Clerk and the City Secretary be allowed to leave at noon in order to get their home chores done and get ready to come back to the meeting. The Clerk attending the Corporation Court Meetings and the City Secretary attending the Council meetings. Councilman Buck Mays made motion to that effect and Jim Payne seconded the motion. It was approved by all members of the Council.

Buck Mays made motion that the City give Mr. Dennis Lawson, who is working with Mr. Crawford on the streets, a 25¢ an hour raise. Making his salary $2.75 per hour. Councilman Jim Payne seconded the motion and all Councilmen voted yes.

Larry Kingston made motion and Buck Mays seconded it that the City mark all City vehicles with the magnetic signs showing the various vehicles belong to the City of Lake Dallas. The motion was unanimously carried.

Buck Mays made a motion and John Webb seconded it to give Mayor Pro-tem authority to sign checks in absence of Mayor. All Councilmen voted yes.

Buck Mays made motion that the meeting be adjourned and John Webb seconded it. There being no further business to come before the meeting it was adjourned at 10:00 o'clock P. M.

May R. Shurtz
May R. Shurtz, City Secretary

Additional Minutes on this meeting: Mr. Buck Mays drove a pickup truck to the City Hall and all the Councilmen examined it and looked it over. Mr. Mays had found the used pickup at Huffines and could be bought for $950.00 cash. It was agreed that the City purchase the pickup for use by the Street Department. John Webb made motion that the City purchase the pickup and Jim Payne seconded the motion and it was unanimously carried. City Secretary was instructed to prepare a check for $950.00 payable to Huffines Motor Company in payment of the truck.

May R. Shurtz
May R. Shurtz, City Secretary

CALLED CLOSED MEETING OF CITY COUNCIL - PERSONNEL FOR JULY 26, 1973

Mayor W. L. Beene called the meeting to order at 7:35 P. M., on Thursday night, July 26, 1973.

All five (5) Councilmen were present.

The purpose of the meeting was to give Mr. John Easter, at his request, a chance to explain to the Council what happened in his being taken off the Lake Dallas Police Force by Chief of Police, Ron Phillips.

The Chief of Police told the Councilmen that he was forced to let Mr. Easter go, inasmuch as he had not been attending to his responsibilities, and that he had his personal affairs in such shape that it was interferring with his work.

Mr. Easter talked shortly to the Council, and Councilman Johnny Vinson told Mr. Easter that the Council had given Mr. Phillips full authority to hire and fire his personnel, and that if they couldn't trust Mr. Phillips' actions in matters of this sort they should remove him. However, Mr. Vinson continued that the Councilmen trusted Mr. Phillips' judgment and would go along with him.

Several of the Councilmen said that they had received telephone calls about Mr. Easter and some of the things he did which were not to be tolerated by the Police Department of Lake Dallas.

Mayor Beene asked the Councilmen if they had any other questions of either Mr. Easter or Mr. Phillips. Everyone agreed that they did not want to ask any further questions. Johnny Vinson made motion and John Webb seconded it that the entire Council would stand behind the Police Chief 100% in terminating Mr. Easter's services as a Police on the Lake Dallas Police Force. It was unanimous. Mr. Easter was advised that Chief Phillips' action be carried out.

John Webb made motion to adjourn, and Buck Mays seconded the motion and it was adjourned.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF
REGULAR MEETING OF CITY COUNCIL
AUGUST 9, 1973

Mayor W. L. Beene opened the regular meeting of the City Council at 7:30 P. M. All Councilmen were present.

The Mayor acted as chairman of the meeting. He asked that the City Secretary read the minutes from the previous meeting. The minutes were approved as read and order of record.

The accounts payable were examined by the chairman and councilmen and approved and ordered paid.

The Councilmen and the Chairman started a discussion on regulations for the teen-center which had caused any number of disturbances. Just as the discussion started Mrs. Jess Stowe, owner of the teen-center walked up near the council table and sat in a chair. She started talking about the matter and the chairman told her that she did not put it on the agenda for the meeting and that she could not be heard at the meeting. She insisted that she should be heard, and her husband Jess Stowe joined her and several persons whom Mrs. Stowe had enlisted their aid to prove the accused brutality by the police force. The people became loud, nosy, unruly, and no one could hear anything that was said, and the Mayor tried in vain to quiet them but they would not listen to him. In desperation the hall was emptied with the help of five policemen who did not use force but were firm with the crowd telling them that they should leave. The Mayor explained that if Mr. or Mrs. Stowe would put the matter an a future agenda they would be glad to hear them out, but that no more demonstration would be tolerated in the Council Chambers.

After the crowd disbursed and the Council room was cleared, Mr. Beene appointed three members of the council to talk with Mr. and Mrs. Stowe. Larry Kingston, Johnny Vinson and John Webb.

No motion was made to adjourn, and none was necessary in the face of the near riot which had started.

May R. Shurtz

May R. Shurtz
City Secretary

MINUTES OF
CALLED, CLOSED MEETING
PERSONNEL
AUGUST 29, 1973.

Mayor Beene opened the meeting at 7:30 P. M. All Councilmen were present except Buck Mays, who was on vacation.

Mr. Beene acted as chairman of the meeting, and May R. Shurtz acted as Secretary. Mr. Beene asked Mrs. Shurtz to read a letter of resignation from Tommy Burks, Assistant Chief, attached hereto. The Chairman then asked the Secretary to read a letter of resignation from Chief of Police, Ron Phillips. This is also attached hereto and made a part of these minutes.

The Chairman said we must get busy now and employ a new Chief of Police. He called for a discussion by all of the Councilmen. Then the Chairman stated that Johnny Vinson, John Webb and Jim Payne act as a committee to get applications for the vacant place - Chief of Police. Raises for the officers was discussed. After a general discussion, Johnny Vinson made a motion and John Webb seconded it that:

1) All patrolmen be raised to $600.00 per month.

2) That the new Chief of Police's salary be left open.

3) That the Chief of Police shall make recommedation to Council for all raises for patrolmen.

Before the above motion was unanimously carried, Councilman Jim Payne made an amendment to the motion, i.e.:

The person who is employed as Chief of Police should be certified, and that his certification would stand for his past record, but that we should go back 12 months of his past employment to see what sort of person he is and how he gets along with other people.

The Chairman asked if all Councilmen were in favor of the above motions, and it was unanimously carried. The Chairman then stated that the three patrolmen ~~should~~ would continue in their employment until a new Chief is employed, with Mayor W. L. Beene in control. A motion was made by John Webb and seconded by Jim Payne.

A discussion followed about Councilman, Johnny Vinson being made Judge of Corporation Court, and pay him $50.00 a month for his services. Larry Kingston made motion that Johnny Vinson be

8/1/73

To Ron Phillips,
Chief of Police Lake Dallas P.D.,

I wish to inform you of my resignation as Assistant Chief of Police,effective 8/16/73.I have been offered a higher paying job and have decided to accept.I have enjoyed being a member of this department and having had the opportunity to work with you and my fellow officers.

sincerely,
Tommy Burks Assistant Chief

MUNICIPAL COURT

CITY OF LAKE DALLAS

LAKE DALLAS, TEXAS 75065

August 27, 1973

To the Mayor of Lake Dallas, and all Council Members:

Dear Sirs:

After much consultation with the Mayor, and much thought on my part, I have decided to submit my resignation to the city. It is on mutual type of agreement that I do this as I have decided to go back into private industry, as the pressures have been great and very trying at times not only on myself but my family and I realize the council itself.

In doing so I would like to give my heart felt thanks to Mayor Beene, Councilmen Buck Mays, Jim Payne, John Webb and Johnny Vinson for all the support they have given me, and I shall always be grateful.

Sincerely,

Ron Phillips

Ron Phillips
Chief of Police

appointed Judge of the Corporation Court, and that he should be paid a salary of $50.00 a month, and John Webb seconded it.

Councilman Johnny Vinson made motion and Larry Kingston seconded the motion to adjourn the meeting.

May R. Shurtz

May R. Shurtz - Secretary

MINUTES OF CALLED
CLOSED MEETING - PERSONNEL
SEPTEMBER 4, 1973

On September 4, 1973, at 7:30 P. M., there was a closed meeting concerning personnel. It was a very short meeting and was only called for the purpose of rescinding a motion made at a Called, Closed Meeting - Personnel on August 29, 1973, i. e., That the Chief of Police shall be certified.

John Webb made motion that Bob Johnson be employed as the Chief of Police of Lake Dallas, effective September 1, 1973, and Buck Mays seconded the motion, and it was unanimously carried.

Mayor W. L. B eene swore Mr. Johnson in as Chief of Police.

There being no further business to come before the meeting Johnny Vinson made motion that the meeting be adjourned and the motion was seconded by Buck Mays.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF REGULAR COUNCIL MEETING HELD SEPTEMBER 13, 1973

The regular meeting of the City Council was held on September 13, 1973. The meeting was opened by Mr. W. L. Beene, Mayor.

The Mayor instructed the City Secretary to inform Mr. Roy Harper that he should get legal advice on the quit claim deed from the City of Lake Dallas to Mr. Harper on an abandoned alley.

Johnny Vinson said he would like to suggest that the teen-center operation be turned over to the Police Chief to handle with Mr. and Mrs. Jess Stowe, owners of said center. Johnny Vinson made a motion that the matter be handled by the Police Chief and the motion was seconded by Mr. Larry Kingston, and it was unanimously carried.

It was decided that extension of Main St to Hwy35 be tabled until further discussions can be had. It was recommended that John Webb and Johnny Vinson talk around to the people about the Main Street matter. Larry Kingston made motion and it was seconded by Jim Payne that this be done.

Mrs. W. L. Hunter met with the Councilmen and reported that it would be necessary to have no parking signs on some of their property. Larry Kingston suggested that Chief of Police handle it. The Police Chief agreed to handle it.

Mr. Kingston reported that he met with the members of other cities and outlined some of the problems we have had with the fire department, and that it is the Fire Chief's wish that the City take over the Fire Department. Mr. Kingston discussed ways of raising money. No motion was made at this time.

Mr. Been said we should have a meeting with the other cities and see how much each town could give. Mr. Kingston will do this and bring it back to the council meeting in the future for discussion.

Holidays for police officers was discussed, and Johnny Vinson said we will let police chief make his budget and also police chief can decide about the holidays for his men.

Mr. Beene suggested that a motion be made to have Bruce Davis, a lawyer, draw up an ordinance adopting Dallas' Building and Mechanical codes for the City of Lake Dallas. Larry Kingston

made the motion and Johnny Vinson Seconded it.

The financial statement was approved by motion from Johnny Vinson and seconded by Mr. Webb.

After examining the plans for the new city hall, Mr. Beene said I need a motion that we go ahead and build the City Hall. Motion was made by John Webb and Johnny Vinson seconded it to build the new City Hall and to use the certificates suggested by Mr. Kerley. The motion was unanimously carried. (Councilman Buck Mays was absent).

Chief of Police, Bob Johnson asked permission of the City Council to move the police radio equipment into the fire hall. It was discussed around the table and Jim Payne made motion that the police radio be moved to the fire hall. Johnny Vinson seconded it. And it was unanimously carried.

Larry Kingston made motion, and Jim Payne seconded it that the meeting be adjourned. It was unanimously carried and the meeting adjourned at 9:40 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF CALLED MEETING
OF CITY COUNCIL ON 20TH
DAY OF SEPTEMBER, 1973,
at 7:30 P. M.

Mr. W. L. Beene, Mayor, opened the meeting at 7:30 P. M. All Councilmen were present. Mr. Jack Hedge, President of the Lake Cities State Bank was present and addressed the Council. He stated that the bank wanted us to feel that we would be most welcome to transact our City business through the bank. He talked at length about the services offered and the help the City of Lake Dallas could and would get if Lake Cities Bank handled the bank account and business of the town.

After Mr. Hedge left, Johnny Vinson made motion that the City of Lake Dallas entrust its bank account and all business matters to the Lake Cities Bank which are now being handled by Lewisville State Bank, Lewisville, Texas; said Motion being seconded by Larry Kingston. Mr. Beene said the Motion has been made and seconded and that all Councilmen in favor of this Motion please signify by saying yes, and all Councilmen opposed saying no. The motion was unanimously carried.

Mayor Beene instructed the City Secretary to put on agenda for special meeting to be held September 25, the matter of the house belonging to Bob Sudderth on Glenn Rhea Street and which the neighbors resented.

Jim Payne made motion that the meeting be adjourned, and the motion was seconded by Larry Kingston.

May R. Shurtz
May R. Shurtz, City Sec.

MINUTES
CALLED MEETING
SEPTEMBER 25,
1973

Mr. Beene opened the meeting at 7:35 P. M. All Councilmen were present.

The first matter to be discussed was the house Bob Sudderth moved on to a vacant lot on Glenn Rhea. The other property owners on that street were quite upset about his being able to get a permit to move this house into the neighborhood. Quite a discussion followed with Mr. Robinson, Mr. Miller, and Mr. Spencer voicing their reasons for being upset about the house. Mr. Sudderth said he would fix the house up so that it wouldn't look so run down and old. After much talk from both sides it was agreed that if Bob Sudderth repaired the house and made it presentable that the other property owners would consent to leaving the house where it is. Mr. Sudderth said he would start right away.

The Councilmen discussed the matter of Mr. Lancaster putting a mobil home in his yard for a period of 30 days in order to repair the mobil home and then moving it to the lake. Mr. Mays made motion to let Mr. Lancaster do this and Johnny Vinson seconded the motion for the 30-day permit. It was unanimously carried by all Councilmen present. Councilman Kingston was outside talking to Mr. Spencer.

A proposal was made for the City to buy a tar pot for the purpose of heating the tar to be put on the streets. It was tabled and will be discussed at the next regular meeting of the City Council, which will be October 11, 1973.

The new budget for 1973-74 was discussed. At this point Mr. Jim Payne made motion that the City Secretary receive a $100.00 a month raise, and it was seconded by Mr. Johnny Vinson. It was unanimously carried.

The Councilmen discussed a raise for the mayor. It was decided that if a man who is mayor works out of town and is only available at night and Sats. and Sundays that the salary should be $1800.00 a year; if he works full time the salary for Mayor should be $3600.00. This item will be noted on the new budget. The budget was tabled and will be approved at the regular Council meeting which will be on October 11, 1973. Mr. Bob Johnson, Chief of Police was to present the budget for the Police Department for 1973-74.

Mr. Beene instructed the City Secretary to have a notice published in the Lewisville Leader advising the public that the budget would be approved on October 11, 1973.

Councilman Johnny Vinson made motion to adjourn and Buck Mays seconded the motion.

May R. Shurtz
May R. Shurtz, City Secretary

MINUTES OF
REGULAR MEETING
OF CITY COUNCIL
OCTOBER 11, 1973

Mr. Johnny Vinson, acting as Mayor Tem in the absence of the Mayor, Mr. W. L. Beene, called the regular meeting of the Council to order at 7:35 P. M., October 11, 1973. All Councilmen were present.

Mr. Vinson acted as Chairman of the Meeting, and May R. Shurtz acted as Secretary.

Mr. Youngblood, a member of the newly organized Jaycees was present and he addressed the Council. Mr. Youngblood displayed a red card which he and the other members of Jaycees will put in windows of the homes in Lake where there is some person who is incapacitated, and will put the fireman on notice, in case of a fire, that there is a person or persons in the room so marked who cannot get outside away from the fire without help. Mr. Youngblood asked if the City would proclaim October 21 through October 27 as Jaycee Week, and also red-ball week. Mr. Kingston made a motion and John Webb seconded it proclaiming October 21 through October 27 as Jaycee Week, and also red-ball week. Chairman asked those in favor to so signify and those opposed to do the same thing. It was unanimously carried.

Mr. Steve Hilbun, who is associated with Mr. Tom Dance, our Architect, was present. Mr. Vinson asked him to come to the Council table. The members of the Water Board and Mr. Briggs attended the meeting and joined Mr. Hilbun at the council table to examine and discuss the specifications of the new city hall. Mr. Hilbun talked about the interior of the building. He told the councilmen and water board that he would work with us on furnishing the offices of the city hall. His fee is $25.00 an hour - and that he figured it wauld take about 25 hours work. There was a general discussion. Larry Kingston make motion that we have Mr. Hilbun get bids for the furniture and fixtures, and John Webb seconded it. The Chairman said all in favor of employing Mr. Hilbun to work this out and report back to Mr. Briggs and Mr. Been to indicate their being in favor. Unanimously carried. Mr. Hilbun left the meeting at 8:10 P. M.

The financial statement was examined and approved by the Councilmen, and after discussing the current accounts payable Larry Kingston made motion and Buck Mays seconded it to pay the bills. The minutes of the previous meeting were not read at this meeting.

The Chief of Police, Bob Johnson, discussed one of his patrolmen, Mr. Thames. He recommended him highly and the Chairman said do I hear a motion to officially employ Mr. Thames on our Police Force. John Webb made motion and it was seconded by Larry Kingston that Mr. Thomas be employed at a salary of $600.00 per month. The Chairman discussed paying the patrolmen overtime for their work. Mr. Johnson said it is a law that the men must be paid bor overtime. Mr. Johnson continued talking stating that he was setting up a reserve program. The

uniforms will be furnished the reserve officers, using the old blue uniforms, and explained that the new uniforms for the five patrolmen: Bill Smith, Ray McDaniel, Don Ward, Gary Thames and the Chief, would be brown and tan. That each officer would be furnished one jacket, 3 winter shirts, 4 pairs of slacks, and 3 summer shirts. Each officer will pay for his uniform if he quits within a year. The uniforms as listed above should cost about $1,000.00. Ronnie Miller will be the head of the reserve unit. Larry Kingston made motion that the new uniforms be purchased as stated, and that the reserve unit be formed. The motion was seconded by John Webb, and unanimously carried.

On the Agenda was the matter of the Councilmen examining the notes drawn up by the Lake Cities Bank on the two squad cars. They were approved and ordered signed by the City Secretary and Mr. W. L. Beene. John Webb made the motion and Jim Payne seconded it and it was unanimously carried that the above be done.

Jim Payne made motion that the City Secretary write a check transferring all moneys in Lewisville State Bank to Lake Cities State Bank, the motion was seconded by John Webb and it was unanimously carried.

Mr. Johnson, Chief of Police, read a letter received from COG pertaining to radio equipment. After discussing the matter Mr. Larry Kingston made motion that the City of Lake Dallas buy the radio equipment - our part of the purchase price being $900.00, while the rest of the purchase price would be paid for by the government. Jim Payne Seconded the motion. It was unanimously carried. ***

Mr. Johnson presented material to the City Council whereby he thought the City of Lake Dallas should belong to the Police Acadamy at Arlington. Buck Mays made motion to this effect and Jim Payne seconded it. It was unanimously carried.

Mr. Buck Mays said we need a tractor with a mower on it. Larry Kingston made motion and John Webb seconded it to give Mr. Mays authority to find a mower and tractor up to $1500.00. It was unanimously carried.

The equipment for the street department, to heat tar, was discussed and it was decided to wait until some future date before trying to buy this.

Councilman, L arry Kingston, stated that the Jaycees said they would furnish trash cans to be placed at various locations around the city, if the city would arrange to have them emptied. It was agreed. Also, Mr. Kingston said the city should buy United States and Texas flags for the Jaycees, and Mr. Vinson said he would get them and the councilmen could reimburse him themselves.

The matter of a Fire Marshall was brought up. During

the discussion it was agreed that John Farmer should remain Fire Marshall. Chairman said if this suits all of you then make a motion, and Larry Kingston made motion and John Webb seconded it that John Farmer continue as Fire Marshall for a period of 1 year, and that he should be furnished identification. Chief Bob Johnson said he would get a identification card for Mr. Farmer. Chairman said all in favor so indicate. It was unanimous.

The Budget for 1973-74 was approved all except the salary for Mayor. Larry Kingston said $3600.00 was not right. It was agreed that the rest of the budget be approved and that the Mayor's salary be tabled until a later date. Larry Kingston made motion to approve the budget and Buck Mays seconded it. It was unanimously carried, as above stated.

Buck Mays made motion that the meeting adjourn and Jim Payne seconded it and it was so adjourned.

May R. Shurtz

May R. Shurtz, City Secretary

*** Mayor W. L. Beene, being absent from the above meeting, on return to his office wrote the councilmen and the Chief of Police on October 12, 1973 notifying them that he in his capacity of Mayor had seen fit to veto the motion for the purchase of the radio equipment. A copy of this letter is attached.

CITY OF LAKE DALLAS

LAKE DALLAS, TEXAS 75065

October 12, 1973

To all members of the City Council:
To Chief of Police:

Re: Purchase of Radio Equipment

Flower Mound is having a liquor election on November 3, 1973. There is a wet area up near Denton - and we stand to lose one-half of our Alcoholic Beverage Revenue. As you all know, our anticipated ad valorem tax revenue is estimated at $38,000.00. The Police Department has a $46,400.00 budget. Since we are not sure that our revenue isn't going to be quite a bit less than we anticipate, I find it necessary at this time to veto the purchase of the radio equipment that was approved at the regular meeting of the City Council on October 11, 1973.

I am sorry, but I honestly do not think we can afford the radio equipment at this time.

W. L. Beene

W. L. Beene
Mayor of Lake Dallas

WLB/mrs

MINUTES REGULAR MEETING
OF CITY COUNCIL
NOVEMBER 8, 1973

The Mayor, W. L. Beene, opened the meeting at 7:30 P. M. All Councilmen were present. The City Secretary, May R. Shurtz, was also present. Mr. Beene acted as the Chairman of the meeting and May R. Shurtz acted as Secretary.

Mr. James H. Kerley, Jr., Vice-President First Southwest Company, Investment Bankers, was at the meeting.

Chairman told Mr. Kerley to start with the business he wanted to discuss concerning the financing of the new proposed City Hall.

Mr. Kerley: I understand that you are ready to advertise for bids on your new City Hall, and to do that we have to pass a notice for bidders, which must be published twice in a newspaper. The first publication leaves 14 days prior to the bid opening date. Your architect has set up the bid opening to be at 2:00 P. M., November 29, 1973, so that we would be in compliance to start the procedure tonight. Chairman said that it would be better to have the bids delivered to the City Secretary at the City Hall by 2:00 P. M., November 29, 1973, and that the bids be opened at the council meeting on November 29, 1973, at 7:00 P. M.

Chairman called for a motion directing publication of a notice for bidders on the new City Hall. Councilman, Johnny Vinson, made the motion and John Webb seconded it. It was unanimously carried.

A general discussion followed. Mr. Kerley answered numerous questions propounded by members of the Council, and the Chairman, Mr. W. L. Beene, Mayor, and May R. Shurtz, City Secretary, signed several documents. Mr. Kerley left the meeting at 8:25, and took all of the papers pertaining to the new City Hall with him. Mr. Kerley said he would attend to having the proper notices published in the Lewisville Leader.

The matter of raising fines for traffic violations was discussed, and a list of new fines presented to the Councilmen. It was decided to make an ordinance incorporating the new fines. Motion was made by Buck Mays and seconded by Jim Payne to raise the fines as presented. It was unanimously carried. Chairman asked Police Chief Johnson to take care of notifying the City Attorney to draw up the appropriate ordinance.

The radio equipment that the Police Department wanted to purchase had previously been vetoed by Mayor Beene. After a lengthy discussion, Mr. Beene rescinded his veto, but stated that he felt that he was rescinding under duress.

Mr. Vinson asked Mr. Kingston what he had done about getting the two flags for Jaycees. Mr. Kingston told him that they were in his car. He paid for them, $27.05, and the Councilmen individually reimbursed Mr. Kingston out of their own funds.

There was quite a bit of conversation touching on several subjects, not on agenda, and finally Councilman, Johnny Vinson, made motion and John Webb seconded it that the meeting be adjourned. There being no further business at this time the meeting was adjourned at 9:50 P. M.

(Mr. Beene asked the members of the Council to stay for a closed meeting - concerning the 1% excise tax on alcoholic beverages)

May R. Shuntz
Secretary

- - - - - - -

MINUTES OF SPECIAL CALLED MEETING

Mr. Vinson told facts concerning his discussion with Mr. McGregor about the 1% excise tax on alcoholic beverages being illegal. Mr. Beene gave information that he received showing that the 1% tax is illegal. The matter was discussed by each and every member of the Council. After much debating it was decided to table the decision until the next meeting of the City Council.

The meeting, after discussing several subjects, none of which required a motion was adjourned on motion made by Johnny Vinson and seconded by Jim Payne.

May R. Shuntz
Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL November 13, 1973

The Special Meeting of November 13, 1973, was held in the City Hall at 7:30 P. M., for the purpose of considering the resignation of Mayor W. L. Beene, and the resignation of Buck Mays as Councilman.

Mr. Johnny Vinson, Mayor Pro-Tem acted as Chairman of the Meeting, and May R. Shurtz acted as Secretary.

Chairman read Councilman Buck Mays resignation. And May R. Shurtz as Secretary read W. L. Beene's resignation. Both resignations are attached hereto and made a part of these minutes.

Mr. Kingston made motion and it was seconded by John Webb that the resignation of W. L. Beene as Mayor be accepted and resignation of Buck Mays as Councilman be accepted.

The matter of having a special election to elect a Mayor to fill the unexpired term of W. L. Beene, and to elect a Councilman to fill the unexpired term of Buck Mays was discussed thoroughly, and it was proposed to have Mayor Pro-Tem Vinson order such election.

Councilman Jim Payne was appointed to act as contact man for the police department, and John Webb was appointed to act as contact man for the road and street department.

Secretary was advised of her duty of securing a bond for John Webb to act as Mayor Pro-tem in the absence of Mayor Pro-tem Johnny Vinson.

Councilman Larry Kingston and Councilman Jim Payne asked that the books be audited and Secretary explained that the usual yearly audit by Howe-Johnson, CPAs of Denton would be conducted immediately.

Councilman Larry Kingston made motion, and Jim Payne seconded the motion to adjourn the meeting at 8:10 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

CITY OF LAKE DALLAS

LAKE DALLAS, TEXAS 75065

November 13, 1973

TO THE CITY COUNCIL OF LAKE DALLAS, TEXAS:

Gentlemen:

On numerous occasions, I have advised each of you of the loss by the City of Lake Dallas of the 1% on alcoholic beverages - that the City has been collecting approximately $20,000 per year from this source. I explained this to you last Thursday night at the regular meeting of the City Council. I told you that we were in no position to be spending excessive amounts of money. You did not choose to listen, and were prepared to override me on the veto of the purchase of the radio equipment that I felt we could not afford at this time, and I rescinded my veto more or less under duress.

At this meeting I also told you had I been at the meeting of October 11, 1973, I would not have been in favor of purchasing all new uniforms, due to our financial status, said uniforms costing $1,000.00.

As you know, we had an anticipated $103,000.00 revenue for the yearly budget for 1973-74. With the loss of the approximately $20,000.00, aforementioned, the figure is brought down to $83,000.00, if we collect in full all of the anticipated revenue.

I showed you at our last council meeting, November 8, 1973, the Police Department expenditures were $4,824.96, basically. If the expenditures continue in this amount for each month, up to 12 months, the expenditures for the Police Department will amount to $58,000.00. Adding expenditures for Administration and Street Department, in the amounts of $26,185.40 and $28,412.61, respectively, you can readily see that with a total of expenditures for the three different departments totaling $112,597.61 - and subtracting our gross revenues of 83,000.00, the City will be in the red in the amount of 29,597.61 at the end of the year.

I can see no way to increase the City revenue to offset this amount, other than having to double the ad valorem property taxes in the year of 1974. There is not enough new evaluations that will go on the tax rolls in 1974 to make a dent in this amount.

When I was elected to the office of Mayor, at the first council meeting, I promised that I would not try to run this town with revenues received from traffic violations, nor by increasing the property taxes. In the past 3-1/2 years, we have not had a general tax increase, and also in the year of 1972 we gave the taxpayers a 10% across-the-board tax discount. We have made numerous improvements in the City of Lake Dallas without going in debt, and I feel that since management has gotten beyond my control, and feeling that it will be impossible to keep my promise to the citizens of Lake Dallas that I would not run their town in debt, I feel that it is time for me to step down.

I am not angry at any of the City Council, nor am I angry with anyone, for that matter. I do hope there is some way that you can resolve this matter and get our little City back within a budget that we can afford.

Therefore, I hereby extend my resignation from the office of Mayor of the City of Lake Dallas, effective immediately.

I trust that you will call a Special Election and give the citizens of Lake Dallas an opportunity to vote for your new Mayor.

Respectfully submitted,

W L Beene

W. L. Beene

WLB/mrs

November 13, 1973

TO MEMBERS OF CITY COUNCIL:

Due to circumstances beyond my control, I offer this my resignation as Councilman, effective this date.

I have talked with Councilman Vinson and have explained to him my resons for this resignation, and he will explain it to you if you so desire.

Respectfully submitted,

F. A. Mays

F. A. Mays

FAM/mrs

MINUTES OF
SPECIAL MEETING OF
CITY COUNCIL
NOVEMBER 29, 1973.

Mr. Johnny J. Vinson, Mayor Pro-Tem, opened this meeting at 7:10 P. M. Councilmen present: Jim Payne, John Webb and Larry Kingston.

Mr. Vinson acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

A petition was circulated and signed by over two hundred taxpayers objecting to the building of the new City Hall. The matter of having an election for the purpose of voting on issuing bonds to build the city hall was tabled until such time as a new Mayor and a new Councilman are elected to fill the vacancies now existing. The Councilmen asked the Chairman to go forward with readying for a special election to elect a Mayor for the unexpired term of Mayor Beene, who resigned, and to elect a Councilman for the unexpired term of Buck Mays who resigned. Chairman instructed Secretary, May R. Shurtz to set the election up in order to have it on January 19, 1973, which falls on a Saturday.

Councilman Kingston suggested that the Council members open and examine the bids that had been submitted to the City for construction of the new City Hall. Chairman requested Councilman Kingston to open the bids and read them aloud.

The first bid that Mr. Kingston opened was submitted by Ray F. Skiles Company, Inc. $121,200.00; 210 calander days for completion with increase of $1200.00 for electricity.

Next bid: Sabine Valley Lumber Company, Inc. $129,182.00, 180 calendar days for completion and deduct of $395.00 for electric heat.

Plano Construction Company. Bid in amount of $108,440.00, 150 calendar days to complete and decrease $350.00 for all electric.

David B. Yarbrough Company, $130,000.00, 240 calendar days for completion, add $1350.00 for electric heat.

Kennedy, Inc., $124,977.00, 180 calendar days and decrease bid by $500.00 for electric heat.

Rogers and O'Brian Construction Company, $101,463.00, 150 days and decrease $500.00 for electric heat.

Councilman Kingston said we should keep the two lowest bids: Plano Construction Company, and Rogers and O'Brian. Mr. Dance, the Architect, said he would take the bids and advise each company of the decision of the City to delay the granting of the contract for construction of the City Hall until a later date. The Councilmen then agreed that the matter should be discussed again after the election in January for the new Mayor and new Councilman.

The Chairman then advised the Councilmen that we should pay Mr. Dance's statement for his work on the City Hall specs and Larry Kingston made motion and it was seconded by John Webb that the City send Mr. Dance a check for his statement. Chairman asked the Secretary to write Mr. Dance a letter requesting him to send us a letter stating that at the time we resume plans for the City Hall that he will cooperate and will not cancel out after receiving his check from the City.

Chairman read a letter from LP Properties as follows:

"LP Properties
3883 Turtle Creek Blvd.
P. O. Box 8123,
Dallas, Texas 75205

November 12, 1973

"City of Lake Dallas
Lake Dallas, Texas

Re: Zoning Ordinance, Section 11,
District C-2, Commercial Zoning

"Gentlemen:

Enclosed is a survey plat of the property in the northeast corner of Shady Shores and Main Street, Lake Dallas, Texas. The property is currently zoned C-2. According to the above-mentioned zoning ordinance, when C-2 zoning abuts residential zoning, there is a required 20' setback on the rear of the lot for a building line. Approximately 300' in the northeast segment of this tract does abut residential zoned property. The remaining 193' abuts C-2 zoned property.

"By this letter, we are requesting a deviation on the portion of this property that abuts residential zoning to conform with the setback requirement on the part that abuts the C-2 zoning. It would be impractical to use this property with the different setback requirements. This tract, that we are purchasing from the Katy Railroad, includes the property on which Shady Shores has been paved. Shady Shores has a 21' strip of

pavement, and we are proposing to dedicate to the City of Lake Dallas a 30' strip of land, free of charge, but must have the requested deviation in order to retain a usable piece of property.

"If you have any question, please do not hesitate to contact me.

Very truly yours,

/s/ Olin Lane, Jr.

mtb
Enclosure (Plat)"

These people want to build a shopping center, explained the Chairman, and will also have a doctor and a dentist located in this project. The matter was discussed at length and after due consideration Larry Kingston made motion and John Webb seconded it and it was unanimously carried to grant the above request of deviation in order that the builders may proceed with the planned shopping center.

Mrs. Steene requested the Council to patch the road leading to her home, which is quite impassible. Mr. Kingston explained to her that the city could not do this inasmuch as the street is undedicated. He advised her to get with her neighbors and get them to dedicate the street to the city and it would be fixed.

Mr. Walter Hunter made a nice talk thanking the Councilmen for postponing the building of the new City Hall until a later date.

Mr. Buchannan asked the Councilmen to have the road men clean out the ditch in the street near his home.

The Councilmen discussed several things at random, and finally Councilman Kingston made motion and John Webb seconded it that the meeting be adjourned.

Mary R. Shurtz
Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL
DECEMBER 13, 1973, 7:30 PM

Johnny J. Vinson, Mayor Pro Tem, opened the meeting at 7:30 P. M. All Councilmen were present. May R. Shurtz, City Secretary was present.

Johnny J. Vinson acted as Chairman of the meeting, and May R. Shurtz acted as Secretary.

Chairman asked Secretary to read minutes of regular meeting of Council held on November 8, 1973. The minutes by motion of John Webb and second by Jim Payne were approved.

Present at the meeting was James McCurley who made a talk concerning the finances, programs, etc., of the local volunteer fire department, and explaining how difficult it is getting for them to carry on in the future as they have in the past without additional help both physical and financial. He stressed the necessity of having one, at least, paid fireman who will be in the fire hall at all times. A general conversation took place with the councilmen asking questions. Mr. McCurley introduced the Fire Chief, Mr. Nix. He also stressed having an educated fireman who could more or less lead the way and train the other members of the fire department. Chairman asked Councilman Kingston to work with Mr. McCurley to see what can be done to get the volunteer fire department in better shape. The Council will then have a meeting and perhaps invite the Mayors of the other interested towns to attend the meeting.

The Chairman then announced that one of the finest men in our area was at the meeting to talk to us on the electrical services and rates, Mr. Ira Moody. Mr. Moody talked at length and made a very good talk, and told us that he promised for sure that TP&L would not be asking for an increase in the rate for electricity if it weren't necessary. He said it is essential to help insure an adequate supply of electric power and would cost the average residental customer about seven cents more per day. It would become effective on March, 1974 electric bills. The proposed rate hike is only the third in TP&L's 61-year history. In 1972 the Company was granted a six per cent general increase, its first in more than 21 years. Moody cited rapidly rising construction, interest and fuel costs as as the principal reasons for the proposed increase. Mr. Moody quoted figures in connection with producing electricity for their customer's needs. Attached hereto and made a part hereof is a copy of the talk Mr. Moody gave. Also attached is copy of Ordinance 52 pertaining to this matter. Councilman, Jim Payne made motion and Councilman, Larry Kingston, seconded the motion that City of Lake Dallas give TP&L a 10% increase in electric rates. The motion was unimously carried.

At this point Mr. Moody told the Council that he had another proposition to present to the Council: namely, changing

the amount of steeet rentals paid by Texas Power & Light Company to City of Lake Dallas from 2% of its annual gross electrical revenues to 3%. This to become effective at the same time the increase in rates becomes effective. Copy of resolution attached hereto and made a part hereof. Jim Payne made motion and Larry Kingston seconded it that the Council accept the 1% increase offered by TP&L on its annual gross electric revenues, making a total of 3%. See copy of resolution attached hereto and made a part hereof.

Councilman, Jim Payne, talked about the mobile home situation in Lake Dallas. He stated that he made a personal survey of the number of mobile homes and that he believes there were too many and no more should be allowed to move into Lake Dallas except into the mobile home parks. Mr. Payne also said he doubted that all of the owners had been granted permits. There was a lengthy discussion about this question, and Councilman Larry Kingston asked that the City of Lake Dallas pass an Ordinance such that no mobile home will be moved into the City of Lake Dallas unless it is moved into one of the designated mobile home areas. If a mobile home now situated on a private lot burns no mobile home can be moved in to replace it, nor any prefabricated structure cannot be moved into the City of Lake Dallas for human occupancy. Mr. John Webb seconded this motion and it was unanimously carried. This to become effective the 14th day of December, 1973.

Chairman brought up the subject of inspecting the plumbing in new homes in Lake Dallas. He asked if we could get Mr. Herenedeen to do this for the City. No motion was made.

Mr. Vinson read a letter from Mr. Dance concerning the new City Hall, which can be found in the City Hall (new) file.

Mr. Vinson informed the Council of the new employees we can get through a Government program. Mr. Vinson stated that Mr. Carl Ricker who is in charge of the program at Gainsville will be here to discuss this matter more thoroughly if agreeable with the Council. This will be discussed at a later meeting.

Chairman told Councilmen that Mrs. Jean Chambers would come to work and be trained to do Linda's work after she leaves in February. It was agreeable with the Councilmen. Chairman instructed Secretary to contact Mrs. Chambers and have her come into the office and fill out an application blank.

Chairman asked the Councilmen to discuss salary for Mayor. After much discussion it was unanimously agreed by motion made by Larry Kingston and seconded by John Webb that the Mayor's salary be set at $75.00 per month. It was unanimously carried.

Larry Kingston suggested that the Council meet twice a month. Jim Payne made motion and John Webb seconded that the Council meet twice a month: the 1st and 3rd Thursdays of each month. It was unanimously carried.

A discussion in regard to the new City Hall was had. Chairman suggested that we have an election to vote the bonds for the purpose of building a new City Hall. Chairman called for a motion, and Larry Kingston made motion and John Webb seconded it that the City of Lake Dallas have the Special Election the first Saturday in February, being February 2nd, 1974. It was unanimously carried.

Ronnie Miller talked to the Council about the re-zoning of his property. Mr. Miller stated that when he applied for zoning the Council delayed the zoning and gave him a special use permit. He wants it changed to C-2 zoning. The Councilmen and Chairman discussed the matter and Chairman called for a motion. John Webb made motion and Larry Kingston seconded it to re-zone Mr. Miller's property from special permit to C-2. It was unanimously carried.

Financial statement was examined and approved. John Webb made motion to pay bills and Larry Kingston seconded it. Unanimously carried.

Mr. Johnson, Chief of Police, told City Council that with their permission he wanted to have a recreation facility for senior citizens to be held at the fire station. The Council said it would be a nice thing for him to do.

Chief Johnson told Council that it would be necessary to have his squad car worked on. It would cost around $150.00. John Webb made motion and Jim Payne seconded it that the squad car be worked on. It was unanimously carried.

Councilman Larry Kingston talked about Noyse Street. He showed an instrument to the Councilmen that is on record in Denton County showing that Noyse Street is a dedicated street.

Insurance on the City employees was discussed. Chairman asked Police Chief, Mr. Johnson to check on three or four other insurance companies and"see if you can find a better policy for them, than the coverage you now have with American National."

Undedicated streets were discussed, and it was agreed that a check should be made to determine what streets are undedicated and that if possible arrange for them to be dedicated in order for the City of Lake Dallas to repair all of them.

Mr. Vinson, Chairman, asked if that was everything that should be discussed, and asked for a motion to adjourn. Larry Kingston made motion to adjourn and Jim Payne seconded the motion and it was unanimously carried. The meeting adjourned at 10:15 P. M.

May R. Shivers
Secretary

Ira Moody, Texas Power & Light Company Manager, Thursday night asked the City Council of the City of Lake Dallas to grant TP&L a general rate increase, averaging about 10 per cent.

He said the increase was essential to help insure an adequate supply of electric power and would cost the average residential customer about seven cents more per day. It would become effective on March, 1974, electric bills.

The proposed rate hike is only the third in TP&L's 61-year history. In 1972, the Company was granted a six per cent general increase, its first in more than 21 years.

Moody cited rapidly rising construction, interest and fuel costs as the principal reasons for the proposed increase.

"In 1972, TP&L paid about 27 cents per million BTUs for gas," he explained. "Today, new supplies are selling for 70¢ to 90¢ per million BTUs. And even at that price, natural gas is in short supply."

Because of the scarcity of natural gas, TP&L is now relying on other fuels to help meet its electric production requirements. Already, TP&L and two other electric companies have completed two 575,000-kilowatt lignite-fueled generating units at the Big Brown Steam Electric Station near Fairfield. Other lignite plants are now being constructed or are on the drawing boards. Additionally, TP&L recently announced plans to participate in the construction of two 1,150,000-kilowatt nuclear-fueled generating units near Glen Rose.

"If we are to continue to provide our customers with adequate electric power, we must make the transition from natural gas to lignite and nuclear fuel," Moody explained. "And it's going to be expensive."

He noted that although lignite and nuclear fuel costs less than gas or oil, the investment necessary to build such plants is extremely high. He said lignite plants cost about two times as much to build as gas/oil plants, and that nuclear plants cost three to four times as much.

Mr. Moody said there are other new costs to consider for lignite or nuclear-fueled plants.

"At the Martin Lake plant now under construction near Tatum, governmental agencies expect us to spend an extra $100,000,000 on air-pollution equipment alone," he explained.

He said that TP&L's total expenditures for new construction during the next six or seven years will be at least 1 billion dollars.

"That's the same amount we spent on construction during our entire 61-year history," Moody declared.

He told the City Councilmen that more than 60 per cent of the money for new construction must be obtained by selling securities to investors. In order to market the securities, TP&L must have earnings sufficient to pay the interest and dividends on them, Moody said.

"Because of the drastic rise in the cost of borrowing money, the amount TP&L pays just in interest on these large amounts is staggering," he explained.

"Nobody likes rising costs," Mr. Moody continued; "however,

ORDINANCE NO. 52

An Ordinance approving certain Rate Schedules filed by Texas Power & Light Company in the City of Lake Dallas, Texas, and providing conditions under which such Rate Schedules may be changed, modified, amended or withdrawn:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION 1: That Texas Power & Light Company, having filed on the 20 day of November, 1973, its Rate Book No. W-74-24, containing a set of electric Rate Schedules and the Service Regulations referred to therein, with the City Secretary, the same are hereby approved as Schedules of Rates and Service Regulations under which said Company is authorized to collect charges from its customers for the sale of electric power and energy within the corporate limits of the City until such time as said Rate Schedules and Service Regulations may be changed, modified, amended or withdrawn, with the approval of the City Council.

SECTION 2: The filing of the Rate Schedules and Service Regulations, and the approval of same by the City Council, in the manner herein provided, shall constitute notice to the consumers of electricity, within the City, of the availability and application of such Rate Schedules and Service Regulations.

SECTION 3: Such Rate Schedules and Service Regulations, shall become effective and shall be in full force and effective March 1, 1974, and shall apply to all bills rendered after February 28, 1974.

PASSED AND APPROVED at a Regular meeting of the City Council of Lake Dallas, Texas, this the 13 day of December, 1973.

Johnny J. Anson
MAYOR

ATTEST:

Mary R. Shurtz
City Secretary

(CITY SEAL)

December 13, 1973

TO THE HONORABLE MAYOR AND
CITY COUNCILMEN OF THE CITY
OF LAKE DALLAS, TEXAS

Gentlemen:

Under the terms of its franchise, and or letter agreement, heretofore granted by the City of Lake Dallas, Texas Power & Light Company is required to pay to the City as street rentals two per cent (2%) of its annual gross revenues from the sale of electric power and energy.

Effective March 1, 1974, Texas Power & Light Company agrees to increase to three per cent (3%) of its annual gross revenues from the sale of electric power and energy, the amount paid to the City of Lake Dallas as street rentals, such increased rate for the current year to be computed only on bills rendered by the Company to its customers after February 28, 1974.

Please acknowledge your receipt of this letter and your agreement to this increase by signing in the space provided below.

TEXAS POWER & LIGHT COMPANY

By _____

Received and agreed to this 13 day of December, 1973.

THE CITY OF LAKE DALLAS

By _____

R E S O L U T I O N

RESOLVED by the City Council of the City of Lake Dallas, Texas, that the letter agreement dated the 13 day of December, 1973, by and between Texas Power & Light Company and the City of Lake Dallas, increasing the amount of street rentals paid by Texas Power & Light Company to the City of Lake Dallas to three per cent (3%) of its annual gross electric revenues be, and the same is hereby, approved.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Lake Dallas, Texas, this 13 day of December, 1973.

Johnny J. Hansen
MAYOR

ATTEST:

Mary R. Shurtz
City Secretary

MINUTES AND CERTIFICATION PERTAINING TO PASSAGE AND APPROVAL OF AN ORDINANCE CALLING BOND ELECTION FOR THE AUTHORIZATION OF GENERAL OBLIGATION BONDS AND RELATED MATTERS

THE STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF LAKE DALLAS §

On this the 3rd day of January, 1974, the City Council of the City of Lake Dallas, Texas, convened in Regular Meeting at the regular meeting place thereof, the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., and the roll was called of the duly constituted officers and members of said City Council, to-wit:

(Vacancy)	Mayor	J. C. Payne
Johnny Vinson,	Mayor Pro Tem	J. W. Webb
May R. Shurtz,	City Secretary	(Vacancy)
Lawrence Kingston		

Mayor W. L. Beene and Councilman Buck Mays having resigned at a previous special meeting of the City Council.

All of said persons were present, except the following absentees: NONE, thus constituting a quorum. Thereupon, among other business the following was transacted at said Meeting: a written

Ordinance Calling Bond Election for the Authorization of General Obligation Bonds and Related Matters

The Ordinance, a full, true and correct copy of which is attached hereto, was read and reviewed by the City Council.

Thereupon, it was moved by J. W. Webb and seconded by _____ that the Ordinance be passed and approved. The Mayor Pro Tem put the motion to a vote of the members of the City Council and the Ordinance was passed and approved by the following vote:

AYES: All members of said Council shown present above voted "Aye."

NOES: None.

The Mayor Pro Tem then declared the Ordinance passed and approved, and signed and approved the same in the presence of the City Council.

MINUTES APPROVED AND CERTIFIED TO BE TRUE AND CORRECT and to correctly reflect the duly constituted members and officers of the City Council of said City, and the attached and following copy of said Ordinance is hereby certified to be a true and correct copy of an official copy thereof on file among the official records of the City, all on this the 3rd day of January, 1974.

Johnny J. Vinson
Mayor, Pro Tem, City of Lake Dallas, Texas

ATTEST:

Mary R. Shurtz
City Secretary, City of Lake Dallas, Texas

[SEAL]

AN ORDINANCE CALLING BOND ELECTION FOR THE AUTHORIZATION OF GENERAL OBLIGATION BONDS AND RELATED MATTERS

THE STATE OF TEXAS }
COUNTY OF DENTON }
CITY OF LAKE DALLAS }

WHEREAS, the City Council has determined that an election should forthwith be called and held in the City of Lake Dallas, Texas, for the purpose of submitting a proposition for the issuance of bonds of said City for the purposes hereinafter set forth; and

WHEREAS, that the meeting at which this Ordinance is considered is open to the public as required by law; and that public notice of the time, place and purpose of said meeting was given as required by Article 6252-17, Section 3A, V.T.C.S., as amended;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That an election shall be held in and throughout the City of Lake Dallas, Texas, on the 2nd day of February, 1974, which is not less than fifteen or more than thirty days from the date of this Ordinance, at which election the following proposition shall be submitted:

PROPOSITION

"Shall the City Council of the City of Lake Dallas, Texas, be authorized to issue general obligation bonds of said City in the amount of $125,000, maturing serially in such installments as may be fixed by the City Council, the maximum maturity being not more than forty (40) years from their date, to be issued and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council at the time of issuance, for the purpose of providing funds for permanent public improvements, to-wit: constructing and equipping a Municipal Building Complex in said City, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?"

2. That the entire City shall constitute one election precinct, and the election shall be held at the City Hall, Lake Dallas, Texas, and the following persons are hereby appointed officers to conduct said election, to-wit:

Joyce Plumlee, Presiding Judge, and

Lois Robertson, Alternate Presiding Judge.

The Presiding Judge shall appoint not less than two nor more than six qualified election clerks to serve and assist in the conduct of said election, provided that if the Presiding Judge named above actually serves as expected, the Alternate Presiding Judge shall be one of such clerks.

By approving and signing this Ordinance the Mayor of said City officially confirms his appointment of the aforesaid election officers to serve at said election; and by passing this Ordinance the City Council of said City approves and concurs in the appointment of the aforesaid election officers.

3. That the official ballots for said election shall be prepared in accordance with the V.T.C.S. Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Proposition, which shall be set forth in substantially the following form:

PROPOSITION

"THE ISSUANCE OF $125,000 GENERAL OBLIGATION MUNICIPAL BUILDING COMPLEX BONDS"

The word "FOR" and beneath it the word "AGAINST" shall be made to appear on the left of said Proposition. A square shall be printed on the left of each of the words "FOR" and "AGAINST," and each elector shall place an "X" in the square beside the statement indicating the way he wishes to vote.

Absentee voting shall be conducted at the City Secretary's office, in accordance with the provisions of V.T.C.S. Election Code, Chapter 5.

4. All resident, qualified electors of the City, including those who own taxable property in said City and who have duly rendered the same for taxation, shall be permitted to vote at said election. That at said election two separate ballot boxes

shall be provided at the polling place. In one box, only resident qualified electors who own taxable property and who have duly rendered the same for taxation shall be allowed to vote. In another box all resident qualified electors (who are otherwise qualified but do not own taxable property which has been duly rendered for taxation) shall be allowed to vote. The votes cast in each of said boxes shall be recorded, returned and canvassed in such manner as will reflect separately the votes cast by the qualified electors who own taxable property and who have duly rendered the same for taxation from the votes cast by all qualified electors (including those who own taxable property and who have duly rendered the same for taxation). For the purposes of absentee balloting, two separate ballot boxes shall be provided at the office of the City Secretary therefor.

5. That notice of said election shall be given by posting a notice containing a substantial copy of this Ordinance at the City Hall and at two other public places within said City not less than 14 days prior to the date upon which said election is to be held, and by publication of said notice on the same day in each of two successive weeks in a newspaper of general circulation published in said City, the date of the first publication to be not less than 14 days prior to the date set for said election.

PASSED AND APPROVED this the 3rd day of January, 1974.

Johnny J. Vinson
Mayor Pro Tem, City of Lake Dallas, Texas

ATTEST:

Mary R. Sluss
City Secretary, City of Lake Dallas, Texas

[SEAL]

MINUTES REGULAR MEETING
OF CITY COUNCIL ON JANUARY 3, 1974

On Thursday, January 3, 1974, the City Council met in regular meeting at 7:30 P. M., at City Hall in Lake Dallas. Mr. Johnny J. Vinson, Mayor Pro-tem acted as Chairman of the meeting and May R. Shurtz acted as Secretary. The Councilman present were John Webb, and Larry Kingston. The Chairman opened the meeting at 7:30 P. M., and instructed Mr. Mike Ashford to explain the proposed election which is to be held on February 2, 1974. Mr. Ashford had the Mayor Pro-tem and City Secretary sign numerous instruments pertaining to the said election.

Mr. Tommy Throneberry addressed the Councilmen in regard to the ruling in connection with mobile homes not being permitted to be moved into Lake Dallas, stating that he had just bought an extra lot and contracted for the purchase of a new mobile home. Mr. Vinson explained to him that he would have time to purchase and locate the mobile home, inasmuch as the matter had to be handled by the zoning board and that a period of at least 3 months would be necessary to carry out the ruling concerning the mobile homes.

Inasmuch as there was not a quorum present at the meeting, no motions were made and the meeting was adjourned at 9:15 P. M.

Before adjournment the financial statement was examined and approved and all bills were reviewed and ordered paid.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF REGULAR
MEETING OF CITY COUNCIL
JANUARY 17, 1974
AT 7:30 P. M.

On January 17, 1974, the City Council held its regular meeting at the City Hall at 7:30 P. M. Johnny Vinson, Mayor Pro-tem acted as Chairman of the Meeting, and May R. Shurtz acted as Secretary. The Chairman opened the meeting at 7:30 P. M. The following Councilmen were present: Jim Payne, John Webb and Larry Kingston.

Corp of Engineers present: Mr. Renee and Mr. Robbinson, and another man. The City of Lake Dallas told the men that we are interested in leasing a park and wanted some information concerning the steps necessary to be able to do this. Mr. Reneee made a nice talk. It was agreed that Councilman, Larry Kingston, would contact the Corp of Engineers in their Fort Worth office, and give a full report at the next meeting of the Council. Mr. Lenette another engineer made a talk along the same lines. The telephone number of the Engineers is 817-334-2150, and their address is 819 Taylor Street, Eederal Building, Fort Worth, Texas.

On the agenda was an item re: moving in two small houses for storage. Mr. Vinson asked that this question be tabled, inasmuch as representative for Western Auto was not present.

The question of re-zoning Helen James property. Mr. Vinson read a report from the Zoning Board, as follows: "A meeting of the Lake Dallas City Planning & Zoning Board was called this 3rd day of December, 1973, for the purpose of considering the following applications for rezoning:

"McCarroll Subdivision, Blocks 2A & 2A(1), A#958 - Mrs. Helen James, Owner. R-3 Apartments to C-2 Commercial.

".659 of an acre - Vol. 116, Pg. 91
".39 of an acre - Volume 116, Page 89 - Old Methodist Church Property
".044 of an acre - Volume 411, Page 464 R-3 Apartments to C-2 Commercial.

"Such meeting begzn at 7:00 P. M. with all members of the Board present. Such Board voted unanimously that the City Council approve each application as presented.

"Having no further business, the Board adjourned at 7:45 P. M.

/s/ Mrs. Jean Chambers,
Chairwoman"

After due consideration, the City Council decided that it would be proper to re-zone the property in question to C-1 Commercial. Jim Payne made motion and Larry Kingston seconded the motion to re-zone the James property to C- 1 Commercial.

Motion was also made by Jim Payne and seconded by Larry

Kingston that the Old Methodist Church Property also be zoned to C-1.

The question of the property belonging to Mr. Mickle being an eye-sore, recommendation was made that the Secretary write a letter to Mr. Mickle advising him that unless he could get the property in good shape that the City would be forced to condem it and remove it. Motion was made by Larry Kingston and seconded by John Webb to advise Mr. Mickle of the intention of the city in regard to his property. It was unanimously carried.

Chairman read the following:

"Effective immediately each City Councilman's responsibility will be as follows:

"Johnny Vinson - Street Department.

"Mr. Vinson will be responsible for the administration of street department methods and manners and the designation of priorities which shall be done in coordination with the County Road Department.

"Larry Kingston - Permits

"Mr. Kingston will handle all building, meahanical and electrical permits, including the remova, or demolition of structures, and will coordinate with the City of Lake Dallas building and mechanical inspectors.

"Jim Payne - Police Department

"Mr. Payne will be responsible for the coordination between the Police Department and the City Council.

"Mr. John Webb - City Personnel

"Mr. Webb is responsible for the hiring and firing of personnell for the city employees and the street department employees. All personnel problems other than Police Department shall be referred to Mr. Webb.

"/s/ Johnny Vinson, Mayor Pro-tem"

Councilman Jim Payne made motion that the assigned duties be put into action and John Webb seconded the motion and it was unanimously carried.

Mr. Glenn Farley who has the Lake Areas Disposal Service was at the meeting and asked for a $75¢ raise in rates, making a total of $3.50 per month, effective March 1, 1974. After discussion Councilman John Webb made motion that the 75¢ raise be granted and Larry Kingston seconded it, and it was unanimously granted.

Mr. Lynn Bural and Mr. Louis A. Rizzo were present to discuss selling Lake Dallas some maps. After extensive discussion Mr. Bural told the Council that the maps would be furnished for two years at $260.00 for each year. The city would get 1200 maps in 1974 and 1200 maps in 1975. All were agreeable to a one year deal on the maps. Larry Kingston made motion to buy the maps on a one-year basis. John Webb seconded the motion, and it was unanimously carried. It will be from 60 to 90 days before the maps can be furnished. Mr. Bural will not want any money until everybody signs up, and there must be 8 in all.

Mr. James ~~McInrish~~ McCurley with Fire Department was here and discussed again the financial condition of the Fire Department. He stated that the surrounding towns: Hickory, Corinth and Shady Shores had put the matter of raising money for the Fire Department in our lap. It was suggested that a call meeting on January 22 be held to further discuss this matter.

Councilman Larry Kingston purchased the City of Dallas Building Code and Mechanical Code and Plumbing Code. It was discussed at length, and Mr. Kingston presented the Council a list of the charges for permits. It was decided that the City of Lake Dallas should adopt these codes. Jim Payne made motion that we adopt the codes and the motion was seconded by John Webb and it was unanimously carried.

Several persons talked and several things were discussed but no motions were made.

Jim Payne made motion to adjourn and Larry Kingston seconded the motion, and the meeting adjourned at 10:10 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF SPECIAL MEETING
HELD JANUARY 22, 1974

On January 22, 1974, a Special Meeting was held for the purpose of canvassing the votes of a Special Election held on January 19, 1974, to elect a Mayor and one Councilman to fill the unexpired terms of the Mayor and Councilman who resigned from office.

Mr. Johnny J. Vinson, Mayor Pro-tem, acted as Chairman of the meeting and May R. Shurtz served as Secretary. The Chairman called the meeting to order at 7:30 P. M. Present were the following: Larry Kingston, Councilman, and John Webb, Councilman. Jim Payne was absent. Also present was Ronald Vanzura, newly elected Mayor, and Bill Grammer, newly elected Councilman.

After the meeting was called to order the Chairman administered the oath of office to Ronald Vanzura as Mayor, and administered the oath of office to Bill Grammer as Councilman.

A general discussion of various subjects was had and no motions were made.

Jim Payne made motion to adjourn and Johnny Vinson seconded the motion. There being no further business the meeting adjourned at 7:50 P. M.

May R. Shurtz

May R. Shurtz, City Secretary

MINUTES OF CALLED MEETING
HELD JANUARY 24, 1974

Mayor Vanzura called the meeting to order at 7:30 P. M. After calling the meeting to order Mr. Vanzura turned the meeting over to Councilman Johnny J. Vinson.

Present at the meeting were:

Ronald Vanzura	Mayor
Jim Payne	Councilman
Bill Grammer	Councilman
Larry Kingston	Councilman
Johnny J. Vinson	Councilman
John Webb	Councilman
May R. Shurtz	Secretary

Mr. Vinson explained that he and several citizens of Lake Dallas were planning to go to Austin on on January 28, 1974 for the purpose of trying to get the bridge over the lake restored. He explained that everybody who could go would be welcome and it would help the cause.

Mr. James McCurley was present and quite a discussion followed concerning the volunteer Fire Department. He explained how much money it cost to operate the department and said that they are just going to have to have help both with money and also personnel. Mrs. Stephens, Mayor of Shady Shores was here, as well as Ed Bright Mayor of Hickory Creek. Several other persons were here from Hickory Creek, Corinth and Shady Shores.

Several persons spoke concerning financing the Fire Department and getting extra personnel to clean up the equipment after a fire in order that the boys who fought the fire could go home right after the fire and someone on duty to clean the equipment and get it ready for another call. Mr. Jack Atchison was present and made a nice talk. No motions were made regarding this matter.

A discussion followed regarding buying a new tractor for the purpose of mowing. The tractor man was present and described the tractor that the City of Lake Dallas is interested in. The price being $3850.00. Mr. John Webb made motion and Johnny Vinson Seconded the motion that the City of Lake Dallas purchase this Modle 2000 tractor for $3800.00. The motion was unanimously carried, with provision to borrow the amount of the purchase price from Lake Cities State Bank.

Johnny Vinson made motion to adjourn and the motion was seconded by Bill Grammer, and the meeting was adjourned at 10:00 P. M.

May R. Shurtz

May R. Shurtz
City Secretary

MINUTES REGULAR MEETING OF CITY COUNCIL FEBRUARY 7, 1974

The regular meeting of the City Council of Lake Dallas was held on February 7, 1974, at 7:30 P. M., at the City Hall. All Councilmen were present. Mayor Ronald Vanzura acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

At 7:30 P. M. Chairman asked Mr. Johnny Vinson to open the meeting with a prayer - followed by the Pledge of Allegiance by members of the City Council and the audience.

Chairman asked the Secretary to read the minutes from meeting held on January 17, 1974. The minutes were approved as read with one change, being: On subject of purchase of maps from Mr. Burrel it was agreed that there would be eight purchasers of the maps. This change was effected in the minuted.

The financial statement was examined showing revenues and disbursements and accounts payable. After thorough study, the bills were approved for payment, and the financial statement was approved as presented.

Mr. L. H. McClure addressed the City Council with a matter concerning police business. The Chairman asked Mr. McClure to bring the matter before the Municipal Court on February 19, 1974. Therefore, the subject was closed.

Chairman checked returns of the Bond Election which was held on February 2, 1974, and found everything in order. Councilman Jim Payne made motion to accept the returns of the election and Councilman Bill Grammer seconded the motion, and it was unanimously carried.

City Planning and Zoning Board Chairman: Mrs. Jean Chambers who is Chairwoman of the Zoning Board has requested that she be removed and relieved of her duties as such, inasmuch as she has a full-time position with the City of Lake Dallas and just does not have sufficient time to perform her duties. The matter was thoroughly discussed and Councilman Johnny Vinson recommended that the matter be continued until a later date.

Condemnation of Mickle Property. A Mr. Whitham, Attorney for Mr. Mickle attended the meeting, and after discussing the condemnation of his client's property he and Chairman decided to have a meeting concerning this matter. Chairman kept the file on this matter and plans to make an appointment with Mr. Whitham at an early date.

Councilman Vinson asked the Chairman, Mayor Ronald Vanzura, to assume the role of Judge of Municipal Court. Mr. Vinson has been handling the role while Lake Dallas was without a Mayor, and he, Vinson, was Mayor Pro-tem. Mr. Vanzura agreed to take over the Court as Judge, but advised the Council to find an eligible person to fill that office.

It was brought to the attention of the Councilmen that the Street Department had received a quotation on steel for the flat bed truck, which is badly needed. The price is $192.00. Mr. T. L. Lynch was contacted by telephone to see if this price included installation. Mr. Lynch said he would charge only $20.00 for installation. Johnny Vinson made motion to buy the steel for the flat-bed truck, and the motion was seconded by Councilman John Webb, and unanimously carried.

Mr. Kingston discussed four inspections for new buildings, and asked that it be carried over to agenda for regular meeting to be held on February 21, 1974.

Mr. Vinson told the Councilmen and Chairman that Mrs. Joe Hedge is reviewing our various policies of insurance and will be ready to advise us at an early date of any findings that will save the City of Lake Dallas money on its insurance, and still have good coverage.

Councilman Bill Grammer made motion and Johnny Vinson seconded it that the Street Department keep a log on all equipment in use by the City. The motion was unanimously carried.

Johnny Vinson made motion that the City of Lake Dallas buy a new broom to sweep the streets, and the motion was seconded by Jim Payne. The motion was unanimously carried.

Inasmuch as there is a shortage of gas, the Councilmen and Mayor feel that it would be wise to install a gasoline pump for the Police Department vehickes and the Street Department vehickles. Mr. Kelso who is connected with Conoco has an underground gasoline tank and pump for sale around $600.00. He will deliver it for an additional $25.00. Councilman Larry Kingston made motion that we buy the equipment and have it delivered to Lake Dallas and Councilman Johnny Vinson seconded the motion, and it was unanimously carried.

City Secretary had been instructed to write Mrs. Irma Brucke, co-owner of Lot 3, Block 11, Original Town of Lake Dallas (joining the City Hall on the South) and ask her if she would sell the lot to the City of Lake Dallas. A letter from Mrs. Bruce was read, stating that she would be interested in selling and would get in touch with us within a week after she had talked to the appraisers and her sister, Mrs. J. E. Hightower who is half owner of the lot. The matter will be discussed February 14, at the Special Meeting to be held in City Hall.

Mr. Bradford, Vice-President of Hi-Way Machinery Co., came to the meeting to discuss a bid his company had made on an asphalt kettle. After a lengthy discussion, the matter was passed until the next Regular Meeting of the Council which will be February 21, 1974.

The first item on the Agendafor this meeting is Liability Insurance for City Officials. Mr. Grammer reported that he had not been able to find this insurance but would keep checking and would report at a later date.

Interference with Police Department: Proper procedure for handling complaints. Any complaint should be given to Councilman Jim Payne who is in charge of the Police Department.

Councilman Larry Kingston made motion and it was seconded by John Webb that all news releases or interviews should be handled by the Mayor and/or Chief of Police. It was unanimously carried.

Councilman Payne stated that he thinks the Police Department is doing a good job. Councilman Larry Kingston agreed with him, as did the other members of the Council, and Councilman Kingston recommended that the Council adopt a Resolution commending the Police Chief and his Officers and members of the Reserve Police Force. Councilman Kingston made motion and Councilman Vinson seconded it to adopt the Resolution, and it was unanimously carried. Said Resolution reads as follows:

Inasmuch as the Lake Dallas Police Force and Lake Dallas Reserve Force have done such a superb job of patrolling the City of Lake Dallas, and performing duties above and beyond the call of duty, it is

RESOLVED: That the Lake Dallas Police Chief, Robert L. Johnson, and his Officers - Bill Smith, Sergeant, Officer Ward, Officer McDaniel and Officer Thames; also the members of the Reserve Officers, be, and they are hereby commended highly for their devotion to duty, and performance as Officers of the Law, curbing crime and making Lake Dallas a safer place to live.

Councilman Kingston said he wanted the Chief of Police to keep the activities and accomplishments of the Police Department before the public by informing the various newspapers from time to time.

Curbs and Streets in new Additions were discussed. Mr. Clam talked about the curbs not having steel in them. He explained that it is better not to use the steel. After discussion, the Council appointed Councilman Kingston to work with Mr. Clem on this matter and give the City Council a report at a later date.

This meeting adjourned at 9:15 P. M., and the Mayor and Councilmen went right into a closed meeting.

- - - - - - -

MINUTES OF CLOSED MEETING
FEBRUARY 7, 1974.

The closed meeting was opened by Mayor Vanzura at 9:20 P. M.

Annexation: Mr. Kingston talked about the Corp of Engineers leasing Willow Grove Park to the City of Lake Dallas. He explained

that before we can lease the park we must annex it to our territory. Mr. Kingston is familiar with all steps to carry this out. In case we do annex the area we do not have to lease it if we think we do not want to do so. However, if we annex the park we can collect sales tax. We can take anything we want to that joins our boundary line.

Chairman said it sounded good. After discussion, Johnny Vinson made motion and Larry Kingston seconded the motion to annex Willow Grove. Four Councilmen voted for and ~~one~~ five voted against (Jim Payne against). This matter will be discussed at a later date. Bill by Ellis Jones Sr Recs Prior to Town Mtg.

Personnel. This subject was on the Agenda, but when the Chairman introduced the subject Mr. Larry Kingston said that the matter had resolved itself and that it was not necessary to discuss it.

The meeting was adjourned at 9:45 P. M.

Mary R. Shurtz
Secretary

MINUTES OF SPECIAL MEETING
LAKE DALLAS CITY COUNCIL
FEBRUARY 14, 1974

On this meeting's agenda were the following:

1. Purchase of Real Estate from Irma Bruce.

2. Call Election for April 6, 1974.

Mr. Ronald Vanzura, Mayor, called the meeting to order at 7:00 O'clock P. M. All Councilmen were present.

Mr. Vanzura acted as Chairman of the meeting and May R. Shurtz acted as Secretary.

A discussion followed concerning the purchase of Lot 3, Block 11, Original Town of Lake Dallas, from Miss Irma Bruce and sister Mrs. J. E. Hightower, for the sum of $3,000.00. The lot is 34 feet wide and 80 feet long, joining the City Hall on the South. After discussion about title to the property, Mr. Johnny Vinson made motion that the City purchase the land and that Mr. Vanzura and Mrs. Shurtz handle examination of chain of title to the property. Mr. Larry Kingston seconded the motion. The motion was unanimously carried.

2. Motion for setting election for electing a Mayor and two City Councilmen was made by Johnny Vinson and Seconded by John Webb, on April 6, 1974. Motion unanimously carried.

Secretary was instructed to proceed with preparing the necessary forms, and sending Notice of the Election to the Lewisville Leader for publication.

Chairman asked if there was anything more to be discussed and inasmuch as all agreed that everything that had been planned to be discussed at the meeting had been decided, Mayor adjourned the meeting at 7:45 P. M.

May R. Shurtz
May R. Shurtz
City Secretary

MEFTING CITY/FIRE DEPARTMENT HICKORY CREEK, CORINTH, AND SHADY SHORES

On February 14, 1974, there was a called meeting of representatives from Hickory Creek, Shady Shores, Lake Dallas and Corinth, along with representatives of the Lake Dallas Volunteer Fire Department. the following were present:

All of Lake Dallas City Councilmen and Mayor; and May R. Shurtz.

For the Fire Department:

Preston Nix, Fire Chief
Don L. Hansen, President of Board
Sherman Winters, Assistant Fire Chief and Don Glockel.

Hickory Creek:

Bobby Jo Cates
Richard Rodd
Ed Bright, Mayor
Louise Eix, Councilwoman

Shady Shores:

Olive Stephens, Mayor
Charles J. Kleinsteuber, Councilman

Corinth had no representative present at the meeting.

At 7:40, the Mayor, Ronald Vanzura, acting as Chairman of the meeting had the meeting opened by Councilman, Johnny Vinson with a prayer, then invited everybody to participate in repeating the Pledge of Allegiance.

The purpose of the meeting was to try to work out some plan agreeable to all representatives and at the same time help the Volunteer Fire Department with its financial problems, inasmuch as the Fire Department serves all four cities during fires and feel that each town should contribute ~~their~~ proportionate share of the budget the Fire Department is working on. A lengthy discussion followed, each representative offering suggestions, but at first nothing definite being decided. It was then agreed that a budget be set up for the Fire Department and that a count be made to determine the number of people living in the four towns and then prorate the individual shares of the budget as to towns.

Several people talked and suggested different ways of raising the necessary money for the operating expenses of the Volunteer Fire Department. For these different

suggestions, etc., it is suggested that the interested party listen to the tape in file of this meeting. It is impossible to keep up with all phases of this meeting.

One subject was discussed at length and that was the pressing need for one or even two paid firemen, in order that the now volunteers of the Fire Department might be able to rest a little. Most of these men have been serving without any remuneration for 10 or 12 years. Many of the members of the Fire Department have businesses in Lake Dallas and during the day if a fire occurs the businesses have to be abandoned until the fire is over.

It was decided that the budget could be made, apportioned, and agreement reached by first week in March.

Councilman Jim Payne made motion that the Fire Department be known as Lake Dallas Area Fire Department, and the motion was seconded by Ed Bright, Mayor of Hickory Creek. The motion was unanimously carried.

A lot of conversation followed, and it was agreed that the Fire Department get the budget ready, have a count of each of the four towns and figure the share of the budget each town must pay.

Councilman Vinson made motion that the meeting be adjourned and the motion was seconded by Councilman Jim Payne.

There being no other business the meeting was adjourned at 10:00 P. M.

May R. Shurtz

May R. Shurtz
Secretary

MINUTES OF CITY COUNCIL
REGULAR MEETING HELD FEBRUARY
21, 1974

A regular meeting of the City Council was held in the City Hall on February 21, 1974, at 7:30 P. M. Present were the following:

Ronald L. Vanzura, Mayor
Johnny J. Vinson, Councilman
John Webb Councilman
Jim Payne Councilman
Bill Grammer Councilman
Larry Kingston Councilman

May R. Shurtz City Secretary

The Mayor asked Mr. Vinson to open the meeting with a prayer, at 7:30 P. M., and then asked all present to join in the Pledge of Allegiance.

The Mayor acted as Chairman of the Meeting and May R. Shurtz acted as Secretary.

The Chairman asked the Councilmen to individually report on the department for which he is responsible. Councilman Payne who is in charge of the Police Department stated that everything at this time is running smoothly. Mr. Webb who is in charge of personnel at City Hall said everything is moving on pretty fair. Mr. Vinson who is in charge of the Street Department made a report on the request for gasoline that he had filed and stated that it should be delivered right away. He also stated that we need to start the stockpile. Councilman Kingston who is in charge of building permits reported that the City is enforcing Dallas Codes and that the homes are being constructed properly. It is required that the home builders get a building permit, have a master license plumber giving two inspections and also a licensed electrician giving two electrical inspections. The contractors who must be licensed will be required to post a bond with the City of Lake Dallas. Building permits are moving very well. Chairman told Councilman Grammer that he would be the spokesman to the Fire Department.

Councilman Vinson told the Chairman and Councilmen that he had received a letter from Mrs. Joe Hedge concerning the insurance the City has, which reads as follows:

21 February 1974

City of Lake Dallas
Lake Dallas, Texas 75065

Gentlemen:

Thank you for your recent inquiry on your insurance program.

Your most recent coverage to be renewed is the Comprehensive

General Liability Policy. The present policy expires on 25 March 1974 and we wish to advise you that this agency can provide the coverage as you have had in the past for an annual premium of $2,120.00.

We are presently surveying the other policies that you have and will give you a quote on these coverages as they come up for renewal.

We are most anxious to work with the City of Lake Dallas in any way on their insurance program.

Thank you.

Sincerely,

Lake Dallas Insurance Agency

/s/ Jo Hedge
Owner-Manager

jh

Councilman Vinson told the Councilmen that Mrs. Hedge could save the City $114.00 on this one policy. He also stated that he thought it would be good to have our insurance coverage at home. After discussion, Councilman Grammer made motion and Councilman Payne seconed the motion to table the insurance matter, and put it on the Agenda for the next Regular Meeting. Mr. Vinson instructed the Secretary to notify Mrs. Hedge to be present at the Council Meeting on March 7.

Mr. Payne discussed the junk in the City. Told the Councilmen that he had toured the city and spotted the unsightly wrecked cars, abandoned refrigerators, etc., and that he thought we should get busy and clean this junk up. At this point Councilman Kingston explained that a beautification plan was under way, and Mr. Payne said he thought the month of March should be clean-up month. Chairman talked at length about the program he had organized with the ladies of Lake Dallas, 10 in number, and told what the goal would be. After much discussion, Jim Payne made motion and Larry Kingston seconeded the motion to name March the month of clean up. It was unanimously carried.

Mr. Al Vick, Denton County Mapping Company, was present and explained to the Council what he could furnish in the way of an ownership map for Lake Dallas, including surrounding land that might ultimately be annexed. Mr. Vick explained that he would be able to get this ownership map ready in one month, and for a price of $350.00, He told the Councilmen that copies of the map could be made for sale to the public, if desired. A general discussion followed and Johnny Vinson made motion to order the map from Mr. Vick for a price of $350.00, and that Mr. Vick agrees to update the map in 4-1/2 months, motion was seconded by Larry Kingston seconded the motion and it was unanimously carried. Mr. Vick requested that we send him a copy of

the motion authorizing Mr. Vick to proceed with the ownership map.

Mr. J. B. Briggs of the Water Department attended the meeting and quite a discussion was had in regard to plumbing inspections. After a long discussion Larry Kingston made motion and Johnny Vinson seconded it that Municipal Utility Authority should inspect the roughin in plumbing. (Mr. Briggs said they charged $10.00). The motion was unanimously carried.

Mr. Vinson brought up the question of engineers. Jim Payne suggested that we should stay with the same engineers.

After discussion, it was decided not to buy the asphalt pot at this time. Motion was made by Jim Payne and seconded by Johnny Vinson that the matter be tabled. It was unanimously carried.

Councilman Vinson praised the Chief of Police for his long hours worked and his dedication to the Police Department.

Reports from the Zoning Board concerning Mobile Home Ordinance was read by Mr. Vinson and is:

A new Trailer and Mobile Home Ordinance was discussed by the Board at its meeting on ~~January~~ 13, 1978. Such Ordinance would eliminate any future mobile homes being brought into the city limits of Lake Dallas for any purpose except into the existing Mobile Home Parks.

It has been called to the Board's attention that in the event of natural disaster (such as fire, windstorm, hurrican, hail, etc.), some of our citizens are under the impression they would be compelled by their insurance carrier to replace their mobile home with a comparable model. However, after some investigation, we found most policies read that settlement would be made at the Company's discretion, repair damage, replace mobile home or cash settlement. The owner could of course demand a cash settlement.

It has also been called to the Board's attention that such a broad ordinance may be in violation of a property owner's eminent domain rights and might, therefore, place the city vulnerable to a municipal lawsuit. Therefore, it is the feeling of the Board that perhaps we should attain legal counsel before arriving at a final decision regarding this particular ordinance.

The Board did vote in favor of the proposed new Ordinance restricting any further Mobile Homes being moved into the city limits except into existing Mobile Home Parks, providing that such Ordinance does not violate any citizen's legal rights, thereby leaving the City vulnerable to a lawsuit.

Councilman Larry Kingston made motion to direct an attorney to draft an Ordinance on mobile homes. The motion was seconded and unanimously carried.

At the same meeting of the Zoning Board the Claudia Faught Property located in the McCarroll Subdivision, 1A, Abstract #958,

.58 acres - request made by Bud West to change the zoning of such property from R-3 Apartments to C-2 Commercial to permit a dry cleaning and florist shop. Property owners within 200 feet of this property were not properly notified, therefore, this matter is to be carried over to next meeting of the City Council, March 7, 1974.

W. J. Butts Property located in the MEP & PRR Subdivision, Block 16, Abstract #924, 2.070 Acres - request made by the owner to change the zoning of such property from R-2 3600 Residential to R-3 Apartments. After discussion and with no objections, Johnny Vinson made motion that the change be made and Larry Kingston seconded the motion and it was unanimously carried.

O. F. Herd Property located in the MEP & PRR Subdivision, Block 18B, Abstract 924, 3.011 Acres - request made by the heirs of such property that the zoning classification be changed from R-2 3600 Residential to R-3 Apartments. This request carried over to next regular meeting of City Council on March 7, 1974.

Mr. Vanzura stated that at next Council Meeting on March 7, 1974, new members of Zoning Board would be named.

All other Zoning matters were tabled until next meeting.

There being no more business to be transacted at this meeting, Jim Payne made motion and Larry Kingston seconded it that the meeting be adjourned. The meeting was, therefore, adjourned at 9:35 P. M.

May R. Shurtz

May R. Shurtz
Secretary

Note: Any matter handled herein that needs additional information to clarify it can be found on the tapes filed in folder of City Council Meeting held on February 21, 1974.

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL ON MARCH 7, 1974

The meeting was called to order by Mayor Vanzura at 7:30 P. M. He asked Councilman Johnny Vinson to pray, and then asked the entire attendance to repeat the Pledge of Alligence.

City Secretary was asked to read the minutes from the prior meeting and approved.

Mr. Randy Youngblood of Jaycees was present and discussed putting trash barrels. He presented the Mayor a plaque and a reporter for the Airport Advertiser took a picture of the presentation. Among other things, Mr. Youngblood asked if the City would give the Jaycees permission to have a carnival on the fire house lawn in May. Mayor Vanzura instructed him to clear it through fire department and then contact the Council and it would be put on the agenda for approval.

Mr. J. B. Briggs attended the meeting and reported that the Municipality Utility Authority personnel could not inspect the final plumbing on new houses. The Authority could inspect the rough-in, but not the final inspection.

Mr. Briggs gave the Council a rough sketch of proposed changes to outside of City Hall. The entire job would cost $2600.00, of which the City would pay one-half. The remodeling inside the portion of the building occupied by the Municipal Utility Authority will be paid for by the Authority. Mr. Briggs stated that they would like to have a contract with the City pertaining to the Municipal Utility Authority occupying one-half of the building. Councilman Bill Grammer made motion to have an agreement between the City and Municipal Utility Authority drawn up and presented to City Council, the motion was seconded by Johnny Vinson and it unanimously carried. The Mayor asked if the City wanted to go one-half of the cost of remodeling the outside of the City Hall. Bill Grammer made motion and Johnny Vinson seconded the motion to spend $1300.00 on the refurbishing of the outside of the City Hall. The contract that the City will present the Municipal Utility Authority will be for a period of three years, with the understanding that if for any reason the City finds that we cannot remain in the building the City will notify the Municipal Utility Authority to that effect, giving them a fair period of time to vacate. For consideration in furnishing the Municipal Utility Authority quarters in the City Hall said Authority will pay all utilities and maintenance of the building. Further agreed that any improvements made to the interior of the building will be in the City. Bill Grammer made motion and Johnny Vinson seconded it that such contract be drawn up. It was unanimously carried.

Dr. Ted Franch, Dentist, attended the meeting asking for permit to establish offices in a mobile ~~home~~ office, temporarily, behind

Western Auto Company. After discussion, Councilman Kingston made motion and Johnny Vinson seconded it that permit be issued for the request of the Dentists for a period of one year with the following provisions: At the end of six months land should be purchased, at end of nine months construction of a permanent building should be started, and at end of twelve months building should be substantially completed for offices for the Dentists. Unanimously carried.

of re-zoning
After extensive discussion/the Claudia Faught property on Hundley Drive, Bill Grammer made motion to re-zone to C-2, and motion was seconded by Johnny Vinson. Three councilmen for and two (Payne and Webb) against.

Herd property discussed, Bill Grammer made motion and John Webb seconded to re-zone this property from R2-residental to R-3, Apartments. Unanimously carried.

Mrs. Chambers, Chairwoman of the Zoning Board recommended to the Council that charges for re-zoning be raised from $40.00 to $150.00. Larry Kingston made motion to increase fee to $150.00 and Johnny Vinson Seconded, and it was unanimously carried.

Chief of Police Robert L. Johnson asked the Council to give their permission for the police department to buy brass for the reserves, which would cost $281.58. Johnny Vinson made motion to buy the brass and Jim Payne seconded. It was unanimously carried.
the reserve to repay city.

Larry Kingston made motion and Johnny Vinson seconded the motion to have Mrs. Jo Hedge's Insurance Company to handle the City's Comprehensive General Liability and Comprehensive Automobile Liability Policy. It was unanimously carried.

The City Council appointed Chief Johnson to contact persons who own wrecked cars to get rid of them. Chief Johnson said he would accept that responsibility.

Bill Grammer made motion and Johnny Vinson seconded it to pay Lawyer's Title Co. for title policy on Lot 3, Bloxk 11 that the City recently bought from Miss Bruce, et al, in amount of $77.00.

Mr. Vinson reported that he had ordered gravel for the stockpile, which will be paid for from the Revenue Sharing Fund.

Financial Statement was examined and approved, and Council instructed Secretary to pay accounts payable.

There being no further business, Jim Payne made motion to adjourn, and Larry Kingston seconded the motion, and the meeting adjourned at 9:10 P. M.

May R. Shurtz
May R. Shurtz
City Secretary

(Closed meeting - personnel - now follows)

CLOSED MEETING - PERSONNEL, ETC.
HELD MARCH 7, 1974 RIGHT
AFTER REGULAR MEETING

Councilmen and Mayor opened the special closed meeting at 9:20 P. M. The first request (not pertaining to personnel) was a request for a "flow of cash" report to be presented to the Councilmen at the next regular meeting, March 21, 1974.

Inasmuch as it has been determined that the 1% excise tax that the City has been charging the liquor-beer-wine dealers is not legal, the Councilmen discussed ways of charging the dealers with a tax of some sort that is legal. Mr. Riley Fletcher of Texas Municipal League was contacted and he explained that an occupation tax is legal, but that the amount involved is negligible. He suggested that I call the Alcoholic Beverage Commission at Austin and ask them about the legal fees, etc. I talked with Mr. Charles Hare and he said the occupation tax on beer & wine, off premises consumption, is $5.00 - our part would be $2.50 per year. On whiskey the occupation tax is $125.00 - our part would be $62.50, and he said that is all we can charge. We can't charge for a permit or anything else. The telephone number of the Commission in Austin is 512-475-2912.

I also asked Mr. Fletcher about changing the fiscal year of our City, and he said we could do that at any time choosing any period that we wanted. Say for instance, July 1, through June 30 - then the current budget would run through September 30, as originally set up, and at the end of September we then would make a budget for 9 months, or through June 30, at which time we could set up a budget for the full fiscal year. A long discussion followed concerning our budget but no motion of any kind was made.

A discussion followed regarding a raise for Mrs. Jean Chambers. Councilman John Webb made motion and Johnny Vinson seconded it giving Mrs. Chambers a $75.00 a month raise, making a total of $475.00 a month.

As promised when Chief Johnson was employed the Councilmen said he was due a raise. Mr. Webb made motion and Johnny Vinson seconded it to give Chief Johnson a $50.00 a month raise, making a total salary of $850.00 a month. It was unanimously carried.

Meeting was adjourned at 10:45 P. M.

May R. Shurtz
May R. Shurtz
City Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL MARCH 21, 1974

All Councilmen being present, the meeting was called to order by Mayor Vanzura at 7:30 P.M.

City Secretary was asked to read the minutes of the prior meetings. Such minutes were approved as read for the exception of two corrections.

The Council heard from former Mayor W. L. Hunter and Mrs. Jess Stowe on the Citizen's Agenda.

After considerable discussion, Johnny Vinson made a motion that Mickey Baggs be granted a Beer & Wine License. J. W. Webb seconded the motion and motion was carried. Bill Grammer opposed issuing such a license.

A request to rezone W. G. Squire Property was tabled by Council until next meeting in order that Mr. Squire could be present.

Mayor Vanzura made a report to council on progress of Fire Department fund solicitation.

Council agreed that Larry Kingston would get with City Secretary and draft a resolution regarding size of storage buildings and set backs for such buildings, and refer same to our Attorney to write and then submit to Council for final approval.

Larry Kingston suggested that Charles Berry be appointed by Council as City Building Inspector to make three inspections relative to the structure (1) Foundation (2) Framing (3) Final at a cost of $3.00 per inspection. Bill Grammer made the motion, J. W. Webb seconded, and such motion was unanimously carried.

Johnny Vinson made a motion that Carl Johnson be appointed City Plumbing Inspector. Larry Kingston seconded and such motion was unanimously carried.

A motion was made by J. W. Webb to purchase a commercial glass door from Dal-Tex Glass Company for a total installation price of $270.00. Johnny Vinson seconded the motion and such motion was unanimously carried.

There being no further business for discussion, Mayor Vanzura adjourned the regular meeting at approximately 9:45 P.M.

M. Jean Chambers
Acting City Secretary

CLOSED MEETING - PERSONNEL, ETC.
HELD MARCH 21, 1974 RIGHT
AFTER REGULAR MEETING

Mayor Vanzura called the meeting to order at approximately 9:55 P.M. and explained that such meeting was called to discuss raises in salary for our policemen.

After much discussion by council and hearing from Chief of Police, Bob Johnson, Jim Payne made a motion that Officers Smith Ward and McDaniel be given a $50.00 per month salary increase, raising each of them to $650.00 per month. Johnny Vinson seconded the motion and such motion was carried.

There being no further business, the meeting adjourned.

M. Jean Chambers
Acting City Secretary

MINUTES OF SPECIAL MEETING
OF CITY COUNCIL HELD AT
CITY HALL MARCH 22, 1974

All Councilmen being present, including a member of the Press, Mayor Vanzura called the meeting to order at 8:10 P.M. and announced that Council would go into a closed meeting for the purpose of discussing a personnel problem.

After considerable discussion and much consideration by Council, Larry Kingston made a motion that Mrs. Mae Shurtz be relieved of her duties as City Secretary for the following reasons:

(1) Inability to deal with the public in a manner benefiting the office of City Secretary.
(2) Inability to cooperate with the City Council for the better interests of the City.

J. W. Webb seconded the motion and such motion carried with Johnnie Vinson's vote of approval. Bill Grammer and J. C. Payne abstained.

There being no further business for discussion, Mr. Payne made a motion that the meeting be adjourned. Mr. Webb seconded and meeting was adjourned at 9:45 P.M.

M. Jean Chambers

M. Jean Chambers, City Clerk

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL APRIL 4, 1974

All Councilmen being present, the meeting was called to order by Mayor Vanzura at 7:35 P.M.

City Secretary was asked to read the minutes of the previous meetings and such minutes were approved as read.

Councilmen Johnny Vinson, Larry Kingston, J. C. Payne and J. W. Webb made reports regarding their responsibilities of Street Dept., Building Permits, Police Dept. and City Office, respectively.

After discussion between Council and Bill Cothran, Johnny Vinson made a motion that the W. G. Squire Property (Tract 21-A Abstract #294, 1.56 Acres located in the Cobb Subdivision on South Main Street) be rezoned C-1 (Restricted Commercial) as requested to allow for a Drive In Grocery. Larry Kingston seconded the motion and it carried.

After a lengthly discussion with Mr. Larry Sullivan, Mr. David Young and their architect concerning the proposed Yacht Club, Mr. Larry Kingston made a motion that the property located on the east end of Hundley Drive (Block 1, Lot Nos. 17, 18 and 19 in the Francks Subdivision) be rezoned C-1 (Restricted Commercial) as requested. Johnny Vinson seconded the motion and it carried, with J. W. Webb voting against and Bill Grammer abstained.

Council agreed to sign a note with Lake Cities State Bank for the purpose of financing an insurance premium of $2,120.00 for Comp. General Liability, Comp. Auto Liability and Auto Physical Damage. Such note will include interest of $25.25 and will provide for ten equal monthly payments of $214.52.

Larry Kingston made a motion that the cost of Tax Certificates be increased to $3.00. Johnny Vinson seconded the motion and it was carried.

Mayor Vanzura asked the Council to affirm and renew the decision to continue the termination of Mrs. May Shurtz as City Secretary. Larry Kingston made the motion, Johnny Vinson seconded it and such motion carried with Bill Grammer and Jim Payne abstaining.

Larry Kingston made a motion that Mayor Ronald D. Vanzura, Mayor Pro Tem Johnny Vinson and Acting City Secretary M. Jean Chambers be authorized by Certified Resolution to sign checks for the City of Lake Dallas at the Lake Cities State Bank. Johnny Vinson seconded the motion and it carried.

Council agreed that all fire hydrants in the City should be repaired and working properly in order that State Inspectors may be invited to inspect our facilities. Our fire record percentages could then be published in Austin, thereby perhaps reducing our fire insurance rates in Lake Dallas. Mayor Vanzura instructed Fire Chief R. P. Nix, Jr. to report back to the Council the status of such fire hydrants. Larry Kingston made a motion that the owner's of Lake Haven Mobile Home Park be instructed that they have 30 days in which to have the by-pass valve servicing that park repaired to the satisfaction of the Fire Department. Otherwise the Park will

be closed and the tenants so advised. Johnny Vinson seconded the motion and it carried.

J. W. Webb made a motion that the City Attorney draft an ordinance requiring a permit to move any out building or structure through the City Limits in transit to another destination and that a charge of $20.00 be made for such permit. Johnny Vinson seconded the motion and it carried.

Johnny Vinson made a motion that another dispatcher be hired for the Police Department. He stated the man would be paid $2.25 per hour for a 40 hour week ($90.00). The Government Program will pay $1.60 per hour for 32 hours ($51.20), leaving the City to pay the difference of $38.80 per week. J. W. Webb seconded the motion and it carried.

Councilmen agreed that each Department should prepare and submit to Council within the next 30 days a comprehensive report regarding present needs and projected needs for at least the next 12 months.

Johnny Vinson informed the Council that Mr. W. L. Jenkins has agreed to clean the office until such time as a replacement is found for Mr. Bonner and made a motion that he be paid $10.00 per week for that service. Jim Payne seconded the motion and it carried.

Larry Kingston made a motion that Elmer Crawford be given a $50.00 per month increase in salary, making a total of $600.00 per month. Johnny Vinson seconded the motion and it carried.

Financial Statement was examined and approved, and Secretary was instructed to pay Accounts Payable. Johnny Vinson made the motion. J. W. Webb seconded such motion and it carried.

J. W. Webb made a motion that Jean Chambers be appointed City Secretary. Johnny Vinson seconded the motion and it carried.

There being no further business for discussion, J. C. Payne made a motion to adjourn. Larry Kingston seconded the motion and the meeting adjourned at 9:30 P.M.

M. Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL APRIL 11, 1974

The meeting was called to order at 8:00 P. M. by Mayor Vanzura, who acted as Chairman and Jean Chambers acted as Secretary. Johnny J. Vinson, Larry Kingston, J. W. Webb, Bill Grammer and Roy V. Harper were present.

Mayor Vanzura explained that the meeting was called for the purpose of canvassing the votes cast in the City Election held on April 6, 1974 to elect a Mayor and two Councilmen to fill the expired terms of Ronald D. Vanzura, Bill Grammer and J. C. Payne, and to swear in the newly elected officials.

Secretary reported that a total of 456 votes were cast, and each candidate received the following number of votes:

W. L. "Slats" Beene	197
Ronald D. Vanzura	251
William T. Coulter	133
Don Willard	143
Bill Grammer	267
Roy V. Harper	163
J. C. "Jim" Payne	140

Bill Grammer made a motion that the Tally List be accepted as counted by the Election Judge, Mrs. Shirley Johnson, and the Election Clerks. Johnny Vinson seconded the motion and it carried unanimously. The newly elected Mayor being Ronald D. Vanzura and the newly elected Council members being Bill Grammer and Roy V. Harper.

Johnny J. Vinson, Mayor Pro Tem, then administered the Oath of Office to Mayor and Municipal Judge Vanzura, and to Councilmen Grammer and Harper.

Mayor Vanzura then administered the Oath of Office to newly appointed City Secretary, Mrs. Jean Chambers.

Mayor Vanzura outlined policies and responsibilities of the new Council and stressed direction of purpose regarding projects undertaken in the future.

There being no further business for discussion, Johnny Vinson made a motion to adjourn. Bill Grammer seconded the motion and it carried. The meeting adjourned at 8:30 P.M.

M. Jean Chambers
City Secretary

16-2576 (A-1195)—OATH OF OFFICE—Class 2. (Constitution of Texas.—Revised 11-63) Steck-Warlick Co., Austin, Texas

OATH OF OFFICE

I, BILL GRAMMER,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {*for the giving or withholding a vote at the election at which I was elected.*
~~*to secure my appointment or the confirmation thereof.*~~}

So help me God.

Signed Bill Grammer

Sworn to and subscribed before me, this 8th

day of April 19 74

Blanche M. Sweed NOTARY PUBLIC

IN AND FOR DENTON COUNTY, TEXAS.

*Strike out phrase that does not apply

16-2576 (A-1195)

OATH OF OFFICE

(Constitutional Oath)

By

BILL GRAMMER

(Name)

For

COUNCILMAN

(Office)

Dated April 8, **19** 74

at Lake Dallas, **Texas**

STECK-AUSTIN

16-2576 (A-1195)—OATH OF OFFICE—Class 2. (Constitution of Texas.—Revised 11-63) Steck-Warlick Co., Austin, Texas

OATH OF OFFICE

I, RONALD D. VANZURA,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor/ Municipal Judge

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / ~~to secure my appointment or the confirmation thereof.~~}*

So help me God.

Signed Ronald D. Vanzura

Sworn to and subscribed before me, this 8th

day of April *19*74.

Blanche M. Sweed NOTARY PUBLIC

IN AND FOR DENTON COUNTY, TEXAS.

*Strike out phrase that does not apply

16-2576 (A-1195)

OATH OF OFFICE

(Constitutional Oath)

By

RONALD D. VANZURA

(Name)

For

MAYOR/MUNICIPAL JUDGE

(Office)

Dated April 8, 19 74

at LAKE DALLAS, **Texas**

STECK-AUSTIN

16-2576 (A-1195)—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) STECK Hart Graphics, Austin, Texas

OATH OF OFFICE

I, ROY V. HARPER

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected.} {xxxx

STECK

16-2576 (A-1195)

OATH OF OFFICE

(Constitutional Oath)

By

ROY V. HARPER
(Name)

For

COUNCILMAN
(Office)

Dated April 8, 1974

at Lake Dallas, Texas

Hart Graphics, Austin

16-2576 (A-1195)—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) STECK Hart Graphics, Austin, Texas

OATH OF OFFICE

I, M. Jean Chambers

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of City Secretary

For the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {~~for the giving or withholding of my vote at the election at which I was elected~~ *to secure my appointment or the confirmation thereof.*}

So help me God.

Signed M. Jean Chambers

Sworn to and subscribed before me, this 11th

day of April *19*74

Blanche M. Tweed NOTARY PUBLIC

IN AND FOR DENTON COUNTY, TEXAS.

*Strike out phrase that does not apply

STECK

16-2576 (A-1195)

OATH OF OFFICE

(Constitutional Oath)

By

M. Jean Chambers
(Name)

For

City Secretary
(Office)

Dated April 11, 1974

at Lake Dallas, Texas

Hart Graphics, Austin

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF Lake Dallas

On this the 11th day of April, 19 74, the City Council/Commission[1] of the City of Lake Dallas, Texas, convened in Special session open to the public at the regular meeting place thereof with the following members present, to-wit:

Ronald D. Vanzura, Mayor,

Johnny J. Vinson, Mayor Pro Tem, ~~Alderman/Commissioner~~[1]

Larry Kingston, Councilman, ~~Alderman/Commissioner~~[1]

J. W. Webb, Councilman, ~~Alderman~~[2]

Bill Grammer, Councilman, ~~Alderman~~[2]

Roy V. Harper, Councilman, ~~Alderman~~[2]

M. Jean Chambers, City Secretary/Clerk[1]

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

~~Alderman/Commissioner~~ Councilman Bill Grammer introduced a resolution and order and moved its adoption. The motion was seconded by ~~Alderman/Commissioner~~ Johnny J. Vinson, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Five, NOES: None

The resolution is as follows:

There came on to be considered the returns of an election held on the 6th day of April, 19 74, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 456 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
W. L. "Slats" Beene	197
Ronald D. Vanzura	251

FOR ~~ALDERMAN/COMMISSIONER~~ Councilman and [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
William T. Coulter	133
Don Willard	143
Bill Grammer	267
Roy V. Harper	163
J. C. "Jim" Payne	140

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF LAKE DALLAS, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Ronald D. Vanzura was duly elected Mayor of said City at said election[2] and Bill Grammer and Roy Harper

Councilmen
were duly elected ~~Aldermen/Commissioners~~[1] of said City at said election, and that _____

_____ was duly elected _____,[2]
and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/Clerk[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 11th day of April 19 74.

ATTEST:

M. Jean Chambers
Secretary/Clerk[1] M. Jean Chambers

Ronald D. Vanzura
Mayor Ronald D. Vanzura

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL APRIL 18, 1974

The meeting was called to order at 7:30 P.M. by Mayor Vanzura, who acted as Chairman. Jean Chambers acted as Secretary. Councilmen Johnny Vinson, Larry Kingston, J. W. Webb and Roy Harper were present. Councilman Bill Grammer was absent.

Secretary read the minutes of the previous meetings and such minutes were approved as read.

Councilmen Vinson, Kingston and Webb made reports regarding the Street Department, Building Permits and the Administrative Office, repsectively.

The Council heard from Mrs. Beth Kellogg, several Builders from Kings Manor including Mr. C, Pat Howe and Jackie Doyle from the City of Denton, and Lon Darley, Candidate for the office of Justice of the Peace, on the Citizen's Agenda.

Johnny Vinson made a motion that Ann Powell of Denton be appointed City Attorney on a contract basis. Councilman Webb seconded the motion and it carried with Councilman Harper abstaining.

Secretary made a report relative to the status of the City's Ownership Map.

There being no further business for discussion, Johnny Vinson made a motion that the meeting be adjourned. Larry Kingston seconded the motion and it carried. The meeting adjourned at 8:35 P.M.

- - - - - - - - - - - - - - -

MINUTES OF CLOSED MEETING
HELD IMMEDIATELY AFTER REGULAR MEETING

The meeting was called to order by Mayor Vanzura at 8:40 P.M. All councilmen were present for the exception of Bill Grammer.

Mayor Vanzura explained the purpose of the meeting was to discuss the budget for this physical year, 1973-74.

The Council discussed in great detail the receipts and disbursements for the period of October 1, 1973 through March 31, 1974, and the projected income and expenditures from April 1 through September 30, 1974.

Council entered into deep discussion regarding the present budget, and introduced a possible source of revenue for investigation and consideration. No motions were made.

Mayor Vanzura adjourned the meeting at 8:45 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL MAY 1, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Secretary read the minutes of the previous meeting and such minutes were approved as read.

Council and Mr. James Clem discussed the condition of streets in Phase I of Kings Manor Subdivision. Mr. Clem agreed to repair those streets which were severely damaged by recent rains.

Councilman Webb made a motion that the dedication of streets in Phase II of Kings Manor be accepted by the City, subject to the one year maintainence bond as required by law. Councilman Vinson seconded the motion and it was unanimously carried.

Bill Grammer made a motion that Larry Kingston contact the FHA office in Dallas, who are now in control of the Lake Haven Mobile Home Park, and request that they provide a drainage excess route which will eliminate the flooding of the Beck Addition. Councilman Vinson seconded the motion and it was carried unanimously.

It was agreed by Council that no further white rock gravel would be sold to individuals for their private property until such time as the city streets were gravelled.

Bill Grammer made a motion that the Police Department report directly to the Mayor, with ultimate responsibility of such Department being with the Council. Larry Kingston seconded the motion and it was unanimously carried.

On the Citizen's Agenda, Council heard from Mr. Ken Trezona, representing the Kings Manor Homeowner's Association. Mr. Trezona asked for an equalization of taxes.

Councilman Kingston made a motion that Randy Youngblood be appointed to the City Planning & Zoning Board to fill a vacancy created by Mrs. Jean Chambers resignation from that Board. Councilman Vinson seconded the motion and it was unanimously carried.

Council reviewed a request made by Mr. Eugene Davison to rezone Lot Nos. 5,6,7,11 and 12 of Block 2 located in the Lake Dallas Sites Subdivision, from R-1 6000 (Residential) to C-1 (Restricted Commercial) to allow for a T.V. Repair Shop. Larry Kingston made a motion to accept the City Planning & Zoning Board's recommendation that such request be denied. Johnny Vinson seconded the motion and it carried with Councilman Harper abstaining from the vote.

Council agreed that Secretary should write Lone Star Gas Company, Lake Dallas Municipal Utility Authority and Lake Dallas Telephone Company and inform them that in the future it will be

necessary that a written permit be issued before a street can be cut for the purpose of constructing or repairing utility lines. Streets will be improved or returned to the condition they were in at the time the cut was made by the utility company and an inspection will be made by the Street Department Superintendent.

On motion of Councilman Larry Kingston, seconded by Councilman Johnny Vinson, the following resolution was duly adopted by majority vote:

RESOLVED, that the action of the Council taken on February 21, 1974, authorizing the placing of the City's comprehensive general liability and automobile liability insurance with the Lake Dallas Insurance Agency is hereby ratified and in all things approved; and FURTHER RESOLVED that the Mayor is authorized to execute note or notes to Lake Cities State Bank for the premium due therefore, payable on such terms and conditions as the Mayor may deen advisable, and to give security therefore; and FURTHER RESOLVED that the City Secretary is authorized and directed to make payments in accordance with said note or notes; and FURTHER RESOLVED that actions heretofore taken by the Council and Mayor incident to the taken out of such insurance, the placing thereof, the payment of premiums therefor, and the execution of note or notes and giving security therefor, all are hereby ratified and in all things approved.

Larry Kingston made a motion that permission be granted to the Lake Cities State Bank to transfer the Warrants on our City Hall Building from the Lewisville State Bank to that bank. Councilman Webb seconded the motion and it was unanimously carried.

Councilman John Webb made a motion that Tommy Jenkins of the Street Department be granted a 50¢ per hour salary increase, making a total of $3.00 per hour. Councilman Kingston seconded the motion and it was unanimously carried.

There being no further business for discussion, Councilman John Webb made a motion that the meeting be adjourned. Councilman Vinson seconded the motion and it was unanimously carried. The meeting adjourned at 8:50 P.M.

M. Jean Chambers
City Secretary

EXTRACTS FROM MINUTES OF CITY COUNCIL

MEETING ON May 1, 1974
(date)

The matter of comprehensive general liability and automobile liability insurance coverage was brought up and discussed in detail. Members of the Council agreed unanimously that this was considered at a regular meeting of the Council on February 21, 1974 and that the Council authorized the placing of such insurance coverage through the Lake Dallas Insurance Agency. It was noted, however, that the minutes of the meeting above referred to do not reflect this action. Accordingly on motion of Councilman Larry Kingston, seconded by Councilman Johnny Vinson, the following resolution was duly adopted by unanimous vote:

RESOLVED, that the action of the Council above referred to taken on February 21, 1974, authorizing the placing of the City's comprehensive general liability and automobile liability insurance with the Lake Dallas Insurance Agency is hereby ratified and in all things approved; and FURTHER RESOLVED that the Mayor is authorized to execute note or notes to Lake Cities State Bank for the premium due therefor, payable on such terms and conditions as the Mayor may deem advisable, and to give security therefore; and FURTHER RESOLVED that the City Secretary is authorized and directed to make payments in accordance with said note or notes; and FURTHER RESOLVED that actions heretofore taken by the Council and Mayor incident to the taking out of such insurance, the placing thereof, the payment of premiums therefor, and the execution of note or notes and giving security therefor, all are hereby ratified and in all things approved.

FOR THE CITY OF LAKE DALLAS, TEXAS

ATTEST: Jean Chambers
City Secretary

THE STATE OF TEXAS X
X PERMISSION FOR TRANSFER OF WARRANTS:
COUNTY OF DENTON X

WHEREAS, THE CITY OF LAKE DALLAS, TEXAS, a Municipal Corporation, situated in Denton County, Texas, duly incorporated under the General Laws of the State of Texas, has previously, in writing and in due form, acknowledged certain indebtedness to THE LEWISVILLE STATE BANK, Lewisville, Texas, in the form of a series of five warrants, Nos. six (6) to ten (10), inclusive, each of said warrants being of the face value of NINE HUNDRED FIFTY AND NO/100 ($950.00) DOLLARS, all bearing the date of December 16, 1968, and representing a total indebtedness of THE CITY OF LAKE DALLAS, TEXAS, to THE LEWISVILLE STATE BANK, Lewisville, Texas, in the amount of FOUR THOUSAND SEVEN HUNDRED FIFTY AND NO/100 ($4,750.00) DOLLARS; and

WHEREAS, in accordance with the terms of the warrants, THE CITY OF LAKE DALLAS, TEXAS, does now wish to give written permission and approval for the transfer and assignment of these warrants from THE LEWISVILLE STATE BANK, Lewisville, Texas, to LAKE CITIES STATE BANK, Lake Dallas, Texas;

NOW, THEREFORE, it is the act of THE CITY OF LAKE DALLAS, TEXAS, the City Council of THE CITY OF LAKE DALLAS, TEXAS, does hereby grant this written permission and approval for the assignment and transfer of those certain warrants numbered five (5) through ten (10), inclusive, dated December 16, 1968, evidencing indebtedness of THE CITY OF LAKE DALLAS, TEXAS, from THE LEWISVILLE STATE BANK, Lewisville, Texas, to the LAKE CITIES STATE BANK, Lake Dallas, Texas; and

IN TESTIMONY WHEREOF, The City Council of THE CITY OF LAKE DALLAS, TEXAS, has caused the seal of said City to be

hereto affixed and this instrument to be signed by the Mayor and countersigned by the City Secretary on this the 6th day of May, 1974, at Lake Dallas, Denton County, Texas.

THE CITY OF LAKE DALLAS, TEXAS,

By: Ronald D. Vanzura
Ronald D. Vanzura,
Mayor

ATTEST:

M. Jean Chambless
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL MAY 16, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:35 P.M.

Each Councilman made a report regarding his specific responsibilities relating to City functions.

Larry Kingston made a motion that the City pay Lake Area Disposal Service the sum of $15.00 per month for the service of emptying the litter barrels throughout the City on a weekly basis. The motion was seconded by Councilman Grammer and it carried.

Secretary read the minutes of the previous meeting and such minutes were approved as read.

Mrs. Carolyn Green presented to Council a letter authorizing the City to enter the premises of Garza Estates Mobile Home Park for the purpose of cleaning a drainage ditch which may eleviate the flooding of the Beck Addition.

On the Citizen's Agenda, Council heard from Mr. Dan Overpeck regarding streets; Mr. John H. McConnell regarding Municipal Court; and Mrs. Carolyn Green regarding the Police Department.

J. W. Webb made a motion that Mayor Vanzura be appointed as the City's Voting Representative to North Central Texas Council of Governments (COG). Councilman Vinson seconded the motion and it was unanimously carried.

Councilman Vinson made a motion that an ordinance be drafted wherein Truck and Commercial traffic will be routed down Main Street to Hickory Creek in an effort to releive that traffic on Carlisle Street. Councilman Harper seconded the motion and it carried unanimously.

Council further agreed to order those Truck Route Signs necessary to the implementation of the new traffic route and four Dead End Street Signs.

There being no further business for discussion, Councilman Grammer made a motion that the meeting be adjourned. Councilman Vinson seconded the motion and the meeting was adjourned at 8:20 P.M.

M. Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING
HELD IMMEDIATELY FOLLOWING
REGULAR MEETING MAY 16, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 8:40 P.M. He explained to the Council that the purpose of the meeting was to review the 1973-74 Budget.

Council reviewed and discussed in depth the receipts and disbursements, including many alternatives in cutting the budget.

It was agreed by Council that all purchases would be made by Purchase Order completed in writing by the Department Supervisor and approved by the Councilman in charge of such Department. It was further agreed that emergency repairs of vehicles could be made without prior approval by the Council.

It was further agreed that each Department should submit to Council as soon as possible a budget extending through September 30, 1974 in order that Council may better determine exactly the cost involved.

Council discussed changing the fiscal year, but no decision was reached.

There being no further business for discussion, on motion of Councilman Vinson, seconded by Councilman Kingston, the meeting was adjourned at 10:20 P.M.

M. Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL MAY 28, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 8:00 P.M.

Councilman Vinson made a motion that a resolution be adopted granting permission to the Texas Criminal Justice Department to conduct a feasibility study in our area for the purpose of determining whether or not a consolidated law enforcement agency would benefit the communities of Lake Dallas, Highland Village, Hickory Creek, Shady Shores and Corinth. Councilman Kingston seconded the motion and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson made a motion that the total sum of $13,648. to be received by the City in Revenue Sharing Funds for the period of July 1, 1974 through June 30, 1975 be designated for street improvements. Councilman Grammer seconded the motion and it carried unanimously.

Councilman Vinson made a motion that the fiscal year not be changed at this time and that authorization be granted to the Mayor and City Secretary to negotiate a loan with the Lake Cities State Bank for a maximum amount of $10,000.00 to be paid back within the City's current fiscal year for the purpose of sustaining the present budget. Councilman Kingston seconded the motion and it carried with Councilman Harper voting against.

Council agreed that Lone Star Gas Company should be contacted and asked to clean the ditch running north from Lake Haven Trailer Park on Shady Shores Road in an effort to help the flooding problem in the Beck Addition.

Council further agreed that Secretary should write Lake Dallas Telephone Company and request the latest accounting relative to the telephone service charges made within the Lake Dallas City Limits in order that they might have a better understanding of what can be expected from the 2% Franchise Tax.

Councilman J. W. Webb made a motion that an asphalt kettle be purchased for the Street Department after bids have been ascertained, and that the cost be financed with the Lake Cities State Bank. Councilman Kingston seconded the motion and it carried with Councilman Harper voting against.

Council agreed that all Department Supervisors be informed that their 1974-75 Budget should be prepared and submitted to Council by July 1, 1974. Such budget should reflect all projected expenses of the department, including any salary increases for present employees, salary ranges for new personnel, etc.

There being no further business for discussion, Councilman Vinson made a motion to adjourn. Councilman Kingston seconded the motion and the meeting was adjourned at 8:55 P.M.

M. Jean Chambers
City Secretary

STATE OF TEXAS X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF DENTON X

LAKE CITIES JOINT RESOLUTION

WHEREAS, the City of Lake Dallas, Texas is interested in a consolidated law enforcement agency for the cities of Lake Dallas, Highland Village, Shady Shores, Hickory Creek, and Corinth; and

WHEREAS, to institute this agency we hereby request from the Texas Criminal Justice Division, Technical Assistance to perform a feasibility study for five (5) days setting forth alternative approaches to consolidation, said study at no cost to any of the cities; and

WHEREAS, one possible alternative approach to consolidation is for one of the cites already staffed and equipped to contract services via the Interlocal Contracting Agreement; and

WHEREAS, the North Texas Council of Governments, in behalf of the four communities, could initiate the Request for Technical Assistance and perform some of the paper work leading to the initiation and completion of the Technical Assistance;

THEREFORE, the City of Lake Dallas, Texas does hereby request that a feasibility study be undertaken for the hereinabove enumerated purposes.

ADOPTED this 28th day of May, 1974.

Ronald D. Langura

Mayor of Lake Dallas, Texas

M. Jean Chambers

City Seal

City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL JUNE 6, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:40 P.M.

Councilman Vinson reported that it would cost approximately an additional $2,500.00 to continue street improvements as scheduled for this summer. He also reported that the Manpower Program has authorized the City to hire 10 school boys to work in the Street Department 32 hours per week this summer at $2.00 per hour.

Upon request by Councilman Vinson, the Council agreed to table the purchase of the Asphalt Kettle at this time.

Councilman Kingston reported that he had contacted the Dallas Hud Office regarding the flooding problem in the Beck Addition. He stated that he was told that an engineer would be out to look at the ditch located in the Garza Estates Mobile Home Park and that something would be done by Hud if the responsibility was theirs.

Councilman Vinson made a motion that Frank Herendeen install the additional wiring in the City Hall Building necessary to operate the air condition units properly, and install the necessary wiring in the Police Department to allow an air condition unit to be placed in that office. Councilman Kingston seconded the motion and it carried unanimously.

Secretary was asked to read the minutes of the previous meetings, and such minutes were accepted as read.

Mayor Vanzura read Activity Reports regarding the Administrative and Police Departments.

The request made by Kingswood Mobile Home Park to construct a street sign at the corner of Hundley Drive and Shady Shores Road was tabled until such time as Marge and Fred Lohafer could be present.

Council reviewed the Accounts Payable for May, 1974. Councilman Vinson made a motion that Secretary pay such bills for the exception of the statement from Lake Dallas Insurance Agency. Bill Grammer seconded the motion and it carried.

Council then reviewed the Receipts and Disbursements for May, 1974.

Chief of Police Bob Johnson asked Council to pass an ordinance regulating hours of operation and conduct at the Teen Center. Councilman Vinson made a motion that Mayor Vanzura be authorized to draft an ordinance setting specific time limits of operation for recreational facilities. Councilman Grammer seconded the motion and it carried unanimously.

On motion made by Councilman Vinson, seconded by Councilman Grammer, the meeting was adjourned at 8:45 P.M.

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL JUNE 20, 1974

The meeting was called to order at 7:30 P.M. by Mayor Vanzura. Councilmen Vinson, Kingston and Webb were present. Councilmen Grammer and Harper were absent.

Council heard from two representatives from the Continental Casualty Company regarding the renewal of the Medical, Accidental Death and Dismemberment Insurance coverage for the Volunteer Firemen. They stated such policy is due to be renewed June 25, 1974 with an annual premium of $693.19. Councilman Kingston made a motion that Council recommend to the Fire Department that this renewal policy be accepted subject to their approval. Councilman Webb seconded the motion and it carried.

After making a report regarding building permits, plumbing inspections, etc., Councilman Kingston made a motion that the Surety Bond be increased to $5,000.00 per occurrence with respect to all General Contractors, and that such bond be fully enforced for one full year after the property is sold. Councilman Webb seconded the motion and it carried.

City Secretary informed Council Consolidated Delinquent Tax Statements had been prepared for the years 1968 through 1973 and would be mailed shortly. Such Delinquent Taxes amount to $19,993.14 with penalty and interest of $5,489.32.

Mayor Vanzura reported $3,305.00 has been contributed to the Volunteer Fire Department as of this date.

Council heard from Mr. Fred Lohafer, Manager of Kingswood Mobile Home Park, regarding the placing of a sign on City Right-of-way. Council informed him this was not permissible, and suggested that he contact a private property owner in an effort to obtain permission to place such sign on privately owned property.

Councilman Kingston made a motion that Council accept the recommendation of the City Planning and Zoning Commission and rezone the Lake Cities Industrial Foundation property as a Light Industrial District with certain areas of same designated as Commercial Districts. A more complete property description is attached hereto and made a part of these minutes. Councilman Vinson seconded the motion and it carried.

Councilman Kingston made a motion that the City pay the fee of $1,500.00 for the privilege of sharing the new property evaluation recently obtained by the Lake Dallas Independent School District. Councilman Vinson seconded the motion and it carried.

The matter of appointing a Board of Equalization was tabled until the next meeting.

Councilman Vinson made a motion that each police officer be paid one hour overtime for any court appearance he must make.

Councilman Webb seconded the motion and it carried.

Council heard from Mr. Paul Young and Mr. Jim Payne regarding the state of disrepair of the William A. Mickle property located on Shore Drive. Several suggestions were made as to what agreements might be reached with Mr. Mickle, but no clear solution was reached.

Councilman Vinson made a motion that a resolution be adopted restricting the sale of Beer, Wine and Liquor sales to certain areas of the City. Councilman Kingston seconded the motion and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson made a motion that Mayor Vanzura and Councilman Kingston be authorized to negotiate with the Lion's Club for the purchase of the Old Methodist Church property to be used as a City Community Center, the purchase price not being greater than their investment. Councilman Webb seconded the motion and it carried.

Council agreed that Mayor Vanzura should talk with the President of the Municipal Utility Authority regarding the possibility of reaching some agreement for payment of rent for the office space they occupy in the City Hall Building.

Council further agreed that all Department Supervisors should have their projected budgets for the remainder of this fiscal year prepared and submitted to Council by June 30, 1974.

On motion made by Johnny Vinson, seconded by Councilman Kingston and carried, the meeting was adjourned at 8:50 P.M.

M. Jean Chambers

M. Jean Chambers
City Secretary

June 25, 1974

TO WHOM IT MAY CONCERN:

At a regular meeting of the Lake Dallas City Council held on June 20, 1974, on motion made by Larry W. Kingston, seconded by Johnny J. Vinson, it was agreed that, in accordance with the recommendation of the City Planning & Zoning Commission, the following described property is hereby zoned as follows:

TRACT A being 9.3715 acres of land located in the J. W. Simmons Survey, Abstract #1163, is hereby zoned C-1 (Restricted Commercial).

TRACT B being 2.75 acres of land located in the J. W. Simmons Survey, Abstract #1163 is hereby zoned C-1 (Restricted Commercial).

TRACT C being .7575 acres of land located in the J. W. Simmons Survey, Abstract #1163 is hereby zoned C-1 (Restricted Commercial).

THE REMAINDER OF THIS TRACT OF LAND, being 44.7870 acres of land, retains the zoning classification of Light Industrial District.

ALL THAT CERTAIN LOT located in the J. W. Simmons Survey, Abstract #1163, being .789 Acres of land, and being part of the above described tract of land as conveyed by deed dated July 14, 1971, from Wallace A. Parham to W. D. Pardue, as shown on record in Volume 626, Page 47, of the Deed Records of Denton County, Texas, is hereby zoned C-2 Commercial.

WITNESS MY HAND AND SEAL OF OFFICE THIS 25th DAY OF JUNE, 1974.

M. Jean Chambers
City Secretary

Alderman Johnny Vinson introduced a proposed resolution and made a motion that it be adopted.

The motion was seconded by Alderman Larry Kingston.

The motion, carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Aldermen Johnny Vinson, Larry Kingston, _____, _____ and J. W. Webb.

NOES: None.

The resolution, as adopted, is as follows:

A RESOLUTION PROPOSING AND INITIATING AMENDMENTS TO THE ZONING ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS.

WHEREAS, the City Council of the City of Lake Dallas, Texas has had under consideration the advisability and necessity of amendments to the zoning ordinance; and

WHEREAS, the City Council has determined the advisability of initiating such amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the Zoning Commission of the City of Lake Dallas, Texas be requested to hold hearings and make their recommendations to the City Council on the proposal of the following amendments to the zoning ordinance, to-wit:

Amend Section 3. Districts, so as to hereafter read as follows:

SECTION 3. DISTRICTS

For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alteration, moving or use of buildings, structures or land, all lands within the corporate limits of the City of Lake Dallas, Texas are hereby divided into ten (10) districts with their respective rank from high to low classification as follows:

District R-1-7200	Single-Family Dwelling District
District R-1-6000	Single-Family Dwelling District
District R-2	Two-Family Dwelling District
District R-3	Apartment House District
District C-1	Restricted Business District

District C-2	Commercial District
District C-3	Commercial District
District C-P	Planned Business District
District M-1	Light Industrial District
District M-2	General Industrial District

Any use not listed herein may be placed in a suitable District Classification by the City Council, after recommendation by the City Zoning Commission of the City of Lake Dallas, Texas (which may hereinafter be lawfully referred to as Planning Commission, or as Zoning Commission or as Commission, or as City Zoning Commission).

Amend the Zoning Ordinance by the addition of Section 11-A. District C-3. Commercial District, to read as follows:

SECTION 11-A. DISTRICT C-3. COMMERCIAL DISTRICT

USE REGULATIONS

In District C-3 no building, structure, land or premises shall be used; and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1. Any use permitted in District C-2.

2. Shops and stores for the sale of alcoholic beverages; no alcoholic beverages shall be offered for sale or displayed, except in a C-3 Commercial District.

PERFORMANCE STANDARDS

1. Drive-up or drive-in service may be provided at any establishment.

2. Any manufacturing, storage or materials for, or assembly of, products as permitted above shall be entirely within a totally enclosed building.

3. No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.

HEIGHT AND AREA REGULATIONS

In District C-3 the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

HEIGHT: Buildings or structures shall not exceed two stories.

FRONT YARDS: Any building hereafter constructed shall provide a front yard, the minimum depth of which shall be fifteen (15) feet.

SIDE YARDS: No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a District R-1-7200 to R-3, inclusive, a side yard shall then be provided the same as required in the District it abuts. A side yard of fifteen (15) feet shall be provided on the street side of a corner lot.

REAR YARDS: No rear yard required, except that when a rear lot line abuts a lot in a District R-1-7200 to C-2, inclusive, a rear yard of not less than twenty (20) feet shall be provided.

REQUIREMENTS FOR DWELLING: See corresponding district.

PARKING REGULATIONS: Off-street parking required for each establishment shall be determined by the City Zoning Commission.

The Zoning Commission of the City of Lake Dallas, Texas is further requested to hold a hearing and make their recommendations on the proposal to change the zoning of the following described territory from C-1, Commercial District to C-3, Commercial District:

"From Old Denton Road North on 35 E Service Road to next Overpass at Old Denton Road, and from Old Denton Road East on Main Street to Lakeview Drive."

That the City Secretary be and she is hereby ordered and directed to deliver a certified copy of this resolution to the Chairman of the Zoning Commission.

PASSED AND APPROVED, this the 20th day of June, 1974.

Donald D. Jones
Mayor, City of Lake Dallas, Texas

ATTEST:

Jean Chambers
City Secretary

THE STATE OF TEXAS X

COUNTY OF DENTON X

I, M. JEAN CHAMBERS, City Secretary of the City of Lake Dallas, Texas, do hereby certify that the above and foregoing is a true and correct copy of the minutes of a meeting of the City Council of the City of Lake Dallas, Texas held on June 20, 1974, insofar as it reflects the adoption of a resolution entitled:

A RESOLUTION PROPOSING AND INITIATING AMENDMENTS TO THE ZONING ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS.

IN TESTIMONY WHEREOF, witness my hand and the seal of said City, this the 1st day of July, 1974.

M. Jean Chambers

City Secretary, City of Lake Dallas, Texas

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL JULY 18, 1974

The meeting was called to order at 7:45 P.M. by Mayor Vanzura. Councilmen Vinson, Grammer and Harper were present. Councilmen Kingston and Webb were absent.

Secretary read the minutes of the previous meeting. Councilman Vinson made a motion that such minutes be accepted as read. Councilman Grammer seconded the motion and it carried.

Mayor Vanzura stated Councilman Kingston had requested that his resignation from the Council be accepted effective immediately due to his health. Councilman Vinson made a motion that such resignation be accepted as requested. Councilman Grammer seconded the motion and it carried.

Councilman Vinson made a report on the activity of the Street Department. Councilman Grammer reported that $3,917.00 had been contributed to the Volunteer Fire Department by Lake Dallas residents as of this date.

Mayor Vanzura reported to Council that the results of the Feasibility Study conducted by the Texas Criminal Justice Department would be available in approximately three (3) weeks.

Mr. Roy B. Cochran, Jr. addressed Council relative to the service of a portable emergency Oxygen Inhalator for use by the Police Department. Councilman Grammer made a motion that the City lease the oxygen unit for a sum of $10.00 per month for a period of twenty-four (24) months. Councilman Harper seconded the motion and it carried.

Mrs. Teresa Gladys addressed Council regarding a drainage ditch located between Kings Manor and Prince Drives in Kings Manor Sub-division. After some discussion, Mayor Vanzura instructed Secretary to set up a Special Meeting between the developer, Mr. Jim Clem, residents of the area, and City Council, in an effort to determine what might be done to improve the situation.

Mr. S. O. Black appeared before Council and stated he was the owner of Lot Nos. 7 and 8, in Block 3, of the Lake Dallas Sites Sub-division, and produced a Survey Plat indicating that Galbraith Street runs across almost the entirety of Lot No. 8. It was further determined that this property had not been dedicated to the City for use as a street. Council agreed to refer the matter of compensating Mr. Black to the City Attorney. Councilman Grammer made a motion that this property be stricken from the tax rolls. Councilman Vinson seconded the motion and it carried.

In view of Ann Powell's resignation, Johnny Vinson made a motion that Paul Isham be appointed City Attorney. Councilman Grammer seconded the motion and it carried.

Councilman Vinson made a motion that the Workman's Compensation Policy No. WC 573 67 81, written with the Gulf Insurance Company by the Lake Dallas Insurance Agency, be accepted. Council-

man Grammer seconded the motion and it carried.

Councilman Grammer introduced a proposed ordinance and made a motion that any and all rules requiring ordinances to be read at more than one separate meeting be suspended for the reasons stated in the emergency clause. The motion was seconded by Councilman Vinson, and prevailed by the following vote:

AYES: Messrs. Grammer, Vinson and Harper.
NOES: None

Councilman Grammer made a motion that the ordinance be adopted as recommended by the City Planning and Zoning Commission. Councilman Vinson seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Grammer, Vinson and Harper
NOES: None

The ordinance, as finally passed, is attached hereto and made a part of these minutes.

Council reviewed the June Receipts and Disbursements, and the Accounts Payable for July. Councilman Vinson made a motion that the City Secretary be authorized to pay the July Accounts Payable. Councilman Grammer seconded the motion and it carried.

Councilman Vinson made a motion that Council adopt a resolution supporting the efforts of the Save Our Schools Committee. Councilman Grammer seconded the motion and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

M. Jean Chambers
City Secretary

Mr. Bill Jamison introduced a proposed ordinance and made a motion that any and all rules requiring ordinances to be read at more than one separate meeting be suspended for the reasons stated in the emergency clause.

The motion was seconded by Mr. John Vinson.

The motion prevailed by the following vote:

AYES: Messrs. Grammer, Vinson, _____, _____ and Harper.

NOES: None.

Mr. Bill Grammer made a motion that the ordinance be passed finally.

The motion was seconded by Mr. John Vinson.

The motion, carrying with it the passage of the ordinance, prevailed by the following vote:

AYES: Messrs. Grammer, Vinson, _____, _____ and Harper.

NOES: None.

The ordinance, as finally passed, is as follows:

AN ORDINANCE AMENDING AN ORDINANCE - AN ORDINANCE TO REGULATE AND RESTRICT THE USE OF LAND AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES; TO REGULATE AND LIMIT THE HEIGHT OF BUILDINGS HEREAFTER ERECTED OR ALTERED; TO TO REGULATE AND DETERMINE THE SIZE AND AREA OF YARDS, COURTS AND OTHER OPEN SPACES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; TO DIVIDE THE MUNICIPALITY INTO DISTRICTS AND ESTABLISH, BY REFERENCE TO A MAP, THE BOUNDARIES OF SAID DISTRICTS FOR SAID PURPOSES; TO PROVIDE FOR OFF-STREET PARKING AND LOADING; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ITS INTERPRETATION AND AMENDMENTS HERETO; TO PROVIDE FOR ITS ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS; TO PROVIDE FOR A BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; TO PROVIDE FOR PERMITS; TO PROVIDE FOR INVALIDITY OF A PART; AND FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Zoning Commission of the City of Lake Dallas, Texas has had under consideration and intensive study the request of the City Council of the City of Lake Dallas, Texas for its recommendation pertaining to changes in the Zoning Ordinance of the City of Lake Dallas, Texas; and

WHEREAS, the proposed amendments to the Zoning Ordinance were reviewed at a joint public hearing of the Zoning Commission and the City Council on the 18th day of July, 1974, after due notice of such hearing was given and after property owners and interested parties were given an opportunity to appear and express their opinions concerning the proposed amendments to the Zoning Ordinance; and

WHEREAS, after review of the request and all testimony, a final report was made to the City Council recommending the adoption of the proposed amendments to the Zoning Ordinance; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, after having reviewed the recommendations of the Zoning Commission and all of the testimony and evidence introduced at the hearing, has determined that it would promote the health, safety and morals and general welfare, and protect the use and enjoyment of property throughout the City to enact the proposed amendments as recommended by the Zoning Commission;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That Section 3 of the Zoning Ordinance of the City of Lake Dallas, Texas be and the same is hereby amended so as to hereafter read as follows:

SECTION 3. DISTRICTS

For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alterations, moving or use of buildings, structures or land, all lands within the corporate limits of the City of Lake Dallas, Texas are hereby divided into ten (10) districts with their respective rank from high to low classification as follows:

District R-1-7200	Single-Family Dwelling District
District R-1-6000	Single-Family Dwelling District
District R-2	Two-Family Dwelling District
District R-3	Apartment House District
District C-1	Restricted Business District
District C-2	Commercial District
District C-3	Commercial District
District C-P	Planned Business District
District M-1	Light Industrial District
District M-2	General Industrial District

Any use not listed herein may be placed in a suitable District Classification by the City Council, after recommendation by the City Zoning Commission of the City of Lake Dallas, Texas (which may hereinafter be lawfully referred to as Planning Commission, or as Zoning Commission or as Commission, or as City Zoning Commission).

2. That the Zoning Ordinance of the City of Lake Dallas, Texas be and the same is hereby amended by adding a section, as follows:

SECTION 11-A. DISTRICT C-3 COMMERCIAL DISTRICT

USE REGULATIONS

In District C-3 no building, structure, land or premises shall be used; and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

1. Any use permitted in District C-2

2. Shops and stores for the sale of alcoholic beverages. It is especially ordained that no alcoholic beverages shall be offered for sale or displayed, except in a C-3 Commercial District.

PERFORMANCE STANDARDS

1. Drive-up or drive-in service may be provided at any establishment.

2. Any manufacturing, storage, or materials for, or assembly of, products as permitted above shall be entirely within a totally enclosed building.

3. No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.

HEIGHT AND AREA REGULATIONS

In District C-3 the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

HEIGHT: Buildings or structure shall not exceed two stories.

FRONT YARDS: Any building hereafter constructed shall provide a front yard, the minimum depth of which shall be fifteen (15) feet.

SIDE YARDS: No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a District R-1-7200 to R-3, inclusive, a side yard shall then be provided the same as required in the District it abuts. A side yard of fifteen (15) feet shall be provided on the street side of a corner lot.

REAR YARDS: No rear yard required, except that when a rear lot line abuts a lot in a District R-1-7200 to C-2, inclusive, a rear yard of not less than twenty (20) feet shall be provided.

REQUIREMENTS FOR DWELLING: See corresponding district.

PARKING REGULATIONS: Off-street parking required for each establishment shall be determined by the City Zoning Commission.

3. The fact that the City of Lake Dallas, Texas and its inhabitants are in immediate need of the relief afforded by the provisions of this Ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one separate meeting be suspended, and that this Ordinance take effect immediately upon and after its passage,

STATE OF TEXAS X

COUNTY OF DENTON X

KNOW ALL MEN BY THESE PRESENTS

RESOLUTION

WHEREAS, the City of Lake Dallas is interested in retaining the Lake Dallas Independent School District with local control and,

WHEREAS, the City of Lake Dallas is interested in and sympathetic to the efforts of the Committee of Citizens dedicated to preserving same.

PASSED AND APPROVED, this 18th day of July, 1974.

Ronald D. Vanzura, Mayor

ATTEST:

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL AUGUST 1, 1974

The meeting was called to order at 7:35 P.M. by Mayor Vanzura. Councilmen Johnny Vinson, J. W. Webb, Bill Grammer and Roy Harper were present. Jean Chambers acted as Secretary.

Secretary was asked to read the minutes of the previous meeting. Councilman Vinson made a motion that such minutes be accepted as read. Councilman Grammer seconded the motion and it carried.

Councilman Vinson made a report regarding the Street Department, and Councilman Webb reported on the Administrative Department. Mayor Vanzura reported on the results of the Work Conference held at Savoy the week-end of July 26th, and stated that a Town Hall Meeting would be held August 8, 1974 for the purpose of reviewing the proposed budget for the next fiscal year.

Mayor Vanzura read the Police Activity Report for the month of July as prepared by Chief of Police, Bob Johnson.

On the Citizen's Agenda, Mr. G. E. Farler addressed Council regarding the poor condition of Streets North of Falcon Field. Councilman Vinson stated that those streets were scheduled to be repaired as soon as the County equipment becomes available.

Councilman Grammer made a motion that a Resolution be adopted that will insure that any kind of mass transporation program or proposed legislation for mass transit necessitates the approval of the electorate before implementation or the structuring of new taxing authorities. Councilman Vinson seconded the motion and it carried. A copy of such Resolution is attached hereto and made a part of these minutes.

Councilman Grammer made a motion that Mrs. Pat Farrow be appointed to the City Planning and Zoning Commission to fill the vacancy created by Don Willard's resignation. Councilman Harper seconded the motion and it carried.

Councilman Grammer made a motion that the City enter into a two year contract with the law firm of Gates Steen & Associates of Austin, Texas for the purpose of that firm collecting the delinquent taxes for a total fee of 15% of all collections. Councilman Vinson seconded the motion and it carried.

The matters of appointing a Board of Equalization and the adoption of the City of Lake Dallas Police Code were tabled until a later date.

Councilman Grammer made a motion that the matters of appointing a person to serve out Mr. Larry Kingston's unexpired term and Mr. Bob Johnson's resignation be discussed in Executive Session. Councilman Vinson seconded the motion and it carried. The meeting was then recessed at 8:50 P.M., and Council went into Executive Session.

Council again convened in open session at 9:45 P.M.

Councilman Vinson made a motion that James Hutto be appointed to the Council to serve out Mr. Larry Kingston's unexpired term. Councilman Harper seconded the motion, and it carried. Councilman Grammer abstained from the vote.

Councilman Vinson made a motion that Chief of Police Bob Johnson's resignation be accepted as tendered. Councilman Harper seconded the motion, and it carried. Councilman Vinson then made a motion that Mr. Johnson be paid his regular salary through August 15, 1974 (the date of resignation), plus one week's paid vacation and seven (7) holidays, then relieved of his duties effective at 12:00 Midnight this date. Councilman Webb seconded the motion, and it carried.

There being no further business for discussion, Councilman Grammer made a motion to adjourn. Councilman Vinson seconded the motion and it carried. The meeting adjourned at 10:00 P.M.

M. Jean Chambers
City Secretary

STATE OF TEXAS X

KNOW ALL MEN BY THOSE PRESENT

COUNTY OF DENTON X

RESOLUTION

At a regular meeting of the Lake Dallas City Council held August 1, 1974, on motion mabe by Mr. Bill Grammer and seconded by Mr. Johnny Vinson, the following resolution was adopted by the City of Lake Dallas:

WHEREAS, the Federal-Aid Highway Act of 1973, Section 112 allocates, for the first time, planning funds to Metropolitan Planning Organizations to support the urban transportation planning process; and

WHEREAS, the Federal Highway Administration (in accordance with Section 112 of the Federal-Aid Highway Act of 1973) and the Urban Mass Transportation Administration (in accordance with Section 9 of the Urban Mass Transportation Act of 1964, as amended) intend to fund the same designted metropolitan planning organization in each metropolitan area; and

WHEREAS, the Federal Aviation Administration intends to consider this agency for the receipt of airport system planning funds under Section 13 of the Airport and Airway Development Act of 1970; and

WHEREAS, the administrators of the above three agencies have requested the State to designate a single agency in each metropolitan area for receipt of FHWA, UMTA, and whenever possible, FAA system planning funds; and

WHEREAS, the Governor, on April 12, 1974, designated the North Central Texas Council of Governments as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area subject to receipt by the Governor of a resolution from the governing body of the regional council accepting the designation and a resolution or other formal document concurring with the MPO designation from all signatory members; and

STATE OF TEXAS X

KNOW ALL MEN BY THOSE PRESENT

COUNTY OF DENTON X

RESOLUTION

WHEREAS, an Agreement between the State of Texas and the North Central Texas Council of Governments shall establish the Steering Committee (established pursuant to Section 134 of Chapter 1 of Title 23 U.S.C.) as the MPO's Transportation Policy Advisory Committee; and

WHEREAS, the above agreement shall in no way establish any activity or process that would infringe upon or interfere with the statutory obligation of the Texas Highway Department; and

WHEREAS, the MPO will contract with the Texas Highway Department for Section 112 Planning Funds. The expense involved in urban transportation planning will be assumed by the MPO or agencies with which the MPO has sub-contracted to accomplish work identified in the approved Unified Work Program or plan for the use of Section 112 funds; and

WHEREAS, on April 18, 1974, the North Central Texas Council of Government's Executive Board approved a resolution accepting Governor Briscoe's designation as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area;

THEREFORE, BE IT RESOLVED, that the City of Lake Dallas, being cognizant of possible individual planning needs of the signatory members of the Continuing Phase Agreement, agrees that the signatory members may, if they so desire, prepare programs that are within the framework of the Unified Work Program and submit such plans to the Steering Committee for approval and funding under Section 112; and

FURTHER, the City of Lake Dallas concurs in the designation by Governor Briscoe of the North Central Texas Council of Governments as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan area. The Agreement between the State of Texas and the North Central Council of Goverments shall form a part of this resolution.

STATE OF TEXAS X

COUNTY OF DENTON X

KNOW ALL MEN BY THOSE PRESENT

RESOLUTION

PASSED AND APPROVED, this 1st day of August, 1974

Ronald D. Vanzura
RONALD D. VANZURA, MAYOR

Johnny J. Vinson
Johnny J. Vinson, Councilman

J. W. Webb
J. W. Webb, Councilman

Bill Grammer
Bill Grammer, Councilman

Roy V. Harper
Roy V. Harper, Councilman

ATTEST:

M. Jean Chambers
M. Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING
OF CITY COUNCIL HELD AT
CITY HALL AUGUST 8, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Mayor Vanzura then administered the Oath of Office to Mr. James W. Hutto, recently appointed to the Council to serve out the unexpired term of Mr. Larry W. Kingston.

Mayor Vanzura explained that the purpose of this meeting was to make public the proposed budget for the 1974-75 fiscal year. He invited citizens of Lake Dallas, as well as Councilmembers, to make comments regarding the preliminary budget, and make their feelings know regarding the direction the City should take in the upcoming fiscal year.

Councilman Grammer agreed to meet with the Board of Directors of the Volunteer Fire Department in an effort to determine exactly the procedure we should follow in hiring the paid Fireman allocated in the budget, and also to determine the position of the other communities served by that Department. It was also suggested that perhaps the City should investigate the possibility of securing an additional paid Fireman, his salary to be funded by other means than from the City Treasury.

Council then discussed the proposed budget in its entirety, but no motions were made.

There being no further business for discussion, Councilman Vinson made a motion that the meeting be adjourned. Councilman Webb seconded the motion and it carried. The meeting was adjourned at 8:10 P.M.

M. Jean Chambers

M. Jean Chambers
City Secretary

16-2576 (A-1195)—OATH OF OFFICE—Class 2. (Constitution of Texas.—Revised 11-63) Steck-Warlick Co., Austin, Texas

OATH OF OFFICE

I, James W. Hutto,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman

for the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {~~for the giving or withholding a vote at the election at which I was elected~~ / *to secure my appointment or the confirmation thereof.*}

So help me God.

Signed James W Hutto

Sworn to and subscribed before me, this 8th

day of August ~~19~~ 74

Ronald D. Vanzura, Mayor
City of Lake Dallas, Texas

*Strike out phrase that does not apply

16-2576 (A-1195)

OATH OF OFFICE

(Constitutional Oath)

By

JAMES W. HUTTO
(Name)

For

COUNCILMAN
(Office)

CITY OF LAKE DALLAS, TEXAS

Dated August 8, 1974

at Lake Dallas, Texas

STECK-WARLICK CO., AUSTIN

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL AUGUST 15, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Secretary was asked to read the minutes of the previous meetings. Councilman Webb made a motion that such minutes be accepted as read. Councilman Vinson seconded the motion and it carried.

Councilman Vinson made a report regarding the improvements presently being made by the Street Department. He stated that the present Revenue Sharing Funds designated for Street improvements had been expended, and that, in order to complete the improvements scheduled for this summer, it would be necessary that approximately $2,500.00 be taken from the City's Operating Account and repaid in October, when additional Revenue Sharing Funds become available.

On the Citizen's Agenda, Council heard from Mrs. Carolyn Green, Manager of the Garza Estates Mobile Home Park, relative to the drainage ditch in front of the Park on Shady Shores Road. It was agreed that a large front-end loader was needed to clean the ditch, and that an agreement could be reached with Mrs. Betty McRae to use her equipment for that purpose in exchange for City manpower working on her property.

After hearing a report made by Councilman Webb regarding the Administrative Office, Councilman Grammer made a motion that the office hours of City Hall be changed to 8:30 A.M. to 5:30 P.M. Councilman Vinson seconded the motion and it carried.

Mrs. Carolyn Green addressed Council relative to the Police Department. Mayor Vanzura stated inasmuch as one officer is presently in school, there is some lag time that an officer is not on duty. However, one officer should be available on standby.

After discussion of the Lone Star Gas rate increase to be effective September 1, 1974, Councilman Grammer made a motion that the matter be turned over to the City Attorney. Councilman Vinson seconded the motion and it carried.

Mayor Vanzura read a letter received from Mr. Richard H. Kelsey, Attorney for the Dess Limited interest, regarding the rezoning of their property located on the Service Road of I 35. Councilman Vinson made a motion that this matter be tabled until a later date. Councilman Webb seconded the motion, and it carried.

Councilman Vinson made a motion that the matter of paved alleys in Phase II of the Kings Manor Subdivision be referred to the City Attorney, Mr. Paul Isham. Councilman Grammer seconded the motion, and it carried.

Councilman Grammer made a motion that Messrs. Howard Davis, O. W. Hamby and Morris Mahaffey be appointed to the Board of Equalization to meet in September of this year. Councilman Vinson seconded the motion and it carried.

Mayor Vanzura read a letter received from Mrs. Helen Hutto requesting that, due to her husband's appointment to the City Council, her resignation from the City Planning and Zoning Commission be accepted effective August 8, 1974. Councilman Grammer made a motion that her resignation be accepted as requested. Councilman Vinson seconded the motion, and it carried.

City Secretary read a proposed ordinance entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, REGULATING THE USE OF MOBILE HOMES WITHIN THE CITY LIMITS; DEFINITIONS; DECLARATION OF SAME TO BE A PUBLIC NUISANCE; EXEMPTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE". Councilman Vinson made a motion that such ordinance be adopted. Councilman Grammer seconded the motion and it carried.

City Secretary read a proposed ordinance entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, REQUIRING GENERAL CONTRACTORS AND SUBCONTRACTORS TO POST BONDS AS A CONDITION OF RECEIVING A BUILDING PERMIT FROM THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE". Councilman Grammer made a motion that such ordinance be adopted. Councilman Hutto seconded the motion, and it carried.

Mayor Vanzura read a proposed ordinance entitled "AN ORDINANCE ESTABLISHING A TRUCK ROUTE IN THE CITY; DESIGNATING CERTAIN OTHER STREETS IN THE CITY FOR TRUCK TRAFFIC; PROVIDING FOR ENFORCEMENT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS". Councilman Grammer made a motion that such ordinance be adopted. Councilman Vinson seconded the motion, and it carried.

Mayor Vanzura informed Council that no City insurance coverage was provided for any person riding in a Police Patrol Car, other than the officer himself. Council instructed City Secretary to ascertain what the cost of such coverage would be.

Mayor Vanzura asked Council to seriously consider commissioning someone to serve as Municipal Court Judge during the next fiscal year. He suggested that a young attorney from Denton or Lewisville could serve well in that capacity. Councilman Grammer suggested that such action might necessitate the adoption of an ordinance amending the present ordinance; thereby allowing for the appointive office of Municipal Court Judge.

Mayor Vanzura informed Council that the results of the Technical Assistance Report, as prepared by the Law Enforcement Assistance Administration, had been received. He suggested that such report be studied by each councilman in order that it may be discussed at a later date.

Mayor Vanzura recommended that Clint Barker's salary be increased from $600.00 per month to $650.00 per month inasmuch as, in the absence of a Police Chief, he is presently assuming the duties of Operation's Sergeant. Councilman Grammer made the motion that such increase be granted. Councilman Vinson seconded the motion, and it carried.

Council reviewed the Receipts and Disbursements for the Month of July, 1974, and approved of same.

After much discussion regarding the charge of $239.88 made by Sears Robuck & Company to the City of Lake Dallas for an air-conditioning unit purchased by Mr. Ron Phillips on July 21, 1973, Councilman Vinson made a motion that such amount be paid, and that appropriate charges be filed against Mr. Phillips. Councilman Webb seconded the motion, and it carried.

Mayor Vanzura informed Council Mr. Ray McDaniel had resigned his position with the Police Department. Councilman Grammer made a motion that he be paid for one week's salary and one weeks vacation time. Councilman Webb seconded the motion, and it carried.

There being no further business for discussion, Councilman Grammer made a motion to adjourn. Councilman Vinson seconded the motion, and it carried. The meeting was adjourned at 9:05 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

Mr. Ron Vanzura introduced a proposed ordinance and made a motion that any and all rules requiring ordinances to be read at more than one separate meeting be suspended for the reasons stated in the emergency clause.

The motion was seconded by Mr. Bill Grammer.

The motion prevailed by the following vote:

AYES: Messrs. Johnny Vinson, J. W. Webb, Bill Grammer, Roy Harper and James Hutto.

NOES: None.

Mr. J. W. Webb made a motion that the ordinance be passed finally.

The motion was seconded by Mr. James Hutto.

The motion, carrying with it the final passage of the ordinance, prevailed by the following vote:

AYES: Messrs. Johnny Vinson, J. W. Webb, Bill Grammer, Roy Harper and James Hutto.

NOES: None.

The ordinance, as finally passed, is as follows:

AN ORDINANCE AMENDING AN ORDINANCE - AN ORDINANCE TO REGULATE AND RESTRICT THE USE OF LAND AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES; TO REGULATE AND LIMIT THE HEIGHT OF BUILDINGS HEREAFTER ERECTED OR ALTERED; TO REGULATE AND DETERMINE THE SIZE AND AREA OF YARDS, COURTS AND OTHER OPEN SPACES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; TO DIVIDE THE MUNICIPALITY INTO DISTRICTS AND ESTABLISH, BY REFERENCE TO A MAP, THE BOUNDARIES OF SAID DISTRICTS FOR SAID PURPOSES; TO PROVIDE FOR OFF-STREET PARKING AND LOADING; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ITS INTERPRETATION AND AMENDMENTS HERETO; TO PROVIDE FOR ITS ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS; TO PROVIDE FOR A BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; TO PROVIDE FOR PERMITS; TO PROVIDE FOR INVALIDITY OF A PART; AND FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Zoning Commission of the City of Lake Dallas, Texas has had under consideration and intensive study the request of the City Council of the City of Lake Dallas, Texas for its recommendation pertaining to amending the Zoning Ordinance of the City of Lake Dallas, Texas by changing the zoning of the property generally described as follows:

> From Old Denton Road North on 35E Service Road to next overpass at Old Denton Road, and from Old Denton Road East on Main Street to Lakeview Drive.

from C-1 Commercial to C-3 Commercial; and

WHEREAS, heretofore, the proposed amendment to the Zoning Ordinance was reviewed at a joint public hearing of the Zoning Commission and the City Council, after due notice of such hearing was given and after property owners

and interested parties were given an opportunity to appear and express their opinions concerning the proposed amendment to the Zoning Ordinance; and

WHEREAS, after review of the request and all testimony, a final report was made to the City Council recommending the adoption of the proposed amendment to the Zoning Ordinance; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, after having reviewed the recommendation of the Zoning Commission and all of the testimony and evidence introduced at the hearing, has determined that it would promote the health, safety and morals and general welfare, and protect the use and enjoyment of property throughout the City to enact the proposed amendment as recommended by the Zoning Commission;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

3. That the Zoning Ordinance of the City of Lake Dallas, Texas be and the same is hereby amended by changing the zoning of the following described territory from C-1 Commercial to C-3 Commercial:

BEGINNING at a point, the same being the intersection of the centerline of Old Denton Road and the East right of way line of IH 35E;

THENCE East and South with the centerline of Old Denton Road to a point 200 feet North of the North right of way line of Main Street;

THENCE East parallel to and at all times 200 feet North of the North right of way line of Main Street to the West right of way line of Lakeview Drive;

THENCE South with the West right of way line of Lakeview Drive to a point 200 feet South of the South right of way line of Main Street;

THENCE West parallel to and at all times 200 feet South of the South right of way line of Main Street to the centerline of Old Denton Road;

THENCE South with the centerline of Old Denton Road to the South corporate limits of the City of Lake Dallas, Texas;

THENCE West with the South corporate limits of the City of Lake Dallas, Texas to the East right of way line of IH 35E;

THENCE North with the East right of way line of IH 35E to the place of Beginning.

4. That the City Secretary be ordered and directed to correct and amend the Official Zoning District Map to conform with the provisions of this Ordinance.

The fact that the City of Lake Dallas, Texas, and its inhabitants, are in immediate need of the relief afforded by the provisions of this Ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one separate meeting be suspended, and that this Ordinance take effect immediately upon and after its passage, and it is so ordained.

PASSED AND APPROVED, this the 21st day of August, 1974.

Ronald D. Clayton
Mayor, City of Lake Dallas, Texas

ATTEST:

Jean Chambers
City Secretary

THE STATE OF TEXAS X

COUNTY OF DENTON X

I, M. Jean Chambers, City Secretary of the City of Lake Dallas, Texas, do hereby certify that the above and foregoing is a true and correct copy of the minutes of a meeting of the City Council of the City of Lake Dallas, Texas, held on the 21st day of August, 1974, insofar as they reflect the passage of an ordinance entitled:

AN ORDINANCE AMENDING AN ORDINANCE - AN ORDINANCE TO REGULATE AND RESTRICT THE USE OF LAND AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES; TO REGULATE AND LIMIT THE HEIGHT OF BUILDINGS HEREAFTER ERECTED OR ALTERED; TO REGULATE AND DETERMINE THE SIZE AND AREA OF YARDS, COURTS AND OTHER OPEN SPACES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; TO DIVIDE THE MUNICIPALITY INTO DISTRICTS AND ESTABLISH, BY REFERENCE TO A MAP, THE BOUNDARIES OF SAID DISTRICTS FOR SAID PURPOSES; TO PROVIDE FOR OFF-STREET PARKING AND LOADING; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ITS INTERPRETATION AND AMENDMENTS HERETO; TO PROVIDE FOR ITS ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS; TO PROVIDE FOR A BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; TO PROVIDE FOR PERMITS; TO PROVIDE FOR INVALIDITY OF A PART; AND FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

and that the same is of record in the Minutes of the City Council of the City of Lake Dallas, Texas in Volume III, Page 362, et seq.

IN TESTIMONY WHEREOF, witness my hand and seal, this 19th day of December, 1975.

M. Jean Chambers

City Secretary, City of Lake Dallas

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL SEPTEMBER 5, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Secretary read the minutes of the previous meeting. Councilman Vinson made a motion that such minutes be accepted as read. Councilman Webb seconded the motion, and it carried.

Councilman Vinson stated the Revenue Sharing Funds, allocated for Street improvements, had been depleted, and all the improvements scheduled for this summer had not been made. Councilman Webb made a motion that $2,500.00 be taken from the Operating Account for making these street improvements, and repaid in October when the next Revenue Sharing Funds become available. Councilman Grammer seconded the motion, and it carried.

On the Citizen's Agenda, Council heard from:
Mr. Jerry Jones, Manager of the Lake Dallas Telephone Company, relative to a proposed resolution regarding the Metro Telephone Service;
Mr. George Hawkins relative to the drainage ditch in Kings Manor. Councilman Vinson suggested that this matter be referred to the City Attorney;
Mrs. Scotty Steen regarding the improvements needed to Noyes Street.

Mr. T. H. Walling, with Lone Star Gas Company, addressed Council relative to the City Gate Rate which was adjusted effective September 1, 1974 in accordance with order of the Railroad Commission of Texas. Mr. Walling also stated he would confer with Council at a later date regarding the cleaning of the drainage ditch in front of the Garza Estates Mobile Home Park on Shady Shores Road.

Mr. Douglas Creer, with the Department of Community Affairs, addressed Council relative to a comprehensive plan for development of the City. He explained that this could be achieved by his office working with a six person committee. The only cost involved would be that of maps, etc. Mayor Vanzura stated Council would take the proposal under advisement, and contact Mr. Creer at a later date.

The Council then discussed adjustments in the proposed budget for the 1974-75 Fiscal Year. Councilman Harper made a motion that the $8,000.00 allocated for Capitol Outlay on Buildings in the Administration Department be transferred to the Street Department. Councilman Vinson seconded the motion, and it carried. Councilman Webb voted against.

Councilman Grammer made a motion that the Board of Equalization meet on Saturday, September 21, 1974, at City Hall, from 9:00 A.M. to 5:00 P.M. Councilman Hutto seconded the motion, and it carried.

Councilman Hutto made a motion that Mrs. Merlene Miller be appointed to the Planning and Zoning Commission to fill the vacancy created by Mrs. Helen Hutto's recent resignation. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson made a motion that Larry Kingston be appointed Manager of the Building Department. Councilman Hutto seconded the motion and it carried.

Mayor Vanzura read a Proposal for Re-organization and Operation of the Lake Dallas Police Department, as submitted by Mr. Carl Rickert. Councilman Grammer made a motion that such proposal be accepted, the cost of which should not exceed $500.00. Councilman Vinson seconded the motion, and it carried.

Secretary read a proposed ordinance entitled "AN ORDINANCE PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES WITHIN THREE HUNDRED (300) FEET OF ANY CHURCH, PUBLIC SCHOOL OR PUBLIC HOSPITAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE". Councilman Vinson made a motion that such ordinance be adopted. Councilman Grammer seconded the motion, and it carried.

The matter of the Insurance Proposal submitted by the Lake Dallas Insurance Agency was tabled until a later date.

Mrs. Scotty Steen agreed to circulate a petition to annex the Folly Beach Road area, and return same to City Hall.

Council then reviewed the Accounts Payable for September, 1974. Councilman Vinson made a motion that such bills be paid by City Secretary. Councilman Hutto seconded the motion, and it carried.

After some discussion, Council agreed the T. J. Lynch's Wrecker Service should be called anytime the Police Department is in need of such a service.

Councilman Harper made a motion that effective October, 1974, The Council meet only once per month, such meeting being held the second Thursday in each month. Councilman Grammer seconded the motion, and it carried.

Councilman Vinson made a motion that the City Attorney be instructed to draft an ordinance creating the Appointed Office of Municipal Court Judge and providing for a salary of $100.00 per month, effective in the 1974-75 Fiscal Year. Councilman Webb seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson made a motion to adjourn. Councilman Grammer seconded the motion, and it carried. The meeting adjourned at 9:40 P.M.

M. Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING
OF CITY COUNCIL HELD AT
CITY HALL SEPTEMBER 12, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 1:10 P.M.

Councilman Vinson and Mayor Vanzura reported to Council on their meeting with Mr. James R. Polk, Director of the Manpower Programs. They explained the City may be able to hire one policeman and one fireman on a government program whereby the salaries would be entirely subsidized for six months, then 50% or 60% of the salaries would be subsidized for the next six months. The City would then agree to place those employees on the City payroll in the next fiscal year.

Council then discussed the differences between a three man Police Department and a four man Police Department, taking into consideration both budget and services provided in each situation.

Mayor Vanzura introduced Mr. Bill W. Haddox and recommended to Council that he be hired as Chief of Police. After each member of the Council had questioned Mr. Haddox, it was agreed that he would be employed effective September 16, 1974, and appointed Chief of Police at the next regular meeting. It was further agreed that his imitial salary would be $800.00 per month, and an increase of $50.00 per month will be granted in six months from the date of employment, providing such increase is merited.

There being no further business for discussion, the meeting was adjourned at 3:10 P.M.

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL SEPTEMBER 19, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Secretary read the minutes of the previous meetings. Councilman Vinson made a motion that such minutes be accepted as read. Councilman Webb seconded the motion, and it carried.

Councilman Vinson made a motion that in the event Lone Star Gas Company does not make arrangements to clean the drainage ditch running North and South on Shady Shores Road in front of the Garza Estates Mobile Home Park within a reasonable period of time, the matter should be referred to the City Attorney for immediate action. Councilman Grammer seconded the motion, and it carried.

Councilman Vinson made a motion that the City Attorney be informed of the City's opposition to the request made by Lone Star Gas Company for an increase in the Company's intracompany city gate rate to be heard by the Texas Railroad Commission on October 7, 1974. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson made a motion that the sixteen (16) foot alley running East and West from Lakeview Drive to the Corps of Engineer's property, and situated between Circle and Shore Drives, be given to the persons owning abutting property in consideration of $10.00, plus the cost of the Quick Claim Deed. Councilman Hutto seconded the motion, and it carried.

On the Citizen's Agenda, Council heard from Mr. Woody Woodroof concerning the Zoning Classification of the 28 acres located just northeast of the Hundley Drive and Shady Shores Road intersection.

Councilman Grammer made a motion that Mr. Bill W. Haddox be appointed Chief of Police. Councilman Webb seconded the motion, and it carried with Councilman Harper abstaining from the vote.

Councilman Vinson made a motion that the matter of the City's obligation to maintain the streets located in Kingswood Mobile Home Park be referred to the City Attorney. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson made a motion that the matter of the Lake Dallas Municipal Utility Authority paying rent for the office space they occupy in the City Hall building be tabled until a later date. Councilman Hutto seconded the motion, and it carried.

The proposed Budget of $143,698.00 for the 1974-75 fiscal year was then discussed. $35,132.00 was allocated to the Administrative Department, $53,813.58 to the Police Department, $46,952.42 to the Street Department, and $7,800.00 to the Fire Department. Councilman Vinson made a motion that such Budget be adopted by ordinance entitled "AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LAKE DALLAS, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 1974, AND ENDING ON SEPTEMBER 30, 1975; LEVYING TAXES FOR THE YEAR 1975 TO BE ASSESSED ON ALL TAXABLE PROPERTY WITHIN THE LIMITS OF THE CITY OF LAKE DALLAS,

TEXAS; AND DECLARING AN EFFECTIVE DATE". Council Hutto seconded the motion and it carried. A copy of such ordinance is attached hereto and made a part of these minutes.

Councilman Grammer made a motion that any participation in the North Central Texas Regional Police Academy be on a nonmember basis this year inasmuch as it is economically more advantageous to do so. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson made a motion that a resolution be adopted stating the City's desire to participate in the Community Planning and Development Program sponsored by the Texas Department of Community Affairs. Councilman Hutto seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes. It was further agreed that James Hutto would serve as the ex-officio Councilman on the Special Planning Committee, the other five members being Linda Vanzura, Betty Dunn, Beth Kellogg, Joe Bethany and Richard D. Brown.

The matter of D. L. Ward's accumulated unpaid time was referred to Chief of Police, Bill Haddox, to pay at his discretion.

Council directed City Secretary to write Mobil Oil Corporation for more information before considering for payment the $53.40 charge made to the City in 1971.

Councilman Vinson made a motion that each member of the Board of Equalization be paid $2.00 per hour for their services, and that City Secretary be authorized to appoint a replacement for Mr. Howard Davis in the event he is unable to be present at the designated hour. Councilman Grammer seconded the motion, and it carried.

Councilman Webb made a motion that the Insurance Proposal submitted by the Lake Dallas Insurance Agency be tabled until a later date. Councilman Vinson seconded the motion, and it carried.

Council then reviewed the Schedule of Receipts and Disbursements for the month of August, 1974 as prepared by City Secretary.

Councilman Grammer stated he had met with the Executive Board of the Volunteer Fire Department and the following is their recommendation to Council:

(1) Roy Lester be hired as the paid fireman at a salary of $650.00 per month effective October 1, 1974, with no salary increase for at least one year.
(2) He will work a forty (40) hour work week, with one week's paid vacation (or whatever employees' of the Police Department are entitled to) at the end of one years service.
(3) that some consideration be made for uniforms and insurance coverage.
(4) He will be expected to work fires at nights, on weekends and holidays on a volunteer basis at any location with no financial reimbursement.
(5) He will be responsible for the equipment, its maintenance and repair.
(6) He will become certified.
(7) After certification, he will be in charge at the location of all fires, and be appointed Fire Marshall so that he can enforce Fire Codes.

Councilman Grammer made a motion that Roy Lester be hired as the salaried Fireman effective October 1, 1974, and that Council meet in special session with the Executive Board of the Volunteer Fire Department for the purpose of discussing further the administration of that Department. Councilman Vinson seconded the motion, and it carried.

There being no further business for discussion, Councilman Harper made a motion to adjourn. Councilman Vinson seconded the motion, and it carried. The meeting was adjourned at 9:15 P.M.

M. Jean Chambers
City Secretary

NO._____

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF LAKE DALLAS, TEXAS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 1974, AND ENDING ON SEPTEMBER 30, 1975; LEVYING TAXES FOR THE YEAR 1975 TO BE ASSESSED ON ALL TAXABLE PROPERTY WITHIN THE LIMITS OF THE CITY OF LAKE DALLAS, TEXAS; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, notice of a public hearing on the budget for the City of Lake Dallas, Texas, for the fiscal year 1974 - 1975 was heretofore published at least 15 days in advance of said hearing; and

WHEREAS, a publich hearing on the said budget was duly held on the 8th day of August, 1974, and all interested persons were given an opportunity to be heard for or against any item thereof; now therefore

THE COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, HEREBY ORDAINS:

SECTION I.

That the budget for the City of Lake Dallas, Texas, for the fiscal year beginning October 1, 1974, and ending on September 30, 1975, in words and figures as shown therein is finally approved and adopted. The budget is hereby attached to this Ordinance as Exhibit "A" and is included in this Ordinance.

SECTION II.

That there shall be, and there is hereby levied, a $1.50 tax on each $100.00 valuation on all taxable property within the City of Lake Dallas, Texas, to be assessed and collected by the Tax Assessor and Collector for the year 1974. Property is assessed at 35 per cent of the appraised value.

SECTION III.

That the City Secretary shall cause copies of the budget to be filed with the County Clerk of Denton County, State Comptroller of Public Accounts, and with herself.

SECTION IV.

That this Ordinance shall be effective immediately upon its passage.

PASSED AND APPROVED this the 19th day of September, A. D., 1974.

Ronald D. Vanzura

RONALD D. VANZURA, MAYOR
CITY OF LAKE DALLAS, TEXAS

ATTEST:

W. Jean Rambeau

CITY SECRETARY
CITY OF LAKE DALLAS, TEXAS

APPROVED AS TO LEGAL FORM:

Paul C. Isham

CITY ATTORNEY
CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS X

COUNTY OF DENTON X

KNOW ALL MEN BY THESE PRESENTS

RESOLUTION BY LAKE DALLAS CITY COUNCIL

WHEREAS, the City of Lake Dallas is interested in the ascertainment of a Comprehensive Plan for Community Development; and;

WHEREAS, to institute such a plan, we hereby request the assistance of the Texas Department of Community Affairs, such assistance being at no cost to the City, other than that cost incurred for maps, etc.; and

WHEREAS, the following objectives will be pursued:

(1) Meet the changes evident in the Metroplex such as:

(a) Housing Needs
(b) Transportation Needs
(c) Land use needs
(d) Community facility needs
(e) Future population
(f) Capital improvements program budget

(2) Provide our citizenry with a continuing improved standard of life.

(3) Provide the City Administration with a comprehensive plan for Zoning Districts.

THEREFORE, the City of Lake Dallas, Texas does hereby request that a study be undertaken by five appointed local citizens, working under the direction of and with the assistance of the Texas Department of Community Affairs, for the hereinabove enumerated purposes.

ADOPTED this 19th day of September, 1974.

Ronald D. Vanzura

Ronald D. Vanzura
Mayor of Lake Dallas, Texas

M. Jean Chambers

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL OCTOBER 10, 1974

Mayor Vanzura called the meeting to order at 7:30 P.M. All members of the Council were present, for the exception of Bill Grammer.

Secretary read the minutes of the previous meeting. Councilman Vinson made a motion that such minutes be accepted as read. Councilman Hutto seconded the motion, and it carried.

Each member of the Council then made their routine activity reports with respect to each Department, and Mayor Vanzura administered the Oath of Office to new Police Officers, J. C. Joshlin and Michael G. Stockard.

On the Citizen's Agenda, Council heard from Mr. David Butler who requested that the drainage problem located at the rear of his property be corrected by the Street Department.

After hearing an appeal made by Representative Roy Lester of the Volunteer Fire Department, Councilman Hutto made a motion that the present Police Department radio equipment be given to the Fire Department at such time as the new radio equipment is installed in the Police Department. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson made a motion that the Permit for Collection and Removal of Garbage, Trash, etc., issued to the Lake Area Disposal Service, be renewed for a period of five (5) years. Councilman Hutto seconded the motion, and it carried. A copy of such contract is attached hereto and made a part of these minutes.

After hearing an appeal made in behalf of the PTA for additional lighting on the street running North and South by the School between Main Street and Hundley Drive, Councilman Vinson made a motion that arrangements be made to provide whatever additional lighting is necessary. Councilman Hutto seconded the motion, and it carried.

It was further agreed that Councilman Hutto would contact Texas Power & Light Company and make the necessary arrangements to provide street lighting for those new families on Kingston, Duchess and Overland Drives in Phase II of Kings Manor Subdivision.

Councilman Webb made a motion that a resolution be adopted authorizing the Mayor and City Secretary to renew the note with the Lake Cities State Bank with respect to the 1970 Ford Two-Ton Fire Truck, in the amount of $7,341.00, and bearing an interest rate of 7% per annum, for a period of six months. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson made a motion that the Ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NUMBER THREE OF THE CITY OF LAKE DALLAS, TEXAS, PROVIDING THAT THE MUNICIPAL JUDGE FOR THE CITY OF LAKE DALLAS, TEXAS, BE SOMEONE OTHER THAN THE MAYOR OR A COUNCILMAN, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES AND CONFLICT HEREWITH, PROVIDING A SEVERABILITY CLAUSE, AND DECLARING AN EFFECTIVE DATE", be adopted, and that such Municipal Judge be paid a salary of $100.00 per month. Councilman Hutto seconded the motion, and it carried.

It was agreed that in the event a member of Council is unable to attend the October 17 Texas Railroad Commission hearing on Lone Star Gas Company's request for a rate increase, the City Attorney should be informed of the City's opposition to same.

It was further agreed by Council that the City should be represented at the Ninth Annual Governor's Conference to be held in El Paso on October 17-19 by any member whose schedule will permit such attendance.

Councilman Vinson made a motion that a resolution be adopted stating the City's desire to continue the Revenue Sharing Program, and that such resolution be forwarded to the U. S. Representatives from this district, together with an appeal for their support of legislation that will continue the program. Councilman Hutto seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson made a motion that the Administrative Rules and Regulations as submitted by Mr. Carl Rickert be adopted. Councilman Harper seconded the motion, and it carried. Councilman Webb abstained from voting.

Councilman Vinson made a motion that the City Attorney be directed to investigate the possibility of annexing that part of Willow Grove Park that is adjacent to the City boundary. Councilman Webb seconded the motion, and it carried.

Councilman Webb made a motion that a resolution be adopted authorizating the North Central Texas Council of Governments to purchase law enforcement radio communications equipment, Phase II, in behalf of the City, for a total price of $1,771.79. Councilman Vinson seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson made a motion that all City Employees be given one week paid vacation at the completion of one year of continuous service, and two week paid vacation be given at the completion of two or more years of continuous service; and that any City employee working on an accepted holiday be paid straight time or given compensable time in the month of accrual. Councilman Hutto seconded the motion, and it carried.

Mr. Bob Jameson, Superintendent of the Lake Dallas Independent School District, addressed Council relative to several proposed changes in their Tax Office. He expressed a desire to either combine the City and School Tax Offices and employ a joint Tax Assessor-Collector, or contract with the City for the billing and collection of their taxes. It was agreed that two members of Council should meet with the School Board and discuss the various alternative approachs to the situation.

It was further agreed by Council that the City should become a member of the Municipal Legal Studies Center, for a membership fee of $50.00 per year, providing some City Personnel or members of the Planning and Zoning Commission will attend the various Institutes providing during the year.

Council then reviewed the Schedule of Receipts and Disbursements for the month of September, 1974, and the Accounts Payable for October, 1974. Councilman Vinson made a motion that City Secretary be authorized to pay those bills due and payable in October, 1974. Councilman Webb seconded the motion, and it carried.

The meeting was then recessed at 9:15 P.M. and Mayor Vanzura announced Council would go into Executive Session for the purpose of discussing Personnel.

Council again convened in open session at 9:30 P.M. Councilman Vinson made a motion that Mrs. Jean Chambers, City Secretary, be given a salary increase of $125.00 per month, making her total monthly salary $600.00. Councilman Hutto seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson made a motion to adjourn. Councilman Webb seconded the motion, and it carried. The meeting was adjourned at 9:45 P.M.

M. Jean Chambers

M. Jean Chambers
City Secretary

R E S O L U T I O N

WHEREAS, the City of Lake Dallas will receive approximately $13,648.00 during the present fiscal year of vitally needed fiscal assistance through General Revenue Sharing; and

WHEREAS, Revenue Sharing funds are received directly from the federal government with a minimum of federal bureaucratic red tape, which enables the City of Lake Dallas to use its revenue sharing funds to meet the locally-determined priority needs of the community; and

WHEREAS, the citizens of Lake Dallas consider their local elected officials accountable for the expenditure of revenue sharing dollars, and that accountability has resulted in increased citizen involvement in identifying the priority needs of the community; and

WHEREAS, the City of Lake Dallas has appropriated $20,259.00 of revenue sharing funds that have been received during the past two years solely for the purpose of street improvements; and

WHEREAS, the citizens of Lake Dallas are severely affected by the spiraling and unprecedented rate of inflation, which is stripping them of their hard-earned income; and

WHEREAS, the current inflationary rate of 12% also is undermining the ability of the City to provide essential services to the community within reasonable and acceptable levels of local taxation; and

WHEREAS, the general revenue sharing program is providing essential fiscal relief from the devastating impact of inflation, and

WHEREAS, the general revenue sharing program, which began in 1972, will terminate in 1976 unless the 94th Congress, which is being elected this November and will convene in January of 1975, authorizes its extension; and

WHEREAS, termination of the general revenue sharing program would place the City of Lake Dallas in the untenable position of either having to decrease essential community services by 10% or raise taxes by 27%;

NOW, THEREFORE, BE IT RESOLVED that the City of Lake Dallas, unanimously endorses the continuation of general revenue sharing, and calls for its reenactment by the 94th Congress in order to insure that vitally needed federal assistance will be provided to the City of Lake Dallas.

BE IT FURTHER RESOLVED that candidates for the U. S. House of Representatives from this district, U. S. Senator Lloyd Bentsen, and U. S. Senator John Tower be requested to publicly state their support for the reenactment of the general revenue sharing program in order for the citizens of Lake Dallas to be informed of their commitment or lack thereof, to this essential federal assistance program.

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following Congressional candidates:

Ray Roberts	Democratic candidate for the U. S. House of Representatives
Dick LeTourneau	Republican candidate for the U. S. House of Representatives

and that a public written response be requested from each candidate which clearly states his position on the continuation of the general revenue sharing program.

PASSED AND APPROVED THIS 10TH DAY OF OCTOBER, 1974.

Ronald D. Vanzura, Mayor

Attest:

M. Jean Chambers, City Secretary

PERMIT FOR COLLECTION AND REMOVAL OF GARBAGE, REFUSE, TRASH, RUBBISH, AND JUNK IN AND FROM Lake Dallas, TEXAS.

WHEREAS, Glenn Farley, a resident of Denton County, Texas, has duly filed with the City Council of the City of Lake Dallas, Texas, an application for a Permit to collect and remove garbage, refuse, trash, rubbish, and junk within and from the corporate limits of said; and,

WHEREAS, the City Council, after due deliberation, has Ordered the issuance of such Permit;

NOW THEREFORE, Under and By virture of the authority vested in the undersigned officers of the City of Lake Dallas, Texas, (hereinafter called City), acting for said City in their official capacity, said City does hereby GRANT unto the said Glenn Farley (hereinafter called Permittee), a Permit to collect and remove garbage, refuse, trash, rubbish and junk within and from the corporate limits of said City, Subject to the provisions and regulations of all pertinent ordinances and regulations of said City.

1.

A. This Permit authorizes Permittee to solicit the inhabitants of the City for the privilege of collecting and removing garbage, refuse, trash, rubbish and junk, and to make a charge for such services to the owners or occupants of each subscribing single family residence within the City, in an amount not to exceed $ 3.50+4.25 per month per residence; and in no event shall the collection and pickup by Permittee of such garbage, refuse, trash, rubbish and junk be less often than once a week.

B. Permittee shall collect such charge for service directly from such owners or occupants.

2.

The acceptance of this Permit by Permittee herein named, does and shall absolutely bind said Permittee to furnish at his own expense good and efficient service, and sufficient equipment incident thereto at all times, in good operating condition, and to discharge said garbage, refuse, and trash on a site furnished and maintained by Permittee, outside of the corporate limits; and as well, to strictly comply with all of the Ordinances of the City now in effect or hereafter adopted, relating to the subject matter thereof, and to strictly comply with any and all rules and regulations of the Texas State Department of Health, or other Agency or Department pertaining to or applicable to Permittee and/or his business.

3.

A. Permittee shall have the right to contract with the owner or occupant of any premises other than single family dwellings (as for example, places of business) in the City of Lake Dallas, Texas, for the collection and removal of garbage, refuse, trash, rubbish and junk , at a charge to be agreed upon by occupant and Permittee, for a pickup service of not less than once each week.

B. All such service charges shall be collected by Permittee directly from such persons, firms, or corporations.

4.

The Permittee shall, as aforesaid, at his own cost and expense, furnish, operate and maintain all trucks, machinery, equipment, tools, superintendent, labor, insurance and other accessories necessary to efficiently and properly render such collection and disposal service.

5.

The Permittee shall operate such service in a manner so as to prevent the scattering of garbage and trash from the Permittee's vehicles, within the corporate limits of the City. He shall perform and do all of his work and services hereunder in a prompt, efficient, and workmanlike manner.

6.

This Permit is issued to the said Glenn Farley, with the understanding that the said Permittee shall within five days from the date hereof, and before the rendering of any service on each and every motor vehicle operated pursuant to this Permit, in the amount of FIVE THOUSAND ($5,000.00) DOLLARS for property damage, and for personal injury to one person in the sum of FIVE THOUSAND ($5,000.00) DOLLARS and TEN THOUSAND ($10,000.00) DOLLARS for injury to more than one person for any one accident, wherein the City of Lake Dallas, Texas, will be inscribed as co-insured, thereby indemnifying the City for any and alldamages to property, due to the negligent operation of motor vehicles operated by said Permittee, or his agents, servents and employees. Permittee herein named shall also furnish to the City a good and sufficient contract performance operating pursuant to chapter 7, 1951 Insurance Code of Texas, to indemnify said City for any and all damages sustained by said City growing out of, or by reason of a breach of or default on any agreement, undertaking or provision in or under this Permit.

7.

A. This Permit is for a period of ~~three~~ FIVE years only, from dates hereof, subject to any and all applicable existing ordinances of the City, and subject to any and all pertinent ordinances that may hereafter be enacted by the City Council of said City, (and subject to the below provisions relative to termination), and this Permit shall not be exclusive.

B. The City Council hereby expressly reserves unto itself and its successors, the right to cancel this Permit at any time hereafter by giving a sixty (60) day notice of cancellation and termination in writing to Permittee, and does further rights, franchises and Permits, as it may see fit, to any other person, firm or corporation for the purposes and services herein provided for.

C. The Permittee shall likewise have the right to terminate his obligations hereunder (on condition that he is not in any manner indebted to the City, or in default hereunder), upon a sixty (60) day notice in writing to the City Council; and, such obligation shall (except as to sums, license fees or damages owed to or claimed by the City), be automatically terminated in the event of Permittee's death.

8.

This Permit shall not be assigned, encumbered, sold or transferred by Permittee without the express written approval of and from the City Council of the City of Lake Dallas, Texas.

9.

A. The Permittee shall pay to the City Secretary of Lake Dallas, Texas, the sum of $100.00 annually, as permit fee for issuance of permit, such amount of $100.00 to be paid to said City Secretary; and a like amount each year hereafter upon the anniversary date of this Permit. Failure to pay the Permit fee in the amount and manner above set forth shall automatically terminate and void this Permit and all rights and privileges of Permittee of indebtedness of damages owed to or claimed by the City. No Permit or license fee or any part thereof shall be refunded.

B. Time shall be as of the essence thereof; and, same shall not be modified by verbal agreements.

C. It is understood and agreed that Permittee is an independent contractor and is not an employee or agent of the City.

A C C E P T A N C E

THE STATE OF TEXAS X

COUNTY OF DENTON X

CITY OF LAKE DALLAS X

For and in consideration of the issuance and delivery on this date to the undersigned by the city of Lake Dallas, Texas, of this Permit to collect and remove garbage, refuse, trash, rubbish and junk in and from said City, the undersigned does hereby and herenow Accept, Agree to and Approve the same in all of its provisions, and Agrees, Covenants and Binds himself hereunder, and to the due and strict performances of each and every obligation, undertaking and duty of his hereunder.

SIGNED AND ACCEPTED this 11th day of October, A.D. 1974.

Glenn Farley

Martha L. Jinson
Witness

IN TESTIMONY WHEREOF, witness the official signature of the Mayor of the City of Lake Dallas, Texas, a Municipal Corporation, duly attested by the City Secretary, with the Seal of the City hereto affixed, this 11th day of October, A.D. 1974.

Ronald D. Langum
Mayor

ATTEST:

Jo Ann Hamblen
City Secretary

R E SJO L U T I O N

AUTHORIZATING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO PURCHASE LAW ENFORCEMENT RADIO COMMUNICATIONS EQUIPMENT, PHASE II IN BEHALF OF THE CITY OF LAKE DALLAS.

WHEREAS, the design of present law enforcement radio communications systems does not permit efficient restructuring of the network; and

WHEREAS, the structure of the statewide system has been determined and implementation of regional systems will continue on the basis of the statewide concept established by the Texas Criminal Justice Division, Office of the Governor, State of Texas; and

WHEREAS, the North Central Texas Council of Governments has submitted bidding specifications to prospective vendors, and the Executive Board, after considering the bids, has determined the law compliant bidder; and

WHEREAS, it is the opinion of this City Council that the best interest of the citizens of the City of Lake Dallas will be served by participating in this cooperative program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS THAT:

1. The City of Lake Dallas desires to participate in the co-operative purchase of law enforcement radio communications equipment, Phase II.

2. The North Central Texas Council of Governments is authorized to enter into binding contract with the law compliant vendor and to purchase communications equipment in behalf of the City of Lake Dallas.

3. This City understands that the Texas Criminal Justice Division is providing 75% funding and that the amount of $1,771.79 is our matching share for the purchase of the equipment and the administrative and engineering cost of the project.

4. To indicate the City's desire to participate in this program, a copy of this resolution will be forwarded to the North Central Texas Council of Governments.

5. The City's matching share will be forwarded to the North Central Texas Council of Governments upon notice of grant award.

PASSED AND APPROVED THIS 10TH DAY OF OCTOBER, 1974.

Ronald D. Vanzura

Ronald D. Vanzura, Mayor
CITY OF LAKE DALLAS

Attest:

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL NOVEMBER 14, 1974

Mayor Vanzura called the meeting to order at 7:30 P.M. All members of the Council were present for the exception of Mr. Roy Harper.

Councilman Vinson made a motion that the reading of the minutes of the previous meeting be waived inasmuch as all Councilmembers had been provided with a copy, and that such minutes be accepted as written. Councilman Webb seconded the motion, and it carried.

Councilman Vinson made a report on the activity of the Street Department. He informed Council that 1.437 acres of land, located on Betchan Street in the Wright Survey, Abstract #1355, owned by Mr. G. H. Ferrell, is for sale at $8,500.00. He further stated this land is ideally located, and well suited for the building of a City Barn to house City vehicles, equipment, etc., and the surrounding property owners had no objection. It was agreed by Council that a representative should meet with Mr. Ferrell for the purpose of discussing financing of the property, and report back to Council for final approval.

Councilman Grammer reported that the new Chief of the Volunteer Fire Department is Mr. Carroll Luten. Mayor Vanzura then read that Department's financial accounting to the Council.

Police Chief Bill Haddox informed Council that his budget will allow for the addition of a fourth man to his Department at a starting salary of $625.00 per month, and will allow for a raise of $25.00 per month at the satisfactory completion of six months service. Councilman Vinson made a motion that Chief Haddox be authorized to hire such a Police Officer. Councilman Hutto seconded the motion, and it carried.

On the Citizen's Agenda, Council heard from Mr. and Mrs. Dick Mayfield who appealed to the City for assistance in their request that Food Fare erect a fence between their property and that property owned by the store. Council advised that if the store is in violation of the Nuisance Ordinance, a complaint can be filed in Municipal Court.

Mr. Randy Youngblood addressed Council relative to his dismissal from the Planning and Zoning Commission for having missed three consecutive meetings. He stated his schedule did not permit his attendance of unscheduled meetings, and that when the Commission met on a regular basis, he was able to attend such meetings. Councilman Grammer made a motion that the Planning and Zoning Commission meet at least once per month on a regular basis, and that Mr. Youngblood remain on the Commission for the duration of his term, providing there are no more inexcusable absences. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson made a motion that an ordinance entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, REQUIRING PERMITS FOR STREET EXCAVATION AND ALTERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE" be adopted. Councilman Grammer seconded the motion, and it carried.

Councilman Vinson made a motion that an ordinance entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING ORDINANCE NO. 28, WHICH DECLARES THAT THE LOCATION OR PRESENCE OF JUNKED VEHICLES WITHIN

THE CITY SHALL BE PUBLIC NUISANCES, WITH CERTAIN EXCEPTIONS; PROVIDING FOR ABATEMENT OF SUCH PUBLIC NUISANCES, PROVIDING FOR ASSESSMENT OF COST OF ABATEMENT IN CERTAIN CIRCUMSTANCES; PROVIDING FOR A PUBLIC HEARING; AND PROVIDING FOR THE DISPOSAL OF JUNK VEHICLES AND ASSESSMENT OF COST; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A PENALTY" be adopted. Councilman Hutto seconded the motion, and it carried. It was further agreed that ten days notice would be given to all violators before the filing of a formal complaint.

Councilman Vinson made a motion that the City of Lake Dallas inform the Railroad Commission of Texas of their endorsement of a uniform system of accounts for Gas Utility Companies. The motion died for lack of a second.

Councilman Vinson made a motion that the matter of the City entering into a Retirement Plan for employees be tabled until more information was available. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson made a motion that a resolution be adopted indicating the City's interest in the creation of a Bicentennial Committee, and pledging support of that Committee's efforts to organize community interest in the celebration of our Nation's 200th year. Councilman Hutto seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Council then reviewed the Schedule of Receipts and Disbursements for the month of October, 1974, and the Accounts Payable for November. Councilman Vinson made a motion that the City Secretary be authorized to pay such bills as outlined. Councilman Hutto seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson made a motion to adjourn. Councilman Hutto seconded the motion, and it carried. The meeting was adjourned by Mayor Vanzura at 9:00 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

STATE OF TEXAS X

COUNTY OF DENTON X

KNOW ALL MEN BY THESE PRESENTS

RESOLUTION BY LAKE DALLAS CITY COUNCIL

WHEREAS, the City of Lake Dallas, Texas is interested in the creation of a Bicentennial Committee for the purpose of instilling community interest and coordinating community efforts in the celebration of our Nation's 200th year; and

WHEREAS, we hereby pledge our support to the efforts of such Committee in the following endeavors:

HERITAGE '76 - a review of the history of Lake Dallas, it's culture, business and industry, religion, and other aspects of community life.

FESTIVAL USA - Community celebrations such as fairs, contests, school and community exhibits, picnics and box suppers, etc.

HORIZONS '76 - any long-range project such committee may find support and wish to enter into for the future concerning learning, health, youth, the aging, and any other areas leading to the improvement of life for all the community.

NOW, THEREFORE, BE IT RESOLVED that the City of Lake Dallas is committed to support the Bicantennial Committee, and its projects for the betterment of community life.

ADOPTED this 14th day of November, 1974.

Ronald D. Vanzura, Mayor
CITY OF LAKE DALLAS

Attest:

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL DECEMBER 12, 1974

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:35 P.M.

Mr. Harry L. Grey, Civil Engineer with the firm of Corlett, Grey and Probst, interpreted for Council the plans submitted by the City of Denton for the construction of a raw water line from Garza-Little Elm Reservoir to that City's Water Treatment Plant in Denton. It was established that such pipeline will run through the City of Lake Dallas on M.K.T. Railroad property, making it necessary to open cut six City streets. After much discussion, Councilman Vinson made a motion that an agreement be prepared by the City Attorney outlining specific requirements for the repair of those streets cut, including the quality of materials used for such repairs, and submit same to the City of Denton for their approval before any permits are issued. Councilman Grammer seconded the motion, and it carried. A copy of such agreement is attached hereto and made a part of these minutes.

City Secretary read the amended minutes of the previous meeting. Councilman Grammer made a motion that the minutes be accepted as presented to Council, and such amendment be accepted as read. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson reported to Council on the activities of the Street Department. He made a motion that City Secretary direct a letter to Mr. Carl Johnson requesting that Alamo Street be properly repaired, at the point where he recently tied into the sewer line, within ten days. If such repairs are not timely made, the City will make the necessary repairs and bill him accordingly. Councilman Grammer seconded the motion and it carried.

Council further agreed it is now time to purchase the Asphalt Kettle in order to improve the quality of street repairs. Such purchase was previously approved by Council in a Special Meeting held May 28, 1974.

Mayor Vanzura read Activity Reports for the month of November as submitted by the Police and Fire Departments.

Councilman Vinson made a motion that the City provide gasoline expenses for those Police Officers involved in continuing education courses at the North Central Texas Regional Police Academy inasmuch as there is no tuition for students attending that Academy. Councilman Harper seconded the motion, and it carried.

Councilman Grammer made a motion that the City Attorney submit to Council his opinion regarding the City exercising its extraterritorial jurisdiction over the Folly Beach Road area. Councilman Vinson seconded the motion, and it carried.

Council agreed that the matter of requiring all persons engaged in the handling of food within the City to obtain a Health Card should be tabled inasmuch as other cities in the area have no such requirement.

Councilman Grammer made a motion that the matter of the City signing a note for the purchase of an emergency vehicle for the Fire Department be tabled. Councilman Vinson seconded the motion, and it carried.

Councilman Harper made a motion that City Hall not be used for any purpose other than conducting city business. Councilman Vinson seconded the motion, and it carried.

Councilman Grammer made a motion that inasmuch as employees of the Street Department are paid a set salary even in bad weather when little street work can be done, that no overtime be paid when extra work is required because of good weather or an emergency occurs necessitating repairs made by such Department. Councilman Harper seconded the motion, and it carried.

Councilman Vinson made a motion that the City purchase from the Estate of G. H. Ferrell 1.437 acres of land located on Betchan Street in the Wright Survey, Abstract #1355, for a total sales price of $8,500. for the purpose of erecting a City Barn. Councilman Webb seconded the motion, and it carried. It was further agreed that Mayor Vanzura should negotiate the loan with the Lake Cities State Bank.

Council then reviewed the Schedule of Receipts and Disbursements for the month of November, 1974, and the Accounts Payable for December. Council Vinson made a motion that the Accounts Payable be authorized for payment. Councilman Webb seconded the motion, and it carried.

There being no further business for discussion, Councilman Grammer made a motion to adjourn. Councilman Vinson seconded the motion, and the meeting was adjourned at 9:15 P.M.

M. Jean Chambers
City Secretary

STATE OF TEXAS X

COUNTY OF DENTON X

AGREEMENT FOR CONSTRUCTION OF RAW WATER LINE

This agreement is made and entered into on the ____ day of December, A. D., 1974, by and between the City of Lake Dallas, hereinafter referred to as Lake Dallas, and the City of Denton, hereinafter referred to as Denton;

WITNESSETH:

WHEREAS, Denton has awarded a contract for the construction and installation of a raw water line from Garza-Little Elm Reservoir to Denton's Water Treatment Plant; and

WHEREAS, said installation and construction of the water line will pass through the city limits of Lake Dallas, and will transverse certain public streets and roads within the city limits of the City of Lake Dallas; and

WHEREAS, it will be necessary for the contractor awarded the bid by Denton to cut into and dig up certain public streets within the City of Lake Dallas, and whereas, the City of Lake Dallas will grant such permission for cutting into their streets in return for certain conditions being met by the contractor of the City of Denton and/or Denton.

NOW THEREFORE, for the reasons set forth above, and in consideration of the mutual covenants and promises of the parties hereto, it is agreed as follows:

1. Attached to this agreement as Exhibit A is the concrete pavement replacement detail concerning the laying of the water line across public streets within Lake Dallas. Such Exhibit is incorporated herein and is binding except for the variations and exceptions listed below:

2. Fifteen-hundred pounds or two sack concrete mix shall be used as concrete backfill at all street crossings to within eight (8) inches of top of the pavement. Eight inches of three-thousand p.s.i. concrete shall be used from the concrete backfill to the top of pavement and shall span the entire section of the street from one side to the other side.

Lake Dallas shall have the final approval in deciding whether the streets have been prepaired properly after being cut and the pipe being laid, and Denton shall comply with any reasonable requests by Lake Dallas in order to obtain such approval.

3. On the main street crossing, Denton agrees to pave two inches of hot mix from the railroad crossing to Denton Road and to flare such paving at the intersection of Main Street and Denton Road.

4. There will be a concrete drainage pipe installed under each and every street cut. A retaining wall or curb, minimum height of eight inches reinforced concrete, to be installed on each side of the street, the total length to be determined by the City of Lake Dallas.

5. All pipeline, other than street crossing, will be backfilled in layers not to exceed two feet, watered and tamped as necessary to avoid future settling of the ground. As an option, the Contractor may fill with sand. No organic matter will be included in any fill material.

6. Any electrical lines will be run in a separate ditch, minimum depth to be six feet below grade, and fully protected by rigid conduit or other means as approved by the City of Lake Dallas. The surface above electrical lines will be clearly marked indicating the presence of the conduit and inherent danger thereof.

7. No work of any nature will proceed until the proper permits have been obtained from the City of Lake Dallas, and a complete set of plans and specifications are on record at City Hall.

8. Denton shall fully maintain and keep in good repair the raw water line.

9. Any additional expense incurred in the future to Lake Dallas for the installation of water or sewer lines across Denton's raw water line shall be paved by Denton. Additional expense means that additional cost that is incurred because of construction of any water or sewer lines have to be raised, lowered, altered, deviated, or changed from the normal depth, in order to cross Denton's raw water line.

10. Denton or its Contractor will restore all property and land to its original condition along the path of the raw water line within the City limits of Lake Dallas.

IN WITNESS WHEREOF, this agreement has been executed at Denton County, Texas, the day and year above first written.

City of Lake Dallas, Texas

By: _____

City of Denton, Texas

By: _____

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL JANUARY 9, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:40 P.M.

Councilman Vinson moved that the minutes of the previous meeting be accepted as presented to Council. Councilman Hutto seconded the motion and it carried.

Councilman Vinson reported to Council on the present condition of the streets within the City, and the inability to attain delivery of needed materials at this time.

Mayor Vanzura read the Financial Report for the month of December, 1974 as submitted by the Fire Department.

Councilman Webb moved that the City not relinquish its extraterritorial jurisdiction over the Folley Beach Road area, as requested by the City of Hickory Creek. Councilman Hutto seconded the motion, and it carried with Councilman Grammer abstaining from the vote.

Chief of Police, Bill Haddox, read to Council his Department's Activity Report for the month of December, 1974.

Mr. Larry Kingston, Chief of the Building Department, addressed Council relative to timely inspections and the enforcement of codes within the City. He requested that Council consider the following:

(1) Notify the General Contractor and Bonding Company that the Streets in Phase II of the Kings Manor Subdivision are defective, and that appropriate repairs should begin within thirty (30) days and be completed within sixty (60) days; or bond will be called.

(2) Increase the cost of building permits with respect to all commercial construction.

(3) Delegate responsibility to Staff Fireman of inspecting existing structures for fire hazards such as defective wiring and gas piping, improper storage of inflammables, etc.; and proper authority to enforce fire safty codes by issuing citations, which result in fines, for any violations.

(4) That all future Site Plans be reviewed by the utility companies before final approval is granted by the City.

(5) Adopt Ordinance which calls for a penalty for noncompliance with City Building Codes.

On the Citizen's Agenda, Council heard from the following persons:

Mrs. Fred Stephens, Mayor of Shady Shores, relative to her City's share of the Lake Area Volunteer Fire Department Budget for 1975.

Mrs. Carolyn Green, Manager of the Garza Estates Mobile Home Park, relative to the drainage ditch located in that Park. She stated the work that was done in said ditch is neither satisfactory nor complete, and informed Council that payment would not be made to the City until the additional work was done to her satisfaction. She further requested that the property North of the park be mowed as it constitutes a fire hazard.

In an effort to decrease the number of dogs running at large within the City, Council agreed that, for a time, regular releases should be given to the Press informing the public of the City Ordinance pertaining to dogs.

Councilman Vinson moved that the City provide gasoline for the Fire Department's emergency vehicle, which is driven by Mr. Roy Lester for the purpose of conducting Departmental business and to and from work. Councilman Hutto seconded the motion, and it carried. It was further agreed that the vehicle should be painted red, and designated by appropriate printing that it is an emergency fire vehicle.

Councilman Vinson moved that the two dispatchers currently employed within the Police Department, and Mr. Roy Lester of the Fire Department, be sent to the Communications Workshop at the North Central Texas Regional Police Academy to be held February 4, 5 and 6, and that the tuition fee of $60.00 per person be paid by the City. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that Chief Haddox be authorized to hire an additional person to serve as part-time dispatcher for approximately seven hours per day, four days per week, at a starting salary of $2.00 per hour. Councilman Hutto seconded the motion, and it carried with Councilman Grammer abstaining from the vote.

Councilman Grammer moved that the matter of the proposed change in the City's communication system be tabled until such time as Mr. Jerald D. Jones can be present. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson moved that the City purchase one original mylar reproducible film postive aerial map of the area from North Central Texas Council of Governments for the total sum of $15.00. Councilman Hutto seconded the motion, and it carried.

Councilman Webb moved that the matter of the proposed ordinance entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, REGULATING ANIMALS AND FOWL, AND DOGS WITHIN THE CITY LIMITS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE", be tabled until such time as each Councilman has had sufficient time in which to review same. Councilman Hutto seconded the motion, and it carried.

Council then reviewed the Schedule of Receipts and Disbursements for the month of December, 1974, and the Accounts Payable for January, 1975. Councilman Vinson moved that the City Secretary be authorized to pay the January Accounts Payable. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that the regular session be adjourned, and that, after a ten minute recess, Council re-convene in Executive Session for the purpose of discussing the Budget and related matters. Councilman Hutto seconded the motion, and it carried. The meeting was then adjourned at 9:20 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF EXECUTIVE SESSION OF CITY COUNCIL HELD AT CITY HALL IMMEDIATELY FOLLOWING REGULAR MEETING JANUARY 9, 1975

Mayor Vanzura called the meeting to order at 9:30 P.M.

Council then reviewed the Revenues and Expenditures incurred within the past three months. Several recommendations were made as to how expenditures might be reduced. However, no motions were made.

A salary increase of twenty-five cents per hour for Mr. Don Coxsey was recommedned by Councilman Vinson, but no motion was made.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Hutto seconded the motion, and the meeting was adjourned at 10:50 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL CALLED MEETING OF CITY COUNCIL HELD AT CITY HALL FEBRUARY 4, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:45 P.M., and announced that the meeting is open to the public.

Council then briefly reviewed the Budget Report for the Quarter ending December 31, 1974.

Mayor Vanzura stated that the City of Sanger, Texas compared with the City of Lake Dallas in size, and they owned and operated their own Water Utility. Council then reviewed for comparison purposes, that City's Statement of Revenue & Expense for the year ending August 31, 1974 regarding their Utility Fund.

Mayor Vanzura informed Council that two separate legal opinions had been ascertained relative to the proposed abolishment of the Lake Dallas Municipal Utility Authority, and according to both opinions, it is possible to abolish such authority, and the City subsequently assume by ordinance the assets and liabilities of same. He stated that both opinions agreed that the Utility Authority was created by Chapter 312 of the Acts of the 58th Legislature in 1963, and is codified as Article 8280-293 of V.A.R.C.S. He then read two pertinent amendments to that Act, namely Section 17(a), and Chapter 217, Section 2(a) of Article 1182 c-1.

After much discussion relative to the matter, Councilman Vinson moved that the City Secretary arrange a meeting for Council with Mr. J. B. Briggs, Manager of the Water Authority, together with representatives from the Bonding Companies involved, and Rady & Associates, Consulting Engineers. Councilman Grammer seconded the motion, and it carried.

Councilman Grammer moved that the Mayor and Mr. Larry Kingston draft another agreement outlining specific terms under which the City of Denton will be granted permission to cut streets within the City of Lake Dallas for the purpose of laying their Raw Water Line, and that such agreement be submitted for Council approval before same is forwarded to Denton. Councilman Webb seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson moved for adjournment. Councilman Hutto seconded the motion, and it carried. The meeting was adjourned at 8:40 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL FEBRUARY 13, 1975

Mayor Vanzura called the meeting to order at 7:30 P.M. All members of the Council were present, for the exception of Councilman Grammer.

Councilman Hutto moved that the minutes of the previous meetings be accepted as presented to Council. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson moved that the matter concerning the City employees participating in the Texas Municipal Retirement System be tabled until such time as Mr. Jimmie L. Mormon, Assistant Director of that program, can be present. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson reported to Council that the Street Department had purchased a 1965 ½Ton Ford Pickup from Army Surplus for $127.00.

Councilman Harper reported to Council that he had been down to see Mr. W. L. Hunter at his request, relative to Stadium Drive not being positioned properly, according to recent survey, at his residence. He stated Mr. Hunter wants to fence his property, and the survey indicates his property runs to the middle of the street.

Councilman Vinson moved that the City accept for installation the Five Line Telephone Communication System #1 as proposed by Mr. Jerald D. Jones, Manager of the Lake Dallas Telephone Company. Councilman Hutto seconded the motion, and it carried with Councilman Webb abstaining from the vote. A copy of the Telephone Communications Proposal is attached hereto, and made a part of these minutes.

Mr. Chuck Brannon, Manager of Food Fare Super Market, petitioned Council for permission to install a new Vertical Retort Incinerator on the premises of said store. He stated that such incinerator cost approx-mately $6,400.00, and is engineered to meet the Environmental Protection Agency, Federal, State and local codes as relate to air pollution and safty. After much discussion, Council agreed to refer the matter to Mr. Larry Kingston, Manager of the Building Department, for review.

Councilman Vinson stated that Mr. Don Coxsey (employed by the Street Department) is currently paid $2.10 per hour by the Manpower Program, and moved that he be granted a salary increase of 25¢ per hour, making a total of 75¢ per hour paid by the City. Councilman Hutto seconded the motion, and it carried.

Councilman Harper moved to table the matter of the City purchasing two blinking signal lights. Councilman Vinson seconded the motion, and it carried.

Chief Bill Haddox read the Police Department's Activity Report for the month of January, 1975. He further informed Council, due to the high incidence of burglary, theft and vandalism during the past few months, effective February 24, the Police Department will initiate a building inspection program. The program is designed to assist the business community in protecting buildings and merchandise from vandalism and burglaries by calling attention to how easily accessible some of the buildings are. He added that such inspections will conducted by appoint-

ment only and at the express request of the business owner and/or manager.

Chief Roy Lester read the Fire Department's Financial and Activity Reports for the month of January, 1975.

Councilman Vinson moved that a proposed resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, CALLING AN ELECTION FOR THE ELECTION OF OFFICERS FOR SAID CITY" be adopted. Councilman Hutto seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Webb moved that Mr. Shirley Peters be retained as legal counsel for the City. Councilman Vinson seconded the motion, and it prevailed by the following vote:

AYES: Messrs. John Webb, Johnny Vinson and Roy V. Harper
NOES: James W. Hutto

Councilman Webb moved that Mr. Curtis M. Loveless be appointed to the office of Municipal Court Judge. Councilman Vinson seconded the motion, and it prevailed by the following vote:

AYES: Messrs. John W. Webb, Johnny J. Vinson and Roy V. Harper
NOES: Mr. James W. Hutto

Councilman Vinson moved that the firm of Corlett, Gray & Probst be appointed Consulting Engineers for the City. Council Hutto seconded the motion. The vote was as follows:

AYES: Messrs. Johnny J. Vinson and James W. Hutto
NOES: Messrs. John W. Webb and Roy V. Harper

Mayor Vanzura then voted AYE to break the tie vote, and it carried.

Councilman Vinson moved that Glenda Johnson be appointed to the Planning and Zoning Commission to fill the vacancy created by Mr. Randy Youngblood's recent resignation. Councilman Hutto seconded the motion, and it carried.

Councilman Webb moved that Ordinance No. 22 be amended to call for a salary of $75.00 per month be paid to the Mayor. Councilman Vinson seconded the motion, and it carried.

Councilman Hutto moved that a resolution be adopted indicating the City's interest in observing the second week in May as Municipal Clerk's Week, and that a copy of such resolution be directed to Senators John Tower and Lloyd Bentsen, and to Congressman Ray Roberts. Councilman Vinson seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson moved that a resolution be adopted indicating the City's desire to participate and make application for Federal Assistance from the U. S. Department of Housing and Urban Development for the purpose of recreational development. Councilman Webb seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Mr. Ronnie Miller petitioned Council for a culvert on Main Street at the location of his garage. Council agreed that the Street Department would investigate the problem, and advise him accordingly.

Councilman Vinson moved that a resolution be adopted authorizing the Mayor to execute a Quit Claim Deed to the right of way of the abandoned West end of Sycamore Street to Mr. Roy V. Harper, the abutting property owner. Councilman Webb seconded the motion, and it carried. A copy of such resolution is attached hereto and made a part of these minutes.

Council then reviewed the Schedule of Receipts and Disbursements for the month of January, 1975, and the Accounts Payable for February, 1975. Councilman Vinson moved that the City Secretary be authorized to pay the Accounts Payable. Councilman Hutto seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried. Mayor Vanzura dismissed the meeting at 9:00 P.M.

M. Jean Chambers
City Secretary

MRS. LOUIS R. GIBBS, PRES.

LAKE DALLAS TELEPHONE COMPANY, INC.

P. O. BOX 547 TEL. AC 817 497-2512

LAKE DALLAS, TEXAS 75065

December 30, 1974

Mrs. Jean Chambers, Secretary
City of Lake Dallas
Lake Dallas, Texas 75065

This is to give you two proposals for your review for what we feel like would be efficient, low cost telephone service for the City Offices, Police Department and including the Fire Department as required.

System I: Install 1A Key unit to provide the following:

1. City Hall - Install 5 line telephones as required to include:

   A. New No. on line 1 pre-assigned in a rotary group (497-22XX) to be advertised and to eventually become only published number for the city offices.

   B. Old No. (4339) to be retained on line 2 until such time the new number has gained recognition and old number retired and 2nd number of rotary added.

   C. Police No. (2422) on line 3 if necessary to answer police telephone in city offices.

   D. Line 4 can be left vacant or we can add the private number of the fire department (3263) as an access line to call out, under busy conditions.

   E. Line 5 will be a dial-selective station intercom line. You will depress line 5 button and dial the station digit desired and talk between stations. (Station digits will be 2-0)

   F. All telephones will have:
   (1) Hold feature
   (2) Busy wink on hold each line
   (3) Lighted in use lamp each line
   (4) Lamp wink on incoming calls each line
   (5) Buzzers for intercom stations
   (6) Ringers in telephone receiving incoming calls.

2. The monthly reoccuring billing would be:

A. City of Lake Dallas

Line 1 (497-22XX)	11.00
Line 2 (497-4339)	11.00
Dial intercom & Power Supply *	15.00
5 line tele. 3.50 @ 3 telephones	10.50
	$47.50

B. Police Department

Line 3 (497-2422)	11.00
5 line telephone 3.50 @ 2 telephones	7.00
	$18.00

C. Fire Department

497-3263 Line 4	$11.00

*This feature could be divided with the Police Department.

3. New cable runs will need to be installed & can be done without bothering present service.

4. Installation charge on complete system will be $75.00.

System II: Install SK1 Unit to provide the following:

1. City Hall - Install 6 button telephone as required to include:

A. Same as System I with an option as follows:
(1) Use existing numbers and make them appear on telephones as Line 1 497-4399, Line 2 497-2422 and Line 3 497-3263
This unit is limited to three lines only.

B. A talking line is provided on button number 5 by depressing this button and using manual signals as outlined in item C below.

C. A manual signal feature is provided by pressing button #3 to operate buzzers in each station. Press once for station, press twice for station 2, etc.

D. This unit will have all of the lamp & hold features as listed under item F. system I.

2. The monthly reoccuring charges are the same as system I with the exception of the charge for the dial intercom and power supply. Since a dial intercom is not provided the charge for the power supply ~~xx~~ will be $5.00

The installation charge will be $75.00.

Very truly yours,

Jerald D. Jones
Manager

ELECTION NOTICE

THE STATE OF TEXAS)(

COUNTY OF DENTON)(

TO THE QUALIFIED ELECTORS OF THE CITY OF LAKE DALLAS, TEXAS:

TAKE NOTICE that an election will be held in the City of Lake Dallas, Texas, on the 5th day of April, 1975, at the City Hall in said City, for the purpose of electing three (3) Aldermen, in accordance with the General Laws of the State of Texas, and pursuant to an election resolution adopted by the City Council of the City of Lake Dallas, Texas, as follows:

> A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, CALLING AN ELECTION FOR THE ELECTION OF OFFICERS FOR SAID CITY.

WHEREAS, the terms of office of three Aldermen are about to expire;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

That an election be held on the 5th day of April, 1975, said date being the first Saturday in April, 1975, for the purpose of:

> Electing three (3) Aldermen for the City of Lake Dallas, Texas, to serve until the next regular election, as provided by the Revised Civil Statutes of Texas.

Said election shall be held at the City Hall in said City of Lake Dallas, Texas, and Shirley Johnson is hereby appointed Presiding Judge of said election, and the said Shirley Johnson shall select one Judge and two Clerks to assist in holding said election.

The manner of holding said election shall be governed by the General

Laws of the State of Texas regulating general elections, except as otherwise provided by the statutes hereinabove referred to, and only qualified voters who have resided in said City for six (6) months preceding the date of the election shall be allowed to vote in said election.

A copy of this resolution, signed by the Mayor of said City and attested by the City Secretary, shall serve as a proper notice of said election.

The Mayor is authorized and directed to cause this notice of the election to be posted at each of three (3) public places within said City for at least thirty (30) full days prior to the date of said election.

PASSED AND APPROVED, this the 13th day of February, 1975.

Ronald D. Campbell
Mayor, City of Lake Dallas, Texas

ATTEST:

Jean Chambers
City Secretary

RESOLUTION

WHEREAS, in order to best serve the citizenery, Municipal Government must be operated with efficiency and in an orderly fashion, and

WHEREAS, the efficiency and order with which Government carries out its public functions could not exist without records and procedures, and

WHEREAS, the keepers of the records are those who work with these procedures each day, the Municipal Clerks of our cities, towns and villages, and

WHEREAS, they strive constantly to improve the administration of affairs of the office consistant with applicable laws and through sound management practices to produce continued progress and so fulfill their responsibilities to the community,

NOW, THEREFORE, we, as Mayor and City Council of the City of Lake Dallas, Texas, do hereby appeal to Senator John Tower and to Senator Lloyd Bentsen and to Congressman Ray Roberts to assist us in expressing our appreciation to all Municipal Clerks in this Congressional District by working with Senator Russell Long in the United States Senate, and Congressman M. Caldwell Butler and G. Whitehurst in the House of Representatives to have the President of the United States sign a Resolution observing the Second Week in May as Municipal Clerk's Week in the presence of Mr. Kenneth Lybolt, President of the International Institute of Municipal Clerks and Mr. James R. Bienvenu, International Chairman of the Municipal Clerk's Week Committee.

PASSED AND APPROVED this the 13th day of February 1975.

APPROVED:

By Robert D. Clay
MAYOR

ATTEST:

By Jean Lambert
City Secretary

RESOLUTION

OF

CITY OF LAKE DALLAS, TEXAS

BE IT RESOLVED at the regular meeting of the City Council of the City of Lake Dallas, Texas on the 13th day of February, 1975 that said City does want to participate and make application for Federal Assistance from the U. S. Department of Housing and Urban Development for the purpose of recreational develpment in the City of Lake Dallas, Texas.

Adopted this the 13th day of February, 1975 in open session of the City Council.

Ronald D. Vanzura, Mayor

ATTESTATION:

Jean Chambers, City Secretary

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LAKE DALLAS, TEXAS TO EXECUTE A QUIT CLAIM DEED, QUITCLAIMING THE RIGHT OF WAY TO AN ABANDONED STREET.

WHEREAS, Sycamore Street, lying West of the intersection of Sycamore and Alamo Streets has been abandoned; and

WHEREAS, the abutting property owners have requested the City of Lake Dallas, Texas to quit claim the right of way to such abutting property owners;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

That the Mayor be and he is hereby authorized and directed to execute a Quit Claim Deed to the right of way of Sycamore Street lying West of the intersection of Sycamore and Alamo Streets, heretofore abandoned, to the abutting property owners.

PASSED AND APPROVED, this the 18TH day of February, 1975.

Ronald D. Jayne
Mayor, City of Lake Dallas, Texas

ATTEST:

Jean Chambers
City Secretary

QUIT CLAIM DEED

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DENTON §

THAT THE CITY OF LAKE DALLAS, TEXAS, acting by and through its Mayor, duly authorized by resolution adopted by the City Council of the City of Lake Dallas, Texas, party of the first part, for and in consideration of the sum of Ten ($10.00) DOLLARS, to it in hand paid by ROY HARPER, party of the second part, the receipt of which is hereby acknowledged, does by these presents bargain, sell, remise, release and forever quitclaim, without warranty, express or implied, unto the party of the second part, his heirs, representatives and assigns, all that right, title and interest which the party of the first part has or may have had in or to the following described property situated, lying and being in the County of Denton, State of Texas and the City of Lake Dallas, and being more particularly described as follows, to-wit:

BEGINNING at a point the Northeast corner of a tract of land described in warranty deed dated November 5, 1972, wherein James Clay Elkins and wife, Yolanda Elkins, were vendors and Roy Harper was vendee, such deed being recorded in Vol. 665, page 246, Deed Records, Denton County, Texas, this point also being the Northwest corner of said Sycamore Street at its western deadend;

THENCE South 60 feet along the East line of the Elkins-Harper tract above described, to its Southeast corner, this also being the intersection of the South line of Sycamore Street with said Elkins-Harper tract;

THENCE East and along the South line of Sycamore Street to its intersection with the West line of Alamo Street;

THENCE North along the West line of Alamo Street to its intersection of said West line of Alamo Street with the South line of Lot 3, Block 4 of said town of Lake Dallas;

THENCE West along the South line of said Lot 3, Block 4, to the place of Beginning.

TO HAVE AND TO HOLD the foregoing described premises, together with all and singular the rights, privileges and appurtenances thereto in anywise belonging unto the party of the second part, his heirs, representatives and assigns forever.

IN WITNESS WHEREOF, the City of Lake Dallas, Texas has caused these presents to be executed in its name by RONALD D. VANZURA, Mayor of the

City of Lake Dallas, Texas, this 13TH day of February, 1975.

CITY OF LAKE DALLAS, TEXAS

ATTEST:

BY Ronald D. Vanzura
Mayor

City Secretary

THE STATE OF TEXAS X

COUNTY OF DENTON X

BEFORE ME, the undersigned authority, in and for Denton County, Texas, on this day personally appeared RONALD D. VANZURA, Mayor of the CITY OF LAKE DALLAS, TEXAS, known to me to be the person and officer whose name is subscribed to theforegoing instrument and acknowledged to me that the same was the act of the said City of Lake Dallas, Texas, and that he executed the same as the act of such City of Lake Dallas, Texas, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13TH day of February, 1975.

Notary Public in and for Denton County, Texas

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL MARCH 13, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Councilman Webb moved that the minutes of the previous meetings be accepted as presented to Council. Councilman Vinson seconded the motion, and it carried.

Mr. Jimmie L. Mormon, Assistant Director of the Texas Municipal Retirement System, addressed Council relative to the City participating in that program. After a detailed explanation and much discussion, Council agreed that the City should participate in the program and, after every employee was informed of the amount of their payroll deduction, a resolution should be presented to Council for adoption.

Mr. Harry L. Gray and Mr. A. E. Probst, Jr., with Corlett-Gray & Probst, Consulting Engineers, addressed Council relative to the procedures and implementation of same with respect to the development of land for building projects. Councilman Webb moved that 4% of the total Street, Curb, Gutter and Paving Contract be passed on to the Developer, in the form of a review fee at the time the Site Plan is approved, in order to allow for payment of the Engineering and inspection fees. Councilman Grammer seconded the motion, and it carried. Council further agreed that a soil compaction test should be obtained as a matter of regular inspections of the street, and asked Mr. Gray and Mr. Probst to provide them with certain recommendations regarding needed amendments to the existing Subdivision Ordinance.

On the Citizen's Agenda, Mrs. Lucy Wilkins, representing the L.D. Beautification Committee, petitioned Council for the enforcement of the ordinances pertaining to (a) the removal of old appliances from yards and porches, (b) junked vehicles (c) dogs running at large in the City.

Councilman Vinson reported on the present activities of the Street Department, and moved that Lakeland Street be surveyed and then widened to 30 feet. Councilman Hutto seconded the motion, and it carried.

Council then reviewed the monthly Activity Reports as submitted by the Police and Fire Departments.

Chief Bill Haddox petitioned Council for a planned maintenance service program for Police Vehicles. Councilman Vinson moved that Mr. Don Coxsey implement such a program by setting aside Friday afternoon of each week for maintenance work on the vehicles. Councilman Harper seconded the motion, and it carried.

Councilman Vinson moved that Mr. Johnny Walker be granted a 50¢ per hour salary increase, making a total salary of $2.60 per hour, $2.10 of which is paid by the Man Power Program. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that the matter of adopting Regulation I of the Texas Air Control Board Standards be tabled for further study.

Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that the Street Department be authorized to purchase four new tires (two snow and mud) for the City Pickup for a total price of $80.00. Councilman Webb seconded the motion, and it carried.

Councilman Vinson moved that Mr. Mike McCoy be appointed to the Planning and Zoning Commission to fill the vacancy created by Mrs. Merelene Miller's recent resignation. Councilman Webb seconded the motion, and it carried.

Council agreed that the matter of considering a proposed ordinance which would regulate hours of operation of Recreation Centers should be tabled for further study, but no motion was made.

Councilman Grammer moved that the City Secretary be authorized to purchase Volume Nos. 20 and 20A of Vernon's Texas Civil Statutes pertaining to tax law, and that she attend a workshop on "Property Tax Laws of Texas" to be held April 9 and 10 in Bedford, Texas. Councilman Vinson seconded the motion, and it carried.

Council then reviewed the Schedule of Receipts and Disbursements for the month of February, 1975, and the March Accounts Payable. Councilman Vinson moved that City Secretary be authorized to pay the Accounts Payable. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that the Agreement for Construction of Raw Water Line with the City of Denton be adopted and approved as presented on March 7, 1975. Councilman Hutto seconded the motion, and it carried.

Councilman Vinson moved that Council go into Executive Session for the purpose of discussing personnel and related matters.

Council then entered into Executive Session at 9:10 P.M. Personnel, budget and related matters were discussed, but no motions were made.

Mayor Vanzura recessed the Executive Session at 9:35 P.M., and announced "Council is now in Open Session".

Councilman Vinson moved that Chief of Police Bill Haddox be granted a $50.00 per month salary increase, making a total of $850.00 per month. Councilman Hutto seconded the motion, and it carried.

Councilman Grammer moved that the City attempt to obtain at least three sealed bids on all insurance policies with premiums exceeding $1,000.00. Councilman Vinson seconded the motion, and it carried. Councilman Hutto abstained from the vote. It was further agreed that the City could accept any bid, or refuse to accept any and all bids.

Councilman Vinson moved that the City Secretary be authorized to negotiate a loan of $5,000.00 with the Lake Cities State Bank which will allow for the purchase of the George Ferrell property on Betchan Street. Councilman Grammer seconded the motion, and it carried.

There being no further business for discussion, Mayor Vanzura adjourned the meeting at 10:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL MARCH 25, 1975

Mayor Vanzura called the meeting to order at 1:15 P.M. Councilmen Johnny Vinson, Bill Grammer and Roy Harper were present. Councilmen John Webb and James Hutto were absent.

Mr. Larry Kingston addressed Council relative to the present status of the Final Site Plan of the Lake Highlands Development, Inc. After much discussion, Councilman Grammer moved that the City accept the Utility Plan as drawn in the Site Plan with no changes in location of water and sewer mains. Councilman Vinson seconded the motion, and it carried.

Sealed bids received from the Box Insurance Agency and Lake Dallas Insurance Agency for the City's Comprehensive General Liability Insurance coverage were opened by the City Secretary. After a comparison of such bids was made, Councilman Grammer moved that the bid submitted by the Lake Dallas Insurance Agency, in the total premium amount of $1,929.00, be accepted. Councilman Vinson seconded the motion, and it carried.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjourned. Councilman Vinson seconded the motion, and it carried. Mayor Vanzura adjourned the meeting at 2:00 P.M.

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL APRIL 10, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Mayor Vanzura and City Secretary began the Official Canvass of the results of the City Officer's Election held on April 5, 1975 to elect three councilmembers to a new two year term. It was determined that a total of 1,155 votes were cast for 12 candidates by 408 registered voters. Each candidate received the following number of votes:

Mary Mayfield	66
Paul Young	102
George Hawkins	20
Johnny J. Vinson	212
William T. Coulter	88
James W. Hutto	227
Bill Camp	37
Aldena "Deanie" Stowe	66
J. C. "Jim" Payne	103
W. L. "Slats" Beene	157
Gary Johnson	75
James Culpin (Write In)	2

Councilman Vinson moved that the Election Returns be accepted as presented by presiding Election Judge, Mrs. Shirley Johnson. Councilman Grammer seconded the motion, and it carried. The newly elected councilmembers being James W. Hutto, Johnny J. Vinson and W. L. "Slats" Beene. Mayor Vanzura then administered the Oath of Office to the new councilmen.

Mayor Vanzura presented Certificates of Appreciation for honorable service and dedication rendered to the City of Lake Dallas to former councilmembers Jim Payne, Larry Kingston and John W. Webb; present councilmember Johnny J. Vinson; and present City Secretary M. Jean Chambers.

Councilman Vinson moved that Mayor Vanzura's below stated recommendation for individual Council/Departmental liaison be adopted.

Councilmen Vinson and Harper	- Street Department
Councilman Hutto	- Police Department
Councilman Grammer	- Fire Department
Councilman Beene	- Community Development
Mayor Vanzura	- City Administration

Councilman Hutto seconded the motion, and it carried.

Councilman Hutto moved that the minutes of the meetings held on March 13 and March 25, 1975 be accepted as presented to Council. Councilman Grammer seconded the motion, and it carried.

Council reviewed the Activity and/or Financial Reports for the month of March, 1975 as submitted by the Police and Fire Departments. Councilman Vinson moved that such reports be accepted as submitted. Councilman Hutto seconded the motion, and it carried.

Councilman Beene moved that Chief Roy Lester, of the Fire Department, be granted a leave of absence for the week of July 21, 1975 to enable him to attend a course for Professional Fireman to be held on the A & M University Campus in College Station. Councilman Vinson seconded the motion, and it carried.

Councilman Vinson moved that City Secretary be authorized to attend a Seminar entitled "Public Management in Municipalities" sponsored by the Institute for Executive Development to be held at North Texas State University April 24 and 25, 1975. Councilman Grammer seconded the motion, and it carried.

Councilman Vinson moved that the City remit 30¢ per acre (approximately $384.00) to the Denton County IFA Control Committee for the aerial application of Mirex for control of the imported Fire Ant, and that permission be granted to that Committee which will allow the planes to fly below FAA minimum standards for the purpose of applying the Mirex. Councilman Beene seconded the motion, and it carried.

Councilman Beene moved that Councilman Vinson be appointed to represent the City at the meeting to be held in Little Elm on April 15, 1975 regarding proposed legislation to regulate interstate gas prices. Councilman Grammer seconded the motion, and it carried.

Councilman Beene moved that the matter of adopting a new Schedule of Permit Fees for new construction be tabled for further study. Councilman Grammer seconded the motion, and it carried.

Councilman Grammer moved that the price of Hot Mix, as compared to Cold Mix, be determined and reported to Council before purchase of materials is made for the major street improvements scheduled for this summer. Councilman Hutto seconded the motion, and it carried.

Councilman Grammer moved that the shoulder of Hundley Drive be extended to allow for a pedestrian walkway. Councilman Hutto seconded the motion, and it carried.

Councilman Beene moved that the purchase price of a 1975 Ford, Custom 500 equipped with 351 engine, be determined and reported to Council, together with the balance owed on each of the two present squad cars. Councilman Grammer seconded the motion, and it carried.

Council then reviewed the Schedule of Receipts and Disbursements for the month of March, 1975, and the April Accounts Payable. Councilman Vinson moved that City Secretary be authorized to pay the Accounts Payable as presented. Councilman Grammer seconded the motion, and it carried.

Councilman Hutto moved that the matter of appointing a Mayor Pro Tem be tabled for further consideration. Councilman Beene seconded the motion, and it carried.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Grammer seconded the motion, and it carried. Mayor Vanzura adjourned the meeting at 9:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 10th day of April, 19 75, the City Council/~~Commission~~ of the City of Lake Dallas, Texas, convened in regular session open to the public at the regular meeting place thereof with the following members present, to-wit:

Ronald D. Vanzura, Mayor,

Johnny J. Vinson, Alderman/~~Commissioner~~[1]

Bill Grammer, Alderman/~~Commissioner~~[1]

Roy V. Harper, Alderman[2]

James W. Hutto, Alderman[2]

W. L. Beene, Alderman[2]

M. Jean Chambers, City Secretary/~~Clerk~~[1]

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

Alderman/~~Commissioner~~[1] Johnny J. Vinson introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1] Bill Grammer, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Johnny J. Vinson, Bill Grammer, Roy V. Harper, James W. Hutto and W. L. Beene, NOES: None

The resolution is as follows:

There came on to be considered the returns of an election held on the 5th day of April, 19 75, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 1,155 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR ALDERMAN/~~COMMISSIONER~~[3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Mary Mayfield	66
Paul Young	102
George Hawkins	20
Johnny J. Vinson	212
William T. Coulter	88
James W. Hutto	227
Bill Camp	37
Aldena "Deanie" Stowe	66
J. C. "Jim" Payne	103
W. L. "Slats" Beene	157
Gary Johnson	75
James Culpin (Write In)	2

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF LAKE DALLAS, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that _____ was duly elected Mayor of said City at said election[2] and James W. Hutto, Johnny J. Vinson and W. L. Beene were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, and that _____ was duly elected _____,[2] and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 10th day of April 19 75.

ATTEST:

Jan Chambless
Secretary/~~Clerk~~

Ronald D. Thomas
Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL MAY 8, 1975

All members of the Council being present, for the exception of Councilman Bill Grammer, Mayor Vanzura called the meeting to order at 7:35 P.M.

Councilman Beene moved that the minutes of the previous meeting be accepted as presented to Council. Councilman Vinson seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mr. David Ward called for immediate enforcement of of the Dog Lease Ordinance. Mrs. Carolyn Green, together with several other persons reinforced Mr. Ward's plea for Council action. After much discussion, Councilman Vinson moved that the Police Department be authorized to purchase a tranquilizer gun for the purchase of subduing stray animals without harming them, together with the animal net and cages. Councilman Beene seconded the motion, and it carried unanimously.

Mrs. Carolyn Green also petitioned Council to take action that will alleviate the drainage problem in the Garza Estates Mobile Home Park. Council agreed that the City Engineer should be consulted for his opinion as to a proper solution to the problem, and then Councilman Vinson and Mr. Elmer Crawford would meet with Mrs. Green for the purpose of discussing appropriate action.

Councilman Vinson informed Council that Mr. and Mrs. Frank Sarvas has requested by letter that the City take appropriate action to open the abandoned street that once ran between the old Garrison Property and the Lake Dallas Automotive Property which will allow access to the east side of their property. It was determined by Council that said street was never dedicated to the City, never platted nor maintained by the City, and, in fact, has not been in use for at least thirty years.

Councilman Vinson asked why construction of buildings had started in the townhouse development before the streets, crub and gutters were completed. He stated this in violation of the Subdivision Ordinance and agreements made by the Developer and General Contractor with the Planning and Zoning Commission. Building Inspector, Mr. Larry Kingston, answered that he had granted permission to go ahead with the foundation construction because street construction could not begin until such time as the water and sewer were completed, and the delay was costing the General Contractor valuable time and money. Also, Mr. Kingston stated it was his opinion it was better that the heavy cement and sand trucks not travel over the newly constructed streets and curbs.

Councilman Vinson reported on the present activities of the Street Department, and requested that Council consider adopting a new policy with respect to street repairs necessitated because of cuts made by utility companies and not properly repaired by such companies. After much discussion, Council agreed that the present ordinance pertaining to the cutting of City streets should be enforced without exception.

Councilman Hutto moved that a new Schedule of Permit Fees be adopted with respect to commercial construction only. Councilman Vinson seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James Hutto and Johnny Vinson
NOES: Messrs. W. L. Beene and Roy Harper

Mayor Vanzura then voted AYE to break the tie vote, and the motion carried. A copy of the adopted Permit Fee Schedule is attached hereto and made a part of these minutes.

Councilman Beene moved that $5,000 of the $19,240.00 in General Revenue Sharing Funds received for Entitlement Period 6, July 1, 1975 through June 30, 1976, be allocated to the Police Department for Capital Outlay of Vehicles. The remainder of $14,240.00 to be allocated to the Street Department for Capital Improvements of Streets. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that the Activity Reports for the month of April, 1975 be accepted as presented by the Police and Fire Departments. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that a Resolution be adopted proclaiming May 11-17 as National Police Week. Councilman Hutto seconded the motion and it carried unanimously. A copy of such Resolution is attached hereto and made a part of these minutes.

Council Hutto moved that the Resolution previously submitted to Council requesting Bicentennial Funds for the Lake Cities Community Center be adopted. Councilman Vinson seconded the motion, and it carried unanimously.

Councilman Beene moved that Mr. Jim Culpin be appointed to the Planning and Zoning Commission to fill the vacancy created by Mr. Paul Young's recent resignation. Councilman Vinson seconded the motion, and it carried unanimously.

Councilman Beene moved that the matter of appointing a Mayor Pro Tem be tabled until next meeting when all members of the Council are present. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Beene moved that Mayor Vanzura be appointed the City's voting representative on the General Assembly of North Central Texas Council of Governments. Councilman Hutto seconded the motion, and it carried unanimously.

Councilmen Johnny Vinson and James Hutto agreed they would make the trip to Fairfield, Texas for the purpose of touring Texas Power and Light Company's lignite plant.

Council agreed they would be unable to attend TML's Institute for Mayors and Councilmembers to be held in Amarillo May 17 through May 20.

Councilman Beene moved that at least two members of Council attend the Policy Leaders Seminar for City Councilmembers to be held June 6 and 7 at the Statler Hilton Hotel in Dallas and sponsored by the National League of Cities in cooperation with TML. Councilman Hutto seconded the motion, and it carried unanimously.

Council then reviewed the Schedule of Receipts and Disbursements for the month of April, 1975, and the May Accounts Payable. Councilman Vinson moved that City Secretary be authorized to pay the Accounts Payable as discussed. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that the Street Department be authorized to increase their order for White Rock to 16 loads to allow for the scheduled street improvements this summer. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Beene moved that the Resolution entitled "A RESOLUTION REQUESTING ACTION TO PROVIDE COMMUNITY DEVELOPEMENT FUNDS FOR SMSA DISCRETIONARY BALANCE APPLICANTS" be adopted. Councilman Vinson seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Vinson moved that Council go into Executive Session for the purpose of discussing personnel, budget and related matters. Councilman Hutto seconded the motion, and it carried unanimously.

Council then entered into Executive Session at 9:30 P.M. Personnel and budget were discussed, but no motions were made.

Mayor Vanzura adjourned the Executive Session at 10:15 P.M., and announced "Council is now in Open Session".

Councilman Vinson moved that Mr. Elmer Crawford, Supervisor of the Street Department, be granted a salary increase of $50.00 per month effective May 1, 1975, making his total monthly salary $650.00. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that Mrs. Grace Coxsey, City Clerk, be placed on a monthly salary of $440.00 per month effective June 1, 1975. Councilman Vinson seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved that the meeting be adjourned. Councilman Vinson seconded the motion, and it carried unanimously. Mayor Vanzura adjourned the meeting at 10:45 P.M.

M. Jean Chambers

M. Jean Chambers
City Secretary

NEW CONSTRUCTION

OCCUPANCY CLASSIFICATION	BUILDING AREA SQUARE FEET	BUILDING FEE	ELECTRICAL, MECHANICAL OR PLUMBING FEE
unchanged SINGLE FAMILY, DUPLEX, TOWNHOUSE (GROUP I) NOT APPLICABLE	1,000 or less	$ 40	$ 15
	1,001 to 1,250	55	20
	1,251 to 1,500	75	25
	1,501 to 1,750	90	30
	1,751 to 2,000	100	40
	2,001 to 2,250	125	50
	2,251 to 2,500	150	55
	2,501 to 3,000	175	60
	3,001 to 3,500	200	70
	3,501 to 4,000	225	85
	4,001 to 4,500	250	95
	4,501 or more	275	100
APARTMENTS (GROUP H)	2,000 to 20,000	$ .04/sq ft	$ .025/sq ft
	20,001 to 50,000	200+ .03/sq ft	200+.015/sq ft
	50,001 to 100,000	700+ .02/sq ft	350+.012/sq ft
	100,001 to 200,000	1200+.015/sq ft	550+.010/sq ft
	200,001 or more	2200+ .01/sq ft	1150+.007/sq ft
GROUPS: A,B,C,D,E,F (Div. 2), H (except apartments)	0 to 50	$ 10	$ 10
	51 to 100	15	10
	101 to 250	20	10
	251 to 400	25	15
	401 to 500	25	15
	501 to 100,000	.05/sq ft	5 +.02/sq ft
	100,001 to 500,000	1,000+.04/sq ft	500 +.015/sq ft
	500,001 or more	6,000+.03/sq ft	500 +.015/sq ft
GROUPS: F (Div. 1&3), G, J, all shell buildings	0 to 50	$ 10	$ 10
	51 to 100	15	10
	101 to 250	20	10
	251 to 500	25	15
	501 to 5,000	.05/sq ft	10+.01/sq ft
	5,001 to 100,000	50+.04/sq ft	10+.01/sq ft
	100,001 to 500,000	1,050+.03/sq ft	510+.005/sq ft
	500,001 or more	6,050+.02/sq ft	510+.005/sq ft

ADDITIONS, ALTERATIONS AND REPAIRS

	VALUE OF PROPOSED WORK	BUILDING FEE	ELECTRICAL, MECHANICAL OR PLUMBING FEE
ALL GROUPS	$ 0 to 500	$ 10	$ 10
	501 to 1,000	15	3% of Value
	1,001 to 1,500	20	3% of Value
	1,501 to 2,000	20	15+2% of Value
	2,001 to 2,500	20	15+2% of Value
	2,501 to 3,000	25	15+2% of Value
	3,001 to 5,000	25	45+1% of Value
	5,001 to 10,000	½ of 1% of Value	45+1% of Value
	10,000 or more	½ of 1% of Value	95+½ of 1% of Value

OCCUPANCY CLASSIFICATION

GROUP	DESCRIPTION OF OCCUPANCY
A	Any assembly building with a stage and an occupant load of 1000 or more in the building
B	1—Any assembly building with a stage and an occupant load of less than 1000 in the building
	2—Any assembly building without a stage and having an occupant load of 300 or more in the building including such buildings used for educational purposes not classed as a Group C or Group F, Division 2 Occupancy
	3—Any assembly building without a stage and having an occupant load of less than 300 in the building, including such buildings used for educational purposes and not classed as a Group C or Group F, Division 2 Occupancy
	4—Stadiums, reviewing stands, and amusement park structures not included within Group A nor Divisions 1, 2 and 3, Group B, Occupancies
C	1—Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day
	2—Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day
	3—Any building used for day care purposes for more than 6 children
D	1—Mental hospitals, mental sanitariums, jails, prisons, reformatories, houses of correction, and buildings where personal liberties of inmates are similarly restrained
	2—Nurseries for full-time care of children under kindergarten age. Hospitals, sanitariums, nursing homes with nonambulatory patients, and similar buildings (each accommodating more than five persons)
	3—Nursing homes for ambulatory patients, homes for children of kindergarten age or over (each accommodating more than five persons)
E	1—Storage and handling of hazardous and highly inflammable or explosive materials other than flammable liquids
	2—Storage and handling of Class I, II and III flammable liquids, as specified in U.B.C. Standard No. 10-1; dry cleaning plants using flammable liquids, paint stores with bulk handling; paint shops and spray painting rooms and shops
	3—Woodworking establishments, planing mills and box factories; shops, factories where loose, combustible fibers or dust are manufactured, processed, or generated; warehouses where highly combustible material is stored
	4—Repair garages
	5—Aircraft repair hangars
F	1—Gasoline and service stations, storage garages where no repair work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids
	2—Wholesale and retail stores, office buildings, drinking and dining establishments having an occupant load of less than 100, printing plants, municipal police and fire stations, factories and workshops using material not highly flammable or combustible, storage and sales rooms for combustible goods, paint stores without bulk handling Buildings or portions of buildings having rooms used for educational purposes, beyond the 12th grade with less than 50 occupants in any room
	3—Aircraft hangars where no repair work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids Open parking garages. (For requirements, see Section 1109.)
G	Ice plants, power plants, pumping plants, cold storage, and creameries, factories and workshops using noncombustible and nonexplosive materials. Storage and sales rooms of noncombustible and nonexplosive materials
H	Hotels and apartment houses Convents, monasteries (each accommodating more than 10 persons)
I	Dwellings and lodging houses
J	1—Private garages, carports, sheds and agricultural buildings used as accessories only when not over 1000 square feet in area
	2—Fences over 6 feet high, tanks and towers

CITY RESOLUTION IN

PROCLAMATION

OF

NATIONAL POLICE WEEK, 1975

WHEREAS, The City of Lake Dallas and the State of Texas recognizes the outstanding contribution of the Police Department to the City of Lake Dallas; and

WHEREAS, Police Departments and Law Enforcement Agencies throughout the United States of American exist to serve and perform valuable public service; and

WHEREAS, the President of the United States has proclaimed the week of May 11-17 as National Police Week, and May 15, 1975 as Police Memorial Day in recognition of outstanding public service; now therefore, be it

RESOLVED that the City of Lake Dallas hereby proclaims that the week of May 11-17, 1975 be National Police Week and that May 15, 1975 be Police Memorial Day in the City of Lake Dallas, Texas

Adopted this 8th day of May, 1975.

Ronald D. Vanzura, Mayor

ATTESTATION:

Jean Chambers, City Secretary

A RESOLUTION REQUESTING ACTION TO PROVIDE COMMUNITY DEVELOPMENT FUNDS FOR SMSA DISCRETIONARY BALANCE APPLICANTS

WHEREAS, the Housing and Community Development Act of 1974 provides funds for use by local governments in a wide range of community development activities that would benefit our citizens; and

WHEREAS, the Act establishes categories of eligible applicants, including hold-harmless, metropolitan city, urban county, SMSA discretionary balance, and metropolitan discretionary balance; and

WHEREAS, a series of miscalculations and misjudgements have occurred which result in a total depletion of SMSA discretionary balance funds; and

WHEREAS, only non-entitlement cities in SMSA's are denied an opportunity to receive funds; and

WHEREAS, the City of Lake Dallas is among more than two hundred in Texas SMSA's which have submitted preapplications for SMSA discretionary balance funds, and these cities collectively contain over two million people; and

WHEREAS, the City of Lake Dallas' request for $100,000.00 will permit the City to meet urgent local community development needs and preserve its status as a viable urban community;

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Lake Dallas hereby calls on the Secretary of the U. S. Department of Housing and Urban Development to utilize every possible means to provide funds to meet the needs of SMSA discretionary balance applicants during FY 1975;

2. That the City Council of the City of Lake Dallas urges Senators Lloyd Bentsen and John Tower, Congressman Ray Roberts and other members of Congress to consider passage of a special emergency Community Development appropriation earmarked for SMSA discretionary areas;

3. That the City Council of the City of Lake Dallas endorses the work of the Texas Municipal League, the North Central Texas Council of Governments and the State of Texas to secure funding for non-entitlement SMSA cities; and

4. That this Resolution should in no case be misinterpreted as recommending any action which would reduce the funding currently available to hold-harmless, metropolitan city, urban county, and non-metropolitan discretionary balance applicants.

5. That this Resolution shall take effect immediately upon its adoption.

Ronald D. Vanzura

Ronald D. Vanzura, Mayor
CITY OF LAKE DALLAS, TEXAS

I hereby certify that this Resolution was adopted by the City Council of the City of Lake Dallas on the 8th day of May, 1975.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL MAY 15, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:45 P.M.

Mr. Pat Waddle, General Manager of Den Tex Ford Tractor, Inc., addressed Council relative to a Ford 515 Sickle Mower for use in mowing bar ditches. Councilman Vinson moved that the City purchase such mower at a sales price of $1,050.00. Councilman Hutto seconded the motion, and it carried unanimously.

Messrs. Harry Gray and Gene Probst, representing Corlett, Gray and Probst, Consulting Engineers, addressed Council relative to certain suggested modifications of the City's Subdivision Ordinance. After much discussion, Councilman Vinson moved that the matter be tabled for further study. Councilman Beene seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vanzura then adjourned the meeting at 9:30 P.M.

M. Jean Chambers

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL JUNE 12, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 7:30 P.M.

Councilman Vinson moved that the minutes of the previous meetings be accepted as presented by City Secretary. Councilman Beene seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following citizens:

Mr. and Mrs. Sam Kovsky petitioned Council to take action to correct the drainage problem created on their property by the construction of the Townhouse Development.

Mr. Clyde Butler petitioned Council for action to require the Developer of the Townhouse project to remove the brush and debris which is situated a few feet from his property, and constitutes a fire hazard.

Council agreed that the City Engineer, Mr. Harry Gray, should investigate the problems and consult with the General Contractor for a solution.

Mayor Vanzura reported to Council on his trip to the City of Coppell. He stated that city operates a one unit ambulance service through their Volunteer Fire Department, and suggested that might be one alternative this city needs to consider with respect to ambulance service.

Mr. Ira Moody, Manager of Texas Power & Light Company in Lake Dallas, petitioned Council for an average rate increase of 11% to be effective October 1, 1975, together with a change in the application of the Fuel Cost Adjustment Clause to indicate a starting point of 70¢ per one million BTU's passed onto the customer in the base rate on a monthly basis, rather than the existing 20¢ per one million BTU's passed onto the customer on a quarterly basis. After much discussion, Councilman Beene moved that the rate increase be granted as requested. Councilman Vinson seconded the motion, and it carried unanimously. A copy of the ordinance adopting such rates and procedures is attached hereto, and made a part of these minutes.

Councilman Vinson moved that Councilman Roy V. Harper be designated Mayor Pro Tem. Councilman Beene seconded the motion, and it carried unanimously.

In consideration of the City Attorney's written legal opinion, Councilman Beene moved that $500.00 be allocated to the Bicentennial Committee for the purpose of furthering the Bicentennial Exposition to be held in the City on July 4, 1975. Councilman Vinson seconded the motion, and it carried unanimously.

After much discussion, Councilman Vinson moved that the speed limit on Shady Shores Road be restored to 30 MPH to comply with the City Ordinance, and that "Slow - Watch For Children" signs be placed on Shady Shores Road at approximately Penbrook Street, Kings Manor Drive and at Humpty Dumpty Playland. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Vinson moved that an ordinance be drafted requiring all dogs to be licensed and tagged within the City Limits of Lake Dallas effective October 1, 1975, and that a fee of $3.00 be charged for such license and tag. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Grammer moved that the meeting be recessed for ten minutes. Councilman Beene seconded the motion, and it carried unanimously. Council then recessed, and reconvened at 9:15 P.M.

Mr. Bill Dalton, with Dalton Funeral Home in Lewisville, Texas, petitioned Council for a direct subsidy of $600.00 per month to enable them to continue to provide ambulance service in Lake Dallas. Councilman Vinson moved that this matter be tabled for further study. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that the Activity and/or Financial Reports for the month of May be accepted as presented by the Police and Fire Departments. Councilman Vinson seconded the motion, and it carried unanimously.

Mayor Vanzura reported to Council that he had recently attended a meeting of the Mayors of Lake Dallas, Hickory Creek, Shady Shores and Corinth for the purpose of discussing unification of the four cities. He explained a Steering Committee would be appointed to study the one city concept, with each of the four cities making two appointments on said committee. Councilman Grammer then moved that Mr. Kermit Fonteno and Mr. LeRoy Shramm be appointed to such Committee as representatives from Lake Dallas. Councilman Vinson seconded the motion, and it carried unanimously.

Council then reviewed the Schedule of Receipts and Disbursements for the month of May, 1975, and the June Accounts Payable. Councilman Vinson moved that the reports be accepted as presented by City Secretary, and that she be authorized to pay the Accounts Payable. Councilman Grammer seconded the motion, and it carried unanimously.

Councilman Vinson moved that a resolution be adopted proclaiming the week of June 29, 1975 as National Safe Boating Week in Lake Dallas. Councilman Beene seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Grammer moved that the Hospital and Life Insurance coverage for Patrolman Jesse G. Moratt be placed with the Lake Dallas Insurance Agency for a period of approximately two months, or until a bid for group coverage is accepted. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vanzura announced at 9:50 P.M. that Council would then enter into Executive Session. The room was cleared of spectators. Council discussed personnel, budget and related matters, but no motions were made.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vanzura adjourned the meeting at 12:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

ORDINANCE NO. 61

An Ordinance approving certain Rate Schedules filed by Texas Power & Light Company in the City of Lake Dallas, Texas, and providing conditions under which such Rate Schedules may be changed, modified, amended or withdrawn:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION 1: That Texas Power & Light Company, having filed on the 5th day of June, 1975, its Rate Book No. B-75-24, containing a set of electric Rate Schedules and the Service Regulations referred to therein, with the City Secretary, the same are hereby approved as Schedules of Rates and Service Regulations under which said Company is authorized to collect charges from its customers for the sale of electric power and energy within the corporate limits of the City until such time as said Rate Schedules and Service Regulations may be changed, modified, amended or withdrawn, with the approval of the City Council.

SECTION 2: The filing of the Rate Schedules and Service Regulations, and the approval of same by the City Council, in the manner herein provided, shall constitute notice to the consumers of electricity, within the City, of the availability and application of such Rate Schedules and Service Regulations.

SECTION 3: Such Rate Schedules and Service Regulations, shall become effective and shall be in full force and effective October 1, 1975 and shall apply to all bills rendered after September 30, 1975.

PASSED AND APPROVED at a Regular meeting of the City Council of Lake Dallas, Texas, this the 12th day of June, 1975.

Donald R. Langston
MAYOR

ATTEST:

City Secretary

(CITY SEAL)

A RESOLUTION BY THE LAKE DALLAS CITY COUNCIL PROCLAIMING THE WEEK OF JUNE 29, 1975 AS NATIONAL SAFE BOATING WEEK IN LAKE DALLAS, TEXAS.

WHEREAS, more Americans each year are choosing boating as the ideal way to relax with their families and friends. All too often, however, what starts out as a pleasant cruise ends in tragedy because boatmen fail to teach their families to swim, fail to properly equip their craft with life preservers and other protective devices, or fail to instruct their passengers on the use of such devices prior to a boating cruise; and

WHEREAS, every year, about 1,300 lives are lost in boating accidents. These fatalities can be reduced and boating made more pleasurable if those who engage in it will emphasize boating safety rules; and

WHEREAS, recognizing the need for that emphasis, the Congress, by a joint resolution approved June 4, 1958 (72 STAT. 179), has requested the President to proclaim annually the week which includes 4 July as National Safe Boating Week (NSBW).

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lake Dallas, Texas do hereby designate the week beginning 29 June 1975 as

NATIONAL SAFE BOATING WEEK IN LAKE DALLAS

We urge all who use our waterways to acquire those skills essential to their own safety and that of others and to apply them carefully,

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of June in the year of our Lord nineteen hundred and seventy five.

Ronald D. Vanzura, Mayor

ATTEST:

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL JUNE 24, 1975

All members of the Council being present, Mayor Vanzura called the meeting to order at 9:05 A.M.

After much discussion, Councilman Grammer moved that Police Chief Bill Haddox be authorized to accept bids on a new police car and purchase that car which best fits his Department's needs. Councilman Vinson seconded the motion, and it carried unanimously.

Mayor Vanzura submitted his letter of resignation to each member of the Council, and asked City Secretary to read same. A copy of such letter is attached hereto and made a part of these minutes. Mayor Vanzura further stated he regretted the necessity of his decision, and trust the Council understood. Councilman Grammer moved that the resignation be accepted effective June 24, 1975, as the Mayor requested. Councilman Vinson seconded the motion and it carried unanimously.

Mayor Vanzura then relinquished the chair position at the Council table to Mayor Pro Tem, Roy V. Harper. Councilman Harper asked if there was any further business for discussion at this meeting.

City Secretary informed Council that Councilman Vinson's signature still appeared on the Bank Authorization Cards at the Lake Cities State Bank. Councilman Grammer moved that Councilman Vinson sign all city checks, together with the City Secretary, until such time as a new Mayor is appointed. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that the Mayor's post be filled by appointment from the Council, and that such appointment be considered at the next regular meeting. Councilman Beene seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Vinson moved that the meeting be adjourned. Councilman Grammer seconded the motion, and the meeting was adjourned at 9:45 A. M.

M. Jean Chambers

M. Jean Chambers
City Secretary

LAW OFFICE OF
RONALD D. VANZURA
LAKE CITIES PROFESSIONAL BUILDING
LAKE DALLAS, TEXAS 75065

POST OFFICE BOX 101
TELEPHONE (817) 497-3552

June 24, 1975

City Councilmen & Citizens
of the
City of Lake Dallas, Texas

Gentlemen:

Please accept this letter as my resignation from the office of mayor of the City of Lake Dallas, Texas effective as of June 24, 1975.

As you are aware, the State Bar of Texas has issued its Opinion Number 382 concerning the possible city official's conflict of interest in the field of municipal government. Since it is my solemn professional duty to represent my clients, the Opinion explicitly delinates the paramaters of this relationship when one excercises the office of mayor or councilman. I feel that in order to avoid any question of impropreity and to promote public confidence in our system of government and law that I should respectfully withdraw from office. This decision is predicated upon the expressed principles of the Opinion and the needs of my family. No consideration has been given to any other reason if any did, in fact, exist.

I wish to express my appreciation to the people of the City of Lake Dallas for allowing me to serve as their elected representative and I hope that they have seen our city improve with a municipal administration organized for their needs. I especially want to thank the past and present members of the city council for their support and assistance during the time of my administration.

Respectfully submitted,

Ronald D. Vanzura

Ronald D. Vanzura

RDV/lc

encl.

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL JULY 10, 1975

All members of the Council being present, Mayor Pro Tem Roy V. Harper called the meeting to order at 7:30 P.M.

Councilman Grammer moved that the minutes of the previous meetings be accepted as presented by City Secretary. Councilman Vinson seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mrs. Grace Means, representing the Lake Cities Community Center, read a letter from the Reverend John Peel, Chairman of the Board of Trustees, in which that Board requested that the City of Lake Dallas allow the electric service for the Community Center to be included in the City's Statement each month, thereby allowing such Community Center a rate reduction. Mr. Peel stated the Community Center would then reimburse the City each month for their share of the electric service. Councilman Beene moved that the request be granted. Councilman Vinson seconded the motion, and it carried unanimously.

Mr. John Webb petitioned Council for action that will prevent on the street parking close to the intersection of Main and Alamo Streets inasmuch as such parking obstructs the view of traffic. Council agreed to take the matter under advisement.

Mr. Frank Kubat requested the aid of the City to clean up his neighborhood on east Hundley Drive, prevent littering by his neighbors, and encourage a general "clean up" by the adjacent property owners.

Mr. Bill Camp, of the King's Manor Subdivision, petitioned Council for needed street repairs to Overly Drive. City Secretary informed Council that the City Attorney had advised the City not to make any repairs to that street until such time as a decision has been made by the Court relative to the City's pending law suit against the Developer of the Subdivision.

Councilman Beene moved that a Special Election be called for the purpose of electing a Mayor to serve out Mr. Ronald D. Vanzura's unexpired term. Councilman Hutto seconded the motion, and the vote was as follows:

AYES: Messrs. W. L. Beene and James W. Hutto
NOES: Messrs. Bill Grammer and Johnny J. Vinson

Mayor Pro Tem Roy V. Harper then voted NO, and broke the tie vote. The motion failed.

Councilman Grammer moved that Councilman Johnny J. Vinson be appointed Mayor to serve out Mr. Vanzura's unexpired term. Councilman Hutto seconded the motion, and such motion prevailed by the following vote:

AYES: Messrs. Bill Grammer and James W. Hutto
NOES: Mr. W. L. Beene

Councilman Vinson abstained from the vote.

City Secretary and Notary Public, Mrs. Jean Chambers, administered the Oath of Office to Councilman Vinson. Mayor Pro Tem Roy V. Harper then relinquished the chair position at the Council table to Mayor Johnny J. Vinson.

Councilman Grammer moved that a Resolution be adopted authorizing Mayor Johnny J. Vinson, Mayor Pro Tem Roy V. Harper, and City Secretary

M. Jean Chambers to sign checks drawn on the City's funds on deposit at the Lake Cities State Bank, each check requiring two signatures. Councilman Beene seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Grammer moved that Councilman James W. Hutto represent Council on the Planning and Zoning Commission, together with Mayor Vinson. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of appointing a Board of Equalization be tabled until the next meeting. Councilman Grammer seconded the motion, and it carried unanimously.

Councilman Beene moved that a resolution be adopted renewing and extending to September 30, 1975 the note with the Lake Cities State Bank, in the amount of $6,747.46, secured by one 1970 Ford two-ton fire truck. Councilman Grammer seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Hutto moved that the matter of the proposals submitted relative to the Group Hospital and Life Insurance coverage for City employees be tabled for further discussion in Executive Session. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of examining the bids for Workmen's Compensation Insurance coverage also be tabled for discussion in the Executive Session. Councilman Grammer seconded the motion, and it carried unanimously.

The present Building Permit Fee Schedule for commercial construction was discussed, but no motions were made.

Mr. Wayland Griffith addressed Council relative to the problems of property owners residing adjacent to the drainage ditch located between Kings Manor and Prince Drives, and requested immediate action to alleviate such problems. Councilman Grammer moved that the matter be referred to the City Attorney for an opinion as to the City's legal position, and to the City Engineer for a possible course of action to correct the situation. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Grammer moved that the matter of purchasing a Steel Wheel Rolling Machine for the Street Department be tabled for discussion in Executive Session. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that the Street Department be authorized to cut back that foliage over any City Street which restricts the view of traffic. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of the City's liability for the damages incurred to Mr. Roger Hanna's automobile, allegedly caused by repair work done by the Street Department to Lakeland Street, be tabled for further discussion in Executive Session. Councilman Harper seconded the motion, and it carried unanimously.

Council agreed that no work involving City equipment or personnel should be done outside the City Limits of Lake Dallas.

Mayor Vinson requested the time limit for burning trash be extended past 10:30 A.M. for Package Stores inasmuch as State Law prohibits their opening until 10:00 A.M. He proposed this could be accomplished by issuing a Special Use Permit, and that any citizen having an approved incinerator should qualify for same. It was agreed that the matter would be taken under advisement together with the Fire Department.

Council reviewed the Activity and/or Financial Reports for the month of June as submitted by the Police and Fire Departments. Councilman Hutto moved that such reports be accepted as presented. Councilman Grammer seconded the motion, and it carried unanimously.

Council then reviewed the Schedule of Receipts and Disbursements for June, 1975, and the July Accounts Payable. Councilman Beene moved that such reports be accepted as presented by City Secretary, and that she be authorized to disburse the July Accounts Payable. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved for a recess of ten minutes, and then enter into Executive Session. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson recessed the meeting at 9:50 P.M.

Mayor Vinson called the meeting to order in Executive Session at 10:00 P.M. Council discussed in great detail all of the above mentioned tabled items, primarily as each item relates to the budget. The position of Municipal Court Judge was also discussed, but no motions were made.

Councilman Beene moved that the Executive Session be adjourned, and the Regular Meeting be continued. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson called the Regular Meeting to order again at 11:00 P.M., and announced "Council is now in Open Session".

Councilman Grammer moved that the City Attorney be instructed to draft for Council approval an ordinance calling for the Mayor to serve as Judge of Municipal Court and, in his absence, the Mayor shall appoint any member of City Council to serve as Municipal Court Judge Pro Tempore. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Grammer moved that the Group Hospital and Life Insurance coverage for City employees be placed with the Time Insurance Company of Milwaukee, Wisconsin, and that the City pay the employee's premium, the employee paying for any dependent coverage by payroll deduction. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that the City's Workmen's Compensation Insurance coverage be placed with T.M.L. Workmen's Compensation Joint Insurance Fund for a total annual premium of $1,812.80 to be paid on a quarterly basis. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of purchasing a Steel Wheel Rolling Machine for the Street Department be tabled for consideration in next year's budget. Councilman Grammer seconded the motion, and it carried unanimously.

After reviewing Mr. Roger Hanna's request for damages to his automobile, in the approximate amount of $120.00, allegedly caused by construction work done by the Street Department to Lakeland Street, Councilman Beene moved that the request be denied because insufficient evidence was presented that would support the claim for reimbursement. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Grammer seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 12:00 Midnight.

M. Jean Chambers

M. Jean Chambers, City Secretary

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © HART Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Johnny J. Vinson,

do solemnly swear ~~(or affirm)~~, that I will faithfully execute the duties of the office of Mayor

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear ~~(or affirm)~~, that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* ~~for the giving or withholding a vote at the election at which I was elected.~~ to secure my appointment or the confirmation thereof.*

So help me God.

Signed Johnny J Vinson

Sworn to and subscribed before me, this 10th

day of July *19* 75

M. Jan Rambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

JOHNNY J. VINSON
(Name)

For

MAYOR
(Office)

Dated July 10, 19 75

at LAKE DALLAS, Texas

Hart Graphics, Austin

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING CERTAIN PERSONS TO SIGN CHECKS DRAWN ON THE CITY'S FUNDS WHICH HAVE BEEN PLACED ON DEPOSIT AT THE LAKE CITIES STATE BANK IN LAKE DALLAS, TEXAS.

THEREFORE, BE IT RESOLVED that Mayor Johnny J. Vinson, Mayor Pro Tem Roy V. Harper, and City Secretary M. Jean Chambers are hereby authorized by the City Council of the City of Lake Dallas, Texas, to sign all checks drawn on the City's funds on deposit at the Lake Cities State Bank, each check requiring a minimum of two signatures.

No other signatures, except as herein provided, shall be deemed authorized by the City Council of the City of Lake Dallas, Texas.

PASSED AND APPROVED this 10th day of July, 1975.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

ATTEST:

M. Jean Chambers

M. Jean Chambers
City Secretary

RESOLUTION, CITY COUNCIL--CITY OF LAKE DALLAS TEXAS

The undersigned Secretary of the City of Lake Dallas, Denton County, Texas, hereby certifies that the following resolution was duly adopted by the City Council of the City of Lake Dallas, Texas, at a meeting thereof duly called, convened and held on the 10th day of July, 1975, a quorum being present at such meeting:

RESOLUTION

WHEREAS, the City of Lake Dallas is imdebted to Lake Cities State Bank, hereinafter referred to as the BANK, as evidenced by a promissory note dated October 3, 1974 in the original principal amount of $7,341.00, due and payable six months from date of October 3, 1974, bearing interest at the rate of 7% per annum, such note now having an outstanding balance of $6,757.47, and which note is secured by a Security interest in the city owned 1970 Ford two-ton Fire truck, MV #F60DCH81943, and,

WHEREAS the foregoing note now is due and payable, and the City of Lake Dallas is desirous of renewing and extending the same on the basis hereinafter described, and the BANK has agreed to accept such renewal and extension;

NOW THEREFORE, the City of Lake Dallas and the City Council thereof hereby request the BANK to renew and extend the note above described with the outstanding balance as heretofore indicated, with a maturity of September 30, 1975, and bearing interest at the rate of 7% per annum, payable at maturity, and secured by a Security interestl in the motor vehicle heretofofe described, such renewal note to be dated July 10, 1975; and

FURTHER RESOLVED, that the Mayor or the Mayor Pro Tem and City Secretary are hereby authorized and directed to take such actions and execute such papers and documents as may be necessary to evidence the indebtedness heretofore described to the BANK and give security therefor as indicated above in this Resolution, and also from time to time to give additional security therefor as may be deemed advisable or proper by the Mayor or Mayor Pro Tem of the City of Lake Dallas, Texas.

CERTIFIED CORRECT: M. Jean Chambers
City Secretary, Lake Dallas, Texas

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL JULY 18, 1975

All members of the Council being present, Mayor Vinson called the meeting to order at 2:10 P.M.

Councilman Grammer moved that a Special Election be called as soon as possible for the purpose of electing a Councilmember to serve out Mayor Vinson's unexpired term. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Bill Grammer, James W. Hutto and W. L. Beene
NOES: None

Councilman Roy V. Harper abstained from the vote.

Mayor Vinson then ordered the Special Election to be held the third Saturday in September, September 20, 1975, that being the nearest possible date that would allow for timely compliance with the election laws of the State of Texas. A copy of such order is attached hereto, and made a part of these minutes.

Councilman Beene moved that Messrs. Ronald D. Vanzura, Kermit Fonteno, George W. Hawkins, Jr., and Jim Culpin, Alternate, be appointed to serve as the 1975 Board of Equalization for the City of Lake Dallas. Councilman Hutto seconded the motion, and it carried. Councilman Harper abstained from the vote.

Councilman Beene moved that an ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NUMBER THREE OF THE CITY OF LAKE DALLAS, TEXAS, AS AMENDED, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING A SEVERABILITY CLAUSE, DECLARING AN EFFECTIVE DATE, AND DECLARING AN EMERGENCY", and calling for the Mayor to serve as Judge of Municipal Court, authorizing him to appoint any member of the Council to serve as Municipal Judge Pro Tempore in his absence, be adopted. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Mr. Roger Hanna petitioned Council to reconsider their decision relative to the City's liability for the damages recently incurred to his automobile. He stated such damages were incurred as a direct result of a tree stump left at the entrance to his driveway by the Street Department while widening Lakeland Street. After deliberation, Councilman Grammer moved that the matter be referred to the carrier of the City's Comprehensive General Liability Insurance coverage for disposition. Councilman Beene seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 2:35 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS }
CITY OF TEXAS }

On this the 18th day of July, 1975, the City Council/~~Commission~~ of the City of Lake Dallas, Texas, convened in special session, open to the public, at the regular meeting place thereof with the following members present, to-wit:

Johnny J. Vinson, Mayor,
Roy V. Harper, Alderman/~~Commissioner~~
Bill Grammer, Alderman/~~Commissioner~~
James W. Hutto, Alderman[2]
W. L. Beene, Alderman[2]
_____, Alderman[2]
M. Jean Chambers, City Secretary/~~Clerk~~

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

~~Alderman/Commissioner~~[1] Alderman Bill Grammer introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1] James W. Hutto, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Bill Grammer, James W. Hutto and W. L. Beene

_____,

NOES: None.

ABSTAINED: Roy V. Harper

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on September 20 19 75, there shall be elected the following officials for this city:

~~MAYOR~~[2]

One (Number of) Alderman[2] ~~Two Councilmen~~[2]

[3]

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/~~COMMISSION~~[1]

OF THE CITY OF LAKE DALLAS, TEXAS:

That all independent candidates at the election to be held on the ~~first~~ third Saturday in ~~April~~ September, 19 75, for the above mentioned offices file their applications to become candidates with the Mayor of this City at the City Secretary's Office in the City Hall Building on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 20th day of ~~April~~ September, 19 75, as a candidate for Councilmember of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is Denton County.

My post office address is _____.

My age is _____ years.

Please place my name on the official ballot as follows:

_____
(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____
Name of Candidate

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~[1] of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~[1] orders the same to be printed on the ballot for said election.

This city, having one election precinct, said election shall be held at the folowing place in said city:

1. In Election Precinct No. 2P at City Hall Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~[1] immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 18th day of July, 19 75.

ATTEST:

_____
Mayor

_____
Secretary/~~Clerk~~[1]

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.
(4) This application is available as a separate form. Order Form 16-2396—Request to Place Name on City Officer Election Ballot.
(5) Art. 1.05 of the Election Code.

NO. _____

AN ORDINANCE AMENDING ORDINANCE NUMBER THREE OF THE CITY OF LAKE DALLAS, TEXAS, AS AMENDED, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING A SEVERABILITY CLAUSE, DECLARING AN EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION I. That Ordinance No. Three of the City of Lake Dallas, Texas, as amended, be and the same is hereby amended so as to hereafter read as follows:

ARTICLE I. (a) The Municipal Judge for the City of Lake Dallas, Texas shall preside over the Municipal Court. The Mayor of the City of Lake Dallas, Texas shall be the Municipal Judge of the Municipal Court of the City of Lake Dallas, Texas. Such Municipal Judge shall receive such compensation as may be fixed by the City Council of the City of Lake Dallas, Texas.

(b) The Mayor, in his capacity as Municipal Judge, shall appoint any member of the City Council as Municipal Judge Pro Tempore to serve as the Municipal Judge during the temporary absence or disability of the Municipal Judge. Such Municipal Judge Pro Tempore shall receive such compensation as may be fixed by the City Council of the City of Lake Dallas, Texas.

SECTION II. If any section, paragraph, subdivision, clause, phrase,or provision of this Ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional. All Ordinances and parts of Ordinances in conflict herewith are repealed.

SECTION III. The fact that the City of Lake Dallas, Texas is in immediate need of the provisions of this Ordinance creates an emergency and public necessity requiring this Ordinance to take effect immediately and it is so ordained that this Ordinance shall be in effect upon its passage and approval.

PASSED AND APPROVED, this the 18TH day of July, 1975.

Johnny J. Vinson
Mayor, City of Lake Dallas, Texas

ATTEST:

M. Alan Chambers
City Secretary

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD AT CITY HALL AUGUST 14, 1975

Mayor Johnny J. Vinson, acting as Chairman, called the meeting to order at 7:30 P.M. Councilmen James W. Hutto, W. L. Beene and Roy V. Harper were present. Councilman Bill Grammer was absent.

Mayor Vinson presented Certificates of Appreciation to Mrs. Todd Briggs, Frankie Payne, Sadie Spencer, Hattie Kingston, Jo Hedge, Lucy Wilkins and Edna Hunter for their untiring efforts and great accomplishments as members of the Beautification and Bicentennial Committees.

On the Citizen's Agenda, Mrs. Lois Robertson thanked Council for the recent repairs made to Alamo Street in front of her home.

Councilman Hutto moved that the minutes of the previous meetings be accepted and approved as presented by City Secretary. Councilman Beene seconded the motion, and it carried unanimously.

After hearing from Mr. Richard Spencer, Counselor for the Manpower Programs, Council agreed that they would interview applicants for the position of City Administrator to be funded for one year under the Title 6 Federal Program. It was further agreed that the City would be under no obligation to retain the services of such Administrator past the one year period for which his salary is funded through the Manpower Program.

Councilman Hutto moved that Mrs. Shirley D. Johnson be appointed Presiding Judge over the Special Election called for September 20, 1975, and that she be authorized to appoint the Alternate Presiding Judge and the necessary Clerks, not to exceed three, needed to assist in said election. Councilman Beene seconded the motion, and it carried unanimously.

Mr. Clayton Sanders, representing Centennial Homes, addressed Council relative to the poor condition of streets in Phase II of the Kings Manor Subdivision. He further stated VA and FHA would not provide any additional mortgage monies for building in that area until such time as the streets were improved to meet certain specifications. Council agreed that a Special Meeting should be scheduled for Tuesday, August 19, for the purpose of discussing the problem with the following persons present: Mr. James Clem (Developer), Mr. Bob Chastain (Paver), representatives from American States Insurance Company (Surety), Centennial Homes, Council, together with its Consulting Engineer, Mr. Harry Gray.

Councilman Hutto moved that the City defray one-half of the monthly expense of the Zerox machine recently purchased by the Lake Cities Municipal Utility Authority, thereby making such machine available to City personnel. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Beene moved that the Participation Ordinance, together with the Ordinance providing for Supplemental Benefits, in the Texas Municipal Retirement System be adopted. Councilman Hutto seconded the motion, and it carried unanimously. A copy of each ordinance is attached hereto, and made a part of these minutes.

Councilman Beene moved that "AN ORDINANCE AUTHORIZING, ORDERING AND DIRECTING THE STREET SUPERINTENDENT OF THE CITY OF LAKE DALLAS, TEXAS TO ERECT AND MAINTAIN TRAFFIC CONTROL DEVICES, STOP SIGNS AND OTHER TRAFFIC SIGNS AT VARIOUS LOCATIONS WITHIN THE CITY OF LAKE DALLAS, TEXAS, AND DECLARING AN EMERGENCY" be adopted. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. LeRoy Shrame be appointed as an Alternate member of the Board of Equalization, to fill the vacancy created by Mr. Jim Culpin's recent resignation. Council further agreed to set the date for the meeting of the Board of Equalization later in the month.

Council also agreed to set dates for work sessions to (1) review 1975-76 proposed budget, and (2) review Subdivision Ordinance, later in the month.

Councilman Beene requested that the present Zoning Ordinance be amended to incorporate the Lake Cities Industrial Foundation property, located at the S.E. corner of Interstate 35 Access Road and Swisher Road, in the C-3 District, which allows for the retail sales of alcoholic beverages. Mayor Vinson stated the matter was not on the Agenda, and therefore no action could be taken by Council. Mayor Vinson further stated the proper procedure would be for Messrs. Tommy Singleton, W. N. Snodgrass and Don Ault to make application to the Planning and Zoning Commission for a change in zoning classification. After much discussion regarding the matter, Councilman Beene moved that such matter be placed on the Agenda for the Special Meeting to be held August 19, 1975. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Don Coxsey (Street Department) be placed on a monthly salary of $500.00 effective September 1, 1975. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Johnny Webber (Street Department) be granted a salary increase of 50¢ per hour effective September 1, 1975, making a total hourly wage of $2.60 with the City paying $1.30 and the Manpower Program paying $1.30. Councilman Beene seconded the motion, and it carried unanimously.

Council tabled the matter of providing uniforms for Street Department personnel for consideration in the Budget Work Session.

Councilman Beene moved that the necessary repairs, in the approximate amount of $300.00, be made to the Flat-Bed Truck for the purpose of passing State Inspection of the vehicle. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Johnny Walker (Police Department) be placed on a monthly salary of $425.00 effective September 1, 1975. Councilman Beene seconded the motion, and it carried unanimously.

After reviewing the Police Activity Report for the month of July, Councilman Beene moved that such report be accepted as prepared by Chief Bill Haddox. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that the matter of trash burning problems within the City be tabled for further study. Councilman Hutto seconded the motion, and it carried unanimously.

After reviewing the Fire Department's July Activity and Financial Reports, Councilman Hutto moved that such reports be accepted as presented by Chief Roy Lester. Councilman Beene seconded the motion, and it carried unanimously.

Council then reviewed the Schedule of Receipts and Disbursements for the month of July, and the August Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay the August Accounts Payable. Councilman Beene seconded the motion, and it carried unanimously.

Mr. Don Huff, representing Lone Star Gas Company, petitioned Council for a rate increase of $1.0399 per Mcf, effective 30 days from this date. After much discussion, Councilman Beene moved that such rate increase be granted as requested. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:50 P.M.

M. Jean Chambers
City Secretary

16-4136—ORDER FOR CITY OFFICER ELECTION (173) Steck-Warlick Co., Austin, Texas

ORDER FOR CITY OFFICERS' ELECTION

THE STATE OF TEXAS

CITY OF LAKE DALLAS

I, Johnny J. Vinson, in my capacity as Mayor of the City of Lake Dallas, Texas, do hereby order that an election be held in said City on the 20th day of September, 1975, for the purpose of electing the following officials for said City:

MAYOR[2]	
One Aldermen[2]	Two Commissioners[2]
(Number of)	

That in accordance with an order adopted by the City Council/Commissioners of said City, said election shall be held at the following place in said City, and the following named persons are hereby appointed officers for said election.

In Election Precinct No. 2P, at City Hall Building, in said City, with Shirley D. Johnson as Presiding Judge, and Lois Robertson as Alternate Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist him which shall not exceed three clerks.[3]

In Election Precinct No. _____, at _____ Building, in said City, with _____ as Presiding Judge, and _____ as Alternate Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist him which shall not exceed _____ clerks.[3]

In Election Precinct No. _____, at _____ Building, in said City, with _____ as Presiding Judge, and _____ as Alternate Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist him which shall not exceed _____ clerks.[3]

In Election Precinct No. _____, at _____ Building, in said City, with _____ as Presiding Judge, and _____ as Alternate Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist him which shall not exceed _____ clerks.[3]

The polls at each of the above designated polling places shall on said election day be open from 7:00 o'clock a.m. to 7:00 o'clock p.m.[4]

M. Jean Chambers is hereby appointed Clerk for absentee voting, and Donna Stephens and Grace Coxsey are hereby appointed Deputy Clerks for absentee voting. The absentee voting for the above designated election shall be held at City Hall within said City and said place of absentee voting shall remain open for at least eight hours on each day for absentee voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the 20th day and continuing through the 4th day preceding the date of said election. Said place of voting shall remain open between the hours of 8:30 A.M. and 5:00 P.M. on each day for said absentee voting. The above described place for absentee voting is also the absentee clerk's mailing address to which ballot applications and ballots voted by mail may be sent.

In accordance with previous order wherein it was determined that the electronic voting system/voting machines[1] shall be used in the above mentioned election for absentee voting by personal appearance, and in accordance with said order and the Election Code, Shirley D. Johnson, as Presiding Judge, _____, and Lois Robertson, Hazel Boyd, Joyce Plumlee, as Clerks, are hereby appointed the Special Canvassing Board for said election.[2]

Absentee voting, both by personal appearance and by mail, shall be by paper ballots and shall be canvassed by a special canvassing board, and Shirley D. Johnson, as Presiding Judge, Lois Robertson, Hazel Boyd, and Joyce Plumlee, as Clerks, are hereby appointed the Special Canvassing Board for said election.[2]

That said election shall be held in accordance with the Election Code of this State and only resident qualified voters of said city shall be eligible to vote at said election.

Notice of said election will be given in accordance with the terms and provisions of Article 4.05 of the Election Code and Art. 29e and the City Secretary/Clerk is hereby instructed to have said notice posted and/or published in accordance with said Articles 4.05 and 29e.

That immediately after said election is held, the officers holding the same shall make returns of the result thereof to the Mayor of this city as required by the Election Code of this State.

A copy of this order shall also serve as a writ of election which shall be delivered to the above appointed Presiding Judge, for said election.

Johnny J. Vinson
Mayor

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) Art. 3.01(b) of the Election Code provides for the appointment of a presiding judge and alternate presiding judge and fixing the minimum number of clerks which shall be not less than two.
(4) Art. 2.01 of the Election Code provides that polls shall be open from 7:00 a.m. to 7:00 p.m., provided that by order of Commissioners' Court in counties of less than 100,000 polls may be open one hour later and in counties of 1,000,000 or more, polls may be open one hour earlier.

TMRS-A

TEXAS MUNICIPAL RETIREMENT SYSTEM

PARTICIPATION ORDINANCE

AN ORDINANCE PROVIDING FOR PARTICIPATION IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE CITY OF LAKE DALLAS, TEXAS.

WHEREAS, the Constitution of the State of Texas was amended on November 7, 1944, by the addition of Section 51-f, Article III, which authorized the Legislature to establish a state-wide retirement and disability pension system for city employees;

WHEREAS, Chapter 75, Acts 50th Legislature (1947) as amended, established the Texas Municipal Retirement System, and authorizes the governing body of each city or town to elect, at its option, to have one or more of the city departments participate in such System; and

WHEREAS, the governing body of the City of Lake Dallas, Texas, finds that it will be in the public interest for the city to have its employees, participate in the Texas Municipal Retirement System as hereinafter provided; Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF LAKE DALLAS, TEXAS:

Section 1. That, on behalf of the City of Lake Dallas, Texas, the City Council hereby exercises its option and elects to have the city and all of the employees of all departments now existing or hereafter established (excepting the following department(s): _____) participate in the Texas Municipal Retirement System as provided in Chapter 75, Acts of the 50th Legislature, as amended, (Article 6243h of Vernon's Civil Statutes of Texas): and all of the benefits and obligations of such System are hereby accepted as to such employees.

List (if any)

Section 2. The (Mayor or City Manager) is hereby directed to notify the Board of Trustees of the Texas Municipal Retirement System that the City of Lake Dallas, Texas, has elected to participate and have the employees of the above departments participate in said System.

Section 3. Each person who becomes an employee of any participating department on or after the effective date of participation of such department shall become a member of the Texas Municipal Retirement System as a condition of his

PARTICIPATION ORDINANCE (Continued)

employment. The City of Lake Dallas, Texas, may in the future refuse to add new departments or new employees to such System, but shall never discontinue as to any participants.

Section 4. In accordance with the provisions of the statute, the deposits to be made to the Texas Municipal Retirement System on account of current service of the employees of the several participating departments are hereby fixed at the rate of seven percent (7 %) of the earnings of each employee of said departments, and in determining the deposits to be made on account of such service the maximum earnings of this city is Full Salary.
(Full Salary or designated amount)

Section 5. The (City Secretary or other proper official) is hereby directed to remit to the Board of Trustees of the Texas Municipal Retirement System, at its office in Austin, Texas, the city's contributions to the System and the amounts which shall be deducted from the compensation or payroll of employees, all as required by said Board under the provisions of Chapter 75, Acts of the 50th Legislature of the State of Texas, as amended, and the said City Secretary is hereby authorized and directed to
(Same Official)
ascertain and certify officially on behalf of the City of Lake Dallas, Texas, the prior service rendered to the said municipality by each of the employees of the participating departments, and the average prior service compensation received by each, and to make and execute all prior service certifications and all other reports and certifications which may be required of the City of Lake Dallas, Texas, under the provisions of Chapter 75, Acts Regular Session, 50th Legislature, as amended, or in compliance with the rules and regulations of the Board of Trustees of the Texas Municipal Retirement System.

Section 6. Participation of the above-mentioned employees in the Texas Municipal Retirement System shall be effective October 1, 1975.

Passed and approved this the 14th day of August, 19 75.

APPROVED:

Johnny J Tinsley
Mayor

ATTEST:

M. Jean Chambers
City Secretary ~~Clerk~~

(Rev. 8/70)

AN ORDINANCE PROVIDING FOR PARTICIPATION IN THE SUPPLEMENTAL BENEFITS FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY ALL DEPARTMENTS OF THE CITY GOVERNMENT WHICH NOW PARTICIPATE IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM; AND PROVIDING FOR PAYMENT OF THE CITY'S CONTRIBUTIONS ON ACCOUNT OF SUCH PARTICIPATION.

WHEREAS, the governing body of the City of Lake Dallas, Texas has heretofore elected to have the employees of ~~(designated)~~ (all) departments of the city government participate in the Texas Municipal Retirement System (such departments being hereinbefore called "participating departments"), and

WHEREAS, Chapter 312, Acts Regular Session, 56th Legislature provides for establishment in said System of a Supplemental Benefits Fund to provide for additional disability benefits for service connected disabilities, and

WHEREAS, the governing body of the City of Lake Dallas, Texas finds that it will be in the public interest to provide for participation of employees of such departments in said Supplemental Benefits Fund; Now, therefore,

BE IT ORDAINED BY THE (CITY COUNCIL) (~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~) OF Lake Dallas, TEXAS:

Section 1. The City of Lake Dallas, Texas, by its (City Council) (~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~) hereby elects to have the employees of all participating departments of said city (as above defined) participate in and be covered by the Supplemental Benefits Fund of the Texas Municipal Retirement System, as provided by Chapter 312, Acts Regular Session, 56th Legislature; and all the benefits and obligations of participation in said Fund are hereby accepted by the city as to such employees.

Section 2. The (Mayor) (~~City Manager~~) is hereby directed to notify the Board of Trustees of the Texas Municipal Retirement System that the City of Lake Dallas, Texas, has elected to participate and have the employees of the above mentioned departments participate in the Supplemental Benefits Fund of said System.

Section 3. Each person who becomes an employee of any participating department on or after the effective date of participation of such department in said Fund shall as a condition of his employment be covered into the Supplemental Benefits Fund of said System. The City of Lake Dallas, Texas, may in the future refuse to add new departments or new employees to said Fund, but shall never discontinue as to any members who are covered into the Fund.

Section 4. The City Secretary is hereby directed
(City Secretary or other proper official)
to remit monthly to the Board of Trustees of the Texas Municipal Retirement System at its office in Austin, Texas, as the City's contributions to the Supplemental Benefits Fund of the Texas Municipal Retirement System, such percentage of earnings of the above-mentioned employees said city as may be fixed by the Board of Trustees of the Texas Municipal Retirement System, provided that the rate of contribution to said Fund shall not exceed one-half of one percentum (1/2%) of the earnings of the employees of said city who are covered under said Fund; and such official shall make for the City such reports as the Board of Trustees of the Texas Municipal Retirement System may prescribe.

Section 5. Participation of the above-mentioned employees in the Supplemental Benefits Fund shall be effective October 1, 1975.

Passed and approved this the 14th day of August, 1975.

APPROVED:

Johnny J. Vinson
Mayor

ATTEST:

M. Jean Chambers
City Secretary ~~XXXXXXX~~

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL AUGUST 19, 1975

Mayor Johnny J. Vinson called the meeting to order at 10:05 A.M. Councilmembers Bill Grammer, Roy V. Harper and James W. Hutto were present. Councilman W. L. Beene was absent.

Messrs. Tommy Singleton, W. N. Snodgrass, Don Ault, together with their attorney, petitioned Council for a C-3 Zoning Classification with respect to their property located at the SE corner of Interstate 35 Access Road and Swisher Road. They explained they wished to construct a package and convenience store on that site, and provide the sale of alcoholic beverages therein. They further stated they felt discriminated against because that property was not included in the C-3 Zoning District at such time as the Zoning Ordinance was amended. Mayor Vinson again informed the group that Council had no authority to arbitrarily grant a change in zoning classification without the Planning and Zoning Commission first hearing the request. Mayor Vinson then presented Mr. Singleton with a letter outlining the procedural requirements for a change in zoning classification, and suggested that an application be made through proper channels.

Representatives from Centennial Homes, Messrs. Clayton Sanders and John Zackery, addressed Council relative to the failing condition of streets in Phase II of the Kings Manor Subdivision. They stated apparently the streets were not compacted properly during construction, and therefore such streets had failed. Mr. Jim Clem, Developer of the Subdivision, stated the streets had been accepted by the City, and therefore there was nothing he could do. Mr. Sam Mania, representing the Surety, American States Insurance Company, stated the stipulations of both the contract and bond had been met by Mr. Bob Chastain, Paver. After much discussion, Council agreed to grant permission to Centennial Homes to break and reconstruct the streets at their expense, with approval of plans and timely inspection of construction and materials being made by Mr. Harry Gray, Consulting Engineer for the City. It was further agreed that Mr. Gray would report back to Council after due study and inspection of the plans submitted by Centennial Homes.

Council agreed that a work session on the 1975-76 Budget would be scheduled for Wednesday, August 20, 1975, at 7:00 P.M., in the City Hall Building, and that a separate work session would be scheduled at that time for the purpose of reviewing the present subdivision ordinance.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:45 A.M.

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL SEPTEMBER 11, 1975

All members of the Council being present, Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M.

Councilman W. L. Beene moved that the minutes of the previous meetings be approved as presented by City Secretary. Councilman James W. Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mrs. Edna Hunter requested that a Clean Up Campaign be initiated by the City in the general area of Lakeview, Stadium and Adolphus Streets. She stated trash cans were uncovered, and dogs were strowing trash throughout the neighborhood to the degree that it constituted a health hazard. She also stated there was an unauthorized business operating in the neighborhood that produced such loud noise throughout the night that she was unable to rest, and was in fact becoming physically ill as a result of such noise.

Mr. and Mrs. Sam Kovsky requested that the City require Mr. J. Neal Reeves to mow and clean up the Townhouse property inasmuch as it constitutes a fire hazard.

Mr. Richard Schlapfer complained that the Lake Area Disposal Service did not pick up garbage in the Kings Manor Subdivision as scheduled on Monday, September 1, Labor Day.

Mayor Vinson reported to Council that he and the City's Consulting Engineer, Mr. Harry Gray, had met with representatives from Centennial Homes relative to the reconstruction of the streets in Phase II of the Kings Manor Subdivision. Councilman Beene moved that the City join Centennial Homes as a Party Plaintiff in their law suit against Mr. Jim Clem, with no financial responsibility whatsoever being incurred by the City for such law suit. Councilman Roy Harper seconded the motion, and it carried unanimously.

Mayor Vinson reported on the recent street improvement work done by County Commissioner Ed Elbert. Councilman Beene stated he wanted Lakeland Drive completed this season, and Shore Drive repaired and resealed.

Councilman Beene moved that, in accordance with the recommendation made by the Planning and Zoning Commission, Mr. David Felderman be granted a Special Use Permit for a period of one year, which will allow for a 12' X 32' portable steel building to be placed on that property just south of the Community Center on Shady Shores Road, for use as a greenhouse. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Bill Grammer moved that an ordinance entitled "AN ORDINANCE PROVIDING REGULATIONS TO WARN OR GUIDE TRAFFIC; PROVIDING FOR THE ERECTION OF TRAFFIC SIGNS; REQUIRING DRIVERS OF VEHICLES TO OBEY TRAFFIC SIGNS; PROVIDING A PENALTY FOR VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE AND DECLARING AN EMERGENCY" be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that "AN ORDINANCE AMENDING AN ORDINANCE REQUIRING THAT ALL DOGS MORE THAN THREE MONTHS OLD BE VACCINATED AGAINST RABIES; PROHIBITING THE RUNNING AT LARGE OF DOGS WITHIN THE CITY LIMITS

OF LAKE DALLAS, TEXAS; PROVIDING FOR THE IMPOUNDING OF DOGS IN VIOLATION OF THIS ORDINANCE AND THE RIGHT TO REDEEM SAME; PROVIDING THAT ALL IMPOUNDED DOGS SHALL BE REDEEMED WITHIN THREE DAYS AFTER CAPTURE AND IMPOUNDMENT AND FOR THE DISPOSITION THEREOF; REQUIRING THAT DOGS REDEEMED FROM THE DOG POUND MUST IMMEDIATELY BE VACCINATED; PROVIDING FOR THE QUARANTINE OF RABID DOGS OR DOGS WHICH HAVE BITTEN PERSONS; REQUIRING THE REPORTING OF RABID DOGS; PROHIBITING BARKING DOGS AND PROVIDING A PENALTY THEREFOR; PROVIDING THAT ANY PERSON VIOLATING ANY PROVISIONS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND FINED, UPON CONVICTION, NOT EXCEEDING TWO HUNDRED ($200.00) DOLLARS; PROVIDING A SAVING CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY; PROVIDING FOR THE REGISTRATION OF DOGS AND DECLARING AN EMERGENCY" be passed and approved. Councilman Beene seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, W. L. Beene and Bill Grammer
NOES: Mr. Roy V. Harper

Councilman Beene moved that "A RESOLUTION REQUESTING THE STATE HIGHWAY DEPARTMENT TO CONVERT THE FRONTAGE ROADS SERVING IH 35E TO ONE-WAY OPERATION FROM THE NORTH CITY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS, TO THE HICKORY CREEK BRIDGE" be passed and approved. Councilman Grammer seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, Bill Grammer and James W. Hutto
NOES: Mr. Roy V. Harper

The Lake Dallas Area Volunteer Fire Department declined to make a proposal relative to emergency ambulance service until such time as Mr. Bill Dalton had submitted his proposal pertaining to same.

Council reviewed the Activity and/or Financial Reports as submitted by the Police and Fire Departments.

Councilman Beene moved that the Public Hearing on the 1975-76 Proposed Budget be held Thursday, September 25, 1975, at 7:30 P.M. in the City Hall Building. Councilman Hutto seconded the motion, and it carried unanimously.

Council then reviewed the Schedule of Receipts and Disbursements for the month of August, 1975, and the September Accounts Payable, as submitted by City Secretary. Councilman Grammer moved that City Secretary be authorized to pay the Accounts Payable. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that the matter of amending the present ordinance pertaining to outdoor burning be tabled for further study. Councilman Harper seconded the motion, and it failed by the following vote:

AYES: W. L. Beene and Roy V. Harper
NOES: Bill Grammer and James W. Hutto
Mayor Vinson voted NO to break the tie.

Councilman Hutto moved that an ordinance be drafted accepting the provisions for outdoor burning as set out by the Texas Air Control Board. Councilman Grammer seconded the motion and it prevailed by the following vote:

AYES: James Hutto and Bill Grammer
NOES: Roy V. Harper and W. L. Beene
Mayor Vinson voted AYE to break the tie.

Councilman Hutto moved that the regular meeting be adjourned, and that Council enter into Executive Session for the purpose of discussing personnel salaries for the next fiscal year. Councilman Grammer seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:35 P.M.

Council convened in Executive Session at 9:50 P.M. Salaries as proposed in the 1975-76 Budget were discussed, but no motions were made.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjorned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:20 P.M.

M. Jean Chambers
City Secretary

Alderman W. L. Beene introduced a proposed resolution and made a motion that it be adopted.

The motion was seconded by Alderman Bill Grammer.

The motion, carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Aldermen W. L. Beene, Bill Grammer, _____, _____ and James W. Hutto.

NOES: Roy V. Harper.

The resolution, as adopted, is as follows:

A RESOLUTION REQUESTING THE STATE HIGHWAY DEPARTMENT TO CONVERT THE FRONTAGE ROADS SERVING IH 35E TO ONE-WAY OPERATION FROM THE NORTH CITY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS, TO THE HICKORY CREEK BRIDGE.

WHEREAS, the City Council of the City of Lake Dallas, Texas has had under consideration, and has made intensive study of the regulation and directing of traffic within the City of Lake Dallas, Texas; and

WHEREAS, the City Council has enacted ordinances providing for the erection of traffic control signs and signals; and

WHEREAS, the City Council has enacted an ordinance providing for the regulation of traffic within the City of Lake Dallas, Texas; and

WHEREAS, the traffic within the City of Lake Dallas, Texas has increased to the extent that two-way traffic on the frontage road serving IH 35E presents a hazard; and

WHEREAS, the City Council has determined the advisability of requesting the State Highway Department of the State of Texas to convert the frontage road serving IH 35E to one-way operation from the North City Limits of the City of Lake Dallas, Texas to the Hickory Creek bridge;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the State Highway Department of the State of Texas be and it is hereby requested to convert the frontage road serving IH 35E to one-way operation from the North City Limits of the City of Lake Dallas, Texas to the Hickory Creek bridge.

2. That the City Secretary of the City of Lake Dallas, Texas be and

she is hereby directed to furnish a certified copy of this Resolution to the proper representative of the State Highway Department of the State of Texas.

PASSED AND APPROVED, this the 11th day of September, 1975.

Johnny J Vinson
Mayor, City of Lake Dallas, Texas

ATTEST:

M. Jean Chambers
City Secretary

THE STATE OF TEXAS X

COUNTY OF DENTON X

I, M. JEAN CHAMBERS, City Secretary of the City of Lake Dallas, Texas, do hereby certify that the above and foregoing is a true and correct copy of the minutes of a meeting of the City Council of the City of LakeDallas, Texas held on the 11th day of September, 1975, insofar as it reflects the adoption of a resolution entitled:

> A RESOLUTION REQUESTING THE STATE HIGHWAY DEPARTMENT TO CONVERT THE FRONTAGE ROADS SERVING IH 35E TO ONE-WAY OPERATION FROM THE NORTH CITY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS, TO THE HICKORY CREEK BRIDGE.

IN TESTIMONY WHEREOF, witness my hand and the seal of said City, this the 11th day of September, 1975.

M. Jean Chambers

City Secretary, City of Lake Dallas, Texas

MINUTES OF SPECIAL MEETING OF CITY COUNCIL HELD AT CITY HALL SEPTEMBER 25, 1975

All members of the Council being present, Mayor Vinson called the meeting to order at 7:30 P.M.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the Special Election held Saturday, September 20, 1975, for the purpose of electing a councilmember to serve out Mayor Vinson's unexpired term. It was determined that a total of 185 valid votes were cast for four candidates by 190 registered voters. Five ballots could not be counted inasmuch as the voter had voted for more than one candidate on each of those ballots. Each candidate received the following number of votes:

Thomas H. Rodgers	45
J. C. "Jim" Payne	102
George W. Hawkins, Jr.	34
Jesse Evans (Write In)	4

Councilman Bill Grammer moved that the Election Returns be accepted as presented by Presiding Election Judge, Mrs. Shirley D. Judge. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson then administered the Oath of Office to newly elected councilmember, Mr. J. C. Payne.

Councilman James W. Hutto moved that the proposed budget for the 1975-76 Fiscal Year be passed and approved as presented. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, Bill Grammer and W. L. Beene
NOES: Mr. Roy V. Harper

Councilman Grammer moved that an informal meeting be scheduled for September 30, 1975, at 11:00 A.M., at City Hall, for the purpose of interviewing Mr. Joe Uletti for the position of City Administrator. Councilman Beene seconded the motion, and it carried unanimously.

Council agreed that a meeting of the Mayor's of Lake Dallas, Hickory Creek, Shady Shores and Corinth should be scheduled in the very near future for the purpose of discussing financial support of the Lake Dallas Area Volunteer Fire Department.

M. Jean Chambers

M. Jean Chambers

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 25th day of September, 19 75, the City Council/~~Commission~~[1] of the City of Lake Dallas, Texas, convened in Special session open to the public at the regular meeting place thereof with the following members present, to-wit:

Johnny J. Vinson, Mayor,

James W. Hutto, Alderman/~~Commissioner~~

W. L. Beene, Alderman/~~Commissioner~~

Bill Grammer, Alderman[2]

Roy V. Harper, Alderman[2]

, Alderman[2]

M. Jean Chambers, City Secretary/~~Clerk~~[1]

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

Alderman/~~Commissioner~~[1] Bill Grammer introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1] W. L. Beene, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Messrs. Bill Grammer, W. L. Beene, James W. Hutto and Roy V. Harper, NOES: None

The resolution is as follows:

There came on to be considered the returns of an election held on the 20th day of September, 1975, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 185 valid and legal votes; that each of the candidates in said election received the following votes:

FOR ALDERMAN

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Thomas H. Rodgers	45
J. C. "Jim" Payne	102
George W. Hawkins, Jr.	34
Jesse Evans (Write In)	4

~~FOR ALDERMAN/COMMISSIONER~~[3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/~~COMMISSION~~ OF THE CITY OF LAKE DALLAS, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that _____ was duly elected Mayor of said City at said election[2] and J. C. "Jim" Payne _____ were duly elected Aldermen/~~Commissioners~~ of said City at said election, and that _____ was duly elected _____,[2] and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 25th day of September 1975.

ATTEST:

Jean Rambeau
Secretary/~~Clerk~~

Johnny J. Vinson
Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

MINUTES OF REGULAR MEETING
OF CITY COUNCIL HELD AT
CITY HALL OCTOBER 9, 1975

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Messrs. Bill Grammer, Roy V. Harper, James W. Hutto and J. C. Payne were present. Councilman W. L. Beene was absent.

Councilman Hutto moved that the minutes of previous meetings be accepted as presented by City Secretary. Councilman Grammer seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mr. Bill Camp complained about the poor quality of repair work recently done to Kings Manor and Prince Drives. He stated the bumpers of his automobiles had been damaged when they were moved by a local wrecker service from the street into his driveway, and they were splattered with asphalt.

Mr. Ron Tate provided Council with pictures of a tractor trailer truck that consistently parks on Shady Shores Road close to its intersection with Kings Manor Drive, and stated that such parking constituted a hazard inasmuch as it restricts the view of oncoming traffic. He requested that the City place "No Parking" signs in this area in an effort to promote good traffic safty.

Messrs. Tommy Singleton, Don Ault and James Fordham petitioned Council to amend the present C-3 Zoning District to include .789 acres of the Lake Cities Industrial Foundation property, located at the SE corner of Interstate 35 Access Road and Swisher Road. Councilman Grammer moved that the request be denied in accordance with the recommendation made by the Planning and Zoning Commission. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Bill Grammer, J. C. Payne, and James W. Hutto.
NOES: None
Mr. Roy V. Harper abstained from the vote.

Councilman Grammer moved that Mr. Kermit Fonteno be appointed to the Planning and Zoning Commission to fill the vacancy created by Mrs. Patsy Farrow's recent resignation. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that Mrs. Patsy Farrow be appointed Chairperson of the Bicentennial Committee to fill the vacancy created by Mrs. Frankie Payne's recent resignation. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that "A RESOLUTION AUTHORIZING CENTENNIAL HOMES, INC. TO REPAIR THE STREETS IN KINGS MANOR SUBDIVISION, PHASE II, IN STRICT CONFORMITY WITH PLANS AND SPECIFICATIONS PREPARED BY THE CITY'S ENGINEER AND UNDER THE SUPERVISION OF THE CITY'S ENGINEER" be adopted. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Grammer moved that the matter of appointing an attorney to review all papers prepared by Centennial Homes in connection with their law suit against Mr. Jim Clem be tabled for further study. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that an ordinance pertaining to the outdoor burning of trash and rubbish, entitled "AN ORDINANCE AMENDING AN ORDINANCE DEFINING CERTAIN NUISANCES AS UNLAWFUL ACTS AND PROHIBITING SAME, IN THE CITY OF LAKE DALLAS, TEXAS, PROVIDING A PENALTY FOR THE VIOLATION HEREOF, AND DECLARING AN EMERGENCY", be passed and approved. Councilman Grammer seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, Bill Grammer, and J. C. Payne
NOES: Mr. Roy V. Harper

Councilman Grammer moved that the matter of water being rechannelled from Hickory Creek onto the Bud Whitehead property in Lake Dallas be referred to the City Attorney for a legal opinion. Councilman Harper seconded the motion, and it carried unanimously.

Mayor Vinson stated that the North Texas Education and Training Co-op., Inc. had agreed to fund the City Administrator position through June 30, 1976 under a Title Six Program, and the City would be under no obligation to retain his services past that date. Councilman Grammer moved that Mr. Joe Yalenty be appointed City Administrator effective October 13, 1975 contingent upon the conditions as outlined by the Mayor. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of purchasing existing drapries in offices presently occupied by the LCMUA be tabled for further study. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Payne moved that the City Administrator and City Secretary be authorized to attend the Texas Municipal League's annual convention to be held in Houston October 26 through 28, 1975. Councilman Grammer seconded the motion, and it carried unanimously.

Councilman Harper moved that the City not purchase at this time the 4500 Tractor Loader Backhoe as proposed by Den Tex Ford Tractor, Inc. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of September, 1975, and the October Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay the Accounts Payable. Councilman Grammer seconded the motion, and it carried unanimously.

Council then reviewed the Activity and/or Financial reports for the month of September as submitted by the Police and Fire Departments.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

M. Jean Chambers, City Secretary

AldermanBill Grammer introduced a proposed Resolution and made a motion that it be adopted.

The motion was seconded by Alderman James W. Hutto.

The motion, carrying with it the adoption of the Resolution, prevailed by the following vote:

AYES: Aldermen Bill Grammer, James W. Hutto, J. C. Payne, _____ and Roy V. Harper.

NOES: None.

The Resolution, as adopted, is as follows:

A RESOLUTION AUTHORIZING CENTENNIAL HOMES, INC. TO REPAIR THE STREETS IN KING MANOR SUBDIVISION, PHASE II, IN STRICT CONFORMITY WITH PLANS AND SPECIFICATIONS PREPARED BY THE CITY'S ENGINEER AND UNDER THE SUPERVISION OF THE CITY'S ENGINEER.

WHEREAS, the City Council has had under consideration the request of Centennial Homes, Inc. for permission to repair the streets in Kings Manor, Subdivision, Phase II; and

WHEREAS, Centennial Homes, Inc. has agreed to construct such repairs in accordance with the plans and specifications prepared by the City's Engineer, and under the supervision of the City's Engineer; and

WHEREAS, the City's Engineer has prepared plans and specifications for the proposed repairs, which plans and specifications have been approved by Centennial Homes, Inc. and the City Council, signed for identification by the Mayor of the City of Lake Dallas, Texas and the representative of Centennial Homes, Inc; and

WHEREAS, the City Council has determined that it would be to the best interest of the City and its inhabitants to grant the request of Centennial Homes, Inc.;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That Centennial Homes, Inc. be and it is hereby authorized to repair the streets in Kings Manor Subdivision, Phase II, at its sole expense, in strict conformity with the plans and specifications prepared by the City's Engineers, and signed for identification by the Mayor of the City of Lake Dallas, Texas, and the representative of Centennial Homes, Inc.

2. That the construction of such repairs shall be under the supervision of the City's Engineer.

PASSED AND APPROVED, this the 9th day of October, 1975.

Johnny J. Vinson
Mayor, City of Lake Dallas, Texas

ATTEST:

Ira Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 13, 1975

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, James W. Hutto, J. C. Payne and Roy V. Harper were present. Councilman Bill Grammer was absent. City Secretary M. Jean Chambers acted as recording secretary.

Councilman Payne moved that the minutes of the October 9 meeting be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mrs. Sam Kovsky complained that the fence had not as yet been constructed between her property and the Townhouse Development, as required by the Planning and Zoning Commission and agreed to by the Developer, Mr. J. Neal Reeves. She also stated Lone Star Gas Company had cut Thompson Drive sometime ago between the Forbes and Tweed properties, and requested that such street be properly repaired.

Mrs. Jess Stowe complained about the many unattractive Garage Sale signs that appear throughout the City, and requested that something be done to alleviate this practice.

After receiving complaints of poor visibility on Shady Shores Road at its intersection with Montserrat Road, Council agreed that a street light should be erected at that location.

Mrs. Patsy Farrow, Chairperson of the Bicentennial Committee, reported to Council the plans for the 1976 Bicentennial Celebration, and requested the City's support of same. She further stated her committee is presently making plans to celebrate the City's 50th Anniversary in January, 1976.

Mr. Jerry Jones, representing Lake Dallas Telephone Company, petitioned Council for a rate increase of $4.00 per month on commercial service and 50¢ per month on residential service within the City. He presented rates for comparable service in neighboring cities, and stated the requested increase would only allow them to maintain the present quality of service. He further stated the proposed increase would only allow the Company a 3.4% rate of return on their investment. Councilman Beene moved that such rate increase be granted as requested by the Lake Dallas Telephone Company. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Beene moved that "A RESOLUTION ACCEPTING THE DEDICATION OF STREETS LOCATED IN THE HARBOR TOWNHOUSE DEVELOPMENT, PHASE I, AT THE EAST END OF CAIN STREET, IN THE M E P & P R R SURVEY, LAKE DALLAS, TEXAS" be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Beene moved that Carlisle, Main, Hundley, Shady Shores, Denton, Lakeview and Texas Streets be striped with glass base deflector paint at a total cost of $400.00. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, J. C. Payne and Roy V. Harper.
NOES: Mr. James W. Hutto

City Administrative, Mr. Joe Yalenty, reported to Council on his recent trip to T M L 's annual convention in Houston, and the present status of his investigative work for grant monies, etc. Council agreed that Mr. Yalenty should continue the preliminary work which will allow for the annexiation of Willow Grove Park.

Council reviewed the legal opinions submitted by the City Attorney relative to the flooding of the Whitehead property, and the City's position in Centennial Homes' law suit against Mr. Jim Clem, but no motions were made.

Councilman Hutto moved that the Lake Cities Municipal Utility Authority be permitted to purchase their gasoline from the City at the City's original purchase price. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Payne moved that the matter of purchasing street signs for Phase II of the Kings Manor Subdivision for the second time be referred to the City Attorney for an opinion. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Harper moved that City Secretary be authorized to hire someone to clean the Administrative Offices one day each week. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Police Activity Report for the month of October as submitted by Chief Bill Haddox. Chief Haddox informed Council that in order to comply with F C C regulations it will be necessary to employ dispatchers 24 hours per day, and requested additional funding for this purpose. Council agreed that City Secretary should review the budget with Chief Haddox and make recommendations to Council regarding same.

Council reviewed the Schedule of Receipts and Disbursements for the month of October, 1975 and the November Accounts Payable. Councilman Beene moved that City Secretary be authorized to pay the Accounts Payable. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Payne moved that City Administrator, Mr. Joe Yalenty, be appointed to serve in an advisory capacity to the Board of Directors of the Lake Cities Library. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved that the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:30 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

Alderman W. L. Beene introduced a proposed resolution and moved that it be adopted.

The motion was seconded by James W. Hutto.

The motion, carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Aldermen W. L. Beene, James W. Hutto, J. C. Payne, _____ and Roy V. Harper.

NOES:

The resolution, as adopted, is as follows:

A RESOLUTION ACCEPTING THE DEDICATION OF STREETS LOCATED IN THE HARBOR TOWNHOUSE DEVELOPMENT, PHASE I, AT THE EAST END OF CAIN STREET, IN THE MEP & PRR SURVEY, IN LAKE DALLAS, TEXAS.

WHEREAS, heretofore, the City of Lake Dallas has approved the plat plan submitted by the Harbor Townhouse Development; and

WHEREAS, permission was granted to improve streets in accordance with the requirements of the City of Lake Dallas; and

WHEREAS, such streets have been improved in accordance with those plans submitted; and

WHEREAS, the construction of such streets have been timely inspected as to quality of materials and method of construction by the City's Engineer; and

WHEREAS, the City's Engineer has final inspected such streets and recommended that they be accepted; and

WHEREAS, the General Texas Asphalt Company has provided the City with a Maintenance Bond, in the amount of $42,966.00, for a period of one year; and

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS;

That the streets located in the Harbor Townhouse Development, Phase I, are hereby accepted as constructed for and on behalf of the City of Lake Dallas, Texas.

PASSED AND APPROVED, this 13th day of November, 1975.

Johnny J. Vinson

Johnny J. Vinson, Mayor

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL DECEMBER 11, 1975

Mayor Johnny J. Vinson called the meeting to order at 7.30 P.M. Councilmembers Bill Grammer, Roy V. Harper, James W. Hutto, W. L. Beene and J. C. Payne were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the November 13 meeting be accepted as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that "AN ORDINANCE GRANTING TO DALTON & SON FUNERAL HOME, INC. THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN AMBULANCE SERVICE OVER, UPON, ALONG AND ACROSS THE PRESENT AND ANY FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PLACES WITHIN THE CITY OF LAKE DALLAS, TEXAS; PROVIDING REGULATIONS FOR THE OPERATION OF SUCH SERVICE, AND DECLARING AN EMERGENCY" be passed and approved. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne and Bill Grammer
NOES: Messrs. W. L. Beene and Roy V. Harper

A copy of such ordinance is attached hereto and made a part of these minutes. Councilman Beene asked that the minutes reflect that this is not an exclusive Franchise Agreement and should not be interpreted to exclude any other ambulance service from operating on City streets.

Councilman Beene moved that a street light be constructed between that point where Kings Manor Drive turns and runs North and South, and Overly Drive. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. and Mrs. Sam Kovsky stated the street light located at Thompson and Lakeview Drives had been out for sometime, and requested that the blub be replaced. They also stated the Developer of the Harbor Townhouses had not continued the fence far enough East so that it separated the Townhouse property from theirs (in accordance with the original intent), and requested that he be required to do so, or, as an alternative, cut the dirt back to the original level, so that dust and debris would not blow onto their property.

Mr. Nelson Miller, John Ferris, and several other men, asked Council for their support of a new V.F.W. Post, which will be part of District I and located somewhere within the four cities area. Council's general attitude toward the matter was favorable.

Councilman Payne moved that Mr. Leroy Schramm be appointed to the Planning and Zoning Commission to fill the vacancy created by Mr. Mike McCoy's recent resignation. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that the request made by Mr. David Milsap for a refund of the $150.00 fee paid with his application for a change in zoning classification be denied on the basis that such fee is charged for the purpose of defraying administrative, postage and advertising cost incurred in processing such application, and in no way assures the applicant of favorable consideration of same. Councilman Hutto seconded

the motion, and it prevailed by the following vote:
AYES: Bill Grammer, James W. Hutto, Roy V. Harper and J. C. Payne
NOES: None
Mr. W. L. Beene abstained from the vote.

Councilman Grammer moved that the matter of present procedures of the Building Department be tabled for discussion in the Executive Session inasmuch as it pertains to personnel. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Grammer moved that the matter of adopting a new Building Code by ordinance be tabled for discussion at a special work session called after the holidays. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that the two most northerly "No Parking" signs located on Shady Shores Road at its intersection with Kings Manor Drive be removed. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Grammer moved that City Employees be permitted to take December 25 and 26 for the Christmas Holiday this year in order to provide a long week-end, rather than December 24 and 25 as previously agreed. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Grammer moved that the Lake Dallas Insurance Agency's quotation for personal liability insurance coverage on City Officials, with limits of 100/300, be accepted for an annual premium of $368.09. Councilman Beene seconded the motion, and it carried unanimously.

After hearing City Administrator Mr. Joe Yalenty's report regarding data needed to complete grant applications, Councilman Hutto moved that, if necessary, a Pictorial Housing Survey of the City be made at an approximate cost of $50.00. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Beene moved that the matter of the Sheriff's Office dispatching for the Police Department after 5:00 P.M. be tabled for further study. Councilman Grammer seconded the motion, and it carried unanimously.

Council reviewed the Activity and Financial Reports as submitted by the Police and Fire Departments. Chief Haddox informed Council that Ordinance #18 pertaining to traffic regulations was obsolete, and needed revision to meet State Law. Council agreed that such ordinance should be referred to the City Attorney for that purpose.

Council reviewed the Schedule of Receipts and Disbursements for the month of November, 1975, and the December Accounts Payable, as presented by City Secretary. Councilman Beene moved that City Secretary be authorized to pay the Accounts Payable, for the exception of the statement submitted by Corlett, Gray & Probst, Consulting Engineers. Councilman Grammer seconded the motion, and it carried unanimously. Council instructed City Secretary to ascertain the number of work hours represented by the statement.

Councilman Hutto moved that the meeting be recessed for ten minutes, and then Council enter into Executive Session for the purpose of discussing personnel. Councilman Grammer seconded the motion, and it carried unanimously. Mayor Vinson recessed the meeting at 9:50 P.M.

Mayor Vinson called the meeting to order in Executive Session at 10:00 P.M. Council discussed some of the complaints received regarding personnel of the Police Department. It was agreed that such complaints should be called to the attention of Chief Bill Haddox, together with the request that he take necessary steps to rectify same.

Council also discussed the various policies and procedures of personnel of the Building Department relative to permits, inspections, etc., but no motions were made.

Councilman Beene moved that the Executive Session be adjourned, and that Council convene in Open Session. Councilman Grammer seconded the motion, and it carried unanimously.

Mayor Vinson called the meeting to order in Open Session at 11:00 P.M.

Councilman Grammer moved that the Mayor or Mayor Pro Tem approve and sign all Applications for Building Permits, together with the Building Inspector. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Grammer moved that the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 11:30 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

AN ORDINANCE GRANTING TO DALTON & SON FUNERAL HOME, INC. THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN AMBULANCE SERVICE OVER, UPON, ALONG AND ACROSS THE PRESENT AND ANY FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PLACES WITHIN THE CITY OF LAKE DALLAS, TEXAS; PROVIDING REGULATIONS FOR THE OPERATION OF SUCH SERVICE, AND DECLARING AN EMERGENCY.

WHEREAS, there are now no adequate provisions for the furnishing of ambulance service to the inhabitants of the City of Lake Dallas, Texas; and

WHEREAS, Dalton & Son Funeral Home, Inc. has submitted to the City Council of the City of Lake Dallas, Texas a proposal for furnishing ambulance service to the inhabitants of the City of Lake Dallas, Texas; and

WHEREAS, the City Council of the City of Lake Dallas, Texas has investigated into and determies that the acceptance of the proposal submitted by Dalton & Son Funeral Home, Inc. would be advantageous to the City of Lake Dallas, Texas, and its inhabitants;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That there be and there is hereby granted to Dalton & Son Funeral Home, Inc. the right, privilege and franchise to operate ambulance service over, upon, along and across the present any any future streets, alleys, bridges and public places within the City of Lake Dallas, Texas, and over, upon, along and across the streets, alleys, bridges and other public places in any areas hereafter annexed to or over which the City of Lake Dallas, Texas may acquire municipal jurisdiction.

2. Grantee shall and agrees to procure and keep in good repair sufficient equipment to adequately furnish ambulance service to all of the present and any future inhabitants of the Cityof Lake Dallas, Texas.

The Grantee shall and agrees that all equipment used for ambulance service within the City of Lake Dallas, Texas shall meet the standard of all State of Texas and Federal Laws and Regulations pertaining to ambulance service.

The Grantee shall and agrees to station its equipment so as to most effectively furnish ambulance service to the inhabitants of the City of Lake Dallas, Texas, and so as not to unreasonably interfere with traffic within the City of Lake Dallas, Texas. The location of such station or stations shall be under the supervision of the City Council of the City of Lake Dallas, Texas.

3. The service furnished hereunder to the Grantor, and its inhabitants, shall be subject to such reasonable rules and regulations as the Grantor may make from time to time. The Grantee may require reasonable security for the payment of its services.

4. The Grantee is authorized to charge reasonable rates for the service furnished under this franchise, it being expressly understood and agreed between the Grantor and Grantee herein that a charge of Forty-five ($45.00) Dollars for each call is a reasonable rate under present conditions.

5. That on acceptance of this franchise by Dalton & Son Funeral Home, Inc. it shall pay to the City of Lake Dallas, Texas, the sum of Twenty-five ($25.00) Dollars as street rental for twelve months succeeding January 1, 1976, and on January 1, 1977, and annually thereafter on January 1st of each succeeding year for the life of this franchise, Dalton & Son Funeral Home, Inc., its successors and assigns, shall pay to the City of Lake Dallas, Texas a sum equal to two per cent (2%) of the gross revenue received for ambulance service within the corporate limits of the City of Lake Dallas, Texas for the preceding twelve (12) months ending December 31st, in full payment for the privilege of using and occupying the streets, alleys, bridges and other public places within the City of Lake Dallas, Texas, whether as rental, supervision and inspection charges, or otherwise, for twelve (12) months suceeding January 1st of the year in which payment is made. This payment shall be in lieu of any other tax or increased rate of tax or other imposition, assessment, or charges, except ad valorem taxes.

6. The Grantee shall hold the City of Lake Dallas, Texas harmless from all expense or liability for any act of neglect of the Grantee hereunder, and to implement the enforcement of this section, the Grantee hereunder agrees to keep in force a property damage and public liability policy on each piece of motor equipment used in furnishing service hereunder in the amount of $\$\underline{100,000.00 \text{ per person}}$ and $\$\underline{300,000.00 \text{ per occurrence}}$, respectively, in a company authorized to do business in the State of Texas; and the City of Lake Dallas, Texas shall be named as co-insured in any such policies.

7. The Grantee shall and agrees to comply with all of the existing laws of the United States and of this State, and any further laws which may be

enacted by the United States or this State, and agrees to comply with the regulations of any regulatory body or officer authorized to prescribe or enforce regulations pertaining to the operation of ambulance service, it being expressly agreed that nothing in this franchise shall be construed in any manner to abridge the right of the City of Lake Dallas, Texas to pass or enforce necessary police and health regulations for the protection of the inhabitants of said City.

8. This franchise is to take effect and continue and remain in full force and effect for a period of twenty (20) years from and after its final passage, upon the written acceptance by the Grantee of the terms and conditions of this franchise, providing Grantee shall have twenty (20) days after this ordinance and franchise has been duly passed and enacted and has been duly approved as required by law, to file his acceptance hereof.

9. This grant or franchise is personal to the Grantee and shall not be assignable, either in part nor in its entirety, without the express approval of the Grantor.

The fact that the City of Lake Dallas, Texas is in immediate need of the relief afforded by the provisions of this ordinance creates an emergency and an imperative public necessity demanding that any rule requiring ordinances to be passed at more than one separate meeting be suspended, and that this ordinance be in full force and effect immediately after its passage, and it is so ordained.

PASSED AND APPROVED, this the 11th day of December, 1975.

Jimmy D. Vinson
Mayor, City of Lake Dallas, Texas

ATTEST:

Glen Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 8, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Bill Grammer, Roy V. Harper, James W. Hutto and J. C. Payne were present. Councilman W. L. Beene was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the December 11, 1975 meeting be accepted as presented by City Secretary. Councilman Grammer seconded the motion, and it carried unanimously.

Mr. David Milsap addressed Council relative to his request for a refund of the $150.00 fee posted in March, 1975 with his application for a change in zoning classification. He stated his request was actually for a permit to operate a private club within the City Limits of Lake Dallas, and was later informed by an attorney that the City had no jurisdiction in such matters. Therefore, in his judgement, he was due a refund of those monies erroneously posted. Mayor Vinson informed Mr. Milsap that certified letters were mailed to all owners of real property located within 200 feet of the proposed location, and the matter was placed on the Agenda of the Planning and Zoning Commission. Therefore, administrative costs were incurred, and no refund was in order.

Messrs. Vincent Galier and Larry Weatherly, representing Peter W. Galier & Associates, appeared before Council relative to that organization's request for a change in zoning classification from the M-1 Light Industrial District to the R-3 Apartment District with respect to approximately two acres of land (300' X 300') fronting Shady Shores Road, and located 690.15' South of the Swisher Road intersection. Mr. Galier stated they planned to build a 40 unit apartment complex, 16 one bedroom apartments with a total of 603 square feet per unit, 24 two bedroom apartments with 800 square feet per unit, and further requested a variance from the minimum 900 square footage, as specified in Ordinance No. 25, to allow for same. Councilman Hutto moved that both the request for a change in zoning classification and the request for a variance in minimum square footage be granted. Councilman Grammer seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, Bill Grammer and Roy V. Harper
NOES: None
Councilman J. C. Payne abstained from the vote.

Councilman Hutto moved that Ms. Mary Mayfield be appointed to the Planning and Zoning Commission to fill the vacancy created by Ms. Glenda Johnson's recent resignation. Councilman Grammer seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, Bill Grammer and J. C. Payne
NOES: None
Councilman Roy V. Harper abstained from the vote.

The Reverend John Peel, representing approximately twenty Little League Teams in the community, requested the City to consider paying the electric bill on a lighted baseball field beginning this spring season. He stated funds had been raised for the purchase of the necessary fixtures, equipment, etc., and the Lake Dallas United Methodist Church had granted the use of their field if none other was available. Reverend Peel further stated, due to the large participation, it was impossible for all the teams to compete before darkness, thereby making a lighted field mecessary to the continuous of the teams. Councilman Hutto moved that the City agree to pay the electric bill for the lighted field in an effort to encourage the young people and provide them with the opportunity for constructive activity. Councilman Payne seconded the motion, and it prevailed by

the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne and Bill Grammer
NOES: None
Councilman Roy V. Harper abstained from the vote.

Councilman Hutto moved that the City purchase Survey Monuments as needed, and erect same for the purpose of establishing permanent boundary lines for those surveys made recently and in the future. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that the matter of the City applying for a low interest, long term loan with F.H.A. in behalf of the Community Center and/or Fire Department be tabled until more specific information is available. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Payne moved that a Resolution be adopted authorizing renewal of a note, in the principal sum of $5,982.89, held by Lake Cities State Bank with respect to one 1970 Ford Two Ton Truck. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such Resolution is attached hereto and made a part of these minutes.

Mr. David Baggs, Secretary of the Lake Dallas Area Volunteer Fire Department, addressed Council relative to what he termed "derogatory" remarks made by Councilman Beene at the December Council meeting relative to his department. He stated each complaint had been investigated by the Board of Directors of the Fire Department and proved to be unfounded. He requested a public apology by Mr. Beene inasmuch as his remarks, as reported in the local papers, had damaged the Fire Department. He further requested that in the future any and all complaints involving the Fire Department be made first to the Board of Directors. Then, if sarisfaction is not forthcoming, such complaints could be made public. Mayor Vinson apologized for the incident, and pledged the Council's continued cooperation and support to the Fire Department.

Council reviewed the Fire Department's Activity and Financial Reports for the month of December and the entire year of 1975, as submitted by Chief Roy Lester.

Councilman Grammer moved that the Police Training School Schedule for 1976 be approved as submitted by Chief Bill Haddox. Councilman Hutto seconded the motion, and it carried unanimously. Council then reviewed the Police Department's December Activity Report.

It was agreed that the Mayor should call a Special Work Session sometime in February, at the City Attorney's convenience, for the purpose of discussing needed revisions to the Building Code, Subdivision and Zoning Ordinances.

Council reviewed the Schedule of Receipts and Disbursements for the month of December, 1975, the quarterly Budget Report, and the January Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those bills due and payable in January. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Hutto requested that all absences of councilmembers from future meetings be excused by the Council, as set out in the Handbook for Mayors and Councilmembers.

Mayor Vinson informed Council that the County Surveyor had completed his survey of Stadium Drive, and the street was in fact located approximately six feet on Mr. and Mrs. W. L. Hunter's property. It was determined that such street had known its present location for many years and, due to the fact that many

streets within the City are not located where they should be, the City had not the means with which to undertake the relocation of all misplaced streets at this time. Therefore no action would be taken on the Stadium Street matter.

Mayor Vinson further informed Council he had received several complaints relative to a dog kennel located at the East end of Carlisle Street. It was agreed that those complainants should file formal complaints under the nuisance ordinance, and such complaints would subsequently be placed on the docket of Municipal Court.

There being no further business for discussion, Councilman Grammer moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

RESOLUTION, CITY COUNCIL---CITY OF LAKE DALLAS, TEXAS

The undersigned Secretary of the City of Lake Dallas, Denton County, Texas, hereby certifies that the following Resolution was duly adopted by the City Council of the City of Lake Dallas, Denton County, Texas, at a meeting of said Council duly called, convened and held on the 8th day of January, 1976, a quorum being present at such meeting.

RESOLUTION

WHEREAS, the City of Lake Dallas is indebted to Lake Cities State Bank, hereinafter referred to as the BANK, as evidenced by a promissory note dated July 10, 1975, in the original principal amount of $6,757.47, due and payable on or before September 30, 1975, bearing interest and with terms and conditions as therein provided, such note now having an outstanding balance of $5,982.89 principal and interest, and which note is secured by a Security Interest in favor of Bank in and on the City owned 1970 Ford 2-ton Fire Truck #MV F60 DCH 81843; and

WHEREAS, the foregoing note now is due and payable, and the City of Lake Dallas is desirous of renewing and extending the same on the basis hereinafter described, and BANK has agreed to accept such renewal and extension;

NOW THEREFORE, the City of Lake Dallas and the City Council of said City hereby request BANK to renew and extend the note above described with the outstanding balance as heretofore indicated, by execution of a new and renewal note bearing interest on the unpaid principal balance thereof at the rate of seven percent (7%) per annum, interest on the unpaid principal balance, and $598.29 of principal being due and payable April 30, 1976, and the balance of principal and accrued interest thereon being due and payable September 30, 1976, and to be secured by the Security Interest in the motor vehicle heretofore described, such renewal note to be dated January 10, 1976; and

FURTHER RESOLVED, that the Mayor or the Mayor Pro Tem and City Secretary are hereby authorized and directed to take such actions and execute such papers and documents as may be necessary or proper to evidence the indebtedness heretofore described, in favor of BANK, and give security therefor as indicated above in this Resolution, any and all Security Agreements and other collateral documents heretofore relating to such indebtedness and the security therefor to remain in full force and effect; and such officers also are authorized from time to time to give additional security for such indebtedness as may be deemed advisable and proper by the Mayor or Mayor Pro Tem of the City of Lake Dallas, Texas.

CERTIFIED CORRECT: _____
City Secretary, Lake Dallas, Texas

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 12, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Bill Grammer, Roy V. Harper, James W. Hutto, W. L. Beene and J. C. Payne were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the January 8, 1976 meeting be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mr. W. L. Hunter stated that Stadium Drive is presently located approximately eight feet on his property. He requested that the street be moved South six feet, and he would deed two feet of his property to the City providing the neighbors to the South (across Stadium Drive) were willing to do the same. He further stated the street had not been located in its present position for as long as ten years. Mr. Hunter also stated that the neighbors to the South of his property were in fact operating a garage in a residential zoning district inasmuch as the property had not ever been zoned commercial. He presented Council with a petition, signed by eight adjacent property owners, requesting enforcement of the Zoning and Nuisance Ordinances as same relates specifically to Lot Nos. 15, 16, 17 and 18, of Block 1, in the Garza Beach Estates Subdivision, presently owned by Mr. Bob Boliver. Councilman Hutto moved that the matter be tabled for further study and investigation, providing Mr. Hunter with a decision within thirty days. Councilman Payne seconded the motion, and it carried unanimously.

Mrs. Carolyn Green did not appear of the Citizen's Agenda inasmuch as the potential fire hazard had been alleviated.

Mr. Jack Locke, representing Lone Star Gas Company, was present to answer any questions relative to the unusually high gas bills recently received by Lake Dallas residents. He stated the high bills were due to some degree to the fact that the meter reader had not actually read the meters for several months, only estimated the readings. Such meter reader was subsequently dismissed, and replaced with a competent man who properly read the meters, resulting in high gas bills for some users. He provided a comparison of rates charged for the months of December, 1974, January and February of 1975 with the same months of 1975 and 1976, and stated the present Lake Dallas rate was lower than that of the cities of Flower Mound, Lewisville and Grand Prairie.

City Administrator, Joe Yalenty, provided Council with cost and revenue projection figures with respect to the City's providing solid waste disposal service to residents. Councilman Beene moved that the matter be tabled for further study, and taken up again in a special work session to be scheduled later. Councilman Harper seconded the motion, and it carried unanimously.

Mr. Glen Farley, owner of the Lake Area Disposal Service, petitioned Council to consider passing an ordinance requiring all residents to subscribe to the solid waste disposal serving the City. Otherwise, he stated a rate increase would be needed to support the service inasmuch as the volume is just not enough to do so. Council agreed to take the matter under advisement. Motion was made by Councilman Beene, seconded by Councilman Grammer, and carried unanimously.

Councilman Hutto moved that the matter of purchasing a roller for the Street Department be tabled until other bids are received for consideration. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Grammer moved that Mr. Ray Pinkerton be appointed to the Planning and Zoning Commission to fill the vacancy created by Mr. Jim Culpin's recent resignation. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Grammer moved that the Lake Cities Sun be designated the City's official newspaper. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Grammer moved that a resolution be adopted establishing procedure for the City Officer's Election to be held April 3, 1976 whereby a Mayor and two Councilmembers will be elected. Councilman Beene seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Grammer moved that the seven chairs for the council table not be purchased at this time. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Beene moved that "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACT AS APPLICANT ON BEHALF OF THE CITY OF LAKE DALLAS, TEXAS FOR COMMUNITY DEVELOPMENT DISCRETIONARY BLOCK GRANT FUNDS, FEDERAL DOMESTIC ASSISTANCE CATALOGUE #14.219" be passed and approved. Councilman Harper seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes. It was further agreed that two public hearings would be held March 3 and 4, 1976, at 7:30 P.M., in the City Hall Building, for the purpose of explaining the Community Development Block Grant Program to the citizenry, and provide them with an opportunity to express their ideas and opinions regarding the types of projects and programs for which funds should be sought from the federal government for use in 1976-77.

City Administrator, Mr. Joe Yalenty, made a progress report regarding the annexiation of Willow Grove Park. Councilman Hutto moved that the City proceed with such annexiation. Councilman Harper seconded the motion, and it carried unanimously.

Mr. Yalenty further reported to Council on the status of the Street Sign Reimbursement Program, and the street numbering of all properties within the City.

Chief Bill Haddox made the Police Department's Activity Report for the month of January, 1976. He informed Council he had received permission for his patrolmen to attend the Dallas County Sheriff's Office Academy at no tuition cost to the City. He further explained this will eliminate the need to activate the balance of those funds allocated for continuing education in this fiscal year. Councilman Hutto moved that the patrolmen attending classes be permitted to drive the patrol cars to and from the academy. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the January Activity and Financial Reports as submitted by the Fire Department.

Council reviewed the Schedule of Receipts and Disbursements for the month of January, 1976, and February Accounts Payable, as submitted by City Secretary. Councilman Beene moved that City Secretary be authorized to pay those bills due in March. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that "A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORIZATION OF SHIRLEY W. PETERS TO FILE AN ANSWER IN CAUSE NO. 75-2026-B, 158TH JUDICIAL DISTRICT COURT, DENTON COUNTY, TEXAS, STYLED LAKE CITIES INDUSTRIAL FOUNDATION, INC. VS. CITY OF LAKE DALLAS, TEXAS, ET AL" be passed and approved. Councilman Grammer seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

There being no further business for discussion, Councilman Hutto moved for an adjournment. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:40 P.M.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS }
CITY OF LAKE DALLAS }

On this the 12th day of February, 1976, the City Council/~~Commission~~[1] of the City of Lake Dallas, Texas, convened in regular session, open to the public, at the regular meeting place thereof with the following members present, to-wit:

Johnny J. Vinson, Mayor,
James W. Hutto, Alderman/~~Commissioner~~[1]
W. L. Beene, Alderman/~~Commissioner~~[1]
J. C. Payne, Alderman[2]
Roy V. Harper, Alderman[2]
Bill Grammer, Alderman[2]
M. Jean Chambers, City Secretary/~~Clerk~~[1]

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

Alderman/~~Commissioner~~[1] Bill Grammer introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1] W. L. Beene, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Bill Grammer, W. L. Beene, James W. Hutto, J. C. Payne and Roy V. Harper

NOES: None.

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on April 3 1976, there shall be elected the following officials for this city:

MAYOR[2]

Two (Number of) Alderman[2] ~~Two Commissioners~~[1]

[3]

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/~~COMMISSION~~[1]

OF THE CITY OF Lake Dallas, TEXAS:

That all independent candidates at the election to be held on the first Saturday in April, 19 76, for the above mentioned offices file their applications to become candidates with the Mayor of this City at

City Hall on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 3rd day of April, 19 76, as a candidate for _____ of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is _____ County.

My post office address is _____.

My age is _____ years.

Please place my name on the official ballot as follows:

_____
(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____
Name of Candidate

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~[1] of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~[1] orders the same to be printed on the ballot for said election.

This city, having one election precinct, said election shall be held at the folowing place in said city:

1. In Election Precinct No. _____ at City Hall Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~[1] immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 12th day of February, 1976.

Johnny D. Tipton
Mayor

ATTEST:

M. Jan Chambers
Secretary/~~Clerk~~[1]

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.
(4) This application is available as a separate form. Order Form 16-2396—Request to Place Name on City Officer Election Ballot.
(5) Art. 1.05 of the Election Code.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACT AS APPLICANT ON BEHALF OF THE CITY OF LAKE DALLAS, TEXAS FOR COMMUNITY DEVELOPMENT DISCRETIONARY BLOCK GRANT FUNDS, FEDERAL DOMESTIC ASSISTANCE CATALOGUE # 14.219.

WHEREAS, the City of Lake Dallas, Texas desires to make application for Federal funding under Federal Domestic Assistance program # 14.219, Community Development Discretionary Block Grant Funds.

WHEREAS, HUD regulations require that the city council of the applicant city designate the City Administrator of Lake Dallas to act as applicant on behalf of the community.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS: That authority is hereby granted to the City Administrator, Mr. Joe Yalenty, to act as applicant for the City of Lake Dallas.

Duly passed and approved this 12th day of February, 1976.

Johnny J. Tinson
Mayor

Attest: M. Jean Chambers
City Secretary

A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORIZATION OF SHIRLEY W. PETERS TO FILE AN ANSWER IN CAUSE NO. 75-2026-B, 158th JUDICIAL DISTRICT COURT, DENTON COUNTY, TEXAS, STYLED LAKE CITIES INDUSTRIAL FOUNDATION, INC. V. CITY OF LAKE DALLAS, TEXAS, ET AL.

WHEREAS, heretofore on the 2nd day of December, 1975, the City Council of the City of Lake Dallas, Texas, and the Zoning Commission of the City of Lake Dallas, Texas, met in joint session, pursuant to the call of the Mayor, for the purpose of discussing the lawsuit filed by Lake Cities Industrial Foundation, Inc. against the City of Lake Dallas, Texas, et al.; and

WHEREAS, the meeting was open to the public and a quorum of the City Council and of the Zoning Commission were present at such meeting; and

WHEREAS, at such meeting, the City Council authorized and directed Shirley W. Peters, attorney for the City of Lake Dallas, Texas, to file an answer in said cause on behalf of the City of Lake Dallas, Texas, and James Hutto, J. W. Webb, Roy V. Harper, Bill Grammer, W. L. Beene, Johnny J. Vinson, M. Jean Chambers, Mike McCoy, Randy Youngblood, Howard Davis, Paul Young, Linda Johnson and Patsy Farrow, in their official capacities; and

Whereas, the question has arisen pertaining to the authority of Shirley W. Peters to represent the City of Lake Dallas, Texas, and James Hutto, J. W. Webb, Roy V. Harper, Bill Grammer, W. L. Beene, Johnny J. Vinson, M. Jean Chambers, Mike McCoy, Randy Youngblood, Howard Davis, Paul Young, Linda Johnson and Patsy Farrow, in their official capacities, in said cause; and

WHEREAS, the City Council of the City of Lake Dallas, Texas desires to clarify the matter;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the acts of the City Council of the City of Lake Dallas, Texas, ordering and directing Shirley W. Peters to file an answer in Cause No. 75-2026-B, styled Lake Cities Industrial Foundation, Inc. v. City of Lake Dallas, Texas, et al., in the 158th District Court of Denton County, Texas, and to represent the City of Lake Dallas, Texas, and James Hutto, J. W. Webb, Roy V. Harper, Bill Grammer, W. L. Beene, Johnny J. Vinson, M. Jean Chambers, Mike McCoy, Randy Youngblood, Howard Davis, Paul Young, Linda Johnson and Patsy Farrow, in their official capacities, be and the same is hereby ratified and confirmed.

2. That all of the acts of Shirley W. Peters, attorney for the City of Lake Dallas, Texas, taken in connection with Cause No. 75-2026-B, styled Lake Cities Industrial Foundation, Inc. v. City of Lake Dallas, Texas, et al., be and the same are hereby ratified and confirmed.

BE IT FURTHER RESOLVED that Shirley W. Peters, attorney for the City of Lake Dallas, Texas, be and he is hereby ordered and directed to do all things necessary and/or requisite in the defense of and/or settlement of said litigation.

PASSED AND APPROVED, this the 12th day of February, 1976.

ATTEST:

M. Jean Chambers
City Secretary

Johnny J. Vinson
Mayor, City of Lake Dallas, Texas

THE STATE OF TEXAS)(

COUNTY OF DENTON)(

I, M. JEAN CHAMBERS, City Secretary of the City of Lake Dallas, Texas, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Lake Dallas, Texas, at a Regular Meeting held on the 12th day of February, 1976; that such meeting was open to the public, after due notice.

EXECUTED this the 12th day of February, 1976.

M. Jean Chambers, City Secretary
City of Lake Dallas, Texas

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 3, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers James W. Hutto, J. C. Payne and Roy V. Harper were present. Councilmembers Bill Grammer and W. L. Beene were absent. City Secretary, M. Jean Chambers acted as recording secretary.

City Administrator, Mr. Joe Yalenty, explained the purpose of the meeting is to provide the citizenry with an opportunity to express their ideas and desires regarding the types of projects and programs for which funds should be sought from the federal government for use in the community during 1976-77. Mr. Yalenty stated he proposed to apply for $100,000.00 Community Development Block Grant through HUD. He explained such grant is discretionary, and any monies granted must be used to benefit persons of low or moderate income and in areas that are blighted or otherwise rundown. Therefore, data must be submitted to HUD which will support our need, and verify that funds will be spent to benefit low income groups.

A group of citizens from the Kings Manor Subdivision inquired as to whether or not improving the drainage ditch, located between Kings Manor and Prince Drives, would qualify for grant assistance. Mr. Yalenty stated improving the drainage ditch would not meet the guidelines as established by HUD for this particular grant inasmuch as such improvement would not benefit low income persons, and the Kings Manor Subdivision was not a blighted area.

After much discussion, it was agreed that the grant monies should be sought for the purpose of acquiring a hydraulic and drainage study of that area of the City bound by Lakeview Street to the West and Cain Street to the South.

There being no further business for discussion, Councilman Payne moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 8:55 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 4, 1976

Mayor Vinson called the meeting to order at 7:30 P.M. Councilmembers James W. Hutto, J. C. Payne and Roy V. Harper were present. Councilmembers W. L. Beene and Bill Grammer were absent. City Secretary, M. Jean Chambers, acted as recording secretary.

City Administrator, Mr. Joe Yalenty, stated this was the second of two public hearings held for the purpose of allowing the citizenry an opportunity to express their ideas relative to the manner in which grant funds should be used within the community, more specifically a $100,000.00 Community Development Block Grant for which pre-application will be made by the City on March 15, 1976.

Councilman Payne moved that the meeting be adjourned inasmuch as only one citizen was present, and that person had also been present at the preceding

meeting wherein the criteria, as established by HUD, for this particular grant was discussed. Mrs. Cyril C. Hermes was then asked if she wished to waive the right to this hearing, and she agreed to same. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 7:40 P.M.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 11, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers James W. Hutto, J. C. Payne, W. L. Beene, Bill Grammer and Roy V. Harper were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Beene moved that the minutes of the February 12, 1976 meeting be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mr. W. L. Hunter informed Council he maintains Mr. Bob Boliver is in fact operating a commercial garage on his property located on Stadium Drive. He further stated the property is zoned residential, and such land usuage is in conflict with the zoning ordinance. He said the noise and the fumes were very disturbing, and requested that Council enforce the Zoning Ordinance as same relates to the Boliver property.

Mr. Bob Boliver stated he had maintained his home at the present location since 1951 (25 years), and had always parked his trucks and repaired same at this location. He stated he was self-employed in the grain and harvest business, and that his family owned six grain trucks and two diesel trucks. He further stated he only made repairs on those particular vehicles, and did no repair work for the public.

After much discussion by Council and concerned citizens present, it was agreed the Bolivers would continue to work only on their own vehicles, making no repairs after sundown, and make every effort possible not to disturb their neighbors.

Councilman Payne moved that Stadium Drive not be relocated due to the fact that many streets in the City were not located properly, and the cost to move every street to its proper location would be astronomical to the taxpayer. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto and Bill Grammer.
NOES: Mr. Roy V. Harper
Councilman W. L. Beene abstained from the vote.

Councilman Beene moved that the Election Judge and clerks be paid the minimum hourly wage as in the past, with the Election Judge being paid an extra $5.00 for the day. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that the back room of the City Hall Building be remodeled for council chambers at an approximate cost of $1,000.00. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, J. C. Payne, Roy V. Harper and Bill Grammer
NOES: Mr. James W. Hutto

After much discussion relative to junk and abandoned houses within the City, it was agreed that Fire Chief Roy Lester would make a list of same and report his findings to Council for further action.

Councilman Grammer moved that a street map of the City be obtained at an approximate cost of $250.00. Councilman Payne seconded the motion, and it carried unanimously.

Council agreed the Special Work Session should be scheduled for April 12 and 13, 1976, providing these dates are convenient for the City Attorney.

Council reviewed the February Activity Report as submitted by the Police Department.

Councilman Payne moved that the City purchase the extended warranty program on the G.E. personal portable radios at a cost of $144.00 for the first year. Councilman Hutto seconded the motion, and it carried unanimously.

Police Chief Bill Haddox stated he had received scholarship funds of $325.00 from COG to attend a seminar on "Police Civil Liability and the Defense of Citizen Misconduct Complaints" to be held in New Orleans March 29-31, 1976, but estimated his expense to be approximately $475.00. Councilman Hutto moved that the City pay the additional $150.00 to enable Chief Haddox to attend such seminar. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the February Activity and Financial Reports as submitted by the Fire Department.

Councilman Hutto moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING THE LAKE DALLAS AREA VOLUNTEER FIRE DEPARTMENT TO USE ONE 1973 CHEVROLET ½ TON SUBURBAN VAN AS AN EMERGENCY RESCUE VEHICLE" be passed and approved. Councilman Beene seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Council reviewed the Schedule of Receipts and Disbursements for the month of February, 1976, and the March Accounts Payable. Councilman Beene moved that City Secretary be authorized to pay those bills due and payable in March, 1976. Councilman Hutto seconded the motion, and it carried unanimously.

City Administrator, Joe Yalenty, made a report on the Community Development Block Grant, and stated the pre-application was ready to be submitted to HUD. Councilman Payne moved that such pre-application be submitted as prepared. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that a resolution be passed and approved authorizing the City Administrator to act as a coordinator for the Federal Flood Insurance Program within the City Limits of Lake Dallas. Councilman Harper seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Hutto moved that a resolution be passed and approved authorizing the Lake Dallas Planning and Zoning Commission to review building permits and subdivision proposals for conformity with flood prevention practices. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, Roy V. Harper and Bill Grammer.
NOES: None
Councilman W. L. Beene abstained from the vote.

A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Hutto moved that the matter of letting bids with respect to the Hydrostatic Roller be tabled for further study and investigation, and discussed again at the next regular meeting. Councilman Beene seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING THE LAKE DALLAS AREA VOLUNTEER FIRE DEPARTMENT TO USE ONE 1973 CHEVROLET ½ TON SUBURBAN VAN AS AN EMERGENCY RESCUE VEHICLE.

WHEREAS, the City of Lake Dallas, Texas owns one 1973 ½ Ton Chevrolet Suburban Van which is presently not in service; and

WHEREAS, the City Council of the City of Lake Dallas, Texas realizes the need of the Lake Dallas Area Volunteer Fire Department for an emergency rescue vehicle; and

WHEREAS, the Lake Dallas Area Volunteer Fire Department has agreed to base said vehicle at the Fire Station located in Lake Dallas, Texas when same is not in service; and

WHEREAS, it is agreed that such vehicle will be manned only by authorized Fire Department personnel under the direct supervision of the Fire Chief; and

WHEREAS, said vehicle will be used only for usual and customary rescue operations within the Fire District, not to exclude mutual aid calls made by other Fire Departments in the area; and

WHEREAS, it has been agreed that no transporation of injured persons to medical facilities will be permitted; and

WHEREAS, the Lake Dallas Area Volunteer Fire Department accepts full and complete responsibility for the good care and maintenance of said vehicle;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the Lake Dallas Area Volunteer Fire Department is hereby granted authorization to operate one City owned 1973 Chevrolet ½ Ton Suburban Van as an emergency rescue vehicle subject to the above conditions.

PASSED AND APPROVED, this 11th day of March, 1976.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

WHEREAS, certain areas of Lake Dallas are subject to periodic flooding from lakes causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this City Council to require the recognition and evaluation of flood and/or mudslide hazards in all official actions relating to land use in the flood plain areas having special flood hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Article 1011a Vernons Annotated Civil Statutes;

NOW, THEREFORE, BE IT RESOLVED, that this City Council of Lake Dallas hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests the City Administrator with the responsibility, authority, and means to:

(a) Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood (and/or mudslide) hazards on available local maps of sufficient scale to identify the location of building sites.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, servey, map, and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain (and/or mudslide area) management measures.

3. Appoints the City Administrator to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be resonably necessary to carry out the objectives of the program.

Date Passed March 11, 1976

Certification

Resolution No. 11

WHEREAS, the City of Lake Dallas, Texas has adopted and is enforcing City Ordinance No. 6, and

WHEREAS, Section II of the aforesaid prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Building Inspector, and

WHEREAS, the Building Inspector must examine all plans and specifications for the proposed construction when application is made to him for a building permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lake Dallas, Texas as follows:

1. That the Planning and Zoning Commission shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage; and

2. That the Planning and Zoning Commission shall review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and

3. That the Planning and Zoning Commission shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

Date Passed March 11, 1976

Certification M. Jan Chambers

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 8, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, James W. Hutto, J. C. Payne, Roy V. Harper and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Payne moved that the minutes of the meetings held March 3, 4 and 11, 1976 be approved as presented by City Secretary. Councilman Beene seconded the motion, and it carried unanimously.

Mayor Vinson and City Secretary began the official canvass of the results of the City Officers' Election held April 3, 1976 for the purpose of electing a Mayor and two Councilmembers to a new two year term. It was determined that a total of 883 votes were cast for 26 persons by 328 qualified voters. Councilman Beene introduced a resolution and order, and moved its adoption. Councilman Payne seconded the motion, and it carried unanimously. Such resolution and order is attached hereto and made a part of these minutes.

Notary Public, M. Jean Chambers, then administered the Oath of Office to the newly elected Mayor, Johnny J. Vinson, and Councilmembers, Roy V. Harper and LeeRoy W. Schramm. Such Oaths of Office are attached hereto and made a part of these minutes. The newly elected officers were presented Certificates of Election.

On the Citizen's Agenda, Council heard from the following persons:
Mrs. Elva Pockrus protested against the City constructing a shelter for the street vehicles on their property located at 351 Betcham Street primarily because of the possibility that a dog pound might ultimately be constructed on the premises.
Mrs. Jackie Kovsky stated Golden Distributing Company should be complimented on the beautiful building constructed on their property located at 400 North Stemmons. She further stated the landscaping was particular beautiful, and should serve as an example to other citizens to beautify their property.

Miss Pam Tod-Brown addressed Council regarding the Denton County Health Department coming to Lake Dallas once per month, or as often as the need justifies, for the purpose of giving free inoculations. She stated it would be necessary that a request be made in writing, directed to the Nursing Supervisor, and a building be provided with restrooms conveniently located to the room in which the shots will be given. It was agreed that such a request would be made, with all the details being handled by City Administrator, Mr. Joe Yalenty. Councilman Beene made the motion, seconded by Councilman Schramm, and carried unanimously.

Councilman Harper moved that C. J. and Mary Mayfield be granted a Special Use Permit to operate a commercial greenhouse at the rear of their property located at 215 Betcham Street. Such Special Use Permit would be subject to review on this date, 1978. Councilman Beene seconded the motion, and it carried unanimously.

Mayor Vinson asked Council to consider granting the City a Special Use Permit to construct a shelter for the street vehicles on their property located at 351 Betcham Street, and called for discussion on the matter. Mrs. Elva Pockrus stated her main objection was to the possibility that dogs might be housed on the property, and further asked that the set back requirements be checked out as they relate to the foundation presently on the property. Another citizen requested that any structure placed on the property be constructed to meet all building codes.

After much discussion on the matter, Councilman Beene moved that the City be granted a Special Use Permit, subject to review in one year, with the stipulation that no holding pens for animals be placed on the property and that such property be well maintained so as not to offend the adjacent property owners. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, J. C. Payneand Roy V. Harper.
NOES: Messrs. James W. Hutto and LeeRoy W. Schramm.

Councilman LeeRoy W. Schramm submitted his letter of resignation from the Planning and Zoning Commission. Councilman Beene moved that Mr. Howard Davis be permitted to continue to serve on the Planning and Zoning Commission until such time as replacements for both he and Mr. Schramm can be appointed. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that all bids on new Hydrostatic Rollers be rejected, and that a used Roscoe VibraPac Roller be purchased from Hi-Way Machinery Company for a total sales price of $3,150.00. Councilman Schramm seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, LeeRoy W. Schramm, J. C. Payne and Roy V. Harper.
NOES: None
Councilman W. L. Beene abstained from the vote.

Councilman Hutto moved that the Comprehensive General-Automobile Liability Insurance coverage for the policy year beginning March 25, 1976 be awarded to the Lake Dallas Insurance Agency, who submitted the low bid of $2,704.00 for such insurance coverage. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Beene moved that City Secretary and one clerk attend a Seminar on trends and legal aspects of Municipal Court to be held in Denton April 22-23 for a registration fee of $30.00 per person. Councilman Shramm seconded the motion, and it carried unanimously.

Chief Bill Haddox made the Police Department's Activity Report for the month of March, 1976. He also made a brief report on the seminar he recently attended in New Orleans entitled "Police Civil Liability and the Defense of Citizen Misconduct Complaints", and requested that this matter be placed on the Agenda for the Special Work Session so that same may be covered in greater detail. Chief Haddox stated he had been invited by North Central Texas Council of Governments to serve on the Advisory Committee for Technical Equipment Project.

Councilman Beene stated the week of April 12 is Spring Vacation for the children, and he planned to be out of the city on holiday with his family. Council agreed the Special Work Session previously scheduled for April 12 and 13 should be cancelled and rescheduled after the Easter Holiday.

Mr. David Baggs, Secretary-Treasurer of the Lake Dallas Area Volunteer Fire Department, presented his department's Activity and Financial Reports for the month of March.

Councilman Beene moved that the applications for the Fire Chief's position be reviewed in Executive Session. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the March Schedule of Receipts and Disbursements and the April Accounts Payable as submitted by City Secretary. Councilman Beene moved that City Secretary be authorized to pay the April Accounts Payable. Councilman Hutto seconded the motion, and it carried unanimously.

It was agreed that Councilman LeeRoy W. Schramm would succeed former Councilman Bill Grammer in his liaison position with the Fire Department.

City Administrator, Mr. Joe Yalenty, reported to Council on the status of the house numbering, street map projects, and the Discretionary Block Grant Application recently submitted to HUD.

Councilman Beene moved that the meeting be recessed for ten minutes, and then enter into Executive Session for the purpose of discussing personnel. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson recessed the meeting at 9:35 P.M.

Council reconvened in Executive Session at 9:45 P.M., and reviewed applications for the Fire Chief's position submitted by Messrs. David Baggs and Sherman Winters. Mr. Charles Berry, Chief of the Lake Dallas Area Volunteer Fire Department, stated both applicants were members of the Board of Directors of that organization. He further stated it was the opinion of such Board that both applicants were well qualified for the Fire Chief's position, and the Board would support each man equally. After much discussion relative to the matter, Council instructed City Secretary to research the City's liability in hiring a full time fireman to work with the volunteer organization that serves the four city area. City Administrator was instructed to check with the other three cities in an effort to seek their assistance in funding the position. Council agreed to postpone any decision on the matter until the requested information was obtained.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:30 P.M.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 8th **day of** April, **19**76, **the City Council/~~Commission~~**

of the City of Lake Dallas, **Texas, convened in** regular **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

W. L. Beene, **Alderman/~~Commissioner~~**

J. C. Payne, **Alderman/~~Commissioner~~**

James W. Hutto, **Alderman**[2]

Roy V. Harper, **Alderman**[2]

LeeRoy W. Schramm, **Alderman**[2]

M. Jean Chambers, **City Secretary/~~Clerk~~**[1]

and the following absent: None, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~ W. L. Beene **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~** J. C. Payne, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: W. L. Beene, J. C. Payne, James W. Hutto, Roy V. Harper and LeeRoy W. Schramm, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 3rd day of April, 19 76, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 883 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR[2]

NAME OF CANDIDATE Continued on Reverse Side	TOTAL NUMBER OF VOTES RECEIVED
Johnny J. Vinson	227
Jim Culpin (Write In)	19
Jim Culberson " "	1
~~Leon Smith " "~~	~~1~~
Tom Coulter " "	3
~~Paul Shertz " "~~	~~1~~
Slats Beene " "	5
~~Bill Grammer " "~~	~~1~~
Lee Kingston " "	1
~~Johnny Miller " "~~	~~2~~
Ron Hamby " "	1
Deanie Stowe " "	1
Merlene Miller " "	1

FOR ALDERMAN/~~COMMISSIONER~~ and [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
LeeRoy W. Schramm	159
Larry W. Kingston	133
John Webb	135
Roy V. Harper	183
Bill Grammer (Write In)	1
Thelma Clark " "	1
Dave Westley " "	1
Bill Grammer " "	1

FOR Mayor [3]

NAME OF CANDIDATE		TOTAL NUMBER OF VOTES RECEIVED
Mrs. Jim Collins	(Write In)	1
Val Erwin	"	1
Betty Dunn		1
Clyde Edwards		1
David Ward		1

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/~~COMMISSION~~ OF THE CITY OF LAKE DALLAS **, TEXAS:**

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Johnny J. Vinson **was duly elected Mayor of said City at said election[2] and** Roy V. Harper

were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, and that _____

LeeRoy W. Schramm **was duly elected** Alderman[2]**,** and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/Clerk[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 8th day of April 19 76.

ATTEST: M. Ann Chambers
Secretary/Clerk[1]

Johnny J. Vinson
Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Johnny J. Vinson

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor

of the City of Lake Dallas, County of Denton

_____ *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {*for the giving or withholding a vote at the election at which I was elected.*} ~~{to secure my appointment or the confirmation thereof.}~~

So help me God.

Signed Johnny J Vinson

Sworn to and subscribed before me, this 8th

day of April *19*76

M. Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

JOHNNY J. VINSON

(Name)

For

MAYOR

(Office)

OF THE CITY OF LAKE DALLAS, TEXAS

Dated April 8, 1976

at _____, Texas

Hart Graphics, Austin

HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Roy V. Harper,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Alderman

of the City of Lake Dallas, County of Denton

_____ *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / ~~to secure my appointment or the confirmation thereof.~~}*

So help me God.

Signed Roy V Harper

Sworn to and subscribed before me, this 8th

day of April *19*76

M. Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

ROY V. HARPER

(Name)

For

ALDERMAN

(Office)

OF THE CITY OF LAKE DALLAS, TEXAS

Dated April 8, 1976

at _____, Texas

Hart Graphics, Austin

HART

•16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © •

Hart Graphics, Austin, Texas

OATH OF OFFICE

I, LeeRoy W. Schramm,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Alderman

of the City of Lake Dallas, County of Denton

_____ *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {*for the giving or withholding a vote at the election at which I was elected.*
{~~to secure my appointment or the confirmation thereof.~~}

So help me God.

Signed LeeRoy W. Schramm

Sworn to and subscribed before me, this 8th

day of April *19* 76

M. Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

LEEROY W. SCHRAMM

(Name)

For

ALDERMAN

(Office)

OF THE CITY OF LAKE DALLAS, TEXAS

Dated April 8, 1976

at _____, Texas

Hart Graphics, Austin

HART

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO PURCHASE TECHNICAL EQUIPMENT IN BEHALF OF THE CITY OF LAKE DALLAS, TEXAS.

WHEREAS, the technical equipment presently available is not sufficient to perform basic identification and crime scene search tasks; and

WHEREAS, the City of Lake Dallas, Texas does not have sufficient financial resourcesto provide its law enforcement agency with the basic equipment; and

WHEREAS, the utilization of this equipment will allow the City of Lake Dallas, Texas law enforcement agency to increase its capability in the prevention and detection of crime and the subsequent apprehension of criminal offenders; and

WHEREAS, it is the opinion of this City Council that the best interest of the citizens of the City of Lake Dallas, Texas will be served by participating in this cooperative purchasing program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS THAT:

1. The City of Lake Dallas, Texas desires to participate in the cooperative purchase of technical equipment.
2. The North Central Texas Council of Governments is authorized to enter into binding contracts with the law compliant vendor(s) and to purchase technical equipment in behalf of the City of Lake Dallas, Texas.
3. The City of Lake Dallas, Texas understands that the Texas Criminal Justice Division is providing 100% funding for the purchase of the equipment.
4. To display the City of Lake Dallas' desire to participate in this program, a copy of this resolution will be forwarded to the North Central Texas Council of Governments.

PASSED AND APPROVED THIS 13TH DAY OF MAY, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers
City Secretary

No.

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING THE PROVISIONS OF ARTICLE 1182c-1, VERNON'S ANNOTATED CIVIL STATUTES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Dallas, Texas is desirous of taking over the assets and liabilities of the Lake Cities Municipal Utility Authority, and;

Article 8280-293 of Vernon's Annotated Civil Statutes created the Lake Cities Municipal Utility Authority effective May 30, 1963, and;

WHEREAS, the City of Lake Dallas, Texas was an incorporated City at the time of the adoption of Article 8280-293 and the formation of Lake Cities Municipal Utility Authority, but since that time the City of Lake Dallas, Texas has been dissolved and was incorporated again on April 19, 1965, and;

WHEREAS, the land comprising the incorporated city limits of the City of Lake Dallas, Texas, on April 19, 1965 was the same boundaries as existed for the City of Lake Dallas at the time the Lake Cities Municipal Utility Authority was created by the State Legislature;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, HEREBY ORDAINS:

SECTION I.

That the City of Lake Dallas, Texas, hereby adopts the provisions of Article 1182c-1, Vernon's Annotated Civil Statutes of the State of Texas.

SECTION II.

That this ordinance shall be effective immediately upon its passage.

PASSED AND APPROVED this the 18th day of May, A.D., 1976, at 7:35 o'clock.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

No.

AN ORDINANCE ABOLISHING THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY AND ASSUMPTION OF THE ASSETS AND LIABILITIES OF SAID MUNICIPAL AUTHORITY BY THE CITY OF LAKE DALLAS, TEXAS; DECLARING AN EFFECTIVE DATE WHEN SAID CITY SHALL TAKE OVER AND ASSUME ALL DEBTS AND ASSETS OF THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Dallas, Texas has previously adopted the provisions of Article 1182c-1, Vernon's Annotated Civil Statutes, and;

WHEREAS, the services furnished and functions performed by the Lake Cities Municipal Utility Authority can be served and performed by the City of Lake Dallas, Texas, and;

WHEREAS, that it would be to the best interest of the citizens and property within said Lake Cities Municipal Utility Authority and the citizens and the property within the City of Lake Dallas, Texas that such Municipal Authority be abolished, and;

WHEREAS, the City of Lake Dallas, Texas is desirous of abolishing the Lake Cities Municipal Utility Authority and taking over the assets and liabilities of said Municipal Authority; now therefore

THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, HEREBY ORDAINS:

SECTION I.

That the City of Lake Dallas, Texas, pursuant to Article 1182c-1, Vernon's Annotated Civil Statutes hereby abolishes the Lake Cities Municipal Utility Authority and takes over the assets and liabilities of said Municipal Authority.

SECTION II.

That the City of Lake Dallas, Texas shall take over the assets of the Lake Cities Municipal Utility Authority and assume its debts and liabilities on the 27th day of May, A.D., 1976.

SECTION III.

That this Ordinance shall be in full force and effect nine days from and after its passage.

PASSED AND APPROVED this the 18th day of May, A.D., 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JUNE 10, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:40 P.M. Councilmen W. L. Beene, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Payne moved that the minutes of the Regular Meeting held May 13 and the Special Meeting held May 18 be approved as presented by City Secretary. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Schramm moved that Mr. David Baggs' appointment as Fire Chief effective June 1, 1976 be confirmed for the record. Councilman Beene seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mr. Glenn Bailey petitioned Council to abandon Wall Street (runs East and West approximately 210' between Crest Drive and Lake Street in Lake Dallas Shores Subdivision) as indicated on the new City Plat. He stated the street had not been used or maintained as a public thoroughfare for over fifteen years. He further stated access on the East had been closed by trees, and the only access to such street presently was over private property. Mr. Bailey also proposed to relinquish any interest he might have in the triangle bounded by Crest, Lake and Grand Drives as indicated on the City Plat. Council agreed to refer the matter to the City Administrator to check out the legality of such abandonment, including utility easements, etc.

Mr. Raymond King addressed Council relative to the Bicentennial Celebration to be held July 4, 1976. He stated fire works should be permitted for this important celebration in accordance with tradition, and asked Council to consider temporarily setting aside the ordinance prohibiting same, or amending such ordinance to the extent that the discharging of fireworks would be permissible over this holiday weekend. Council agreed the unsupervised discharging of fireworks constituted a threat to public safety, and should not be considered.

Mrs. Theresa Gladys complained about the streets in Kings Manor Subdivision, and requested adequate repairs to same. She stated loose rock was prevalent, and requested that the same materials used in repairs last year not be used again this year. She also requested something be done to improve the present condition of the drainage ditch located between Kings Manor and Prince Drives. Council instructed the City Administrator to see that insecticide was placed in the ditch periodically for the purpose of controling the mosquitoes.

Councilman Schramm moved that Mr. Howard Davis be appointed to another two year term on the Planning and Zoning Commission. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that Mr. Jack Ezzell be appointed to a two year term on the Planning and Zoning Commission to fill the remaining vacancy. Councilman Harper seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, Roy V. Harper and J. C. Payne.

NOES: Messrs. James W. Hutto and LeeRoy W. Schramm.

Councilman Hutto stated he was tied up coaching Little League Baseball until September, and asked to be relieved of his duties to represent Council on the Planning and Zoning Commission. Mayor Vinson appointed Mayor Pro Tem Roy V. Harper to serve in that capacity until such time as Councilman Hutto's schedule will permit him to resume that responsibility.

Councilman Beene moved that the present Zoning Ordinance be referred to the City Attorney for amendment eliminating the Board of Adjustment. Councilman Harper seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, Roy V. Harper and J. C. Payne.
NOES: Messrs. James W. Hutto and LeeRoy W. Schramm.

Councilman Hutto moved for a ten minute recess. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson recessed the meeting at 8:25 P.M.

Mayor Vinson called the meeting to order again at 8:35 P.M.

Councilman Beene stated the City should protest against Westlake and Oakland Parks being closed at 9:00 P.M. Mayor Vinson asked the City Administrator to contact the Corps of Engineers in an effort to investigate the matter, and report his findings to Council.

Councilman Beene moved that a "PROCLAMATION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, PROCLAIMING A BICENTENNIAL 21 DAY FLAG SALUTE FROM JUNE 14 THROUGH JULY 4, 1976" be passed and approved. Councilman Schramm seconded the motion, and it carried unanimously. A copy of such proclamation is attached hereto, and made a part of these minutes.

Mr. Glen Farley, owner of Lake Area Disposal Service, asked Council to consider passing an ordinance making refuse collection mandatory within the City. He stated such an ordinance was necessary to maintain reasonable and fair rates inasmuch as only approximately one-half of the households presently subscribe to the service. He further stated the commercial dumpsters are being filled beyond capacity with household garbage of nonsubscribers. After much discussion on the subject by both the Council and citizens present, it was agreed the matter would be referred to the City Administrator for further investigation.

City Administrator, Mr. Joe Yalenty, reported to Council on the status of the City's pending grant applications.

Councilman Hutto moved that "A RESOLUTION TO ESTABLISH THE PLANNING AND ZONING COMMISSION AS THE CITIZENS ADVISORY BOARD" and " A RESOLUTION IN SUPPORT OF COMMUNITY WIDE PLANNING GOALS AND OBJECTIVES AS OUTLINED BY THE CITIZENS ADVISORY COMMISSION" be passed and approved. Councilman Schramm seconded the motion, and it carried unanimously. Copies of both resolutions are attached hereto, and made a part of these minutes.

Chief Bill Haddox presented the Police Department's May Activity Report.

Chief David Baggs presented the Fire Department's Activity and Financial Reports for the month of May. Councilman Beene moved that Chief Baggs be authorized to purchase uniforms for himself at an approximate cost of $215.00. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of May, 1976, and the June Accounts Payable. Councilman Beene moved the City Secretary be authorized to pay those bills due in June. Councilman Schramm seconded the motion, and it carried unanimously.

Both Councilmembers Payne and Schramm requested an excused absence from the next regular meeting of City Council to be held July 8, 1976. Mayor Vinson granted such request.

Council reviewed the disposition of citations and complaints as handled by Municipal Court June 1, 1976.

There being no further business for discussion, Councilman Beene moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:40 P.M.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

PROCLAMATION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS PROCLAIMING A BICENTENNIAL 21-DAY FLAG SALUTE FROM JUNE 14 THROUGH JULY 4, 1976.

WHEREAS, the people of the United States of America are celebrating the 200th anniversary of the birth of this great nation, and

WHEREAS, the Congress of the United States has declared the twenty-one days from Flag Day through Independence Day as a period to honor America and conduct public gatherings and activities at which the people of the United States can celebrate and honor their country in an appropriate manner, and

WHEREAS, the continuous display of the flag of the United States throughout this twenty-one-day period has been declared by the American Revolution Bicentennial Administration to be a meaningful expression complementary to the common effort to ensure a national commemoration touching the hearts and minds of all citizens.

NOW, THEREFORE, BE IT RESOLVED that the City of Lake Dallas join with other communities throughout the land in a Bicentennial 21-Day Flag Salute in which every citizen and every organization will be urged to fly the flag of the United States continuously from June 14 through July 4 as a symbol of rededication to the principles upon which this nation was founded.

PASSED AND APPROVED this 10th day of June, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

A RESOLUTION TO ESTABLISH THE PLANNING AND ZONING BOARD AS THE CITIZENS ADVISORY COMMISSION.

WHEREAS, the City of Lake Dallas has need to establish certain community-wide goals and objectives as part of its planning function, and

WHEREAS, the City of Lake Dallas is desirous of full citizen participation in this process,and

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas presently exists as a viable forum for citizen participation in the planning process;

THEREFORE, BE IT RESOLVED by the City of Lake Dallas that the Planning and Zoning Commission be designated as and assume the duties and responsibilities of a Citizens Advisory Commission to represent citizen interests in the formulation of planning and other community-wide goals and objectives.

APPROVED AND ATTESTED TO THIS 10th DAY OF June, 1976 BY:

Johnny J. Vinson

Johnny J. Vinson, Mayor
City of Lake Dallas, Texas

ATTEST:

M. Jean Chambers

M. Jean Chambers
City Secretary

A RESOLUTION IN SUPPORT OF COMMUNITY-WIDE PLANNING GOALS AND OBJECTIVES AS OUTLINED BY THE CITIZENS ADVISORY COMMISSION.

WHEREAS, the City of lake Dallas is a dynamic and growing community, and

WHEREAS, the City of Lake Dallas desires to provide for the most desirable growth patterns for the community,and

WHEREAS, such growth patterns can be designed through intense study of the social, economic, and natural resources of the community, and

WHEREAS, the City of Lake Dallas is in immediate need of such information as could be provided through "701" funding;

THEREFORE, BE IT RESOLVED that the City of Lake Dallas desires and supports the principal of community planning generally and the obtainment of community base information specifically in the form as outlined in this application for "701" funds.

APPROVED AND ATTESTED TO THIS 10th DAY OF June, 1976 BY:

Johnny J. Vinson

Johnny J. Vinson, Mayor
City of Lake Dallas, Texas

ATTEST:

M. Jean Chambers

M. Jean Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JULY 8, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers James W. Hutto, W. L. Beene and Roy V. Harper were present. Councilmen J. C. Payne and LeeRoy W. Schramm were absent, such absence having been excused at the previous meeting. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Beene moved that the minutes of the meeting held June 10 be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:

Mr. Hurshel Farrow stated his home had been burglarized twice in recent months, and since then a stranger had been apprehended in his carport. He requested that Council take under advisement the possibility of appointing a committee that would work with the Police Department in advising the public of good precautionary measures to take in avoiding such burglaries.

Mr. John Webb stated he had been burglarized of approximately $1,000.00 at his home recently and felt it was time to do something about such burglaries.

Mrs. Carolyn Green stated the City's population had grown in recent years, but not the number of personnel employed by the Police Department. She further stated Mr. Farrow's suggestion was a good one, and she would be happy to serve on such a committee.

Council agreed to take the matter under advisement at such time as the two absent councilmembers returned from vacation.

Police Chief, Bill Haddox, presented Council with a typewritten report outlining 30 ways to prevent crime together with recommendations for a proposed Police Planning Committee. He stated he had previously submitted these ideas to Council for consideration and approval for implementation.

Councilman Beene moved that the matter of confirming appointments to the Board of Adjustment be tabled for further consideration. Councilman Harper seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene and Roy V. Harper
NOES: Mr. James W. Hutto

Councilman Beene moved that the matter of confirming appointments to the Board of Equalization be tabled until the next meeting. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Hutto moved that "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION FOR INTERGOVERNMENTAL PERSONNEL ACT FUNDS" be passed and approved. Councilman Beene seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Beene moved that City Administrator's proposed forms to be utilized by the Planning and Zoning Commission entitled "Petition for Change in Zoning Classification" and "Petition for a Special Use Permit", together with an Appeal form to be utilized by the Board of Adjustment, be passed and approved as presented. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that "A RESOLUTION IN SUPPORT OF RENAMING LEWIS-

VILLE LAKE AS GARZA-LITTLE ELM" be passed and approved. Councilman Harper seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Beene moved that a resolution be forwarded to the Planning and Zoning Commission asking that the zoning classification of certain property situated 200 feet to the North and South of Hundley Drive, and bounded by Old Denton Road to the West and Lakeview Drive to the East, be changed from the R-1 6000 Residential District to the C-1 Restricted Commercial District. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

City Planner, Mr. Joe Yalenty, stated the present Building Code needed to be updated by amendments. Councilman Hutto moved that such amendments be set out in writing and a Public Hearing be held on the matter at the same time the 1976-77 Proposed Budget is discussed. Councilman Harper seconded the motion, and it carried unanimously.

Chief Bill Haddox presented the Police Department's Activity Report for the month of June. Councilman Beene questioned Chief Haddox as to who had worked the 319 overtime hours indicated in such report. Chief Haddox answered he had personally worked the overtime in question. Chief Haddox further stated no officer, for the exception of himself, had worked more than 52 hours in any given week since he had been chief. Chief Haddox then submitted to Mayor Vinson his letter of resignation effective July 15, 1976. Such letter indicated the reason for resigning his position was principally to accept a better position with one of the railroad companies that serve the area.

Chief David Baggs presented the Fire Department's Activity and Financial Reports for the month of June.

Council reviewed the Schedule of Receipts and Disbursements for the month of June, 1976, and the July Accounts Payable, as submitted by City Secretary. Councilman Beene moved that City Secretary be authorized to pay the July Accounts Payable. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION FOR "IPA" FUNDS.

WHEREAS, the City of Lake Dallas wishes to maximize the efficiency of its municipal clerks, and,

WHEREAS, such efficiency can be best achieved through a program of higher learning and certification of municipal clerks, and,

WHEREAS, the Intergovernmental Personnel Act program exists to provide aid for the achievement of efficiency in local government,

THEREFORE, be it resolved by the City Council of the City of Lake Dallas that the City Administrator make application for such IPA funds as are available and utilize them in a program of higher education and certification for municipal clerks.

APPROVED AND ATTESTED TO THIS 8th DAY OF July, 1976 BY:

Johnny J. Thiesen
Mayor, City of Lake Dallas

Jean Chambers
City Secretary

A RESOLUTION IN SUPPORT OF RENAMING LEWISVILLE LAKE AS GARZA-LITTLE ELM.

WHEREAS, that body of water formerly known as Garza-Little Elm Reservoir has been renamed as Lewisville Lake, and

WHEREAS, such renaming is due solely and exclusively to a policy decision of the Corps of Engineers, and

WHEREAS, such renaming of the Reservoir does not give proper consideration to the historical precidence for the name Garza-Little Elm, and

WHEREAS, such renaming of the Reservoir does not give proper consideration to the wishes of the people of the North Texas area,

THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Dallas that we support the effort to have Lewisville Lake returned to its former designation as Garza-Little Elm Lake.

PASSED AND APPROVED THIS 8th day of July, 1976.

Johnny J. Vinson, Mayor
City of Lake Dallas

ATTEST:

M. Jean Chambers
City Secretary

A RESOLUTION ACKNOWLEDGING AND REFERRING ZONING RECLASSIFICATION REQUESTS AND APPLICATIONS TO THE PLANNING AND ZONING COMMISSION.

WHEREAS, the City of Lake Dallas wishes to provide for the best use of all territory within its corporate limits and,

WHEREAS, the City of Lake Dallas has been advised of a request and application for a change in zoning classification for certain portions of land bordering Hundley Drive,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Lake Dallas that the requests and applications for re-classification be forwarded to the Planning and Zoning Commission for its report.

APPROVED AND ATTESTED TO THIS 8th DAY OF July, 1976 BY:

Johnny J Jenson
Mayor, City of Lake Dallas

Jean Chambers
City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 4, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers W. L. Beene, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson explained this is a Special Meeting called for the purpose of providing interested citizens the opportunity for imput relative to the proposed budget for fiscal year 1976-77.

City Secretary presented the proposed budget totaling $196,823.00. Such budget called for an allocation of $56,385.00 to the Administrative Department, $73,748.00 to the Police Department, $54,565.00 to the Street Department and $12,125.00 to the Fire Department.

Council discussed the great difference in franchise fees as remitted by the utility companies. Such franchise fees being computed on gross receipts indicated a wide variation in total revenue of the different utility companies reporting. It was suggested this might bear closer scrutiny and investigation.

Mayor Vinson asked the Council to retain the services of Mr. Joe Yalenty in the position of City Planner for a period of one year. He stated he felt Mr. Yalenty could more than pay his salary in grant money obtained for the City.

After much discussion and deliberation, Councilman Payne moved that the Budget be approved in the total amount of $196,823.00, with $55,385.00 being allocated to the Administrative Department, $74,748.00 to the Police Department, $54,565.00 to the Street Department and $12,125.00 to the Fire Department. Councilman Hutto seconded the motion and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto and Lee Roy W. Schramm.
NOES: None
Messrs. Roy V. Harper and W. L. Beene abstained from the vote.

After much discussion on the subject, Councilman Beene moved that the current version of the City of Dallas Building Code be adopted by ordinance, including recent amendments thereto, and known as the City of Lake Dallas Building Code. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Beene moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 12, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman W. L. Beene was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meetings held July 8 and August 4 be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mrs. Theresa Gladys requested that the City consider (1) obtaining a long term loan to make major improvements to the drainage ditch located between Kings Manor and Prince Drives, (2) fence off the ditch on both banks and reimburse those property owners who have already done so.

Cindy Haddox, wife of recently resigned Police Chief Bill Haddox, stated her husband had resigned his position with the City to accept a better paying position, and not because of any conflict with the Council as has been rumored. She further urged the Council to "pull together" in an effort to obtain the best possible city government for Lake Dallas.

Mayor Vinson reported that Mr. Ken Moran, representing Lake Dallas Insurance Agency, was unable to make the employee group insurance proposal at this meeting as indicated on the Agenda. Councilman Hutto stated he felt anytime a proposal was heard with respect to the group insurance, it should be advertised and opened for bids to be submitted by any and all interested companies. This was generally agreed to by Council.

Councilman Payne moved that "AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1977" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto and Lee Roy W. Schramm.
NOES: Mr. Roy V. Harper

A copy of such ordinance is attached hereto and made a part of these minutes.

Councilman Schramm moved that Messrs. Thurman Bartley, Clyde Edwards and Bob Sudderth be appointed to the 1976 Board of Equalization, and that such Board meet September 7, 1976. Councilman Hutto seconded the motion and it carried unanimously.

Councilman Payne moved that "A RESOLUTION AUTHORIZING THE CITY PLANNER TO MAKE APPLICATION FOR CRIMINAL JUSTICE FUNDS" be passed and approved. Councilman Schramm seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, LeeRoy W. Schramm and James W. Hutto.
NOES: None
Councilman Roy V. Harper abstained from the vote.

A copy of such resolution is attached hereto, and made a part of these minutes.

City Plann. Mr. Joe Yalenty, stated he was in dire need of family income data in order to complete the application for HUD Block Grant Discretionary Funds. Councilman Hutto moved that Mr. David Baggs, Chief of the Fire Department, assist in obtaining such family income data as is needed to complete the grant

application. Councilman Schramm seconded the motion, and it carried unanimously.

Mr. Yalenty further stated a Public Hearing should be held for the purpose of discussing the proposed ordinance calling for compulsory garbage collection. Councilman Hutto moved that such Public Hearing be held Tuesday, August 31, at 7:30 P.M. Councilman Schramm seconded the motion, and it carried unanimously.

Chief Joe Rossen presented the Police Department's Activity Report for the month of July, and introduced all his patrolmen to Council, including two reserve officers. Chief Rossen stated the Reserve Police Program was being activated again.

Mayor Vinson stated the City Attorney had advised if an ordinance was passed restricting the area in which a patrolman could live, such area would necessarily be restricted to the City of Lake Dallas. Chief Rossen stated all currently employed patrolmen had agreed to reside in the Lake Cities area which, due to the limited housing in Lake Dallas,was satisfactory to him. Council generally agreed that type cooperation was all that should be required.

Chief David Baggs presented the Fire Department's Activity and Financial Reports for the month of July. Chief Baggs reported on the Fire Prevention School he recently attended at Texas A & M University. He further stated he was presently working with the City Planner on a Fire Code to be used together with the Building Code, and urged its ultimate adoption by Council. Chief Baggs stated 59 properties had been cleared of potential fire hazards since his employment in June of this year. He also requested that Council review the present ordinance pertaining to burning trash and rubbish, and consider amending same in the near future in accordance with certain recommendations which will be forthcoming.

Mr. Elmer Crawford, Superintendent of the Street Department, made a report regarding the status of the summer street improvements. He stated a new asphalt material was used on the first streets resealed which was thought to be unsatisfactory. Mr. Crawford said he had now examined those streets, together with the County Commissioner, and it was their belief the 100 plus temperatures had caused the old asphalt to bleed through the new material. He further stated after this summer's scheduled repairs were completed, the City could begin to curb, gutter and hot-top one street at a time, doing a professional job.

Councilman Schramm moved that City Secretary be authorized to attend a Seminar entitled "Basic Responsibilities and Functions of the City Secretary" to be held on South Padre Island September 9-10, and that her expenses, in the approximate amount of $200.00, be paid by the City. Councilman Hutto seconded the motion and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of July, and the August Accounts Payable. Councilman Payne moved that City Secretary be authorized to pay the August Accounts Payable. Councilman Hutto seconded the motion, and it carried unanimously.

City Secretary explained the cost of the Coffee Service presently subscribed to by the City was becoming quite costly, and asked Council to consider purchasing a coffee maker and supplies independently. Councilman Schramm moved that a coffee maker and supplies be purchased independently. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:10 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION FOR CRIMINAL JUSTICE FUNDS.

WHEREAS, the City of Lake Dallas wishes to avail itself of needed Criminal Justice funds and

WHEREAS, there is a need in the City of Lake Dallas for a program of crime prevention to abate the spiraling rate of crime, in particular, burglaries and

WHEREAS, there are Criminal Justice funds available for the express purpose of implementing a crime prevention program

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS that the City Administrator is to apply for Criminal Justice funds to aid the City in the development and inplementation of a crime prevention program.

APPROVED AND ATTESTED TO THIS 12TH DAY OF AUGUST 19 76 BY:

Johnny J. Vinson

Johnny J. Vinson, Mayor
City of Lake Dallas, Texas

ATTEST:

M. Jean Chambers

M. Jean Chambers
City Secretary

NO. 74

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1977.

WHEREAS, heretofore, the Mayor of the City of Lake Dallas, Texas has prepared and presented to the City Council a proposed Budget for the fiscal year 1977; and

WHEREAS, heretofore, the City Council has considered the Budget so proposed by the Mayor and has determined that a public hearing should be held to consider such proposed Budget; and

WHEREAS, heretofore, after due notice, as provided by law, a public hearing was held to consider the proposed Budget; and

WHEREAS, the City Council has given consideration to all of the suggestions and has determined that the Budget as finally proposed is for the best interest of the City of Lake Dallas, Texas;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the Budget, as submitted in its final form, be and the same is hereby adopted and approved as the budget of the City of Lake Dallas, Texas for the fiscal year 1977.

2. That the Mayor and City Secretary be and they are hereby ordered and directed to sign the Budget so adopted and approved for identification.

3. That the City Secretary be and she is hereby ordered and directed to file a copy of the identified Budget for the fiscal year 1977 in the office of the City Secretary of the City of Lake Dallas, Texas. The City Secretary is further ordered and directed to file additional copies of the identified Budget for the fiscal year 1977, as provided by Law.

PASSED AND APPROVED, this 12th day of August, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 31, 1976

Mayor Pro Tem Roy V. Harper called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Mayor Johnny J. Vinson was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Pro Tem Harper explained the meeting was called for the purpose of considering a proposed ordinance calling for compulsory garbage collection, and allowing interested citizens the opportunity to voice their opinions on the subject.

City Planner, Mr. Joe Yalenty, presented Council with 14 requirements to be considered as a part of the proposed ordinance relating to compulsory garbage collection. City Secretary read aloud such requirements, and Councilman Harper asked for comments from the floor.

Several citizens present stated they felt it was a violation of their constitutional rights to be required to have their garbage removed by the designated agent of the City, and felt they should be able to dispose of refuse by their own means if desired. All present generally agreed that no garbage or refuse should be permitted to remain on the premises past a reasonable period of time, but everyone had the right to designate whom ever they desired to remove same in a satisfactory manner.

Councilman Schramm stated he felt the proposed ordinance was basically a good one, and that all persons engaged in the disposal of refuse should be registered at City Hall.

After hearing comments from all interested citizens present, Council generally agreed against the proposed ordinance calling for compulsory garbage collection until such time as the City could provide the service.

There being no further business for discussion, Councilman Beene moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Pro Tem Harper dismissed the meeting at 8:15 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL SEPTEMBER 7, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:45 P.M. Councilmembers Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman W. L. Beene was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson stated the Council would enter into Executive Session, together with Messrs. Charles Berry, Ronnie Boliver and Russ Campbell (members of the Board of Directors of the Lake Dallas Area Volunteer Fire Department), for the purpose of discussing Fire Chief David Baggs' absence from his job.

A discussion was then made as to the circumstances surrounding Chief Baggs' request for a leave of absence. Mayor Vinson stated Chief Baggs had asked for such leave on August 31 because of "personal business", and promised to return to his office the morning of September 7. Mayor Vinson further stated he had not done so, nor had he called to make any explanation.

Word then came to the Council Chamber that Mr. Baggs was in the City, and wished to speak to the Council. Mayor Vinson recessed the meeting for ten minutes to await his arrival.

Mayor Vinson called the meeting to order again at 8:20 P.M. After much discussion, Mr. Baggs stated he had some personal problems to resolve, and would submit his letter of resignation as Fire Chief the following day.

Mayor Vinson opened the meeting, and Councilman Payne moved for adjournment. Councilman Harper seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 8:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL SEPTEMBER 9, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, James W. Hutto and Lee Roy W. Schramm were present. Councilmembers Roy V. Harper and J. C. Payne were absent. City Secretary, M. Jean Chambers, was also absent.

Mayor Vinson stated important business appeared on the Agenda, and he would prefer to consider same when all councilmembers could be present. Councilman Hutto moved that the meeting be recessed until September 15, 1976 at 7:30 P.M. when all councilmembers could be present. Councilman Schramm seconded the motion, and it carried unanimously.

Mayor Vinson recessed the meeting at 7:40 P.M.

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL SEPTEMBER 15, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson informed Council he had spoken to Mr. and Mrs. W. L. Hunter and informed them he would seek Council's approval to move Stadium Drive a few feet to the South (along his lot line) in an effort to correct its being misplaced, and return at least some of his lot footage to him. Council generally to this.

Councilman Hutto moved that the minutes of the meetings held August 12 and 31 be approved as submitted by City Secretary. Councilman Schramm seconded the motion, and it carried unanimously.

Volunteer Fire Chief, Mr. Charles Berry, informed Council the Fire Department was in dire need of an additional fire truck to relieve the usage of the oldest truck presently in service. The chassis of the proposed truck could be obtained at an approximate cost of $10,626.00, and same can be fully equipped for an additional cost of $17,800.00. It was estimated the City of Lake Dallas' appropriate share of the cash cost of the chassis would be $4,000.00, the other three cities making up the difference in initial cost. Mr. Berry further stated stated it is presently planned that a loan will be obtained from the Lake Cities State Bank to cover the cost of equipping the truck, with each of the four cities signing a note for their appropriate share of such cost. Councilman Schramm reported the towns of Shady Shores and Hickory Creek have tentatively agreed to be responsible for their appropriate share of the loan. Chief Berry proposed that each city deposit their appropriate amount to a Special Account at the bank from which the payments on the new truck will be drafted. Councilman Schramm moved that the matter be tabled until such time as the Town of Corinth's position in sharing the expense of the Fire Department is known. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Schramm moved that the matter of amending the Budget for the fiscal year beginning October 1 be tabled. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Beene moved that "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS LEVYING TAXES FOR THE 1976-77 FISCAL YEAR" be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Payne moved that a $3,000.00 exemption off the assessed value be granted to those property owners over the age of 65 years. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Schramm moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING THE CITY OF LAKE DALLAS' MEMBERSHIP IN THE DENTON COUNTY ASSOCIATION OF GOVERNMENTS" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. LeeRoy W. Schramm, James W. Hutto, J. C. Payne and W. L. Beene.
NOES: Mr. Roy V. Harper

Councilman Hutto moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING CERTAIN PERSONS HEREIN NAMED TO REPRESENT THE CITY OF LAKE DALLAS AS DELEGATES TO THE DENTON COUNTY ASSOCIATION OF GOVERNMENTS" be passed and approved. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, W. L. Beene and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper

A copy of each resolution is attached hereto, and made a part of these minutes.

Councilman Hutto moved that a Public Hearing be held October 7, 1976 at 7:30 P.M. relative to the zoning classification of certain residential properties located on Hundley Drive being changed to the C-1 Restricted Commercial District. Councilman Schramm seconded the motion, and it carried unanimously.

City Planner, Mr. Joe Yalenty, reported that the Denton City-County Health Department did not expect to have the swine flu vaccine until October, and did not anticipate its distribution until November. At that time, a clinic is expected to be set up in Lake Dallas.

Mr. Yalenty also reported the Texas Department of Community Affairs had approved the "701" planning grant application in the amount of $3,333.00, and the City's share will be $1,667.00, making a total of $5,000.00 to be used to conduct a hydrolic study.

Chief Joe Rosson presented the Police Department's Activity Report for the month of August. He stated the radar gun was again out of operation, and not worth repairing. Chief Rosson further stated he could purchase a new M.P.H. Model K-55 moving radar unit with a five year guaranteed warranty for a total cost of $2,485.00, less $800.00 trade-in allowed for the present unit , making a net cost of $1,685.00. Councilman Beene moved that such radar unit be purchased on a 30 day trial basis and paid for within 90 days if satisfactory. Councilman Payne seconded the motion, and it carried unanimously.

Volunteer Fire Chief, Mr. Charles Berry, presented his department's Activity and Financial Reports for the month of August. Mayor Vinson stated he had appointed Councilman Schramm, City Planner Joe Yalenty and Chief Berry to serve as a committee in obtaining and interviewing applicants for the salaried Fire Chief's position, such committee to make recommendations to the Council.

Councilman Schramm stated the Fire Department had requested the City's Building Code be amended to require a smoke detector be installed in all new homes, all mobile homes, all present homes in which improvements totaling $500.00 or more are being made. Council agreed to take the matter under advisement.

Mayor Vinson informed Council Mr. Bob Jameson, Superintendent of Schools, had requested that Prince Drive be continued approximately 780 feet South across Lynn Burial's property to Hundley Drive for the purpose of providing better access to the schools for children in the Kings Manor Subdivision, thereby relieving traffic congestion on Hundley Drive and promoting greater safety for walking school children. He further stated the City could grade, level and gravel such street at an approximate cost of $600.00, providing an easement could be obtained from the owner. Councilman Beene moved that the street be continued to Hundley Drive as requested by the School Superintendent. Councilman Harper seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene and Roy V. Harper.
NOES: Messrs. James W. Hutto and LeeRoy W. Schramm.
Councilman J. C. Payne abstained from the vote. Mayor Vinson then voted AYE to break the tie.

Council then reviewed the Schedule of Receipts and Disbursements for the month of August, and the September Accounts Payable. Councilman Beene moved that City Secretary be authorized to pay the Accounts Payable. Councilman Harper seconded the motion, and it carried unanimously.

Council reviewed the disposition of citations and complaints as processed by the Municipal Court September 7, 1976.

Mayor Vinson announced Council would recess for ten minutes, and then enter into Executive Session as provided by Article 6252-17, Section 2 (g) of Vernon's Texas Civil Statutes. No minutes were taken in the Executive Session.

Council reconvened in open session at 9:25 P.M. Mayor Vinson stated a Policy Manual for City Employees would soon be written in which job descriptions, duties, classifications, sick leave and vacation time, etc. would all be outlined.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Beene seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS LEVYING TAXES FOR THE 1977 FISCAL YEAR.

WHEREAS, the City Council of the City of Lake Dallas, Texas has had under consideration the Budget for the 1977 Fiscal Year; and

WHEREAS, a hearing was had on said Budget, after notice as required by law; and

WHEREAS, the City Council, after giving consideration to all suggestions made at such public hearing and by the City Council, has adopted the Budget for the 1977 Fiscal Year and ordered it filed, as required by law; and

WHEREAS, the Board of Equalization of the City of Lake Dallas, Texas has completed its work and certified the values of properties situated within the City of Lake Dallas, Texas for taxable purposes; and

WHEREAS, the City Council has determined that a tax at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas will be required to fund the Budget;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That there is hereby levied an ad valorem tax at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas for the current year.

2. That the Tax Assessor-Collector of the City of Lake Dallas, Texas is hereby ordered and directed to prepare the tax rolls for the City of Lake Dallas, Texas for the current year, calculating the taxes due on each item of taxable property within the City of Lake Dallas, Texas at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas.

PASSED AND APPROVED, this the 15th day of September, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING THE CITY OF LAKE DALLAS' MEMBERSHIP IN THE DENTON COUNTY ASSOCIATION OF GOVERNMENTS.

WHEREAS, there has been formed an organization called the Denton County Association of Governments for the purpose of providing a unifying framework for meeting local government problems and needs; and

WHEREAS, a single government has very little impact on the Regional, State and National level; and

WHEREAS, an effective organization of governments could be very effective.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

Section 1. That the City of Lake Dallas does hereby join the Denton County Association of Governments.

Section 2. That the By-Laws of the Denton County Association of Governments, a copy of which is attached hereto, are hereby ratified.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, this the 15th day of September, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING CERTAIN PERSONS HEREIN NAMED TO REPRESENT THE CITY OF LAKE DALLAS AS DELEGATES TO THE DENTON COUNTY ASSOCIATION OF GOVERNMENTS.

WHEREAS, the City Council of the City of Lake Dallas, Texas has joined the Denton County Association of Governments; and

WHEREAS, the City of Lake Dallas, Texas has approved the By-Laws of the Denton County Association of Governments.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

Section 1. That Mayor Johnny J. Vinson is appointed as delegate to the Denton County Association of Governments, and that Joseph A. Yalenty is appointed as alternate delegate to the Denton County Association of Governments from the City of Lake Dallas, Texas. The terms of office established by the By-Laws to expire in May, 1977.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, this the 15th day of September, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 7, 1976

00521

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman Roy V. Harper was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson stated the purpose of the meeting is to consider changing the zoning classification of certain properties situated 200 feet to the North and South of the centerline of Hundley Drive, bounded by Old Denton Road on the West and Lakeview Drive on the East, from the R-1, R-2 and R-3 Residential Districts to the C-1 Restricted Commercial District, and provide all citizens with an opportunity to express their opinion relative to same.

Council then reviewed the following recommendations as submitted by the Planning and Zoning Commission:

1. All property within the rezoned district which is presently classified as C-2 is to remain as such. All other properties to be reclassified as C-1.
2. All property within the rezoned district which is presently used for church or church-related activity, or which is owned by the school district, retain its present classification.
3. The boundaries of the new district are to be laid out by a survey describing said new district in metes and bounds.
4. All boundary lines of the new district are to follow property lines where possible, or a line that is at or about 200 feet distance from the centerline of Hundley Drive.

Inasmuch as no citizens appeared in opposition to the matter, Council agreed to the rezoning as recommended by the Planning and Zoning Commission and instructed that same be placed on the Agenda for formal adoption at the next regular meeting.

There being no further business for discussion, Councilman Schramm moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 8:00 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 14, 1976

Mayor Pro Tem Roy V. Harper called the meeting to order at 7:35 P.M. Councilmembers W. L. Beene, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Mayor Johnny J. Vinson was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meetings held September 7, 9 and 15, 1976 be approved as presented by City Secretary. Councilman Beene seconded the motion, and it carried unanimously.

With respect to the Citizen's Agenda, Messrs. B. J. Allcorn and Crockett were not present to address Council.

Mr. Glen Farley, owner of Lake Area Disposal Service, requested an increase of 75¢ per customer in garbage collection rates, making a total of $4.25 per month per customer. He stated only about one-half or a total of 348 households in Lake Dallas subscribe to the service, therefore making a rate increase necessary just to break even. Council then reviewed in detail the financial statements of the Lake Area Disposal Service as submitted by Mr. Farley. After much discussion on the matter, Councilman Beene moved the increase of 75¢ per month be granted effective November 1, 1976. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, J. C. Payne, and LeeRoy W. Schramm.
NOES: Mr. James W. Hutto

Councilman Beene moved that the matter of amending the present zoning ordinance be tabled until such time as the City Attorney approves same as to form. Motion died for lack of a second.

Councilman Hutto moved that inasmuch as a Public Hearing had already been held on the matter "AN ORDINANCE ADOPTING VOLUME I OF THE 1973 CITY OF DALLAS BUILDING CODE, WITH AMENDMENTS TO CERTAIN SECTIONS; REGULATING THE CONSTRUCTION, ERECTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF LAKE DALLAS; PROVIDING FOR INSPECTION, THE ISSUANCE OF PERMITS, AND THE COLLECTION OF FEES THEREFOR; PROVIDING A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION HEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE" be passed and approved. Councilman Schramm seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, LeeRoy W. Schramm and J. C. Payne
NOES: Mr. W. L. Beene
A copy of such ordinance is attached hereto and made a part of these minutes.

Councilman Beene moved that "AN ORDINANCE TO REGULATE AND RESTRICT THE USE OF LAND AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES; TO REGULATE AND LIMIT THE HEIGHT OF BUILDINGS HEREAFTER ERECTED OR ALTERED; TO REGULATE AND DETERMINE THE SIZE AND AREA OF YARDS, COURTS AND OTHER OPEN SPACES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; TO DIVIDE THE MUNICIPALITY INTO DISTRICTS AND TO ESTABLISH BY REFERENCE TO A MAP THE BOUNDARIES OF SUCH DISTRICTS FOR SAID PURPOSES; TO PROVIDE FOR LOADING AND OFF-STREET PARKING; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ITS INTERPRETATION AND AMENDMENTS HERETO; TO PROVIDE FOR ITS ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS; TO PROVIDE FOR A BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; TO PROVIDE FOR PERMITS; TO PROVIDE FOR INVALIDITY OF A PART; AND FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY"

be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Beene moved that a resolution in support of the North Central Texas Council of Governments be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

City Planner, Mr. Joe Yalenty, reported to Council the Sales Tax revenue was up 37% this fiscal year over last fiscal year.

Councilman Beene moved that the City Secretary be authorized to attend a seminar on "Administrative Office Management" to be held October 28-29 in Beaumont, Texas. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Payne moved that a Xerox machine be rented at a monthly cost of $65.00, which includes 1,970 copies per month before an additional charge is made. Councilman Beene seconded the motion, and it carried unanimously.

Councilman Payne moved that the matter of janitor service for the City Hall building be tabled for further investigation. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the Police Department's Activity Report for the month of September as submitted by Chief Rosson.

Council reviewed the September Activity and Financial Reports as submitted by the Lake Cities Area Volunteer Fire Department.

Council reviewed the Schedule of Receipts and Disbursements for the month of September, and the final Budget Report for fiscal year 1975-76.

After reviewing the Accounts Payable for October, Councilman Beene moved that City Secretary be authorized to pay such bills. Councilman Payne seconded the motion, and it carried unanimously. A copy of the October Accounts Payable is attached hereto and made a part of these minutes.

Council then reviewed the Municipal Court Report for the period ending October 5, 1976.

There being no further business for discussion, Councilman Beene moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Pro Tem Harper adjourned the meeting at 9:28 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor

M. Jean Chambers

M. Jean Chambers, City Secretary

ORDINANCE NO. _____

AN ORDINANCE ADOPTING VOLUME I OF THE 1973 CITY OF DALLAS BUILDING CODE, WITH AMENDMENTS TO CERTAIN SECTIONS; REGULATING THE CONSTRUCTION, ERECTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF LAKE DALLAS; PROVIDING FOR INSPECTION, THE ISSUANCE OF PERMITS, AND THE COLLECTION OF FEES THEREFOR; PROVIDING A FINE NOT TO EXCEED $200 FOR ANY VIOLATION HEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is deemed necessary to provide minimum standards to regulate the design, construction, materials, use and occupancy, location and maintenance of buildings and structures and certain equipment thereof, within the City to protect and promote the public welfare, health, and safety; and,

WHEREAS, the present CITY OF LAKE DALLAS BUILDING CODE is the 1973 edition of the City of Dallas Building Code, Volume I, with amendments, and it is deemed necessary to maintain an up-to-date, modern building code; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS:

SECTION 1. (a) That Volume I of the 1973 City of Dallas Building Code, with amendments, as specified in SECTION 2 of this Ordinance, is hereby adopted by reference as the Building Code of the City of Lake Dallas.

(b) A copy of this code shall remain at all times at the City Hall of the City of Lake DAllas.

SECTION 2. The Sections and subparts of this code hereafter amended are as follows:

(a) <u>PROVISIONS CHANGED</u>

Section 101. To read as follows: This ordinance shall be known as the City of Lake Dallas Building Code, may be cited as such, and will be referred to herein as this code.

Section 201. The Building Official whose office is created by Ordinance #6 shall be known as the Building Inspector and shall be the building official as hereafter referred to in this code.

Section 202., part (c), paragraph 2: The City Secretary shall keep a permanent, accurate account of all fees and other monies collected and received under

this code, the names of the persons under whose account the same were paid, the date and the amount thereof, together with the location of the building or premises to which they relate.

(b) PROVISIONS DELETED

None.

(c) PROVISIONS ADDED

Section 104., Part (j) Historic Buildings. Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the Building Inspector provided:

1. The building or structure has been designated by official action of the legislative body as having special historical significance.
2. Any unsafe conditions described in Section 203 will be corrected in accordance with approved plans.
3. Any substandard conditions will be corrected in accordance with approved plans.
4. The restored building or structure will be less hazardous based on life and fire risk than the existing building.

Section 205. Expiration. All building permits will expire, unless renewed, at the end of 120 days from the date of issuance.

SECTION 3. PENALTIES FOR VIOLATIONS. (a) It shall be unlawful for any person, to construct, erect, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the City or cause the same to be done, contrary to or in violation of any of the provisions of this code.

(b) For the purposes of this code, unless a particular section, subsection, or clause places compliance responsibiltiy upon a different person, the owner or tenant of the premises and the person, firm, or corporation performing the work authorized by the building permit have the duty to insure that all applicable requirements of this code are complied with. The owner or tenant

of the premises and the person, firm, or corporation performing the work authorized by the building permit shall provide for the applicable materials, methods of construction, standards and specifications required by this code. The failure of the owner or tenant, or person, firm, or corporation performing the work to so provide, is a violation of this code and subjects the owner, tenant, and the person, firm, or corporation to the penalty prescribed by this ordinance.

(c) Any person violating any of the provisions of this code shall be deemed guilty of a seperate offense for each day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and each violation shall be punishable by a fine not to exceed $200.00.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Building permits heretofore issued under existing ordinance shall be valid for the time and project for which they were issued. However, all permits, regardless of the date of issuance, shall expire 120 days from the effective date of this ordinance.

SECTION 7. This ordinance shall take effect on the 24th day of October, 1976.

PASSED AND APPROVED THIS 14th DAY OF October, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
City of Lake Dallas

Jean Chambers

Jean Chambers, City Secretary
City of Lake Dallas

ORDINANCE NO. ____

AN ORDINANCE AMENDING AN ORDINANCE

AN ORDINANCE TO REGULATE AND RESTRICT THE USE OF LAND AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES; TO REGULATE AND LIMIT THE HEIGHT OF BUILDINGS HEREAFTER ERECTED OR ALTERED; TO REGULATE AND DETERMINE THE SIZE AND AREA OF YARDS, COURTS AND OTHER OPEN SPACES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; TO DIVIDE THE MUNICIPALITY INTO DISTRICTS AND TO ESTABLISH BY REFERENCE TO A MAP THE BOUNDARIES OF SUCH DISTRICTS FOR SAID PURPOSES; TO PROVIDE FOR LOADING AND OFF-STREET PARKING; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR ITS INTERPRETATION AND AMENDMENTS HERETO; TO PROVIDE FOR ITS ENFORCEMENT AND PROVIDING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS; TO PROVIDE FOR A BOARD OF ADJUSTMENT AND DEFINING ITS POWERS AND DUTIES; TO PROVIDE FOR PERMITS; TO PROVIDE FOR INVALIDITY OF A PART; AND FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore, the Zoning Commission of the City of Lake Dallas, Texas has had under intensive study and consideration the request of the City Council of the City of Lake Dallas, Texas for its recommendation pertaining to amending the Zoning Ordinance of the City of Lake Dallas, Texas by changing the zoning of the property generally described as follows:

All that certain property situated 200 feet to the North and South of the centerline of Hundley Drive and bounded by old Denton Road on the West and Lakeview Drive on the East

from R-1, R-2, and R-3 Residential to C-1 Commercial; and

WHEREAS, heretofore, the proposed amendment to the Zoning Ordinance was reviewed at seperate public hearings of the Zoning Commission and the City Council, after due notice of such hearings was given and after property owners and interested parties were given an opportunity to appear and express there opinions concerning the amendment to the Zoning Ordinance; and

WHEREAS, after review of the request and all testimony, a final report to the City Council was made recommending the adoption of the proposed amendment to the Zoning Ordinance; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, after having reviewed the recommendation of the Zoning Commission and all of the testimony and evidence introduced at the hearing, has determined that it would promote the health, safety, morals, and general welfare of the people, and protect the use and enjoyment of property throughout the City to enact the proposed amendment as recommended by the Zoning Commission;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

That the City Secretary be ordered and directed to correct and amend the Official Zoning District Map to conform with the provisions of this ordinance.

The fact that the City of Lake Dallas, Texas, and its inhabitants, are in immediate need of the relief afforded by the provisions of this ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one seperate meeting be suspended, and that this ordinance take effect upon the 24th day of October, 1976, and it is so ordained.

PASSED AND APPROVED THIS 14th DAY OF October, 1976.

Johnny J. Vinson

Johnny J. Vinson, Mayor
City of Lake Dallas, Texas

ATTEST:

Jean Chambers

Jean Chambers, City Secretary
City of Lake Dallas, Texas

R E S O L U T I O N

WHEREAS, the North Central Texas Council of Governments is the designated agency for regional planning and council of governments activities for a 16 county area including Dallas, Tarrant and Denton Counties and,

WHEREAS, the City of Lake Dallas is presently a member government of the North Central Texas Council of Governments and,

WHEREAS, the City of Lake Dallas is pleased with its membership in the NCTCOG and with the services provided to the City by NCTCOG and,

WHEREAS, the NCTCOG has an officially adopted statement outlining the purpose and activities of NCTCOG and,

WHEREAS, the City of Lake Dallas and the County of Denton are economically, physically, socially and politically a part of the Dallas Metropolitan Area and,

WHEREAS, a subcommittee of the Intergovernmental Affairs Committee of the Texas Legislature has recommended that Denton County including its political subdivisions be removed from the NCTCOG planning region and be placed in the Texoma Regional Planning agency and,

WHEREAS, the City of Lake Dallas and Denton County have very little if any economic, physical, social or political ties with the Texoma Region and its central cities of Sherman and Denison.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City of Lake Dallas fully supports the activities of NCTCOG;

2. The City of Lake Dallas is active in NCTCOG and does not consider COG to be another layer of government;

3. The City of Lake Dallas most strongly desires to remain with Dallas and Tarrant Counties;

4. The City of Lake Dallas strongly supports the NCTCOG as it presently exists to serve as the regional planning agency for Dallas, Tarrant, Denton and the other surrounding counties;

5. That a copy of this resolution be sent to Governor Dolph Briscoe, Senator Tom Creighton and Representative Walt Parker and to Speaker Bill Clayton.

Passed and approved by the City Council of the City of Lake Dallas, Texas, this 14th day of October, 1976.

Johnny J. Vinson

JOHNNY J. VINSON, MAYOR
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. JEAN CHAMBERS, CITY SECRETARY

CITY OF LAKE DALLAS

ACCOUNTS PAYABLE - OCTOBER, 1976

Administrative Department:		
Insurance & Bonds		
TML Workmen's Compensation Fund		$ 12.07
Telephone & Utilities		
Lake Dallas Telephone Company	$122.17	
Texas Power & Light Company	64.13	186.30
Gas, Oil, etc.		
Kelsoe Oil Company		27.06
Office Expense		
The Dan Johnson Company	22.50	
The Dan Johnson Company	12.50	
Massie Office Supply	33.64	68.64
Public Notices, etc.		
The Lake Cities Sun		15.00
Miscellaneous Expense		
True Value Hardware		13.49
Total		$ 322.56
Police Department:		
Insurance & Bonds		
TML Workmen's Compensation Fund		$ 348.43
Telephone & Utilities		
Lake Dallas Telephone Company	$170.51	
Texas Power & Light Company	92.96	263.47
Capital Outlay - Building		
Foxworth-Galbraith Lumber Company		100.12
Professional Services		
A. M. Shelton, M.D.		20.00
Uniforms		
Betts & Majors, Inc.	134.34	
Donovan Uniform Company, Inc.	343.50	477.84
Equipment Maintenance & Repair		
Dallas Two Way Radio Company, Inc.		100.75
Vehicle Maintenance & Repair		
Exxon Station	168.00	
Sigler Auto Supply	58.20	
Newt Miller Ford	53.21	279.41
Gas, Oil, etc.		
K & W Automotive		39.18
Office Expense		
Nu-Art Printing Company	21.25	
The Dan Johnson Company	83.20	
Massie Office Supply	46.11	150.56
Miscellaneous Expense		
Wald's Police Supply Company		30.38
Total		$ 1,810.14
Street Department:		
Insurance & Bonds		
TML Workmen's Compensation Fund		$ 289.77
Telephone & Utilities		
Lake Dallas Telephone Company	$ 15.75	
Texas Power & Light Company	6.71	22.46
Capital Outlay - Signs, Posts, etc.		
Texas Fence Supply Company		253.50
Capital Outlay - Streets		
Chico Stone, Inc.	888.64	
Mrs. E. L. Boynton	1,048.57	
Texas Steel Culvert Company	353.60	
Southern Asphalt & Petroleum Co.	3,035.48	5,326.29
Street Maintenance		
True Value Hardware Store	191.59	
Rite Weld Supply Company	8.00	199.59
Gas, Oil, etc.		
K & W Automotive Supply	31.39	
Kelsoe Oil Company	189.42	220.81
Street Lighting		
Texas Power & Light Company		243.45

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 21, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers W. L. Beene, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present, together with City Attorney, Mr. Shirley W. Peters. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing with the City Attorney pending litigation with Lake Cities Municipal Utility Authority as provided by Article 6252-17, Section 2, (e) of Vernon's Texas Civil Statutes.

Mr. Peters stated the following options were available to the City with respect to Cause No. 76-784-B, styled Lake Cities Municipal Utility Authority Vs. The City of Lake Dallas, et al:

1. Allow Judgement to stand as handed down by the District Court of Denton County.
2. Appeal decision to a higher court.
3. Appeal and Supercede - Suspend judgement - Take over and operate the LCMUA until appeal is heard by higher court.

Council then reviewed and discussed in great detail the alternatives available in the matter, and how each affected the tax structure of both the City and LCMUA, the bonded indebtedness of LCMUA, and the general best interest of the community.

Mayor Vinson opened the meeting to the public at 9:30 P.M.

Councilman Beene moved that a copy of the transcript be ordered, and that an appeal to the Court of Civil Appeals be effected. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. W. L. Beene, J. C. Payne, Roy V. Harper and James W. Hutto.
NOES: Mr. LeeRoy W. Schramm

Councilman Payne moved that the meeting be recessed until Tuesday, October 26, 1976, at 7:00 P.M., in order to provide the City Attorney with time to prepare authority the City has to supercede the judgement of the District Court. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson called the meeting to order again at 7:00 P.M. on October 26, 1976. All councilmembers were present with City Secretary acting as recording secretary.

Mayor Vinson announced the Council would again enter into Executive Session for the purpose of continuing the discussion of the pending litigation with the Lake Cities Municipal Utility Authority.

Council then discussed in great detail the legal opinions received in the matter and information obtained from all sources of investigation made by various councilmembers, but no motions were made.

Mayor Vinson opened the meeting to the public at approximately 7:20 P.M.

Councilman Harper moved that "A RESOLUTION AUTHORIZING AND DIRECTING THE ATTORNEY FOR THE CITY OF LAKE DALLAS, TEXAS TO PERFECT AND PROSECUTE AN APPEAL IN CAUSE NO. 76-784-B, STYLED LAKE CITIES MUNICIPAL UTILITY AUTHORITY VS. THE CITY OF LAKE DALLAS, ET AL., AND TO SUPERCEDE THE JUDGEMENT OF THE TRIAL COURT" be passed and approved. Mr. Harper accepted an amendment presented by Councilman Beene. The amendment is as follows "allow the present personnel to run the Utility Authority as it is". Councilman Beene seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Roy V. Harper, W. L. Beene and J. C. Payne.

NOES: Messrs. James W. Hutto and LeeRoy W. Schramm.

A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Schramm presented Mayor Vinson with a letter outlining his position in the matter, and requested that same be a part of the official record of the meeting. A copy of said letter is attached hereto and made a part of these minutes.

There being no further business for discussion, Councilman Beene moved the meeting be adjourned. Councilman Harper seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 7:25 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

No. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE ATTORNEY FOR THE CITY OF LAKE DALLAS, TEXAS TO PERFECT AND PROSECUTE AN APPEAL IN CAUSE NO. 76-784-B, STYLED LAKE CITIES MUNICIPAL UTILITY AUTHORITY VS. THE CITY OF LAKE DALLAS, ET AL., AND TO SUPERCEDE THE JUDGEMENT OF THE TRIAL COURT.

WHEREAS, the attorney for the City in cause No. 76-784-B, styled Lake Cities Municipal Utility Authority vs. The City of Lake Dallas, et al., has requested the City Council to determine by resolution whether or not the members of the City Council are to pursue an appeal to the Honorable Court of Civil Appeals for the Second Supreme Judicial District in the above styled and numbered cause; and

WHEREAS, the City Council, after having considered the matter, is of the opinion that an appeal from the judgement heretofore entered in such cause would be to the advantage and best interest of the City;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the attorney for the City in cause No. 76-784-B, styled Lake Cities Municipal Utility Authority Vs. The City of Lake Dallas, et al., be authorized, ordered and directed to perfect and prosecute an appeal in the above styled and numbered cause to the Honorable Court of Civil Appeals for the Second Supreme Judicial District, and to perfect and prosecute such further writs to higher courts as may be necessary in the premises and/or to respond to any application for writs filed in the premises.

2. That the attorney for the City in the above styled and numbered cause is ordered and directed to procure and cause to be served writs of supersedeas in the above styled and numbered cause.

PASSED AND APPROVED, this the 21st day of October, 1976.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary

STATE OF TEXAS X

COUNTY OF DENTON X

I, M. Jean Chambers, City Secretary of the City of Lake Dallas, Texas, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the City Council of the City of Lake Dallas, Texas on the 26th day of October, 1976.

IN TESTIMONY WHEREOF, witness my hand and seal of the City of Lake Dallas, Texas, this the 2nd day of November, 1976.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

M E M O R A N D U M

TO: Johnny Vinson, Mayor, Lake Dallas, Texas

FROM: LeeRoy Schramm, Councilman, Lake Dallas, Texas

To Mayor Johnny Vinson, Councilmen Roy V. Harper, James Hutto, Slats Beane, and Jim Payne be it understood that "individually or collectively" I cannot nor will not support the decision on the part of this Council to APPEAL AND SUPERCEDE the decision handed down by the Denton County District Court to restrain the City of Lake Dallas from taking over or interfering with in any way the operation of the LCMUA.

It is my contention that the actions taken by this Council will provoke both near and long term financial, economic, and environmental liabilities which will adversely effect the quality of life in Lake Dallas.

In my opinion, due to Council's decision, the tax paying citizens of Lake Dallas are faced with the following exposures:

- o unstable operation of the water utility service;
- o unnecessary and unbearable litigation costs;
- o increased tax burdens on the citizens of Lake Dallas due to total bond liability and bond re-financing expenses;
- o local economic degradation;
- o deep social and community division;
- o potential loss of Federal grant monies;
- o potential State Water Quality and EPA Agency intervention and controls.

These are serious considerations which cannot be taken lightly. Elected officials are responsible for the public well being and the citizens cannot afford the enormous liabilities associated with the actions this Council has taken tonight.

Signed: LeeRoy Schramm 10/20/76

cc: Press Release

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 11, 1976

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman W. L. Beene was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Schramm moved that the minutes of the meetings held October 7, 14 and 21, 1976 be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson read a letter received from Mr. W. L. Beene stating "I hereby tend my resignation from the City Council of the City of Lake Dallas effective as of 11:00 A.M. November 3, 1976". Councilman Hutto moved that Mr. Beene's resignation be accepted. Councilman Schramm seconded the motion, and it carried unanimously. Inasmuch as Mr. Beene's term expires in April, Council agreed that consideration should be given to allowing the seat to remain vacant until the next regular election. City Secretary was instructed to check to see if that is permissable. Otherwise, someone from the citizenry would be appointed to serve out the unexpired term.

Councilman Schramm moved that the City Secretary and City Planner be authorized to attend Texas Municipal League's Annual Convention to be held in Dallas November 14-16, 1976, and that the usual and customary expenses incurred be paid by the City. Councilman Payne seconded the motion, and it carried unanimously.

City Planner, Mr. Joe Yalenty, reported the City's application for 701 Planning Grant funds will soon be ready for signatures. He stated some changes has been made to insure the City's eligibility for funds next year. He further reported he would do the environmental study, and the drainage study would be done by Consulting Engineer, Mr. Harry L. Gray. Mr. Yalenty said more money may be needed to complete the drainage study, with Phase I of same being completed by late winter.

Mr. Yalenty strongly urged Council to encourage all property owners to place numbers on their houses and places of business in an effort to facilitate emergency units in locating properties. It was suggested it might become necessary to pass an ordinance making it mandatoryto do so. It was generally agreed the City should place block numbers on all street signs.

Chief Joe Rosson presented the Police Department's Activity Report for the month of October. He reported the 1975 Police Car was not operable and needed repairs totaling at least $1,300.00. Chief Rosson recommended purchasing a new 1977 LTD 2S Ford (police package) at a purchase price of $4,905.14, less trade in value of $1,800.00 for the 1975 car, making the total purchase $3,105.14. Councilman Payne moved the new police car be purchased as requested, with the Mayor and City Secretary negotiating a loan with the Lake Cities State Bank. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto and LeeRoy W. Schramm.
NOES: None
Councilman Roy V. Harper abstained from the vote.

The October Activity and Financial Reports of the Lake Cities Area Volunteer Fire Department were presented by past Fire Chief, Mr. Charlie Berry. He then introduced the newly elected Fire Chief, Mr. Johnny Johnson.

Councilman Payne moved the appointments of Messrs. Jerry McCutcheon and Curtis Webb to the Advisory Board of LCAVFD be confirmed. Councilman Schramm seconded the motion, and it carried unanimously.

Mr. Berry reported to Council the City of Lake Dallas' share of the Fire Department's budget is $13,465.46, with an additional $4,000.00 needed from Lake Dallas for Capital Outlay expense (down payment on new fire truck), making a total of $17,465.46. City Secretary advised $12,125.00 had already been allocated to the Fire Department in the City's 1976-77 Budget, but the capital outlay expense of $4,000 had not been planned for. Councilman Schramm moved that the City pledge by resolution the additional financial support as requested by the Volunteer Fire Department. Councilman Schramm accepted an admendment presented by Councilman Hutto. The amendment is as follows "In the event the towns of Corinth, Hickory Creek and Shady Shores do not participate to their full financial responsibility, the City of Lake Dallas will withdraw its financial support accordingly as pledged to the Lake Cities Area Volunteer Fire Department". Councilman Hutto seconded the motion, and it carried unanimously. A copy of the resolution is attached hereto and made a part of these minutes.

Councilman Schramm moved the note, in the amount of $4,406.10, with the Lake Cities State Bank, secured by one 1970 Ford two-ton fire truck, MV #F60DCH81843, be renewed at 7% interest to become due and payable September 30, 1977. Councilman Payne seconded the motion, and it carried unanimously. A copy of such Note is attached hereto and made a part of these minutes.

Council reviewed the Schedule of Receipts and Disbursements for the month of October, the Accounts Payable for November, and the November Municipal Court Report. Councilman Hutto moved the City Secretary be authorized to pay the Bovember Accounts Payable. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 8:50 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS PLEDGING FINANCIAL SUPPORT TO THE LAKE CITIES AREA VOLUNTEER FIRE DEPARTMENT FOR FISCAL YEAR 1976-77.

WHEREAS, the City of Lake Dallas understands its need for fire protection; and

WHEREAS, the City of Lake Dallas is not in a position at this time to establish a municipal owned Fire Department; and

WHEREAS, the City of Lake Dallas is appreciative of the efforts of the Lake Cities Area Volunteer Fire Department and their efficiency in meeting the needs of the community; and

WHEREAS, it is the feeling of the City of Lake Dallas that the Volunteers should devote their efforts to fire training, protection and prevention rather than fund raising; and

WHEREAS, the City Council, after having considered the matter, is of the opinion the cities being served by the Volunteer Fire Department should be responsible for the financial maintenance of the Department;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the City of Lake Dallas hereby pledges $13,465.46 to the Lake Cities Area Volunteer Fire Department's Operating Budget for fiscal year 1976-77.

2. That the City of Lake Dallas hereby pledges an additional $4,000.00 to the Lake Cities Area Volunteer Fire Department's Capital Outlay Budget to be used exclusively for the procurement of a new fire fighting vehicle.

All the foregoing contingent upon the full and unabridged cooperation of the Cities of Corinth, Hickory Creek and Shady Shores in fulfilling their financial responsibilities to the Lake Cities Area Volunteer Fire Department as outlined by the Advisory Board and Board of Directors.

PASSED AND APPROVED, this the 11th day of November, 1976.

Johnny J. Winson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary

NOTICE Prepared by the State Bar of Texas for use by Lawyers only. 11-70—5M
To select the proper form, fill in blank spaces, strike out form provisions or insert special terms constitutes the practice of law. No "standard form" can meet all requirements.

NOTE

(SECURED BY SECURITY AGREEMENT)

$ 4,406.10 Lake Dallas, Texas, November 11, 1976

For value received, I, We, or either of us, as principals, promise to pay to the order of Lake Cities State Bank

in the City of Lake Dallas, Denton County, Texas, the sum of Four Thousand Four Hundred Six and 10/100---------- Dollars ($ 4,406.10), in legal and lawful money of the United States of America, with interest thereon from date hereof until maturity at the rate of Seven per cent (7.00 %) per annum; the interest payable on unpaid balance of principal, April 30, 1977 and as accrued, at maturity hereof ; matured unpaid principal and interest shall bear interest at the rate of ~~ten~~ Seven per cent (~~10%~~ 7.00) per annum from date of maturity until paid.

This note is due and payable as follows, to-wit:

(a.) Accrued interest on balance of principal hereof, and on principal, the sum of $440.61, all due and payable on April 30, 1977;

(b.) Accrued interest on balance of principal hereof, and the unpaid balance of principal, all due and payable on September 30, 1977.

The maker of this note may pay all or any part of the principal hereof, and interest as it accrues, at any time.

It is expressly provided that upon default in the punctual payment of this note or any part thereof, principal or interest, as the same shall become due and payable, or upon default in the performance of any of the terms, covenants or conditions contained in the hereinafter mentioned Security Agreement, the entire indebtedness secured by the hereinafter mentioned Security Agreement shall be matured, at the option of the holder; and in the event default is made in the prompt payment of this note when due or declared due. and the same is placed in the hands of an attorney for collection, or suit is brought on same, or the same is collected through Probate, Bankruptcy or other judicial proceedings, then the makers agree and promise to pay a reasonable attorney's fee for collection, which in no event shall be less than ten (10%) per cent of the principal and interest then owing.

Each maker, surety and endorser of this note expressly waives all notices, demands for payment, presentations for payment, notices of intention to accelerate the maturity, protest and notice of protest, as to this note and as to each, every and all installments hereof.

Payment hereof is secured by a SECURITY INTEREST created and granted in a SECURITY AGREEMENT of even date herewith executed by City of Lake Dallas, Lake Dallas, Denton County, Texas (therein called DEBTOR) to the Payee herein (therein called SECURED PARTY), upon the following described property (therein called COLLATERAL) located in Denton County, Texas, to-wit:

One (1) 1970 Ford two-ton fire turck, MV#F60DCH81843.

This note evidences indebtedness created pursuant to a Resolution of the City Council of the City of Lake Dallas, Denton County, Texas, at a meeting duly called, convened and held on the 11th day of November, 1976, a quorum being present, and represents a renewal and extension of a note made and executed by the maker hereof to Lake Cities State Bank dated January 10, 1976, in the original principal amount of $5,982.89, which indebtedness originally was created by the maker hereof for purchase of the motor vehicle described herein; and any and all rights, titles, equities, liens and powers enuring to the Payee herein and the holder hereof and hereby continued, renewed and preserved.

Dated this 11th day of November, 1976.

CITY OF LAKE DALLAS, TEXAS

ATTEST: _____
City Secretary

By: _____
Mayor

RESOLUTION, CITY COUNCIL - CITY OF LAKE DALLAS, TEXAS

The undersigned Secretary of the City of Lake Dallas, Denton County, Texas, hereby certifies that the following Resolution was duly adopted by the City Council of the City of Lake Dallas, Denton County, Texas, at a meeting of said Council duly called, convened and held on the 11th day of November, 1976, a quorum being present at such meeting.

RESOLUTION

WHEREAS, the City of Lake Dallas is indebted to Lake Cities State Bank, hereinafter referred to as the BANK, as evidenced by a promissory note dated July 10, 1975, in the original principal amount of $6,757.47, due and payable on or before September 30, 1975, bearing interest and with terms and conditions as therein provided, such note now having an outstanding balance of $4,406.10 principal and interest, and which note is secured by a Security Interest in favor of Bank in and on the City owned 1970 Ford 2-ton Fire Truck #MV F60 DCH 81843; and

WHEREAS, the foregoing note now is due and payable, and the City of Lake Dallas is desirous of renewing and extending the same on the basis hereinafter described, and BANK has agreed to accept such renewal and extension;

NOW THEREFORE, the City of Lake Dallas and the City Council of said City hereby request BANK to renew and extend the note above described with the outstanding balance as heretofore indicated, by execution of a new and renewal note bearing interest on the unpaid principal balance thereof at the rate of seven percent (7%) per annum, interest on the unpaid principal balance, and $440.61 of principal being due and payable April 30, 1977, and the balance of principal and accrued interest thereon being due and payable September 30, 1977, and to be secured by the Security Interest in the motor vehicle heretofore described, such renewal note to be dated November 11, 1976.

FURTHER RESOLVED, that the Mayor or the Mayor Pro Tem and City Secretary are hereby authorized and directed to take such actions and execute such papers and documents as may be necessary or proper to evidence the indebtedness heretofore described, in favor of BANK, and give security therefore as indicated above in this Resolution, any and all Security Agreements and other collateral documents heretofore relating to such indebtedness and the security therefore to remain in full force and effect; and such officers also are authorized from time to time to give additional security for such indebtedness as may be deemed advisable and proper by the Mayor or Mayor Pro Tem of the City of Lake Dallas, Texas.

CERTIFIED CORRECT: _____
City Secretary,
Lake Dallas, Texas

SECURITY AGREEMENT
(MOTOR VEHICLE)

City of Lake Dallas — P.O. Box 368
Debtor's Name — Street Address

Lake Dallas — Denton — Texas
City — County — State

(hereinafter called in accordance with the terms and provisions of the Uniform Commercial Code—DEBTOR) for value received hereby grants to Lake Cities State Bank
Secured Party's Name

(hereinafter called in accordance with the terms and provisions of the Uniform Commercial Code—SECURED PARTY) whose address is IH 35 E — Lake Dallas, Denton, Tx.
Street — City, County, and State

a security interest in the following described motor vehicle (said motor vehicle is hereinafter referred to as COLLATERAL) to-wit:

MAKE	YEAR AND MODEL	BODY TYPE	MAUFACTURER'S SERIAL NO.	MOTOR NO.	LICENSE	IF TRUCK CAPACITY
Ford	1970	Fire Truck	F60DCH81843			Two Ton

The security interest hereby granted secures the payment of a note in the original principal sum of $ 4,406.10, of even date herewith executed by DEBTOR and payable to SECURED PARTY and bearing interest and payable as provided therein.

DEBTOR represents and warrants that Collateral is now located and shall be kept at the following location,

Fire Hall — Main Street — Lake Dallas, Denton, Texas
Street No. — City, County, and State

or if left blank at the address given for DEBTOR above.

DEBTOR and SECURED PARTY as used in this Security Agreement include the heirs, executors and administrators, successors or assigns of those parties.

The warranties, covenants, terms and agreements on the reverse side hereof are incorporated herein and made a part hereof for all intents and purposes.

Dated November 11, 1976

ASSIGNMENT AND ENDORSEMENT

For value received, this security agreement and the note it secures is hereby sold, assigned and transferred to

_____

who alone has the authority to release the same.

_____

By _____

City of Lake Dallas

By: _____
Signature of DEBTOR
Johnny J. Vinson, Mayor

DEBTOR WARRANTS, COVENANTS AND AGREES:

Title—Except for the security interest hereby granted and the notation of said security interest upon the Certificate of Title for Collateral, Debtor has, or upon acquisition will have, full fee simple title to Collateral free from any lien, security interest, encumbrance, or claim, and Debtor will, at Debtor's cost and expense defend any action which may affect Secured Party's security interest in or Debtor's title to Collateral.

Certificate of Title—That no Certificate of Title and/or Financing Statement covering Collateral or any tires, radios, heaters, accessories, equipment, repairs or parts thereof are on file in any public office and that Debtor will execute all necessary instruments deemed necessary by Secured Party to perfect the security interest herein granted and will pay the cost of filing same.

Sale, lease, or disposition of Collateral—Debtor will not, without written consent of Secured Party sell, contract to sell, lease, encumber or dispose of Collateral or any interest therein until this Security agreement and all debts secured thereby have been fully satisfied.

Insurance—Debtor will insure the Collateral with companies acceptable to Secured Party against such casualties and in such amounts as Secured Party shall require with a standard mortgage clause in favor of Secured Party and Secured Party is hereby authorized to collect sums which may become due under any of said policies and apply same to the obligations hereby secured.

Protection of Collateral—Debtor will keep the Collateral in good order and repair and will not waste or destroy Collateral or any part thereof. Debtor will not use the Collateral in violation of any statute or ordinance and Secured Party will have the right to examine and inspect Collateral at any reasonable time.

Taxes—Debtor will pay promptly when due all taxes and assessments upon the Collateral or for its use and operation.

Additional Security Interest—Debtor hereby grants to Secured Party a security interest in and to all proceeds, increases, substitutions, replacements, additions, accessions to the Collateral, but this provision shall not be construed to mean that Debtor is authorized to sell, lease, or dispose of Collateral without Secured Party's consent. Debtor hereby agrees that all equipment, accessories, repairs and parts placed upon Collateral during the existence of the security interest hereby granted shall become a part of Collateral and shall be subject to the terms and provisions of this Security Agreement.

Change of Residence or Place of Business—Debtor will promptly notify Secured Party in writing of any addition to, change in, or discontinuance of the place where Collateral is to be kept, or Debtor's chief place of business or Debtor's residence.

Future Indebtedness—The security interest hereby granted secures the indebtedness described on the front page hereof and all other obligations of Debtor to Secured Party, direct or indirect, absolute or contingent, due or to become due, whether existing or hereafter arising.

Decrease in Value of Collateral—Debtor will, if in Secured Party's judgment the Collateral has materially decreased in value or if Secured Party shall at any time deem that Secured Party is insecure, either provide enough additional Collateral to satisfy Secured Party or reduce the total indebtedness by an amount sufficient to satisfy Secured Party.

Re-imbursement of Expenses—At Secured Party's option, Secured Party may discharge taxes, liens, interest, or perform or cause to be performed for and in behalf of Debtor any actions and conditions, obligations or covenants which Debtor has failed or refused to perform and may pay for the repair, maintenance, and preservation of Collateral and all sums so expended, including but not limited to, attorney's fees, court costs, agent's fees, or commissions, or any other costs or expenses shall bear interest from the date of payment at the rate of 10% per annum and shall be payable at the place designated in the above described note and shall be secured by this Security Agreement.

Payment—Debtor will pay the note secured by this Security Agreement and any renewal or extension thereof and any other indebtedness hereby secured in accordance with the terms and provisions thereof and will repay immediately all sums expended by Secured Party in accordance with the terms and provisions of this Security Agreement.

Attorney-in-Fact—Debtor hereby appoints Secured Party Debtor's attorney-in-fact to do any and every act which Debtor is obligated by this Security Agreement to do and to exercise all rights of Debtor in Collateral and to make collections and to execute any and all papers and instruments and to do all other things necessary to preserve and protect Collateral and to protect Secured Party's security interest in said Collateral.

Time-Waiver—Debtor agrees that in performing any act under this Security Agreement and the note secured thereby that time shall be of the essence and that Secured Party's acceptance of partial or delinquent payments or failure of Secured Party's acceptance of partial or delinquent payments, or failure of Secured Party to exercise any right or remedy shall not be a waiver of any obligation of Debtor or right of Secured Party or constitute a waiver of any other similar default subsequently occurring.

Default—Debtor shall be in default under this Security Agreement upon the happening of any of the following events or conditions:

1. Default in the payment or performance of any obligation, covenant or liability contained or referred to herein.
2. Any warranty, representation or statement made or furnished to Secured Party by or in behalf of Debtor proves to have been false in any material respect when made or furnished;
3. Any event which results in the acceleration of the maturity of the indebtedness of Debtor to others under an indenture, agreement or undertaking;
4. Loss, theft, substantial damage, destruction, sale or encumbrance to or of any of the Collateral, or the making of any levy, seizure or attachment thereof or thereon;
5. Any time the Secured Party believes that the prospect of payment of any indebtedness secured hereby or the performance of this Security Agreement is impaired;
6. Death, dissolution, termination of existence, insolvency, business failure, appointment of a receiver for any part of the Collateral assignment for the benefit of creditors or the commencement of any proceeding under any bankruptcy or insolvency law by or against Debtor or any guarantor or surety for Debtor.

Remedies—Upon the occurrence of any such event of default, and at any time thereafter, Secured Party may declare all obligations secured hereby immediately due and payable and may proceed to enforce payment of the same and exercise any and all of the rights and remedies provided by the Uniform Commercial Code as well as all other rights and remedies possessed by the Secured Party. Secured Party may require Debtor to assemble the Collateral and make it available to Secured Party at any place to be designated by Secured Party which is reasonably convenient to both parties. Unless the Collateral is perishable or threatens to decline speedily in value or is of a type customarily sold on a recognized market, Secured Party will give Debtor reasonable notice of the time and place of any public sale thereof or of the time after which any private sale or any other intended disposition thereof is to be made. The requirements of reasonable notice shall be met if such notice is mailed, postage prepaid, to the address of Debtor shown at the beginning of this Security Agreement at least five days before the time of the sale or disposition. Expenses of retaking, holding, preparing for sale, selling or the like shall include Secured Party's reasonable attorney's fees and legal expenses.

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL DECEMBER 9, 1976

Mayor Johnny J. Vinson called the meeting to order at 5:30 P.M. Councilmembers Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson stated City Planner, Mr. Joe Yalenty, would conduct the Public Hearing relative to the Community Development Block Grant project. Mr. Yalenty explained the program is designed to benefit moderate and low income families and the areas where they reside. The data submitted to HUD is rated on a point system from one to ten, ten being the highest score. He further stated 78% of Lake Dallas families fall into the low and moderate income category. The City may apply for up to $250,000.00, but not less than $50,000.00. Mr. Yalenty requested interested persons present complete a questionnaire indicating the most pressing improvements needed within the City, and return same to City Hall.

Councilman Hutto moved the next Public Hearing on the Community Development Block Grant project be held immediately preceding the next regular scheduled meeting, January 13, 1977. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson closed the Public Hearing at 5:50 P.M.

Councilman Hutto moved that the minutes of the meeting held November 11, 1976 be approved as presented by City Secretary. Councilman Schramm seconded the motion, and it carried unanimously.

Mr. Tom Holoman, representing homeowner's of the Kings Manor Subdivision, stated they have been unable to obtain mail delivery to their homes. He requested approval for Centennial Homes to construct cluster mailboxes on Lot Nos. 1 and 16 of Block P, 1 and 17 of Block L, and 1 of Block I, all facing Overly Drive. Such boxes to be housed attractively in cedar and will serve thirty-two homes. Mr. Holoman stated the plan had been approved by the U.S. Postal Service and appeared to be the only means for obtaining mail delivery within the subdivision inasmuch as no boxes are presently available at the Post Office. Councilman Schramm moved the plan be approved as presented. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Charlie Berry be appointed to serve out former Councilman Beene's unexpired term. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne and LeeRoy W. Schramm.
NOES: None
Councilman Roy V. Harper abstained from the vote.

City Planner, Mr. Joe Yalenty, reported the City had received, signed and returned the Comprehensive Planning Contracts to the Texas Department of Community Affairs. Such contracts allow $660.00 for Land Use and Environmental Assesment, $2,534.00 for a drainage study, and $133.00 for the Zoning Map, for a total of $3,333.00. All projects under contract have a completion deadline of May, 77, and this arrangement has secured the City's eligibility for funding next year.

Mr. Yalenty further stated both the Fire and Police Departments had requested an ordinance be passed requiring that all buildings within the City be properly identified with reflectorized letters for the purpose of assisting emergency units in locating properties. Mr. Yalenty was instructed to check the

cost of purchasing such numbers, and report back to Council at the next regular meeting.

Chief Joe Rosson presented the Police Department's Activity Report for the month of November. He requested Council to consider passing an ordinance making possession of one ounce or less of marijuana punishable by a fine of $102.50. City Secretary was instructed to check with the City Attorney regarding the legality of the matter, and report back to Council.

Newly appointed Councilman Charles W. Berry presented the November Activity and Financial Reports of the Lake Cities Volunteer Fire Department. Councilman Berry stated the Fire Department would order the chassis of the new truck this month. City Secretary stated the letter of appeal for funds would be mailed to Lake Dallas residents shortly after January 1, 1977.

Council reviewed the Schedule of Receipts and Disbursements for the month of November, and the December Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay the Accounts Payable as set out in the attached list. Councilman Berry seconded the motion, and it carried unanimously.

Council then reviewed the Municipal Court Report for the month of December.

On the Citizen's Agenda, Council heard from the following persons:
Mrs. W. L. Hunter stated her husband had informed Council 22 months ago that Stadium Drive was located approximately six feet on their property, and requested that such street be moved South to conform with the survey so that a fence could be constructed around their property. She requested that such correction in the placement of the street be made immediately so that they could regain the usage of the entire property.

Mrs. Jackie Kovsky stated Thompson Drive is in dire need of street repair, and requested that adequate repairs be scheduled as quickly as possible.

Mayor Vinson announced Council would enter into Executive Session as provided by Article 6252-17, Section 2 (g), of Vernon's Texas Civil Statutes.

Mayor Vinson opened the meeting to the public at 7:50 P.M.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 7:55 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Charlie W. Berry,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas, Denton County *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {~~for the giving or withholding a vote at the election at which I was elected.~~ *to secure my appointment or the confirmation thereof.*}

So help me God.

Signed Charlie W. Berry

Sworn to and subscribed before me, this 9th

day of December *19*76

M Jean Chandler

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

_____

(Name)

For

_____

(Office)

Dated _____, 19____

at _____, Texas

Hart Graphics, Austin

HART HART HART HART

CITY OF LAKE DALLAS

ACCOUNTS PAYABLE - DECEMBER, 1976

Administrative Department:		
Telephone & Utilities		
Lake Dallas Telephone Company		$ 82.26
Professional Services		
Leroy M. Howe, C.P.A.		1,250.00
Equipment Maintenance & Repair		
Clarence Kingston		39.25
Gas, Oil, etc.		
Exxon Company		28.10
Office Expense		
Massie Office Supply	$ 3.14	
Kibler Office Supply	5.69	
LCMUA (Xerox)	3.98	
Xerox	15.17	27.98
Miscellaneous Expense		
Food Fare of Lake Dallas		2.24
Total		$ 1,429.83
Police Department:		
Telephone & Utilities		
Lake Dallas Telephone Company		$ 127.39
Uniforms		
Sargent-Sowell, Inc.	$ 18.00	
Donovan Uniform Company, Inc.	110.04	128.04
Vehicle Maintenance & Repair		
Lake Dallas Exxon Station	12.73	
Newt Miller Ford	1,088.89	1,101.62
Vehicle Supplies		
Sargent-Sowell, Inc.		61.90
Gas, Oil, etc.		
Exxon Company		39.96
Office Expense		
Massie Office Supply	17.97	
Kibler Office Supply	4.73	
LCMUA (Xerox)	3.98	
Xerox	15.17	41.85
Miscellaneous Expense		
True Value Hardware Store	23.53	
Stewart Oxygen Service	5.00	
Sargent-Sowell, Inc.	8.15	36.68
Total		$ 1,537.44
Street Department:		
Telephone & Utilities		
Lake Dallas Telephone Company		$ 17.25
Capital Outlay - Equipment		
Big Three Industries, Inc.	$ 63.00	
Denton City-County Civil Defense	72.23	135.23
Capital Outlay - Signs, Posts, etc.		
Smith Municipal Supplies, Inc.		101.35
Equipment Maintenance & Repair		
K & W Automotive Supply		73.74
Street Maintenance		
True Value Hardware Store		57.65
Equipment Rental		
Rite Weld Supply Company		37.80
Gas, Oil, etc.		
Kelsoe Oil Company		292.72
Uniforms		
Sargent-Sowell, Inc.	17.60	
Donovan Uniform Company, Inc.	287.66	305.26
Total		$ 1,021.00

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 12, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charles W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mr. Ira Moody, Manager of the local Texas Power and Light Company office, requested authority for his company to increase the electrical rates effective January 26, 1977 on the average of 34 percent, and more specifically as follows:

Residential	38.8%	Commercial	25.9%
Schools	40.2%	Industrial	24.9%
Municipal	37.8%		

Mr. Moody presented numerous facts, figures and charts in support of the proposed rate increases. After a lengthy question and answer period, Councilman Schramm moved to suspend the increase pending a Public Utility Commission decision. Councilman Payne seconded the motion, and it carried unanimously.

Mayor Vinson recessed the meeting at 8:35 P.M. for ten minutes.

Mr. Jack Locke, Manager of the Lewisville office of Lone Star Gas Company, requested authority for his company to increase natural gas rates effective February 15, 1977 on the average of 20.3 percent, and further requested the gas cost adjustment clause be continued. He stated his company's rate of return on the fair value of their investment in Lake Dallas is presently 1.30 percent. An eight percent return is considered fair and equitable, and the proposed increase will produce that return in Lake Dallas. After some discussion on the matter, Councilman Hutto moved to suspend the increase until the February 10 meeting to allow for further research and investigation. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:10 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 13, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charles W. Berry, Roy V. Harper, J. C. Payne and LeeRoy W. Schramm were present. Council excused the absence of Mr. James W. Hutto due to illness. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Payne moved that the minutes of the regular meeting held December 9, 1976 be approved as presented by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

City Planner, Mr. Joe Yalenty, conducted the Public Hearing relative to the Community Development Block Grant project. He explained the program is designed to benefit moderate and low income families and the areas in which they reside. He further outlined the eligible and ineligible activities, equal opportunity requirements, history of the block grant program, public participation requirements, application deadlines and again invited interested persons to direct their comments on the matter to the Councilmembers or City Hall staff.

Councilman Schramm moved that "AN ORDINANCE GRANTING TO LAKE AREA DISPOSAL SERVICES, INC. THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN THE SERVICE OF GARBAGE AND TRASH COLLECTION AND HAULING OVER, UPON, ALONG AND ACROSS THE PRESENT AND FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PROPERTIES OF THE CITY OF LAKE DALLAS, TEXAS; PROVIDING REGULATIONS FOR THE OPERATION OF SAID SERVICE AND DECLARING AN EMERGENCY" be passed and approved, and that such organization submit to City Hall the following information on a regular basis:

(1) A list of all customers and their monthly bills.
(2) Map of route
(3) Verification of insurance and amounts of coverage.
(4) Financial statement.

Councilman Berry seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Schramm moved that a note, in the amount of $3,105.14, bearing interest at the rate of seven percent (7%) per annum, be made with the Lake Cities State Bank, the proceeds thereof to be used to purchase a new 1977 LTD 2S Ford Police automobile. Councilman Payne seconded the motion, and it carried unanimously.

Police Chief, Joe Rosson, requested Council to consider constructing holding cells at the rear of the Police Department offices in the City Hall building. Council agreed to do so at such time as Chief Rosson could validate the legality of such holding cells, and provide specific information relative to standards applicable, cost of construction, maintenance, etc.

Council reviewed the Police Department's Activity Report for the month of December as presented by Chief Rosson.

Mr. Jerry McCutcheon, representing the Lake Cities Volunteer Fire Department, informed Council the new paid Fireman would start work February 1, and requested the City begin disbursing funds allocated to the Fire Department effective January 15. Councilman Berry moved that 13,108.28 be disbursed on a monthly basis, with any expenses paid by the City for the Fire Department being deducted from the amount due. Councilman Schramm seconded the motion, and it carried unanimously.

Mr. McCutcheon further stated the Fire Department will be submitting within the very near future certain recommendations for Council's consideration and implentation that will assist the Department in providing better and more efficient fire service.

Councilman Berry presented the Fire Department's Activity and Financial Reports for the month of December.

City Planner, Mr. Joe Yalenty, reported on the present status of the City's applications for Criminal Justice and Community Development Block Grant funding and the environmental assessments for the "701" planning contract. He reported an application will be filed soon on behalf of the Lake Cities Community Center for 16 (B) 2 transportation funds to be used to purchase a van to transport the elderly and handicapped of the Lake Cities area. Mr. Yalenty stated the State and Federal Inspectors would make their inspections this month of the newly constructed traffic control signs for compliance with uniform traffic sign requirements, and that reimbursement for same would be forthcoming. He further stated aluminum house numbers were now available at City Hall at three for 50¢.

Councilman Schramm moved that the Texas Municipal League, its consultants and attorneys, be authorized to act on behalf of the City in its regulatory capacity to obtain all information necessary and pertinent to Texas Power & Light Company's rate proposal, and to present evidence with respect to Docket 178 pending before the Public Utility Commission. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Payne moved that City Secretary be authorized to attend a Seminar on Texas Municipal Election Law to be held January 20-21 in Denton, the registration fee of $34.50, to be reimbursed by IPA grant funds. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Schramm moved that City Secretary and Deputy Court Clerk be authorized to attend the Texas Municipal Courts Seminar & Workshop to be held in Houston February 3-5 at an estimated cost of $350.00 to be reimbursed by IPA grant funds. Councilman Harper seconded the motion, and it prevailed by the following vote:

AYES: Messrs. LeeRoy W. Schramm, Roy V. Harper and Charles W. Berry.
NOES: Mr. J. C. Payne

Council reviewed the Schedule of Receipts and Disbursements for the month of December, and the January Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay the Accounts Payable as listed on the attached sheet. Councilman Payne seconded the motion, and it carried unanimously.

The Budget Report for three months ending December 31, 1976 was reviewed, together with the January Municipal Court Report.

No persons addressed Council on the Citizen's Agenda.

Mr. Lynn Bural, representing Regional Airport Investment, Inc., requested a variance of 5 5/8" in lot depth of nine lots, nos. 25 through 33, as indicated on the preliminary plat of Lynnwood Estates to be located on 10.232 acres out of the M.E.P. & P.R.R. Co. Survey. Councilman Berry moved that such variance be granted as requested. Councilman Schramm seconded the motion, and it carried unanimously. Mr. Bural further stated paved alleys would be constructed in the new subdivision, and he would be happy to dedicate ten feet of right-of-way on the North side of Hundley Drive in the hope it would ultimately be widened.

There being no further business for discussion, Councilman Berry moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:05 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

CITY OF LAKE DALLAS

ACCOUNTS PAYABLE - JANUARY, 1977

Administrative Department:		
Insurance & Bonds		
Lake Dallas Insurance Agency	$ 10.00	
Lake Dallas Insurance Agency	430.98	
Lake Dallas Insurance Agency	164.75	
TML Workmen's Compensation Fund	9.08	$ 614.81
Telephone & Utilities		
Lake Dallas Telephone Company	99.00	
Texas Power & Light Company	26.42	125.42
Grounds Maintenance		
True Value Hardware Store		11.40
Dues & Memberships		
American Association of Small Cities		25.00
Gas, Oil, etc.		
Exxon Company		30.22
Office Expense		
Massie Office Supply	11.48	
Kibler Office Supply	14.85	
Xerox Corp.	40.69	67.02
Public Notices		
Lake Cities Sun	162.96	
Lake Cities Sun	11.90	174.86
Election Expense		
Hartgraphics		16.93
Municipal Court Expense		
Ronald D. Vanzura		100.00
Miscellaneous Expense		
Food Fare of Lake Dallas	1.96	
Monroe-Pearson Company	22.47	24.43
Total		$ 1,190.09
Police Department:		
Insurance & Bonds		
Lake Dallas Insurance Agency	$ 82.25	
TML Workmen's Compensation Fund	345.45	$ 427.70
Telephone & Utilities		
Lake Dallas Telephone Company	83.28	
Texas Power & Light Company	30.51	113.79
Uniforms		
Donovan Uniform Company		45.00
Vehicle Maintenance & Repair		
Lake Dallas Exxon Station	11.03	
Betts & Majors	17.42	
Hale's Body Shop & Garage	26.20	
Shaw's Automotive Service	2.00	56.65
Gas, Oil, etc.		
Exxon Company		24.16
Office Expense		
Xerox Corp.		40.69
Miscellaneous Expense		
Denton Fire Extinguisher Company	7.50	
Monroe-Pearson Company	58.40	65.90
Total		$ 773.89
Street Department:		
Insurance & Bonds		
TML Workmen's Compensation Fund		$ 286.79
Telephone & Utilities		
Lake Dallas Telephone Company	$ 15.25	
Texas Power & Light Company	5.44	20.69
Capital Outlay - Building		
Arca Electric Service		320.01

Street Department, Continued		
Capital Outlay - Streets		
Mrs. E. L. Boynton		$ 323.08
Street Maintenance		
True Value Hardware Store		32.05
Supplies		
Blair Electric Company	$ 2.70	
Foxworth-Galbraith Lumber Company	61.96	
Rite Weld Supply Company	24.17	88.83
Street Lighting		
Texas Power & Light Company		385.40
Miscellaneous Expense		
Monroe-Pearson Company		14.45
Total		$ 1,471.30
Fire Department:		
Insurance & Bonds		
TML Workmen's Compensation Fund		$ 45.06
Office Expense		
The Dan Johnson Company	$ 26.00	
Xerox Corp.	40.68	66.68
Total		$ 111.74
TOTAL JANUARY ACCOUNTS PAYABLE		$ 3,547.02
TOTAL AMOUNT ON DEPOSIT JANUARY 12, 1977		$47,740.63

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 10, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meetings held January 12 and 13 be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mrs. Carolyn Green stated the dogs running loose within the City constituted a real nuisance, and urged that some means be found to enforce the Dog Leash Ordinance.

Mr. Lee Nichols requested that the trash piled at the South end of Kings Manor Drive be removed. Police Chief Joe Rosson stated he had contacted the persons responsible, and in the event such trash was not removed within the week, a complaint will be filed in Municipal Court.

Mrs. Jess Stowe requested that the ditch running North from Hundley Drive on Lakeview Drive be cleaned. She stated it appeared raw sewerage was being pumped into said ditch.

Mr. Jack Locke, District Manager of Lone Star Gas Company, requested authority for his Company to increase their rates on the average of 20.3% within the City. Council agreed the gas leakage figures submitted were far too great, and indicated irresponsibility on the part of the Gas Company. It was further agreed that if such leakage was better controlled, it would be reflected in a considerable savings to the consumer. Councilman Hutto moved that the request for a 20.3% rate increase be denied, and that a rate increase of 10% be granted to Lone Star Gas Company. Councilman Berry seconded the motion, and it carried unanimously.

Mr. Lynn Bural, representing Regional Airport Investment, Inc., stated the Winn-Dixie Grocery chain has indicated an interest in the construction of a store to be located on 1.11 acres out of the 28.08 acre tract at Shady Shores Road and Hundley Drive providing they are permitted to sell beer and wine for off premises consumption. He stated they were willing to amend their original request for a change in zoning classification from the C-2 District to the C-3 District to anything that would permit the proposed super market to sell beer and wine. He further stated the representatives for Winn-Dixie, Inc. expected the store to gross $3,000,000.00 minimum the first year, would employ approximately forty persons, and will not consider the location without the sell of beer and wine. Council discussed the matter in great detail and listened to the comments of interested citizens present. Councilman Payne moved that the matter be tabled until such time as a representative from the Winn-Dixie, Inc. can be present. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Clyde Edwards be appointed to the Planning and Zoning Commission to fill the vacancy created by Mr. Kermit Fonteno's consecutive absences from the meetings of such Board. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Payne moved that "AN ORDINANCE PROVIDING FOR PROPER NOTIFICATION OF THE CITY SECRETARY BY THE STREET SUPERINTENDENT WHENEVER THE STREET SUPERINTENDENT HAS ERECTED AND INSTALLED ANY OFFICIAL TRAFFIC CONTROL DEVICE, SIGNAL OR SIGN AT ANY LOCATION IN THE CITY OF LAKE DALLAS, OR CAUSED THE SAME TO BE DONE AND SPECIFYING THE CONTENT OF SUCH NOTIFICATION" be passed and approved. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Hutto moved that a Resolution be adopted in support of the Texas Legislature enacting legislation which will afford to General Law Cities the powers of annexation necessary to implement orderly growth and development commensurate with Home Rule Cities. Councilman Payne seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Schramm moved that City Planner, Mr. Joe Yalenty, proceed to annex that portion of Willow Grove Park from Hundley Drive South to Carlisle Drive. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that a resolution be passed and approved establishing procedure for the City Officers' Election to be held April 2, 1977. Councilman Payne seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

It was agreed that Councilman Payne would assist Street Superintendent Mr. Elmer Crawford in purchasing a suitable pick-up truck for the Street Department.

Chief Rickey Payne presented the Lake Cities Volunteer Fire Department's Activity and Financial Reports for the month of January.

Councilman Berry asked that consideration be given to passing ordinances relative to the following:

1. establishing certain procedures for obtaining burning permits, with such permits to be issued only under certain conditions with specific restrictions.
2. require smoke detectors to be installed in all new construction, apartments, and when making major alterations in homes.
3. providing a penalty for the incapacation and obstruction of fire hydrants.
4. requiring plat maps of each subdivision be furnished the Fire Department explicitely differentiating between proposed and existing fire hydrants.

Councilman Berry further requested the City enter into a planned fire hydrant replacement, maintenance and installation program, and stated the Fire Department will assume responsibility for flushing, test flowing, color coding, painting, servicing and maintaining written records on all fire hydrants. Council agreed to take the matters under advisement.

Councilman Harper moved that the matter of constructing holding cells at the rear of the Police Department offices be tabled until the next regular meeting. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved that Police Chief Joe Rosson attend the A.E.L.E. Workshop on Police Civil Liability to be held in New Orleans March 28-30 at an estimated cost of $673.00, $500.00 of which will be reimbursed by North Central Texas Council of Governments. Councilman Payne seconded the motion, and it carried unanimously.

Chief Rosson presented the Police Department's January Activity Report.

Council reviewed the Schedule of Receipts and Disbursements for the month of January, and the February Accounts Payable. Councilman Payne moved that City Secretary be authorized to pay those accounts now due. Councilman Schramm seconded the motion, and it carried unanimously.

At 11:00 P.M., Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing the appointment and evaluation of personnel as provided by Article 6252-17, Section 2 (g) Vernon's Texas Civil Statutes.

Mayor Vinson opened the meeting to the public at 12:00 A.M.

There being no further business for discussion, Councilman Payne moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 12:05 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

RESOLUTION NO. _____

WHEREAS, the City of Lake Dallas, Texas, an incorporated City within the State of Texas is incorporated as a General Law City.

WHEREAS, the statutes relating to General Law Cities and granting them annexation powers require that in order for adjacent lands to be annexed, such city must acquire the petition of occupants and/or land owners of such adjacent lands, and

WHEREAS, such requirements act as a deterrent to the orderly growth and development of such General Law Cities within the State of Texas, and also creates problems relating to police and fire protection and other city services to these adjacent territories, and

WHEREAS, the best interest of the citizenry of the State of Texas and especially the populace of some 850 General Law Cities throughout the State would best be served if General Law Cities were afforded the annexation flexibility enjoyed by Cities chartered within the Statutes pertaining to Home Rule Cities.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lake Dallas, Texas that:

1. The Legislature of the State of Texas enact Legislation which would afford to General Law Cities the powers of annexation necessary to implement orderly growth and development commensurate with Home Rule Cities.

PASSED AND APPROVED this the 10th day of February, 1977.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS }
CITY OF LAKE DALLAS }

On this the 10th day of February, 1977, the City Council/~~Commission~~ of the City of Lake Dallas, Texas, convened in regular session, open to the public, at the regular meeting place thereof with the following members present, to-wit:

Johnny J. Vinson, Mayor,

Roy V. Harper, Alderman/~~Commissioner~~

LeeRoy W. Schramm, Alderman/~~Commissioner~~

James W. Hutto, Alderman[2]

J. C. Payne, Alderman[2]

Charlie W. Berry, Alderman[2]

M. Jean Chambers, City Secretary/~~Clerk~~

and the following absent: None, constituting a quorum, and among other proceedings had were the following:

Alderman/~~Commissioner~~ James W. Hutto introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~ J. C. Payne, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Messrs. Roy V. Harper, LeeRoy W. Schramm, James W. Hutto, J. C. Payne and Charlie W. Berry,

NOES: None.

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on April 2 1977, there shall be elected the following officials for this city:

~~MAYOR~~[2]

Three (3) (Number of) Alderman[2] ~~Two Commissioners~~[2]

3

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/~~COMMISSION~~[1]

OF THE CITY OF LAKE DALLAS, TEXAS:

That all independent candidates at the election to be held on the first Saturday in April, 19 77, for the above mentioned offices file their applications to become candidates with the Mayor of this City at the City Secretary's office on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 2nd day of April, 1977, as a candidate for Councilmember of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is Denton County.

My post office address is _____.

My age is _____ years.

Please place my name on the official ballot as follows:

_____
(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____
Name of Candidate

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~ of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~ orders the same to be printed on the ballot for said election.

This city, having one election precinct, said election shall be held at the folowing place in said city:

1. In Election Precinct No. 2P at City Hall Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~ immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the day of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 10th day of February, 1977.

Mayor

ATTEST:

Secretary/~~Clerk~~

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.
(4) This application is available as a separate form. Order Form 16-2396—Request to Place Name on City Officer Election Ballot.
(5) Art. 1.05 of the Election Code.

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 7, 1977

Mayor Vinson called the meeting to order at 7:00 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Johnny J. Vinson informed the public that the purpose of this emergency meeting was to discuss a complaint made against Police personnel in their handling of an arrest made on North Denton Road the evening of March 6, 1977 at approximately 8:00 P.M. He announced Council would enter into Executive Session to discuss the matter as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

Council then discussed the complaint as made by Messrs. Bruce Waggoner and Byron Hundley to Mayor Vinson, but no motions were made.

Mayor Vinson opened the meeting to the public at 7:20 P.M.

Councilman Schramm moved the City Council act as a Board of Inquiry and a Hearing be held on the matter at 7:00 P.M., Tuesday, March 8, 1977, with all concerned parties being invited to attend. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Schramm seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 7:35 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 8, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:05 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson explained the purpose of this emergency meeting is to ascertain facts surrounding a complaint made against certain police personnel in their handling of an arrest made on March 6, 1977 involving one Bruce Waggoner.

Councilman Schramm moved that Council enter into Executive Session to discuss the matter as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. Councilman Hutto seconded the motion, and it carried unanimously.

Police Officers John Buckholt, Richard Mankoff, Tom Mull and Chief Joe Rosson, individually and separately, gave their accounting of the events that transpired immediately before, during and after the arrest of Bruce Waggoner, with Council members asking questions for the purpose of clarification. The police officers statements are not recorded in these minutes inasmuch as this was a preliminary investigation, and not subject to public scrutiny. Official statements will be taken during the formal investigation in the event a complaint is actually filed with the proper authorities.

Mayor Vinson opened the meeting to the public at 8:45 P.M. He announced that after having heard statements from the Police Officers involved in the incident, Council could find no fault in their handling of the matter, but the investigation would be held open at least ten days, pending further information from County Officials.

Mayor Vinson further stated he wished to appoint Messrs. J. C. Payne, James W. Hutto and LeeRoy W. Schramm as a Board of Inquiry to investigate future internal affairs involving city personnel. This was generally agreed to by Council, but no motions were made.

There being no further business for discussion, Councilman Payne moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 8:50 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 10, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meeting held February 10 be approved as presented by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved that discussion of the proposed fire related ordinance be tabled until such ordinance is actually prepared and can be reviewed in its entirety. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mrs. Carolyn Green again petitioned that some means be found that will enable enforcement of the dog leash ordinance. She stated stray dogs were running at large throughout the City, and others were not being kept up by their owners, resulting in a severe health and nuisance problem. She suggested a committee be appointed to investigate the matter in an effort to find a solution, making its recommendations to Council. Mayor Vinson stated it was a good idea, and the matter would be taken under advisement.

Mr. Ronald D. Vanzura, representing the Lake Dallas Independent School District, stated said school was in the process of purchasing an 11.000 acre tract out of the M.E.P. & P.R.R. Company Survey (located immediately West of the present Football Field on Hundley Drive) for expansion purposes. He presented a notice of revocation made by the Regional Airport Investment, Inc. requesting the preliminary plat of proposed Lynnwood Estates Subdivision, approved by Council on January 13, 1977, be vacated inasmuch as said plat is not in keeping with the needs of the school district. Councilman Schramm moved that a resolution be passed and approved revoking and terminating the dedication or proposed dedication of such land for public purpose. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved to table the matter of appointing a City Attorney until a later date. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved to table the matter of amending the building code to exempt benevolent organizations from fees pending a legal opinion on same. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved the City pay the registration fee of $15.00 per person for members of the Planning and Zoning Commission who wish to attend COG's Sixth Planning Commissioner's Workshop to be held in McKinney March 12 and 19. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Payne moved that the Planning and Zoning Commission procede to document land use that was effective in 1967 when the Zoning Ordinance became effective, and has not been recorded heretofore. Councilman Hutto seconded the motion and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto, Charlie W. Berry and LeeRoy W. Schramm.
NOES: None

Councilman Roy V. Harper abstained from the vote.

City Planner, Mr. Joe Yalenty, requested approval to purchase eight new fire hydrants (six to be installed East of Lakeview Drive and two North of Denton Road) at an approximate cost of $5,000.00. Mr. J. B. Briggs, Manager of the Lake Cities Municipal Utility Authority, stated the Board of Directors of LCMUA had approved the installation of a six inch water line in these areas. However, he added, it is necessary that the City Council and the Water Board agree on where such line should be placed, in the street or in the easement. In the event it is decided the line should be placed in the utility easement, such easement would have to be cleared in some cases by adjacent property owners who have constructed buildings, fences, etc. In the event the line is placed in the street, the Water Board felt it only fair that the City bear the expense of repairing the streets inasmuch as the Authority was bearing the expense of installing the line. The matter was discussed in great detail, but no motions were made.

Fire Chief Rickey Payne presented the February Activity and Financial Reports of the Lake Cities Volunteer Fire Department. Councilman Schramm requested Chief Payne submit a six month budget report on his department.

Council agreed to take under advisement the request to appoint a Fire Marshall.

Councilman Schramm moved to table the matter of constructing holding cells at the rear of the Police Department offices in City Hall. Councilman Hutto seconded the motion, and it carried unanimously.

Chief Joe Rosson presented the Police Department's Activity Report for the month of February.

Chief Rosson presented each member of the Council with a copy of the March 9 issue of the Lewisville Daily Leader which contained an article relative to the Police Department and their handling of the Bruce Waggoner matter, such information supposedly given to the paper by City Planner Joe Yalenty. Chief Rosson said he and his officers were told the information given in the preliminary investigation held March 8 would be held in strict confidence by the Council, and requested some disciplinary action be taken with respect to Mr. Yalenty. It was agreed the information contained in the article was not the same as was revealed in the hearing, at which Mr. Yalenty was not present, indicating clearly the information for the article was not obtained as a result of the information given at the hearing. Chief Rosson further stated he would submit his resignation, together with eight other resignations of Police Department personnel effective April 15 or sooner. Mayor Vinson asked Chief Rosson if he wished to present those resignations at this time, and he did so.

City Secretary presented the Schedule of Receipts and Disbursements for the month of February and the March Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay the March Accounts Payable. Councilman Payne seconded the motion, and it carried unanimously. A copy of said Accounts Payable is attached hereto and made a part of these minutes.

Council reviewed the March Municipal Court Report.

Council discussed the City's position in joining with other small Denton County cities in the land fill development project to be located in the North section of the County, and asked that Mr. Yalenty keep them informed in the matter.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing the Police personnel problem as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

Council reviewed the resignations submitted earlier, and discussed each in great detail, but no motions were made.

Mayor Vinson opened the meeting to the public at 10:20 P.M. He stated he would meet with Police personnel to discuss the resignations, and make plans to replace personnel.

There being no further business for discussion, Councilman Schramm moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 4, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman Roy V. Harper was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 2, 1977. It was determined that 576 valid votes were cast for six candidates appearing on the ballot and five write in candidates by 219 registered voters. All things appearing to be in order, Councilman Hutto moved that a Resolution be passed and approved accepting the returns and declaring Messrs. Charlie W. Berry, James W. Hutto and J. C. Payne duly elected to the office of Alderman for a term of two years. Councilman Schramm seconded the motion, and it carried unanimously. A copy of such Resolution is attached hereto and made a part of these minutes.

City Secretary presented Messrs. Berry, Hutto and Payne each with a Certificate of Election and administered the Oath of Office. Such Oaths of Office are attached hereto and made a part of these minutes.

There being no further business for discussion, Councilman Berry moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 8:00 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 4th **day of** April, **19**77, **the City Council/~~Commission~~**[1]

of the City of Lake Dallas, **Texas, convened in** Special **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

Roy V. Harper, **Alderman/~~Commissioner~~**[1]

LeeRoy W. Schramm, **Alderman/~~Commissioner~~**[1]

Charlie W. Berry, **Alderman**[2]

James W. Hutto, **Alderman**[2]

J. C. Payne, **Alderman**[2]

M. Jean Chambers, **City Secretary/~~Clerk~~**[1]

and the following absent: None, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~[1] James W. Hutto **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~**[1] LeeRoy W. Schramm, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: Messrs. James W. Hutto, LeeRoy W. Schramm, Charlie W. Berry, Roy V. Harper and J. C. Payne, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 2nd day of April, 19 77, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 576 valid and legal votes; that each of the candidates in said election received the following votes:

FOR ~~MAYOR~~[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR ALDERMAN/~~COMMISSIONER~~ and [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Clyde E. Edwards	83
J. C. "Jim" Payne	105
Donald R. Smith	49
Charlie W. Berry	100
James W. Hutto	138
John Webb	93

FOR COUNCILMAN (WRITE IN) [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Jack Ezzell	2
Bill Grammer	2
Richard Varnell	1
Marti Vinson	1
Jesse Evans	1

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF Lake Dallas **, TEXAS:**

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that James W. Hutto was duly elected Mayor of said City at said election; and J. C. "Jim" Payne and Charlie W. Berry were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, and that _____ was duly elected _____,[2] and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 4th day of April 19 77.

ATTEST:

Secretary/~~Clerk~~[1]

Johnny J Simson
Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © HART Hart Graphics, Austin, Texas

OATH OF OFFICE

I, J. C. Payne,

do solemnly swear (~~or affirm~~), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas

_____ *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear~~(or affirm)~~, that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / ~~to secure my appointment or the confirmation thereof~~.}*

So help me God.

Signed J. C. Payne

Sworn to and subscribed before me, this 4th

day of April 19 77

M Jean Saunders

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

J. C. Payne

(Name)

For

Councilman

(Office)

Dated April 4, 1977

at Lake Dallas, Texas

Hart Graphics, Austin

HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © HART Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Charlie W. Berry

do solemnly swear (~~or affirm~~), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas,

_____ *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (~~or affirm~~), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {*for the giving or withholding a vote at the election at which I was elected.*} {~~to secure my appointment or the confirmation thereof~~}

So help me God.

Signed Charlie W. Berry

Sworn to and subscribed before me, this 4th

day of April *19*77

M. Jan Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

Charlie W. Berry
(Name)

For

Councilman
(Office)

Dated April 4, 1977

at Lake Dallas, Texas

Hart Graphics, Austin

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 14, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, James W. Hutto, Roy V. Harper, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved the minutes of the meetings held March 7, 8 and 10 be approved as presented by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mrs. Jackie Kovsky stated Thompson Drive is in need of repair again at the site of the cut made by Lone Star Gas Company some time ago.

Mrs. Jess Stowe requested that some means be found to inforce the ordinance pertaining to stray dogs. Mrs. Carolyn Green stated progress in this area is being made by the recently appointed Animal Control Committee.

Councilman Harper moved the ordinance creating the office of Fire Marshall not be adopted at this time. Motion died for lack of second.

Councilman Berry moved that Ordinance No. 82 entitled "AN ORDINANCE CREATING THE OFFICE OF FIRE MARSHALL; PRESCRIBING THE POWERS AND DUTIES THEREOF; PROVIDING FOR ITS MAINTENANCE; PRESCRIBING PENALTIES FOR VIOLATION IN ANY SUM NOT TO EXCEED $200.00; AND DECLARING AN EMERGENCY" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper

Councilman Schramm moved that Ordinance No. 83 "REQUIRING THAT INDIVIDUALS, FIRMS OR CORPORATIONS INVOLVED IN THE DEVELOPMENT OF RESIDENTIAL OR COMMERCIAL PROPERTY PROVIDE PLAT MAPS OF EACH DIVISION OR SUBDIVISION DETAILING THE LOCATION OF EACH FIRE HYDRANT TO THE FIRE DEPARTMENT, AND FURTHER, THAT EACH MAP EXPLICITELY DIFFERENTIATE BETWEEN PROPOSED AND EXISTING HYDRANTS" be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Ordinance No. 84 "DECLARING IT UNLAWFUL FOR ANY INDIVIDUAL, FIRM OR CORPORATION TO DISCONNECT OR OTHERWISE RENDER A FIRE HYDRANT INCAPABLE OF DELIVERING WATER, OR TO ERECT ANY POSTS, POLES, FENCES, SHRUBBERY, TREES OR OTHER OBSTRUCTIONS WHICH DENIES ACCESS TO FIRE HYDRANT OUTLETS" be passed and approved. Councilman Schramm seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, LeeRoy W. Schramm, Charlie W. Berry and J. C. Payne.
NOES: Mr. Roy V. Harper

Councilman Schramm moved that Ordinance No. 85 "REQUIRING THAT EVERY NEW DWELLING CONSTRUCTION BE PROVIDED WITH A FIRE DETECTION SYSTEM OF THE TYPE ACTIVATED BY PRODUCTS OF COMBUSTION OTHER THAN HEAT AND PERMANENTLY CONNECTED TO A STANDARD 120 VOLT A.C. ELECTRICAL LINE" be passed and approved. Councilman Berry seconded the motion, and it prevailed by the following vote:

AYES: Messrs. LeeRoy W. Schramm, Charlie W. Berry, James W. Hutto and J. C. Payne.
NOES: Mr. Roy V. Harper

Councilman Berry moved that Ordinance No. 86 "REQUIRING THE INSTALLATION OF PRODUCTS OF COMBUSTION DETECTORS IN DWELLINGS WHEN ALTERNATIONS, REPAIRS OR ADDITIONS WHICH EXCEEDS FIVE-HUNDRED ($500.00) DOLLARS IN EVALUATION ARE MADE TO SUCH STRUCTURES" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper

Councilman Berry moved that Ordinance No. 87 requiring "THE INSTALLATION OF SMOKE DETECTORS IN EXISTING APARTMENT COMPLEXES, APARTMENTS, AND OTHER MULTI-FAMILY DWELLINGS" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper

Mr. J. B. Briggs requested that consideration be given to passing an ordinance permitting the City to condemn those structures deemed a hazard to the public health and safety. Council agreed to take the matter under advisement.

Councilman Hutto moved that the matter of adopting ordinances relative to junked and unattended vehicles be tabled at this time. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Payne moved the matter of adopting an ordinance placing a limit on the number of dogs permitted per residence be tabled. Councilman Berry seconded the motion, and it carried unanimously.

Council reviewed the Administrative Report submitted by City Planner, Mr. Joe Yalenty. Mr. Yalenty stated the Animal Control Committee had met and agreed on certain recommendations to alleviate the dog problem. Council agreed to take such recommendations under advisement.

Councilman Payne moved that the Mayor be appointed the City's voting representative to the General Assembly of North Central Texas Council of Governments for 1977-78. Councilman Berry seconded the motion, and it carried unanimously.

Council agreed Mr. Yalenty should proceed with the following projects:

a. Annexation of that part of Willow Grove Park South of Hundley Drive to Carlisle Drive.

b. Reapply for I.P.A. funds to be used for continuing education purposes.

c. Submit application for Parks and Wildlife funds to be used for for acquisition of land for a Municipal Park.

Mayor Vinson presented Reserve Police Officer Jerry Murphy with a framed Certificate of Appreciation for his dedicated service to the City.

Chief Tom Mull presented the Police Department's Activity Report for the month of March.

Councilman Hutto moved that summer shirts be purchased for the Police Officers at an approximate cost of $155.00. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Berry moved that a resolution be passed and approved authorizing and directing the Mayor to execute a loan, in the amount of $3,105.14, bearing an annual percentage rate of 7%, with the Lake Cities State Bank, such loan being secured by one (1) 1977 Ford Police Type Automobile. Councilman Schramm seconded the motion, and it carried unanimously.

Chief Rickey Payne presented the Lake Cities Volunteer Fire Department's Activity and Financial Reports for the month of March. Council then reviewed the Fire Department's Six Month Budget Report.

Councilman Schramm moved that two Administrative Department personnel attend the Seminar on Economics of Public Finance to be held in Denton April 21-22 at a registration fee of $34.50 per person. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of March, and the April Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay the Accounts Payable as listed. Councilman Schramm seconded the motion, and it carried unanimously.

Council reviewed the Six Month Budget Report as presented by City Secretary, and the April Municipal Court Report.

Under Old Business, Councilman Schramm asked for a progress report on the litigation with Lake Cities Municipal Utility Authority. Mayor Vinson stated he and other members of the Council were prohibited by Court Order from discussing the matter until such time as the Appeal Court had handed down its decision.

Councilman Schramm moved that (a) "An ordinance of the City of Lake Dallas, Texas, adopting the provisions of Article 1182c-1, Vernon's Annotated Civil Statutes; and declaring an effective date","An ordinance abolishing the Lake Cities Municipal Utility Authority and assumption of the assets and liabilities of said Municipal Authority by the City of Lake Dallas, Texas; declaring an effective date when said City shall take over and assume all debts and assets of the Lake Cities Municipal Utility Authority; and declaring an effective date" and "A resolution authorizing and directing the Attorney for the City of Lake Dallas, Texas to perfect and prosecute an appeal in Cause No. 76-784-B, styled Lake Cities Municipal Utility Authority Vs. the City of Lake Dallas, Texas, et al., and to supercede the judgement of the trial court" be abolished and declared void; (b) that the motions currently before the Court of Civil Appeals in and for the Second Supreme Judicial District of Texas be formally withdrawn by the City of Lake Dallas; and (c) that the services of the legal council (Mr. Shirley Peters) in this matter no longer be utilized by the City of Lake Dallas. Motion died for lack of second.

At 10:25 P.M., Mayor Vinson announced Council will enter into Executive Session for the purpose of discussing appointments to the offices of City Attorney and Fire Marshall as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

Council discussed the various problems of the Municipal Court and the City's general need for legal expertise, together with the need for an experienced Fire Marshall, but no motions were made.

Mayor Vinson opened the meeting to the public at 11:15 P.M., and announced Mr. Ronald D. Vanzura would be appointed City Attorney and compensated at the rate of $40.00 per hour, and Mr. Jerry McCutcheon would be appointed to the Office of Volunteer Fire Marshall with no compensation, subject to confirmation by the Council at the next regular scheduled meeting.

There being no further business for discussion, Councilman Schramm moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 11:35 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MAY 12, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman Roy V. Harper was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meetings held April 4 and 14 be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mrs. Carolyn Green called for a re-evaluation of priorities, and demanded that arrangements be made to ascertain an animal control officer. She stated the cats and dogs running at large had ceased to be just a nuisance, and presently presented a real threat to health and safety, particularly that of children.

Mr. Emile Gilutin presented five proposed provisions to be included in a new ordinance for dog control for Council's review and consideration.

Council discussed the matter and generally agreed the major problem was in locating an animal shelter that would accept stray animals from Lake Dallas. after much discussion on the subject, Councilman Payne moved that a part-time employed be obtained at $3.00 per hour for approximately thirty (30) hours per week as an Animal Control Officer. Councilman Schramm seconded the motion, and it carried unanimously.

Mrs. Jess Stowe stated her gas bill on her laundry had increased 19% this month because of high commercial consumption, rather than the 10% increase recently granted Lone Star Gas Company. She urged that in the future increased research work and much consideration be given to the various rate classes before increases are granted the utility companies. Mrs. Stowe further stated she was not in favor of mandatory smoke detectors in mobile homes.

Mr. Ira Moody, local Manager of Texas Power & Light Company, stated the Public Utility Commission had reduced their request for a rate increase from 165.4 million company wide to 58.2 million. He stated his company was disappointed with the decision, but would accept same. After much discussion of the matter, Councilman Hutto moved that an increase in the rates, tariffs and charges of Texas Power & Light Company for electric power and energy sold within the City be approved in an amount equal to that approved by the Public Utility Commission of Texas on April 25, 1977 in Docket No. 178. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Schramm moved that the City of Lake Dallas join with twenty other cities in retaining the services of a common legal representative to present testimony at the hearing set for August 29 by the Railroad Commission relative to the appeals made by Lone Star Gas Company for rate increases providing the City's appropriate share of the cost does not exceed $500.00. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved that the stipulation by and between Lone Star Gas Company and the City of Lake Dallas as to the proper adjustment for age and condition to the reconstruction cost new component to the rate base in the appeal proceeding presently before the Railroad Commission be approved at fifteen percent. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Schramm moved that the proposed ordinance requiring the installation of smoke detectors in existing mobile homes be tabled for further information. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved that "AN ORDINANCE APPOINTING AND DESIGNATING THE POSITION OF CITY ATTORNEY FOR THE CITY OF LAKE DALLAS, TEXAS" be passed and approved. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Payne moved that a proclamation be issued proclaiming the week of May 9 through May 15, 1977 as Municipal Clerk's Week in recognition of the vital services the Municipal Clerk performs. Councilman Schramm seconded the motion, and it carried unanimously.

Councilman Hutto moved that a resolution be passed and approved authorizing City Planner Mr. Joe Yalenty to procede with the application for 701 Planning Funds. Councilman Berry seconded the motion, and it carried unanimously.

Mr. Dwight Hamilton, representing the Corps of Engineers, addressed Council relative to the proposed annexation of Willow Grove Park. He stated the annexation, as proposed by Mr. Yalenty, would leave the general operation of the park the Corps responsibility, including maintenance of grounds and roads. The City's responsibility would be to provide Fire and Police protection. He further stated at such time as the City's financial structure developed, a Park License could be granted and improvements made, subject to the Corps' approval, and there is also a cost sharing (50/50) program available with the Corps. Councilman Hutto moved that the City procede with the annexation of Willow Grove Park as proposed, and investigate the possibility of such annexation including all that Park area contiguous with the City Limit line. Councilman Schramm seconded the motion, and it carried unanimously.

Chief Tom Mull presented the Police Department's Activity Report for the month of April.

Mr. Jerry McCutcheon presented the April Activity and Financial Reports of the Lake Cities Volunteer Fire Department.

Councilman Payne moved that Mr. Jerry McCutcheon be appointed Fire Marshall of the City of Lake Dallas. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of April, and the May Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay the Accounts Payable, together with Mr. Ronald D. Vanzura's statement in the amount of $353.90. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto requested that Council enter into Executive Session as provided by Article 6252-17, Section 2 (g).

Council convened again in open session at 11:40 P.M. There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 11:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JUNE 9, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the minutes of the meeting held May 12 be approved as presented by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

No one addressed Council on the Citizen's Agenda.

Mr. Rickey Payne presented the Lake Cities Volunteer Fire Department's Activity and Financial Reports for the month of May. Mr. Payne presented Council with work orders indicating seven fire hydrants were inoperable within the City, and requested that same be repaired. Councilman Schramm moved that such fire hydrants be repaired and restored to service as quickly as possible. Councilman Berry seconded the motion, and it carried unanimously.

Officer John Buckholt presented the Police Department's Activity Report for the month of May.

Council reviewed the Schedule of Receipts and Disbursements for the month of May, and the June Accounts Payable, as presented by City Secretary. Councilman Hutto moved that City Secretary be authorized to pay the Accounts Payable. Councilman Berry seconded the motion, and it carried unanimously.

Council then reviewed the June Municipal Court Report.

The names of Mrs. Aldena Stowe and Messrs. Robert Barts, Ray Pinkerton and Don Smith were placed in nomination to serve on the Board of Equalization, subject to their personal acceptance.

City Secretary reported on the cost of a blinking caution light proposed for construction on Denton Road at the new Post Office. Council instructed that prices be obtained on used traffic lights for several locations throughout the City.

Mr. Robert Barts asked Council to consider providing garbage collection as a municipal owned service, rather than by private contractor, and make such service mandatory. Council agreed to take the matter under advisement.

Mayor Vinson recessed the meeting at 9:15 for five minutes.

Council interviewed Mr. Charles Cryan for the City Planner position, and agreed to employ him effective June 13 in that position at a monthly salary of $750.00 to be funded by the Federal Manpower Program at least through September 30, 1977. It was further agreed Mr. Cryan would be subject to the usual ninety day probation period, and that an automobile expense would be granted.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing with the City Attorney pending litigation styled Bruce A. Waggoner vs. City of Lake Dallas, as provided by Article 6252-17, Section 2 (e), Vernon's Texas Civil Statutes.

Council reconvened in open session at 10:50 P.M.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 14, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30. Councilmembers Charlie W. Berry, Roy V. Harper, J. C. Payne and Lee Roy W. Schramm were present. Councilman James W. Hutto was absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Berry moved that the minutes of the meeting held June 9, 1977 be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

No one appeared to address Council on the Citizen's Agenda.

Mr. and Mrs. Otis Beavers advised they have recently contracted to purchase the Lake Area Disposal Service, and intend to provide better garbage collection service than the previous owners have in the past. They stated they intend to meet all requirements set by the City, and wish to negotiate the franchise granted Glen Farley, former owner of Lake Area Disposal Service, on January 13, 1977. Councilman Schramm moved the matter be postponed for consideration at the next regular meeting. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Payne moved the Interlocal Agreement with the Texas Municipal League Workmen's Compensation Joint Insurance Fund be approved for the purpose of providing statutory benefits prescribed by Article 8309h of the Texas Workmen's Compensation Act for employees of political subdivisions. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Schramm moved that an ordinance providing for the State of Texas to be responsible for the maintenance of certain state highways in the City of Lake Dallas be passed and approved. Councilman Harper seconded the motion, and it carried unanimously.

Councilman Payne moved that discussion relative to a proposed condemnation ordinance be postponed until the next regular meeting. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Schramm moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS RECOMMENDING TO THE COMMISSIONER'S COURT OF THE COUNTY OF DENTON, STATE OF TEXAS, THAT A COUNTY ANIMAL CONTROL CENTER BE ESTABLISHED AND OPERATED ON A CONTRACTURAL BASIS WITH EACH COMMUNITY WITHIN THE COUNTY PAYING FOR ITS USE OF THE FACILITY ON A PRO RATA BASIS" be passed and approved. Councilman Payne seconded the motion, and it carried unanimously.

Mr. Charles Cryan, City Planner, reported on the status of the 701 Planning grant for the present fund year. He stated the information had been gathered, reduced to writing, maps completed, and all had been filed with the Texas Department of Community Affairs. He further stated North Central Texas Council of Governments had passed favorably on the application for 701 Planning funds in the next fiscal year, together with the application for a Criminal Justice grant which will fund an additional clerk in the Police Department.

Lieutenant Ron Douglas, in the absence of Chief Tom Mull, presented the Police Department's Activity Report for the month of June.

Councilman Payne moved that the matter of Police Liability Insurance coverage be tabled. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Berry presented the Lake Cities Volunteer Fire Department's Activity Report for the month of June.

Council reviewed the Schedule of Receipts and Disbursements for the month of June, together with the July Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay such Accounts Payable. Councilman Schramm seconded the motion, and it carried unanimously.

Council then reviewed the Municipal Court Report for July 5, and the Budget Report for nine months ending June 30, 1977.

Mr. Larry Kingston, Building Inspector, stated Kings Manor Subdivision was originally platted with alleys. He advised Council to decide whether or not they wished to enforce the plat with respect to the alleys and, if so, Centennial should be so advised prior to the completion of their construction within the subdivision.

Mr. Kingston further stated Prince Drive is presently a dead-end street, which is not permissable. He said authorization should be obtained from the LDISD for a turn around to be established on their property, or residential construction on Prince Drive would have to be stopped.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing a personnel matter as provided by Article 6252-17, Section 2 (g) of Vernon's Texas Civil Statutes.

Council reconvened in open sesssion at 10:40 P.M. There being no further business for disussion, Councilman Berry moved the meeting be adjourned. Councilman Schramm seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 11, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Berry moved that the minutes of the meeting held July 14, 1977 be approved as presented by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

Mrs. Carolyn Green, President of the Lake Cities Chamber of Commerce, invited all Councilmembers, City Secretary and City Planner, together with their families, to attend a dinner to be held at the Double Tree Ranch on August 19 from 4:00 to 10:00 P.M.in honor of the members of the Lake Cities Volunteer Fire Department.

Councilman Berry moved that City Planner Charles Cryan get with Superintendent of Schools to effect the following requests made by the Board of Trustees of the LDISD:

1. Texas Avenue be established one-way North from Main to Sycamore Street from 7:30 A.M. to 4:00 P.M. Monday through Friday.
2. A no parking zone be established on West side of Texas Avenue from 7:30 A.M. to 4:00 P.M. Monday through Friday.
3. A total of five crosswalks to be placed near the schools, specifically on Texas Avenue where Main, Market and Sycamore Streets intersect; at highschool cafeteria on Texas; and on Hundley Drive between football field and high school.
4. Purchasing and erecting approximately twelve (12) appropriate traffic control signs around school property.

Councilman Hutto seconded the motion, and it carried unanimously.

Mr. and Mrs. Otis Beavers, new owners of the Lake Area Disposal Service, presented for consideration a proposed ordinance granting them a franchise to operate along and across the streets and alleys of the City. Councilman Berry moved that the matter be postponed until the next regular meeting, permitting time to review the ordinance in its entirety. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Schramm moved that consideration of the proposed ordinance known as the Minimum Housing and Building Standards Code be postponed until the next regular meeting, and that Charles Cryan, James W. Hutto and himself be appointed to a committee to study such ordinance in its entirety. Councilman Hutto seconded the motion, and it carried unanimously.

Mr. Jerry McCutcheon, Fire Marshall, presented the Lake Cities Volunteer Fire Department's Activity and Financial Reports for the month of July. He stated the towns of Lake Dallas and Shady Shores had met their fair share of the Fire Department's Capital Outlay Budget. The town of Hickory Creek still owes $635.50 and Corinth owes $1,237.00.

City Planner, Mr. Charles Cryan, stated the City is still without a shelter to house animals picked up as a result of the normal activities of the Animal Control Officer. He further stated an appropriate shelter could be constructed for approximately $600.00, providing the land were available.

Councilman Hutto moved that a resolution be passed and approved authorizing the City Planner to make application for Criminal Justice funds to aid the City in the development and implementation of an expansion of the record system in the Police Department. Councilman Payne seconded the motion, and it carried unanimously. Mr. Cryan stated he had applied for a N.C.I.C. computer for the Police Department and, if approved, delivery could be expected in June, 1978.

Councilman Hutto moved that an order be passed and approved appointing Ms. Aldena Stowe, Anne Kennedy and Mr. Thurman Bartley to the 1977 Board of Equalization. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, Charlie W. Berry and LeeRoy W. Schramm.
NOES: None.
ABSTAINED: Mr. Roy V. Harper.
A copy of such order is attached hereto and made a part of these minutes.

Chief Tom Mull presented the Police Department's Activity Report for the month of July.

Councilman Hutto moved that an ordinance be drafted prohibiting the discharge of firearms within the City, including B B and pellet guns. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that an ordinance be drafted prohibiting the spinning of tires on pavement and racing motors within the City. Councilman Payne seconded the motion, and it carried unanimously.

Mr. Elmer Crawford, Street Superintendent, informed Council he was in dire need of a back hoe to clean the ditch on Shady Shores Road. He further stated many of the ditches needed cleaning before the fall rains, and he was unable to use the Water Authority's back hoe long enough to get the job done. Councilman Hutto moved that a back hoe be leased as economically as possible. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of July, and the August Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay such Accounts Payable. Councilman Schramm seconded the motion, and it carried unanimously.

Council then reviewed the July 19 and August 2 Municipal Court Reports, progress report from City Attorney on pending litigation matters and reply from City Attorney to Mayor's letter of July 15, 1977.

Under Old Business, Mr. Charles Cryan stated a traffic and engineering survey needed to be completed before constructing a traffic light at the intersection of Hundley Drive and Shady Shores Road.

There being no further business for discussion, Councilman Berry moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:50 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 29, 1977

Mayor Johnny J. Vinson called the meeting to order at 5:40 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and Lee Roy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson explained the 1961 Chevrolet flat bed truck is inoperative (rear end is out), and consideration should be given to purchasing a new truck due to the age and mileage of the present one and the fact that such purchase is planned and allocated for in the new budget beginning October 1, 1977. He further stated the need is immediate inasmuch as the back hoe will set idle for lack of a truck to waste dirt off site, and its imperative the ditches be cleaned before the fall rains start.

It was generally agreed the 1961 truck should be repaired and maintained as back up equipment.

Mr. Elmer Crawford, Street Superintendent, produced a bid of $7,347.22 from Newt Miller Ford for a eight cylinder 1977 Ford two ton truck, together with a bid of $6,607.74 from Banner Chevrolet for a six cylinder 1977 Chevrolet truck. He further stated the flat bed and hydraulic lift will be an additional $1,800.00.

After much discussion, it was agreed that City Planner Charles Cryan and Mr. Crawford would search the entire area for the lowest possible price on a two ton truck complete with bed, hydraulic lift, heavy duty radiator, etc., and report back to the Council at a Special Meeting to be held at City Hall on August 30 at 5:00 P.M.

Councilman Hutto asked that consideration be given to placing the City's depository up for bids.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 6:30 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AY CITY HALL AUGUST 30, 1977

Mayor Johnny J. Vinson called the meeting to order at 5:10 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

City Planner Charles Cryan and Street Superintendent Elmer Crawford produced a total of nine bids on a 1½ ton flat bed truck to be purchased for the Street Department.

After careful consideration was given each bid, Councilman Berry moved that Mr. Cryan be authorized to negotiate with Doran Chevrolet on a 1977 1½ ton Chevrolet Truck, complete with 14' flat bed steel floor and single post dump lift, and make the purchase at the lowest possible price. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Payne moved that the Mayor and City Secretary be authorized to negotiate with the Lake Cities State Bank for financing of the truck and to sign a promissory note for same, not to exceed $9,417.00. Councilman Hutto seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Payne moved the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 5:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 8, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

I. PUBLIC HEARING ON PROPOSED ZONE DISTRICT MAP

City Planner, Mr. Charles Cryan, presented a Zone District Map prepared by the City of Lake Dallas Planning and Zoning Commission, and stated such Commission recommended its adoption by the City Council.

Mayor Vinson called for any interested citizens to inspect such map and make appropriate inquiries. Mr. Cryan explained the zoning generally, and answered several specific questions.

After some discussion, Councilman Payne moved that the report of the Planning and Zoning Commission be accepted and the Zone District Map be adopted. Councilman Schramm seconded the motion, and it carried unanimously.

Mayor Vinson closed the Public Hearing at 7:45 P.M.

II. PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR 1977-78

Mayor Vinson called for any comments, questions and/or general imput from interested citizens relative to the proposed budget for fiscal year 1977-78.

Several persons asked questions and made comments relative to specific departmental accounts, but no real opposition was indicated to the budget as a whole.

Mayor Vinson closed the Public Hearing at 8:25 P.M.

III. REGULAR MEETING

Councilman Berry moved that the minutes of the Regular Meeting held August 11 and the Special Meeting held August 29, 1977 be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. J. B. Briggs stated he had requested sometime ago that the house located at 110 Mayberry Street be condemned and removed, and nothing as yet has been done. He further stated the house constituted an ever increasing health and fire hazard to the neighborhood. Mayor Vinson stated arrangements had been made to have the house torn down, and he would check to determine why work is not being done on a consistent basis.

Councilman Hutto moved that "AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1978" be passed and approved. Councilman Payne seconded

the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, Charlie W. Berry and LeeRoy W. Schramm.

NOES: Mr. Roy V. Harper.

A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Payne moved that "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS LEVYING TAXES AT THE RATE OF SIXTY CENTS ($.60) ON EACH $100.00 VALUATION OF TAXABLE PROPERTY FOR THE 1978 FISCAL YEAR" be passed and approved. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Hutto moved that "AN ORDINANCE GRANTING TO LAKE AREA DISPOSAL SERVICE THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN THE SERVICE OF GARBAGE AND TRASH COLLECTION AND HAULING OVER, UPON, ALONG AND ACROSS THE PRESENT AND FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PROPERTIES OF THE CITY OF LAKE DALLAS, TEXAS; PROVIDING REGULATIONS FOR THE OPERATION OF SAID SERVICE AND DECLARING AN EMERGENCY" be passed and approved. Councilman Berry seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Harper moved that "AN ORDINANCE AMENDING THE CITY OF LAKE DALLAS TRAFFIC ORDINANCE, ORDINANCE NO. 18 AND ORDINANCE NO. 65a; AND ENACTING IN ADDITION THERETO A NEW ORDINANCE CONSISTING OF SECTIONS 1 THROUGH 8 CREATING ONE WAY TRAFFIC GOING NORTH ON TEXAS STREET FROM MAIN STREET TO SYCAMORE STREET; CREATING ONE WAY TRAFFIC GOING WEST ON SYCAMORE STREET FROM TEXAS STREET TO SAN JACINTO AVENUE; CREATING A NO PARKING ZONE ON THE WEST SIDE OF TEXAS STREET FROM MAIN STREET TO HUNDLEY DRIVE; ESTABLISHING MAXIMUM SPEED OF 15 MILES PER HOUR ON TEXAS STREET FROM MAIN STREET TO HUNDLEY DRIVE; CREATING SIX SCHOOL CROSSWALKS; AUTHORIZING THE PLACEMENT OF SIGNS AND TRAFFIC CONTROL DEVICES SO AS TO CLEARLY DELINEATE CHANGES; PROVIDE FOR A PENALTY, AND DECLARING AN EMGERENCY" be passed and approved. Councilman Schramm seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

City Planner Mr. Charles Cryan stated use of land had been donated to the City, and an animal control shelter had been constructed at a cost of approximately $700.00. Such construction consists of six runs with a shelter in each run. He further stated Animal Control Officer Mr. Jesse Morlett was doing a fine job and working diligently to alleviate the stray animal problem.

Sergeant Richard Mankoff presented the Police Department's Activity Report for the month of August.

Council reviewed the Activity and Financial Reports as presented by the Lake Cities Volunteer Fire Department for the month of August.

Councilman Schramm moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A NOTE WITH THE LAKE CITIES STATE BANK, IN BEHALF OF THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT AND TOGETHER WITH THE MAYORS OF THE TOWNS OF HICKORY CREEK, SHADY SHORES AND CORINTH, GUARANTEEING PAYMENT OF THE CITY OF LAKE DALLAS' APPROPRIATE SHARE OF THE EXPENSE IN EQUIPPING THE 1977 FORD 2½ TON TRUCK WITH FIRE FIGHTING APPARATUS" be passed

and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. LeeRoy W. Schramm, James W. Hutto, Charlie W. Berry and J. C. Payne.

NOES: Mr. Roy V. Harper.

A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Hutto moved that "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS PLEDGING FINANCIAL SUPPORT TO THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT FOR FISCAL YEAR 1977-78" be passed and approved. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto stated the new 1977 1½ Ton Chevrolet Truck had been delivered to the Street Department at a total cost of $9,417.00. Councilman Schramm moved that a resolution be adopted authorizing and directing the Mayor to obtain a loan from the Lake Cities State Bank for the total purchase price to be due and payable on or before September 30, 1977 with interest on the unpaid balance of principle at the rate of 7% per annum. Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Council reviewed the Schedule of Receipts and Disbursements for the month of August and the September Accounts Payable. Councilman Schramm moved that City Secretary be authorized and directed to pay the Accounts Payable. Councilman Berry seconded the motion, and it carried unanimously.

Council reviewed the Municipal Court Reports for August 16 and September 6 dockets.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing land acquisition as provided by Article 6252-17, Section 2 (f) of Vernon's Texas Civil Statutes.

Mayor Vinson opened the meeting to the public at 11:25 P.M.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Berry seconded the motion, and it carried unanimously.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

ORDINANCE NO. 90

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1978.

WHEREAS, heretofore, the Mayor of the City of Lake Dallas, Texas has prepared and presented to the City Council a proposed Budget for the fiscal year 1978; and

WHEREAS, heretofore, the City Council has considered the Budget so proposed by the Mayor and has determined that a public hearing should be held to consider such proposed Budget; and

WHEREAS, heretofore, after due notice, as provided by law, a public hearing was held to consider the proposed Budget; and

WHEREAS, the City Council has given consideration to all of the suggestions and has determined that the Budget as finally proposed is for the best interest of the City of Lake Dallas, Texas;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the Budget, as submitted in its final form, be and the same is hereby adopted and approved as the Budget of the City of Lake Dallas, Texas for the fiscal year 1978.

2. That the Mayor and City Secretary be and they are hereby ordered and directed to sign the Budget so adopted and approved for identification.

3. That the City Secretary be and she is hereby ordered and directed to file a copy of the identified Budget for the fiscal year 1978 in the office of the City Secretary of the City of Lake Dallas, Texas. The City Secretary is further ordered and directed to file additional copies of the identified Budget for the fiscal year 1977, as provided by Law.

PASSED AND APPROVED, this the 8th day of September, 1977.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary

CITY OF LAKE DALLAS

BUDGET REPORT

REVENUES	1975-76 Actual	1976-77 11 Months	1977-78 Proposed
Cash Brought Forward	$ 28,708.30	$ 19,218.70	$ 32,000.00
Property Taxes	67,626.39	74,144.39	76,000.00
Penalty & Interest	1,217.58	826.63	500.00
City Sales Tax	66,122.52	51,556.91	60,000.00
Franchise Fees	15,774.52	20,641.16	22,000.00
Beer, Wine & Liquor Licenses	523.13	538.13	590.00
Building Permits	4,328.63	11,966.52	7,500.00
Requests for Change in Zoning		150.00	150.00
Tax Certificates	272.00	184.00	200.00
Court Receipts	7,743.00	19,942.50	14,000.00
State Tax Payable	610.00	1,277.50	1,000.00
Reimbursements	1,530.11	-0-	-0-
Miscellaneous Revenues	5,829.64	4,329.90	2,500.00
Total	$200,285.82	$204,776.34	$216,440.00
Revenue Sharing Funds	$ 19,240.00	$ 21,800.00	$ 22,000.00
Fiscal Assistance Funds/ 701 Grant	-0-	145.00	3,457.00
GRAND TOTAL	$219,525.82	$226,721.34	$241,897.00

EXPENDITURES:

Administrative Department:

Salaries	$ 22,505.15	$ 28,336.37	$ 34,320.00
Retirement Plan	289.32	473.42	670.00
Insurance & Bonds	2,277.85	1,793.63	2,000.00
Professional Services	6,532.14	2,903.90	8,200.00
Planning, Engineering & Zoning	2,266.61	4,355.28	6,000.00
Contract Labor	1,880.10	2,439.90	1,800.00
Office Expense	2,042.54	1,695.27	1,500.00
Court Supplies	157.53	1,177.32	1,700.00
State Tax Payable	560.49	1,030.87	1,000.00
Election Expense	227.42	210.98	500.00
Public Notices	438.90	748.06	1,000.00
Dues & Memberships	417.34	394.00	500.00
Telephone & Utilities	1,598.39	1,809.77	2,000.00
Equipment Maintenance & Repair	38.10	96.75	150.00
Vehicle Maintenance & Repair	222.06	50.00	200.00
Capital Outlay - Office Equipment	1,907.09	894.95	500.00
Capital Outlay - Building	1,813.25	874.99	1,700.00
Warrant - City Hall Building	3,800.00	-0-	-0-
Interest	364.72	-0-	-0-
Maintenance - Grounds		74.83	500.00
Building Maintenance & Repair	388.43	94.05	200.00
Travel Expense, Gas, Oil, etc.	536.80	778.73	1,880.00
Continuing Education	262.50	295.50	500.00
Publications	172.24	103.50	100.00
Miscellaneous Expense	1,162.14	697.98	1,500.00
Reimbursements	- 1,096.02	-0-	-0-
Withholdings		91.82	-0-
Total	$ 50,765.09	$ 51,421.87	$ 68,420.00

Police Department:

Salaries	$ 51,033.76	$ 45,915.60	$ 61,750.00
Retirement Plan	675.69	597.75	1,205.00
Insurance & Bonds	3,828.20	3,386.53	3,700.00
Uniforms	1,012.15	1,017.33	300.00
Continuing Education	666.16	90.00	200.00
Telephone & Utilities	1,902.62	2,385.34	2,500.00
Office Expense	834.33	758.83	600.00
Office Equipment & Furniture		157.33	300.00
Gas, Oil, etc.	4,208.42	4,144.61	5,000.00

CITY OF LAKE DALLAS BUDGET REPORT	1975-76 Actual	1976-77 11 Months	1977-78 Proposed
Police Department, Continued:			
Vehicle Maintenance & Repair	$ 1,449.63	$ 2,912.23	$ 1,750.00
Vehicle Supplies	135.10	596.38	200.00
Capital Outlay - Equipment	-0-	1,712.33	300.00
Capital Outlay - Vehicles	4,976.25	688.20	-0-
Capital Outlay - Building	55.12	246.95	1,500.00
Equipment Rental	120.00	-0-	-0-
Equipment Maintenance & Repair	591.19	748.85	750.00
Professional Services	77.00	45.00	50.00
Notes Payable	2,542.10	608.55	-0-
Interest	68.61	86.60	-0-
Animal Control Expense	92.64	525.19	-0-
Building Maintenance & Repair	404.88	295.74	200.00
Publications	50.00	7.50	50.00
Miscellaneous Expense	656.20	1,189.63	1,500.00
Salary Advance	110.00	-0-	-0-
Contract Labor	71.00	917.30	500.00
Total	$ 75,561.05	$ 69,033.77	$ 82,355.00
Street Department:			
Salaries	$ 14,816.40	$ 15,309.10	$ 18,480.00
Retirement Plan	209.65	277.31	361.00
Insurance & Bonds	2,675.51	2,350.16	2,600.00
Uniforms	-0-	305.26	100.00
Telephone & Utilities	295.62	301.92	200.00
Contract Labor	123.75	-0-	500.00
Street Lighting	3,310.23	3,651.41	3,900.00
Gas, Oil, etc.	1,428.30	1,846.11	2,000.00
Equipment Maintenance & Repair	2,021.80	3,049.94	1,000.00
Equipment Rental	-0-	396.00	100.00
Maintenance - Streets	1,269.54	1,175.35	2,000.00
Capital Outlay - Signs, Posts, etc.	1,515.58	929.29	500.00
Capital Outlay - Equipment	4,144.62	830.23	12,100.00
Capital Outlay - Streets	25,820.21	9,674.46	15,000.00
Capital Outlay - Building	836.73	993.33	500.00
Supplies	52.72	748.29	2,500.00
Notes Payable	5,944.02	-0-	-0-
Interest	292.22	-0-	-0-
Miscellaneous Expense	294.36	533.97	1,000.00
Reimbursements	- 168.34	-0-	-0-
Total	$ 64,882.92	$ 42,372.13	$ 62,841.00
Animal Control Department:			
Salaries	$ -0-	$ -0-	$ 9,150.00
Retirement Plan			179.00
Insurance & Bonds			263.00
Uniforms			-0-
Capital Outlay - Equipment			495.00
Capital Outlay - Vehicles			-0-
Equipment Maintenance & Repair			-0-
Vehicle Maintenance & Repair			200.00
Gas, Oil, etc.			500.00
Impounding Fees			550.00
Miscellaneous Expense			200.00
Total	$ -0-	$ -0-	$ 11,537.00
Fire Department:			
Salaries	$ 6,338.00	$ -0-	$
Retirement Plan	98.25	-0-	
Insurance & Bonds	1,228.99	799.13	
Continuing Education	121.00	-0-	
Office Expense	639.46	420.98	
Gas, Oil, etc.	381.57	825.10	
Miscellaneous Expense	290.79	10,686.23	
Total	$ 9,098.06	$ 12,731.44	$ 16,744.00

ORIDNANCE NO. 91

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS LEVYING TAXES FOR THE 1978 FISCAL YEAR.

WHEREAS, the City Council of the City of Lake Dallas, Texas has had under consideration the Budget for the 1978 Fiscal Year; and

WHEREAS, a hearing was had on said Budget, after notice as required by law; and

WHEREAS, the City Council, after giving consideration to all suggestions made at such public hearing and by the City Council, has adopted the Budget for the 1978 Fiscal Year and ordered it filed, as required by law; and

WHEREAS, the Board of Equalization of the City of Lake Dallas, Texas has conpleted its work and certified the values of properties situated within the City of Lake Dallas, Texas for taxable purposes; and

WHEREAS, the City Council has determined that a tax at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas will be required to fund the Budget;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That there is hereby levied an ad valorem tax at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas for the current year.

2. That the Tax Assessor-Collector of the City of Lake Dallas, Texas is hereby ordered and directed to prepare the tax rolls for the City of Lake Dallas, Texas for the current year, calculating the taxes due on each item of taxable property within the City of Lake Dallas, Texas at the rate of Sixty Cents ($.60) on each $100.00 valuation of taxable property within the City of Lake Dallas, Texas.

PASSED AND APPROVED, this the 8th day of September 1977.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary

ORDINANCE NO. 92

AN ORDINANCE GRANTING TO LAKE AREA DISPOSAL SERVICE THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN THE SERVICE OF GARBAGE AND TRASH COLLECTION AND HAULING OVER, UPON, ALONG AND ACROSS THE PRESENT AND FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PROPERTIES OF THE CITY OF LAKE DALLAS, TEXAS; PROVIDING REGULATIONS FOR THE OPERATION OF SAID SERVICE AND DECLARING AN EMERGENCY.

This franchise agreement, made and entered into on the 8th day of September, 1977, by and between the City of Lake Dallas, herein called the grantor, and Lake Area Disposal Service, a proprietorship, with its principal office at 1010 Interstate Highway 35 East, Lake Dallas, Texas, herein called the grantee.

RECITALS

Whereas, at the September 8, 1977 meeting of the City Council of the City of Lake Dallas, Texas, upon motion of Mr. James W. Hutto, and seconded by Mr. Charlie W. Berry, the following resolution was unanimously adopted by the City of Lake Dallas: "That the City of Lake Dallas does hereby give and grant unto the Lake Area Disposal Service, a proprietorship, with its principal office at 1010 Interstate Highway 35 East, Lake Dallas, Texas, a franchise and right to pick up, collect, transport and dispose of trash and garbage inside the incorporated City of Lake Dallas, for a period of three (3) years, beginning on the 8th day of September, 1977", and the parties hereto agree as follows:

SECTION ONE

Grantee has the right, privilege and franchise during the term of the franchise granted by this ordinance to collect and haul for hire over the streets and alleys of grantor all garbage collected from public and private customers located within the corporate limits of grantor. "Garbage" as used herein, shall be interpreted to mean and include all waste animal and vegetable matter, rubbish, trash, debris, ashes, tin cans, and other waste materials generally, including articles ordinarily and customarily hauled away and dumped.

SECTION TWO

For and in consideration of the franchise granted be grantor to grantee, grantee expressly contracts, stipulates and agrees that grantee is an independent agency solely responsible for the purchase, maintenance and servicing of its equipment; that grantee shall obtain and maintain its own equipment, land fills and other necessary facilities for the collection and disposal of trash and garbage and at its own expense and in conformity with the sanitation and health requirements of the City of Lake Dallas and County of Denton health departments, and other laws of the State of Texas in regard thereto.

Furthermore, grantee agrees to pay at the end of its fiscal year a 2% gross receipts tax calculated on the gross receipts and revenues derived from Lake Dallas customer collections.

SPECIFIC CONDITIONS

SECTION ONE. Frequency of Collections. Grantee shall offer weekly and

twice weekly collections of garbage throughout the business district of grantor except on Sundays and holidays and at least once weekly in all residential districts; provided, that the City of Lake Dallas may modify this clause as to frequency of collections of garbage and may prescribe the hours during which collections will be made, and grantee shall comply with all regulations so adopted and prescribed.

SECTION TWO. Furnishing of Service. Grantee shall be required to furnish collection service to any person or organization, public or private, within the corporate limits of grantor after receipt of a written request for such service. Grantee shall not, however, be required to furnish service to any householder, dwelling, business establishment or other building requiring service unless the owner thereof shall furnish an opening to his yard or grounds from the alley or street where garbage is customarily collected, and grantee shall not be required to service any householder, dwelling, business establishment or other building, where a private road must be used to obtain access thereto unless such private road is more than 15 feet in width.

In addition, grantee shall not be required to haul garbage hereunder when:

(a) The person owning or accumulating the same has failed to pay for current services by grantee billed to him at least 10 days prior.

(b) The garbage as defined herein is in a container of more than 30 gallons capacity or 70 pounds in weight.

(c) The container has become filled with water.

(d) Limbs and shrubbery are more than forty inches in length and not bundled.

SECTION THREE. Garbage Trucks. All trucks used by grantee for the collection and hauling of garbage shall be maintained in safe operating condition at all times. Each truck shall be equipped with a closed body that incorporates a hydraulically operated devise for compacting collected garbage and grantee shall use reasonable care to prevent garbage leakage upon the streets. Grantee will at all times keep said vehicles covered with a tarpaulin or other suitable cover, mechanical or otherwise, while operating in the City of Lake Dallas, except when in the actual process of collection.

SECTION FOUR. Truck Routes. Grantee's routes shall be laid out as to not unreasonably interfere with traffic in said City and that said routes shall be established under the supervision of and shall be subject to the regulations promulgated by the City Council of the City of Lake Dallas.

SECTION FIVE. Fees. The fee to be charged and collected by grantee from persons served for services performed under the franchise shall be reasonable and within the maximum schedule of rates approved by the City Council of the City of Lake Dallas; a copy of the schedule shall at all times be kept on file in the office of the City Secretary of grantor. The maximum schedule of rates shall be reviewed and determined by the City Council each year during the term of the franchise. It is further understood and stipulated that the City Council of the City of Lake Dallas, in the event a controversy should arise as to reasonable acceptable services and prices, reserves the right to determine this issue, but under no circumstances shall the price be less than the prevailing price for

like services rendered in adjoining cities in the counties of Denton, Dallas, Tarrant, Collin or Grayson.

In addition, grantee shall, at his discretion, haul garbage for a special service charge when:

(a) The garbage is in excess of five containers.

(b) The garbage is more than 200 pounds weight in plastic bags, containers or bundles.

(c) The garbage is not in containers, bags or bundles.

SECTION SIX. Grantee's Operation and Business Policy. The service furnished hereunder to the City of Lake Dallas shall be subject to such reasonable rules and regulations as promulgated by the grantee for the proper operation of grantee's business. Grantee may require of every customer a contractual right of ingress and egress upon and from the customer's property.

SECTION SEVEN. Compliance with Regulations. Grantee shall comply with all ordinances and regulations adopted or made by the City Council of the City of Lake Dallas pertaining to the collection, hauling and disposal of garbage within the corporate limits of grantor or regulating the use of the streets thereof.

SECTION EIGHT. The grantee agrees to comply with all of the existing laws of the United States, and any further laws which may be enacted by the United States or this State, and agrees to comply with the regulations of any regulatory body or officer authorized to prescribe or enforce regulations pertaining to the operation of garbage disposal, it being expressly agreed that nothing in this franchise shall be construed in any manner to abridge the right of the City of Lake Dallas to pass or enforce necessary police and health regulations for the protection of the inhabitants of said City of Lake Dallas.

SECTION NINE. The grantee shall hold the City of Lake Dallas harmless from all expense or liability fue to any act, conduct, or omission on the part of the grantee, his employees, invitees, or subcontractors.

SECTION TEN. This grant or franchise is personal to the Grantee and shall not be assignable, either in part, nor in its entirety, and any transfer of this franchise, either by deed or operation of law, shall immediately terminate this franchise, notwithstanding any other provision contained herein.

SECTION ELEVEN. Nothing herein contained shall prevent grantee from contracting with other counties in the State of Texas, and with other cities and towns within the County of Denton for the collection of garbage and the disposal of garbage.

SECTION TWELVE. The violation of any of the terms of this franchise shall automatically terminate this franchise.

The fact that the City of Lake Dallas, Texas, and its inhabitants, are in immediate need of the relief afforded by the provisions of this ordinance creates an emergency and an imperative public necessity demanding that any rule reguiring ordinances to be passed at more than one separate meeting be suspended, and that this ordinance take effect from and after its passage, and it is so ordained.

PASSED AND APPROVED, this the 8th day of September, 1978.

ATTEST: Jean Chamberlain

Johnny J Tinsley
MAYOR, CITY OF LAKE DALLAS

SCHEDULE OF RATES

1. Residential Service

   (a) $4.25 per household per month

2. Commercial Service

   (a) 1 small container (2 yard) $22.00 per month

   (b) 1 large container (3 yard) $25.00 per month

(Container rates are adjusted from $18.00 to $40.00 depending upon amount of trash and number of picu-ups requested.)

ORDINANCE NUMBER 93

AN ORDINANCE AMENDING THE CITY OF LAKE DALLAS TRAFFIC ORDINANCE, ORDINANCE NUMBER 18 AND ORDINANCE NUMBER 65a; AND ENACTING IN ADDITION THERETO A NEW ORDINANCE CONSISTING OF SECTIONS 1 THROUGH 8 CREATING ONE WAY TRAFFIC GOING NORTH ON TEXAS STREET FROM MAIN STREET TO SYCAMORE STREET; CREATING ONE WAY TRAFFIC GOING WEST ON SYCAMORE STREET FROM TEXAS STREET TO SAN JACINTO AVENUE; CREATING A NO PARKING ZONE ON THE WEST SIDE OF TEXAS STREET FROM MAIN STREET TO HUNDLEY DRIVE; ESTABLISH MAXIMUM SPEED OF 15 MILES PER HOUR ON TEXAS STREET FROM MAIN STREET TO HUNDLEY DRIVE; CREATING SIX SCHOOL CROSSWALKS; AUTHORIZE THE PLACEMENT OF SIGNS AND TRAFFIC CONTROL DEVICES SO AS TO CLEARLY DELINEATE CHANGES; PROVIDE FOR PENALTY, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lake Dallas, Texas has determined the advisability and necessity of creating a one Way traffic flow on Texas Street from Main Street to Sycamore Street,

WHEREAS, it is advisable and necessary to creat One Way traffic flow on Sycamore going west from Texas Street to San Jacinto Avenue,

WHEREAS, it has been found conducive to the safety and welfare of the citizens of the City of Lake Dallas that the West Side of Texas Street from Main Street to Hundley Drive be designated a No Parking zone;

WHEREAS, it has been found that traffic conditions and street conditions on Texas Street are conducive to a maximum traffic velocity of 15 miles per hour,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION 1: That a "one way" traffic zone on Texas Street be established beginning at the intersection of Texas Street and Main Street, the traffic flow to be north on Texas Street in the One Way Zone to the intersection of Texas Street and Sycamore Street, where the One Way Zone will end.

SECTION 2: That a One Way Zone on Sycamore Street be established beginning at the intersection of Sycamore Street and Texas Street with traffic flowing east to the intersection of Sycamore Street and San Jacinto Avenue between the hours of 7:30 A.M. and 4:00 P.M. weekdays during the school year.

SECTION 3: That a No Parking Zone be established along the west side of Texas Street between the intersections of Texas Street and Main Street and the intersection of Texas Street and Hundley Drive between the hours of 7:30 A.M. and 4:00 P.M. weekdays.

SECTION 4: That the City of Lake Dallas establish a zone along side of the Lake Dallas Schools on Texas Street with a maximum speed limit of 15 miles per hour between the hours of 7:30 A.M. and 4:00 P.M., weekdays during the school year.

SECTION 5: The City Council of the City of Lake Dallas establishes six (6) school crosswalks for pedestrian traffic at various locations along Texas Street, Main Street and Hundley Drive, to wit:

1. Crossing Main Street east of the intersection of Main Street and Texas Street.
2. Crossing Texas Street north of the intersection of Texas Street and Main Street.

3. Crossing Texas Street north of the intersection of Texas Street and Sycamore Street.
4. Crossing Texas Street south of the intersection of Texas Street and Hundley Drive.
5. Crossing Hundley Drive east of the intersection of Hundley Drive and Texas Street.
6. Crossing Hundley Drive approximately three hundred (300) feet east of the intersection of Hundley Drive and Texas Street.

SECTION 6: That the Street Superintendent of the City of Lake Dallas be and is hereby authorized, ordered and directed to erect and maintain signs and traffic control devices necessary to clearly indicate the above changes, to wit:

A. One Way signs pointing left:
   1. In the East right-of-way line of Texas Street at its intersection with the North right-of-way line of Main Street.
   2. In the East right-of-way line of Texas Street across from its intersection with Market Street.
   3. In the North right-of-way line of Sycamore Street at its intersection with the West right-of-way line of Texas Street.

B. One Way signs pointing right:
   1. In the West right-of-way line of Texas Street at its intersection with the North right-of-way line of Main Street.
   2. In the West right-of-way line of Texas Street at its intersection with the South right-of-way line of Sycamore Street.

C. TWO WAY TRAFFIC AHEAD:
   1. In the middle of the roadway of Texas Street at the South side of the intersection of Sycamore Street.
   2. In the middle of the roadway of Sycamore Street at the East side of the intersection of San Jacinto Avenue.

D. DO NOT ENTER - ONE WAY:
   1. In the middle of the roadway of Texas Street at the South side of the intersection of Sycamore Street.
   2. In the middle of the roadway of Sycamore Street at the East side of the intersection of San Jacinto Avenue.

E. NO PARKING:
   1. Two signs along the West right-of-way of Texas Street between the intersections of Main Street and Market Street.
   2. Two signs along the West right-of-way of Texas Street between the intersections of Market Street and Sycamore Street.
   3. Four signs along the West right-of-way of Texas Street between the intersections of Sycamore Street and Hundley Drive.

F. 7:30 A.M. TO 4:00 P.M. -- WEEKDAYS:
   1. In the East right-of-way of Texas Street at its intersection with the North right-of-way line of Main Street.

2. In the West right-of-way line of Texas Street at its intersection with the North right-of-way line of Main Street.
3. In the East right-of-way line of Texas Street at its intersection with the middle of the roadway of Market Street.
4. In the West right-of-way line of Texas Street at its intersection with the South right-of-way line of Market Street.
5. In the North right-of-way line of Sycamore Street across from its intersection with the East right-of-way line of San Jacinto Avenue.
6. In the East right-of-way line of Texas Street approximately four hundred (400) feet South of the intersection with the South right-of-way of Hundley Drive.
7. In the West right-of-way line of Texas Street approximately four hundred (400) feet South of the intersection with the South right-of-way line of Hundley Drive.

G. STOP FOR PEDESTRIAN IN CROSSWALK:

1. In the North right-of-way line of Main Street approximately fifty (50) feet east of the intersection with the East right-of-way line of Texas Street.
2. In the South right-of-way line of Main Street approximately twenty-five (25) feet east of the East right-of-way line of Texas Street.
3. In the East right-of-way line of Texas Street at its intersection with the North right-of-way line of Main Street.
4. In the East right-of-way line of Texas Street at its intersection with the North right-of-way line of Sycamore Street.
5. In the West right-of-way line of Texas Street approximately forty (40) feet north of the North right-of-way line of Sycamore Street.
6. In the East right-of-way line of Texas Street approximately forty (40) feet south of the South right-of-way line of Hundley Drive.
7. In the West right-of-way line of Texas Street at its intersection with the South right-of-way line of Hundley Drive.
8. In the South right-of-way line of Hundley Drive at its intersection with the East right-of-way line of Texas Street.
9. In the North right-of-way line of Hundley Drive approximately forty (40) feet east of the East right-of-way line of Texas Street.
10. In the South right-of-way line of Hundley Drive approximately three hundred (300) feet east of the East right-of-way line of Texas Street.
11. In the North right-of-way line of Hundley Drive approximately three hundred-forty (340) feet east of the East right-of-way line of Texas Street.

SECTION 7: The City Council of the City of Lake Dallas establishes that any violation of the above established traffic regulations or failure to obey any and all traffic signs or other control devices is guilty of a misdemeanor, and upon conviction, shall be fined in an amount not to exceed two hundred ($200.00) dollars.

SECTION 8: The fact that the City of Lake Dallas, Texas is in immediate need of the regulations provided by this ordinance, creates an urgency and emergency and an imperative public necessity requiring this ordinance to take effect immediately from and after its passage and publication, and it is so ORDAINED.

PASSED AND APPROVED, this the 8th day of September, 1977.

Johnny J Vinson

Mayor
City of Lake Dallas, Texas

ATTEST:

M. Jean Chambers

City Secretary
City of Lake Dallas, Texas

No. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A NOTE WITH THE LAKE CITIES STATE BANK, IN BEHALF OF THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT AND TOGETHER WITH THE MAYORS OF THE TOWNS OF HICKORY CREEK, SHADY SHORES AND CORINTH, GUARANTEEING PAYMENT OF THE CITY OF LAKE DALLAS APPROPRIATE SHARE OF THE EXPENSE IN EQUIPPING THE 1977 FORD 2½ TON TRUCK WITH FIRE FIGHTING APPARATUS.

WHEREAS, the City of Lake Dallas recognizes its need for improved fire services; and

WHEREAS, the City of Lake Dallas is not in a position at this time to establish a municipal owned Fire Department; and

WHEREAS, the City of Lake Dallas is appreciative of the efforts of the Lake Cities Volunteer Fire Department and their efficiency in meeting the needs of the community; and

WHEREAS, the City of Lake Dallas realizes the need for an additional fire truck; and

WHEREAS, the Lake Cities Volunteer Fire Department does not have sufficient cash reserves to pay for the equipping of the new 1977 Ford 2½ ton truck with fire fighting apparatus; and

WHEREAS, the Lake Cities Volunteer Fire Department alone is unable to obtain a loan from a lending institution sufficient to cover the cost of equipping the new truck.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the Mayor is hereby authorized and directed to execute a note, in the total amount of $25,000,00, with the Lake Cities State Bank, together with the Mayors of the Towns of Hickory Creek, Shady Shores and Corinth, guaranteeing payment over a period of five years at the simple interest rate of 7% for the purpose as outlined above.

2. That the promissory note shall call for payments of $3,006.25 to be due and payable on March 31 and September 31 of each year with such note maturing on September 31 of each year, and a new loan executed for another twelve months in the amount of the unpaid balance based on the above pro rata shares.

3. That the City of Lake Dallas pledges responsibility for payment of 46.02%, or $11,505.00, of the total promissory note; with the Town of Hickory Creek assuming responsibility for 17.83%, or $4,457.50; the Town of Shady Shores assuming responsibility for 17.64%, or $4,410.00; and the Town of Corinth assuming responsibility for 18.51%, or $4,627.50.

4. All the the foregoing contingent upon the full and unabridged commitment of the Towns of Hickory Creek, Shady Shores and Corinth to their respective responsibility for their appropriate share of payment on the promissory note.

PASSED AND APPROVED this the 8th day of September, 1977.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers, City Secretary

No. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS PLEDGING FINANCIAL SUPPORT TO THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT FOR FISCAL YEAR 1977-78.

WHEREAS, the City of Lake Dallas understands and recognizes its need for fire protection; and

WHEREAS, the City of Lake Dallas is not in a position at this time to establish a municipal owned Fire Department; and

WHEREAS, the City of Lake Dallas is appreciative of the efforts of the Lake Cities Area Volunteer Fire Department and their efficiency in meeting the needs of the fire district, of which we are a part; and

WHEREAS, it is the feeling of the City of Lake Dallas that the Volunteer personnel should devote their efforts to fire training, protection and prevention rather than fund raising; and

WHEREAS, the City Council, after having considered the matter, is of the belief that the cities being served by the Lake Cities Volunteer Fire Department should be responsible for the financial maintainence of said Department; and

WHEREAS, it is believed to be in the best interest of the citizenry of the City of Lake Dallas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

1. That the City of Lake Dallas hereby pledges $16,744.00 to the Lake Cities Volunteer Fire Department's Operating Budget for fiscal year 1977-78.

2. That said pledge is contingent upon the full and unabridged commitment of the Towns of Hickory Creek, Shady Shores and Corinth in fulfilling their appropriate share of the financial responsibilities to the Lake Cities Volunteer Fire Department as outlined by the Advisory Board and the Board of Directors.

PASSED AND APPROVED this the 8th day of September, 1977.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

THE CITY OF LAKE DALLAS, TEXAS

RESOLUTION OF CITY COUNCIL

THE UNDERSIGNED City Secretary of the City of Lake Dallas, Denton County, Texas, hereby certifies that at a meeting of said City Council of Lake Dallas, duly called, convened and held on the 8th day of September, 1977, a quorum being present, and such meeting being held in full compliance with the Open Meetings laws of the State of Texas, the following resolution was duly adopted by unanimous vote of the members of said Council present:

WHEREAS, Council has heretofore determined and found that the City of Lake Dallas is in need of and has use for a two-ton flat-bed truck in the maintenance of its streets and the performance of numerous other functions of the City; and

WHEREAS, a truck fitting such needs is available and has been contracted for, subject to approval of the Council, and all prerequisites necessary to the purchase of the same have been complied with save alone the approval thereof by the Council; and

WHEREAS, the Council is desirous of negotiating a loan for payment of a portion of the purchase price of such truck from Lake Cities State Bank, Lake Dallas, Texas, on terms and conditions hereinafter set forth;

NOW THEREFORE, be it resolved, that the Mayor or Mayor Pro Tem or either of them is authorized on behalf of this Council and the City of Lake Dallas to acquire by purchase from Doran Chevrolet Company of Dallas, Texas, a 1976 Chevrolet 2-ton flat-bed truck , Motor #CCE-616-V134-167 for the total price of $9,417.00 + int, and in connection with such purchase, either of such officers is authorized and directed to obtain a loan from Lake Cities State Bank in the amount of $9,424.50, due and payable on or before September 30, 1977, with interest on the unpaid balance of principal at the rate of 7% per annum; and

FURTHER RESOLVED, that either of such officers is authorized and directed to make and execute in favor of said Bank a promissory note containing the terms and conditions above described, and as well other terms and conditions as appear usually in promissory notes of such Bank, and either of such officers is further authorized to make and execute in favor of said Bank a Financing Statement and Security Interest in said truck, and to give such other and additional security for such loan as may be agreed upon by such officer, or either of them, and said Bank, and to make and execute such other papers and documents as may be necessary or appropriate to evidence and secure such indebtedness.

M. Alan Chambers
City Secretary, City of Lake Dallas
Texas

Prior No(s) —— Off

Lake Dallas, Texas September 8, 19 77 $ 9,424.50 *1

demand, or if no demand is made, then on or before September 30, 1977
date, without grace, I, we or either of us, as principals promise to pay to the order of

Disclosure Column

Lake Cities State Bank INTERSTATE HIGHWAY 35E., LAKE DALLAS, TEXAS 75065

1. $ 9,417.00 Amount of Credit

d address, the sum of Nine Thousand Four Hundred Twenty Four Dollars 50/100

2. 7.50 ** Other charges, itemized

interest at the rate of 7.00 per cent per annum from date and at the rate of ten per cent per
m from maturity until paid.

And in the event of default in the payment of this note at maturity and it is placed in the hands of an
ney for collection, or suit is brought on same, then an additional amount of ten per cent on the principal and
est of this note shall be added to the same as collection fees.

The makers and endorsers hereof hereby severally waive presentation hereof for payment, protest in case this note
t paid at maturity, and agree to all extensions and partial payments before or after maturity without prejudice to
er.

3. $ 9,424.50 Amount Financed (1 + 2)

ORROWER hereby acknowledges that this combined Note and Truth in Lending Disclosure was completed as to all
tial provisions and disclosures before it was signed by BORROWER and a copy thereof was delivered to BOR-
VER at the time of signing.

4. $ —— FINANCE CHARGE

To secure payment of this Note BORROWER grants lender a security interest in the following collateral:

A 1976 Chev. 2T Flatbed Truck MV#CCE616V134167

5. $ 9,424.50 Total of Payments + Int.

6. 7.00 % ANNUAL PERCENTAGE RATE

☐ I desire Credit Life Insurance ☒ I do not want Insurance

City of Lake Dallas By:
Signature of BORROWER(S) Signature of BORROWER(S)

P.O. Box 358 Addr. Lake Dallas, Tx. 75065 Phone: 497-4339

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 13, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson welcomed vistors Mr. Bill Turner, Mayor of the Town of Corinth, and Dr. Ray Griffin, Professor in the Public Administration Department of North Texas State University, together with several members of Dr. Griffin's class.

Mayor Vinson presented Certificates of Appreciation to the Reverend George Wiltz, S.J. and Mr. Tom McWhorter of Golden Distributing Company for their valuable contributions to the community.

Mr. Joe Hennig, Manager of the Lake Dallas office of Texas Power & Light Company, addressed Council relative to the unusual circumstances that prevailed during July and August and resulted in the highest fuel cost adjustment charges ever passed on to the consumer by that company.

Councilman Schramm moved that the reading of the minutes of the Special Meeting held August 30 and the Regular Meeting held September 8 be waived, and that such minutes be approved as presented by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mrs. Carolyn Green, President of the Lake Cities Chamber of Commerce, presented the Mayor, Council and Staff members with ten complementary copies of the new map of the Lake Cities Area.

Mrs. Aldena Stowe requested support and cooperation in the formation of a liaison committee dedicated to effect a consolidation of the mangement of the Lake Cities Municipal Utility Authority with the management of the City government for the purpose of saving the tax payor money. She suggested that the committee consist of one member appointed from the City of Lake Dallas Ccuncil, one member from the Board of Directors of LCMUA, two members to be appointed at large by each entity, and one member each from the Cities of Shady Shores, Hickory Creek and Corinth, with City Planner Charles Cryan acting as moderator. After much discussion, Mayor Vinson suggested that Mr. James W. Hutto be appointed City Council's representative, Mrs. Aldena Stowe represent the City of Lake Dallas at large, and another at large member be appointed at a later date. Councilman Harper requested a vote be taken on the matter. Councilman Hutto moved that the formation of the committe be supported as outlined, and the Mayor's appointments be confirmed. Councilman Berry seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, Charlie W. Berry and J. C. Payne.
NOES: Messrs. Roy V. Harper and LeeRoy W. Schramm.

Councilman Berry moved that Ordinance No. 94 entitled "AN ORDINANCE PROVIDING FOR FLOOD HAZARD PREVENTION FOR THE CITY OF LAKE DALLAS, TEXAS, PROVIDING STATUTORY AUTHORIZATION, FINDING OF FACT PURPOSE AND OBJECTIVES; DEFINITIONS; GENERAL PROVISIONS; ADMINISTRATION; PROVISIONS FOR FLOOD HAZARD REDUCTION; SEVERABILITY, SAVINGS CLAUSE, AND PROVIDING FOR AN EMERGENCY; KNOWN HEREINAFTER AS THE FLOOD DAMAGE PREVENTION ORDINANCE" be passed and approved. Councilman Schramm seconded the motion, and it prevailed by the

following vote:

AYES: Messrs. Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper.

Councilman Hutto moved that "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAKE DALLAS, TEXAS, BY REPEALING SECTION 204 OF THE LAKE DALLAS BUILDING CODE AND ENACTING IN LIEU THEREOF A NEW ARTICLE CONSISTING OF SECTIONS 1 THROUGH 98 KNOWN AS THE MINIMUM HOUSING AND BUILDING STANDARDS CODE; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DESIGNATION OF RESPONSIBILITY FOR THE ENFORCEMENT OF THESE PROVISIONS; PROVIDING FOR THE PROCEDURE BEFORE THE BOARD OF ADJUSTMENT AND MEMBERS THEREOF; PROVIDING FOR AUTHORITY TO DEMOLISH SUB-STANDARD STRUCTURES; PROVIDING FOR NOTICE OF HEARING THEREOF; PROVIDING FOR LAND AREA REQUIREMENTS AND STANDARDS FOR STRUCTURES; PROVIDING A PENALTY AND PROVIDING A SAVINGS CLAUSE" be passed and approved. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Messrs. James W. Hutto, J. C. Payne, Charlie W. Berry and Leeroy W. Schramm
NOES: Mr. Roy V. Harper

Councilman Schramm moved that a contract for the collection of delinquent taxes be entered into with the law firm of Calame & Linebarger of Austin, Texas for a period of two years. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved that discussion relative to the Federal Unemployment Tax Act be postponed until the next regular meeting. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Payne moved that "A RESOLUTION AUTHORIZING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO PURCHASE A HIGHSPEED LANDLINE COMMUNICATIONS TERMINAL AND SYSTEM IN BEHALF OF THE CITY OF LAKE DALLAS, TEXAS" be passed and approved. Councilman Schramm seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, LeeRoy W. Schramm, Charlie W. Berry and James W. Hutto.
NOES: Mr. Roy V. Harper

A copy of such resolution is attached hereto, and made a part of these minutes.

Chief Tom Mull presented the Police Department's Activity Report for the month of September.

Chief Mull stated the City of Lake Dallas presently has a credit balance of $173.00 in NCTCOG Regional Police Academy's training account, and same could be used to reduce the $250.00 cost of membership in said Academy this year. Councilman Berry moved that the City make application to the North Central Texas Regional Police Academy for 1977-78 membership utilizing the training account balance of $173.00, thereby reducing the cost of such membership to $77.00. Councilman Payne seconded the motion, and it carried unanimously.

Mr. Don Smith presented the Activity and Financial Reports of the Lake Cities Volunteer Fire Department for the month of September. Mr. Smith stated two fire hydrants located in the Southern section of the City are inoperable, and no notification was given to the Fire Department. He requested that an ordinance be passed calling for the City of Lake Dallas to be totally responsible for the cost incurred in repairing fire hydrants, including the repair of streets,

sidewalks, lawns, etc.

Councilman Berry moved that the Mayor be authorized and directed to make and execute in favor of the Lake Cities State Bank a promisory note, in the amount of $9,417.00, plus interest at the simple rate of 7% per annum, and secured by one 1976 Chevrolet two ton flat bed truck, to be paid monthly during the present fiscal year. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that the discussion of the purchase of a maintainer for the Street Department be postponed for further study and investigation of the need for the equipment. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that physical damage on the new 1976 Chevrolet two ton truck be waived in consideration of the high premium cost involved. Councilman Payne seconded the motion, and it carried unanimously.

City Planner, Mr. Charles Cryan, reported the following:

1. An application for a change in zoning classification from the R-1 7200 District to the C-2 District has been made relative to the H. B. James property located at 709 Main Street.
2. Demolition of the Reeves house located at 110 Mayberry Street is in progress and should be completed within a reasonable period of time.
3. Mr. Jesse Morlette has captured 32 stray animals in the past 30 days, and is doing a fine job in the position of Animal Control Officer.

Councilman Berry moved that Charles Cryan be authorized to attend TML's annual convention to be held October 16-18 in San Antonio with all expenses paid by the City. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of September, the End of the Year Report and the October Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay the Accounts Payable. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Municipal Court Reports for September 20 and October 4.

Councilman Harper moved that the 1976 Chevrolet two ton flat bed truck be paid for in cash rather than by promisory note with the Lake Cities State Bank. Motion died for lack of a second.

Councilman Hutto moved that two seats on the Planning and Zoning Commission be declared vacant due to Mr. Ray Pinkerton's recent resignation and Mr. Clyde Edwards' continued absences from the meetings. Councilman Berry seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Berry moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

NO. _____

A RESOLUTION AUTHORIZING THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS TO PURCHASE A HIGHSPEED LANDLINE COMMUNICATIONS TERMINAL AND SYSTEM IN BEHALF OF THE CITY OF LAKE DALLAS.

WHEREAS, highspeed telecommunications equipment in the City of Lake Dallas is presently nonexistant or inadequate; and

WHEREAS, the structure of the statewide highspeed teletype system has been determined and development of regional systems will continue on the basis of the statewide concept established by the Texas Criminal Justice Division, Office of the Governor, State of Texas; and

WHEREAS, the Texas Criminal Justice Information Users Group in conjunction with the Texas Criminal Justice Division has submitted bidding specifications to prospective vendors, and after considering the bids, has determined the law compliant bidder; and

WHEREAS, it is the opinion of this City Council that the best interest of the citizens of the City of Lake Dallas will be served by participating in this cooperative program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS THAT:

1. The City of Lake Dallas desires to participate in the highspeed teletype network expansion by acquiring a highspeed terminal and adjunct equipment.

2. The City of Lake Dallas is eligible to participate in the Highspeed Teletype Network Expansion by virtue of compliance with the Criminal Justice Division's established funding criteria, namely, that this agency has 24 hour, seven days per week, dispatching.

3. The North Central Texas Council of Governments is authorized to enter into binding contract with the law compliant vendor and to purchase telecommunications equipment in behalf of the City of Lake Dallas.

4. This City understands that the Texas Criminal Justice Division is providing 85% funding and that the amount of $1,546.00 is our matching share for the purchase of the equipment and the administrative cost of the project.

PASSED AND APPROVED this the 13th day of October, 1977.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL OCTOBER 26, 1977

Mayor Pro Tem Roy V. Harper called the meeting to order at 5:30 P.M. Councilmembers Charlie W. Berry, J. C. Payne and LeeRoy W. Schramm were present. Mayor Johnny J. Vinson and Councilman James W. Hutto were absent. City Secretary, M. Jean Chambers, acted as recording secretary.

City Planner, Mr. Charles Cryan, explained unless the City of Lake Dallas adopts a resolution exempting itself from the requirements of Senate Bill 411 by October 28, 1977, the City will automatically be a contributing member of the Volunteer Fireman's Relief and Retirement Fund in perpetuity. Councilman Berry moved for the passage of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS EXEMPTING THE CITY OF LAKE DALLAS FROM THE VOLUNTEER FIREMEN'S RELIEF AND RETIREMENT FUND AS PROVIDED BY SENATE BILL 411, 65TH LEGISLATURE OF THE STATE OF TEXAS". Councilman Payne seconded the motion, and it carried unanimously. A copy of said resolution is attached hereto, and made a part of these minutes.

Councilman Schramm moved that City Secretary be authorized to pay City Attorney's statement for services rendered for the period of August 8 through October 12, 1977 in the total amount of $780.00, deleting $288.00 billed for services rendered in the Lake Area Disposal Service franchise matter which is in conflict with established policy. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Payne moved for an adjournment. Councilman Schramm seconded the motion, and it carried unanimously. Mayor Pro Tem Harper adjourned the meeting at 6:30 P.M.

Roy V Harper

Roy V. Harper, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

M Jean Chambers

M. Jean Chambers, City Secretary

NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS EXEMPTING THE CITY OF LAKE DALLAS FROM THE VOLUNTEER FIREMEN'S RELIEF AND RETIREMENT FUND AS PROVIDED BY SENATE BILL 411, 65TH LEGISLATURE OF THE STATE OF TEXAS.

WHEREAS, Senate Bill No. 411, as passed by the 65th Legislature of the State of Texas, creates a Fire Fighters Relief and Retirement Fund for all city or county volunteer fire departments with ten or more members; and

WHEREAS, such act prescribes death, disability and retirement benefits, and requires every city which elects to participate in the Fund to contribute $12.00 monthly for every volunteer in the service of such unit; and

WHEREAS, the City of Lake Dallas constitutes a small percentage of the total land area of the Fire District covered by the Lake Area Volunteer Fire Department; and

WHEREAS, the City of Lake Dallas is not presently in the financial position to fund such a program.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS THAT:

1. The City of Lake Dallas hereby exercises its option under the provision of Senate Bill No. 411, 1977, 65th Legislature of the State of Texas, and elects to exempt itself from the provisions of that act.

PASSED AND APPROVED this the 26th day of October, 1977.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL NOVEMBER 1, 1977

Mayor Johnny J. Vinson called the meeting to order at 5:40 P.M. Councilmen Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. None were absent. City Secretary, M. Jean Chambers, acted as recording secretary.

Mayor Vinson stated Mr. and Mrs. Otis Beaver, owners of Lake Area Disposal Service, had requested this meeting with the Council in an attempt to settle some of the difficulties incurred in providing solid waste disposal service to the City.

City Planner Charles Cryan recommended the following: Lake Area Disposal Service be placed on a sixty (60) day period of probation. Within that time it will be the responsibility of Mr. and Mrs. Beaver to reduce complaints received by City Hall to no more than two (2) per month. It will also be necessary that all trash and garbage be picked up with your customers excluding tires, rocks, solid human waste, autos, mattresses, refrigerators, motor blocks, washing machines or the like. During the probation period, Mr. Cryan will monitor all complaints for compliance with the franchise agreement. At the end of the probation period, he will recommend either termination of the franchise or permanent approval based on the experinence at that time.

Mr. and Mrs. Beaver and the Council discussed many of the problems in great detail.

After much discussion of the matter, Councilman Hutto moved that the following policies of the Lake Area Disposal Service be approved, together with Mr. Cryan's recommendation:

1. All customers will receive a computer billing for service one month in advance.
2. Service will be discontinued for nonpayment of service when such payment is not made within forty (40) days of the due date.
3. A deposit of $8.50 will be posted by all new customers. Such deposit to be returned to the customer within a reasonable period of time and meet all legal requirements regarding same.
4. Post a $1,000.00 Surety Bond in favor of the City of Lake Dallas.

Councilman Berry seconded the motion, and it carried unanimously.

Mayor Vinson announced Council would enter into Executive Session for the purpose of evaluating the City Planner position as provided by Article 6252-17, Section 2 (g).

Mayor Vinson opened the meeting to the public at 6:55 P.M. There being no further business for discussion, Councilman Payne moved for adjournment. Councilman Schramm seconded the motion, and it carried unanimously. The meeting was adjourned at 7:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL NOVEMBER 10, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman Roy V. Harper requested an excused absence due to illness. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held October 13 and Special Meetings held October 26 and November 1 be waived, and that such minutes be approved as presented in writing by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

No one addressed Council under the Citizen's Agenda.

Councilman Schramm introduced and moved for the adoption of "A RESOLUTION ACCEPTING THE DEDICATION OF AN EMERGENCY LANE FROM THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT, LOCATED ON THEIR PROPERTY AT THE SOUTH END OF PRINCE DRIVE, IN THE M.E.P. AND P.R.R. SURVEY IN LAKE DALLAS, TEXAS". Councilman Payne seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto, and made a part of these minutes.

Councilman Hutto introduced and moved for the adoption of "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAKE DALLAS, TEXAS PROVIDING IN ADDITION TO THE NUISANCE ORDINANCE, ORDINANCE NUMBER 4 AND NUMBER 70, AN ORDINANCE PROHIBITING THE DISCHARGING OF FIREARMS WITHIN THE CITY LIMITS; PROHIBITING THE DISCHARGING OF AIR RIFLES AND AIR PISTOLS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY". Councilman Payne seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Payne introduced and moved for the adoption of "AN ORDINANCE ADOPTING A NEW ZONE DISTRICT MAP FOR THE CITY OF LAKE DALLAS, TEXAS; PROVIDING FOR A NEW ZONE DISTRICT MAP; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICT WITH EXISTING ORDINANCES; DECLARING AN EMERGENCY". Councilman Hutto seconded the motion, and it carried unanimously. A copy of such ordinance is attached hereto, and made a part of these minutes.

Councilman Schramm presented City Planner with a copy of the deed restrictions of Oak Lakes Subdivision indicating Lot #11-18 in Block K are designated for commercial use, and suggested the matter be referred to the Planning and Zoning Commission for consideration.

Councilman Berry moved the appointments of Messrs. Harvey Johnston and Leon Pledger to the Planning and Zoning Commission be confirmed. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Payne moved that the City participate in the Texas Unemployment Compensation Act under the taxed method of payment. Councilman Schramm seconded the motion, and it carried unanimously.

Council reviewed the Activity and Financial Reports for the month of October as submitted by the Lake Cities Volunteer Fire Department.

Chief Tom Mull presented the Police Department's October Activity Report.

Council reviewed the Schedule of Receipts and Disbursements for the month of October, the Municipal Court Reports for October 18 and Noveber 1, and the November Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay those accounts due and payable in November. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved that City Secretary and City Planner be authorized to attend a local government workshop at Navarro College in Corsicana on November 18. Councilman Payne seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Berry moved that the meeting be adjourned. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 8:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

Resolution Number ____

A RESOLUTION ACCEPTING THE DEDICATION OF AN EMERGENCY LANE FROM THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT, LOCATED ON THEIR PROPERTY AT THE SOUTH END OF PRINCE DRIVE, IN THE M. E. P. AND P. R. R. SURVEY, IN LAKE DALLAS, TEXAS.

WHEREAS, the City of Lake Dallas is charged with the safety and wellbeing of its citizens and the property in its corporate limits, and

WHEREAS, there exists a deadend street, Prince Drive, in the Kings Manor Addition of the City of Lake Dallas, and

WHEREAS, the mentioned deadend street, the south end of Prince Drive, could, in an emergency situation, cause a hazard endangering the lives and property of persons in the area mentioned, and

WHEREAS, the Lake Dallas Independent School District has indicated its willingness to provide land which would be designated as an Emergency Lane contingent to the above mentioned area on its property, and

WHEREAS, the creation of an Emergency Lane would help to alleviate the above mentioned hazard,

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

The land granted to the City of Lake Dallas as an easement for the use as an Emergency Lane, being adjacent to the said Kings Manor Addition and the south end of the said Prince Drive, being ninety (90) feet by twenty (20) feet as indicated on the attached surveyors notes, is hereby accepted as a dedication of easement for use as an Emergency Lane by and for the City of Lake Dallas, Texas.

PASSED AND APPROVED, this the 10 th day of November, 1977.

Johnny J. Thrasher
Mayor

ATTEST:

M. Jean Chambers
City Secretary

Regular meeting, Monday, August 8, 1977

Members present: Ron Hamby, Frances Grammer, Bill Allison, Thelma Boliver, Bill Honse, Louis DRozd Jr., Carroll Hasten, and Supt. Jameson.

Members absent: none

The meeting was called to order

The minutes were read and approved.

Heard Mrs. Deannie Stowe representating the Lake Dallas Rebekah Lodge concerning taxes. She was advised to meet with the board of Equalization when they meet this month.

Carroll Hasten made motion to give 20' X 90' for Prince Dr. for emergency use to the city of Lake Dallas. Bill Allison second the motion. Motion carried.

Heard Mrs. Herman concerning the bus pick-up for Hickory Mobile Estates. Thelma Boliver made motion for bus to pick-up children in Hickory Mobile Estates. Bill Allison second the motion. Motion carried.

Louis DRozd Jr. made motion to pay the bills. Ron Hamby second the motion, motion carried.

Ron Hamby made motion for the tuition fee for 1977-78 grades K-6, $150.00 7-8 grades $225.00, 9-12 grades $250.00. Frances Grammer second the moiton, motion carried.

Ron Hamby made motion to set tax rate for 1977-78 at $1.35 (rate is the same as the current rate $1.35) Bill Allison second the motion, motion carried.

Ron Hamby made motion to approve Aug. 26, 1977 for the Board of Equalization meeting. Frances Grammer second the motion, motion carried.

Heard preliminary budget discussion from Supt. Jameson.

Frances Grammer made motion to hold check to Steele & Associates due to the fact that no one has made an effort to clear up existing problems. Bill Allison second the motion, motion carried.

The Board met in executive session for the purpose of employing a teacher.

The meeting was called back to open session.

Carroll Hasten made motion to hire Guilbert Waldrip, one year subject to assignment. Bill Allison second the motion, motion carried.

Carroll Hasten made motion to adjourn. Louis Drozd Jr. second the motion. Meeting adjourned.

PRESIDENT

SECRETARY

Ordinance Number ___

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAKE DALLAS, TEXAS PROVIDING IN ADDITION TO THE NUISANCE ORDINANCE, ORDINANCE NUMBER 4 AND NUMBER 70, AN ORDINANCE PROHIBITING THE DISCHARGING OF FIREARMS WITHIN THE CITY LIMITS; PROHIBITING THE DISCHARGING OF AIR RIFLES AND AIR PISTOLS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

SECTION 1: DISCHARGING FIREARMS PROHIBITED

a. It shall be unlawful for any person to fire or discharge any gun, pistol, rifle or other firearm of any description within the corporate limits of the City Of Lake Dallas, Texas.

b. Exceptions:

1. The person was a law enforcement peace officer acting in the performance of his official duties.

2. The person was at a shooting range operated by an agency of the United States government, State of Texas, or a political subdivision of the State or which is privately operated if approved in writing by the Lake Dallas Police Department.

3. The person was using blank cartridges for a show or theatrical production, or for signal or ceremonial purposes in athletics or sports, or by a military organization.

4. The person was acting in a self-defense or justifiable or excusable homicide situation.

SECTION 2: AIR RIFLES AND AIR PISTOLS

a. It shall be unlawful for any person to discharge an air rifle or air pistol or other instrument, by whatever name known, which by means of compressed air, compressed gas, springs or by any other means is capable of discharging shots, pellets or any solid object at a velocity in excess of three hundred (300) feet per second, within the corporate limits of the City.

b. Exceptions:

1. The person was an animal control officer or other person authorized to act in the performance of controlling animals within the City.

2. The person was at a shooting range operated with the approval of the Police Department.

SECTION 3: PENALTY

Any person who knowingly and wilfully violates any provision of this ordinance shall upon conviction, be punished by a fine of not more than two hundred dollars ($200.00). Each separate firing or discharging of any

covered firearm, air rifle or air pistol shall constitute a separate offense.

SECTION 4: SEVERABILITY

If any section or portion of this ordinance should be held invalid for any reason whatsoever, such invalidity shall not affect the remaining portion of this ordinance whatsoever, such invalidity shall not affect the remaining portion of this ordinance which shall remain in full force and effect and the provisions of this ordinance are declared to be severable.

SECTION 5: EMERGENCY

The fact that the City of Lake Dallas, Texas is in immediate need of the regulations provided by this ordinance, creates an urgency and emergency and an imperative public necessity requiring that any and all rules requiring this Ordinance to be read on three several meetings of the City Council be waived, be placed on its third and final reading to its passage, and same shall be in full force and effect from and after its Passage, and Approval and Publication.

PASSED AND APPROVED on this the 10th day of November, A. D. 1977.

Johnny J. Tinsley
Mayor

ATTEST:

Ida Jean Chambers
City Secretary

Ordinance Number ____

AN ORDINANCE TO ADOPT A NEW ZONE DISTRICT MAP FOR THE CITY OF LAKE DALLAS, TEXAS; PROVIDING FOR A NEW ZONE DISTRICT MAP; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICT WITH EXISTING ORDINANCES; DECLARING AN EMERGENCY.

WHEREAS:

The existing Zone District Map of the City of Lake Dallas, Texas is both inaccurate and out of date due to annexation of new territory into the City and changes of both the zoning laws and zoning of particular parcels of property; and the Zoning Commission of the City has studied the entire city to establish a new zone map to include all changes in corporate limits and clearing showing all zoning districts within the city; it is the recommendation of the Zoning Commission of the City of Lake Dallas that its Zone District Map, dated May 1977, be adopted by the City Council of the City of Lake Dallas, Texas.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1: ZONE DISTRICT MAP ADOPTED

The Zone District Map prepared for the City of Lake Dallas, Texas showing zone designations according to the designations set out in the City of Lake Dallas Ordinance number 25 and subsequent amemdments. This map provides for Zone use designations for all property within the corporate limits of the City. The City Council of the City of Lake Dallas, Texas adopts the Zone District Map of the City of Lake Dallas, Texas as dated May 1977. This map shall take precedence over any and all Zone District Maps which may heretofore existed, and that all amendments to the zoning within the city shall become a part of this Zone District Map as soon as passed by the City Council.

SECTION 2: SAVINGS CLAUSE AND CONFLICT WITH EXISTING ORDINANCES

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held invalid or unconstitutional for any reason, the same shall not affect the validity of this Ordinance as a whole, or of any part or provision hereof, other than the part or provision so decided to be invalid or unconstitutional. All ordinances and parts of ordinances in conflict herewith are repealed.

SECTION 3: DECLARING AN EMERGENCY

The fact that the City of Lake Dallas, Texas and its citizens are in immediate need of the relief afforded by the provisions of this Ordinance creates an emergency and an imperative public necessity demanding that any and all rules requiring ordinances to be passed at more than one separate meeting be suspended, and that this Ordinance take effect immediately upon and after its passage and it is so ordained.

PASSED AND APPROVED, this the 10 th day of November, 1977.

Johnny J. Johnson
Mayor

ATTEST:
M Jan Chambers
City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL DECEMBER 8, 1977

Mayor Johnny J. Vinson called the meeting to order at 7:40 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto and J. C. Payne were present. Councilman LeeRoy W. Schramm was absent, having requested an excused absence prior to the meeting.

Mayor Vinson opened the Public Hearing relative to the application made by Mrs. H. B. James for a change in zoning classification from the R-1 7200 (residential) District to the C-2 (commercial) District. Such property is located at 709 Main Street, and is more specifically described as follows:

TRACT 16, 1.458 acres, out of the L. Cobb Survey of the City of Lake Dallas, Denton County, Texas. Abstract #284

City Planner Charles Cryan stated Mr. Terry Danyeur wishes to purchase the property, construct a new home and commercial garage with a six to seven foot fence enclosing the area surrounding said garage. He further stated a hearing had been held by the Planning and Zoning Commission on the matter October 25, and no opposition was indicated at that time by any property owner. Mr. Cryan stated the 1.57 acre tract, owned by Mr. & Mrs. Frank Herendeen, immediately North of this property was also zoned C-2. In view of the foregoing, it was the recommendation of the Planning and Zoning Commission that Council grant the change in zoning classification as requested.

Mayor Vinson then called for any questions or comments from interested persons present. None was forthcoming. Council then discussed the matter in great detail.

Mayor Vinson closed the Public Hearing at 8:00 P.M.

- - - - - - - - - - -

Councilman Hutto moved that the zoning classification of the H. B. James property, located at 709 Main Street, be changed from the R-1 7200 District to the C-2 District to permit a commercial garage to be constructed, with the stipulation that a seven foot wood fence be constructed on the South and West of the garage, and a metal fence be constructed on the North and East, thereby totally enclosing said garage. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved that the minutes of the Regular Meeting held November 10 be approved as presented by City Secretary. Councilman Berry seconded the motion, and it carried unanimously.

No one addressed Council under the Citizen's Agenda.

Council reviewed the Activity and Financial Reports for the month of November as submitted by the Lake Cities Volunteer Fire Department.

Council reviewed the November Activity Report as submitted by the Police Department.

Councilman Hutto moved that the City exercise its option to purchase the presently leased 1972 3500 Ford Tractor Loader Backhoe for an additional $5,759.00. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Hutto moved that the personal liability insurance coverage for Councilmenbers be renewed at an annual premium of $430.98. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Hutto moved that the individual Surety Bonds on the Mayor and City Secretary be increased to $25,000.00 each, and the Bonds on the two municipal clerks and Chief of Police be increased to $10,000.00 per person. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of November, and the December Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay those accounts due in December. Councilman Hutto seconded the motion, and it carried unanimously.

Council reviewed the Audit Report for fiscal year ending September 30, 1977 as prepared by Howe, Fryman & Company, Certified Public Accountants.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Harper seconded the motion, and it carried unanimously.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JANUARY 12, 1978

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. Councilmembers Charlie W. Berry, Roy V. Harper, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. City Secretary, M. Jean Chambers, acted as recording secretary.

Councilman Berry moved that the reading of the minutes of the Regular Meeting held December 8, 1977 be waived, and that such minutes be approved in written form as previously submitted by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

Mrs. Carolyn Green, President of the Lake Cities Chamber of Commerce, invited the Mayor, members of City Council, City Planner and City Secretary to attend the Chamber's annual Reception and Banquet to be held on January 19 at the Ramada Inn in Denton at 7:30 P.M.

Mr. Joe Hennig, Manager of the local office of Texas Power & Light Company, requested an average increase in revenues of 18.4% for his Company effective January 25, 1978. He stated such an increase would result in the following rate class increases:

Residential	25%
Commercial	14%
Industrial	14%
Municipal and Schools	23%

Mr. Hennig stated his Company had filed this request with the Texas Utility Commission on December 21, 1977. After much discussion of the matter, Councilman Hutto moved to suspend the effective date of the proposed rate increase for 120 days from January 25, 1978, pending a decision from the Texas Utility Commission. Councilman Berry seconded the motion, and it carried unanimously.

Councilman Schramm addressed Council relative to a proposed consolidation of the tax offices of the School District, Water Authority and City. He stated the proposed consolidation would provide the following postive points for each tax unit:

1. Minimize costs in complying with State Law requiring taxing units to maintain a certified Tax Assessor-Collector.
2. Uniform property valuation.
3. One Tax Equalization Board.
4. Single annual statement preparation.
5. Postage saving in mailing one statement.
6. One location for tax payment.
7. More efficient delinquent tax collection.
8. Consolidation of the three separate units will allow for growth without escalating administrative personnel costs.

Councilman Schramm stated a Steering Committee composed of three representatives from each entity is needed to work out the detailed implementation procedure, and requested that proper appointments be made by the City Council. After discussion of the matter, Mayor Vinson appointed Councilmen Schramm and Payne to represent the City on such committee, together with City Secretary. This was generally agreed to by Council.

Councilman Payne moved that "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS PROVIDING FOR PARTICIPATION OF THE CITY IN THE SUPPLEMENTAL DEATH BENEFITS FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM. TO PROVIDE CERTAIN IN-SERVICE DEATH BENEFITS FOR EMPLOYEES, AND DEATH BENEFITS FOR ANNUITANTS WHOSE LAST EMPLOYMENT BEFORE RETIREMENT WAS WITH THE CITY OF LAKE DALLAS, TEXAS" be passed and approved. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, James W. Hutto, Charlie W. Berry and LeeRoy W. Schramm.
NOES: Mr. Roy V. Harper.

City Planner Charles Cryan reported that on Monday, January 16, Commissioner's Court will again take up the matter of a County Animal Control Shelter. He provided copies of a detailed proposal for action which he said will be submitted for the Commissioner's consideration.

Mr. Cryan was instructed to research the following matters and report his findings to Council:

a. Proposed ordinance requiring a Store Permit.
b. Proposed ordinance limiting parking on a City street to a maximum of 24 hours.
c. Rewriting of the Zoning Ordinance.
d. Rewriting of the Animal Control Ordinance.

Council reviewed the Activity and Financial Reports for the month of December as submitted by the Lake Cities Volunteer Fire Department.

Council reviewed the December Police Activity Report as submitted by Chief Tom Mull.

Councilman Schramm stated he would be submitting a request for reimbursement of $7.50 automobile expense incurred due to his street falling in as a result of a recent cut made by Lone Star Gas Company when repairing their line. He stated the street was covered in water, and his wife was unable to see the cave-in, which was not barricaded.

Council reviewed the Schedule of Receipts and Disbursements for the month of December, 1977 and the January Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those accounts due and payable in January, 1978. Councilman Berry seconded the motion, and it carried unanimously.

Council then reviewed the Budget Report for the first three months of the fiscal year, and the December and January Municipal Court Reports.

There being no further business for discussion, Councilman Hutto moved the meeting be adjourned. Councilman Schramm seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:50 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 9, 1978

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. Councilmembers Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Councilman Roy V. Harper was absent, having requested an excused absence of the Mayor due to illness. City Secretary, M. Jean Chambers, and City Planner, Charles T. Cryan, were present.

Councilman Schramm moved that the reading of the minutes of the Regular Meeting held January 12, 1978 be waived, and that such minutes be approved in written form as submitted by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. Don Smith requested that the alleyways in the Kings Manor Subdivision be improved to meet minimum standards as set out by ordinance. Mayor Vinson stated plans are now being made to clear and gravel those alleyways.

Councilman Payne moved that a resolution be adopted establishing procedure to be followed in the City Officers' Election to be held April 1, 1978. Councilman Schramm seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Schramm reported that the Steering Committee for the consolidated tax office had met recently and tentatively agreed to an approximate $42,000.00 annual budget submitted by Superintendent of Schools Bob Jameson. It was further generally agreed that the School District would fund 55% of the total budget, Lake Cities Municipal Utility Authority would fund 25%, and the City would fund 20%. Councilman Berry moved for the adoption of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ACKNOWLEDGING THE DESIRE AND INTENT OF THE CITY OF LAKE DALLAS TO CONTRACT WITH THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT FOR THE ASSESSMENT AND COLLECTION OF TAXES AS LEVIED BY THE CITY OF LAKE DALLAS". Councilman Hutto seconded the motion, and it carried unanimously. A copy of such resolution is attached hereto and made a part of these minutes.

Councilman Schramm moved that $100.00 be disbursed to the Beautification Committee for the landscaping of the traffic island located on Denton Road just East of the South overpass. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Berry moved that the City of Lake Dallas, based on the anticipated participation of County Government and other Denton County Municipal Governments, contribute its pro rata share of financial support for the construction and maintenance of a County Animal Control Center. Councilman Hutto seconded the motion, and it carried unanimously.

City Planner Charles Cryan reported applications had been submitted to North Central Texas Council of Governments for A-92 review with respect to the following grants:

a. Record Development for the Police Department which will include funding of a clerk-typist and equipment necessary to the performance of her duties.

b. Juvenile diversion which will fund a Special Juvenile Officer with the City contributing approximately $2,000.00 to the program.

Messrs. W. L. Beene and Jim Broyles presented a platt of the Kingswood Mobile Home Community and stated they wished to sell the lots as platted for individual ownership, dedicating the streets to the City as public thoroughfares, requesting Council approval of same. City Planner recommended the matter be referred to the Planning and Zoning Commission for examination and review inasmuch as the subdivision has heretofore be privately owned. Council agreed to this procedure.

Staff Fireman, Mr. Scotty Baird, presented the Lake Cities Volunteer Fire Department's Activity and Financial Reports for the month of January.

Chief Tom Mull presented the Police Department's January Activity Report.

Councilman Schramm moved for the adoption of a new 20 section Policy Manual for the Police Department as submitted by Chief Mull. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved for a denial of Councilman Schramm's request for reimbursement of $7.50 wrecker fee incurred as a result of street disrepair, and suggested that such request for reimbursement be submitted to Lone Star Gas, the company responsible for the street disrepair. Councilman Payne seconded the motion, and it prevailed by the following vote:

AYES: Councilmen Charlie W. Berry, J. C. Payne and James W. Hutto. Councilman Leroy W. Schramm abstained from the vote.

Council then reviewed Ordinance No. 60 entitled "- - - REQUIRING PERMITS FOR STREET EXCAVATION AND ALTERATION - - -", discussing same in great detail, but no motions were made.

Councilman Payne moved that the Mayor, City Secretary and Deputy Court Clerk be authorized and directed to attend the Third Annual Texas Municipal Courts Winter Seminar to be held in Huntsville, Texas on March 8 through March 11, providing the forthcoming agenda is of value to our court system. Councilman Berry seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of January, 1978, and the February Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay those accounts due and payable in February, 1978. Councilman Schramm seconded the motion, and it carried unanimously.

Council reviewed the Municipal Court Report for February 7, 1978.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

Hart Graphics, Austin, Texas

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS }

CITY OF LAKE DALLAS }

On this the 9th day of February, 19 78, the City Council/~~Commission~~[1] of the City of Lake Dallas, Texas, convened in regular session, open to the public, at the regular meeting place thereof with the following members present, to-wit:

Johnny J. Vinson, Mayor,

Charlie W. Berry, Alderman/~~Commissioner~~

James W. Hutto, Alderman/~~Commissioner~~

J. C. Payne, Alderman[2]

LeeRoy W. Schramm, Alderman[2]

_____, Alderman[2]

M. Jean Chambers, City Secretary/~~Clerk~~[4]

and the following absent: Roy V. Harper, constituting a quorum, and among other proceedings had were the following:

Alderman/~~Commissioner~~ J. C. Payne introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~ LeeRoy W. Schramm, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Charlie W. Berry, James W. Hutto, J. C. Payne and LeeRoy W. Schramm

_____,

NOES: None

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on April 1 19 78, there shall be elected the following officials for this city:

MAYOR[2]

Two (Number of) Alderman[2]	~~Two Commissioners~~[3]

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/~~COMMISSION~~X

OF THE CITY OF LAKE DALLAS, TEXAS:

That all independent candidates at the election to be held on April 1, 1978, for the above mentioned offices file their applications to become candidates with the Mayor of this City at City Hall on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 1st day of April, 1978, as a candidate for Mayor or Councilmember of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is Denton County.

My post office address is _____.

My age is _____ years. Length of residency in State: _____ years; in above named city: _____ years or months.

I am not disqualified or ineligible to hold the above mentioned office and meet all qualifications therefor.

Please place my name on the official ballot as follows:

_____

(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____

Name of Candidate

THE STATE OF TEXAS }

COUNTY OF DENTON }

Before me, the undersigned authority, on this day personally appeared _____, who being by me here and now duly sworn upon oath states that all of the facts and information stated in the above application are true and correct.

_____

Signature of Candidate

Subscribed and sworn to before me by the said _____ this the _____ day of _____, 19____ to certify which witness my hand and seal of office.

_____

Notary Public, _____ County, Texas

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~ of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~ orders the same to be printed on the ballot for said election.

This city, having one election precinct, said election shall be held at the following place in said city:

1. In Election Precinct No. 2P at the City Hall Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~ immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 9th day of February, 1978.

_____

Mayor

ATTEST:

_____

Secretary/~~Clerk~~[1]

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.

No. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ACKNOWLEDGING THE DESIRE AND INTENT OF THE CITY OF LAKE DALLAS TO CONTRACT WITH THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT FOR THE ASSESSMENT AND COLLECTION OF TAXES AS LEVIED BY THE CITY OF LAKE DALLAS, TEXAS.

WHEREAS, the City Council of the City of Lake Dallas feels a considerable savings to the tax payor can be obtained by contracting with other political entities for certain services; and

WHEREAS, the City Council feels such a savings could be obtained by consolidating the tax offices of the political subdivisions having jurisdiction within the corporate limits of the City of Lake Dallas; and

WHEREAS, the City Council feels it is in the best interest of the citizens of the City of Lake Dallas that negotiations be entered into for the creation of a joint tax office

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS THAT:

1. Negotiations be entered into with the Lake Dallas Independent School District to contract for the assessment and collection of taxes as levied by the City of Lake Dallas, Texas.

PASSED AND APPROVED this the 9th day of February, 1978.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

ATTEST:

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MARCH 9, 1978

Councilmembers James W. Hutto, J. C. Payne and LeeRoy W. Schramm were present. Mayor Johnny J. Vinson and City Secretary were absent, having obtained an excused absence to attend a Seminar in Huntsville, Texas. Mayor Pro tem Roy V. Harper and Councilman Charlie W. Berry were absent.

Due to the lack of a quorum, it was agreed the meeting would recess until March 16, 1978 at 7:30 P.M.

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. on March 16, 1978 with the following members present:

Johnny J. Vinson, Mayor
Roy V. Harper, Mayor Pro tem
Charlie W. Berry, Councilman
James W. Hutto, Councilman
J. C. Payne, Councilman
LeeRoy W. Schramm, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

Mayor Vinson presented Certificates of Appreciation to retiring Councilmen Roy V. Harper and LeeRoy W. Schramm for their years of service and dedication to the City.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held February 9 be waived, and that such minutes be approved as presented in writing by City Secretary. Councilman Schramm seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following:
Mr. Jim Grubey, Manager of the Hideout Club located at 307 West Hundley Drive, requested Council's consideration to issuing his club a permit to stay open for entertainment until 2:00 A.M. Mayor Vinson stated the matter would be placed on the agenda for the next regular meeting.

Councilman Schramm moved for the adoption of "AN ORDINANCE ADOPTING ARTICLE 1066b, VERNON'S CIVIL ANNOTATED STATUTES, TO AUTHORIZE THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT'S TAX ASSESSOR, BOARD OF EQUALIZATION AND TAX COLLECTOR TO ACT AND FUNCTION AS THE TAX ASSESSOR, BOARD OF EQUALIZATION AND TAX COLLECTOR OF THE CITY OF LAKE DALLAS, TEXAS: ADOPTION OF THE AGREEMENT FOR TAX SERVICES UNDER ARTICLE 1066b, V.A.T.C.S.; AND FOR DECLARING AN EMERGENCY". Councilman Berry seconded the motion, and it prevailed by the following vote:

AYES: Messrs. LeeRoy W. Schramm, Charlie W. Berry, James W. Hutto and J. C. Payne.
NOES: Mr. Roy V. Harper

Councilman Hutto moved that the month of April be designated as the annual "Clean-Up Month" in Lake Dallas, with the Street Department picking up and disposing of unwanted items at no charge to the citizen. Councilman Payne seconded the motion, and it carried unanimously.

Mr. Jim Broyles, Vice President of Kingswood, Inc., asked for Council approval of the platt of Kingswood Mobile Home Community previously submitted. Mr. Broyles further stated he would like an opportunity to talk with both Council and Staff members relative to changes he would like to see made in the proposed ordinance creating a new zone district R-4000 for mobile homes, as well as changes in the proposed resolution accepting dedication of the streets now existing in the Kingswood Mobile Home Community. Several persons present protested the manner in which the sale of lots were being conducted in Kingswood. Mayor Vinson permitted interested residents a question and answer period with Mr. Broyles in an effort to clear up apparent misunderstandings. After much discussion, Councilman Hutto moved that the matter be postponed for further study. Councilman Schramm seconded the motion, and it carried unanimously.

City Planner Charles Cryan stated the City can apply for Community Block Grant funds up to $250,000.00. He said preapplication must be submitted to HUD by May 15, and requires income data which is presently not available. Mr. Cryan further stated if Council wishes to make a serious application for the funds, a house to house survey will have to be made of approximately one in every five households throughout the City at an estimated cost of $1,500.00 to $2,000.00. Councilman Berry moved that the survey be made, and a preapplication filed. Councilman Hutto seconded the motion, and it carried unanimously.

Chief Tom Mull presented the Police Department's Activity Report for the month of February.

Council reviewed the Fire Department's February Activity and Financial Reports.

Councilman Berry moved for the confirmation of Mr. Roy Lee Lester's appointment to the office of City Fire Marshall. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Payne moved that the Street Department's 1961 Two Ton Flat Bed Ford Truck be repaired at an approximate cost of $400.00. Councilman Schramm seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of February, and the March Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those accounts due and payable in March, 1978. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the Municipal Court Report for March 7, 1978.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL APRIL 3, 1978

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. with the following members present:

Johnny J. Vinson, Mayor
Charlie W. Berry, Councilman
James W. Hutto, Councilman
J. C. Payne, Councilman
LeeRoy W. Schramm, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

Councilman Roy V. Harper was absent.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 1, 1978. It was determined that 1,287 valid and legal votes were cast by 463 qualified voters for the nine candidates appearing on the ballot, together with six write-in candidates. The tally sheets were passed around the table for councilmembers examination and review. All things appearing to be in order, Councilman Payne moved that a resolution be passed, approved and adopted accepting the returns, and declaring Mr. Johnny J. Vinson duly elected to the office of Mayor, together with Ms. Anne Kennedy and Thurman Bartley duly elected to the office of Alderman. Councilman Berry seconded the motion, and it carried unanimously. A copy of said resolution is attached hereto and made a part of these minutes.

City Secretary presented each of the duly elected officials with a Certificate of Election, and administered the Oath of Office. Said oaths are attached hereto, and made a part of these minutes.

After much discussion of the proposed "ORDINANCE AMENDING AN ORDINANCE - THE ZONE DISTRICT ORDINANCE, ORDINANCE NUMBER 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING IN ADDITION THERETO A ZONE DESIGNATION R-4000, MOBILE HOME RESIDENTIAL; PROVIDING GENERAL PROVISIONS; PROVIDING FOR PERMITS; PROVIDING INSPECTION; PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES; PROVIDING FOR VIOLATION AND PENALTIES; PROVIDING FOR INVALIDITY; PROVIDING AN EMGERENCY", Councilman Hutto moved that the matter be postponed until the next regular scheduled meeting. Councilman Berry seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Hutto moved that the meeting be adjourned. Councilman Payne seconded the motion, and it carried unanimously. Mayor Vinson adjoured the meeting at 9:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 3rd **day of** April, **19** 78, **the City Council/~~Commission~~**

of the City of Lake Dallas, **Texas, convened in** special **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

James W. Hutto, **Alderman/~~Commissioner~~**

Charlie W. Berry, **Alderman/~~Commissioner~~**

J. C. Payne, **Alderman**[2]

LeeRoy W. Schramm, **Alderman**[2]

, **Alderman**[2]

M. Jean Chambers, **City Secretary/~~Clerk~~**

and the following absent: Roy V. Harper, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~ J. C. Payne **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~** Charlie W. Berry, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: Messrs. J. C. Payne, Charlie W. Berry, James W. Hutto and LeeRoy W. Schramm, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 1st **day of** April, **19** 78, **for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election** 1,287 **valid and legal votes; that each of the candidates in said election received the following votes:**

FOR MAYOR[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Johnny J. Vinson	272
Lee Cramer	7
Donald R. Smith	175
Jeff Crossland (Write-In)	5

FOR ALDERMAN/~~COMMISSIONER~~ and[3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
Robert Bartts	130
Clyde E. Edwards	42
John F. Kidder	119
Anne Kennedy	271
Ivan Bounds	62
Thurman Bartley	196

FOR Councilman [3]

NAME OF CANDIDATE		TOTAL NUMBER OF VOTES RECEIVED
LeeRoy Schramm	(Write-In)	4
James Hutto	(Write-In)	1
John Webb	(Write-In)	1
Elvis Presley	(Write-In)	1
Mary Ann Peel	(Write-In)	1

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/~~COMMISSION~~ OF THE CITY OF LAKE DALLAS **, TEXAS:**

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Johnny J. Vinson was duly elected Mayor of said City at said election[2] and Anne Kennedy and Thurman Bartley

were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, ~~and that xxxx

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Johnny J. Vinson

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {*for the giving or withholding a vote at the election at which I was elected.*
~~to secure my appointment or the confirmation thereof~~}

So help me God.

Signed Johnny J Vinson

Sworn to and subscribed before me, this 3rd

day of April *19*78

M. Jan Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

Johnny J. Vinson

(Name)

For

Mayor

(Office)

Dated April 3, 1978

at Lake Dallas, Texas

Hart Graphics, Austin

HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Anne Kennedy,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilwoman

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward** {*for the giving or withholding a vote at the election at which I was elected.*} {~~*to secure my appointment or the confirmation thereof.*~~}

So help me God.

Signed Anne Kennedy

Sworn to and subscribed before me, this 3rd

day of April *19*78

M. Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

***Strike out phrase that does not apply**

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

Anne Kennedy
(Name)

For

Councilwoman
(Office)

Dated April 3, 19 78

at Lake Dallas, **Texas**

Hart Graphics, Austin

HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, Thurman Bartley,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman

of the City of Lake Dallas *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly, swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected.} {to secure my appointment or the confirmation thereof.}*

So help me God.

Signed Thurman L. Bartley

Sworn to and subscribed before me, this 3rd

day of April *19*78

M. Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

Thurman Bartley
(Name)

For

Councilman
(Office)

Dated April 3, 1978

at Lake Dallas, Texas

Hart Graphics, Austin

HART

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL APRIL 13, 1978

The public hearing called for 7:00 P.M. relative to a petition received from the United States of America to annex property which lies adjacent to the present city limits and includes a portion of Willow Grove Park, a portion of land laying north of Willow Grove Park, but not adjacent thereto, and a portion of the water area of Lewisville Lake was postponed due to the papers not being in order.

Mayor Johnny J. Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
James W. Hutto, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

Councilman Berry moved that the reading of the minutes of the Regular meeting held March 9 and the Special Meeting held April 3, 1978 be waived, and that such minutes be approved as presented in writing by City Secretary. Councilman Hutto seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons:
Mr. Richard Ayres stated the drainage ditch between Kings Manor and Prince Drives is presently approximately 6' deep and 8' wide, carrying water, debris, etc. He further stated all property deeds indicate the ditch is an alley easement, and requested Council take appropriate action to correct the present condition of the ditch.

Mrs. Deborah Foster stated the ditch was not only a health hazard, but was causing extensive lot erosion and foundation damage is being suffered by the homeowners abutting said ditch.

Mr. Robert Bartts stated Centennial Homes is in the process of constructing alleyways of 13' to 16' wide, and the ordinance indicates they should be 20' wide. He requested construction be stopped until the minimum standards are adhered to.

Mr. Ron Vanzura stated the Beautification Committee and the State Highway Department had started the landscaping of the traffic mediums South of town, and were doing an excellant job.

Mrs. Deborah Foster asked when adequate street improvements would be made rather than the continuous patching repairs that are presently being done.

Another citizen inquired as to when the alleyways in Kings Manor would be graveled.

Councilman Payne moved for the passage, approval and adoption of "AN ORDINANCE AMENDING AN ORDINANCE - THE ZONE DISTRICT, ORDINANCE NUMBER 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING IN ADDITION THERETO A ZONE DESIGNATION R-4000, MOBILE HOME RESIDENTIAL; PROVIDING GENERAL PROVISIONS; PROVIDING FOR PERMITS; PROVIDING INSPECTION; PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES; PROVIDING FOR VIOLATION AND PENALTIES; PROVIDING FOR INVALIDITY; PROVIDING AN EMERGENCY". Councilman Berry seconded the motion, and it carried unanimously.

Councilman Payne moved for acceptance of the Street Repair Contract as presented by Kingswood, Inc. with the additional provision that fire hydrants be operable and meet minimum state standards. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Payne moved that the Mayor be authorized and directed in signing the approval of City Council, and the City Secretary attesting thereto, that certain plat of Kingswood Mobile Home Community submitted by Kingswood, Inc. Councilman Berry seconded the motion, and it carried unanimously.

The proposed ordinance annexing 425.33 acres of Corps of Engineers' land and the proposed ordinance relative to abandoned motor vehicles were postponed for further work and research.

Councilwoman Kennedy moved for the passage, approval and adoption of "AN ORDINANCE ADOPTING THE PROVISIONS OF ACTS 1969, 61ST LEGISLATURE, REGULAR SESSION, CHAPTER 466, PAGE 1535, AMENDING THE TEXAS LIQUOR CONTROL ACT, PERTAINING TO EXTENDED HOURS FOR LAWFUL SALE, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES, TO GRANT TO RETAIL DEALERS ON-PREMISE LATE HOUR LICENSES, PRIVATE CLUB LATE HOURS PERMITTEES, AND TO CONSUMERS OF ALCOHOLIC BEVERAGES THE RIGHTS AND PRIVILEGES PROVIDED FOR IN SUCH AMENDMENTS TO THE TEXAS LIQUOR CONTROL ACT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY" . Councilman Bartley seconded the motion, and it carried unanimously.

Councilman Berry moved that Councilman James W. Hutto be elected by acclamation Mayor Pro tem. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Councilman Berry moved for an ordinance to be drafted appointing the City Secretary temporary Judge of the Municipal Court to act in the absence or disability of the permanent Judge. Councilman Hutto seconded the motion, and it carried unanimously.

City Planner stated North Texas University students are presently in the area making the house to house survey for data to be included in the preapplication for Community Block Grant funds.

Councilman Payne moved that the City Planner be authorized to attend, at the City's expense, the Governmental Accounting and Finance Institute to be held in Austin April 17-18, 1978. Councilman Berry seconded the motion, and it carried unanimously.

Council reviewed the Activity and Financial reports for the month of March as submitted by the Fire and Police Departments.

Councilman Payne moved that City Secretary be authorized to attend, at the City's expense, a seminar on "Office and Time Mangement" to be held in Denton April 20-21, 1978. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of March, and the April Accounts Payable. Councilman Hutto moved that City Secretary be directed and authorized to pay those accounts due and payable in April, 1978. Councilman Berry seconded the motion, and it carried unanimously.

Council reviewed the Six Month Budget Report for the period ending March 31, 1978, and the April 4 Municipal Court Report.

Councilman Hutto moved that the City Planner be responsible for work schedules for the Street Department. Councilman Payne seconded the motion, and it carried unanimously.

Councilman Berry moved that eight new chairs at an approximate cost of $150.00 each be purchased for the Council table. Councilman Hutto seconded the motion, and it prevailed by the following vote:

AYES: Messrs. Charlie W. Berry, James W. Hutto and Ms. Anne Kennedy
NOES: Messrs. J. C. Payne and Thurman Bartley

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 20, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary

Councilmen James W. Hutto and J. C. Payne were absent.

Councilman Berry moved for the passage, approval and adoption of "AN ORDINANCE SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING; AND DECLARING AN EMERGENCY". Councilman Bartley seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 7:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

SPECIAL JOINT MEETING OF CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF LAKE DALLAS WITH THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY HELD AT CITY HALL APRIL 25, 1978

Mr. Jack Ezzell presided, calling the meeting to order at 7:30 P.M. with the following persons present:

LAKE DALLAS CITY COUNCIL

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles Cryan, City Planner
M. Jean Chambers, City Secretary

PLANNING & ZONING COMMISSION

Jack Ezzell, Chairman
Howard Davis, Member
Harvey Johnston, Member
Mary Mayfield, Member
Leon Pledger, Member

Councilman James W. Hutto was absent.

LAKE CITIES MUNICIPAL UTILITY AUTHORITY

Jack Young, President
Ernest Jernigan, Secretary
Bob Klem, Member
Don Lee, Member
J. B. Briggs, Manager

Mr. Ezzell stated the purpose of the meeting is to make a concerted effort to assist the City Government and the Water Authority in reaching an agreement of each entity's responsibility to improve and maintain fire hydrant service in the City.

Mr. Briggs indicated on a map places where new lines need to be placed in service, old lines in need of replacement with larger ones, and new fire hydrants placed in service and old hydrants replaced.

After much discussion of the matter, the following was agreed to by all persons present:

LAKE CITIES MUNICIPAL UTILITY AUTHORITY will:

1. Install fire hydrants, valves, cement blocking, pipe and taps where new water lines are being placed in service.
2. Install fire hydrants where 2" water lines are being replaced with 6" water lines.
3. Purchase plug and valve, and provide manpower and equipment (in cooperation with the City) for the installation of fire hydrant replacement on existing 6" water line.
4. Will be responsible for the maintenance of all fire hydrants after installation of new hydrants on new lines and replacement of inoperable hydrants on existing lines, with the Lake Cities Volunteer Fire Department being responsible for regular inspection of the hydrants and reporting any needed repairs to LCMUA.

THE CITY OF LAKE DALLAS will:

1. Be responsible for street repairs where 2" water lines are being replaced with 6" water lines.

2. Purchase fire hydrant, and provide manpower and equipment (in cooperation with LCMUA), for the replacement of inoperable fire hydrants on existing 6" water lines.

Councilman Payne stated he felt the agreement should be set out in writing, and Mr. Young agreed. Mr. Johnston suggested all procedures, work orders, etc. should also be set out in writing.

It was further agreed the City Planner and the Water Authority Manager would be responsible for the drafting of the agreement.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Councilman Bartley seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 8:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF PUBLIC HEARING
HELD BY LAKE DALLAS CITY COUNCIL
AT CITY HALL MAY 11, 1978

Mayor Vinson called the meeting to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Councilmember
Charlie W. Berry, Councilmember
Thurman Bartley, Councilmember
Anne Kennedy, Councilmember
J. C. Payne, Councilmember
Charles Cryan, City Planner
M. Jean Chambers, City Secretary

Mayor Vinson stated the purpose of this meeting is to hear all interested persons comments as they relate to the proposed annexation of certain property which lies adjacent to the present city limits and includes a portion of Willow Grove Park, a portion of land lying North of Willow Grove Park, but not adjacent thereto, and a portion of the water area of Lewisville Lake. The proposed annexation area was indicated on a map available for inspection.

Mrs. Alice M. Milner and Ms. Bobbye J. Riney were the only citizens present. Both women stated they wished to place an objection to the proposed annexation on the grounds that their property would then be completely surrounded by the City, and would thereby enhance the possibilities of ultimately being annexed.

Ms. Milner and Ms. Riney inquired as to the use the City might put the land to if annexed. Mayor Vinson stated there were no present plans to change the use of the land at all. After some discussion of the matter, both women stated they wished to withdraw their objections.

Mayor Vinson asked if there was anyone else present desiring to speak. No one indicated a desire to speak.

Mayor Vinson then asked if there was anyone present desiring to oppose the proposed annexation. No opposition was made.

There being no further business for discussion, Councilman Berry moved that the Public Hearing be closed and the meeting adjourned. Councilman Hutto seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MAY 11, 1978

Mayor Vinson called the meeting to order at 7:40 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Councilmember
Thurman Bartley, Councilmember
Charlie W. Berry, Councilmember
Anne Kennedy, Councilmember
J. C. Payne, Councilmember
Charles Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman Payne moved that the reading of the minutes of the Regular Meeting held April 13 and the Special Meetings held April 20 and April 25, 1978 be waived, and such minutes approved as submitted in writing by City Secretary. Councilwoman Kennedy seconded the motion, and it carried unanimously.

City Attorney Ron Vanzura stated Westgate Hospital will discontinue ambulance service effective June 1, and County Government is presently investigating alternatives in providing service in the County. City Planner is to keep abreast of the situation, and report back to Council.

Mr. Gary Brown, President of GRB Communications, Inc., explained in great detail the community antenna television system he proposes to install in the area, and requested a franchise agreement to do so in the City. After some discussion of the matter, Councilman Hutto moved for a postponement until the June 8 meeting in order to permit Council adequate time to review the proposed franchise agreement. Councilman Bartley seconded the motion, and it carried unanimously.

The matter of a proposed ordinance relative to abandoned motor vehicles was postponed until the next regular scheduled meeting.

Councilman Hutto moved that the two new appointments to the Planning and Zoning Commission be postponed until the June 8 meeting to permit more time for evaluation of persons willing to serve. Councilman Bartley seconded the motion, and it carried unanimously.

Councilman Berry moved that Mayor Vinson be appointed the City's voting representative to North Central Texas Council of Governments. Councilman Hutto seconded the motion, and it carried unanimously.

It was agreed Mayor Vinson, Councilman Hutto, Councilwoman Kennedy, City Planner and City Secretary would attend COG's Workshop for Mayors and Councilmembers to be held in Arlington May 26.

Councilman Hutto moved for the passage, approval and adoption of "AN ORDINANCE APPOINTING THE CITY SECRETARY TO FILL THE VACANCY OF THE MUNICIPAL COURT JUDGE WHEN THE MUNICIPAL COURT JUDGE IS TEMPORARILY UNABLE TO ACT, PROVIDING FOR QUALIFICATIONS; AND FOR DECLARING AN EMERGENCY" and for the appointment of Ms. Margaret Coulter to the position of Clerk of the Municipal Court. Councilman Berry seconded the motion, and it carried unanimously.

City Planner stated the Criminal Justice Division had approved our application for grant funds, in the amount of $8,964.00, to expand the Police Department's record system. The grant has already provided approximately $2,000.00 in new equipment, and the new secretary will start in the newly created position on the 16th of the month. Mr. Cryan further stated it is now necessary for the City to sign acceptance of the Grant. Councilman Bartley moved that City Secretary, as financial director, be designated to be responsible for submission of adjustments pertaining to both program and financial elements of the grant, and the Mayor and City Secretary be authorized and directed to affix their signatures to the Grantee Acceptance Notice and return same to the Texas Criminal Justice Division. Councilman Payne seconded the motion, and it carried unanimously.

Mr. Cryan stated the Corps of Engineers had submitted a proposed contract for police services in Willow Grove, Westlake, Arrowhead and Oakland Parks beginning May 12, 1978 and ending September 30, 1978. Such contact calls for ten hours of patrol per day on Thursday, Friday, Saturday and Sunday of each week, for a total of forty hours per week. The City will be paid for 850 hours at the rate of $8.85 per hour, for a total of $7,545.58. Mr. Cryan further stated it would not be necessary to expand the present staff of the Police Department in order to handle the extra patrol. Councilman Payne moved for the adoption of a resolution approving the contract for law enforcement services with the Department of the Army. Councilman Berry seconded the motion, and it prevailed by the following vote:

AYES: Messrs. J. C. Payne, Charlie W. Berry and Thurman Bartley.
NOES: Mr. James W. Hutto and Ms. Anne Kennedy.

Chief Mull presented the Police Department's Activity Report for the month of April. He stated two used central air conditioning units were for sale that were on the old buildings Jim McGregor tore down to build the new building. He reported one unit is 3½ tons and the other is a three ton unit, both units are supposed to be in good shape and can be purchased for a total of $1,050.00. He suggested consideration be given to the purchase of one or both units, payment not to be made until they are installed and working, to central air the Police and Administrative offices. Mayor Vinson instructed City Planner to investigate the matter and report to Council.

Council reviewed the Animal Control Department's April Activity Report.

Councilman Hutto moved that City Secretary and the Municipal Court Clerk be authorized to attend the Legal Education Institute to be held in Denton May 24 and 25, with the registration fee of $28.50 per person being paid by the City. Councilman Payne seconded the motion, and it carried unanimously.

It was generally agreed the 1979 Budget Retreat would be scheduled for June 23, 24 and 25, with all Department's preliminary budgets being submitted to the City Secretary or City Planner by May 22 for review.

Council reviewed the Schedule of Receipts and Disbursements for the month of April, and the May Accounts Payable. Councilman Berry moved that City Secretary be authorized and directed to pay those accounts due and payable in May, including the City Attorney's statement. Councilman Payne seconded the motion, and it carried unanimously.

Council reviewed the April 18 and May 2 Municipal Court Reports.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilman Bartley seconded the motion, and it carried unanimously.

Mayor Vinson adjourned the meeting at 9:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MAY 23, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman James W. Hutto was absent.

Councilman Payne moved for the passage, approval and adoption of "AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF TWO TRACTS OF LAND, WHICH SAID TERRITORY IS OWNED BY THE UNITED STATES OF AMERICA AND LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS". Councilman Bartley seconded the motion, and it carried unanimously.

Councilman Berry moved for the passage, approval and adoption of "AN ORDINANCE GRANTING TO GRB COMMUNICATIONS, INC. THE RIGHT AND FRANCHISE TO CONDUCT A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CORPORATE LIMITS: USE OF STREETS: PROVIDING REGULATIONS FOR THE OPERATION AND DECLARING AN EMERGENCY". Councilwoman Kennedy seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilman Bartley seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 7:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JUNE 5, 1978

Mayor Vinson called the meeting to order at 5:10 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
Ronald D. Vanzura, City Attorney
M. Jean Chambers, City Secretary

Mayor Vinson stated the purpose of the meeting is to discuss with City Attorney the Lone Star Gas rate case just concluded before the Railroad Commission.

Mr. Vanzura stated he had received written communication from Mr. Don Butler, legal counsel in Austin, indicating that the results of the case, as far as the rate increase is concerned, are favorable. However, in Mr. Butler's opinion, the Examiner and the Commission totally botched the treatment of the cities' rate case expense when they disallowed certain expenses incurred. Also, notwithstanding the agreement of the cities to share expenses on a per customer basis, the Examiner divided the expenses equally as to each city, large or small. The result is that some cities will be reimbursed for more rate case expenses than they have paid. Others will not be reimbursed as much.

Mr. Vanzura stated that Mr. Butler feels the treatment of the rate case expenses is a completely arbitrary act of the commission and would most likely be set aside by the Courts. Therefore, no further costs for either attorney's fees or consultant's charges will be made for an appeal to the courts.

Council then discussed the matter in great detail with City Attorney.

Mayor Vinson opened the meeting to the public at 5:20 P.M.

Councilman Berry moved for the passage, approval and adoption of a "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING THE APPEAL OF THE ORDER OF THE RAILROAD COMMISSION OF TEXAS, DOCKET NUMBER 1020 CONSOLIDATED". Councilman Bartley seconded the motion, and it carried unanimously.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 5:30 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JUNE 8, 1978

Mayor Johnny J. Vinson called the meeting to order at 7:35 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Mayor Vinson announced a Public Hearing would now be held on petition of respective property owners for a change in zoning classification from the R-1 7200 District to the C-1 District relative to Lot Nos. 11 through 17 inclusive, Block K, Oak Lakes Subdivision, located at 501-513 Shady Shores Road. City Planner called for any interested persons to address the Council on the matter. Mrs. Louise Eix spoke in favor of the proposed change in zoning classification.

Mayor Vinson then announced a Public Hearing would be held on petition of Mr. Robert Hilliard for a change in zoning classification from the C-1 District to the C-3 District relative to Lot Nos. 14 and 15, Block K, Oak Lakes Subdivision, located at 505 North Shady Shores Road. Mayor Vinson called for comments on the matter from interested persons present. No response from the audience.

Councilman Hutto moved that the Public Hearing be closed. Councilman Berry seconded the motion, and it carried unanimously. Mayor Vinson adjourned the Public Hearing at 8:30 P.M.

Mayor Vinson called the regular meeting to order at 8:40 P.M. with all councilmembers in attendance.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held May 11 and the Special Meeting held May 23 be waived, and that such minutes be approved as presented in writing by City Secretary. Councilwoman Kennedy seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. Ivan Bounds stated a severe drainage problem existed on Betchan Street. He stated water presently flows east to the lake in the south ditch only, flooding the street, with the north ditch carrying no water whatsoever. He further stated the problem is eroding the land and causing extensive property damage. Mr. Bounds stated both ditches should be carrying an equal amount of water, and suggested that they should be cleaned out, larger culverts installed where needed and raised or lowered from their present positions as necessary to facilitate the flow of water.

Mr. Joe Hennig, Manager of the local Texas Power & Light Company office, requested Council approval of the new electric tariffs recently approved by the Texas Public Utility Commission, such rate increases having been originally filed

by his company in December, 1977. Mr. Hennig stated the average class rate increase would be as follows: residential 7.6%, Commercial and industrial 6.39%, municipal 8.51%, with such increases to be effective June 26, 1978. After much discussion of the matter, Councilman Payne moved for the passage, approval and adoption of "AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER & LIGHT COMPANY IN THE CITY OF LAKE DALLAS, TEXAS APPROVING SERVICE REGULATIONS FILED BY TEXAS POWER & LIGHT COMPANY, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, AND PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN". Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Berry moved that the petition of respective property owners for a change in zoning classification from the R-1 7200 District to the C-1 District relative to Lot Nos. 11 through 17 inclusive, Block K, Oak Lakes Subdivision, located at 501 through 513 Shady Shores Road, be granted in accordance with the recommendation of the Planning and Zoning Commission. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Payne moved that the petition of Mr. Robert Hilliard for a change in zoning classification from the C-1 District to the C-3 District relative to Lot Nos. 14 and 15, Block K, Oak Lakes Subdivision, located at 505 North Shady Shores Road, be denied in accordance with the recommendation of the Planning and Zoning Commission. Councilman Hutto seconded the motion, and it carried unanimously.

Councilman Hutto moved that Mr. Howard Davis be appointed to succeed himself in another two year term on the Planning and Zoning Commission, and that Mrs. Sue Rucker be appointed to serve out Mrs. Mary Mayfield's unexpired term. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Councilman Payne moved that a $5,000.00 exemption from the assessed value be granted to the over age 65 real property owners effective January 1, 1978. Councilman Bartley seconded the motion, and it carried unanimously.

CITY PLANNER'S REPORT: Mr. Cryan suggested a uniform date be set for the expiration of terms of appointative offices such as Planning and Zoning Commission, Board of Adjustment, etc. He stated the terms of office could run concurrently with the elected terms of office, or could expire at the end of the calendar year or fiscal year. Council agreed for City Planner to prepare a proposal.

Mr. Cryan reported the cost for a one inch overlay of hot mix, materials only, is $1.10 per square yard. The approximate cost to do the major streets would be $110,000.00 including labor. Such cost could be reduced by one-half if County could be persuaded to provide the labor. He stated the improvement should pay for itself over a five year period in reduced street maintenance.

Mr. Cryan reported a committee has been appointed to gather data regarding a County wide ambulance service and make alternate proposals to the Commissioner's Court. He further stated the City of Denton Fire Department is presently providing ambulance service to our City with a response time of ten minutes.

Council reviewed the Financial Reports for the months of April and May as submitted by the Lake Cities Volunteer Fire Department.

Council reviewed the May Activity Reports as submitted by the Police and Animal Control Departments.

ADMINISTRATIVE REPORT: Council reviewed the following:

1. Proposed amendments to present budget.
2. Schedule of Receipts and Disbursements for the month of May.

3. Municipal Court Reports for May 16 and June 6 dockets.
4. June Accounts Payable

Councilman Hutto moved that City Secretary be authorized and directed to pay those bills due and payable in the month of July. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing evaluation of duties of personnel as provided by Article 6252-17, Section 2 (g) of Vernon's Texas Civil Statutes.

Mayor Vinson opened the meeting to the public at 10:20 P.M.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 10:25 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

Mayor Vinson informed Council of the desire of the Mayors of Lewisville and The Colony to hold a South Denton County Government Conference in August for the purpose of exploring joint ways of cooperation and provide an open exchange between the cities. It was generally agreed the City of Lake Dallas would support and attend the proposed conference.

Councilman Berry moved for the passage, approval and adoption of "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING PERSONNEL RULES AND REGULATIONS". Councilman Bartley seconded the motion, and it carried unanimously.

City Planner reported he has not has yet completed his investigation on financing for a capital outlay street improvement program, and would submit a report at a later date.

Council reviewed the April, May and June Activity Reports, the June Financial Report and the Nine Month Budget Report as submitted by the Lake Cities Volunteer Fire Department.

Council reviewed the June Activity Reports as submitted by the Police and Animal Control Departments.

Council reviewed the Schedule of Receipts and Disbursements for the month of June, the July Accounts Payable and the Municipal Court Reports for June 20 and July 5. Councilman Berry moved that City Secretary be authorized and directed to pay those accounts due and payable in the month of July. Councilman Bartley seconded the motion, and it carried unanimously.

Mayor Vinson stated he had received numerous complaints regarding the many signs placed on private property next to major streets and in public easements. City Planner was instructed to write those persons in violation of the sign ordinance, giving them ten days in which to comply, or formal complaints will be filed in Municipal Court.

Councilman Berry reported fire hydrants were not installed in Kingswood Mobile Home Park as agreed at the time final plat approval was granted. City Planner was instructed to investigate and report to Council on the matter.

Councilman Payne requested that the Junked Vehicle Ordinance be strictly enforced by staff members.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Councilman Berry seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JULY 13, 1978

Mayor Vinson called the meeting to order at 7:05 with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman James W. Hutto and Councilwoman Anne Kennedy were not present, each having been granted an excused absence by the Mayor.

Mayor Vinson announced the Public Hearing was now in session relative to the proposed budget for fiscal year 1978-79, including proposed use of $35,049.67 in Revenue Sharing Funds. Only one spectator was present, Mr. Tom Holamon, and he made no comments whatsoever regarding the budget.

There being no one present wishing to speak on the matter, Councilman Berry moved that the Public Hearing be closed. Councilman Bartley seconded the motion, and it carried unanimously. Mayor Vinson closed the Public Hearing at 7:35 P.M.

Mayor Vinson called the Regular Meeting to order at 7:35 P.M. with the persons listed above still present.

Councilman Berry moved that the reading of the minutes of the Special Meeting held June 5 and the Regular Meeting held June 8, 1978 be waived, and such minutes approved as presented in writing by City Secretary. Councilman Payne seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. Tom Holamon stated the weeds are approximately seven feet high around the utility box in the alleyway between Duchess and Princess Courts. He requested the alleyway be cleared of debris, mowed and permanent weed killer applied to the area. Mr. Holamon further inquired as to the City's position on the matter of future improvements and maintenance of the alleyways within the Kings Manor Subdivision. City Planner stated the alleyways were originally platted as utility easements and are no more than 15' at the widest. Mr. Cryan stated the City does own the alleyways and will clean and mow same, but has no immediate plans to pave or gravel such alleyways.

Councilman Payne moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS GRANTING PERMISSION TO THE STATE OF TEXAS OR ITS AGENT TO INVENTORY AND MAKE IMPROVEMENTS AS MAY BE NECESSARY TO PROVIDE A MINIMUM PASSIVE WARNING SYSTEM AT THOSE PUBLIC STREET/ROAD GRADE CROSSINGS OR RAILROADS WITHIN THE CITY". Councilman Berry seconded the motion, and it carried unanimously.

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 8, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilwoman Anne Kennedy and Councilman J. C. Payne were absent.

Mayor Vinson stated the purpose of this meeting is to discuss the proposed budget for fiscal year 1979 which at this time totals $272,647.00 and is allocated as follows:

Administrative Department	$ 78,182.00
Police Department	$103,867.00
Street Department	$ 60,468.00
Fire Department	$ 17,000.00
Animal Control Department	$ 13,130.00

Councilman Berry suggested the Fire Department's allocation be increased to $20,000.00. No strong opposition was made by those present.

Other minor changes were made, and it was agreed the total amount of the proposed budget would be $275,647.00, allocated as follows:

Administrative Department	$ 76,682.00
Police Department	$105,367.00
Street Department	$ 60,468.00
Fire Department	$ 20,000.00
Animal Control Department	$ 13,130.00

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Councilman Bartley seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 8:30 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 10, 1978

Mayor Vinson called the meeting to order at 7:05 with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman J. C. Payne was absent, having earlier requested an excused absence from the Council.

Mayor Vinson announced the Public Hearing relative to the proposed budget for fiscal year 1979 would now be held, and called for any comments regarding same from interested citizens present. Copies of the proposed budget totaling $275,647.00, including $36,376.00 in Revenue Sharing Funds, were available for public inspection. No unfavorable comments or opposition was made by any citizen present to the proposed budget.

After ascertaining no citizen present wished to speak regarding the proposed budget, Councilman Berry moved that the Public Hearing be closed. Councilman Hutto seconded the motion, and it carried unanimously. Mayor Vinson adjourned the Public Hearing at 7:25 P.M.

Mayor Vinson called the regular meeting to order at 7:30 P.M. with the persons listed above still present.

Councilman Hutto moved that the reading of the minutes of the regular meeting held July 13, 1978 be waived, and such minutes approved as submitted in writing by City Secretary. Councilwoman Kennedy seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: The Reverend J. R. Fellows, Minister of the Assembly of God Church, stated his church owned the property on both sides of the 200 block of Goliad Street. He further stated they planned to expand the church buildings, and requested Council's consideration to closing that portion of Goliad Street in order to permit full usage of the land. It was pointed out, Goliad Street dead-ends at Sycamore Street, just North of the Church property. The Reverend Fellows was instructed to take his request first to the City Planner and the Planning and Zoning Commission.

Councilman Hutto moved for the passage, approval and adoption of "AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1979". Councilman Berry seconded the motion, and it carried unanimously.

City Planner reported the following:

a. County Commissioners approved a $161,000.00 allocation for ambulance service in the County. A meeting is scheduled for Tuesday, August 22, at which time a committee will be appointed to study and make recommendations as to a fair and equitable distribution of the allocation. Both the City of Lewisville Fire Department and Dalton's Funeral Home have indicated an interest in providing emergency ambulance service to this area of the County, and are preparing proposals at this time.

b. The time allowed for accepting bids on the new police cars will have to be extended inasmuch as only one complete bid has as yet been received.

c. County Commissioner Ed Elbert has tentatively agreed to provide manpower and equipment for major street improvements within the City on or about the 1st of September.

Council reviewed the following:

a. Police Department's Activity Report for the month of July as submitted by Chief Tom Mull.

b. Lake Cities Volunteer Fire Department's July Activity Report.

c. Animal Control Department's July Activity Report.

Councilman Hutto moved that a 1978 Chevrolet ½ ton Pickup, model #CC10903, be purchased from Mohr Chevrolet Company for the Street Department at the total price of $4,137.88. Motion seconded by Councilman Berry, and carried unanimously.

Councilman Berry moved that City Secretary be authorized to attend a seminar on Public Administration to be held in Denton August 17-18. Councilwoman Kennedy seconded the motion, and it carried unanimously.

Council reviewed the following as submitted by the Administrative Department:

a. Schedule of Receipts and Disbursements for the month of July.
b. Municipal Court Reports for July 18 and August 1.
c. August Accounts Payable.

Councilman Bartley moved that City Secretary be authorized to pay those accounts due and payable in the month of August. Motion seconded by Councilman Berry, and carried unanimously.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Berry, and carried unanimously. Mayor Vinson adjourned the meeting at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 21, 1978

Mayor Vinson called the meeting to order at 8:30 A.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman Charlie W. Berry was absent.

Mayor Vinson stated the purpose of the meeting is to discuss the proposals made by Dalton's Funeral Home, City of Lewisville and City of Denton Fire Departments to provide emergency ambulance service to our community.

The following was discussed in great detail:

a. Dalton's Funeral Home in Lewisville proposes to serve the communities of Flower Mound, Highland Village, Hickory Creek, Lake Dallas, Shady Shores and Corinth at the approximate rate of $5.50 per capita.

b. City of Lewisville Fire Department proposes to serve Flower Mound, Highland Village, Hickory Creek and the South part of Lake Dallas at the total estimated cost of $4.15 per capita.

c. City of Denton Fire Department proposes to serve Corinth, Shady Shores and the North part of Lake Dallas at the total estimated cost of $2.50 per capita.

It was pointed out the $161,000.00 allocation made by County government for ambulance service will probably be distributed to the cities at the rate of $1.50 per capita, with each city being responsible for their own service and paying whatever difference in cost is necessary. However, the County Commissioners will hold a meeting on August 22, at which time a committee will be appointed to determine exactly in what manner the money will be distributed.

Mr. Gene Ezell, Mayor of Hickory Creek, was present and reported it was the general consensus of the Four Cities Mayor's Conference (Corinth, Hickory Creek, Lake Dallas and Shady Shores) that the four cities should unite in an effort to obtain emergency ambulance service from the same contractor.

After much discussion of the matter, Council tentatively agreed to contract with the City of Lewisville for emergency ambulance service, fully investigate the difference in estimated cost of service, and to further investigate the possibility of one contractor serving the four city area.

It was also agreed all who could would attend the County Commissioners' August 22 meeting, and make every possible attempt to insure a representative from our community is appointed to the proposed committee.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Mayor Vinson adjourned the meeting at 10:10 A.M.

Johnny J Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 8, 1978

Mayor Vinson called the meeting to order at 7:05 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Mayor Vinson explained the purpose of this meeting is to discuss the proposed tax rate for 1978.

City Planner stated in contracting with the Lake Dallas Independent School District for the assessment and collection of taxes for 1978, it is necessary for the City to adopt the School's 100% property values which are approximately 15% less, across the board, than the City's 1977 property values. In doing so, the City will lose approximately $5,000,000.00 in property values, resulting in a net loss of approximately $10,000.00 in ad valorem tax dollars. City Secretary explained some of the City's 1977 values on commercial property are considerably higher than the School's value of the same property. Therefore, it will be necessary to increase the 1977 60¢ tax rate by 10¢ for 1978 in order to meet next year's budget. Such proposed rate increase should not result in any net dollar increase to the residential property owner, but will result in a drastic reduction to some commercial property owners.

After much discussion of the matter, it was agreed the problem would be called to the attention of the LDISD's Tax Assessor and Superintendent, as well as the governing board, in an effort to rectify the situation, and report back to Council. In the event an acceptable compromise cannot be reached, it may become necessary to revoke the contract with LDISD for tax services and the City continue to assess and collect its own taxes.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Councilman Bartley seconded the motion, and it carried unanimously. Mayor Vinson adjourned the meeting at 9:05 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL SEPTEMBER 14, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman Payne moved that the minutes of the meetings held August 8, 10 and 21 be approved as presented by City Secretary. Councilman Bartley seconded the motion, and it carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. Jeff Crossland stated a severe drainage problem exists at the turn around located at the South end of Prince Drive in the Kings Manor Subdivision that prevents children from walking to school for some time after each rain. He requested a hard surface walkway be constructed by the City from Prince Drive South to Hundley Drive. It was pointed out to Mr. Crossland that the area in question is private property presently owned by the LDISD. Mr. Bill Honse, President of the School Board, was present and stated he felt the Board would be agreeable to the construction of such a walkway with the understanding that it may not be permanent if the land is needed for the construction of the new middle school.

Council reviewed a written statement received from LDISD Superintendent Bob Jameson outlining several ultimate remedies to the City's problem of loss of property value for 1978 as a result of the contract for tax services entered into with such School District. Mr. Jameson made the following comments and proposals for Council's consideration:

1. Some business property and other discrepancies that come to light in the tax roll as a result of the consolidated tax office can probably be re-evaluated and corrected by January 1, 1979.

2. The 1979 State Legislature will probably mandate several changes and improvements in tax assessing procedures, including the use of 100% market value statewide.

3. A thorough re-evaluation of the entire district is needed and can probably be implemented by January 1, 1980.

4. Inasmuch as the School's funds are audited on an accrued revenue basis, they could indicate $4,000.00 (approximately one-half the contract fee) in anticipated revenue from the City in this fiscal year, not expecting to actually receive same until next fiscal year (1979-80). That amount of the total contract fee would become due and payable at such time as the City's budget permitted.

In view of the School Board's apparent sympathetic understanding of the situation, it was generally agreed the City would honor its contract with the LDISD for tax services and work out the problems.

City Planner stated budget integrity could be maintained by levying a tax rate of 70¢ per $100.00 of valuation, based on 60% assessment of market value. This rate would not reflect any net dollar increase to residential property owners.

Councilman Berry moved that permission be granted to the State of Texas to file suit on the City's behalf for the collection of any delinquent taxes owed it under the Local Sales and Use Tax Act, TEX. REV. CIV. STAT. ANN. art. 1066c. Motion seconded by Councilman Hutto, and carried unanimously.

Consideration of the proposed ordinance prescribing rules and regulations of the owning and operation for profit of any pool, billiard table or automatic amusement device was postponed for further study by City Planner and Councilmembers.

Councilman Hutto moved that consideration of the new proposed Abandoned Motor Vehicle Ordinance be postponed for further study and review. Motion seconded by Councilman Bartley, and carried unanimously.

City Planner reported the City of Denton has verbally agreed to provide emergency ambulance service to our area at the rate of $2.50 per capita, $1.50 of which will be paid by County Government.

POLICE DEPARTMENT BUSINESS:

As a matter of information, City Planner stated the City is presently experiencing difficulty in obtaining personnel on the C.E.T.A. Program. Four dispatchers and five patrolmen are currently on the payroll, and only three persons are budgeted for dispatch positions and 4½ persons for patrol positions in the next fiscal year.

After examining bids received from Lone Star Dodge, Mohr Chevrolet, Bill Utter Ford and Chester Morris Chrysler-Plymouth Dealerships, Councilwoman Kennedy moved for the purchase of a 1979 Plymouth Volare A38 Police Package from Chester Morris Chrysler-Plymouth for the total purchase price of $5,759.58. Motion seconded by Councilman Payne, and carried unanimously.

Chief Tom Mull presented the Police Department's August Activity Report for Council's information and review.

FIRE DEPARTMENT BUSINESS:

Mr. Bruce Causseaux presented the Lake Cities Volunteer Fire Department's August Activity Report.

Councilman Payne moved for the appointment of Mr. Causseaux as City Fire Marshall. Motion seconded by Councilman Bartley, and carried unanimously.

STREET DEPARTMENT BUSINESS:

City Planner reported the County Commissioner will be here Monday, September 18, to provide equipment and manpower for major street improvements. He advised 1,200 tons of hot mix asphaltic concrete had been ordered for such improvements at an approximate cost of $15,000.00.

ANIMAL CONTROL DEPARTMENT BUSINESS:

Council reviewed the August Activity Report.

ADMINISTRATIVE DEPARTMENT BUSINESS:

Council reviewed the Schedule of Receipts and Disbursements for the month of August, as well as the September Accounts Payable. Councilman Berry moved that City Secretary be authorized to pay those accounts due and payable in the month of September. Motion seconded by Councilman Payne, and carried unanimously.

Council reviewed the Municipal Court Reports for August 15 and September 5 dockets.

OLD BUSINESS:

Councilman Hutto stated he had been informed the Police Department had

stricken one local wrecker service from the rotation list, and requested such action taken by Police personnel be evaluated in Executive Session. Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing the matter under Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. The matter was then discussed in great detail with Chief Tom Mull, but no motions were made.

Council reconvened in regular session, open to the public, at 11:25 P.M. City Planner was instructed to arrange a meeting with the complaining owner of the wrecker service, the Police Chief and himself in an effort to work out the existing problems.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjourned the meeting at 11:45.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 29, 1978

Mayor Vinson called the meeting to order at 5:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Mayor Vinson stated the purpose of this meeting is to levy a tax for calendar year 1978.

City Planner stated budget integrity could be maintained in fiscal year 1979 by increasing the tax rate to $.70 per $100.00 property valuation, based on 60% assessment of market value. This rate would not reflect any net dollar increase to property owners.

After much discussion of the matter, Councilman Hutto moved for the adoption of Ordinance No. 108 levying an ad valorem tax at the rate of $.70 on each $100.00 valuation of taxable property. Motion seconded by Councilman Berry, and carried unanimously.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 5:35 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 12, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

Councilman Hutto moved that the reading of the minutes of meetings held September 8, 14 and 29, 1978 be waived, and that such minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

On the Citizen's Agenda, Council heard from the following persons: Mr. Carl Weeks, 611 Galbraith Street, stated a drainage problem presently exists in the immediate area of his street, and requested the City take appropriate action to alleviate the flooding problem. Ms. Jean Kelley and Jo Phelps, both residing on Hundley Drive, stated the North part of their lots stay under water for sometime after each rain. One resident of Mosely Street stated the situation was severe, with water coming onto his property from three diferent directions. Mayor Vinson instructed City Planner to investigate the problem in an effort to determine whether the City could provide some relief.

Councilman Payne moved that consideration of the proposed ordinance prescribing rules and regulations of the owning and operation for profit of any pool and billiard table or automatic amusement device be postponed for further study. Motion seconded by Councilman Berry, and carried unanimously.

Councilman Payne moved for the passage, approval and adoption of "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, REPEALING ORDINANCE NUMBERS 28, AND 59 PERTAINING TO JUNKED VEHICLES AND ENACTING A NEW ABANDONED MOTOR VEHICLE ACT IN ACCORDANCE WITH VERNON'S CIVIL ANNOTATED STATUTES, ARTICLE 6687-7 WITH AMENDMENTS THEREOF; PROVIDING FOR DEFINITIONS, AUTHORITY TO TAKE POSSESSION OF ABANDONED MOTOR VEHICLES BY POLICE DEPARTMENT, NOTIFICATION OF OWNER AND LEIN HOLDERS, AUCTION OF ABANDONED MOTOR VEHICLES, PROVISIONS FOR GARAGEKEEPERS AND ANANDONED MOTOR VEHICLES, DISPOSAL TO DEMOLISHERS, DUTIES OF DEMOLISHERS, JUNKED VEHICLES DECLARED TO BE A NUISANCE, CITY PROCEDURES FOR ABATING NUISANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A PENALTY; DISPOSAL OF JUNKED VEHICLES, AUTHORITY TO DISPOSE, CONFLICTS AND EMERGENCY CLAUSES". Motion seconded by Councilman Hutto, and carried unanimously.

After much discussion of the matter, Councilman Berry moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING THE MAYOR AND CITY SECRETARY TO SIGN A CONTRACT AND AGREEMENT WITH THE CITY OF DENTON, TEXAS TO PROVIDE EMERGENCY AMBULANCE SERVICE WITHIN THE CORPORATE LIMITS OF LAKE DALLAS AT THE RATE OF $1.00

PER CAPITA FOR A PERIOD OF ONE YEAR". Motion seconded by Councilman Payne, and carried unanimously.

Consideration of the proposed amendment to Ordinance Nos. 18, 65a and 93 relative to the traffic control problems on Texas Street was postponed pending City Planner again meeting with the School Superintendent in an effort to determine exactly what action would facilitate the flow of traffic.

Councilman Hutto moved for the approval of a resolution authorizing application to be made to the Criminal Justice Division of the State of Texas for a grant to fund a juvenile crime diversion project. Motion seconded by Councilman Berry, and carried unanimously.

Councilman Payne moved for the passage and approval of a resolution authorizing application to be made to the Criminal Justice Division of the State of Texas for a grant to continue funding of the Police Department Record Expansion Project. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Council reviewed the Police Department's September Activity Report.

Councilman Payne moved that the repair of the Massey Ferguson Tractor be authorized at an approximate cost of $1,567.94. Motion seconded by Councilman Berry and prevailed by the following vote:

AYES: Messrs. J. C. Payne, Charlie W. Berry, Thurman Bartley and Ms. Anne Kennedy.
NOES: Mr. James W. Hutto.

Council reviewed the September Activity and Financial Reports as submitted by the Animal Control Department and the Lake Cities Volunteer Fire Department.

Council reviewed the September Schedule of Receipts and Disbursements, October Accounts Payable, Municipal Court Reports and End of Fiscal Year Report as submitted by City Secretary. Councilman Hutto moved that City Secretary be authorized and directed to pay those accounts due and payable in the month of October. Motion seconded by Councilman Payne, and carried unanimously.

Under New Business, Councilwoman Kennedy reported she had received several complaints regarding minors (ages 14 and 15 years) driving automobiles without being accompanied by a licensed driver, and stated she felt the law should be strictly enforced in this matter.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Berry and carried unanimously. Mayor Vinson adjourned the meeting at 9:35 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 9, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Charlie W. Berry, Councilman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: Ms. Anne Kennedy and Mr. Thurman Bartley.

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held October 12, 1978 be waived, and that such minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Berry, and carried unanimously.

II. SALES TAX ORDINANCE.

Councilman Payne moved for the passage and approval of "AN ORDINANCE PROVIDING FOR CONTINUATION OF THE LOCAL SALES AND USE TAX IMPOSED BY THE CITY OF LAKE DALLAS, TEXAS ON THE SALE AND CONSUMPTION OF ELECTRICITY AND GAS FOR RESIDENTIAL USE, PROVIDING THAT THE SALE AND CONSUMPTION OF ELECTRICITY AND GAS FOR RESIDENTIAL USE SHALL NOT BE EXEMPT FROM SUCH TAX, AND PROVIDING THAT NOTICE OF THIS ORDINANCE BE GIVEN TO THE COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS". Motion seconded by Councilman Hutto, and carried unanimously.

III. CONSOLIDATED TAX OFFICE FUND.

Councilman Hutto moved for the adoption of a resolution designating the Lake Cities State Bank as the depository for the maintenance of an account known as CONSOLIDATED TAX OFFICE FUND, said account to be utilized for the deposit of funds received by the joint Assessor-Collector for the City, Lake Dallas Independent School District and Lake Cities Municipal Utility Authority. Motion seconded by Councilman Berry, and carried unanimously.

IV. PLANNING & ZONING COMMISSION.

Nominations for appointments to the Planning and Zoning Commission were postponed until the next regular meeting.

No action was taken on the proposed amendment to the Zoning Ordinance allowing for mini-warehouses and boat storage buildings in the C-2 District.

Council referred to the Planning and Zoning Commission for its consideration and recommendation the proposed amendment to the Zoning Ordinance eliminating stair stepping usage in districts preceding a particular zoning district.

V. POLICE DEPARTMENT BUSINESS.

Council reviewed the October Activity Report.

VI. STREET DEPARTMENT BUSINESS.

Discussion of the proposed designation of one day per month as "Clean-Up

Day" rather than the customary one month per year was postponed for further study.

VI. FIRE DEPARTMENT BUSINESS.

Council reviewed the Activity and Financial Reports as submitted by the Lake Cities Volunteer Fire Department.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

Council reviewed the Schedule of Receipts and Disbursements for the month of October and the November Accounts Payable. Councilman Hutto moved that City Secretary be authorized and directed to pay those accounts due and payable in the month of November, 1978. Motion seconded by Councilman Payne, and carried unanimously.

Council reviewed the Municipal Court reports for October 17 and November 7 dockets.

VIII. OLD BUSINESS.

Councilman Hutto suggested inquiries be made of the Lake Cities State Bank relative to ways the City might accrue interest on their funds on deposit.

Councilman Payne again stressed the need for enforcement of the junked vehicle ordinance and set back requirements within the Kingswood Mobile Home Subdivision.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjourned the meeting at 8:50 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL DECEMBER 14, 1978

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Charlie W. Berry, Councilman
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held November 9, 1978 be waived, and that such minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Berry, and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Joe Hennig, local Manager of the Texas Power and Light Company, invited all members of the Council to attend the Community Christmas Carolling, sponsored jointly by the City, Fire Department and Lake Cities Community Center.

Mr. Hennig further stated the written request, as made by the Lake Cities Chamber of Commerce, that Council accept and be guided by the studied recommendation of the Planning and Zoning Commission in the matter of zoning for mini-warehouses and boat storage facilities, as well as adjoining pavement and exterior treatment on such buildings, is submitted in an effort to provide imput and in an attempt to help, not in an attempt to dictate City policy. He also suggested for Council's consideration an area Planning and Zoning Commission be established for the four cities, very similar to that of the four Mayor's Council.

III. RESOLUTION ORDERING JOINT ELECTION WITH LAKE DALLAS INDEPENDENT SCHOOL DISTRICT AND LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

Councilman Bartley moved for the passage and approval of a "RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ORDERING A JOINT ELECTION OF OFFICERS TO BE HELD ON THE FIRST SATURDAY IN APRIL, 1979 TOGETHER WITH THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT AND THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY; DESIGNATING A COMMON POLLING PLACE FOR SUCH ELECTION; AND DECLARING THE CITY'S INTENT TO SHARE THE COST OF SAID ELECTION EQUALLY WITH THE SCHOOL DISTRICT AND THE UTILITY AUTHORITY". Motion seconded by Councilman Hutto, and carried unanimously.

IV. RESOLUTION APPROVING SETTLEMENT OF CLAIM.

Councilman Berry moved for the adoption of a resolution ratifing and approving the Compromise Agreement executed on December 5, 1978 by Charles Cryan, for the City of Lake Dallas, and Mark Rose in settlement of claim made by Mr. Rose against the City. Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. RESOLUTION SETTING OUT POLICY AND PROCEDURES FOR THE ACCEPTANCE OF APPLICATIONS FOR STREET USE FRANCHISES.

Councilman Payne moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS SETTING OUT POLICY AND PROCEDURES WITH RESPECT TO THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR STREET USE FRANCHISES AND/OR CHANGES THEREIN". Motion seconded by Councilman Bartley, and carried unanimously.

VI. ORDINANCE AMENDING ORDINANCE NOS. 18, 65a AND 93 RELATIVE TO TRAFFIC CONTROL ON TEXAS STREET AT THE ELEMENTARY SCHOOL COMPLEX.

Councilwoman Kennedy moved for the passage and approval of Ordinance No. 111 entitled "AN ORDINANCE AMENDING THE CITY OF LAKE DALLAS TRAFFIC CONTROL ORDINANCE NUMBER 18 AND AMENDMENTS, AND ENACTING IN ADDITION THERETO AN ORDINANCE PROVIDING FOR PARALLEL PARKING ON TEXAS STREET; PROVIDING FOR LOADING OF SIGNS AND TRAFFIC CONTROL DEVICES; PROVIDING FOR PENALTY; AND DECLARING AN EMERGENCY". Motion seconded by Councilman Hutto, and prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. James W. Hutto, Charlie W. Berry and J. C. Payne.
NOES: Mr. Thurman Bartley

VII. APPOINTMENT TO PLANNING & ZONING COMMISSION.

Councilman Hutto moved for the appointment of Ms. Betty Martin to serve out Mr. Harvey Johnston's unexpired term on the Planning and Zoning Commission. Motion seconded by Councilman Payne, and carried unanimously.

VIII. DEPARTMENTAL REPORTS.

Council reviewed the November Activity and/or Financial Reports as submitted by the Fire, Police and Animal Control Departments.

IX. RESOLUTION AUTHORIZING CERTAIN PERSONS TO EXECUTE DRAFTS, CHECKS, NOTES, ETC. FOR FUNDS ON DEPOSIT IN CITY TREASURY.

Councilman Berry moved for the adoption of a resolution authorizing any two (2) signatures of the Mayor, Mayor Pro tem and/or City Secretary for the execution of drafts, checks, notes, etc. on funds deposited with the Lake Cities State Bank. Motion seconded by Councilman Payne, and carried unanimously.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

Council reviewed the Schedule of Receipts and Disbursements for the month of November and the December Accounts Payable. Councilman Berry moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of December. Motion seconded by Councilman Bartley, and carried unanimously.

Council then reviewed the Municipal Court Reports for the November 21 and December 5 dockets.

XI. EXECUTIVE SESSION

Mayor Vinson announced at 9:15 P.M. Council would enter into Executive Session for the purpose of discussing evaluation of personnel duties, hiring and reassignment of personnel in the Police Department as permitted by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

XII. ADJOURNMENT

Council reconvened in regular session, open to the public, at 9:40 P.M.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 11, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held December 14, 1978 be waived, and that such minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Aldena Stowe stated she wished to object to any rate increase being granted to the Lake Area Disposal Service. She said many retired persons on fixed incomes had stated they were just unable to pay any more for such a limited service. Mrs. Stowe further requested the same consideration be given to any increase in the commercial rate as would be given to an increase in the residential rate.

Ms. Pam Sheppherd stated she was outraged, as were many of her neighbors, at the request made by the garbage contractor for a 23% monthly rate increase for once per week pick up. She pointed out the rate in many of our neighboring cities is much less than the present rate with twice per week pick up.

Ms. Dell Thornton and Mr. Rick Cooksey supported the request for a rate increase made by the Lake Area Disposal Service, and stated the service they provide is greatly improved over the service provided by any previous contractor. Ms. Thornton stated she would not object to paying an even higher rate than the increase requested if it was determined necessary to continue the present standard of service.

Ms. Carolyn Green stated Lake Haven Mobile Home Estates is presently receiving excellant service with twice per week pick up at a reasonable rate. However, inflation must be curtailed somewhere and a 23.5% rate increase is high at this time.

III. RATE INCREASE - LAKE AREA DISPOSAL SERVICE.

City Planner stated all information requested of Lake Area Disposal Service pertinent to their request for an increase in monthly rate from $4.25 to $5.25 had not been received and, therefore, he recommended a postponement of any action on the matter pending receipt of same. Mr. Sonny Logan, Attorney for the contractor, requested the matter be heard. He stated the request for a rate increase is made in an effort to keep up with escalating cost of landfill, gas labor, OSHA requirements, etc. Councilman Hutto stated he would like to review

revenue and cost figures exclusively for the City of Lake Dallas as well as system wide figures.

After much discussion of the matter, Councilman Hutto moved for a postponement of the matter pending receipt of a complete financial report for the year ending December 31, 1978 and staff investigation of a mandatory payment for garbage pick up within the City. Motion seconded by Councilman Berry and prevailed by the following vote:

AYES: Messrs. James W. Hutto, Charlie W. Berry and Thurman Bartley.
NOES: Ms. Anne Kennedy and Mr. J. C. Payne.

IV. FINAL PLAT APPROVAL - REPLAT OF HARBOURTOWN VILLAS, PHASE I.

City Planner stated the conditions for final plat approval, as set out by the Planning and Zoning Commission, had been met by the developer. Councilman Bartley moved for the adoption of final replat of Harbourtown Villas, Phase I, out of the M.E.P. & P.R.R. Survey, Abstract No. 924, City of Lake Dallas, Denton County, Texas. Motion seconded by Councilman Payne and carried unanimously.

V. DEPARTMENTAL REPORTS.

Council reviewed the December Activity Report as submitted by the Police Department, and the Activity and Financial Reports as submitted by the Lake Cities Volunteer Fire Department.

VI. "CLEAN-UP DAY".

Councilman Payne moved that the first Monday in each month be designated as "Clean-Up Day" and that the Street Department pick-up, at no charge to the citizen, and dispose of any unwanted item that would not otherwise be disposed of by the solid waste contractor. Motion seconded by Councilwoman Kennedy, and prevailed by the following vote:

AYES: Ms. Anne Kennedy and Messrs. J. C. Payne, Charlie W. Berry and Thurman Bartley.
NOES: Mr. James W. Hutto.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

a. Councilman Payne moved that City Secretary be authorized and directed to attend the Municipal Election Law Seminar to be held in Denton January 25-26 with the registration fee of $40.00 being paid by the City. Motion seconded by Councilman Berry, and carried unanimously.

b. Council reviewed the Schedule of Receipts and Disbursements for the month of December, 1978, and the January Accounts Payable. Councilman Payne moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of January. Motion seconded by Councilman Berry, and carried unanimously.

c. Council reviewed the Municipal Court Reports for the December 19 and January 2 dockets.

d. Council reviewed the first quarterly budget report for the current fiscal year as prepared by City Secretary, and the Audit Report for fiscal year ending September 30, 1978 as prepared by Howe, Fryman & Company, independent auditors.

VIII. CITY DEPOSITORY.

It was generally agreed that Staff should investigate the possibilities of entering into a contract agreement with the City depository with terms more

favorable to the City than the present arrangement.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 10:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL FEBRUARY 8, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held January 11, 1979 be waived, and that such minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Williard N. Hunter, a resident of Hickory Creek, advised Council he had filed a complaint against Patrolman Ron Aston with Chief of Police Y. G. Carr relative to the treatment of his 26 year old son. Mr. Hunter alleged Officer Aston of (1) having a minor in the patrol car with him while on duty, (2) harassment (he stated his son had been stopped by the Lake Dallas Police four times in four weeks), (3) using undue force and general lack of judicial temperament, (4) lying and general conduct unbecoming to a law enforcement officer. Chief Y. G. Carr responded to the charges by informing Council he had personally conducted an internal investigation of the matter, and found all complaints made by Mr. Hunter to be invalid.

III. ORDER ESTABLISHING PROCEDURE FOR CITY OFFICERS' ELECTION.

Councilman Hutto moved for the adoption of a resolution and order establishing procedure for the City Officers' Election to be held April 7, 1979. Motion seconded by Councilman Bartley, and carried unanimously. Such order is attached hereto and made a part of these minutes.

IV. RESOLUTION AUTHORIZING COUNTY TO DO STREET IMPROVEMENT WORK WITHIN CITY LIMITS.

Councilman Payne moved for the passage and approval of "A RESOLUTION AUTHORIZING THE DENTON COUNTY PRECINCT II COMMISSIONER TO DO ROAD, BRIDGE AND DRAINAGE WORK WITHIN THE CITY LIMITS OF THE CITY OF LAKE DALLAS, TEXAS". Motion seconded by Councilman Hutto, and carried unanimously.

V. PUBLIC RIGHT-OF-WAY DEDICATION - HARBOURTOWN VILLAS SUBDIVISION.

City Planner informed Council there is an approximate 40' easement for street right-of-way running North and South through the Harbourtown Villas Subdivision, Phase I which the developers have requested the City abandon. Councilman Berry moved that City Planner be authorized and directed to negotiate the abandonment of said street easement with the developers. Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. STREET LIGHT CONSTRUCTION.

Councilman Hutto moved that a street light be constructed on Prince Drive between Overly and Howard Drives at an approximate capital outlay expense of $312.20 to the City. Motion seconded by Councilman Bartley, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

Council reviewed the Animal Control and Police Department January Activity Reports.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

Council reviewed the Schedule of Receipts and Disbursements for the month of January, and the February Accounts Payable. Councilman Berry moved that City Secretary be authorized and directed to pay those accounts due and payable in the month of February. Motion seconded by Councilman Hutto, and carried unanimously.

Council reviewed the Municipal Court Reports for the January 16 and February 6 dockets.

IX. OLD BUSINESS.

In an effort to assist emergency operations, it was generally agreed by Council that house numbers should be given at no charge to residents of the City and that those who could not attach such numbers to their house, Street Department personnel would do so at no charge.

X. RATE INCREASE - LAKE AREA DISPOSAL SERVICE.

Mayor Vinson stated the 1978 Financial Report of Lake Area Disposal Service was not received in time for the Company's request for a rate increase to appear on the Agenda for this meeting. Mr. O. D. Beaver requested the matter be discussed inasmuch as he could not continue to endure the increased operational cost and stay in business without approval of the requested $1.00 per month rate increase for residential solid waste disposal. Councilman Hutto stated Councilmembers had only received the requested financial statement at 4:00 P.M. this date, and had not had sufficient time in which to study the figures. After much discussion of the matter, it was agreed that a Special Meeting would be held Tuesday, February 13, 1979, at 5:00 P.M., for the purpose of considering the matter further.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved

for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjouned the meeting at 10:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 8th **day of** February, 19 79, **the City Council/~~Commission~~[1] of the City of** Lake Dallas, **Texas, convened in** regular **session, open to the public, at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

Thurman Bartley, **Alderman/~~Commissioner~~[1]**

Charlie W. Berry, **Alderman/~~Commissioner~~[1]**

James W. Hutto, **Alderman[2]**

Anne Kennedy, **Alderman[2]**

J. C. Payne, **Alderman[2]**

M. Jean Chambers, **City Secretary/~~Clerk~~[1]**

and the following absent: None, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~[1] James W. Hutto **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1]** Thurman Bartley, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: James W. Hutto, Thurman Bartley, Charlie W. Berry, Anne Kennedy and J. C. Payne.

NOES: None.

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on April 7 **19** 79, **there shall be elected the following officials for this city:**

Three (Number of) **Alderman[2]**	**~~Two Commissioners~~[2]**
MAYOR[2]	
3	

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/COMMISSION[1]

OF THE CITY OF LAKE DALLAS, TEXAS:

That all independent candidates at the election to be held on April 7, 1979, for the above mentioned offices file their applications to become candidates with the Mayor of this City at _____ on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 7th day of April, 1979, as a candidate for Council of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is _____ County.

My post office address is _____.

My age is _____ years. Length of residency in State: _____ years; in above named city: _____ years or months.

I am not disqualified or ineligible to hold the above mentioned office and meet all qualifications therefor.

Please place my name on the official ballot as follows:

_____

(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____

Name of Candidate

THE STATE OF TEXAS }

COUNTY OF DENTON }

Before me, the undersigned authority, on this day personally appeared _____, who being by me here and now duly sworn upon oath states that all of the facts and information stated in the above application are true and correct.

_____

Signature of Candidate

Subscribed and sworn to before me by the said _____

this the _____ day of _____, 19____ to certify which witness my hand and seal of office.

_____

Notary Public, Denton County, Texas

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~[1] of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~[1] orders the same to be printed on the ballot for said election.

This city, having only one election precinct, said election shall be held at the following place in said city:

1. In Election Precinct No. 2 P at Fire Station Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~[1] immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 8th day of February, 1979.

_____

Mayor

ATTEST:

_____

Secretary/~~Clerk~~

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.
(4) This application is available as a separate form. Order Form 16-2396—Request to Place Name on City Officer Election Ballot.
(5) Art. 1.05 of the Election Code and Art. 987.

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 12, 1979

Mayor Vinson called the meeting to order at 5:20 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to give consideration to the request made by Lake Area Disposal Service for a monthly residential rate increase from $4.25 to $5.25.

After much discussion of the matter, Councilman Payne moved that Lake Area Disposal Service be granted a monthly rate increase of fifty cents ($.50), from $4.25 to $4.75 per month. Motion seconded by Councilman Berry, and carried unanimously.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 6:05 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL FEBRUARY 14, 1979

Mayor Vinson called the meeting to order at 5:15 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

Mayor Vinson announced the purpose of this meeting is to make Councilmembers aware that the City is presently without a system for the disposal of residential solid waste. He further stated he had received written notice that effective yesterday, February 13, Lake Area Disposal Service would no longer provide residential garbage and trash collection in Lake Dallas due to the Council's failure to approve the total amount of monthly rate increase requested. He explained temporary steps had been taken for the immediate collection of garbage, and consideration should now be given to the implementation of a permanent system. The alternatives being (1) the City owning, operating and maintaining the service, (2) granting a street use franchise to another contractor.

City Planner reported pleliminary figures are now being obtained on the cost of equipment, manpower, landfill, etc. In the event the decision was made for the City to provide the service, Mr. Mike Ashford, representing First Southwest Company, and Mr. Roy M. Poinsett, representing McCall, Parkhurst & Horton, explained procedures for the issuance of Certificates of Obligation for the purchase of garbage collection equipment.

Mr. Frank Scolaro, General Manager of H & J Disposal Service, presented a proposal for a street use franchise providing for complete disposal service to the citizens of Lake Dallas which would include one time per week curb service at a rate of $4.50 per month to be pre-billed on a quarterly basis, as well as complete commercial service.

At 6:10 P.M. Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing the matter with City Attorney as provided by Article 6252-17, Section 2 (e), Vernon's Texas Civil Statutes.

At 7:15 P.M., Council reconvened in regular session, open to the public.

Councilman Hutto moved that a Special Emergency Meeting be held Tuesday, February 20, 1979, at 5:00 P.M., for the purpose of considering the matter further. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson so called the meeting.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 7:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 20, 1979

Mayor Vinson called the meeting to order at 5:15 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: Charlie W. Berry, Councilman

Mayor Vinson announced the purpose of the meeting is to discuss and take action on a permanent solid waste system to serve the City. He further stated five minutes would be given to any interested citizen wishing to speak on the matter.

Council heard from the following persons and responded to each:
Mr. James M. Price inquired as to what days garbage would be picked up in the Kings Manor Subdivision until such time as a permanent system is implemented.

Mrs. Carolyn Green acknowledged she did not know what specific proposals would be made, but encouraged Council to insure that taxes would not be raised to fund the garbage service program should the decision be made for the City to provide the service.

Mr. Sandy Shepard made inquiries as to how the garbage collection would be billed in the event it became a municipal service provided by the City, and how citizens should proceed in obtaining a refund from Lake Area Disposal Service for that portion of fees paid and accepted by them for which a service had not been rendered.

Mrs. Aldena Stowe complemented Council on the research of the problem and their efforts to explore every possible alternative in providing better service to the citizens.

City Planner presented a preliminary budget covering first year operation of a City owned solid waste system. Such budget calling for $76,094.00 in revenues, $92,000.00 capital outlay expense, $63,700.00 maintenance expense, leaving $12,394.00 to reduce Certificate of Obligation debt. The estimated revenues were predicated on a $4.75 monthly mandatory residential rate with commercial rates varying depending upon size of container, number of containers and number of services per week.

After consideration was given several alternatives, Councilman Payne moved that the City accept the responsidility of providing a City owned and operated solid waste disposal service to its citizens. Motion seconded by Councilman Hutto, and carried unanimously.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously.

Mayor Vinson adjourned the meeting at 5:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MARCH 7, 1979

Mayor Vinson called the meeting to order at 7:50 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

Mayor Vinson stated this meeting was called for the purpose of discussing administrative policies and procedures relating to the proposed city owned and operated solid waste disposal service on which action will be requested at the regular meeting scheduledfor March 8. He explained the Agenda for the meeting is lengthy and time will not permit the detailed discussion of these matters at that time.

Council reviewed in detail each section and clause of the proposed ordinance "- - - setting standards on collection of solid waste, establishing a uniform system and mandatory participation by all residents; providing for payment of such service; providing a severability clause, penalty and an effective date".

After much discussion of the matter, it was generally agreed to by Council that a special residential rate of $4.00 per month would be granted to persons 65 years or older.

There being no further business for discussion, Councilman Berry moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 10:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 8, 1979

The meeting was called to ordered at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held February 8 and Special Meetings held February 12, 14 and 20 be waived, and that said minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilman Berry, and carried unanimously.

II. PROPOSED GOLDEN TRIANGLE CHRISTIAN ACADEMY, INC.

Dr. D. D. Sumrall requested Council approval of a proposed private school to be constructed on 56.3886 acres of land bordering I-35 Service Road on the West, Swisher Road on the North, and Shady Shores Road on the East. Dr. Sumrall stated the proposed school will be supported entirely by private funds, no state or federal monies whatsoever, and will provide all required accredited courses plus special courses. A maximum of 96 students, 48 boys and 48 girls, will be housed in non co-ed housing with 24 hour hour supervision. Students will be referral students from Judges or individuals, and admittance will be at the School's discretion. He further stated six to eight buildings will be constructed at an initial cost of approximately $5,000,000.00 with an estimated completion date of September 1, 1980. He estimated the first two years maintenance budget will be $1,500,000.00 per year. Dr. Sumrall stated the primary purpose of the non-profit corporation is the establishment and maintenance of a Christain Rehabilitation Center for both male and female juveniles between the ages of 12 and 16 years. The Center shall not only exist for the rehabilitation of the individuals, morally and physically, but shall also exist for the furtherance of the education of the individuals in a Christian academic atmosphere.

No decision was made on the matter.

III. CITIZEN'S AGENDA.

Mr. Tom Holamon complained that the alley between Duchess and Princess Courts needs cleaning and mowing again. He stated the dirt in said alleyway needs leveling so that mowing is possible in and around the electric transformer box.

IV. SOLID WASTE DISPOSAL SERVICE.

(1) Councilman Payne moved for the passage and approval of an ordinance "DIRECTING PUBLICATION OF NOTICE TO BIDDERS AND NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION" for the purpose of the City of Lake Dallas acquiring solid waste disposal equipment. Motion seconded by Councilman Berry, and carried unanimously.

(2) Councilman Payne moved for the acceptance of the Financial Advisory Agreement with the First Southwest Company calling for a fee of $3,000.00 to be paid to said Company for services rendered in the sale of a maximum of $100,000.00 in Certificates of Obligation for the acquisition of solid waste disposal equipment. Motion seconded by Councilman Berry, and carried unanimously.

(3) Councilman Bartley moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS SETTING STANDARDS ON COLLECTION OF SOLID WASTE, ESTABLISHING A UNIFORM SYSTEM AND MANDATORY PARTICIPATION BY ALL RESIDENTS; PROVIDING FOR PAYMENT OF SUCH SERVICE; PROVIDING A SEVERABILITY CLAUSE, PENALTY AND AN EFFECTIVE DATE". Motion seconded by Councilwoman Kennedy, and carried unanimously.

(4) Councilman Payne moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ESTABLISHING RATES FOR GARBAGE SERVICE BY THE CITY OF LAKE DALLAS, TEXAS FOR SERVICE TO RESIDENTIAL AND COMMERCIAL CUSTOMERS, DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy, and prevailed by the following vote:

AYES: Messrs. J. C. Payne, Thurman Bartley, Charlie W. Berry and Ms. Anne Kennedy.
NOES: Mr. James W. Hutto.

(5) Councilman Berry moved for the passage, approval and adoption of "AN ORDINANCE AMENDING ORDINANCE NO. 107 ADOPTING AND APPROVING THE BUDGET OF THE CITY OF LAKE DALLAS, TEXAS FOR THE FISCAL YEAR 1979, AND PROVIDING IN ADDITION THERETO PROPOSED REVENUES AND ALLOCATED EXPENSES FOR A SANITATION DEPARTMENT OWNED AND OPERATED AS A PUBLIC SERVICE BY THE CITY OF LAKE DALLAS, TEXAS". Motion seconded by Councilman Payne, and carried unanimously.

(6) Councilman Payne moved for the passage and approval of a "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING THE AGREEMENT FOR ADMINISTRATIVE SERVICES BY THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY". Motion seconded by Councilman Hutto, and carried unanimously.

V. ORDINANCE SETTING SPEED LIMIT ON EAST FRONTAGE ROAD OF INTERSTATE HIGHWAY 35E.

Councilman Payne moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 8 OF ARTICLE 827a, VERNON'S TEXAS PENAL CODE, UPON INTERSTATE HIGHWAY 35E OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE DALLAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED $200.00 FOR THE VIOLATION OF THIS ORDINANCE". Motion seconded by Councilman Berry, and carried unanimously.

VI. DEPARTMENTAL REPORTS.

Council reviewed the February Activity and Financial Reports as submitted by the Police and Fire Departments.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Councilwoman Kennedy moved that City Planner be authorized and directed to attend, at the expense of the City, a workshop on Solid Waste Management to be held in Dallas on April 11-12. Motion seconded by Councilman Hutto, and carried unanimously.

(2) Councilwoman Kennedy moved that 1978 tax payment of $91.07 be refunded to Southern Trust & Mortgage Company paid in error by that Company with respect to Tract 8, out of the M.E.P. & P.R.R. Survey, owned by Donald L. Hansen. Motion seconded by Councilman Bartley, and carried unanimously.

(3) Council reviewed the Schedule of Receipts and Disbursements for the Month of February, and the March Accounts Payable. Councilman Berry moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of March. Motion seconded by Councilman Hutto, and carried unanimously.

(4) Council reviewed the Municipal Court reports for the February 20 and March 6 dockets, as well as a special Building Permit Report previously requested by Councilman Payne.

VIII. OLD BUSINESS

Councilman Hutto stated upon receipt of a complaint made by Mrs. R. B. Dubberly, he personally investigated a severe drainage problem located at 321 Market Street, and requested the Street Department investigate same and make every attempt to alleviate the problem.

IX. NEW BUSINESS.

Mayor Vinson stated he had been presented with a petition, bearing 77 signatures, requesting City Council "enact a vicious animal statute which is lacking in our present city ordinances". City Planner was directed to investigate the matter and draft either an amendment to the present animal control ordinance or a new ordinance for Council's consideration.

X. EXECUTIVE SESSION.

At 10:05 P.M., Mayor Vinson announced Council will enter into Executive Session for the purpose of consulting privately with attorney for the City relative to contemplated litigation as provided by Article 6252-17, Section 2 (e), Vernon's Texas Civil Statutes.

XI. ADJOURNMENT.

Mayor Vinson opened the meeting to the public at 10:15 P.M. There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 10:20 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 30, 1979

Mayor Vinson called the meeting to order at 1:10 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
Charles T. Cryan, City Planner

ABSENT: Councilmen Charlie W. Berry and J. C. Payne.

City Planner explained the City will be in a position within the next few days to begin the collection and disposal of commercial solid waste materials. Therefore, it will be necessary that Lake Area Disposal Service be put on notice that their Franchise Agreement has been revoked due to their breach of said franchise agreement.

Councilman Hutto moved for the passage and approval of a "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING RONALD D. VANZURA, ATTORNEY FOR THE CITY, TO TAKE LEGAL ACTION TO PROTECT THE INTEREST OF THE CITY AND ITS INHABITANTS IN THE MATTER OF SOLID WASTE DISPOSAL AGAINST JAN AND ODIS BEAVER, d/b/a LAKE AREA DISPOSAL SERVICE", and that Mr. Vanzura be further authorized and directed to give written notice to the said Lake Area Disposal Service that their commercial disposal equipment be removed from the City by Friday, April 6, 1979. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Councilman Hutto moved that Police Chief Y. G. Carr be authorized and directed to bid a maximum of $1,000.00 on a 1977 Chevrolet Malibu to be sold at public auction by the Denton County Sheriff's Office on Saturday, March 31. Motion seconded by Councilman Bartley, and carried unanimously.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 1:55 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 12, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Bartley moved that the reading of the minutes of the meetings held March 7, 8 and 30, 1979 be waived, and that said minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Mayor Vinson presented a framed Certificate of Appreciation to outgoing Councilmember Charlie W. Berry for the valuable contributions made by him during the course of his just expired two year term.

II. CITY OFFICERS' ELECTION.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 7, 1979. It was determined that a total of 323 valid and legal votes were cast by 148 qualified voters for the three candidates appearing on the ballot. The tally sheets were passed around the table for councilmembers examination and review. All things appearing to be in order, Councilman Bartley moved for the passage, approval and adoption of a resolution accepting said returns, and declaring Messrs. J. C. "Jim" Payne, W. R. "Bill" Cothran and James W. Hutto duly elected to the office of Councilman of the City of Lake Dallas. Motion seconded by Councilman Payne, and carried unanimously. A copy of said resolution is attached hereto and made a part of these minutes.

City Secretary presented each of the newly elected officers with a Certificate of Election, and administered the Oath of Office. Said oaths are attached hereto and made a part of these minutes.

Councilman Hutto moved that clerks working in the election held April 7, 1979 be paid at the rate of $3.00 per hour, plus an additional $5.00 be paid to the Judge of said election. Motion seconded by Councilwoman Kennedy, and carried unanimously.

III. CITIZEN'S AGENDA.

Ms. Theresa Gladys stated the 56+ acres of land currently being discussed as the proposed site for the Golden Triangle Christian Academy, a private tax exempt corporation, is some of the most valuable property in the area, and the City should encourage its development by a tax paying corporation. Ms. Barbara

Pendergast quoted tax dollars presently being paid on developed land abutting said property, and urged Council's consideration before granting approval to a project that could make a considerable demand on city services without benefit of tax revenues. Mr. Harold Manner also stated his disapproval of the proposed private school, and urged Council to exercise its influence by disallowing approval of same.

Mr. Harold Horton requested exemption of his Mother's home from the mandatory garbage collection payment. He explained his Mother, Mrs. Lee Boyd, has been confined to a nursing home for the past three years, and no one resides in her home. Mr. Horton stated he has not had the utilities disconnected inasmuch as it brings his Mother pleasure to visit her home for short periods of time on an occasional Sunday afternoon. Council agreed the only way this could be effected and stay in compliance with the ordinance was for Mr. Horton to have the water service disconnected.

IV. SANITATION DEPARTMENT BUSINESS.

Councilman Payne moved for the passage, approval and adoption of Ordinance No. 117 authorizing the issuance of Certificates of Obligation; awarding bids on Solid Waste Disposal Equipment; and authorizing the sale of said Certificates of Obligation to the Lewisville National Bank, Lewisville, Texas. Motion seconded by Councilman Hutto, and carried unanimously.

City Planner informed Council of the general status of the present garbage collection service as well as route changes.

V. POLICE DEPARTMENT BUSINESS.

Councilman Payne moved that the City enter into an agreement with Racal-Milgo for maintenance service of the ICC 40+MPL System for a period of one year at a cost of $105.00 per month. Motion seconded by Councilwoman Kennedy, and carried unanimously.

The proposed ordinance amending Ordinance Nos. 5 and 67 providing for the control of domestic and wild animals was postponed for further study and review.

Council reviewed the March Activity Reports.

VI. STREET DEPARTMENT BUSINESS.

Councilman Bartley moved that a street light be constructed on Denton Avenue and at the North end of Adolphus Street. Motion seconded by Councilman Hutto, and carried unanimously.

VII. FIRE DEPARTMENT BUSINESS.

Council reviewed the March Financial Report as submitted by the Lake Cities Volunteer Fire Department.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

Councilman Bartley moved that City Secretary be authorized and directed to attend a seminar on "Leadership, Motivation and Management" to be held in Denton April 19-20, and that the registration fee of $40.00 be paid by the City. Motion seconded by Councilman Payne, and carried unanimously.

Council reviewed the Schedule of Receipts and Disbursements for the month of March, and the April Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those accounts due and payable during the month of April. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Council reviewed the Six Month Budget Report and the Municipal Court Reports for the March 30 and April 3 dockets.

OLD BUSINESS.

Councilwoman Kennedy moved that bids be taken on the Public Official Insurance coverage. Motion seconded by Councilman Cothran, and carried unanimously.

ADJOURNMENT.

There being no further business for consideration, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 10:05 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 12th **day of** April, **19** 79, **the City Council/~~Commission~~**

of the City of Lake Dallas, **Texas, convened in** regular **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

James W. Hutto, **Alderman/~~Commissioner~~**[1]

Thurman Bartley, **Alderman/~~Commissioner~~**[1]

W. R. Cothran, **Alderman**[2]

Anne Kennedy, **Alderman**[2]

J. C. Payne, **Alderman**[2]

M. Jean Chambers, **City Secretary/~~Clerk~~**[1]

and the following absent: None, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~[1] Thurman Bartley **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~**[1] J. C. Payne, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: Thurman Bartley, J. C. Payne, James W. Hutto, W. R. Cothran and Anne Kennedy, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 7th day of April, 19 79, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 323 valid and legal votes; that each of the candidates in said election received the following votes:

FOR ~~MAYOR~~[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR ALDERMAN/~~COMMISSIONER~~[1] **and** [2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
J. C. "JIM" PAYNE	103
W. R. "BILL" COTHRAN	103
JAMES W. HUTTO	117

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/~~COMMISSION~~ OF THE CITY OF LAKE DALLAS, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that J. C. "Jim" Payne, ~~was duly elected Mayor of said City at said election~~ and W. R. "Bill" Cothran and James W. Hutto were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, and that _____ ~~was duly elected~~, [2] and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 12th day of April, 19 79.

ATTEST:

Secretary/~~Clerk~~[1]

Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, W. R. "BILL" COTHRAN

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman for the City of Lake Dallas

County of Denton *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / to secure my appointment or the confirmation thereof.}*

So help me God.

Signed W. R. Cothran

Sworn to and subscribed before me, this the 12th

day of April *19*79

Jean Chambers

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

W.R. "BILL" COTHRAN

(Name)

For

COUNCILMAN

(Office)

Dated April 12, **19**79

at Lake Dallas, **Texas**

Hart Graphics, Austin

HART HART HART HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, J. C. "JIM" PAYNE,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman for the City of Lake Dallas

County of Denton *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / ~~to secure my appointment or the confirmation thereof.~~}*

So help me God.

Signed J. C. Jim Payne

Sworn to and subscribed before me, this 12th

day of April *19* 79

M. Ellen Saunders

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

J.C. "JIM" PAYNE

(Name)

For

COUNCILMAN

(Office)

Dated April 12, **19** 79

at Lake Dallas, **Texas**

Hart Graphics, Austin

HART

16-2576—OATH OF OFFICE—Class 2. (Constitution of Texas—Revised 11-63) © Hart Graphics, Austin, Texas

OATH OF OFFICE

I, JAMES W. HUTTO,

do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilman for the City of Lake Dallas

County of Denton *of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward* {for the giving or withholding a vote at the election at which I was elected. / to secure my appointment or the confirmation thereof.}*

So help me God.

Signed James W Hutto

Sworn to and subscribed before me, this the 12th

day of April *19*79

M Jean Saunders

NOTARY PUBLIC IN AND FOR DENTON COUNTY, TEXAS

*Strike out phrase that does not apply

HART

16-2576

OATH OF OFFICE

(Constitutional Oath)

By

JAMES W. HUTTO

(Name)

For

COUNCILMAN

(Office)

Dated April 12, **19**79

at Lake Dallas, **Texas**

Hart Graphics, Austin

HART HART HART HART

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MAY 10, 1979

Mayor Vinson called the meeting to order at 7:35 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held April 12, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. EMPLOYEE GROUP HOSPITAL-LIFE INSURANCE PLAN.

Mr. Bill R. Bell, representing The Guardian Life Insurance Company of America, explained in great detail a proposed plan for employee group life and hospital insurance coverage. Councilman Hutto moved that bids be taken on the employee group insurance coverage. Motion seconded by Councilman Payne, and carried unanimously.

III. APPOINTMENT OF CIVIL DEFENSE COMMITTEE.

Mr. John Maxwell, Director of Denton City/County Civil Defense Office, explained the communication network of his office, as well as specific procedures established in the case of a national disaster. He further pledged his support and cooperation in working with a local committee in Lake Dallas.

It was agreed that Councilman Bill Cothran, City Planner Charles Cryan, Police Chief Y. G. Carr, Fire Chief Charlie Berry and Lake Cities Sun Publisher Bette Dunn be appointed to serve as the City of Lake Dallas Civil Defense Committee. The initial responsibilities of the committee will be:

(1) Investigate alternatives and establish emergency procedures.
(2) Work closely with the Denton City/County Civil Defense Office to coordinate efforts.
(3) Inform the public of procedures to be implemented in the event of a disaster.

IV. ORDINANCE CALLING FOR THE CITY COUNCIL MEMBERS TO SIT AS THE BOARD OF ADJUSTMENT.

Councilman Payne moved for the passage and approval of Ordinance No. 118, "- - AMENDING ORDINANCE NO. 25, SECTION 24; ESTABLISHING A BOARD OF ADJUSTMENT FOR THE CITY OF LAKE DALLAS, PROVIDING FOR ITS MEMBERSHIP, ORGANIZATION, AND DUTIES". Motion seconded by Councilman Hutto, and carried unanimously.

V. ORDINANCE AMENDING PRESENT ANIMAL CONTROL ORDINANCE.

This matter was postponed until the next regular meeting.

VI. APPROVAL OF ORDINANCE NO. 119 - ATTEMPT TO POSSESS MARIJUANA.

Councilman Cothran moved for the passage and approval of "AN ORDINANCE MAKING THE ATTEMPT TO POSSESS A USABLE QUANTITY OF MARIJUANA OF THE WEIGHT OF TWO (2) OUNCES OR LESS OR A SUBSTANCE LISTED IN PENALTY GROUP (4) OF THE TEXAS CONTROLLED SUBSTANCE ACT A MISDEMEANOR, DECLARING THE EFFECTING OF THE COMMISSION OF THE OFFENSE IS NOT A DEFENSE, PROVIDING A SEVERABILITY CLAUSE, A PENALTY, AND DECLARING AN EMERGENCY". Motion seconded by Councilman Payne, and carried unanimously.

VII. RESOLUTION AUTHORIZING CITY TO APPLY TO THE U.S. CORPS OF ENGINEERS FOR RIGHT-OF-WAY FOR EMERGENCY TURNAROUNDS.

Councilman Payne moved for the passage and approval of a "RESOLUTION AUTHORIZING THE CITY OF LAKE DALLAS, TEXAS TO APPLY TO THE U. S. CORPS OF ENGINEERS FOR RIGHT-OF-WAY FOR EMERGENCY TURNAROUNDS". Motion seconded by Councilman Hutto, and carried unanimously.

VIII. RESOLUTION APPROVING AGREEMENT FOR ADMINISTRATIVE SERVICES WITH LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

Councilman Hutto moved for the passage and approval of a resolution authorizing and directing the Mayor to sign a contract with Lake Cities Municipal Utility Authority for the billing of the City's solid waste disposal service at the rate of $275.00 per month for a period of one year beginning May 1, 1979. Motion seconded by Councilman Payne, and carried unanimously.

IX. RESOLUTION APPROVING AGREEMENT TO PROVIDE DISPATCH SERVICE FOR LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

Councilman Hutto moved for the passage and approval of a resolution authorizing and directing the Mayor to sign a contract agreeing to the City providing emergency dispatch service for Lake Cities Municipal Utility Authority from 4:30 P.M. to 8:00 A.M. weekdays, all weekends and holidays. Motion seconded by Councilman Payne, and carried unanimously.

X. PLANNING AND ZONING COMMISSION BUSINESS.

Councilman Payne moved for approval of replat of Kingswood Mobile Home Community showing a revision of Lot Nos. 30 through 39. Motion seconded by Councilman Cothran, and carried unanimously.

Discussion regarding new appointments to the Planning and Zoning Commission was postponed until the next regular meeting.

XI. DEPARTMENTAL REPORTS.

Council reviewed the April Activity and Financial Reports as submitted by the Police and Fire Departments.

XII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) It was generally agreed Budget Retreat would be set for June 8-10, the place to be announced at a later date.

(2) Council reviewed the Schedule of Receipts and Disbursements for the

month of April, and the May Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those accounts due and payable during the month of May, 1979. Motion seconded by Councilwoman Kennedy, and carried unanimously.

(3) Council reviewed the Municipal Court Reports for the April 17 and May 1 dockets.

(4) Mayor Vinson presented City Planner Charles Cryan with a framed Certificate of Appreciation for his contribution in setting up and implementing the solid waste disposal program.

XIII. JOHN PEEL DAY.

It was agreed by all Councilmembers that May 29, 1979 be proclaimed "John Peel Day" in Lake Dallas in recognition of the many contributions made by him to the community. It was further agreed that the Mayor present him with a plaque on this day indicating the City's appreciation.

XIV. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Payne and carried unanimously. Mayor Vinson adjourned the meeting at 11:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JUNE 14, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: Councilman James W. Hutto

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held May 10, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Gaye Bridges, representing the Lake Cities Library, requested the City budget some monies to the Library for fiscal year 1979-80 and subsequent years. She stated such funds will be used the first year for the purchase of an electric typewriter, step stool, book drop, building maintenance as well as magazine subscriptions and books. Mrs. Bridges also stated Denton County has granted the Library $500.00, Denton Benefit League granted $400.00, and requests are presently being made to the cities of Lake Dallas, Corinth, Hickory Creek and Shady Shores for some funding each year.

Mr. Larry Kingston, Commissioner of the Lake Cities Soccer Association, presented Mayor Vinson with a plaque indicating the Association's appreciation for his efforts and assistance in obtaining land for soccer fields, funds, materials and manpower for maintaining the fields.

Ms. Carolyn Green stated she was concerned over the lack of attendance by citizens at the City Council meetings. She further stated she had been asked the following questions by various citizens:

1. What has happened to the funds budgeted for street improvements? Why have adequate street improvements not been made?
2. Why does the Sanitation Department not provide twice per week garbage pick up?

III. ORDINANCE AMENDING ANIMAL CONTROL ORDINANCE.

Consideration of the proposed Animal Control Ordinance was again postponed pending receipt of same from the City Attorney's office.

IV. ORDINANCE NO. 120.

Councilman Bartley moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE ORIGINAL PLAT AND SUBDIVISION ORDINANCE, ORDINANCE NUMBER 26, SECTION 8, BY PROVIDING NEW FILING AND INSPECTION FEES, AND DECLARING AN EMERGENCY". Motion seconded by Councilman Payne, and carried unanimously.

V. ORDINANCE NO. 121.

Councilman Payne moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, ESTABLISHING FEES FOR THE IMPOUNDING OF VEHICLES, FOR STORAGE OF IMPOUNDED VEHICLES MORE THAN FIFTEEN DAYS, DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. RESOLUTION AUTHORIZING RICHARD S. PODGORSKI TO ACT AS ATTORNEY FOR THE CITY.

This matter was postponed pending further negotiations of an hourly rate of pay in the event of litigation.

VII. APPOINTMENTS TO PLANNING & ZONING COMMISSION.

Councilman Payne moved that Mr. Jack Ezzell and Ms. Sue Rucker be appointed to serve another full two year term on the Planning and Zoning Commmission, and that Mr. Jim Duncan be appointed to serve out Mr. Howard Davis' unexpired term. Motion seconded by Councilman Cothran, and carried unanimously.

VIII. DEPARTMENTAL REPORTS.

Council reviewed the May Activity and/or Financial Reports as submitted by the Police and Fire Departments.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

Council reviewed the Schedule of Receipts and Disbursements for the month of May, and the June Accounts Payable. Councilman Payne moved that City Secretary be authorized to pay those accounts due and payable within the month of June. Motion seconded by Councilman Bartley, and carried unanimously.

Council reviewed the Municipal Court Reports for the May 15 and June 5 dockets.

X. OLD BUSINESS.

Councilwoman Kennedy stated the house located at the corner of Market and Texas Streets, directly across the street from the Elementary School, is not only unsightly but a hazard and an enticement to children. City Planner was instructed to make an effort to see that something is done about it before the start of school.

City Planner explained the need for a 2,000 gallon gasoline tank for the underground storage of diesel fuel for use by the Sanitation Department. After discussion of the matter, Councilman Payne moved that the purchase of a 2,000 gallon tank be authorized at an approximate cost of $850.00. Motion seconded by Councilman Cothran, and carried unanimously.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved that the meeting be adjourned. Motion seconded by Councilman Cothran, and carried unanimously.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 11, 1979

Mayor Vinson called the meeting to order at 5:20 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

Mayor Vinson stated the purpose of the meeting is to discuss with Fire Department representative, Chief Charlie Berry, the 1979-80 proposed budget as prepared by the Lake Cities Volunteer Fire Department, and the City of Lake Dallas' fair share of said budget.

Mr. Berry presented the Fire Department's budget for the fiscal year beginning October 1, 1979. Said budget totaled $58,466.00, with the Fire Department assessing $26,654.65 of same as the City of Lake Dallas' fair share. Each of the four cities were assessed a share of the budget based on number of electrical drops as recorded by Texas Power & Light Company and Denton County Electric Cooperative.

City Planner suggested a fair share formula which not only took into consideration population, but area and property value as well.

Each item of the budget was considered and discussed in great detail, but no motions were made.

Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjourned the meeting at 9:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 12, 1977

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held June 14, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Bartley, and carried unanimously.

II. CITIZEN'S AGENDA.

(1) Mrs. Karen Green complained about the drainage problem on the East side of Shady Shores Road, South of Overly Drive, at the Kings Manor Subdivision. She requested a ditch be cut on the East side, equal to the drainage ditch on the West side of Shady Shores Road, in order that more water may be drained away, and that a culvert be installed under Overly Drive at its intersection with Shady Shores Road. Mrs. Green stated this would alleviate water standing in the back yards of those homes on Queen Court. Much discussion by the Council followed, and Mayor Vinson stated the matter would be taken under advisement.

(2) The Reverend Mr. Eddie Hallock, representing Mrs. Henson at 5203 Prince Drive, stated water stands constantly in Mrs. Henson's yard, and requested that this drainage problem also be corrected. He suggested it might be well for the City to retain an engineering firm to do a drainage study on the entire City and make a proposal for the correction of the major problems.

III. RESOLUTION AUTHORIZING RICHARD S. PODGORSKI TO ACT AS ATTORNEY FOR THE CITY.

Councilwoman Kennedy moved for the passage and approval of a resolution authorizing Richard S. Podgorski to act as Attorney for the City of Lake Dallas and to be paid a monthly retainer of $400.00. Motion seconded by Councilman Cothran, and carried unanimously.

IV. RESOLUTION POSTPONING THE VALUATION OF LAND BASED ON ITS PRODUCTIVE CAPACITY UNTIL THE 1980 TAX YEAR.

Councilman Hutto moved for the passage and approval of a resolution "- - POSTPONING THE VALUATION OF LAND BASED ON ITS PRODUCTIVE CAPACITY UNTIL THE 1980 TAX YEAR PURSUANT TO HOUSE BILL 1060, ARTICLE 13, 66TH LEGISLATURE, REGULAR SESSION, 1979". Motion seconded by Councilman Payne, and carried unanimously.

V. ANIMAL CONTROL ORDINANCE.

Councilman Payne moved for the postponement of the proposed Animal Control Ordinance, superceding Ordinance Nos. 5 and 67, pending additional information from the City Attorney's office. Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. ORDINANCE NO. 122 - PROHIBITING INTOXICATED PERSONS IN PUBLIC PLACES, ETC.

Councilman Payne moved for the passage and approval of Ordinance No. 122, entitled "AN ORDINANCE PROHIBITING INTOXICATED PERSONS IN PUBLIC PLACES; RELEASE OF INDIVIDUAL FROM CUSTODY BY PEACE OFFICER OR MAGISTRATE; DEFENSE TO PROSECUTION FOR PUBLIC INTOXICATION; DEFINITION OF PUBLIC PLACE; PROVIDING A PENALTY THEREFOR AND PROVIDING THAT ANY PERSON VIOLATING ANY PROVISIONS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND FINED UPON CONVICTION, NOT EXCEEDING TWO HUNDRED ($200.00) DOLLARS; AND DECLARING AN EMERGENCY". Motion seconded by Councilman Hutto, and carried unanimously.

VII. BIDS ON GROUP HOSPITAL-LIFE INSURANCE PROGRAM FOR EMPLOYEES.

Bids were reviewed on the Employee Group Life and Hospital Insurance program. Councilwoman Kennedy moved for the acceptance of the bid submitted by Guardian Life Insurance Company of America on thirteen (13) current employees with a monthly hospital premium of $309.14 and life insurance premium of $57.70, for a total monthly premium of $366.94, plus a Medicare Supplement to be provided at a reduced premium for any employee over age 65, such coverage to be effective August 1, 1979. Motion seconded by Councilman Cothran, and carried unanimously.

VIII. PUBLIC OFFICIALS AND EMPLOYEES LIABILITY INSURANCE COVERAGE.

Councilman Payne moved for a postponement of the matter of the Public Officials and Employees Liability Insurance coverage pending more specific information. Motion seconded by Councilwoman Kennedy.

IX. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports as submitted by the Police, Fire, Street and Sanitation Departments.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Councilman Cothran stated he felt the monthly salary of $75.00 presently paid to the Mayor was not adequate to reimburse him for the expenses he incurred on a regular basis as a result of his position in representing the City in various capacities. Mayor Vinson excused himself from the meeting stating he did not wish to be present when the Mayor's salary was being discussed. City Secretary explained Ordinance No. 22, passed in 1966, called for the Mayor to receive $150.00 per month in compensation, but Mayor Vinson has instructed her to pay him only $75.00 per month, the additional $75.00 being retained in the City Treasury. Councilman Cothran moved that the Mayor be paid $150.00 per month in accordance with Ordinance No. 22. Motion seconded by Councilman Payne, and carried unanimously.

(2) Council reviewed the Schedule of Receipts and Disbursements for the month of June, and the July Accounts Payable. Councilman Payne moved that City Secretary be authorized to pay those accounts due and payable during the month of July. Motion seconded by Councilman Bartley, and carried unanimously.

(3) Council reviewed the Municipal Court Reports for the June 19 and July 3 dockets, and the Budget Report for nine months ending June 30, 1979.

XI. NEW BUSINESS.

Council discussed a proposed ordinance providing for local adoption of the odd-even gasoline allocation system which would permit the Police Department to issue citations for violation of same. It was generally agreed that adoption of such an ordinance was not necessary at this time inasmuch as violations of the program were no problem.

X. OLD BUSINESS.

(1) It was agreed the general appearance of Main Street is unslightly. City Planner was instructed to investigate ways and means of getting property owners to remove junk and debris from the area.

(2) The Police Department was instructed to enforce the Junked Vehicle Ordinance to the letter of the law.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 10:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 9, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

ABSENT: Charles T. Cryan, City Planner

I. APPROVAL OF MINUTES.

Councilman Bartley moved that the reading of the minutes of the Special Meeting held July 11 and the Regular Meeting held July 12 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

1. Mr. John Powers, who resides on Lakeview Drive, stated Mr. Harold Como has damned up a natural creek which runs behind his property causing water to back up on Texas Street at the school complex, deteriorating the street surface and forcing children to wade water. He further stated grass and weeds are approximately six feet high on part of Mr. Como's property, and requested the City take action to alleviate these problems. Mayor Vinson stated these complaints would be investigated by staff members, and appropriate action taken.

2. Mr. Bill Early, a resident of Kingswood Mobile Home Subdivision, made inquiries as to whether or not the streets in his subdivision were dedicated; whether or not City Police had jurisdiction; and whether or not City ordinances applied within the subdivision. Mayor Vinson informed him the streets were dedicated and all City ordinances prevailed within the subdivision..

3. Mayor Vinson presented Mr. Elmer Crawford, Supertintendent of the Street Department, a framed Certificate of Appreciation for his six years of dedicated service to the City. Ms. Bette Dunn, Editor and Publisher of the Lake Cities Sun, was also presented a framed Certificate of Appreciation for her coverage of city events in the news media.

III. ORDINANCE NO. 123 - ANIMAL CONTROL

Councilman Payne moved for the passage and approval of an ordinance entitled "AN ORDINANCE SUPERCEDING ORDINANCE NOS. 5 and 67 AND ANY OTHER ORDINANCE DEALING WITH ANIMALS AND THE SUBJECT MATTER CONTAINED IN THIS ORDINANCE; DEFINITIONS; REQUIRING THAT ALL ANIMALS OF THE CAT FAMILY OR THE CANINE FAMILY MORE THAN THREE MONTHS OLD BE VACCINATED AGAINST RABIES; PROHIBITING THE RUNNING AT LARGE OF ANIMALS WITHIN THE CITY LIMITS OF LAKE DALLAS, TEXAS; PROVIDING THAT ALL IMPOUNDED ANIMALS SHALL BE REDEEMED WITHIN THREE DAYS AFTER CAPTURE AND IMPOUNDMENT AND FOR THE DISPOSITION THEREOF; REQUIRING THAT ANIMALS REDEEMED FROM THE ANIMAL CONTROL CENTER MUST IMMEDIATELY BE VACCINATED; PROVIDING FOR THE QUARANTINE OF RABID ANIMALS OR ANIMALS WHICH HAVE BITTEN PERSONS; REQUIRING THE REPORTING OF RABID ANIMALS; PROHIBITING BARKING DOGS AND OTHER ANIMAL SOUNDS CONSTITUTING A NUISANCE AND PROVIDING A PENALTY THEREFOR; PROVIDING THAT ANY PERSON VIOLATING

ANY PROVISIONS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND FINED UPON CONVICTION, NOT EXCEEDING TWO HUNDRED ($200.00) DOLLARS; PROVIDING FOR EXOTIC ANIMALS; PROVIDING FOR ABANDONED ANIMALS; PROVIDING FOR MISTREATMENT OF ANIMALS; PROVIDING A SAVING CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

IV. "Over 65" HOMESTEAD EXEMPTION.

Councilman Hutto moved that the "Over 65" Homestead Tax Exemption for 1979 be set at $10,000.00. Motion seconded by Councilman Payne, and carried unanimously.

V. PUBLIC OFFICIALS & EMPLOYEES LIABILITY INSURANCE.

Councilman Bartley moved for the acceptance of the bid made on June 7, 1979 by Lake Cities Insurance Agency, in the amount of $1,396.78, to provide liability insurance coverage for a period of one year to the Mayor, Councilmembers and certain specified staff members. Motion seconded by Councilman Cothran, and carried unanimously.

VI. PURCHASE OF NEW POLICE PATROL CAR.

Councilman Payne moved for authorization and approval to purchase a 1979 Plymouth Volaré, four door, Serial No. HL41-D9B-190546, from Chester Morris Chrysler-Plymouth, in the amount of $5,499.00, plue appropriate accessories for use by the Police Department. Motion seconded by Councilwoman Kennedy, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

Council reviewed Activity and/or Financial Reports as submitted by the Police and Fire Departments for the month of July.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

Council reviewed the Schedule of Receipts and Disbursements for the month of July, 1979, and the August Accounts Payable. Councilman Hutto moved that City Secretary be authorized to pay those accounts becoming due and payable within the month of August. Motion seconded by Councilman Bartley, and carried unanimously.

Council reviewed the Municipal Court Reports for the July 17 and August 7 dockets.

IX. NEW BUSINESS - COMMUNITY RABIES CLINIC.

Ms. Bette Dunn stated, in response to the number of rabid animals discovered in Denton County, a Community Rabies Clinic will be held by Dr. R. W. Crownover at the Fire Station on August 25. In an effort to encourage all citizens to vaccinate their animals, a charge will be made only to cover the cost of the vaccine. Therefore, each of the four cities of Lake Dallas, Hickory Creek, Shady Shores are asked to contribute $50.00 to help cover the additional cost of conducting the clinic. Councilman Hutto moved that $50.00 be pledged to help defray the expenses of the Community Rabies Clinic. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Council discussed some of the complaints received relative to the Consolidated Tax Office. Mayor Vinson stated he would meet with Superintendent of Schools Bob Jameson to discuss same, and report back to Council.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL SEPTEMBER 13, 1979

7:00 P.M. PUBLIC HEARING on petition for Special Use Permit made by Lake Cities Municipal Utility Authority to construct a maintenance building and gas pump on Lot #28, Block K, Oak Lakes Subdivision. Mr. J. B. Briggs, Manager of LCMUA, presented his request and stated he would be pleased to answer any questions anyone might have regarding same. No objections were presented.

PUBLIC HEARING on the proposed Budget for 1979-80 Fiscal Year, including proposed use of Revenue Sharing Funds. No objections or suggestions for proposed uses were made by any citizen present.

There being no further business for discussion, Councilman Payne moved for an adjournment of the Public Hearings. Motion seconded by Councilman Bartley, and carried unanimously. Mayor Vinson adjourned the Hearings at 7:30 P.M.

Mayor Vinson called the Regular Meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held August 9, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Mike Murphy, Manager of Texas Power & Light Company, stated he wished to inform Council and interested citizens that T P & L will soon be converting voltage of their distribution lines to 24 KV. He said this is a needed improvement that will permit their facilities to take care of the added growth of the community.

One citizen complained about the odor and flies around the commercial garbage dumpsters.

III. SPECIAL USE PERMIT - LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

Councilman Hutto moved for the passage and approval of a Resolution providing a Special Use Permit to the Lake Cities Municipal Utility Authority to construct a utility shop as well as a fenced equipment and supply storage area. Motion seconded by Councilman Payne, and carried unanimously.

IV. ABANDONMENT OF GRAND AVENUE.

Councilman Bartley moved for the passage and approval of a Resolution authorizing the abandonment of Grand Avenue beginning at the East intersection of Lakeview Drive East 250 feet to the West intersection of Crest Drive, and providing for the separate title of ownership by Quit Claim Deed to the right of way to be divided equally to abutting property owners in relation to front lot footage. Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. AUTHORIZATION TO DO SPECIFIC STREET IMPROVEMENT WORK WITHIN THE CITY.

Councilman Payne moved for the passage and approval of a Resolution authorizing County Commissioner Precinct No. 2 to do specific street improvement work to Main, Surf, Corral, Cove, Starfish, Dolphin, Driftwood, Skelton, Thompson, Lakeland, Glen Rhea, Summers and Carlisle Streets. Motion seconded by Councilman Cothran, and carried unanimously.

VI. LONE STAR GAS COMPANY - REQUEST FOR GATE RATE INCREASE.

Council discussed the 15% gate rate increase applied for by Lone Star Gas Company to the Texas Railroad Commission, and the study of same, sponsored by the Texas Municipal League in behalf of small cities, at a cost of 3¢ per capita ($73.50 for the City of Lake Dallas). Councilman Hutto moved for the approval of the City's participation in the study, and to authorize the consultants and attorneys for same to act on behalf of the City of Lake Dallas to obtain all information necessary and pertinent to Lone Star's gate rate proposal and to conduct investigations, present evidence, advise and represent the City with respect to Docket No. 2087 pending before the Railroad Commission. Motion seconded by Councilman Cothran, and carried unanimously.

VII. COUNTYWIDE TAX APPRAISAL DISTRICT.

S.B. 621, which provides in part that each Appraisal District shall be governed by a five (5) member Board of Directors unless the number of directors is changed by 3/4 of voting jurisdictions, was discussed. It was the general consensus that adequate time was not now available to lobby for any change in the number of directors by the initial implementation date.

VIII. APPROVAL OF BUDGET FOR FISCAL YEAR 1980.

After much discussion of the proposed budget, Councilwoman Kennedy moved for the passage and approval of a budget totaling $390,186.00 for fiscal year 1980, with $89,689.00 being allocated to the Administrative Department, $142,232.00 being allocated to the Police Department, $66,004.00 being allocated to the Street Department, $67,161.00 being allocated to the Sanitation Department and $25,100.00 being allocated to the Fire Department. Motion seconded by Councilman Bartley, and prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. Thurman Bartley and Bill Cothran.
NOES: Messrs. James W. Hutto and J. C. Payne.

IX. APPROVAL OF ORDINANCE NO. 124 LEVYING TAXES FOR THE 1980 FISCAL YEAR.

Councilman Payne moved for the passage and approval of Ordinance No. 124 levying taxes for the 1980 Fiscal Year at the rate of Seventy Cents ($.70) on each $100.00 valuation of taxable property within the City of Lake Dallas. Motion seconded by Councilman Bartley, and prevailed by the following vote:

AYES: Messrs. J. C. Payne, Thurman Bartley, Bill Cothran and Ms. Anne Kennedy.
NOES: Mr. James W. Hutto.

X. DEPARTMENTAL REPORTS.

Council reviewed the August Activity and/or Financial Reports as submitted by the Police and Fire Departments.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Councilman Hutto moved for approval of the Municipal Court Clerk attending the Legal Education Institute to be held in Denton September 20-21. Motion seconded by Councilman Payne, and carried unanimously.

(2) Councilman Payne moved for approval of the Alternate Judge attending a seminar on Municipal Court Procedure to be held in Denton October 3-5. Motion seconded by Councilman Hutto, and carried unanimously.

(3) Council reviewed the Schedule of Receipts and Disbursements for the month of August, and the September Accounts Payable. Councilman Payne moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of September, as well as payment in full to the Lake Cities State Bank on the 1976 Chevrolet Flat Bed Truck. Motion seconded by Councilman Cothran, and carried unanimously.

(4) Council reviewed the Municipal Court Reports for the August 21 and September 4 dockets.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 10:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 11, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Bill Cothran, Councilman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: Ms. Anne Kennedy, Councilwoman

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held September 13 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

No persons appeared.

III. RESOLUTION APPROVING ABANDONMENT OF WALL STREET.

Councilman Cothran moved for the passage and approval of a resolution authorizing the abandonment of Wall Street and the public right of way therein from its East intersection with Crest Drive to its Northwestern intersection with Lake Drive. Motion seconded by Councilman Bartley, and carried unanimously.

IV. NOMINATIONS FOR ELECTION TO THE BOARD OF DIRECTORS OF THE DENTON COUNTY APPRAISAL DISTRICT.

Councilman Payne moved for the nomination of Ms. Aldena Stowe for election to the Board of Directors of the Denton County Tax Appraisal District. Motion seconded by Councilman Hutto, and carried unanimously.

V. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports as submitted by the Police and Fire Departments for the month of September.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Council reviewed the Schedule of Receipts and Disbursements for the month of September, and the October Accounts Payable. Councilman Payne moved that City Secretary be authorized to pay those accounts due and payable within the month of October, 1979. Motion seconded by Councilman Bartley, and carried unanimously.

2. Council reviewed the Budget Report for fiscal year ending September 30, 1979. City Secretary stated funds allocated for capitalization and bond retirement in the Sanitation Department were still in the Operating Account and had not been transferred to a Specail Account before the close of the fiscal year. It was unanimously agreed by Council that City Secretary

should transfer as much as possible, or a minimum of $15,000, from the Operating Account into Money Market Certificates with the Lewisville National Bank for a period of six months. It was decided to place the funds in Money Market Certificates due to the favorable interest rate exceeding 12% at the Lewisville National Bank because they had purchased all of the City's Certificates of Obligation sold in March of this year to purchase sanitation equipment.

3. Council reviewed the Municipal Court Reports for the September 18 and October 2 dockets.

VII. EXECUTIVE SESSION.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing the re-evaluation and duties of certain personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. Council entered into Executive Session at 8:50 P.M.

VIII. ADJOURNMENT.

Mayor Vinson opened the meeting to the public at 9:05 P.M. There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. The meeting was adjourned at 9:10 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 8, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held October 11, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. LONE STAR GAS COMPANY - REQUEST FOR INCREASE IN SERVICE CHARGES, ETC.

Councilman Payne moved for the passage and approval of Ordinance No. 125 entitled "AN ORDINANCE FIXING AND DETERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF NATURAL GAS TO RESIDENTIAL AND COMMERCIAL CONSUMERS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED, AND AMENDED; AND PROVIDING FOR A SCHEDULE OF SERVICE CHARGES". Motion seconded by Councilman Cothran, and carried unanimously.

IV. CHANGE IN ZONING CLASSIFICATION.

City Planner stated the request made by Mr. and Mrs. Lee Hughes, 110 Denton Street, for a change in zoning classification from the R-1-6000 District to the R-1-4000 District to allow for the placement of a mobile home on Lot Nos. 9-12, Block 4, Lake Dallas Sites, had been unanimously denied by the Planning and Zoning Commission. Councilman Payne moved that such request be further denied. Motion seconded by Councilman Bartley, and carried unanimously.

V. RESOLUTION APPROVING ABANDONMENT OF CREST DRIVE.

Councilman Bartley moved for the passage and approval of a resolution approving the conditional abandonment of that portion of Crest Drive and the public right-of-way therein described as beginning at the West property line of Lot 17, Block 8, Lake Dallas Shores Camp, and running East 375 feet to the East lot line of Lot 31, Block 8, Lake Dallas Shores Camp and including the North one-half (12½ feet) of the said right-of-way, and beginning at the West lot line of Lot 1, Block 11, Lake Dallas Shores Camp running East 310 feet to a line intersecting the Easternmost point of Lot 12,

Block 11, Lake Dallas Shores Camp and including the South one-half (12½ feet) of the said right of way. Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. RESOLUTION GRANTING POLICE EMERGENCY SERVICE TO THE TOWN OF HICKORY CREEK, TEXAS.

Councilwoman Kennedy moved for the passage and approval of a resolution granting police emergency service on a temporary basis to the Town of Hickory Creek. Motion seconded by Councilman Cothran, and prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. Bill Cothran, Thurman Bartley and J. C. Payne.
NOES: Mr. James W. Hutto

VII. APPROVAL OF ORDINANCE NO. 126 - UPDATED SERVICE CREDITS IN TMRS.

Councilman Payne moved for the passage and approval of "AN ORDINANCE DETERMINING TO GRANT, PROVIDING FOR AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDIT" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM IN THE EMPLOYMENT OF THE CITY OF LAKE DALLAS, TEXAS; ELECTING AND PRESCRIBING THE EFFECTIVE DATE OF SUCH UPDATED SERVICE CREDITS; AUTHORIZING AND PROVIDING FOR ALLOWANCE OF INCREASES, AS HEREIN PROVIDED, IN MONTHLY BENEFITS PAYABLE BY TEXAS MUNICIPAL RETIREMENT SYSTEM, AFTER THE EFFECTIVE DATE HEREIN SPECIFIED, TO RETIRED EMPLOYEES AND TO BENEFICIARIES OF DECEASED EMPLOYEES, UNDER CURRENT SERVICE ANNUITIES ARISING FROM SERVICE OF SUCH EMPLOYEES TO THIS CITY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

VIII. VOTE FOR CANDIDATE TO BOARD OF DIRECTORS OF DENTON COUNTY TAX APPRAISAL DISTRICT.

City Secretary stated the Denton County Tax Appraisal District will be governed by a five person Board of Directors, and the City of Lake Dallas may cast its total of 16 votes in any manner for the following candidates: Jon Beck, Carl Degan, Albert Duesman, Harold Easley, Clayton R. Eldredge, W. (Tip) Hall, Jr, Tom Harpool, Raymond Pitts, Aldena Stowe, Joe Turner, Bill R. Weaver.

Councilman Hutto moved that the Mayor be authorized and directed to cast all 16 votes of the City of Lake Dallas for the election of Joe Turner to the Board of Directors of the Denton County Tax Appraisal District. Motion seconded by Councilman Bartley, and carried unanimously.

IX. DEPARTMENTAL REPORTS.

Council reviewed the written Activity and/or Financial Reports for the month of October as submitted by the Police, Fire and Street Departments.

It was noted that the Fire Department is presently without a paid staff fireman. It was generally agreed by Council that the monthly grant to the Fire Department should be reduced by the amount of the City's percentage rate of the entire budget applied to the amount budgeted for salary until such time as the position is filled.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Council reviewed the Schedule of Receipts and Disbursements for the month of October, and the November Accounts Payable. Councilman Bartley moved that City Secretary be authorized to pay those accounts due and payable within the month of November, 1979. Motion seconded by Councilman Hutto, and carried unanimously.

2. Council reviewed the Municipal Court Reports for the October 16 and the November 6 dockets

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 9:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL DECEMBER 13, 1979

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held November 8, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. TAX ASSESSMENT RATIO FOR 1980.

Councilman Payne moved for the implementation of the 100% property tax assessment effective January 1, 1980 as provided by S.B. 621 and passed by the 66th Texas Legislature. Motion seconded by Councilman Cothran, and carried unanimously.

IV. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports as submitted by the Police and Fire Departments for the month of November.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Council reviewed the Schedule of Receipts and Disbursements for the month of November, and the December Accounts Payable. Councilman Bartley moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of December. Motion seconded by Councilman Hutto, and carried unanimously.

(2) Council reviewed the Municipal Court Reports for the November 20 and December 4 dockets.

VI. NEW BUSINESS.

Mr. Ronnie Key requested Council's attention to the following matters:

(1) There are no Stop Signs on Overly Drive between Shady Shores Road and Kings Manor Drive constituting a very hazardous condition at each intersection. He requested Stop Signs be erected at appropriate intersections.

(2) Street signs are needed on Shady Shores Road at its intersection with Hundley Drive as well as Overly Drive at its intersection with Shady Shores Road.

(3) There are several holes in the pavement 15" in diameter needing repair on Overly Drive between Countess Court and Kings Manor Drive.

(4) The school has erected a chain link fence on their property at the South end of Prince Drive blocking access to the alley behind Prince Drive. Mr. Key inquired as to how property owners might gain access to the alley behind their homes.

Mayor Vinson stated City Staff would look into the matters and take appropriate action.

VII. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 8:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JANUARY 10, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner
Richard Podgorski, City Attorney

ABSENT: Councilman Bill Cothran.

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held December 13, 1979 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

No Response.

III. REQUEST FOR RATE INCREASE - TEXAS POWER & LIGHT COMPANY.

Mr. Mike Murphy, local Manager of Texas Power & Light Company, stated his Company is asking for an approximate $124,000,000.00 increase in revenues system wide, or an average of 15.35% increase in rates currently charged. Mr. Murphy stated the following increases in rate classes are being requested:

Residential	20.6%
Municipal	20.1%
Commercial	12.7%

After much discussion of the matter, Councilman Hutto moved for the passage and approval of Ordinance No. 127 "- - SUSPENDING THE EFFECTIVE DATE OF PROPOSED REVISIONS OF RATES AND SCHEDULES OF TEXAS POWER & LIGHT COMPANY FOR 120 DAYS FROM FEBRUARY 8, 1980; PROVIDING THAT THE RATES OF SAID PUBLIC UTILITY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION; AND PROVIDING FOR NOTICE HEREOF TO SAID PUBLIC UTILITY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

IV. CONSOLIDATED TAX OFFICE.

Councilman Bartley moved for the temporary approval of the City's continued participation in the Consolidated Tax Office for fiscal year 1980 at an approximate cost of $8,934.00 to be paid in quarterly payments of $2,233.50 each. Motion seconded by Councilman Hutto, and carried unanimously.

V. OAKLAKES SUBDIVISION.

City Planner stated the Lake Cities Municipal Utility Authority is considering the installation of water/sewer service in the Oaklakes Subdivision, charging $300.00 per lot back to each property owner, and had made inquiries as to the City's position on the construction of streets, curb and gutter in the subdivision. City Planner stated there are 281 lots and approximately 2.3 miles of undeveloped streets in the subdivision. He approximated the cost to lay curb, gutter and hot asphalt at $607,200.00, excluding engineering work. This would result in an approximate levy of $2,160.85 to each property owner for this cost alone.

Councilman Hutto moved that any further discussion of the matter be postponed until such time as Mr. J. B. Briggs, Manager of LCMUA, could be present, and further information relative to gas and electric utilities can be developed. Motion seconded by Councilman Payne, and carried unanimously.

VI. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports for the month of December as submitted by the Police and Fire Departments

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) City Planner stated an estimate of $2,490.00 had been received on the cost of labor and materials to stucco the rear (frame) portion of the City Hall Building and even though badly needed, such repairs are unallocated in the present budget. City Planner was instructed to ascertain estimates of costs of labor and materials to stucco all that portion of the building which is presently not stucco.

(2) Council reviewed the Schedule of Receipts and Disbursements for the month of December, 1979, and the January Accounts Payable. Councilman Bartley moved that City Secretary be instructed and authorized to pay those accounts due and payable within the month of January, 1980. Motion seconded by Councilman Hutto, and carried unanimously.

(3) Council reviewed the First Quarter Budget Report, as well as the Municipal Court Reports for the December 18 and January 2 dockets.

VIII. OLD BUSINESS.

(1) Councilman Hutto moved for the passage and approval of a "RESOLUTION AUTHORIZING THE CITY OF LAKE DALLAS TO APPLY FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION FOR THE RECORD SYSTEM III". Motion seconded by Councilman Bartley, and carried unanimously.

(2) A bid from the Lake Cities Insurance Agency to renew the insurance coverage on City Hall at $40,000.00 on the building and $20,000.00 on the contents for an annual premium of $247.00 was reviewed. City Secretary was instructed to renew the coverage with increased limits of $80,000.00 on the building and $40,000.00 on the contents for an annual premium of $495.00, and to inquire about adding a T.M.P. form and package discount modification.

IX. NEW BUSINESS.

City Planner was instructed to draft and submit to Council an ordinance, amending Ordinance No. 18 and amendments, extending the school zone on Hundley Drive to 7:00 A.M. through 4:00 P.M.

X. EXECUTIVE SESSION - CLAIM FOR DAMAGES.

At 9:10 P.M., Mayor Vinson announced Council would enter into Executive Session for the purpose of consulting with the City Attorney contemplated litigation as provided by Article 6252-17, Section 2 (e), Vernon's Texas Civil Statutes.

Mayor Vinson opened the meeting to the public at 9:20 P.M. He stated Mr. and Mrs. James H. Smith, 303 Lakeview Street, had made written request through their attorney, Mr. Mark Whittington, for damages in the amount of $5,000.00 as a result of the City allegedly digging a trench approximately four feet deep and two feet wide across the West side of their property.

Mayor Vinson informed Mr. and Mrs. Smith if in fact the City trespassed onto their property, it was done in an effort to correct a severe drainage problem, and some form of restitution would be made. Mr. and Mrs. Smith were then asked if they would be satisfied with the City restoring the property to the same condition as just prior to the alleged trespass. After much discussion of the matter, Mr. and Mrs. Smith stated they would consult with their attorney regarding the following settlement:

(1) The City of Lake Dallas will lay 142' of 36" arch galvanized steel culvert with approximate dimensions of 27" high and 43" wide and back fill over the culvert with available materials and absorb the cost.

(2) The City of Lake Dallas will extend the trench to the South line of the Smith property, lay approximately 68' of the same galvanized steel culvert and back fill with available material at a total cost to Mr. and Mrs. Smith of $1,196.20.

(3) Mr. and Mrs. Smith will grant an easement to the City of Lake Dallas providing the right of ingress and egress in order to maintain and repair the culvert and see to the free flow of water. Said easement shall extend seven and one-half (7½) feet either side and parallel to the center line of the culvert.

XI. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL FEBRUARY 14, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Councilmen James W. Hutto and Bill Cothran.

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held January 10 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. ORDER ESTABLISHING PROCEDURE FOR CITY OFFICER'S ELECTION.

Councilman Payne moved for the adoption of a resolution and order establishing procedure for the City Officer's Election to be held April 5, 1980. Motion seconded by Councilman Bartley, and carried unanimously. Said order is attached hereto and made a part of these minutes.

IV. APPROVAL OF ORDINANCE NO. 128 AMENDING TRAFFIC CONTROL ORDINANCE AND AMENDMENTS.

Councilman Payne moved for the passage and approval of Ordinance No. 128 entitled "AN ORDINANCE AMENDING THE CITY OF LAKE DALLAS TRAFFIC CONTROL ORDINANCE NO. 18 AND AMENDMENTS, AND ENACTING IN ADDITION THERETO AN ORDINANCE PROVIDING FOR A SCHOOL SPEED ZONE OF TWENTY (20) MILES PER HOUR ON HUNDLEY DRIVE FROM 7:30 A.M. to 4:00 P.M., SCHOOL DAYS; PROVIDING FOR A NO PARKING ZONE ON THE EAST SIDE OF GOTCHER STREET BETWEEN MAIN AND MARKET STREETS; PROVIDING FOR PLACEMENT OF TRAFFIC CONTROL SIGNS; PROVIDING FOR PENALTY; AND DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. OAKLAKES SUBDIVISION.

Council discussed at great length the possibility of the City assisting in the development of the Oaklakes Subdivision by the construction of curb, gutter and hard surface streets at the time the Lake Cities Municipal Utility installs water and sewer service within the subdivision. Due to the high cost of construction, it was suggested that development might be spread over two or three phases, thereby permitting the construction of homes in the developed area before preceding to the next phase. It was decided that Continental Homes, the original developer and present owner of approximately thirty lots, be contacted in an effort to arrange a meeting to discuss the matter further.

V. ORDINANCE REGULATING POOL HALLS AND GAME ROOMS - DISCUSSION.

It was generally agreed a proposed ordinance should be drafted and submitted for Council's further consideration.

VI. RADIO EQUIPMENT FOR STREET AND SANITATION DEPARTMENTS.

It was agreed that City Planner should check out the cost of both new and rebuilt single band radio equipment, specifically one base station and four mobile units, for use by the Street and Sanitation Departments, and report back to Council.

VII. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports for the month of January as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Council reviewed the following bids to lathe and stucco the rear portion of the City Hall Building: Denton Plaster Company - $4,256.60, and Buddy Howard Company - $4,790.00. Councilman Payne stated there is a product on the market called Duracal which is painted on and takes the look of stucco while protecting the wood. He suggested the product be tested before a final decision is made on this matter.

(2) Councilman Payne moved for the approval to renew the insurance on the City Hall in the amount of $80,000.00 on the building and $40,000.00 on the contents, with Bodily Injury Liability limits of $300,000.00 and Property Damage Liability limits of $50,000.00, at an annual premium of $2,727.00, effective January 23, 1980. Motion seconded by Councilman Bartley, and carried unanimously by those present.

(3) Council reviewed the Schedule of Receipts and Disbursements for the month of January, and the February Accounts Payable. Councilwoman Kennedy moved that City Secretary be authorized and directed to pay those accounts due and payable during the month of February, 1980. Motion seconded by Councilman Payne, and carried unanimously by those present.

(4) Council reviewed the Municipal Court Reports for the January 15 and February 5 dockets.

IX. OLD BUSINESS.

It was agreed April would again be designated as Beautification Month in the City of Lake Dallas, and that a committee should be appointed and involved in the effort.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously by those present. Mayor Vinson adjourned the meeting at 9:20. P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 14th **day of** February, **19** 80, **the City Council/~~Commission~~[1] of the City of** Lake Dallas, **Texas, convened in** regular **session, open to the public, at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

Thurman Bartley, **Alderman/~~Commissioner~~[1]**

Anne Kennedy, **Alderman/~~Commissioner~~[1]**

J. C. Payne, **Alderman[2]**

_____, **Alderman[2]**

_____, **Alderman[2]**

M. Jean Chambers, **City Secretary/~~Clerk~~[1]**

and the following absent: Bill Cothran and James W. Hutto, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~[1] J. C. Payne **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~[1]** Thurman Bartley, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: J. C. Payne, Thurman Bartley and Anne Kennedy

_____,

NOES: None.

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that on April 5 **19** 80, **there shall be elected the following officials for this city:**

MAYOR[2]

Two (2) **Alderman[2]** **~~Two Commissioners~~[2]**
(Number of)

_____[3] _____

_____ _____

_____ _____

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/~~COMMISSION~~[1]

OF THE CITY OF LAKE DALLAS, TEXAS:

That all independent candidates at the election to be held on April 5, 1980, for the above mentioned offices file their applications to become candidates with the Mayor of this City at the City Secretary's office in City Hall, 303 Alamo Street on or before 30 days before the date of said election;

That all of said applications shall be substantially in the following form:[4]

To the Mayor of the City of Lake Dallas, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 5th day of April, 1980, as a candidate for _____ of said City, and I hereby certify that I am eligible to hold such office under the constitution and laws of this state.[5]

My occupation is _____.

The county of my residence is _____ County.

My post office address is _____.

My age is _____ years. Length of residency in State: _____ years; in above named city: _____ years or months.

I am not disqualified or ineligible to hold the above mentioned office and meet all qualifications therefor.

Please place my name on the official ballot as follows:

_____

(print or type candidate's name here)

DATED this the _____ day of _____, 19____.

_____

Name of Candidate

THE STATE OF TEXAS }

COUNTY OF DENTON }

Before me, the undersigned authority, on this day personally appeared _____, who being by me here and now duly sworn upon oath states that all of the facts and information stated in the above application are true and correct.

_____

Signature of Candidate

Subscribed and sworn to before me by the said _____

this the _____ day of _____, 19____ to certify which witness my hand and seal of office.

_____

Notary Public, _____ County, Texas

All candidates shall file with said application the loyalty affidavit required by Article 6.02 of the Election Code.

That the Secretary/~~Clerk~~[1] of this City shall, in accordance with the terms and provisions of Article 13.32 of the Election Code, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said Secretary/~~Clerk~~[1] orders the same to be printed on the ballot for said election.

This city, having one (1) election precinct, said election shall be held at the following place in said city:

1. In Election Precinct No. 2P at Fire Hall Building.
2. In Election Precinct No. _____ at _____ Building.[2]
3. In Election Precinct No. _____ at _____ Building.[2]
4. In Election Precinct No. _____ at _____ Building.[2]

The City Secretary/~~Clerk~~[1] is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Article 6.05 c. Subd. 3.

The Mayor shall give notice of this election in accordance with the terms and provisions of Article 4.05 of the Election Code and returns of said notice shall be made as provided in said Article 4.05, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the Council/~~Commissioners~~[1] immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the Secretary/~~Clerk~~[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, APPROVED AND ADOPTED this the 14th day of February, 1980.

Mayor

ATTEST:

Secretary/~~Clerk~~

(1) Strike one not applicable.
(2) Strike if not applicable.
(3) If Aldermen are elected by the place system, insert the place to be filled.
(4) This application is available as a separate form. Order Form 16-2396—Request to Place Name on City Officer Election Ballot.
(5) Art. 1.05 of the Election Code and Art. 987.

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 13, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
Charles T. Cryan, City Planner
M. Jean Chambers, City Secretary

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held February 14, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. RESOLUTION ACCEPTING THE AGREEMENT FOR THE STATE OF TEXAS TO SURVEY, INSPECT, APPRAISE AND INVENTORY BRIDGES ON PUBLIC ROADS AND STREETS.

Councilman Payne moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ACCEPTING THE AGREEMENT FOR THE STATE OF TEXAS TO SURVEY, INSPECT, APPRAISE AND INVENTORY BRIDGES ON PUBLIC ROADS AND STREETS; DIRECTING THE MAYOR TO SIGN SAID AGREEMENT AND THE CITY SECRETARY TO EXECUTE THE DOCUMENT". Motion seconded by Councilman Cothran, and carried unanimously.

IV. PROPOSED ORDINANCE REGULATING POOL HALLS AND GAME ROOMS.

Due to the proposed ordinance having not been received from the City Attorney's Office, this matter was postponed until the next regularly scheduled meeting.

V. APPOINTMENT TO THE PLANNING & ZONING COMMISSION.

City Planner stated Mr. Jack Ezzell had submitted his resignation from the Planning and Zoning Commission. Mayor Vinson stated Ms. Pam Schaefer had indicated a strong interest in serving on the Board. Councilman Hutto moved that Ms. Schaefer be appointed to serve out Mr. Ezzell's unexpired term on the Planning and Zoning Commission. Motion seconded by Councilman Cothran, and carried unanimously.

VI. REPAIRS TO CITY HALL BUILDING.

Councilman Hutto stated there is a business located in Lewisville that sprays a stucco like substance onto buildings which is very attractive and supposedly is very durable. Councilman Payne moved that City Planner and Councilman Hutto check into this product and if found to be satisfactory, and the cost is less than the bids received for lathe and stucco, approval be granted to have all that portion of the City Hall building that presently is not stucco repaired with the product. Motion seconded by Councilman Bartley, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports for the month of February as submitted by the Police and Fire Departments, as well as the First Year Financial Report on the Sanitation Department.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Council discussed a proposed lease/purchase agreement on a Sharpfax Model 740 photocopy machine in lieu of the present lease agreement with Xerox on their model 660-1. City Secretary was instructed to also check on Savin, A.B. Dick machines, etc. before making a final decision on the matter.

2. Councilman Hutto moved that the Election Judge and Clerks working in the regular election to be held April 5, 1980 be paid at the rate of $3.00 per hour, plus an additional $20.00 be paid to the Election Judge. Motion seconded by Councilwoman Kennedy, and carried unanimously.

3. Council reviewed the Schedule of Receipts and Disbursements for the month of February, 1980, as well as the March Accounts Payable. Councilwoman Kennedy moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of March, 1980. Motion seconded by Councilman Cothran.

4. Council reviewed the Municipal Court Reports for the February 19 and March 4 dockets.

5. City Secretary presented each councilmember with a copy of the Audit Report for the fiscal year ending September 30, 1979 as prepared by Howe, Fryman & Company, Certified Public Accountants.

6. Councilman Bartley moved for approval of Ballot Nos. 1 through 50 be designated for use by the Clerks of Absentee Voting at City Hall, and the remaining Ballot Nos. 51 through 1,000 be packaged and designated for use by the Election Judge at the polling place on election day. Motion seconded by Councilman Cothran, and carried unanimously.

IX. OLD BUSINESS.

1. PURCHASE OF RADIO EQUIPMENT FOR THE STREET AND SANITATION DEPARTMENTS.

It was generally agreed by Council that City Planner should take bids on radio equipment for use by the Street and Sanitation Departments, specifically one base station and four mobile units.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. Mayor Vinson adjourned the meeting at 9:30 P.M.

M. Jean Chambers, City Secretary

Johnny J. Vinson, Mayor

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL APRIL 10, 1980

Mayor Vinson called the meeting to order ar 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the Regular Meeting held March 13, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITY OFFICER'S ELECTION.

(1) Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officer's Election held April 5, 1980. It was determined that a total of 344 qualified voters cast a total of 1,018 votes for the six candidates appearing on the ballot, plus four write-in candidates. All things appearing to be in order, Councilman Payne moved for the passage, approval and adoption of a resolution accepting said returns and declaring Johnny J. Vinson the winner in the Mayor's race, and declaring Anne Kennedy and Thurman Bartley the winners in the race for two seats on the City Council. Motion seconded by Councilman Cothran, and carried unanimously. A copy of said resolution is attached hereto and made a part of these minutes. City Secretary presented each newly elected Officer with a Certificate of Election and administered the Oath of Office.

III. CITIZEN'S AGENDA.

Mr. and Mrs. Bill Holmes, joined by several of their neighbors residing on Queens Court, complained of a family residing at 5302 Queens Court parking vehicles as many as three abreast in the cul de sac prohibiting the turn around of other vehicles, as well as on street parking prohibiting other property owners access to their driveways. Mr. Holmes stated he had called the Police Department on several occasions requesting appropriate action be taken to end the abuse of on street parking by the Jolley Family with apparently no action being taken. Chief of Police Y. G. Carr responded to the complaints by stating he would personally see that action is taken on the matter.

IV. EXECUTIVE SESSION.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussing pending litigation with the City Attorney as provided by Article 6252-17, Sec. 2 (e), Vernon's Texas Civil Statutes.

Attorney for the City, Mr. Richard Podgorski, informed Council the jury had ruled in favor of the Plantiff in the case styled Betty Sheene vs.

Charlie Hale d/b/a Hale's Paint and Body Shop and the City of Lake Dallas. After much discussion of the matter, Council instructed City Attorney to file an appeal.

City Attorney further advised that he had heard from the Attorney for Mr. and Mrs. James H. Smith regarding the digging of trench across the back of their property at 303 Lakeview Street. Mr. Smith is now deceased, and Mrs. Smith has rejected the City's settlement offer to repair only that damage actually done by City Staff. After much discussion of the matter, Council instructed City Attorney to advise Mrs. Smith's attorney that the City is willing to extend the trench to the South property line, place galvanized steel culvert in the total length of the trench and back fill with available materials at an approximate cost to the City of $3,929.50.

Mayor Vinson closed the Executive Session and opended the meeting to the public.

V. PROPOSED ORDINANCE REGULATING POOL HALLS AND GAME ROOMS.

Postponed until next regular meeting.

VI. PROPOSED ORDINANCE CREATING A RESERVE POLICE FORCE.

A proposed ordinance creating a Reserve Police Force was examined and discussed in great detail. Several changes were proposed and generally agreed to by Council. City Secretary was instructed to make the suggested changes and submit same for final approval at the next regular meeting.

VII. RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF CREST DRIVE.

Councilwoman Kennedy moved for a postponement until the next regular meeting of a resolution authorizing abandonment of that portion of Crest Drive adjoining Lot Nos. 1 and 17, Block 8, and Lot Nos. 10 and 20, Block 7, Lake Dallas Shores Subdivision. Motion seconded by Councilman Hutto, and carried unanimously.

VIII. BIDS ON RADIO EQUIPMENT FOR STREET AND SANITATION DEPARTMENTS.

This matter was postponed until the next regular meeting.

IX. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports as submitted by the Police and Fire Departments.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Bids for Lease/Purchase Agreements on various photocopy machines were discussed, but no decision was made. Matter to be discussed again at the next regular meeting.

2. Council reviewed the Schedule of Receipts and Disbursements for the month of March as well as the April Accounts Payable. Councilwoman Kennedy moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of April, 1980. Motion seconded by Councilman Cothran, and carried unanimously.

3. Council reviewed the Budget Report for six months ending March 31, 1980, and the Municipal Court Reports for the March 18 and April 1 dockets.

XI. OLD BUSINESS.

None

XII. NEW BUSINESS.

None

XIII. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. Mayor Vinson adjourned the meeting at 10:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 10th **day of** April, **19** 80, **the City Council/Commission**

of the City of Lake Dallas, **Texas, convened in** regular **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

James W. Hutto, **Alderman/Commissioner**

Thurman Bartley, **Alderman/Commissioner**

W. R. (Bill) Cothran, **Alderman**[2]

Anne Kennedy, **Alderman**[2]

J. C. (Jim) Payne, **Alderman**[2]

M. Jean Chambers, **City Secretary/Clerk**

and the following absent: None, **constituting a quorum, and among other proceedings had were the following:**

Alderman/Commissioner J. C. Payne **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/Commissioner** W. R. Cothran, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: J. C. Payne, W. R. Cothran, James W. Hutto, Thurman Bartley and Anne Kennedy.

, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 5th day of April, 19 80, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 1,018 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR[2]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
JOHNNY J. VINSON	253
DONALD R. SMITH	97
EDDIE HALLOCK	2
JEFF CROSSLAND	3

FOR ALDERMAN/COMMISSIONER[1] **and** [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
P. O. BYERS	125
ANNE KENNEDY	230
THURMAN BARTLEY	204
W. L. (SLAT) BEENE	102
JOHN S. DAVIS	1
LARRY KINGSTON	1

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/~~COMMISSION~~ OF THE CITY OF LAKE DALLAS, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Johnny J. Vinson was duly elected Mayor of said City at said election[2] and Anne Kennedy and Thurman Bartley were duly elected Aldermen/~~Commissioners~~[1] of said City at said election, and that ~~XXXX

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MAY 8, 1980

Mayor Pro tem James W. Hutto announced the Mayor was temporarily engaged in another part of the building and called the meeting to order at 7:30 P.M. with the following persons present:

James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved that the reading of the minutes of the Regular Meeting held April 10, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Bartley, and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Cleo Murray presented each Councilmember with a letter inquiring as to the consequences to persons who permit the following:

1. Grass and weeds to grow up along fence lines creating a generally unsightly appearance to their property and the neighborhood.
2. Leaves household garbage at the curb for days, thereby permitting same to be scattered by dogs and cats.
3. Commercial use of property zoned residential.
4. Converting a one family dwelling, located in a single family residential zoning district, to a four family apartment complex where the front footage of the lot is 50 feet and the street fronting same is only 20 feet wide, causing traffic congestion in the street, blocking entrance and exits to and from other homes, and allowing an accumulation of garbage and debris on the property which creates a general rundown appearance of the neighborhood.

Mrs. Murray urged strong enforcement of City Ordinances in an effort to preserve nice neighborhoods and the rights of all property owners.

Mayor Johnny J. Vinson joined the meeting, taking his place at the Council table. He presented Mrs. Aldena Stowe with a framed Certificate of Appreciation for her faithful work and successful handling of the consolidated elections held by the City of Lake Dallas, Lake Dallas ISD and Lake Cities MUA. Mayor Vinson also presented framed Certificates of Appreciation to Police Chief Y. G. Carr, Patrolman Don H. Smith and Police Secretary Maureen Branam for their dedicated service to the City and to the community.

III. RATE INCREASE - TEXAS POWER & LIGHT COMPANY.

Mr. Mike Murphy, local Manager of Texas Power & Light Company, stated the Public Utility Commission had approved a 83.4 million dollar, or 10.1%, rate increase system wide, and requested City approval for a rate increase in an equal amount which will result in the following class increases:

Residential	-	10.8%
Guard Light	-	5.025
Municipal - Old Street Light	-	20.1%
" " - New Street Light	-	10.5%
Public Service - Schools	-	8.0%
Small Commercial	-	5.025%
Large Commercial	-	10.6%

After much discussion of the matter, Councilman Hutto moved for the passage and approval of Ordinance No. 129 entitled "AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER & LIGHT COMPANY IN THE CITY OF LAKE DALLAS, TEXAS, APPROVING SERVICE REGULATIONS FILED BY TEXAS POWER & LIGHT COMPANY, PROVIDING FOR AN EFFECTIVE DATEFOR SUCH RATE SCHEDULES, AND PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN". Motion seconded by Councilman Cothran, and carried unanimously.

IV. ORDINANCE REGULATING POOL HALLS AND GAME ROOMS.

Councilman Hutto moved for the passage and approval of Ordinance No. 130, as amended, entitled "AN ORDINANCE PRESCRIBING RULES AND REGULATIONS OF THE OWNING AND OPERATION, FOR PROFIT, OF ANY POOL OR BILLIARD TABLE OR TABLES OR AUTOMATIC AMUSEMENT DEVICE OR DEVICES WITHIN THE CITY OF LAKE DALLAS, TEXAS; PROVIDING DEFINITIONS; PROVIDING FOR LICENSE; PROVIDING FOR FIXING LICENSE FEE; PROVIDING A TERM OF LICENSE; PROVIDING FOR HOURS OF OPERATION; PROVIDING FOR EXCLUSION OF MINORS FROM THE PREMISES; PROVIDING FOR EXCLUSION OF ALCOHOLIC BEVERAGES; PROVIDING FOR REVOCATION OF LICENSE; PROVIDING FOR PARTITIONS; PROVIDING THAT ALL POOL OR BILLIARD TABLES OR AMUSEMENT MACHINES BE LOCATED ON THE GROUND FLOOR; PROVIDING FOR INSPECTIONS; PROVIDING PENALTIES NOT TO EXCEED $200.00; PROVIDING SEVERABILITY; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; AND DECLARING AN EMERGENCY". Motion seconded by Councilman Payne, and carried unanimously.

V. ORDINANCE CREATING A RESERVE POLICE FORCE.

Councilman Hutto moved for the passage and approval of Ordinance No. 131 entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS CREATING A RESERVE POLICE FORCE". Motion seconded by Councilman Cothran, and carried unanimously.

VI. RENEWAL MAINTENANCE AGREEMENT WITH RACAL-MILGO, INC.

Councilman Payne moved that the Mayor be authorized and directed to enter into and sign a Renewal Maintenance Agreement with Racal-Milgo, Inc. to extend the maintenance coverage of the 40+MPL System from May 1, 1980 through April 30, 1981 at a cost of $1,260.00. Motion seconded by Councilman Bartley, and carried unanimously.

VII. RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF CREST DRIVE.

Councilman Bartley moved for the passage and approval of a resolution authorizing abandonment of that portion of Crest Drive and the public right-of-way therein which adjoins Lot Nos. 1 and 7, Block 8, and Lot Nos. 10 and 20, Block 7, Lake Dallas Shores Subdivision, after payment of $20.00 by each adjoining property owner to cover the City's legal and administrative cost in executing separate Quit Claim Deeds. Motion seconded by Councilman Payne, and carried unanimously.

VIII. AWARD BIDS ON RADIO EQUIPMENT FOR STREET AND SANITATION DEPARTMENTS.

Bids submitted by Phillips Radio Service, Inc., in the amount of $3,560.00, and Regency Mobile Communications Sales and Service, in the amount of $3,991.00, were reviewed, both bids being for four (4) mobile two way radios installed in city vehicles and one base station radio installed in Dispatch Office. Councilman Payne moved the bid be awarded to Phillips Radio Service, Inc. Motion seconded by Councilwoman Kennedy, and carried unanimously.

IX. DEPARTMENTAL REPORTS.

Council reviewed the April Activity and/or Financial Reports as submitted by the Police and Fire Departments.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1). Council reviewed cost figures of lease/purchase agreements on the A.B. Dick 980, Savin 775, Sharp 740, Xerox 2600 and Olivetti 740 photocopy machines. Councilman Cothran moved that City Secretary and City Planner be authorized to enter into a lease/purchase agreement on the machine of their choice, either the A.B. Dick 980 or the Xerox 2600. Motion seconded by Councilman Payne, and carried unanimously.

(2). Council reviewed the Schedule of Receipts and Disbursements for the month of April, as well as the May Accounts Payable. Councilman Cothran moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of May. Motion seconded by Councilwoman Kennedy and carried unanimously.

(3). The Municipal Court Reports for the April 15 and May 6 dockets were reviewed.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 10:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL SETTING AS BOARD OF ADJUSTMENT HELD AT CITY HALL JUNE 12, 1980

Mayor Vinson called the meeting to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Anne Kennedy, Councilwoman

Council reviewed the petition submitted by Mr. Walter St. Clair requesting a variance from Ordinance No. 25 relative to the rear yard set-back. Said ordinance requires a 30' set back from the building line for a rear yard, and Mr. St. Clair proposes building a house which will permit a 22'6" rear yard at 700 Lake Street - Lot Nos. 7, 8, 9, and 10, Block 10, Oak Lakes Subdivision.

Councilman Payne moved that inasmuch as there is no citizen objection to the requested variance, that same be granted. Motion seconded by Councilman Bartley, and prevailed by the following vote:

AYES: Messrs. J. C. Payne, Thurman Bartley, James W. Hutto and Bill Cothran.
NOES: None.

There being no further business for consideration by the Board of Adjustment, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. Mayor Vinson adjourned the meeting at 7:20 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JUNE 12, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran
J. C. (Jim) Payne
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Ms. Anne Kennedy, Councilwoman

I. APPROVAL OF MINUTES.

Councilman Hutto moved that the reading of the minutes of the Regular Meeting held May 8, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

1. Mayor Vinson presented framed Certificates of Appreciation to Golden Distributing Company, Messrs. Mike Murphy, Jerry McCutcheon, Thurman Bartley, Bill Cothran and Ms. Anne Kennedy for the valuable contribution each has made to the City.

2. Mr. Tom Peters stated he would like to see a general Clean-Up Campaign conducted throughout the City.

III. COMMERCIAL SANITATION SERVICE RATES.

This matter postponed until next regular meeting.

IV. DEPARTMENTAL REPORTS.

Council reviewed the May Activity and/or Financial Reports as submitted by the Police and Fire Departments.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Council reviewed the Schedule of Receipts and Disbursements for the month of May, and the June Accounts Payable. Councilman Cothran moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of June, 1980. Motion seconded by Councilman Hutto, and carried unanimously.

2. Council reviewed the Municipal Court Reports for the May 20 and June 3 dockets.

VI. EXECUTIVE SESSION.

Mayor Vinson announced Council will enter into Executive Session for the purpose of discussing personnel evaluation as permitted by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes.

The meeting was opened to the public at 8:15 P.M.

VII. NEW BUSINESS.

It was agreed that a Special Council Meeting would be held Tuesday, June 17, at 12:00 Noon in Golden Distributing Company's Hospitality Room for the purpose of discussing and working on the Budget for Fiscal Year 1980-81.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. Mayor Vinson adjourned the meeting at 8:20 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT GOLDEN DISTRIBUTING COMPANY'S HOSPITALITY ROOM JUNE 17, 1980

Mayor Vinson called the meeting to order at 12:00 Noon with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

I. RESOLUTION - COMPREHENSIVE PERSONNEL MANAGEMENT SYSTEM.

Councilman Bartley moved for the passage and approval of a resolution authorizing the Mayor to make application for a grant from the U.S. Office of Personnel Management for funds to develope a comprehensive Personnel Management System. Motion seconded by Councilman Payne, and carried unanimously.

II. PROPOSED BUDGET FOR FISCAL YEAR 1980-81.

Each allociation in the proposed budget for Fiscal Year 1980-81 was discussed in great detail. After much discussion and many changes being made in every department, it was generally agreed the following allociations would be made:

Administrative Department	$ 94,492.00
Police Department	180,489.00
Street Department	87,850.00
Fire Department	27,909.00
Sanitation Department	85,711.00
TOTAL ALLOCIATION	$476,451.00

It was determined that a $.10 per hundred tax increase would be necessary to fund the budget as proposed. City Secretary was instructed to prepare for Budget Hearings on the premise of imposing a tax rate of $.52 per hundred.

III. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. Mayor Vinson adjourned the meeting at 4:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 10, 1980

Mayor Vinson called the meeting to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Mr. James W. Hutto, Mayor Pro tem

Mayor Vinson stated the purpose of the meeting is to provide a Public Hearing for citizen imput regarding the following:

1. Petition brought by the Lake Dallas Telephone Company for a change in zoning classification from the R 1-6000 and C-3 Districts to the C-2 District with respect to property described as being Tract 20 B-4 of the Mary Wright Survey and located at 450 Main Street.

2. Petition brought by Ms. Avis Collins for a change in zoning classification from the R 1-6000 and C-3 Districts to the C-2 District with respect to property described as Tract 20 B of the Mary Wright Survey and located at 500 Main Street.

Mr. Gregg Gross, representing the Lake Dallas Telephone Company, stated the reason for making such requests for a change in zoning classification at this time is to permit an expansion of facilities by the Telephone Company which is located just adjacent to these properties.

No objection was brought forward.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. Mayor Vinson adjourned the meeting at 7:25 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 10, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Mr. James W. Hutto, Mayor Pro tem

I. APPROVAL OF MINUTES.

Councilman Bartley moved that the reading of the minutes of the meetings held June 12 and 17, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. CHANGE IN ZONING CLASSIFICATION - LAKE DALLAS TELEPHONE COMPANY AND MS. AVIS COLLINS.

1. Councilman Payne moved for the approval of a change in zoning classification from the R 1-6000 and C-3 Districts to the C-2 District with respect to property described as Tract 20 B-4 of the Mary Wright Survey, located at 450 Main Street, in accordance with petition brought by the Lake Dallas Telephone Company. Motion seconded by Councilman Cothran, and carried unanimously.

2. Councilwoman Kennedy moved for the approval of a change in zoning classification from the R 1-6000 and C-3 Districts to the C-2 District with respect to property described as being Tract 20 B of the Mary Wright Survey, located at 500 Main Street, in accordance with petition brought be Ms. Avis Collins. Motion seconded by Councilman Payne, and carried unanimously.

RECESS. The meeting was recessed at 7:40 P.M. with the Mayor stating Council would convene as the Board of Adjustment to take up business pertinent to that Board.

RECONVENE. The regular meeting was reconvened at 7:55 P.M.

IV. APPROVAL OF ORDINANCE NO. 132 INCREASING GARBAGE SERVICE RATES FOR COMMERCIAL CUSTOMERS.

Councilman Payne moved for the passage and approval of "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AMENDING ORDINANCE NO. 114, AND ESTABLISHING NEW GARBAGE SERVICE RATES FOR COMMERCIAL CUSTOMERS AND DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. APPROVAL OF ORDINANCE NO. 133 PROVIDING FOR THE APPOINTMENT OF THE MUNICIPAL COURT JUDGE.

Councilman Cothran moved for the passage and approval of "AN ORDINANCE AMENDING ORDINANCE NOS. 3 AND 64 OF THE CITY OF LAKE DALLAS, TEXAS PROVIDING THAT THE MUNICIPAL JUDGE FOR THE CITY OF LAKE DALLAS, TEXAS MAY BE SOMEONE OTHER THAN THE MAYOR OR A COUNCILMAN, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES AND CONFLICT HEREWITH, PROVIDING A SEVERABILITY CLAUSE, AND DECLARING AN EFFECTIVE DATE". Motion seconded by Councilman Bartley, and carried unanimously.

VI. APPROVAL OF INTERLOCAL AGREEMENT WITH TML WORKERS COMPENSATION JOINT INSURANCE FUND.

Councilman Payne moved that the Mayor be authorized and directed to sign the Interlocal Agreement and contract with the TML Workers' Compensation Joint Insurance Fund to provide statutory benefits as prescribed by Article 8309h of the Texas Workers' Compensation Act for employees of political subdivisions for a period of fifteen (15) months effective July 1, 1980. Motion seconded by Councilman Cothran, and carried unanimously.

VII. APPROVAL OF INTERLOCAL AGREEMENT TO PROVIDE POLICE DISPATCH SERVICE FOR THE CITY OF CORINTH, TEXAS.

Councilman Payne moved for the passage and approval of a resolution authorizing and directing the Mayor to sign an Interlocal Agreement and contract to provide the City of Corinth, Texas with police dispatch service effective October 1, 1980 for a period of one year for the sum of $2,400.00 per year or $200.00 per month. Motion seconded by Councilman Cothran, and carried unanimously.

VIII. DEPARTMENTAL REPORTS.

Council reviewed the Activity Reports for the month of June as submitted by the Police Department. No monthly reports were submitted by the Fire Department.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. Council reviewed the Schedule of Receipts and Disbursements for the month of June, and the July Accounts Payable. Councilman Cothran moved that City Secretary be authorized and directed to pay those accounts due and payable within the month of July, 1980. Motion seconded by Councilman Bartley, and carried unanimously.

2. Council reviewed the Budget Report for nine months ending June 30, 1980.

3. The Municipal Court Reports for the June 17 and July 1 dockets were reviewed.

X. APPROVAL OF RESOLUTION AUTHORIZING APPLICATION FOR JUVENILE OFFICER GRANT II.

Councilman Bartley moved for the passage and approval of a "RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION FOR A GRANT FROM THE CRIMINAL JUSTICE DIVISION FOR THE JUVENILE OFFICER GRANT II". Motion seconded by Councilwoman Kennedy, and carried unanimously.

XI. OLD BUSINESS - POLICE RADIOS.

City Planner explained the new Police radios previously authorized will not carry the new high band frequency. Therefore, it is necessary that an additional $200.00 cost be incurred for adaption of the radios, making the total cost $1,800.00 with trade-in. Councilman Payne moved for the approval of the additional expenditure of $200.00 for Police radios. Motion seconded by Councilman Cothran, and carried unanimously.

XII. NEW BUSINESS - PURCHASE OF POLICE VEHICLES.

Mayor Vinson reported he and the Chief of Police has made a trip to Austin to review the used patrol vehicles for sale by the Texas Department of Public Safety. Councilman Cothran moved for the approval of the City to purchase one (1) 1977 Dodge Monoco at $1,750.00 together with one (1) 1978 Ford LTD at $2,000.00, and that City Secretary be directed to pay the total sum of $3,750.00 to the Texas Department of Public Safety for same. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Inasmuch as the expenditure is unallocated in this fiscal year, it was generally agreed the amount of the purchase would be deducted from the $7,000. Capital Outlay Vehicle budget of the Police Department proposed for next fiscal year, leaving a balance in that account of $3,250.00. It was further agreed up to that balance amount could be used to purchase a used pickup truck for use by the Animal Control Officer. In the event such purchase is made in this fiscal year, then nothing would be allocated for Police vehicles in the budget for next fiscal year.

XIII. ADJOURNMENT.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. Mayor Vinson adjourned the meeting at 8:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL SETTING AS BOARD OF ADJUSTMENT HELD AT CITY HALL JULY 10, 1980

Councilwoman Kennedy was elected Chairperson of the Board of Adjustment by acclamation, and called the meeting to order at 7:42 P.M. with the following persons present:

Anne Kennedy, Councilwoman
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

ABSENT: James W. Hutto, Councilman

I. LAKE DALLAS TELEPHONE COMPANY - REQUEST FOR VARIANCE FROM ORDINANCE NO. 25.

The petition brought by the Lake Dallas Telephone Company requesting a variance from Ordinance No. 25 relative to rear and side yard set backs from the building line was reviewed. Said petition requested a rear yard set back as narrow as four (4) feet at one point, and a side yard as narrow as two (2) feet, in order to permit expansion of the Company's headquarters building and new construction of additional buildings to be used for storage, service and warehousing purposes. Councilman Bartley moved that the variance be granted as requested inasmuch as no opposition to same was presented. Motion seconded by Councilman Cothran and prevailed by the following vote:

AYES: Messrs. Thurman Bartley, W. R. Cothran, J. C. Payne and Ms. Anne Kennedy.
NOES: None.

II. ADJOURNMENT.

There being no further business for the Board of Adjustment, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. Ms. Kennedy adjourned the meeting at 7:55 P.M.

Anne Kennedy

Anne Kennedy, Chairperson
CITY OF LAKE DALLAS BOARD OF ADJUSTMENT

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 14, 1980

Mayor Vinson called the meeting to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the proposed Budget, totaling $469,455.00, for Fiscal Year 1980-81, and called for citizen comment relative to same.

The Reverend Eddie Hallock stated, while he was not personally opposed to a tax increase, the City's proposed effective tax increase of 23.8%, together with the School's proposed tax increase of 43.5%, totals an increase of 67.3% to be levied upon the citizens of Lake Dallas. He urged Council to give strong consideration to providing special tax relief to widows and persons over age 65. He further urged Council to take the initiative and responsibility in correcting some community problems that effect quality of life, such as the drainage ditch between Kings Manor and Prince Drives. Councilman Hutto answered the Reverend Hallock's questions and comments.

Mayor Vinson called for further citizen imput and comments regarding the proposed budget for next fiscal year. None was forthcoming.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 14, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the petition, brought by Mr. Charles D. Crawford, for a change in zoning classification from the R-1 7200 District to the R-3 District with respect to Lot Nos. 19 and 20, Block K, Oak Lakes Subdivision, located at 103 and 105 Swisher Road, to permit the construction of fourplex residential housing, and called for any citizen comment relative to same.

No comment or objection whatsoever was made to the petition.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. The meeting was adjourned at 7:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 14, 1980

Mayor Vinson called the meeting to order at 7:45 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the meetings held July 10, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Hoyt Wilson stated she had given permission to the City, at the time Mr. Slats Beene was Mayor, to dump excess dirt, etc. on her vacant property located on Lakeland Street with the understanding the City would dump only clean fill, covering and leveling same. She stated the area is presently a mess, various persons having dumpted concrete, asphalt, etc., so that the property cannot even be mowed. She requested the City clean and level the property as per the original agreement, she would then post a "No Dumping" sign and maintain the property thereafter. Mayor Vinson and City Council instructed City Planner to make the necessary arrangements with the County Commissioner to borrow the proper equipment and comply with Mrs. Wilson's request as soon as possible.

III. CHANGE IN ZONING CLASSIFICATION - LOT NOS. 19 AND 20, BLOCK K, OAK LAKES SUBDIVISION.

Councilman Hutto moved for the approval of a change in zoning classification from the R-1 7200 District to the R-3 District with respect to Lot Nos. 19 and 20, Block K, Oak Lakes Subdivision, in accordance with petition brought by Mr. Charles D. Crawford. Motion seconded by Councilman Payne, and carried unanimously.

IV. APPROVAL OF BUDGET FOR FISCAL YEAR 1981.

Councilman Payne moved for the passage and approval of the proposed budget totaling $469,455.00 for Fiscal Year 1981, with $95,825.00 being allocated to the Administrative Department, $175,949 allocated to the Police Department, $87,850.00 allocated to the Street Department, $85,711.00 allocated to the Sanitation Department and $24,120.00 allocated to the Fire Department. Motion seconded by Councilman Cothran, and carried unanimously.

V. INTERLOCAL AGREEMENT TO USE CITY OF FARMERS BRANCH LANDFILL.

City Planner explained the City of Farmers Branch has constructed a new landfill in Lewisville next to DFW Landfill, which we are presently using, and would like the City to enter into a contract with them to dump at $1.00 per yard for a minimum period of one year. After much discussion of the matter, City Planner was instructed to (1) negotiate a guarantee on the number of years the landfill will be available to us, (2) two year guarantee of rate charged, and (3) permit Lake Dallas citizens to dump small loads at no cost.

VI. POLICE DEPARTMENT BUSINESS.

1. Councilman Hutto moved for approval to purchase a 1975 GMC 1/2 ton pickup truck at a total cost of $1,775.00 for use by the Animal Control Officer. Motion seconded by Councilman Payne, and carried unanimously.

2. Councilman Payne moved for approval to purchase a single band radio for the Animal Control truck at a cost of $634.00, plus an additional radio at a cost of $854.00 for the new patrol car just purchased, less $200.00 trade-in, for a total cost of $1,288.00 for both radios. Motion seconded by Councilman Cothran, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

Council reviewed the Animal Control and Police Activity Reports for the month of July. Councilwoman Kennedy, as well as Councilman Hutto, requested that the Police Chief be instructed to give citations to those persons who permit their dogs to run at large within the City.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of July, 1980 as well as the August Accounts Payable was reviewed. Councilman Payne moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of August. Motion seconded by Councilman Hutto, and carried unanimously.

2. Council reviewed the Municipal Court Reports for the July 15 and August 5 dockets.

3. Councilwoman Kennedy moved that the Mayor and City Secretary be authorized to make a loan at a local bank if necessary to meet financial responsibilities of the City until such time as the Money Market Certificates currently on deposit mature. Motion seconded by Councilman Hutto, and carried unanimously.

IX. OLD BUSINESS.

Councilman Payne moved for approval of the renewal of the Public Officials and Employees Liability Insurance coverage with the Lake Cities Insurance Agency effective this date at an annual premium of $1,321.00. Motion seconded by Councilman Hutto, and carried unanimously.

X. NEW BUSINESS.

Mr. Tom Peters stated he would like to see a citizen committee appointed which would be responsible for generating public interest in City programs.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. The meeting we adjourned at 8:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL AUGUST 28, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to provide an opportunity for citizen imput on the proposal to increase the property tax rate from forty-two cents ($.42) per one hundred dollar valuation to fifty-two cents ($.52) per one hundred dollar valuation.

No person came forward with any comments or objections to the proposal.

Motion to approve the intent to increase the property tax rate by ten cents ($.10) per one hundred dollar valuation for fiscal year 1981 was made by Councilman Hutto, seconded by Councilwoman Kennedy, and prevailed by the following vote:

AYES: Messrs. James W. Hutto, Thurman Bartley, W. R. Cothran, J. C. Payne and Ms. Anne Kennedy.

NOES: None.

NOT VOTING: Mayor Johnny J. Vinson

There being no further business for discussion, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 8:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 11, 1980

Mayor Vinson called the meeting to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to provide an opportunity for citizen imput on the proposal to increase the tax rate by ten cents ($.10) per one hundred dollar valuation. The proposal would raise the present tax rate of $.42 per one hundred dollar valuation to $.52 per one hundred dollar valuation for the 1980 tax year.

The following citizens addressed Council on the tax proposal and related budget for fiscal year 1980-81:

Mr. LeeRoy Schramm requested consideration be given to increasing the Over Age 65 Exemption to offset any tax increase to the elderly. He further stated funds should be allocated to begin needed engineering work within the City, and questioned the amount of money allocated to personnel costs in each department. He asked Council to consider whether or not the tax payor is getting a fair return on his investment as same relates to employee productivity. Mr. Schramm also requested consideration be given to budgeting funds for the following specific projects:

(1) Improving the drainage ditch between Kings Manor and Prince Drives in the Kings Manor Subdivision.
(2) Creation of a Master Plan.
(3) Further development of the Oak Lakes Subdivision.

Mr. Tom Peters stated inadequate information was being generated to the public not only on notice of meetings and agenda items, but also on various projects and issues of interest to the City. He stated elected officials had an obligation to disseminate information to the public, and suggested each Councilmember telephone at least ten persons and inform them of the date and time of every meeting as well as the items to be discussed. He also urged Councilmembers not to vote for any expenditure unless they are personally in favor of the project and feel same to be in the best interest of the City.

Mrs. Aldena Stowe questioned the need for a tax increase at this time when in previous years additional revenues had been generated to fund the increased budget without benefit of a tax increase. She suggested perhaps the City needs to bring their expenditures more in line with the expected revenues, rather than increasing taxes to fund an increased budget.

Mrs. Carolyn Green stated while she was not personally opposed to the proposal to increase the tax rate and had, in fact, suggested a small increase in previous years, some citizens are concerned about same. She questioned as to whether or not the need for additional revenues to fund increased budgets would result in a tax raise each year and ultimately to a revaluation of property.

Mayor Vinson called for any other citizen wishing to speak on the tax proposal. None appeared.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Bartley, and carried unanimously. The meeting was adjourned at 8:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 11, 1980

Mayor Vinson called the meeting to order at 8:15 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the four (4) meetings held August 14 and 28, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Cothran, and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Carolyn Green stated Ordinance No. 100, relating to mobile home zoning, prohibits travel trailers (due to limited living space) from being placed in mobile home parks. She requested Council's consideration to amending the ordinance to permit the entrance of travel trailers on a limited or temporary basis depending upon age, condition and number of persons residing in said trailer. She further stated new people, however temporary, should not be discouraged from moving into the City inasmuch as they bring additional revenues.

III. ORDINANCE NO. 134 LEVYING TAX FOR 1981 FISCAL YEAR.

Councilman Bartley moved for the passage and approval of Ordinance No. 134 levying a tax rate of Fifty-Two Cents ($.52) on each $100.00 valuation of taxable property for the 1980-81 Fiscal Year. Motion seconded by Councilman Hutto, and carried unanimously.

IV. RESOLUTION AUTHORIZING SUBMISSION OF BID TO CORPS OF ENGINEERS FOR COLLECTION OF SOLID WASTE IN AREA PARKS.

Councilman Payne moved for the passage and approval of a resolution authorizing and directing the City Planner to prepare and submit to the Corps of Engineers a bid in the amount of $20,000.00 for first year refuse disposal service in area parks on Lake Lewisville. Motion seconded by Councilman Cothran, and prevailed by the following vote:

AYES: Messrs. J. C. Payne, W. R. Cothran and Thurman Bartley.
NOES: Ms. Anne Kennedy and Mr. James W. Hutto.

V. SANITARY LANDFILL USE AGREEMENT - CITY OF FARMERS BRANCH.

City Planner reported that the City of Farmers Branch is willing to enter into a long term agreement for use of the sanitary landfill site, providing the City of Lake Dallas will use exclusively that landfill site for the term

of said agreement. He further reported Lake Dallas residents would be permitted to dump at a cost of $1.00 per yard, minimum of $2.50 per load, being billed to the City, with no particular scrutiny being made of the individual. City Planner was instructed to check with the DFW Sanitary Landfill regarding the rumor of a rate increase to its users and whether or not Lake Dallas residents will be permitted to dump free of charge, reporting back to City Council at the next regular meeting.

VI. DEPARTMENTAL REPORTS.

Council reviewed the monthly Activity and Financial Reports as submitted by the Police and Fire Departments.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Council reviewed the Schedule of Receipts and Disbursements for the month of August, 1980 as well as the September Accounts Payable. Councilwoman Kennedy moved for City Secretary being authorized and directed to pay all those accounts now due and payable. Motion seconded by Councilman Cothran, and carried unanimously.

(2) Inasmuch as the present fiscal year ends September 30, Councilman Payne moved for City Secretary being authorized and directed to pay on that date, from invoice, actual expenses incurred in this fiscal year so that same will not be reflected in next year's actual budget figures. Motion seconded by Councilman Cothran, and carried unanimously.

(3) The Municipal Court Reports for the August 19 and September 2 dockets were reviewed.

VIII. EXECUTIVE SESSION.

Mayor Vinson announced Council will enter into Executive Session for the purpose of discussing contemplated litigation and settlement offer in the matter of James A. Swindle, Jr. vs. City of Lake Dallas Police Department as provided by Article 6252, Sec. 2 (e), V.A.T.C.S.

THE MEETING WAS OPENED TO THE PUBLIC AT 9:35 P.M.

In accordance with recommendation made by City Attorney, Councilman Payne moved for City Secretary being authorized and directed to disburse the sum of $500.00 to James A. Swindle, Jr. and Phillip E. Romero, Attorney representing full and complete settlement in the above referenced matter. Motion seconded by Councilman Hutto, and carried unanimously.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 9:50 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 18, 1980

Mayor Vinson called the meeting to order at 11:30 A.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman

Mayor Vinson announced Council will enter into Executive Session for the purpose of discussing pending litigation in the matter styled "Betty Sheene vs. Charlie Hale and the City of Lake Dallas" as provided by Article 6252-17, Sec. 2 (e), V.A.T.C.S.

City Secretary explained on April 23, 1980, the 16th Judicial District Court handed down a judgement in favor of the Plaintiff with respect to the above referenced matter. The maximum amount adjudged to the City of Lake Dallas at that time was $17,480.00 excluding the City's attorney fees if an appeal was effected. City Attorney was instructed to effect an appeal to the Court of Civil Appeals, which has been initiated.

Mayor Vinson stated it is now the recommendation of City Attorney that a settlement offer of $7,500.00 be made to the Plaintiff in lieu of an appeal. The matter was then discussed in great detail.

THE MEETING WAS OPENED TO THE PUBLIC AT 11:45 A.M.

In accordance with City Attorney's recommendation, Councilman Payne moved for City Secretary being authorized and directed to disburse a maximum amount of $7,500.00 to Betty Sheene and John K. Narsutis, Attorney, after receipt of a signed release of any and all liability in the matter. Motion seconded Councilman Hutto, and carried unanimously.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 12:00 Noon.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL OCTOBER 9, 1980

Mayor pro tem James W. Hutto called the meeting to order at 7:00 P.M. with the following persons present:

James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Mayor Johnny J. Vinson

Mayor pro tem James W. Hutto stated the purpose of this meeting is to provide an opportunity for citizen imput on the petition brought by Kingswood Inc. for a change in zoning classification from the R-1 7200 (single family) District to the R-1 4000 (Mobile Homes) District with respect to 58.1 acres out of the Nathaniel French Survey, A-424, located east of Kingswood Mobile Home Community and West of Lakeview Drive.

A prelimimary plot plan, submitted by Kingswood, Inc., was provided for public inspection, indicating a total of 353 lots on which mobile homes would be placed, each averaging 45' X 93', and approximately ten acres of common park area.

Mr. Hutto called for any citizen wishing to speak in favor of the proposed project. None was forthcoming.

Mr. Hutto then called for any citizen wising to speak against the proposed development. The following citizens came forth in protest of the proposal:

Mr. William Early, Kingswood Mobile Home Community, stated Kingswood, Inc. had not lived up to all promises made to the buyers of lots in Phase I and he was totally against any further expansion of the community, strongly urging its disapproval.

Mrs. Helen Heitz, Lakeview Drive, stated she much preferred to see the property developed in small permanent housing inasmuch has the City has an over abundance of mobile homes. She urged Council to consider the blight which in all probability will develope if the project is approved.

Mr. Tom Cretcher, Kingswood Mobile Home Community, stated Kingswood, Inc. had not acted in a responsible manner with the property owners in Phase I, and there is no reason to believe they will do so in Phase II.

No other persons wishing to speak on the matter, Councilwoman Kenney moved for an adjournment of the Public Hearing. Motion seconded by Councilman Cothran, and carried unanimously. The meeting was adjourned at 7:20 P.M.

James W. Hutto, Mayor pro tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 9, 1980

In the absence of Mayor Vinson, Mayor pro tem James W. Hutto presided over the meeting, calling same to order at 7:30 P.M. with the following persons present:

James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Johnny J. Vinson, Mayor

I. APPROVAL OF MINUTES.

Councilman Bartley moved that the reading of the minutes of the meetings held September 11 and 18, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

(1) Ms. Aldena Stowe requested that City staff members be asked to refrain from parking in the employees spaces provided on the East side of Alamo Street on Election Day, November 4, inasmuch as those parking spaces will be needed for persons voting at the Fire Hall.

(2) Ms. Stowe requested the ditch on the South side of Hundley Drive, located just East of Lakeview Drive, be cleaned out by the Street Department so that water can drain adequately. She also inquired as to the present status of the sewer problems within the Davis Mobile Home Park. City Planner answered that the City is working with Mr. Davis to end the existing problems within thirty days.

(3) Ms. Alice McCarty, Kingswood Mobile Home Community, stated there is still a severe drainage problem on Lakevista Circle at the cul-de-sac and requested the City correct or alleviate same.

III. KINGSWOOD, INC. - CHANGE IN ZONING CLASSIFICATION.

Council reviewed the petition submitted by Kingswood, Inc. for a change in zoning classification from the R-1 7200 (residential) to the R-1 4000 (mobile homes) District with respect to 58.1 acres out of the Nathaniel French Survey, A-424. Councilman Payne moved to postpone the matter in order to permit Kingswood, Inc. and an opportunity to file a plan for development of the property more acceptable to both the Council and the Planning and Zoning Commission. Motion seconded by Councilman Cothran, and prevailed by the following vote:

AYES: Messrs. J. C. Payne, W. R. Cothran and Thurman Bartley.
NOES: Ms. Anne Kennedy.

IV. SANITARY LANDFILL USE AGREEMENT - CITY OF FARMERS BRANCH.

Councilman Bartley moved that the matter of the Sanitary Landfill Use Agreement with the City of Farmers Branch be postponed. Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. DEPARTMENTAL REPORTS.

Council reviewed the September Activity and Financial Reports as submitted by the Police and Fire Departments.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Council reviewed the Schedule of Receipts and Disbursements for the month of September as well as the October Accounts Payable. Councilman Payne moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of October. Motion seconded by Councilman Bartley, and carried unanimously.

(2) The End of Year Budget and Financial Report was reviewed.

(3) The Municipal Court Reports for the September 16 and October 7 dockets were reviewed.

(4) It was generally agreed that any councilmember or staff member in a supervisory capacity may attend TML's annual convention to be held in Dallas Nov. 8-11, the registration fee to be paid by the City.

VII. NEW BUSINESS.

It was agreed that a Special Meeting would be held October 23, 1980, at 7:30 P.M., for the purpose of providing a Public Hearing on specific utility ratemaking and service standards as required by the Public Utility Regulatory Policies Act of 1978.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 8:30 P.M.

James W. Hutto

James W. Hutto, Mayor pro tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 23, 1980

Mayor Vinson called the meeting to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

ABSENT: James W. Hutto, Mayor pro tem

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing for citizens on the following twelve (12) ratemaking and service standards as required by the Public Utility Regulatory Policies Act of 1978:

I. COST OF SERVICE - Electric rates should, to the greatest extent possible, reflect the cost of providing service to each class of consumer.

II. DECLINING BLOCK RATES - The unity cost of electric service for large volume consumers should not decrease as consumption increases. That is, declining block rates should not be permitted.

III. TIME-OF-DAY RATES - Rates should reflect the variable cost of providing service at different times of the day, unless such rates would not be cost-effective. If it costs more to produce electricity in the afternoon, rates for electricity consumed in the afternoon should be higher, and rates for other times of day should be lower.

IV. SEASONAL RATES - Rates should reflect the variable cost of providing service during different seasons of the year. If, for example, it costs more to produce electricity in the summer, rates for electricity consumed in the summer should be higher, and rates for other times of the year should be lower.

V. INTERRUPTIBLE RATES - Each electric utility should offer industrial and commercial customers the opportunity to choose an "interrupible rate". Customers who choose an "interruptible rate" would agree to let the utility curtail their electric service during periods of peak loads; in return, the customer pays a reduced rate.

VI. LOAD MANAGEMENT TECHNIQUES - Each electric utility should implement load management techniques which spread consumers' demands for electrical energy evenly throughout the day. Such techniques include time-of-day rates and residential load (or usage) controls.

VII. MASTER METERING - For newly constructed office buildings, apartment houses and other multiple tenant structures, each unit should have its own separate electric meter, rather than having the building connected to a single master meter.

VIII. AUTOMATIC FUEL ADJUSTMENT CLAUSES - Automatic fuel adjustment clauses, under which an electric utility is permitted to unilaterally raise its rates to keep pace with fuel price increases, should be prohibited. Rate increases should always by subject to review by the regulatory body exercising jurisdiction.

IX. CONSUMER INFORMATION - Each electric utility should provide consumers with complete information regarding its rates, including a schedule of rates and a description of the methods by which rates are calculated.

X. TERMINIATION OF SERVICE - Electric service should not be terminated because a consumer has been delinquent in payments until after the consumer has received prior notice and an opportunity to dispute the reason(s) for termination. Additionally, service should never be terminated for a delinquent customer whose health would be threatened by the termination.

XI. ADVERTISING - No electric utility should be permitted to pass on the cost of advertising to consumers. Advertising expenses should be borne by the Company's shareholders.

XII. LIFELINE RATES - Refer to the provision of certain levels of electric service to residential customers at a rate shich is below the cost of providing that service. It has been argued that a basic level of utility service is a necessity of life, and that low income or fixed income groups should be able to purchase that basic level at a price which is lower than the cost of supplying same.

No citizen was present to make any comments on the forgoing issues. Mr. Mike Murphy, local Manager of the Texas Power and Light Company, made comments on each item, as well as submitting in writing his Company's policy and procedure regarding same. Said written statements as submitted by Texas Power and Light Company are attached hereto and made a part of these minutes.

The matters of Termination of Service and Advertising as they relate to gas utility companies were addressed. No citizen was present to make any comment regarding same.

Mr. Jack Locke, local Manager of the Lone Star Gas Company, commented on the matters of Termination of Service and Advertising, as well as presenting in writing his Company's policies and procedures relative to same. Said written statements as submitted by Lone Star Gas Company are attached hereto and made a part of these minutes.

The Public Hearing was closed at 8:15 P.M.

After discussion of the matters, Councilman Payne moved that further consideration of the various electric utility ratemaking and other standards specified in the Public Utility Regulatory Policies Act of 1978 be tabled until after the Public Utility Commission of Texas considers same, at which time this municipal regulatory authority will schedule a hearing to resume consideration of those standards in light of the determinations made by said Public Utility Commission of Texas. Motion seconded by Councilman Bartley, and carried unanimously.

Councilman Payne moved that the general rules and regulations for residential and commercial gas service as presently approved in the City of Lake Dallas are sufficient as same relates to termination of gas service and advertising. Motion seconded by Councilman Bartley, and carried unanimously.

There being no further business for discussion, Councilman Bartley moved for adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 8:35 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

Submitted by Ron Lear 10-23-80

STATEMENT OF PROCEDURES FOR TERMINATION OF SERVICE

In accordance with provisions of the Public Utility Regulatory Policies Act of 1978 (PURPA), and in response to the public hearing being conducted by this regulatory authority, the following remarks pertain to Lone Star Gas Company's standards for termination of gas service to a customer. As a guiding principle, the Company uses Quality of Service Rules which have been approved by the Texas Railroad Commission and have been filed with this city. We believe that the Company's existing procedures comply with requirements of PURPA as they relate to notification of a customer before service is discontinued for non-payment and as they relate to protection of a customer whose health would be threatened by termination of service.

Regarding proper notification, Lone Star Gas Company generally follows these procedures:

1. A past due or final notice is sent to the customer automatically seven (7) days after the due date (or discount date) printed on the gas bill. The customer has at least thirteen (13) calendar days from the due date to respond. The date after which the Company can terminate service is also printed on the final notice.

2. The local office makes a final check for receipt of late payment before starting collection procedures. If the Company is aware of circumstances such as medical or financial hardship, existence of a deferred payment agreement, or a dispute regarding accuracy of the bill amount, service will <u>not</u> be routinely terminated.

3. If none of the previously listed conditions are found to exist, an attempt is made to contact the customer in person to resolve the debt or notify the customer of termination.

4. Should the customer fail to make arrangements for payment of the delinquent bill after the notification procedure is completed, service may be terminated. Service is not normally terminated on Fridays, weekends, holidays or the day before a holiday.

5. The final notice states that if service is discontinued for non-payment, an additional charge will be made for restoration of service, and the restoration will be scheduled the workday following receipt of payment in full.

The second consideration required by PURPA regarding termination of service relates to the protection of customers whose health would be threatened if their gas service is discontinued. As stated earlier, if a medical hardship exists, regular service termination procedures are discontinued. Under such circumstances as the elderly living on fixed income, persons needing gas service for life sustaining equipment, or customers suffering from long-term illness or disability, the customer is given special consideration to make arrangements for discharge of his obligation. In addition to this protection for the customer, service is not terminated during severe cold weather or upon proper notification of a medical emergency at the affected residence.

Lone Star Gas Company will continue to make every effort to work diligently with its customers to keep from terminating their gas service. Historically, the Company has maintained a practice of being fair and sympathetic to its customers, and we intend to remain true to that commitment. We are confident that our present termination of service procedures meet the concerns expressed by the Public Utility Regulatory Policies Act. We urge this council to officially determine that the Company's procedures as defined by the "General Rules and Regulations for Residential and Commercial Service in the City of _____, Texas" are sufficient.

Submitted by
Lone Star Gas Co
10-23-80

STATEMENT OF ADVERTISING STANDARD

The Gas Utilities Division of the Texas Railroad Commission has adopted rule #051.04.03.037 regarding advertising expenses of a gas utility which will be allowed as an operating expense to be recovered through charges for gas service. Provisions of this rule as they pertain to advertising expenses are in compliance with the mandate contained in the Public Utility Regulatory Policies Act of 1978. The features of this rule are as follows:

1. Actual expenditures for advertising will be allowed as a cost of service for ratemaking purposes provided that the total sum of such expenditures does not exceed two-tenths (0.2%) of one percent of the gross receipts of the utility.

2. The allowed expenditure is authorized with the understanding that it is justified by the savings in total energy consumed as a result of promoting the use of energy efficient appliances, equipment or service.

3. Advertising which informs consumers of conservation techniques and encourages their use is allowable as a cost of service.

4. Other forms of advertising which are allowable as a cost of service include:

   a. advertising required by law or regulation;
   b. advertising regarding service interruptions, safety measures, or emergency conditions;
   c. advertising regarding employment opportunities; and,
   d. advertising which explains existing or proposed rate schedules, or notifications of hearings thereon.

5. Advertising expense is specifically prohibited as an allowable cost of service when it is for the purpose of influencing public opinion with respect to legislative, administrative or electoral matters, or with respect to any controversial issue of public importance.

6. Advertising expenses which are disallowed by this rule may only be recovered from the shareholders or other owners of a gas utility.

In conclusion, Lone Star Gas Company believes this standard as adopted by the Texas Railroad Commission is in compliance with the Public Utility Regulatory Policies Act and we urge this council to determine that it is an appropriate standard for the Gas Company's operations under this jurisdiction.

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL NOVEMBER 13, 1980

In the absence of both the Mayor and Mayor pro tem, Councilman Payne presided, calling the meeting to order at 7:00 P.M. with the following persons present:

J. C. (Jim) Payne, Councilman
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem

Councilman Payne stated the purpose of this meeting is to provide a Public Hearing on a petition brought by Mrs. Betty Harper for a Special Use Permit to allow for the property located at 111 North Lakeview Drive to be used as a Day Care Center. Said property is described as being Lot Nos. 8, 9, 24 and 25, Block A, Garza Beach Estates and is presently zoned R-1 6000.

Chairman Payne called for any opposition to the request made by Mrs. Harper. No opposition was presented.

There being no further business for discussion, Councilman Cothran moved for an adjournment of the Public Hearing. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 7:10 P.M.

J. C. Payne, Chairman
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 13, 1980

Mayor Vinson presided over the meeting, calling same to order at 7:10 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: James W. Hutto, Mayor pro tem

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on a petition brought by Mrs. Joe Tisdale and Mrs. Gene Tisdale for a Special Use Permit to allow for property located at 512 Atchison Street to be used as a Day Care Center. Said property is described as being Lot Nos. 1 and 2, Block B, Atchison Subdivision and is presently zoned R-1 6000.

Mayor Vinson called for any opposition to the request as stated. No opposition was presented.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the Public Hearing. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 7:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL NOVEMBER 13, 1980

Mayor Vinson presided over the meeting, calling same to order at 7:15 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: James W. Hutto, Mayor pro tem

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on a proposal made by the Planning and Zoning Commission to amend the Zoning Ordinance No. 25 to allow for commercial (mini) warehousing in Zoning District Nos. C-1, C-2 and C-3 by Special Use Permit.

Mayor Vinson called for any opposition to the proposal as stated. No opposition was presented.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the Public Hearing. Motion seconded by Councilman Cothran, and carried unanimously. The meeting was adjourned at 7:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL NOVEMBER 13, 1980

Mayor Vinson presided over the meeting, calling same to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

ABSENT: James W. Hutto, Mayor pro tem

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the meetings held October 9 and October 23, 1980 be waived, and that said minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. SPECIAL USE PERMIT - MRS. BETTY HARPER.

Councilman Bartley moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING A SPECIAL USE PERMIT ON THE PROPERTY LOCATED AT 111 NORTH LAKEVIEW DRIVE TO BE USED AS A DAY CARE CENTER BY OWNER BETTY HARPER". Motion seconded by Councilman Payne and carried unanimously.

IV. SPECIAL USE PERMIT - MRS. DIANE TISDALE.

Councilwoman Kennedy moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING A SPECIAL USE PERMIT ON THE PROPERTY LOCATED AT 512 ATCHISON STREET TO BE USED AS A DAY CARE CENTER BY OWNER DIANA TISDALE". Motion seconded by Councilman Payne, and carried unanimously.

V. REQUEST FOR CHANGE IN ZONING CLASSIFICATION - KINGSWOOD, INC.

Councilman Bartley moved for a denial of the request made by Kingswood, Inc. for a change in zoning classification from the R-1 7200 District to the R-1 4000 District with respect to 58.1 acres of land out of the Nathaniel French Survey. Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. APPROVAL OF ORDINANCE NO. 135 AMENDING ORDINANCE NO. 25, SECTION 15, THE ZONING ORDINANCE.

Councilman Cothran moved for the passage and approval of Ordinance No. 135 "AMENDING ORDINANCE NO. 25, SECTION 15, THE ZONING ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, PROVIDING IN ADDITION THERETO A SUBSECTION 21, COMMERCIAL STORAGE FACILITIES (MINI-WAREHOUSES) IN COMMERCIAL AREAS ZONED C-1,

C-2 OR C-3; PROVIDING AN EMERGENCY". Motion seconded by Councilman Bartley, and carried unanimously.

VII. SANITARY LANDFILL USE AGREEMENT.

This matter was postponed pending further investigation.

VIII. DEPARTMENTAL REPORTS.

Council reviewed the Activity and/or Financial Reports for the month of October as submitted by the Police and Fire Departments.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. A proposal for computerized monthly bookkeeping and semi-monthly payroll services submitted by Midwest Business Services, Inc. was reviewed. Based on 100 checks per month, the City's cost for bookkeeping service would be approximately $95.00, and based on 50 checks per month, the cost for payroll would be $42.50, making a total monthly cost for both services of $137.50, plus an initial cost of approximately $60.00 for preprinted computer payroll checks and an initial set-up fee of $300.00. After much discussion of the matter, City Secretary was instructed to gather additional information and submit same at the next regular meeting.

2. The Schedule of Receipts and Disbursements for the month of October and the November Accounts Payable was reviewed. Councilwoman Kennedy moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of November, 1980. Motion seconded by Councilman Bartley, and carried unanimously.

3. The Municipal Court Reports for the October 21 and November 4 dockets were reviewed.

X. APPROVAL OF ORDINANCE NO. 136 AMENDING ORDINANCE NO. 114 - ESTABLISHING NEW BARBAGE SERVICE RATES.

Councilman Payne moved for the passage and approval or Ordinance No. 136 "- - AMENDING ORDINANCE NO. 114, AND ESTABLISHING NEW GARBAGE SERVICE RATES FOR RESIDENTIAL CUSTOMERS AND DECLARING AN EMERGENCY". Motion seconded by Councilman Bartley, and carried unanimously.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Cothran moved for an adjournment of the meeting. Motion seconded by Councilman Bartley, and carried unanimously. The meeting was adjourned at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL DECEMBER 11, 1980

The meeting was called to order at 7:30 P.M. with the Mayor presiding, and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

Absent: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the meetings held November 13, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Bartley, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. APPROVAL OF ORDINANCE NO. 137 ABANDONING A PORTION OF PAYTON STREET.

Councilman Payne moved for the passage and approval of Ordinance No. 137 "- - ABANDONING 150 FEET OF STREET RIGHT-OF-WAY LOCATED AT THE WEST END OF PAYTON STREET IN LAKE DALLAS, TEXAS". Motion seconded by Councilman Hutto, and carried unanimously.

IV. RESOLUTION AUTHORIZING APPLICATION FOR 701 GRANT.

Councilman Hutto moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING AND DIRECTING THE CITY PLANNER TO PREPARE AND SUBMIT TO THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS AN APPLICATION FOR GRANT FUNDING THROUGH THE COMPREHENSIVE PLANNING ASSISTANCE PROGRAM (701) FOR FISCAL YEAR 1981-82". Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. SANITARY LANDFILL USE AGREEMENT.

This matter was postponed pending receipt of additional information.

VI. APPOINTMENT TO BOARD OF DIRECTORS - LAKE CITIES LIBRARY.

Councilman Cothran moved for the confirmation of the appointment of Ms. Aldena Stowe to represent the City of Lake Dallas on the Board of Directors of the Lake Cities Library for the two year term beginning January 1, 1981. Motion seconded by Councilman Payne, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

Council reviewed the November Activity and/or Financial Reports as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Mr. Ralph Isaac, representing Midwest Business Services, Inc, presented for Council's review computerized ledger sheets and budget reports developed to total relieve the City of inhouse bookkeeping. After much discussion, Councilman Bartley moved that the matter be postponed until the next regular meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously.

(2) The Schedule of Receipts and Disbursements for the month of November was reviewed, as well as the December Accounts Payable. Councilwoman Kennedy moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of December, 1980. Motion seconded by Councilman Cothran, and carried unanimously.

(3) Council reviewed the Municipal Court Reports for the November 18 and December 2 dockets.

IX. NEW BUSINESS.

(1) City Secretary explained Mr. John England, present Tax Assessor-Collector, is leaving the consolidated tax office effective December 31, and Ms. Sally Harvey has been appointed to that position. Therefore, it is necessary that her signature be approved so that proper disbursement of the co-mingled tax monies can be made at the Lake Cities State Bank. Councilman Cothran moved for the passage and approval of a "RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING THE TAX ASSESSOR/ COLLECTOR FOR THE CONSOLIDATED TAX OFFICE TO ACCEPT MONEY FOR THE CITY OF LAKE DALLAS ON A CO-MINGLED BASIS WITH THE LAKE DALLAS INDEPENDENT SCHOOL DISTRICT AND THE LAKE CITIES MUNICIPAL UTILITY AUTHORITY AND DISBURSE SAME TO THE CITY OF LAKE DALLAS". Motion seconded by Councilman Payne, and carried unanimously.

(2) Notice was taken that the Lake Cities Insurance Agency had advised that the fire coverage on City Hall and contents, including comprehensive general liability, will expire January 23, 1981. City Secretary was instructed to ask the Lake Cities Insurance Agency for a premium quote and submit same to the Council at the regular meeting in January.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JANUARY 8, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the matter of a petition brought by Mr. Floyd West, Jr. for a Special Use Permit to construct mini-warehouses on property located at 203-215 West Hundley Drive, and described more specifically as being Tract Nos. 2A and 10A, 1.034 Acres, out of the J. W. Simmons Survey, said property presently being zoned C-1 (Commercial).

Mayor Vinson called for any person wishing to speak in opposition of the matter. No one responded.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the Public Hearing. Motion seconded by Councilman Cothran, and carried unanimously. The meeting was adjourned at 7:12 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 8, 1981

The meeting was called to order at 7:15 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the matter of a petition brought by Mr. Billy L. Brown for a Special Use Permit to construct mini-warehouses on property with approximate dimentions of 100' by 400', located in the 300 block of Shady Shores Road, bounded on the South by the Lake Haven Mobile Home Park and on the North by the Shady Shores Apartment complex, said property presently being zoned C-1 (Commercial).

The following persons spoke in opposition of the proposed use of the land:

Mrs. Carolyn Green, Manager of the Lake Haven Estates Mobile Home Park, stated she, as well as many residents of the park, objected to the proposed construction of mini-earehouses because:

(1) The property is surrounded on the North, South and East by residential housing.
(2) Mini-warehouses do not generally have in-house management. resulting in trash and garbage being deposited on the premises and a sloppy appearance being given to the entire neighborhood.
(3) Mini-warehouses being generally unattended invite crime into the neighborhood in the form of burglaries and criminal mischief.
(4) Persons renting mini-warehouses generally require access to their units at all hours of the day and night, resulting in increased traffic within the neighborhood in the evenings and week-ends.
(5) Mini-warehouses will not add substantially to the tax rolls of the City, nor will they generate revenue for the merchants within the City.

Mr. Gerald Hendrickson, Duchess Court, opposed the proposed mini-warehouses due to the neighborhood being predominantly residential.

No one spoke in favor of the project.

There being no further business for discussion, Councilman Cothran moved for an adjournment of the meeting. Motion seconded by Councilman Payne, and carried unanimously. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 8, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary
Charles T. Cryan, City Planner

Absent: None

I. APPROVAL OF MINUTES.

Councilman Payne moved that the reading of the minutes of the meeting held December 11, 1980 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Gerald Hendrickson stated, as a result of his daughter having been bitten by a neighbor's cat on her own property, he was setting cat traps on his private property, and had received some opposition from his neighbors. He inquired as to whether or not the Animal Control Ordinance prohibited cats as well as dogs from running at large in the City. He further stated the cat bite was reported immediately to the Animal Control Officer, and said officer was supposed to place the cat under quarantine for ten days. Todate, 11 days later he had not been informed whether or not the cat was rabid.

III. APPROVAL OF ORDINANCE NO. 138 - SPECIAL USE PERMIT.

Councilman Payne moved for the passage and approval of Ordinance No. 138, "- - GRANTING A SPECIAL USE PERMIT FOR COMMERCIAL RENT WAREHOUSING (MINI-WAREHOUSES) FOR TRACT NOS. 2A and 10A OUT OF THE J. W. SIMMONS SURVEY; PROVIDING CONDITIONS OF SPECIAL USE PERMIT; PROVIDING FOR FINES AND PENALTIES; AND PROVINDING AN EMERGENCY". Motion seconded by Councilman Cothran, and carried unanimously.

IV. PETITION FOR SPECIAL USE PERMIT - BILLY L. BROWN.

Council reviewed a petition submitted by Messrs. Billy L. Brown and Clyde Fisher requesting a Special Use Permit be granted for the construction and operation of commercial rent warehousing (mini-warehouses) on approximately 40,000 square feet of property with dimentions of 100 feet by 400 feet, located in the 300 block of North Shady Shores Road, bounded on the South by Lake Haven Mobile Home Park and on the North by the Shady Shores Apartment complex. Councilman Payne moved for the passage and approval of an ordinance granting the Special Use Permit as requested. Motion was seconded by Councilman Bartley. The proposed ordinance requiring a unanimous vote failed by the following:

AYES: Messrs. J. C. Payne, Thurman Bartley and W. R. Cothran.
NOES: Ms. Anne Kennedy and Mr. James W. Hutto.

V. RESOLUTION RATIFYING AGREEMENT BETWEEN THE CITY OF LAKE DALLAS AND THE CITY OF FARMERS BRANCH PROVIDING FOR SANITARY LANDFILL USE.

Councilman Bartley moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS RATIFYING AN AGREEMENT BETWEEN THE CITY OF LAKE DALLAS AND THE CITY OF FARMERS BRANCH PROVIDING FOR SANITARY LANDFILL USE". Motion seconded by Councilwoman Kennedy, and carried unanimously.

VI. RESOLUTION AUTHORIZING APPLICATION FOR CRIMINAL JUSTICE FUNDS - RECORD EXPANSION SYSTEM IV.

Councilman Payne moved for the passage and approval of a "RESOLUTION AUTHORIZING THE CITY OF LAKE DALLAS TO APPLY FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION FOR THE RECORD SYSTEM IV". Motion seconded by Cothran, and carried unanimously.

VII. PURCHASE OF ADDITIONAL FRONT LOADER (COMMERCIAL) GARBAGE TRUCK - DISCUSSION.

The matter was discussed extensively. It was generally agreed that Councilman Cothran would inspect used front loaders for sale by Moore Industrial, Inc. before investigating the lease or purchase of a new vehicle.

VIII. DEPARTMENTAL REPORTS.

The December Activity Reports, and well as the first Quarterly Report, were reviewed as submitted by the Police Department.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

(a) City Secretary was instructed to renew the present insurance coverage on the City Hall Building and contents, as well as the comprehensive general liability coverage, with the Lake Cities Insurance Agency at a total annual premium of $2,567.00.

(b) The matter of computerized payroll and bookkeeping services was postponed pending further investigation and information.

(c) The Schedule of Receipts and Disbursements for the month of December, 1980 was reviewed, as well as the January, 1981 Accounts Payable. Councilman Hutto moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of January, 1981.

(d) The first Three Month Budget Report for the current fiscal year was reviewed, as well as the Audit Report for fiscal year ending September 30, 1980 as prepared by Howe, Fryman & Company, Certified Public Accountants.

(e) The Municipal Court Reports for the December 18, 1980 and January 6, 1981 dockets were reviewed.

X. NEW BUSINESS.

(1) Mr. Ted Wynn, representing R. F. Systems, stated he had been working with the City Planner on an agreement to construct and maintain a 140' tower, as well as a 8' by 10' storage building on City property for the purpose of setting radio antennas and to allow, at no charge, the use of said tower for radio antennas used by the City of Lake Dallas. After some discussion, it was generally agreed the matter should be postponed until more information was available as to the antenna needs of the Fire Department.

(b) Messrs. Ron Hewitt and Don Carlton, City of Hickory Creek Councilmembers, stated their city was interested in discussing the possibility of entering into an Interlocal Contract Agreement with the City of Lake Dallas for limited police services, specifically (1) emergency calls at night dispatched from the Sheriff's office, (2) assistance on the abatement of junked and abandoned vehicles, as well as (3) some limited enforcement of local ordinance only by request made through the City Secretary's office. Mayor Vinson appointed Lake Dallas Councilmembers James W. Hutto and J. C. Payne to serve with Messrs. Hewitt and Carlton as a committee to discuss the matter further.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Cothran, and carried unanimously. The meeting was adjourned at 9:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL FEBRUARY 12, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

ABSENT: James W. Hutto, Mayor Pro Tem

I. APPROVAL OF MINUTES.

Councilman Bartley moved that the reading of the minutes of the meetings held January 8, 1981 be waived, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. RESOLUTION AND ORDER ESTABLISHING PROCEDURE FOR CITY OFFICERS' ELECTION TO BE HELD APRIL 4, 1981.

Councilman Payne moved for the passage and approval of a resolution and order establishing procedure for the City Officers' Election to be held April 4, 1981 for the purpose of electing three (3) councilmembers for two year terms. Motion seconded by Councilman Cothran, and carried unanimously.

IV. REQUEST FOR LIMITED POLICE SERVICES - CITY OF HICKORY CREEK, TEXAS.

Messrs. Sid Randolph and Don Carlton, representing the City of Hickory Creek, stated they had met with Lake Dallas Councilmembers Anne Kennedy and J. C. Payne relative to the possibility of the City of Lake Dallas providing on a contract basis some limited police services to their city. Mayor Vinson suggested that they also meet with the Chief of Police in an effort to ascertain his feelings on the matter. Messrs. Randolph and Carlton agreed to do so.

V. RESOLUTION APPROVING AGREEMENT FOR ADMINISTRATIVE SERVICES WITH LAKE CITIES MUNICIPAL UTILITY.

Councilman Payne moved for the passage and approval of a resolution authorizing and directing the Mayor to sign an agreement with the Lake Cities Municipal Utility Authority for the billing and collection of solid waste disposal fees within the City of Lake Dallas, calling for a fee of 8% of the gross receipts to be paid to the said LCMUA for such service, and setting an effective date of April 1, 1981. Motion seconded by Councilman Cothran, and carried unanimously.

VI. RESOLUTION RATIFYING LEASE-PURCHASE AGREEMENT FOR NEW FRONT LOADER (COMMERCIAL) GARBAGE TRUCK.

Councilman Cothran moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS RATIFYING A LEASE-PURCHASE AGREEMENT BETWEEN THE CITY OF LAKE DALLAS AND THE ENVIRONMENTAL SALES & SERVICE, INC. AND THE FMC FINANCE CORPORATION FOR A 1981 35 YARD LEACH FRONT LOADER BODY MOUNTED ON A NEW 1979 PETERBUILT TRUCK'. Motion seconded by Councilman Payne, and carried unanimously.

VII. DEPARTMENTAL REPORTS.

1. Mr. Johnny Webber, Superintendent of the Sanitation Department, explained the motor froze up in the 1975 International Harvester front loader garbage truck which necessitated the lease of a new vehicle. He stated, after checking with several diesel mechanics, it would cost approximately $500.00 to $1,000.00 to repair the truck, depending upon what was found once the motor was torn down. Councilman Payne moved for approval of Mr. Webber being authorized and directed to have the truck repaired so that it could be sold. Motion seconded by Councilman Cothran, and carried unanimously.

2. The February Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of January was reviewed, as well as the February Accounts Payable. Councilman Payne moved that City Secretary be authorized and directed to pay all those accounts due and payable within the month of February. Motion seconded by Councilwoman Kennedy, and carried unanimously.

2. Municipal Court Reports for the January 12 and February 3 dockets were reviewed.

3. Notice was taken that the insurance coverage on City vehicles would expire on April 8, 1981. Councilman Cothran moved that City Secretary be authorized and directed to effect the renewal with the Lake Cities Insurance Agency. Motion seconded by Councilman Payne, and carried unanimously.

IX. NEW BUSINESS.

1. Mrs. Aldena Stowe, City of Lake Dallas' newly appointed representative to the Board of Directors of the Lake Cities Library, stated she had attended her first board meeting and was very impressed with the work being done there. She reported approximately 200 children has attended the Story Hour last summer, and there is currently a Story Hour Program for pre-school children. She further reported two young people from the NTSU Library Program are presently working on a part time basis and doing a fine job.

2. Councilman Payne stated he was very concerned about the General Contractor laying new cable for the telephone company not repairing streets and shoulders properly. Mayor Vinson stated he would get with the Manager of the telephone company regarding same.

3. City Secretary was instructed to bill one-third of the administrative cost of setting up the joint election to the Lake Dallas Independent School District and the Lake Cities Municipal Utility Authority respectively.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Bartley moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MARCH 12, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
W. R. (Bill) Cothran, Councilman
Anne Kennedy, Councilwoman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

ABSENT: Thurman Bartley, Councilman

I. APPROVAL OF MINUTES.

Councilman Hutto moved for the suspension of any rule requiring that the minutes of the regular meeting held February 12, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne, and carried unanimously.

II. CITIZEN'S AGENDA.

Ms. Carolyn Green stated the Hundley Drive/Shady Shores Road intersection is extremely dangerous, the Southeast corner of same particularly bad. She requested a thorough investigation of the intersection be made, with the City implementing whatever traffic control improvements deemed necessary in order to speed the traffic through the intersection and to avoid further and more severe accidents.

Chief of Police Y. C. Carr stated he had studied the intersection, and did not feel same warranted Four-Way Stop Signs or a Traffic Light, but suggested instead the following improvements:

(1) Remove from the corners of the intersection all privately owned signs presently obstructing view of oncoming traffic.

(2) Paint broad lines at designated safe stop positions on Shady Shores Road, as well as painting broad dividing lines between the North/South lanes of traffic.

(3) Broaden intersection by lengthening culvert on Shady Shores Road in order to permit safe entry of right and left turns into the intersection.

Chief Carr was instructed to further investigate possibilities of improving traffic problems at that intersection, as well as the Main Street/Shady Shores Road intersection, making whatever improvements possible.

III. REQUEST FOR RATE INCREASE - TEXAS POWER & LIGHT COMPANY.

Mr. Mike Murphy, local Manager of Texas Power & Light Company, requested an average systemwide increase in electrical rates of 20.3%, such average class rate increases being more specifically as follows:

Residential	- 25.2%
Municipalities and Schools	- 21.5%
Commercial and Industry	- 16.3%

Councilwoman Kennedy moved for the passage and approval of Ordinance No. 138 entitled "AN ORDINANCE SUSPENDING THE EFFECTIVE DATE OF PROPOSED REVISIONS OF RATES AND SCHEDULES OF TEXAS POWER & LIGHT COMPANY FOR 120 DAYS FROM APRIL 10, 1981; PROVIDING THAT THE RATES OF SAID PUBLIC UTILITY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION; AND PROVIDING FOR NOTICE HEREOF TO SAID PUBLIC UTILITY". Motion seconded by Councilman Cothran, and carried unanimously.

IV. APPOINTMENTS TO PLANNING & ZONING COMMISSION.

Councilman Cothran moved for the appointment of Ms.'s Betty Martin, Sue Rucker and Pam Schaefer to a second full two year term on the Planning and Zoning Commission beginning April, 1981. Motion seconded by Councilman Hutto, and carried unanimously.

V. DEPARTMENTAL REPORTS.

The February Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the month of February were reviewed, as well as the March Accounts Payable. Councilman Cothran moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of March, 1981. Motion seconded by Councilwoman Kennedy, and carried unanimously.

(2) The Municipal Court Reports for the February 17 and March 3 dockets were reviewed.

VII. NEW BUSINESS.

(1) Mayor Vinson stated he had received on March 11 a letter of resignation from the City Council submitted by Councilman Thurman Bartley. Inasmuch as time did not permit the matter being placed on the current agenda, City Secretary was instructed to place same on the agenda for the next regular scheduled meeting.

(2) City Secretary informed Council that Lake Cities MUA had made a request for a permit to cut Swisher Road (at the building site of the new primary school) for the purpose of laying a new 6" water line inasmuch as the cost to bore under the street would be $4,500.00. After much discussion of the matter, it was determined that there is sufficient room for the boring procedure and City Secretary was instructed to inform the Lake Cities MUA that they must bore under the street in this instance. Permits to cut streets will only be granted when boring is impossible.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. The meeting was adjourned at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL APRIL 9, 1981

The meeting was called to order at 7:15 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Bill Cothran, Retiring Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary

The following persons were absent: Councilmen James W. Hutto, Thurman Bartley and J. C. Payne.

Inasmuch as a quorum of councilmembers in office prior to the April 4, 1981 City Officers' Election were not present, Mayor Vinson invited newly elected councilmembers to take their places at the council table in order that the official canvass of the votes could proceed. The following persons were then seated:

J William Davidson, Newly Elected Councilman
Robby Robertson, Newly Elected Councilman

I. CITY OFFICERS' ELECTION HELD APRIL 4, 1981.

(a) Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 4, 1981. It was determined that 227 qualified voters cast a total of 546 votes for the following candidates:

W. R. (Bill) Cothran	-	95 Votes
Robby Robertson	-	121 Votes
James W. Hutto	-	114 Votes
P. O. Byers	-	103 Votes
J William Davidson	-	110 Votes
James Nehib (Write In)	-	1 Vote
Carolyn Green (Write In)	-	1 Vote
Roy Harper (Write In)	-	1 Vote

All things appearing to be in order, Councilwoman Kennedy moved for the passage, approval and adoption of a resolution accepting said election returns and declaring Messrs. Robby Robertson, James W. Hutto and J William Davidson the winners in the races for three seats on the City Council. Motion seconded by retiring Councilman Cothran, and carried unanimously. A copy of said resolution is attached hereto and made a part of these minutes. City Secretary presented each newly elected officer with a Certificate of Election and administered the Oath of Office.

Retiring Councilman Bill Cothran then excused himself from the council table, extending congratulations to the newly elected members and good wishes to the veteran members.

II. RESIGNATION FROM CITY COUNCIL - THURMAN BARTLEY.

Councilwoman Kennedy moved for the acceptance of Mr. Thurman Bartley's resignation from City Council in accordance with his written request dated March 11, 1981, and that the seat be declared vacant. Motion seconded by Councilman Davidson and carried.

III. NEW APPOINTMENTS.

a. Councilwoman Kennedy moved that Mr. P. O. Byers be appointed to serve out Mr. Thurman Bartley's unexpired term. Motion seconded by Councilman Davidson, and carried. City Secretary then administered the Oath of Office to Mr. Byers, and he was seated at the Council table.

b. Councilman Byers moved that Councilman James W. Hutto be appointed to serve another one year term as Mayor pro tem. Motion seconded by Councilwoman Kennedy, and carried.

c. Councilman Robertson moved for the appointment of Councilman Davidson to serve on the Planning and Zoning Commission for the duration of his council term. Motion seconded by Councilwoman Kennedy and carried.

The meeting was recessed at 7:30 P.M. in order that business of the Board of Adjustment could be taken up.

Mayor Vinson reconvened the meeting at 7:40 P.M. with the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: None

City Secretary presented Councilman Hutto with a Certificate of Election, and administered the Oath of Office.

IV. APPROVAL OF MINUTES.

Councilman Davidson moved for the suspension of any rule requiring that the minutes of the regular meeting held March 12, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto, and carried unanimously.

V. CITIZEN'S AGENDA.

Ms. Carolyn Green welcomed newly elected members to the City Council, and requested that all councilmembers encourage citizens to attend Council meetings and take an active part in the business of their local government.

VI. APPROVAL OF ORDINANCE NO. 140.

Councilman Robertson moved for the passage and approval of "AN ORDINANCE AMENDING AND CHANGING A FRANCHISE ORDINANCE ENACTED BY THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS, ON NOVEMBER 11, 1965 AND BEING PARTLY STYLED "AN ORDINANCE GRANTING TO LONE STAR GAS COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE

CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS"; AND PROVIDING FOR A MODIFICATION OF THE DEFINITION OF THE TERMS "SERVICE LINES" AND "YARD LINES" REFERENCED IN SECTION 4 THEREOF". Motion seconded by Councilwoman Kennedy, and carried unanimously.

VII. LONE STAR GAS COMPANY - REQUEST FOR RATE INCREASE.

Councilwoman Kennedy moved for a suspension for 120 days the request made by Lone Star Gas Company for an approximate 13.66% increase in rates charged for natural gas pending the results of a special work session on the matter. Motion seconded by Councilman Davidson, and carried unanimously.

Councilman Davidson moved for denial of Lone Star Gas Company's motion for temporary rate relief. Motion seconded by Councilman Robertson, and carried unanimously.

VIII. INDUSTRIAL REVENUE BOND FINANCING.

Messrs. Lewis A. Bunch and Sam V. Florance, representing First Southwest Company, explained Industrial Revenue Bond Financing in the State of Texas. It was generally agreed that a special meeting should be scheduled for the purpose of considering a resolution authorizing and approving the creation of a nonprofit Industrial Development Corporation to act on behalf of the City.

IX. RESOLUTION AUTHORIZING CITY'S PARTICIPATION IN TRAFFIC SIGN REIMBURSEMENT PROGRAM.

Councilman Robertson moved for the passage and approval of "A RESOLUTION - - AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A TEXAS TRAFFIC SAFETY PROGRAM CONTRACT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORATION FOR THE CITY'S PARTICIPATION IN THE TRAFFIC SIGN REPLACEMENT PROGRAM". Motion seconded by Councilman Byers, and carried unanimously.

X. APPOINTMENT TO PLANNING & ZONING COMMISSION.

Councilwoman Kennedy moved for the appointment of Mr. Gene Welborn to the Planning and Zoning Commission to serve out Mr. Jim Duncan's unexpired term. Motion seconded by Councilman Hutto, and prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. James W. Hutto, P. O. Byers and Robbie Robertson.

NOES: Mr. J William Davidson.

XI. LAKE CITIES VOLUNTEER FIRE DEPARTMENT.

Council discussed the request made by the Lake Cities VFD for approval of an unallocated expenditure of approximate $31,469.50, plus interest, to purchase new radio equipment to be financed over a five year period by the Lake Cities State Bank with each of the four Lake Cities signing said note. It was generally agreed that more information was needed and the matter should be placed on the agenda for the next regular meeting in order that representatives of Motorola, as well as the Fire Department, could be present to answer questions.

XII. STREET IMPROVEMENTS.

Mayor Vinson explained the County Commissioner had agreed to assist the City with major street repairs this summer. It was generally agreed that approximately 24 loads of 3/8" white rock should be purchased and stockpiled for use in major repairs to Sargent, Shady Shores, Swisher and Texas Streets.

XIII. DEPARTMENTAL REPORTS.

The March Activity and/or Financial Reports as submitted by the Police and Fire Department were reviewed.

XIV. ADMINISTRATIVE DEPARTMENT BUSINESS.

a. The Schedule of Receipts and Disbursements for the month of March was reviewed, as well as the April Accounts Payable. Councilman Davidson moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of April, 1981. Motion seconded by Councilman Robertson, and carried unanimously.

b. The Budget Report for the six months ending March 31, 1981 was reviewed.

2. The Municipal Court Reports for the March 17 and April 7 dockets were reviewed.

XV. ADJOURNMENT.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson, and carried unanimously. The meeting was adjourned at 10:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF LAKE DALLAS

On this the 9TH **day of** APRIL, **19** 81, **the City Council/~~Commissioners~~**

of the City of LAKE DALLAS, **Texas, convened in** REGULAR **session open to the public at the regular meeting place thereof with the following members present, to-wit:**

Johnny J. Vinson, **Mayor,**

Anne Kennedy, **Alderman/~~Commissioner~~**

J William Davidson, **Alderman/~~Commissioner~~**

Robby Robertson, **Alderman²**

W. R. (Bill) Cothran Retiring, **Alderman²**

_____, **Alderman²**

M. Jean Chambers, **City Secretary/~~Clerk~~**

and the following absent: James W. Hutto and Thurman Bartley, **constituting a quorum, and among other proceedings had were the following:**

Alderman/~~Commissioner~~ Anne Kennedy **introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~** Bill Cothran, **and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,**

AYES: Ms. Anne Kennedy, Messrs. Bill Cothran, J William Davidson and Robby Robertson.

_____, **NOES:** None

The resolution is as follows:

There came on to be considered the returns of an election held on the 4TH day of APRIL, 19 81, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 546 valid and legal votes; that each of the candidates in said election received the following votes:

~~FOR MAYOR~~

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR ALDERMAN/~~COMMISSIONER~~ 2 and 3

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
W. R. (BILL) COTHRAN	95
ROBBY ROBERTSON	121
JAMES W. HUTTO	114
P. O. BYERS	103
J WILLIAM (BILL) DAVIDSON	110
JAMES NEHIB	1
CAROLYN GREEN	1
ROY HARPER	1

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOR _____ [3]

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF LAKE DALLAS **, TEXAS:**

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that ~~XXXXXX~~ MESSRS. ROBBY ROBERTSON, JAMES W. HUTTO AND J WILLIAM DAVIDSON were duly elected Aldermen/~~Commissioners~~ of said City at said election, and ~~that~~ ~~XXXXXX~~ ~~were duly elected~~ [2] and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the Secretary/Clerk[1] posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 9TH day of APRIL 19 81.

ATTEST:

_____
Secretary/Clerk[1]

_____
Mayor

[1]Strike one not applicable.
[2]Strike if not applicable.
[3]If Aldermen are elected by the place system, insert the place to be filled.

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL SETTING AS BOARD OF ADJUSTMENT HELD AT CITY HALL APRIL 9, 1981

The Meeting was called to order at 7:30 P.M. with the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: James W. Hutto, Mayor Pro Tem

I. REQUEST FOR VARIANCE FROM ORDINANCE NO. 25 - JOHN R. LUGENHEIM, LOT NO. 23, BLOCK F, OAKLAKES SUBDIVISION.

The petition, brought by Mr. John R. Lugenheim, for a variance from Ordinance No. 25 relative to rear yard setback of the building line at 208 Hillcrest was reviewed. Said petition requested a variance of 3.5' in the rear yard set back of the building line inasmuch as a transmission gas line is located on adjacent property which requires no construction within 25' of same.

Mayor Vinson called for any citizen opposition to the variance as explained. None was made.

Councilman Davidson moved for approval of the variance of 3.5' in rear yard setback of the building line at 208 Hillcrest, making the rear yard 26.5' deep rather than 30' as required by Ordinance No. 25. Motion seconded by Councilman Robertson, and prevailed by the following vote:

AYES: Messrs. J William Davidson, Robby Robertson, P. O. Byers and Ms. Anne Kennedy.
NOES: None.

II. ADJOURNMENT.

There being no further business for discussion by the Board of Adjustment, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried. Mayor Vinson adjourned the meeting at 7:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL APRIL 21, 1981

The meeting was called to order at 5:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor pro tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: None

A request entitled "APPLICATION FOR AUTHORIZATION AND APPROVAL OF A NONPROFIT INDUSTRIAL DEVELOPMENT CORPORATION TO ACT ON BEHALF OF THE CITY OF LAKE DALLAS, TEXAS", signed by Mayor Vinson and Councilmembers James W. Hutto and Anne Kennedy, was presented to the Council for consideration and discussion.

Mr. Sam Florance, Jr., representing First Southwest Company, explained how a nonprofit industrial development corporation works for a City and why such corporations are currently being organized in the State of Texas.

Councilman Hutto moved for the passage and approval of a resolution entitled "RESOLUTION AUTHORIZATING AND APPROVING THE CREATION OF A NONPROFIT INDUSTRIAL DEVELOPMENT CORPORATION TO ACT ON BEHALF OF THE CITY OF LAKE DALLAS, TEXAS". Motion seconded by Councilman Robertson and prevailed by the following vote:

AYES: Messrs. James W. Hutto, P. O. Byers, J William Davidson, Robby Robertson and Ms. Anne Kennedy.
NOES: None

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 6:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MAY 11, 1981

The meeting was called to order at 12:00 Noon with the Mayor presiding, and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
Richard Podgorski, Attorney for the City
M. Jean Chambers, City Secretary

ABSENT: Ms. Anne Kennedy, Councilwoman

Councilman Hutto moved for Council entering into Executive Session for the purpose of consulting with legal counsel contemplated litigation as provided by Article 6252-17, Sec. 2 (e), Vernon's Texas Civil Statutes. Motion seconded by Councilman Robertson, and carried.

Council then discussed with Mr. Podgorski the City's legal position in forcing the School District to provide the following:

1. Adequate drainage of the approximately seven (7) acres located at the corner of Shady Shores and Swisher Roads on which the new Primary School is currently under construction;
2. That said drainage plan not interfer with, or escalate cost, in future plans to improve Shady Shores and/or Swisher Road;
3. That said drainage plan not cause additional flooding of properties located downstream.

No motions were made.

The meeting was opened to the public at 12:40 P.M.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Byers, and carried.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MAY 14, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: Anne Kennedy, Councilwoman

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on a petition submitted by Payless Cashways, Inc. for a change in zoning classification from the C-1 Commercial District to the M-1 Light Industrial District with respect to 9.37 acres out of the J. W. Simmons Survey, A-1163, and located at the Southwest corner of the intersection of Stemmons Service and Swisher Roads.

Mr. Jay Haas, Project Engineer for Payless Cashways, Inc., stated his company proposed purchase of a 23.94 acre tract North and East of the Golden Distributing Company and South of Swisher Road on which a distribution center will be located. Said distribution center will supply approximately twenty (20) retail outlets throughout Texas and Oklahoma and will be comprised of three main buildings. The main structure will be a 100,000 to 150,000 square feet computerized warehouse. The second building will be an 8,000 square feet office facility to house two of the Company's ten district managers along with their clerical and purchasing staff. The third building will be a 3,000 square foot truck garage and wash rack facility. Maintenance in the garage will be limited to light driver performed items. No overhaul or heavy maintenance will be performed.

Mayor Vinson called for any persons wishing to speak in opposition of the proposed use of the land. No opposition was presented.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Davidson and carried. The meeting was adjourned at 7:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MAY 14, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: Anne Kennedy, Councilwoman

I. APPROVAL OF MINUTES.

Councilman Hutto moved for the suspension of any rule requiring that the minutes of the meetings held April 9 and 21, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Davidson and passed.

II. CITIZEN'S AGENDA.

No response.

III. CHANGE IN ZONING CLASSIFICATION - PAYLESS CASHWAYS, INC.

Councilman Hutto moved for approval of a petition submitted by Payless Cashways, Inc. for a change in zoning classification from the C-1 Commercial District to the M-1 Light Industrial District with respect to 9.37 acres out of the J. W. Simmons Survey, A-1163, Denton County, Texas, and more specifically located at the Southeast corner of the intersection of Stemmons Service and Swisher Roads. Motion seconded by Councilman Robertson and carried.

IV. RESOLUTION AUTHORIZING APPLICATION FOR CRIMINAL JUSTICE FUNDS - JUVENILE OFFICER III.

Councilman Hutto moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE FOR A GRANT FROM THE CRIMINAL JUSTICE DIVISION FOR THE JUVENILE OFFICER III PROGRAM". Motion seconded by Councilman Davidson and passed.

V. PLANNING & ZONING COMMISSION BUSINESS.

1. Councilman Robertson moved for the acceptance of Mr. Leon Pledger's written notice of resignation from the Planning and Zoning Commission effective May 7, 1981. Motion seconded by Councilman Hutto and carried.

2. Councilman Davidson moved for the appointment of Mr. Tony Franzen to the Planning and Zoning Commission to serve out Mr. Pledger's unexpired term. Motion seconded by Councilman Hutto and carried.

3. Several members of the Planning and Zoning Commission were present and made the following requests of City Council:

(a) Someone be designated to enforce existing ordinances relating to zoning conformity, unsightly nuisances, junked vehicles, high weeds, etc.

(b) Hire a Building Inspector that would attend meetings of the Planning and Zoning Commission and have more time available for inspecting new construction as well as making inspections of existing buildings in an effort to bring same up to the minimum housing standards.

(c) Call a joint meeting with the Planning and Zoning Commission so that plans can be formulated and goals set for major projects concerning said Commission.

It was generally agreed the Planning and Zoning Commission would first hold a work session during which their concerns and goals could be firmly established, then a joint meeting will be held for the purpose of providing Council imput into same.

VI. USE OF ANIMAL CONTROL SHELTER - CITY OF CORINTH.

Councilman Hutto moved for denial of the City of Corinth's request to use our Animal Control Shelter on the basis said shelter is inadequate for the City of Lake Dallas' use and, inasmuch as the shelter is located on private property, increased traffic to same would be an imposition on the property owner. Motion seconded by Councilman Byers and carried.

VII. PURCHASE OF NEW RADIO SYSTEM BY LAKE CITIES VFD.

Representatives from Motorola explained in great detail the new radio system proposed for use by the Lake Cities Volunteer Fire Department at a cost of $31,469.50 to be financed over a five year period. No motions were made.

VIII. DEPARTMENTAL REPORTS.

The April Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of April, as well as the May Accounts Payable, was reviewed. Councilman Robertson moved for approval of City Secretary being authorized and directed to pay all those accounts due and payable during the month of May, 1981. Motion seconded by Councilman Davidson and carried.

X. EXECUTIVE SESSION.

Mayor Vinson announced Council would enter into Executive Session for the purpose of employee evaluation as permitted by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes.

The meeting was closed to the public at 9:30 P.M. Council reconvened in open session at 9:40 P.M.

XI. NEW BUSINESS.

1. Councilman Robertson moved for approval of the appointment of Councilman J William Davidson as the City of Lake Dallas' voting representative to the General Assembly of the North Central Texas Council of Governments for 1981-82. Motion seconded by Councilman Hutto and carried.

2. It was agreed that Councilmembers J Willima Davidson and Robby Robertson would serve as the City of Lake Dallas' representatives on the Lake Cities Volunteer Fire Department's Budget Review Board for the 1981-82 Fiscal Year.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 10:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JUNE 11, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the petition submitted by J. J. Donald for a change in zoning classification from the R-1 6000 (Single Family) District to the R-3 (Multi-Family) District with respect to Lot Nos. 7, 10, 11, 14, 15, 18, 19 and 22, Block 2, Gotcher Addition, out of the Mary Wright Survey, located in the 200 Block of South Shady Shores Road.

Mr. Donald stated he proposed constructing twelve (12) four-plex units on the approximate 3.8 acre tract with a 11,300 square feet commercial district fronting Hundley Drive, bearing the cost of paving the alley immediately East of the property for additional access to the development. He further stated his desire to conform to all City Ordinances, including the improvement of both Shady Shores Road and Hundley Drive by widening and installing curb and gutter on that side of the street bordering his property.

Several citizens present spoke in favor of the proposed use of the land, including Mr. Mike Murphy, President of the Chamber of Commerce.

Mrs. Helen James, residing directly across the street from the property, opposed the proposed use of the land, stating she did not wish to see the City lose its rural environment.

Everyone present having been given an opportunity to speak on the matter, and there being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. The meeting was adjourned at 7:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JUNE 11, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held May 11 and 14, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto, and carried unanimously.

II. CITIZEN'S AGENDA.

(1) Ms. Aldena Stowe, the City's representative on the Board of Directors of the Lake Cities Library, stated the volunteer women presently staffing the Library are doing an excellant job. However, the Community Center needs help in the renovation of the buildings and completion of the addition to the main structure. She requested the City's assistance and cooperation in this worthwhile community project. Councilman Davidson agreed to lend his assistance to the project by chairing the Ways and Means Committee of the Lake Cities Community Center.

(2) Mr. and Mrs. Sam Kovsky stated Main Street needs to be cleaned up by strict enforcement of all City Ordinances.

(3) Mrs. Helen James requested the dirt be replaced around her fence posts that was dug out when the Street Department's backhoe got stuck in the ditch in front of her home at 101 South Shady Shores Road.

III. CHANGE IN ZONING CLASSIFICATION - J. J. DONALD

Councilman Robertson moved for approval of the request made by J. J. Donald for a change in zoning classification from the R-1 6000 District to the R-3 District with respect to Lot Nos. 7, 10, 11, 14, 15, 18, 19 and 22, Block 2, Gotcher Addition, out of the Mary Wright Survey, A-1355, located in the 200 Block of South Shady Shores Road. Motion seconded by Councilwoman Kennedy, and carried unanimously.

IV. PRO RATA SHARE OF BUDGET FOR DENTON COUNTY HEALTH DEPARTMENT AND AMBULANCE SERVICE CONTRACT.

Councilman Hutto moved for a postponement of the matter pending receipt of additonal information relative to same. Motion seconded by Councilman Byers, and carried unanimously.

V. REQUEST FOR AGREEMENT TO USE ANIMAL CONTROL OFFICER'S TIME AND VEHICLE - CITY OF CORINTH.

The request made by the City of Corinth to enter into an agreement with the City of Lake Dallas for use of the Animal Control Officer's time and vehicle was generally denied on the basis there is presently more work for the one officer within the City of Lake Dallas than could be expected within a reasonable work week.

VI. DEPARTMENTAL REPORTS.

The May Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the month of May, 1981, as well as the June Accounts Payable, was reviewed. Councilman Davidson moved for City Secretary being authorized and directed to pay all those accounts due and payable during the month of June, 1981. Motion seconded by Councilwoman Kennedy, and carried unanimously.

(2) The Municipal Court Reports for the April 21, May 5, May 19 and June 2 dockets were reviewed.

VIII. NEW BUSINESS.

(1) It was decided that Mayor Vinson, Councilman Davidson and City Secretary would attend the North Central Texas Council of Governments' Annual General Assembly Luncheon, as well as the Workshop for Mayors and Councilmembers, to be held in Arlington June 18, 1981.

(2) Mayor Vinson explained the Texas Department of Public Safety presently has a large selection of good used 1979 Highway Patrol vehicles for sale to local governments, and recommended the City purchase two good Police Package Chrysler units at $3,000.00 each in order to avoid the purchase of two new units in the next fiscal year. He further explained the units would be completely reconditioned after selection was made, and payment would not have to be made for approximately 45 days. Chief Carr explained the two 1979 Plymouth patrol cars presently in use need to be retired. He stated they have not performed well largely due to the fact they are not police package units and therefore are not heavy duty enough for constant patrol performance.

After much discussion of the matter, Councilman Byers moved for the Mayor being authorized to purchase two (2) reconditioned 1979 Chrysler Police Package units from the Texas Department of Public Safety at $3,000.00 each with payment not to be made for at least 45 days. Motion seconded by Councilman Robertson, and prevailed by the following vote:

AYES: Messrs. P. O. Byers, Robby Robertson, James W. Hutto and Ms. Anne Kennedy.
NOES: Mr. J. William Davidson.

(3) Councilman Davidson stated vehicles should not be permitted to park in street right-of-way, particularly in the 300 block of Main Street, and inquired as to the exact location of that right-of-way. It was determined staff had no knowledge of the exact location of Main Street right-of-way inasmuch as same is an old State Highway and no easement records are available at the local level. Councilman Davidson moved for City Secretary being authorized and directed to contract with Schoell, Fields & Associates to do a survey of Main Street from the 100 through the 500 blocks in an effort to ascertain the extent and exact location of street right-of-way.

Motion seconded by Councilman Hutto, and carried unanimously.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Davidson, and carried unanimously. The meeting was adjourned at 9:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JUNE 30, 1981

The meeting was called to order at 9:30 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

The following persons were absent:

James W. Hutto, Mayor Pro Tem
Anne Kennedy, Councilwoman

Mr. Jack Locke and Ms. Nancy Umbaugh, representing Lone Star Gas Company, explained thier company's summary of revenues, expenses and income with respect to the present and proposed rates charged in Lake Dallas for the test year ending June 30, 1980.

They stated a revenue increase of $25,124.00, or average rate increase of 13.66%, was needed for their Company to recover its expenses and provide them with the opportunity to earn a fair and reasonable rate of return on their investment in the Lake Dallas distribution system.

After much discussion of the matter, it was agreed among those Councilmembers present that approval could be granted for a total average rate increase of 10% predicated on a $7.00 Commercial Base Rate and a $2.75 Residential Base Rate with the difference being made up by an appropriate increase in winter/summer rates. Mr. Locke agreed to submit the adjusted increases to his superiors and, if approved, present an ordinance for approval at the regular July meeting.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried. The meeting was adjourned at 11:10 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 9, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated Council would enter into Executive Session for the purpose of discussion and evaluation of personnel as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

Councilman Davidson questioned an Application for Building Permit, submitted by Dr. M. A. Fazlani, M.D. and approved by Building Inspector Larry W. Kingston, to place a 60' X 24' Mobile Home at 300 Gotcher Street to be used as a medical clinic.

There was discussion as to the Building Inspector's authority to approve a permit allowing a mobile home to be used as a public building in a commercial zoned district, but no motions were made.

The meeting was opened to the public at 7:28 P.M.

Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Byers, and carried unanimously. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 9, 1981

The meeting was called to order at 7:35 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held June 11 and 30, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson, and carried unanimously.

II. CITIZEN'S AGENDA.

1. Ms. Carolyn Green stated the Lake Cities Community Center needs the support and assistance of the City Council in raising funds, materials and manpower for the renovation of their present buildings as well as completing the new construction onto the existing slab.

2. Ms. Jackie Kovsky stated Thompson Drive needs street repairs. She said some pot holes are being repaired while a hole just three feet away goes unattended. She further stated weeds at intersections all over town need cutting so that motorists can see oncoming traffic.

3. Mr. Allen Gray stated Stop Signs are needed at each cul-de-sac intersecting with Overly Drive in the Kings Manor Subdivision, and most especially at Kings Manor Drive. He said his automobile was recently totaled at the Kings Manor Drive intersection and his son injured. He, together with other citizens, requested action be taken immediately on the matter. Mayor Vinson instructed Chief Carr to implement a traffic survey of the area so that appropriate traffic control devices may be erected.

4. Mr. Jess L. Giordano stated he had just purchased two adjoining lots in the Kingswood Mobile Home Estates and was told at City Hall Ordinance No. 100 prohibits wooden fences being placed in a district zoned for mobile homes. He said he wishes to erect a wooden privacy fence along the rear line of his lots and feels it is discriminatory to permit such fences in other areas of the City and prohibit same in mobile home communities. He further stated the wooden fence would in no way restrict entrance to the rear utility easement, create or increase fire hazard conditions. Mr. Giordano was informed he has a method of appeal by making application to the Board of Adjustment.

5. Mr. John R. Lugenheim, 208 Hillcrest, stated he opposes the City's policy of dumping clean fill on Lot Nos. 2 and 3, Block F, of the Oaklakes Subdivision because people think it is a public dump and are dumping raw garbage, as well as other undesirable waste. He said the dumping by the public has now encroached onto adjoining lots and cannot be controlled until the City ceases using the area for a dump site.

6. Mr. Lugenheim also inquired as to whether or not the Lone Star Gas Company is responsive to the City's request to relocate the utility easement in the Oaklakes Subdivision to permit the residential development of approximately twelve lots which otherwise cannot be developed because the transmission gas line runs through those properties. Mr. Jack Locke, local Manager for the Lone Star Gas Company, replied that he has made his Company aware of the problem, and they are investigating same.

7. Mr. Ron Kee reported there are several manholes in the Kings Manor Subdivision uncovered and 6" to 9" below street level in need of repair. He further stated Street Department personnel are not repairing pot holes in his subdivision properly so that such repairs hold. He urged Council to see that they are properly instructed in how street repairs should be made so that less time and money is expended on the same pot holes.

8. Ms. Carolyn Green appealed to the Council not to adopt any additional codes or ordinances until they are keenly aware of exactly what they permit and restrict. She further urged Council's support for the funding of a CID Officer, as well as a more efficient radio system, in the Police Department next fiscal year.

III. APPROVAL OF ORDINANCE NO. 141 - LONE STAR GAS COMPANY RATES.

Councilman Byers moved for the passage and approval of Ordinance No. 141 entitled "AN ORDINANCE FIXING AND DETERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF NATURAL GAS TO RESIDENTIAL AND COMMERCIAL CONSUMERS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED, AND AMENDED, PROVIDING FOR SURCHARGE; AND PROVIDING FOR A SCHEDULE OF SERVICE CHARGES". Motion seconded by Councilman Robertson, and carried unanimously.

IV. NEW BUILDING CODES AND STANDARDS.

Councilman Hutto moved for the postponement of the adoption of the Uniform Building Code and Standards, Uniform Mechanical Code, Uniform Fire Code and Standards, ICBO Plumbing Code and National Electric Code (Agenda items IV, V, VI, VII and VIII) pending further review by the Council. Motion seconded by Councilwoman Kennedy, and carried unanimously.

V. APPOINTMENT OF NEW BUILDING INSPECTOR.

Mayor Vinson announced Council would enter into Executive Session for the purpose of discussion and evaluation of personnel as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

Councilmembers and Building Inspector Larry W. Kingston discussed various policies and procedures used by Mr. Kingston in onsite inspection of new construction and in his authority to approve building permits, particularly the M. A. Fazlani permit to place a 60' X 24' mobile home in the 300 block of Gotcher Street to be used as an addition to an existing building, but no motions were made.

The meeting was then opened to the public.

Councilman Davidson moved for the termination of the present Building Inspector and that applications be taken to fill the position. Motion died for lack of a second.

Councilman Robertson moved for the suspension of the Building Inspector for a period of ten (10) days to allow time for investigation of his authority to approve the Fazlani Building Permit, as well as any other allegations of misconduct, with the Council to meet at the end of that time for the purpose of making a final determination in the matter. Motion seconded by Councilman Davidson, and failed by the following vote:

AYES: Messrs. Robby Robertson and J William Davidson.
NOES: Ms. Anne Kennedy and Mr. James W. Hutto.
ABSTAINED: Mr. P. O. Byers
Mayor Johnny J. Vinson voted NO to break the tie vote.

VI. APPLICATION FOR BUILDING PERMIT - M.A. FAZLANI.

Councilman Hutto moved for the application for a Building Permit submitted by Dr. M. A. Fazlani to place a 60' X 24' Mobile Home in the 300 block of Gotcher Street to be used as an addition to an existing medical building to stand approved as previously designated by the Building Inspector. Motion seconded by Councilwoman Kennedy, and prevailed by the following vote:

AYES: Mr. James W. Hutto and Ms. Anne Kennedy.
NOES: Messrs. J William Davidson and Robby Robertson.
ABSTAINED: Mr. P. O. Byers.
Mayor Johnny J. Vinson voted AYE to break the tie vote.

Councilman Hutto moved for Dr. Fazlani being billed by the City for any and all work done by City employees, using City owned equipment and materials, in the development of his property abutting Goliad and Market Streets at the rate such expense is incurred by the City. Motion seconded by Councilman Byers, and prevailed by the following vote:

AYES: Messrs. James W. Hutto, P. O. Byers, Robby Robertson and Ms. Anne Kennedy.
NOES: None
ABSTAINED: Mr. J William Davidson.

VII. APPLICATION FOR TEMPORARY PERMIT TO PLACE TWO (2) 10' X 60' MOBILE HOMES AT HUNDLEY BOAT DOCKS.

Councilman Byers moved for the denial of an application for a temporary permit to place two (2) 10' X 60' Mobile Homes at the Hundley Boat Docks as submitted by Mr. Jim Rosenberg. Motion seconded by Councilman Hutto, and prevailed by the following vote:

AYES: Messrs. P. O. Byers, James W. Hutto and Ms. Anne Kennedy.
NOES: None.
ABSTAINED: Messrs. J William Davidson and Robby Robertson.

VIII. DEPARTMENTAL REPORTS.

Council reviewed the June Activity and/or Financial Reports as submitted by the Police and Fire Departments.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the Month of June, 1981 was reviewed, as well as the July Accounts Payable. Councilman Hutto moved for City Secretary being authorized and directed to pay all those accounts due and payable by the City during the month of July, 1981. Motion seconded by Councilwoman Kennedy, and carried unanimously.

(2) The Nine Month Budget Report was reviewed.

(3) The Municipal Court Reports for the June 16 and July 7 Dockets were reviewed.

X. OLD BUSINESS
PURCHASE OF NEW RADIO SYSTEM - LAKE CITIES VFD.

Councilman Hutto moved for the approval of the Lake Cities Volunteer Fire Department to purchase a new Motorola Radio System at a cost of $31,469.50 to be financed over a five year period at 12% annual interest rate with the Lake Cities State Bank. Motion seconded by Councilman Davidson, and prevailed by the following vote:

AYES: Messrs. James W. Hutto, J William Davidson, Robby Robertson and Ms. Anne Kennedy.
NOES. Mr. P. O. Byers

XI. NEW BUSINESS.

1. It was generally agreed Councilman Davidson would attend Texas A & M University's Traffic Orientation Workshop for Elected Officials to be held August 6, 1981 in Dallas.

2. It was generally agreed Mr. J. J. Donald, developer of Althea, Inc. at the corner of Shady Shores Road and Hundley Drive, should apply for a variance in the minimum square footage requirement for multi-family units from 900 square feet to 650 square feet.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JULY 30, 1981

The meeting was called to order at 9:00 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: J William Davidson, Councilman

Mayor Vinson stated the purpose of this meeting is to provide a work session on the Budget for Fiscal Year 1982. He further stated, while he supports a capital street improvement program, he disapproves of funding same with Certificates of Obligation. He suggested that the proposed budget be cut so that no tax increase would be necessary to fund same, and that Council move ahead immediately to implement a capital street improvement program by presenting a package of several alternatives to the citizens in the form of a bond issue, letting them decide as to which streets should be improved and how much money was to be spent. This met with general acceptance by those present, but no motions were made.

After much debate and discussion, a total Budget of $530,394.00 was generally agreed to for Fiscal Year 1982, with the following departmental appropriations to be made:

Administrative Department	$105,542.00
Police Department	204,555.00
Street Department	98,801.00
Sanitation Department	92,751.00
Fire Department	28,745.00

City Secretary was instructed to prepare the proposed budget for public hearings in accordance with state statute.

There being no further business for discussion, the meeting was adjourned at 12:00 Noon.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL SETTING AS BOARD OF ADJUSTMENT HELD AT CITY HALL AUGUST 13, 1981

The meeting was called to order at 6:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

A petition for variance from Ordinance No. 100, Section 4, (h) (2) (e), as submitted by Mr. Jess L. Giordano, requesting permission to place a wooden privacy fence along the rear lot line of Lot Nos. 204 and 205 of the Kingswood Mobile Home Community was reviewed.

Mayor Vinson called for anyone wishing to speak in opposition of the proposal. No opposition was presented.

Councilman Davidson moved for the variance from Ordinance No. 100 being granted as requested by Mr. Giordano. Motion seconded by Councilman Robertson, and carried unanimously.

There being no further business to be taken up by the Board of Adjustment, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 6:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 13, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson announced the purpose of this meeting is to provide a public hearing on the petition brought by Lake Dallas Boat Company for a change in zoning classification from the R-1 7200 (residential) District to the C-3 (commercial sale of beer and wine) District with respect to a 60' X 100' tract of land covered with water and located in the M.E.P. & P.R.R. Survey, Abstract No. 924, also known as the Lake Dallas Boat Company Gas Dock floating approximately fifty (50) feet from the shoreline into Lake Lewisville.

Mayor Vinson called for anyone wishing to speak in opposition of the request for a change in zoning classification. No opposition was presented.

Mr. and Mrs. Mike Drozd, representing the Lake Dallas Boat Company, spoke in favor of the proposal stating no permanent zoning of the area has been made since the property was annexed by the City in May, 1978. Mr. Drozd stated the area is presently, and has been for many years, commercial, with no homes within 750 feet of the Gas Dock.

There being no other persons wishing to be heard on the matter, Councilwoman Kennedy moved for an adjournment of the Public Hearing. Motion seconded by Councilman Byers, and carried unanimously. The meeting was adjourned at 7:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 13, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilman Hutto moved for the suspension of any rule requiring that the minutes of the meetings held July 9 and 30, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy, and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Linwood Gilliland thanked Council for their assistance in getting the East end of Peyton Street cleared of parked vehicles.

III. CHANGE IN ZONING CLASSIFICATION - LAKE DALLAS BOAT COMPANY.

Councilman Davidson moved for denial of the petition, brought by the Lake Dallas Boat Company, for a change in zoning classification from the R-1 7200 District to the C-3 District with respect to a 60' X 100' tract of land covered with water and located in the M.E.P. & P.R.R. Survey, Abstract No. 924, also know as the Lake Dallas Boat Company Gas Dock, floating approximately fifty (50) feet from the shoreline into Lake Lewisville. Motion seconded by Councilman Hutto, and prevailed by the following vote:

AYES: Messrs. J William Davidson, James W. Hutto and Robby Robertson.
NOES: Ms. Anne Kennedy and P. O. Byers.

IV. APPROVAL OF ORDINANCE NO. 142 GRANTING RATE INCREASE TO TEXAS POWER & LIGHT COMPANY.

Councilman Robertson moved for the passage and approval of Ordinance No. 142 entitled "AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER AND LIGHT COMPANY IN THE CITY OF LAKE DALLAS, TEXAS APPROVING SERVICE REGULATIONS FILED BY TEXAS POWER & LIGHT COMPANY, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, AND PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN". Motion seconded by Councilman Byers, and carried unanimously.

V. BOND ISSUE FOR CAPITAL STREET IMPROVEMENT.

Messrs. John Crew and Boyd London, representing First Southwest Company, explained in detail the steps to be taken by the City in the issuance of tax bonds for the purpose of financing capital street improvements. City Secretary was instructed to get an estimate on the cost involved in the City Engineer preparing a "preliminary cost estimate of capital street improvement work to be financed by tax bonds".

VI. APPROVAL OF ORDINANCE NO. 143 ADOPTING 1979 UNIFORM FIRE CODE AND UNIFORM FIRE STANDARDS.

Councilman Davidson moved for the passage and approval of Ordinance No. 143 entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS ADOPTING THE 1979 EDITION OF THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; PROVIDING FOR FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilman Hutto, and carried unanimously.

VII. RESOLUTION AUTHORIZING APPLICATION BE MADE FOR A GRANT TO FUND THE JUVENILE OFFICER IV PROGRAM.

Councilman Hutto moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO FUND THE JUVENILE OFFICER IV PROGRAM". Motion seconded by Councilwoman Kennedy and carried unanimously.

VIII. RESOLUTION AUTHORIZING APPLICATION BE MADE FOR A GRANT TO FUND THE SPECIAL INVESTIGATOR AND TASK FORCE PROGRAM.

Councilman Robertson moved for the passage and approval of a "RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A GRANT TO FUND THE CITY OF LAKE DALLAS POLICE DEPARTMENT'S SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM". Motion seconded by Councilman Davidson and carried unanimously.

IX. RESOLUTION AUTHORIZING APPLICATION BE MADE FOR A GRANT TO FUND THE RECORDS EXPANSION SYSTEM PROJECT V.

Councilwoman Kennedy moved for the passage and approval of a "RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION FOR A GRANT TO FUND THE RECORDS EXPANSION SYSTEM PROJECT V". Motion seconded by Councilman Hutto, and carried unanimously.

X. TRAFFIC SURVEY - KINGS MANOR SUBDIVISION.

Councilman Hutto moved for traffic control devices being installed in the Kings Manor Subdivision in accordance with recommendations made by Chief Y. G. Carr in his Traffic Survey report dated July 30, 1981. Motion seconded by Councilwoman Kennedy and carried unanimously.

XI. REFUND OF 1978 TAXES - ALICE N. MILNER.

Councilman Robertson moved for approval of a refund of 1978 taxes paid in error by Ms. Alice N. Milner, in the total amount of $112.44, being made inasmuch as the property on which the taxes were paid is not located within the corporate limits of the City of Lake Dallas. Motion seconded by Councilman Davidson, and carried unanimously.

XII. DEPARTMENTAL REPORTS.

(1) The July Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

(2) Councilman Byers moved for the purchase of approximately 225 feet of culvert to be placed in ditch on North side of Swisher Road, across from the new primary school, at an estimated cost of $1,000.00-$1,500.00, which will permit widening of the street at that location by paving same. Motion seconded by Councilman Robertson, and carried unanimously.

XIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the month of July was reviewed as well as the August Accounts Payable. Councilman Byers moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of August, 1981. Motion seconded by Councilman Hutto, and carried unanimously.

(2) The Municipal Court Reports for the July 21 and August 4 dockets were reviewed.

XIV. NEW BUSINESS.

(1) Council reviewed a letter from the Planning and Zoning Commission recommending preliminary plat approval, subject to certain stipulations, of the proposed Althea Subdivision to be located at the Southeast corner of the Hundley Drive and Shady Shores Road intersection. Messrs. J. J. Donald and Mike Folse were present and requested special permission to secure a building permit to start construction of the commercial building prior to final plat approval. The matter of the developers being responsible for certain improvements to the existing city streets abutting their property was discussed, but no agreements made.

(2) Council reviewed a letter received from Fire Chief Jerry McCutcheon stating there are presently no fire hydrants located within the Oaklakes Subdivision and requested that future building permits within the subdivision be withheld until such time as adequate fire protection can be provided. City Secretary was instructed to obtain a legal opinion from the City Attorney on the matter.

(3) It was generally to by Council that City Secretary should take applications for the position of Assistant Building Inspector, and that in the future inspection tags will be left on the construction site.

XV. ADJOURNMENT.

There being no other business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously. The meeting was adjourned at 10:45 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL AUGUST 20, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding, and the following persons present:

Johnny J. Vinson, Mayor
J. William Davidson, Councilman
Ann Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting were:

James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing on the proposed Budget for Fiscal Year 1982. Copies of the proposed budget were available for public inspection and review. Said proposed budget totaled $530,394.00, with departmental appropriations as follows:

Administrative Department	$105,542.00
Police Department	204,555.00
Street Department	98,801.00
Sanitation Department	92,751.00
Fire Department	28,745.00

Mayor Vinson called for anyone wishing to make comments or ask questions relative to the proposed budget. No response was forthcoming.

The Public Hearing was then closed.

Councilman Robertson moved for adoption of the Budget for Fiscal Year 1982 as described. Motion seconded by Councilwoman Kennedy, and carried by those present.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 8:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 2, 1981

The meeting was called to order at 9:00 A.M. with the Mayor Pro Tem presiding, and the following persons present:

James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting were:

Johnny J. Vinson, Mayor
J William Davidson, Councilman

Councilman Robertson moved for approval of the final plat of Althea Subdivision, to be constructed on approximately 3.83 acres located at the Southeast corner of Hundley Drive and Shady Shores Road, with the following conditions:

1. Gas pumps cannot be installed in the Commercial zoned district in accordance with Ordinance No. 25, Section 10.
2. One hour fire walls will be constructed between each of the units in the commercial building.
3. Final location of all electrical meters will be approved by the Building Inspector.
4. The written recommendations, dated September 1, 1981, made by the Fire Department concerning adequate water supply and fire prevention will be adhered to by the developer.
5. The location of all underground electrical lines and associated transformers will be approved by the Building Inspector as well as Texas Power and Light Company.
6. At the time the Building permit is issued, the developer will place on deposit with the City one-fourth of the estimated cost, or a maximum of $19,500.00, of necessary street improvements to be made by the City to that portion of Shady Shores Road and Hundley Drive abutting their property line.

Motion seconded by Councilman Byers, and carried unanimously by those present.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meetion. Motion seconded by Councilman Byers, and carried. The meeting was adjourned at 11:20 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
SETTING AS BOARD OF ADJUSTMENT
HELD AT CITY HALL SEPTEMBER 10, 1981

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: Anne Kennedy, Councilwoman

I. PETITION FOR VARIANCE FROM ORDINANCE NO. 25, SECTION 9 - J. J. DONALD.

The petition for variance, requesting permission to construct multi-family, one bedroom apartment units with a minimum of 650 square feet rather than 900 square feet as required by ordinance, was reviewed. It was determined that Mr. Donald proposed construction of twelve (12) quad-plex apartment buildings on 3.83 acres of land located in the 200 block of Shady Shores Road.

No citizen opposition to the variance was made.

Councilman Robertson moved for approval of the variance from Ordinance No. 25, Section 9, permitting the apartment units to be constructed with a minimum of 650 square feet per unit in the Althea Subdivision. Motion seconded by Councilman Hutto, and prevailed by the following vote:
AYES: Messrs. Robby Robertson, James W. Hutto, P. O. Byers and J William Davidson.
NOES: None.

II. PETITION FOR VARIANCE FROM ORDINANCE NO. 25, SECTION 7 - MIKE PICKARD.

The petition for variance, requesting permission to construct a carport ten (10) feet from the front property line at 606 Shore Drive, rather than twenty-five (25) feet as required by ordinance, was reviewed.

No citizen opposition to the variance was made.

Councilman Hutto moved for approval of the variance from Ordinance No. 25, Section 7, permitting an open carport to be constructed a minimum of ten (10) feet from the front property line at 606 Shore Drive. Motion seconded by Councilman Byers, and prevailed by the following vote:
AYES: Messrs. James W. Hutto, P. O. Byers and Robby Robertson.
NOES: Mr. J William Davidson.

III. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL SEPTEMBER 10, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: Anne Kennedy, Councilwoman

I. APPROVAL OF MINUTES.

Councilman Hutto moved for the suspension of any rule requiring that the minutes of the meetings held August 13 and 20, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson, and carried unanimously by those present.

II. CITIZEN'S AGENDA.

Ms. Carolyn Green stated there are presently 142 mobile homes in the Lake Haven Mobile Home Park on which taxes are paid, but residents of the park receive little or no City services. She complained, among other things, of a fire hydrant located within the park on which the City refused payment of a repair bill in the amount of $75.00. It was explained to Ms. Green that payment of the repair bill was refused because the streets and utilities within the park are not dedicated for public use and, therefore, are private property and the maintenance responsibilty of the owner of the park.

III. ORDINANCE NO. 144 - LEVYING PROPERTY TAXES FOR THE 1982 FISCAL YEAR.

Councilman Hutto moved for the passage and approval of Ordinance No. 144 entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS LEVYING PROPERTY TAXES FOR THE 1982 FISCAL YEAR". Motion seconded by Councilman Robertson and carried.

IV. REFUND OF 1980 TAXES - TOM PRAILLE.

Councilman Robertson moved for a refund being made of 1980 taxes, in the amount of $35.66, paid in error by Tom Praille on personal property not located within the corporate limits of the City of Lake Dallas. Motion seconded by Councilman Hutto and carried.

V. MINIMUM FEE FOR HEAVY OR UNUSUAL ACCUMLATION OF GARBAGE.

Councilman Byers moved for the approval of a minimum fee of $10.00 being charged by the Sanitation Department for the pickup and disposal of heavy or unusual accumlation of garbage not otherwise included in the regular service. Motion seconded by Councilman Robertson and prevailed by the following vote:

AYES: Messrs. P. O. Byers, Robby Robertson and J William Davidson.
NOES: Mr. James W. Hutto.

VI. MAINTENANCE OF SWISHER CEMETERY.

Councilman Robertson moved for a postponement of discussion on the request made by the Lake Dallas Birthday Club for financial support to be used for the annual maintenance of Swisher Cemetery. Motion seconded by Councilman Davidson and carried.

VII. PRELIMINARY ENGINEERING WORK - CAPITAL STREET IMPROVEMENT BOND ISSUE.

Councilman Davidson moved for approval of the engineering firm of Schoell, Fields & Associates being authorized and directed to proceed with the engineering work necessary for a proposed Street Improvement Bond Program at an estimated cost of $2,500.00. Motion seconded by Councilman Robertson and carried.

VIII. TRAFFIC CONTROL SIGNS - KINGS MANOR SUBDIVISION.

Councilman Davidson moved for approval of the Street Superintendent being authorized and directed to erect those traffic control signs in the Kings Manor Subdivision as recommended in Police Chief Y. G. Carr's report of July 30, 1981 at the revised cost of $1,688.75. Motion seconded by Councilman Hutto and carried.

IX. DEPARTMENTAL REPORTS.

The Activity and/or Financial Reports for the month of August as submitted by the Police and Fire Departments were reviewed.

It was generally agreed to by Council that the engineering firm of Schoell, Fields & Associates would approve any immediate improvements to the intersection of Shady Shores Road and Hundley Drive by the Street Department and/or Denton County Precinct 2 crews to be certain there will be no duplication of costs at the time planned major improvements to the intersection are made.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the month of August, as well as the September Accounts Payable, were reviewed. Councilman Hutto moved for City Secretary being authorized and directed to pay all those accounts due and payable within the fiscal year ending September 30, 1981. Motion seconded by Councilman Davidson and carried.

(2) The Municipal Court Reports for the August 18 and September 1 dockets were reviewed.

XI. APPOINTMENT TO THE POSITION OF ASSISTANT BUILDING INSPECTOR.

Mayor Vinson announced Council would enter into Executive Session for the purpose of reviewing applications submitted for the position of Assistant Building Inspector and discussing the appointment to said position as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

Council reconvened in open session at 8:45. Councilman Davidson moved for the appointment of Mr. Charlie Berry to the position of Assistant Building Inspector. Motion seconded by Councilman Robertson and carried.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL OCTOBER 8, 1981

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held September 2 and 10, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto, and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. VOTING ENTITLEMENT - DENTON COUNTY APPRAISAL DISTRICT.

No nominations were made for candidates to the Denton County Appraisal District for the 1982-83 term.

IV. BUILDING PERMIT FEES.

An opinion written by the City Attorney on the matter of increasing building permit fees was reviewed. City Secretary was instructed to have the City Attorney draft an amendment to the present ordinance doubling fees curently charged for building permits.

V. NEW CONSTRUCTION IN OAKLAKES SUBDIVISION.

Council reviewed a request made by the Fire Chief that no further permits for new construction be issued within the Oaklakes Subdivision until such time as adequate fire hydrants are installed, as well as the subsequent legal opinion on the matter submitted by the City Attorney. City Secretary was instructed to issue building permits as usual in the Oaklakes Subdivision, but to alert potential homeowners in writing that streets within the subdivision have not been dedicated, fire hydrants are limited, and no street lighting is available, etc.

VI. CHANGES IN 1982 BUDGET FIGURES.

City Secretary called to Council's attention the following increases in budget appropriations for the 1981-82 Fiscal Year:

1. The City of Denton has informed us, by letter dated September 22, 1981, that the Ambulance Service Contract for the current fiscal year will be increased to $2.50 per population, or $8,125.00. This represents an increase of $5,125.00 over the appropriation made for ambulance service in the current budget.

2. Due to a recent inventory made of street lights presently in service, Texas Power & Light Company found seven (7) that were not being billed to the City, and due to the recent acquisition of all street lights in the Kingswood Subdivision, the appropriation for street lighting should be increased by $2,000.00, or a total of $10,500.00.

3. The Guardian Life Insurance Company of America has increased the rates of employee medical insurance by approximately 40.17% effective November 1, 1981, increasing the annual premiums by $3,200.00. It was generally agreed that bids would be taken on the coverage and that Councilman Hutto and City Secretary would review same as to cost and amount of coverage, making an appropriate recommendation on the matter to Council.

4. The City of Lake Dallas' appropriate share of the Lake Cities Volunteer Fire Department's final budget is $26,630.83, under allocation by $2,114.17.

VII. DEPARTMENTAL REPORTS.

The September Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

It was agreed that City Council would hold an Executive Meeting with personnel on Thursday, October 15, 1981, at 8:30 A.M., in Council Chambers, meeting with each Department Head individually.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of September, as well as the October Accounts Payable, was reviewed. Councilman Byers moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of October, 1981. Motion seconded by Councilman Davidson, and carried unanimously.

2. The Budget Report for Fiscal Year ending September 30, 1981 was reviewed.

3. The Municipal Court Reports for the September 15 and October 6 Dockets were reviewed.

4. Council entered into Executive Session at 8:30 P.M. for the purpose of discussing the evaluation of personnel as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was opened to the public at 8:50 P.M.

IX. NEW BUSINESS.

City Secretary was instructed to contact Corps of Engineers informing them that the City would like to see those streets entering Corps property unrestricted by barriers.

X. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 9:35 P.M.

Johnny J. Vinson, Mayor

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL NOVEMBER 12, 1981

The meeting was called to order at 7:40 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilman Davidson moved for the suspension of any rule requiring that the minutes of the meeting held October 8, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. CHANGE IN ZONING CLASSIFICATION - A. D. CATE (VIBRA-WHIRL & COMPANY

Councilman Byers moved for approval of the request made by Mr. A. D. Cate (Vibra Whirl & Company) for a change in zoning classification from the R-1 6000 (Residential) District to the M-1 (Light Industrial) District with respect to 2.485 acres of land, out of the Mary Wright Survey, bounded by Main Street on the East, Betchan Street on the North and Sargent Street on the West. Motion seconded by Councilman Davidson and carried unanimously.

Mayor Vinson excused himself from the meeting at 7:45 P.M. Mayor Pro Tem James W. Hutto then presided over the meeting.

IV. ABANDONMENT OF CERTAIN STREET RIGHT-OF-WAY LOCATED WITHIN THE HARBOURTOWN VILLAS SUBDIVISION.

Councilwoman Kennedy moved for the passage and approval of a resolution authorizing the abandonment of certain street right-of-way located in the Harbourtown Villas Subdivision, created by easement in favor of the City of Lake Dallas by instrument filed of record in Volume 571, Page 51, of the Deed Records of Denton County. Motion seconded by Councilman Robertson and carried unanimously.

Councilman Davidson stated an error was made in the replatting of Phase II of the Harbourtown Villas Subdivision whereby a setback of the building line was approved at four to six feet from the property line contrary to City ordinance. He instructed Staff to withhold future building permits until the error is corrected.

V. RESOLUTION APPROVING CONTRACT AGREEMENT WITH CITY OF DENTON FOR AMBULANCE SERVICE.

Councilman Robertson moved for the passage and approval of a resolution authorizing and directing the Mayor to sign a contract agreement with the City of Denton to provide emergency ambulance service within the corporate limits of the City of Lake Dallas at an annual rate of $2.50 per capita. Motion seconded by Councilman Byers and carried unanimously.

VI. RESOLUTION APPROVING LEASE AGREEMENT WITH MONTSERRAT RETREAT HOUSE FOR LAND ON WHICH CITY ANIMAL CONROL SHELTER IS LOCATED.

Councilman Davidson moved for the passage and approval of a resolution authorizing and directing the Mayor and City Secretary to execute a Lease Agreement with the Montserrat Retreat House, Inc. for the use of approximately one-fourth (1/4) acre of land to be used as a holding kennel for stray animals at an annual cost of $1.00. Motion seconded by Councilman Robertson and carried unanimously.

VII. CONTRACT AGREEMENT WITH DENTON COUNTY TO HOUSE CITY PRISONERS IN THE COUNTY JAIL FOR CERTAIN FEES.

Councilman Davidson moved for a postponement of the matter of entering into a Contract Agreement with Denton County for use of the County Jail facilities. Motion seconded by Councilwoman Kennedy and carried unanimously.

VIII. RESOLUTION CASTING VOTES FOR CANDIDATES FOR THE OFFICE OF DENTON COUNTY APPRAISAL DISTRICT.

Councilman Davidson moved for the City's eighteen (18) votes to be cast for the following five incumbent candidates for the office of Board of Directors of the Denton County Appraisal District:

Tom Harpool, Jr.
Joe Turner
Carl Degan
Raymond Pitts
Bill Weaver

Motion seconded by Councilman Robertson and prevailed by the following vote:

AYES: Messrs. J William Davidson, Robby Robertson and P. O. Byers.
NOES: Ms. Anne Kennedy.

IX. RESPONSIBILITY FOR MAINTENANCE OF FIRE HYDRANTS.

Council reviewed a letter received from Fire Chief Jerry McCutcheon relative to governmental responsibility for maintenance of fire hydrants in general and specifically the fire hydrant located on the private property of Jess L. Giordano at 204 Kingswood Drive to which access is obstructed by a fence. Mr. Giordano had informed both the City and the Lake Cities Municipal Utility Authority of his desire to fence his property and requested the fire hydrant be moved by the responsible entity. Both governmental entities denied responsibility and, after a period of time, he proceeded with the construction of the fence. After much discussion of the matter, it was generally agreed that (1) while the City is in sympathy with Mr. Giordano's problem, access to the fire hydrant is essential to the public welfare and, therefore, he should be given ten days in which to remove the obstruction or the matter should be pursued through the Municipal Court; (2) Mr. J. B. Briggs (Consultant to LCMUA) and Ms. Carolyn Green

(member of the LCMUA Board of Directors) would discuss the matter further with the Board of Directors of the Lake Cities MUA.

X. ADMINISTRATIVE PROCEDURES FOR THE PROCESSING OF OF PRELIMINARY AND FINAL PLATS.

Councilman Davidson moved for the passage and approval of a resolution establishing new administrative procedures for the processing of preliminary and final plats. Motion seconded by Councilman Robertson and carried unanimously.

XI. CONDEMNDATION PROCEEDINGS - EXECUTIVE SESSION.

At 9:15 P.M. it was announced Council would enter into Executive Session for the purpose of discussing with the Attorney for the City comtemplated condemndation litigation as provided by Article 6252-17, Sec. 2 (e), Vernon's Texas Civil Statutes.

The meeting was again opened to the public at 9:50 P.M.

XII. DEPARTMENTAL REPORTS.

The October Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

XIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Councilwoman Kennedy moved for approval of a Contract Agreement entered into with Mr. Charlie W. Berry on October 28, 1981 to construct a new roof on the City Hall building for a total cost not to exceed $11,450.00. Motion seconded by Councilman Robertson and carried unanimously.

(2) Councilman Davidson moved for approval to replace the floor covering in the City Hall Building at an approximate cost of $1,800.00. Motion seconded by Councilman Byers and carried unanimously.

(3) Councilman Robertson moved for approval of a Contract Agreement entered into on November 12 with Allen's Exterminators to provide termite extermination of the City Hall Building at a cost of $400.00. Motion seconded by Councilman Byers and carried unanimously.

(4) The October Schedule of Receipts and Disbursements was reviewed as well as the November Accounts Payable. Councilwoman Kennedy moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of November, 1981. Motion seconded by Councilman Byers and carried unanimously.

(5) The Municipal Court Reports for the October 20 and November 3 dockets were reviewed.

XIV. OLD BUSINESS.

City Secretary was instructed to contact Schoell, Fields & Associates requesting a copy of the final plat as approved on the Althea Subdivision for filing as a matter of record.

XV. NEW BUSINESS.

Councilman Davidson moved to prohibit smoking in Council Chambers during public meetings. He explained it caused some persons extreme discomfort and suggested meetings could be recessed every hour for the benefit of those who wish to smoke. Motion died for lack of a second.

XVI. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 11:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL DECEMBER 10, 1981

The meeting was called to order at 7:30 P.M. with the Mayor Pro Tem presiding and the following persons present:

James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Those absent from the meeting were:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman

A quorum being present, the following business was transacted.

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the Special and Regular Meeting held November 12, 1981 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson and carried.

II. CITIZEN'S AGENDA.

No response.

III. ORDINANCE NO. 145 - ADOPTING UPDATED SERVICE CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM.

Councilman Robertson moved for the passage and approval of Ordinance No. 145 "AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM IN THE EMPLOYMENT OF THE CITY OF LAKE DALLAS, AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS". Motion seconded by Councilman Davidson and carried.

IV. DEPARTMENTAL REPORTS.

1. The November Activity Reports were reviewed as submitted by the Police Department. It was generally agreed to by those present that the Chief of Police or his Lieutenant should attend each Regular Meeting of the City Council.

2. It was agreed that County personnel and equipment had done an excellent job of cleaning the ditches in the City, but water still is not draining properly because many of the culverts are stopped up. City Secretary was instructed to ask the Street Department personnel to clean culverts throughout the City so that water will drain well.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of November was reviewed as well as the December Accounts Payable. Councilman Davidson moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of December, 1981. Motion seconded by Councilman Robertson and carried.

2. The Municipal Court Reports for the November 17 and December 1 dockets were reviewed.

VI. NEW BUSINESS.

A letter received from the Lake Cities Chamber of Commerce was reviewed in which they stated a donation of $150.00 has been allocated by their organization to each of the four cities to be applied toward the purchase of permanent Christmas decorations. They requested a plan be developed by each City and submitted to them for approval.

VII. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried. The meeting was adjourned at 8:25 P.M.

James W. Hutto

James W. Hutto, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL DECEMBER 18, 1981

The meeting was called to order at 9:15 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
M. Jean Chambers, City Secretary

Those absent from the meeting were:

Anne Kennedy, Councilwoman
Robby Robertson, Councilman

A quorum being present, the following business was transacted:

Mr. Mike Murphy, local Manager of Texas Power & Light Company stated due to a recent court decision his company is requesting a procedural change in the computation of fuel cost adjustment charges which will require prior approval by regulatory agencies.

After much discussion of the matter, Councilman Byers moved for the passage and approval of Ordinance No. 146 entitled "AN ORDINANCE SUSPENDING THE EFFECTIVE DATE OF PROPOSED REVISION TO THE FUEL COST FACTOR TARIFF SCHEDULE OF TEXAS POWER & LIGHT COMPANY, PROVIDING THAT THE RATES OF SUCH COMPANY SHALL CONTINUE UNCHANGED DURING THE PERIOD OF SUSPENSION, APPROVING A FUEL COST FACTOR TARIFF SCHEDULE FOR TEXAS POWER & LIGHT COMPANY, PROVIDING AN EFFECTIVE DATE THEREFOR, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW, AND DECLARING AN EMERGENCY". Motion seconded by Councilman Hutto and carried.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Davidson and carried. The meeting was adjourned at 9:40 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL JANUARY 7, 1982

The meeting was called to order at 9:10 A. M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary
William D. Schoell, Consulting Engineer

Those absent from the meeting were:

J William Davidson, Councilman
Anne Kennedy, Councilwoman

A quorum being present, the following business was discussed.

Mr. William D. Schoell, of Schoell, Fields & Associates, presented a ten (10) page preliminary study on a proposed capital street improvement project condensed as follows:

STREET IMPROVEMENT - ALTERNATE I

30' back to back of concrete curbs; bituminous leveling course and 1 1/2" overlay, storm drain system, intersection and driveway improvement, 5' additional right-of-way on each side, plus additional right-of-way at improved intersections, sewer and water system adjustments, gas line adjustment, telephone and power line relocation, 6" bituminous surfacing and lime subgrade treatment for additional pavement width, engineering, staking for construction.

STREET IMPROVEMENT - ALTERNATE II

24' wide bituminous overlay and leveling course, 6" total bituminous mat and lime subgrade treatment on additional width (1' each side), some additional storm drains at intersections and driveways, 5' additional right-of-way on each side, plus additional right-of-way at improved intersections, sewer and water adjustments, driveway and minor intersection improvements, engineering, staking for construction.

	ESTIMATED TOTAL COST	
LOCATION	ALTERNATE I	ALTERNATE II
Hundley Drive, I-35 E Access to Lakeview	$354,600.	$124,600.
Shady Shoes, Swisher to Main Street	$509,200.	$155,400.
Main Street, Denton Drive to Lakeview	$282,500	$210,200.
Denton Drive, N. Overpass to S. Overpass	$189,500.	$130,300.
TOTAL	$1,335.800.	$620,500.

It was generally agreed to by those present that a meeting should be scheduled with the Board of Directors of the Chamber of Commerce for the week of January 18 in an effort to make them aware of the preliminary engineering report and to seek their counsel and support for the project.

Their being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 9:55 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL JANUARY 14, 1982

The meeting was called to order at 7:35 with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held December 10, December 18 and January 7 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Davidson and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. RESOLUTION AND ORDER ESTABLISHING PROCEDURE FOR CITY OFFICERS' ELECTION TO BE HELD APRIL 3, 1982.

Councilman Davidson moved for the passage and approval of a resolution and order establishing procedure for the City Officers' Election to be held April 3, 1982 at the Fire Hall Building. Motion seconded by Councilman Hutto and carried unanimously.

It was further agreed that Ms. Aldena Stowe would be appointed Presiding Judge and Ms. Thana Bounds would be appointed Alternate Presiding Judge. The Presiding Judge will be responsible for the appointment of the Clerks to work the election, and such clerks will be paid at the rate of $4.00 per hour, with the Presiding Judge being paid at the same hourly rate plus an additional $25.00 for the handling of the returns.

IV. DEPARTMENTAL REPORTS.

The monthly and second quarter Activity Reports submitted by the Police Department were reviewed, as well as the monthly Financial Reports and 1981 Annual Activity Report submitted by the Lake Cities Volunteer Fire Department.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) It was generally agreed that on January 22 City Secretary would inform all Councilmembers of any and all bids received on the insurance coverage on the City Hall Building, and a decision would be made at that time as to what company would write the coverage. It was further agreed that in the future, bid invitations would be extended on any insurance policy with an annual premium exceeding $2,000.00.

(2) The Schedule of Receipts and Disbursements for the month of December, 1981 was reviewed, as well as the January Accounts Payable. Councilwoman Kennedy moved for City Secretary being authorized and directed to pay all those accounts due and payable during the month of January, 1982. Motion seconded by Councilman Hutto, and carried unanimously.

(3) The Quarterly Budget Report for the three months ending December 31, 1981 was reviewed, as well as the Annual Audit Report for Fiscal Year ending September 30, 1981.

(4) The Municipal Court Reports for the December 15 and January 5 dockets were reviewed.

VI. OLD BUSINESS.

(1) Council reviewed a letter received from Fire Chief Jerry McCutcheon again requesting a meeting of the governing bodies of the City of Lake Dallas and the Lake Cities Municipal Utility Authority for the purpose of discussing fire hydrant maintenance. Chief McCutcheon stated he had been requesting such a meeting since November 1, 1981 inasmuch as there are several critical fire hydrants out of service within the City, and an improved maintenance program needs to be established and implemented. City Secretary was instructed to work with Mr. Martin Highbaugh to arrange a meeting for the City Council with the Board of Directors of the Lake Cities MUA in an effort to resolve the problem to the satisfaction of the Fire Department.

VII. NEW BUSINESS.

(1) Messrs. Jon Holiski and Glenn Wolf, representing the Lake Cities Soccor Association, stated they had been informed it would be necessary to vacate the property currently being used for soccor games at the corner of Hundley Drive and Shady Shores Road inasmuch as the owner wishes to develope the land, and requested the City's assistance in locating another piece of property (approximate 12 acres) suitable for the organization's soccor games. It was generally agreed that the City Council and staff members would provide whatever assistance they could in locating another soccor field.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Hutto, and carried unanimously. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL FEBRUARY 11, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

ABSENT: James W. Hutto, Mayor Pro Tem

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meeting held January 14, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded be Councilwoman Kennedy and carried.

II. CITIZEN'S AGENDA.

Mr. John Lugenheim, 208 Hillcrest in the Oaklakes Subdivision, asked if there are any plans to hire additional personnel in the Street Department. He stated he had requested some four and one-half months ago that gravel be added to Hillcrest Drive and that same be graded from Swisher Road to his house because the road is impassable in bad weather. Todate, no improvements have been made. Mayor Vinson explained the streets in that particular subdivision have never been dedicated to the City. Therefore, they are not regularly maintained by the Street Department. However, he promised road gravel would be dumped on the street and it graded within the next few days.

III. FINAL PLAT APPROVAL - BORCHARDT ESTATES.

Councilman Davidson moved for approval of the final plat of Borchardt Estates, 5.5 acres out of the Mary Wright Survey, Abstract No. 1355. He stated the acreage is being subdivided for the purpose of division of a family estate among the heirs. Motion seconded by Councilman Byers and carried.

IV. PERMIT TO ERECT AND MAINTAIN SIGN - DUCK INN.

It was explained that the Duck Inn sign presently located in the railroad right-of-way at the intersection of Shady Shores Road with Main Street was erected prior to the incorporation of the City, approximately twenty (20) years ago. However, in order to comply with the present sign ordinance, application has been made by the Duck Inn to maintain the sign at the present location. After much discussion of the matter, Councilman Davidson moved for denial of the permit to maintain the sign. Motion seconded by Councilman Robertson and prevailed by the following vote:

AYES: Messrs. J William Davidson, Robby Robertson and P. O. Byers.
NOES; Ms. Anne Kennedy.

V. ACQUISITION OF WILLOW GROVE PARK.

Mr. Charles Cryan stated he had spoken with the Corps. of Engineers and been informed that Willow Grove Park is not scheduled to be re-opened anytime in the near future. They would be willing to release the Park to a City that is willing and able to bring the Park up to Corps. standards and maintain same at the level they have done for the past five years (immediately prior to the flood). Mr. Cryan estimated approximately $2,500.00 would be needed immediately to add rock and blade existing roads in the Park, plus commercial garbage containers would have to be purchased and placed at strategic locations within the Park. He further estimated three to nine months would be needed to develope a proper application for submission to the Corps. of Engineers.

Mr. Joel Dalton, Professor at T.W.U., suggested a Park Commission be established with the members being interested in or representative of local athletic organizations, senior citizen groups, school, architecture, etc. He stated there might still be some grant monies available for the future development of the park, even though grants are not now as prevalent as they once were.

It was generally agreed that an Advisory Committee, consisting of Messrs. Joel Dalton, Glen Wolf, Bob Ashby, Ronnie Boliver, Y. G. Carr, James W. Hutto and Ms. M. Jean Chambers, would meet to make recommendations and assist Mr. Charles Cryan with the development of an application for submission to the Corps. of Engineers requesting acquistion of Willow Grove Park for the City of Lake Dallas.

VI. APPOINTMENT TO PLANNING AND ZONING COMMISSION.

Mr. Tony Franzen's letter of resignation from the Planning and Zoning Commission effective February 15, 1982 was reviewed. Mayor Vinson stated a framed Certificate of Appreciation for Mr. Franzen's valuable contribution to the City had been prepared for presentation to him.

Councilman Byers moved for approval of the appointment of Mr. Linwood E. Gilliland to serve out Mr. Tony Franzen's unexpired term on the Planning and Zoning Commission. Motion seconded by Councilwoman Kennedy and carried.

VII. MAINTENANCE OF FIRE HYDRANTS.

Mayor Vinson stated he had met with Fire Chief Jerry McCutcheon together with Messrs. Jack Young and Martin Highbaugh, President and Manager of the Lake Cities Municipal Utility Authority respectively, relative to fire hydrant maintenance. Mayor Vinson stated the L.C.M.U.A. agreed to repair all out of service hydrants as quickly as possible, but there is a problem in securing parts for the old R. B. Woods hydrants located in Lake Dallas. Mayor Vinson requested, even though no allocation was made in this fiscal year for the purchase of fire hydrants, that Council approve the purchase of a few new hydrants in this fiscal year so that the obsolete hydrants can be replaced by L.C.M.U.A rather than repaired.

Councilman Davidson moved for approval of an expenditure of up to $5,000. for the purchase of new fire hydrants in this fiscal year after the L.C.M.U.A. has accounted for all of the six hydrants purchased by the City in 1978. Motion seconded by Councilman Byers and carried.

VIII. HOMESTEAD AND OVER-65 TAX EXEMPTIONS.

Councilman Davidson moved for approval of a $10,000.00 Over-65 Tax Exemption being granted for 1982. Motion seconded by Councilman Robertson and carried.

No motion was made to grant a Homestead Exemption for 1982.

IX. DEPARTMENTAL REPORTS.

The January Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

Councilman Davidson requested a report be prepared for Council's review indicating the exact amount expended for repairs and maintenance of each separate vehicle owned by the City over the past twelve months.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) Councilwoman Kennedy moved for approval of converting the present rotary telephone system to a touchtone system and the expansion of an additional line to rotate with the existing police emergency line for a total monthly cost of $168.50 plus an installation fee of $185.00. Motion seconded by Councilman Robertson and carried.

(2) The Schedule of Receipts and Disbursements for the month of January was reviewed as well as the February Accounts Payable. Councilwoman Kennedy moved for City Secretary being authorized and directed to pay all those accounts due and payable during the month of February, 1982. Motion seconded by Councilman Byers and carried.

(3) The Municipal Court Reports for the January 19 and February 2 dockets were reviewed.

XI. NEW BUSINESS - PURCHASE OF NEW RADAR EQUIPMENT.

(1) Councilman Davidson moved for approval of the purchase of one new $2,595.00 radar unit, less $600.00 for two old units, for a total purchase price of $1,895.00 to be paid out of the Police Department's Capital Outlay Equipment Account. Motion seconded by Councilwoman Kennedy and carried.

(2) City Secretary was instructed to have the Street Department erect "No Trucks" signs in the Kingswood Estates Subdivision.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 11:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL FEBRUARY 24, 1982

The meeting was called to order at 9:00 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: J William Davidson, Councilman

A quorum being present, the following business was transacted:

I. PUBLIC HEARING ON TERMINATION OF EMPLOYMENT.

Ms. Sherry Lawson withdrew her request for a Public Hearing before the City Council relative to her termination of employment by the Police Department.

II. APPLICATION FOR BUILDING PERMITS - ALTHEA SUBDIVISION.

Councilman Robertson stated Mr. J. J. Donald had contacted him wanting to go ahead with the construction of the twelve (12) four-plex buildings as well as the commercial complex to be located on approximately 3.83 acres of land at the Southeast corner of Shady Shores Road and Hundley Drive. Councilman Robertson said Mr. Donald had agreed to all of the conditions for final plat approval as set out on September 2, 1981 for the exception of the prohibition of gas pumps in the commercial district and the placing of $19,500. with the City for future street improvements to the intersection of Shady Shores Road and Hundley Drive. However, Mr. Donald is willing to assist the City with the street improvement project at such time as the actual improvement to the intersection is made and he will file for a variance with the Board of Adjustment on the matter of the gas pumps.

Councilman Byers moved for approval to waive that condition of plat approval made on September 2, 1981 requiring that $19,500.00 be placed on deposit with the City prior to the issuance of any building permit in the subdivision for the purpose of assisting with the cost of street improvements to the intersection of Shady Shores Road and Hundley Drive. Motion seconded by Councilman Robertson and carried.

III. ADJOURNMENT.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 9:30 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING OF LAKE DALLAS CITY COUNCIL HELD AT CITY HALL MARCH 11, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

All members being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held February 11 and 24, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. REQUEST FOR RATE INCREASE - TEXAS POWER & LIGHT CO.

Councilman Davidson moved for the passage and approval of Ordinance No. 147 "SUSPENDING THE EFFECTIVE DATE OF PROPOSED REVISIONS OF RATES AND SCHEDULES OF TEXAS POWER & LIGHT COMPANY FOR 120 DAYS FROM MARCH 19, 1982; PROVIDING THAT THE RATES OF SAID PUBLIC UTILITY SHALL REMAIN UNCHANGED DURING THE PERIOD OF SUSPENSION; AND PROVIDING FOR NOTICE HEREOF TO SAID PUBLIC UTILITY; AND DECLARING AN EMERGENCY". Motion seconded by Councilwoman Kennedy and carried unanimously.

IV. STREET IMPROVEMENTS TO HILLCREST DRIVE.

The matter was taken up inasmuch as Mr. John Lugenheim was not present.

V. OFFICIAL COUNT OF BALLOTS TO BE USED IN CITY OFFICERS' ELECTION TO BE HELD APRIL 3, 1982.

The 1200 ballots to be used in the April 3 City Officers' Election were counted, packaged and sealed with proper instructions. Councilman Robertson moved for the acceptance of an official count of 1200 ballots to be disbursed in the following manner:

Ballot No. 0	Marked SAMPLE to be forwarded to the Lake Cities Sun at their request.
Ballot Nos. 1 - 25	To be retained at City Hall for use in Absentee Voting.
Ballot Nos. 26 - 1200	To be forwarded to the Fire Station for voting on Election Day.

Motion seconded by Councilman Davidson and carried unanimously.

VI. DEPARTMENTAL REPORTS.

(1) The Schedule of Receipts and Disbursements for the month of February, 1982 was reviewed, as well as the March Accounts Payable. Councilwoman Kennedy moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of March, 1982. Motion seconded by Councilman Hutto and carried unanimously.

(2) The Municipal Court Reports for the February 16 and March 2 dockets were reviewed.

VII. OLD BUSINESS.

Councilman Davidson stated he had been told that Dr. M. A. Fazlani is presently out of the country and renting the premises at 300 Gotcher Street to an individual for living purposes. He further reported he had been told Dr. Fazlani had been offered a post in Gainesville and may sell the property in Lake Dallas which has in the past been used as his medical office and laboratory. It was generally agreed that, inasmuch as the permitting of the mobile building had been granted special consideration because of the need in the community for a medical doctor, said mobile building could not be permitted to remain on the land in that particular zoning district if and when the property changed ownership or a different use of the building is made.

Councilman Hutto moved for the withdrawal of the Occupancy Permit issued for 300 Gotcher Street if and when the use of the land and mobile building changed in any manner from the use as declared in the Application for Building Permit signed by M. A. Fazlani, M.D. on May 11, 1981. Motion seconded by Councilwoman Kennedy and carried unanimously.

Councilman Davidson requested that the Duck Inn sign, located on railroad property at Main Street and Shady Shores Road, be removed in accordance with the decision made at the regular meeting of the City Council held on February 11, 1982, and that all signs which have not previously been granted a permit be also removed.

VIII. NEW BUSINESS.

City Secretary was instructed to check with the Denton County Health Department relative to (1) the issuance of Health Cards to employees handling food at restaurants located in Lake Dallas, (2) the regular inspection for cleanliness in Lake Dallas restaurants.

City Secretary was further instructed to contact Lone Star Gas Company regarding the many complaints made by citizens relative to damage done to private property by the crew working on the new transmission line.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 9:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
HELD AT CITY HALL MARCH 25, 1982

The meeting was called to order at 9:30 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: P. O. Byers, Councilman

Mayor Vinson stated the purpose of this meeting is to discuss the matter of the motion which was passed and approved at the Regular Meeting held February 11, 1982 denying the request made by the Duck Inn Restaurant to maintain their sign located on railroad property at the intersection of Main Street and Shady Shores Road because said sign did not comply with existing City ordinances. He said, due to what he believed to be unique circumstances in this particular case, he had requested and received an opinion on same from the Attorney for the City which was then mailed to all members of the Council in an effort to provide them with more information on the matter.

Mayor Vinson further stated there are signs presently located on private property within the corporate limits owned by three businesses which were erected prior to the incorporation of the City. Mr. Steve Howard, owner of the Duck Inn Restaurant, stated his sign located on railroad property at the intersection of Main Street and Shady Shores Road was erected by his father in 1955. Mr. Louis Drozd, Jr., owner of the Lakeview Marina, stated his sign located on Main Street was erected in 1942, and the signs located on Hundley Drive were erected in 1965. Father James C. Babb, representing the Montserrat Jesuit Retreat House, stated their sign located on Hundley Drive was erected in 1959.

Mayor Vinson argued it was his interpretation that the Attorney's opinion is that the City Council is prohibited from imposing the provisions of Ordinance Nos. 25 (passed and approved on November 20, 1956), 42 (passed and approved on May 13, 1971) and 78 (passed and approved on October 14, 1976) relative to signs that were in existence prior to the passage of same.

Councilman Davidson stated he had no personal objection to the Duck Inn or any other business, but was merely attempting to represent the people who elected him and felt signs placed throughout the City, without benefit of the permit procedure, produced a cluttered, unkept appearance in the central business district. Councilman Robertson stated his only interest in the matter is to insure that the City achieve a more attractive appearance by the equal enforcement of existing ordinances which will subsequently eliminate the existence of tall grass, junked vehicles and other unattractive nuisances, as well as unauthorized signs.

After much discussion of the matter, Councilwoman Kennedy moved for the exemption of the previously mentioned signs currently in existance and maintained by the Duck Inn Restaurant, Lakeview Marina and the Montserrat Jesuit Retreat House from the provisions of Ordinance Nos. 25, 42 and 78 on the basis said signs where erected prior to the passage of said ordinances. Motion seconded by Councilman Hutto and prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. James W. Hutto and Robby Robertson.

NOES: Mr. J William Davidson.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 9:55 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING
OF LAKE DALLAS CITY COUNCIL
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL APRIL 8, 1982

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

A petition for variance, brought by Mr. J. J. Donald representing Althea, Inc., seeking permission for the installation of underground gas storage tanks and gas pumps on Lot No. 2R in the Althea Subdivision located at the corner of Shady Shores Road and Hundley Drive was reviewed.

No citizen protest was made to the request.

Councilman Robertson moved for the approval of the request to install underground gasoline storage tanks and commercial pumps on Lot No. 2R in the Althea Subdivision located at the corner of Shady Shores Road and Hundley Drive. Motion seconded by Councilman Byers and carried unanimously.

There being no further busines before the Board of Adjustment, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried unanimously. The meeting was adjourned at 6:50 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M Jean Chambers

M Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL APRIL 8, 1982

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated the purpose of this meeting is to provide a Public Hearing for citizens wishing to make comments relative to a petition, brought by the Lake Dallas Telephone Company, for a change in zoning classification from the R-1 6000 (residential) District to the C-2 (commercial) District with respect to 0.40 acres of land out of the Mary Wright Survey, Abstract No. 1355. Said property abutts the existing telephone company property on the Southwest, and is located directly South of the present D. L. McCann property on Main Street and North of the present Ivan Bounds property on Betchan Street.

No citizen opposition was made to the requested change in zoning classification.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Davidson and carried unanimously. The meeting was adjourned at 7:15 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 8, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held March 11 and 25, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITY OFFICERS' ELECTION HELD APRIL 3, 1982.

(a) Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 3, 1982. It was determined that 297 qualified voters cast a total of 775 votes for the following candidates:

FOR MAYOR:	Johnny J. Vinson		-	218 Votes
	J Helms	(Write-In)	-	1 Vote
	Bill Davidson	(Write-In)	-	2 Votes
	Donald R. Smith	(Write-In)	-	3 Votes
	Bill Grammer	(Write-In)	-	1 Vote
	William Early	(Write-In)	-	1 Vote
	Charles D. Anderson	(Write-In)	-	1 Vote
FOR ALDERMAN:	Mike Fahey		-	63 Votes
	P. O. Byers		-	159 Votes
	Anne Kennedy		-	180 Votes
	Ronny L. Kee		-	146 Votes

All things appearing to be in order, Councilman Hutto moved for the passage, approval and adoption of a resolution accepting said election returns and declaring Johnny J. Vinson the dully elected Mayor and Anne Kennedy and P. O. Byers duly elected Aldermen, each for a two year term, for the City of Lake Dallas. Motion was seconded by Councilman Robertson and carried unanimously. City Secretary presented each newly elected officer with a Certificate of Election and administered the Oath of Office.

III. NEW APPOINTMENTS.

(1) MAYOR PRO TEM:

Councilwoman Kennedy nominated James W. Hutto for Mayor Pro Tem and moved for approval of his appointment. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Ms. Anne Kennedy and Messrs. P. O. Byers and James W. Hutto.
NOES: Messrs. J William Davidson and Robby Robertson.

Councilman Davidson nominated P. O. Byers for Mayor Pro Tem and moved for approval of his appointment. Motion seconded by Councilman Robertson and failed by the following vote:

AYES: Messrs. J William Davidson and Robby Robertson.
NOES: Ms. Anne Kennedy, Messrs. P. O. Byers and James W. Hutto.

(2) PLANNING AND ZONING COMMISSION:

Councilman Byers nominated J. William Davidson to serve for another year on the Planning and Zoning Commission and moved for approval of his appointment. Motion seconded by Councilwoman Kennedy and carried unanimously.

Councilman Davidson nominated Linwood Gilliland for a full two year term on the Planning and Zoning Commission and moved for approval of his appointment. Motion seconded by Councilman Byers and carried unanimously.

IV. CITIZEN'S AGENDA.

Mr. Martin Highbaugh, Manager of the Lake Cities Municipal Utility Authority, requested a five to ten year plan for location of streets so that plans can be made by his office for the relocation of water lines and fire hydrants.

V. CHANGE IN ZONING CLASSIFICATION - LAKE DALLAS TELEPHONE COMPANY.

Councilman Davidson moved for the approval of a request made by the Lake Dallas Telephone Company for a change in zoning classification from the R-1 6000 District to the C-2 District with respect to 0.40 acres of land out of the Mary Wright Survey, Abstract No. 1355. Motion seconded by Councilwoman Kennedy and carried unanimously.

VI. LAKE CITIES MUA - SEWER EXPANSION PROJECT.

Mr. Martin Highbaugh, Manager of the Lake Cities Municipal Utility Authority, and Mr. Fred Evans, Engineer with Rady & Associates, made the following report:

The existing contact stabilization treatment plant serving the sewered areas of the Lake Cities MUA began operation in 1969. The plant was designed to treat a flow of 200,000 gallons per day. The plant is presently receiving flows at a rate slightly below 400,000 gallons per day.

The purpose of the Facility Plan Report is to determine the most cost effective means of collecting, transporting, treating and disposing of the Authority's wastewater within the effluent limitations and requirements of State and Federal regulations. Specifically, this Facility Plan involves:

1. Developing and evaluating alternative sewage treatment approaches;
2. Recommending the plan which will best solve the problem, and;
3. Presenting the preliminary designs for the selected alternative.

Eleven alternatives were examined for treatability, cost effectiveness, and environmental effects. The chosen alternative is a Duel Contact Stabilization treatment plant. This selection will utilize the existing facilities with minor modifications and require some new construction to upgrade the total facilities to meet the effluent limitations. The cost of plant construction will be approximately $1,192,125.00.

In order to provide sewer service to Shady Shores, which was one of the prime objectives of the Facility Plan, it will be necessary to install approximately three (3) miles of outfall line and six (6) miles of collection lines. This work will also include the installation of two (2) lift stations. The approximate cost of this construction work is $1,172,595.00.

The Sewer System Evaluation Survey report also called for $85,050.00 of rehabilitation work to the existing sewer system in order to eliminate the excessive flow/infiltration which the system is experiencing.

The total cost for the expanded wastewater treatment plant, collection system to include Shady Shores, and needed rehabilitation to the existing system including all engineering, design and administrative costs will be approximately $2,782,770.00. If the Authority is able to receive seventy-five percent federal funding, the Authority's portion of this construction cost will be $695,692.00. A Public Hearing on the matter will be held May 4, 1982, at 7:30 P.M., at the offices of the Lake Cities MUA.

VII. RESOLUTION - CID PROGRAM.

Councilman Davidson moved for the passage and approval of "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A GRANT TO FUND THE CITY OF LAKE DALLAS POLICE DEPARTMENT'S SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM II". Motion seconded by Councilman Hutto and carried unanimously.

Councilman Byers recommended that an additional patrol officer not be hired to replace Mr. Macaluso (promoted to CID) until next fiscal year in an effort to balance this fiscal year's budget.

VIII. DEPARTMENTAL REPORTS.

The March Activity Reports were reviewed as submitted by the Police and Fire Departments.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

(1) The Schedule of Receipts and Disbursements for the month of March was reviewed as well as the April Accounts Payable. Councilman Byers moved for approval of City Secretary being authorized and directed to pay all those accounts due and payable by the City during the month of April, 1982. Motion seconded by Councilwoman Kennedy and carried unanimously.

(2) The Municipal Court Reports for the March 16 and April 6 dockets were reviewed.

X. OLD BUSINESS.

City Secretary reported only one bid had been received on the automobile insurance police which expires this date. She was instructed to wait a few days to see if other bids would be submitted, then award insurance to low bidder.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried unanimously.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MAY 13, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held April 8, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto and carried unanimously.

II. CITIZEN'S AGENDA.

1. Ms. Aldena Stowe, Lake Dallas representative to the Lake Cities Library Board, reported all of the four cities, for the exception of Corinth, have made their annual contributions to the Library for this fiscal year.

2. Ms. Jackie Kovsky requested that the MKT Railroad be contacted and requested to repair all of their railroad crossings in the City. She also requested that ditches be cleaned out by the City so that water will drain properly and that grass and weeds be cut around Stop Signs.

3. Mr. Bruce Gould stated the intersection of Kings Manor and Overly Drive is almost impassable and needs major repairs immediately. Several property owners stated the poor condition of the intersection has necessitated major repairs to their automobiles. It was also suggested that parking only be permitted on one side of the street in the Kings Manor Subdivision so that emergency vehicles might have adequate access in an emergency situation.

4. Mr. Gould, as well as other citizens, further stated the condition of the drainage ditch between Kings Manor and Prince Drives is continuing to rapidly deteriorate the standard of living of abutting property owners. He stated the soil erosion is dangerously widespread and the ditch is a breeding place for mosquitoes as well as a haven for snakes, rodents, trash, etc. He urged that funds be budgeted immediately for major improvements to the ditch and then that funds continue to be allocated each year for proper maintenance of same.

III. MAJOR STREET REPAIRS - KINGS MANOR SUBDIVISION.

The engineering report, dated May 6 and prepared by Schoell, Fields & Associates, relative to needed street repair work to Kings Manor and Overly Drives was reviewed, but no motions were made.

IV. CAPITAL STREET IMPROVEMENT PROGRAM.

1. The engineering report, prepared by Schoell, Fields & Associates, on the proposed capital street improvements to Main Street, Denton Drive, Hundley Drive and Shady Shores Road was reviewed.

2. Councilman Davidson moved for approval of the Mayor and City Secretary being authorized and directed to sign a contract with the First Southwest Company (after receipt of a favorable opinion from City Attorney), Investment Bankers, to act in a financial advisory capacity for the City relative to the financing of the proposed capital street improvement project. Motion seconded by Councilman Robertson and carried unanimously.

V. PLANNING & ZONING COMMISSION BUSINESS.

1. Councilwoman Kennedy moved for the acceptance of Ms. Betty Martin's resignation from the Planning and Zoning Commission and declaration of the vacant seat. Motion seconded by Councilman Hutto and carried unanimously.

2. Councilman Robertson moved for approval of the appointment of Mr. John Rushing to the Planning and Zoning Commission to serve out Ms. Betty Martin's unexpired term. Motion seconded by Councilman Davidson and carried unanimously.

3. Councilman Davidson moved for approval of securing the services of Mr. Charles Cryan to work with the Planning and Zoning Commission to (1) upgrade the City's Zoning Map and (2) review, make proposed changes in the present zoning ordinances and then codify same, at a total cost not to exceed $2,000.00. Motion seconded by Councilman Robertson and carried unanimously.

VI. TEMPORARY LEASE ON WILLOW GROVE PARK.

Councilman Davidson moved for the passage and approval of a resolution authorizing the Mayor to sign any and all papers necessary to enter into an agreement with the Corps of Engineers for a temporary lease on Willow Grove Park. Motion seconded by Councilman Robertson and carried unanimously.

Councilman Davidson moved for the approval of a maximum expenditure of $4,000.00 being made for the initial clean-up of Willow Grove Park so that it may be opened to the public for the 1982 Summer Season. Motion seconded by Councilman Robertson and carried unanimously.

VII. DEPARTMENTAL REPORTS.

The following reports were reviewed:

1. April Activity Report as submitted by the Police Department.
2. Report on repairs and maintenance to Police vehicles from August 3, 1981 to present.
3. Animal Control Activity Report for month of April.
4. Receipts and Disbursements for month of March as submitted by the Lake Cities VFD.
5. Receipts and Disbursements for six months ending March 31, 1982 as submitted by the Lake Cities VFD.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of April, 1982 was reviewed, as well as the May Accounts Payable. Councilman Byers moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of May, 1982. Motion seconded by Councilman Hutto and carried unanimously.

2. The Municipal Court Reports for the April 20 and May 4 dockets were reviewed.

IX. NEW BUSINESS.

It was generally agreed that Councilman Davidson would attend Texas Municipal League's Annual Institute for Mayor's and Councilmembers to be held in Austin June 5-7 with the City paying the registration fee and expenses for two days.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried unanimously.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL JUNE 10, 1982

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: J. William Davidson, Councilman

Mayor Vinson announced the purpose of this meeting is to provide a public hearing on a petition brought by W. C. Mueler for a change in zoning classification from the M-1 (Light Industrial) District to the C-3 (Commercial-Retail Sale of Beer, Wine & Liquor) District with respect to improved property located at 630 South Denton Drive and more particularly described as Block A, Lot Nos. 1 and 2, First Highway Addition, Mary Wright Survey, Abstract No. 1355.

Mayor Vinson called for any person wishing to address the Council on the matter. No person came forward to speak either in opposition or support of the change in zoning classification.

Mr. Linwood Gilliland, Chairman of the Planning and Zoning Commission, stated the Commission, after investigation and hearing the matter, had voted unanimously to recommend to Council that the request be denied. It was noted that six (6) written notices of the petition were mailed to owners of real property located within 200 feet of the property in question. Only two written replies had been received, both in opposition to the request for a change in zoning classification.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried unanimously. The meeting was adjourned at 7:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 10, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meeting held May 13, 1982 be read aloud, and that said minutes be approved as submitted in writing by City Secretary. Motion seconded by Councilman Hutto and carried unanimously.

II. CITIZEN'S AGENDA.

1. Mr. John Lugenheim requested that the vacant lots surrounding his home in the Oak Lakes Subdivision be mowed. He stated he would be glad to do the mowing himself provided he could use the City's tractor-mower. Mayor Vinson replied the lots would be scheduled for mowing as soon as possible.

2. Mr. Leroy McClendon requested that Kings Manor and Overly Drives be repaired quickly and that sufficient funds be expended on same so that the repairs will hold up for a reasonable period of time.

3. Mr. Marvin Simmons inquired as to exactly what portion of Kings Manor Drive was scheduled for major street improvements. Mr. Elmer Crawford, Street Superintendent, answered Kings Manor Drive would be repaired from its intersection with Overly Drive North to the concrete drainage area where the streets turns to the West, plus some other intersections with cul-de-sacs.

4. Mr. Bruce Gould inquired again as to exactly what improvements the City planned to make to the drainage ditch between Kings Manor and Prince Drives and when such improvements would be made. He urged City Officials to enforce all ordinances to keep the ditch clean.

5. Mr. Morris Burns requested proper sized culvert be installed by the City at his property located at the Northwest corner of Shady Shores Road and Hundley Drive with him paying for all materials used. No opposition was presented to the request.

III. PETITION FOR CHANGE IN ZONING CLASSIFICATION - LOT NOS. 1 & 2, BLOCK A, FIRST HIGHWAY ADDITION.

Councilman Davidson moved for a denial of the petition brought by W. C. Mueller for a change in zoning classification from the M-1 to the C-3 District with respect to property located at 630 South Denton Drive

and more particularly described as Lot Nos. 1 and 2, Block A, First Highway Addition, Mary Wright Survey, Abstract No. 1355. Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. J William Davidson, James W. Hutto and Ms. Anne Kennedy.
NOES: Messrs. P. O. Byers and Robby Robertson.

IV. ORDINANCE NO. 148 APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER & LIGHT COMPANY.

Councilman Hutto moved for the passage and approval of Ordinance No. 148 entitled "AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS POWER & LIGHT COMPANY IN THE CITY OF LAKE DALLAS, TEXAS, APPROVING SERVICE REGULATIONS FILED BY TEXAS POWER & LIGHT COMPANY, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN, AND FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC". Motion seconded by Councilman Robertson and carried unanimously.

V. ORDINANCE NO. 149 REGULATING CERTAIN PUBLIC AMUSEMENTS.

Councilwoman Kennedy moved for the passage and approval of Ordinance No. 149, entitled "AN ORDINANCE DEALING WITH THE REQUIREMENTS OF A PERSON OR PERSONS WHO CONDUCT CARNIVALS, CIRCUSES, TENT SHOWS, AMUSEMENT RIDES, ETC.; RESTRICTING THEIR LOCATION; REQUIRING THE ISSUANCE OF A LICENSE; RULES FOR LICENSE APPLICATION; REQUIREMENT OF A BOND; REQUIREMENT OF THE CITY COUNCIL TO ACT ON APPLICATIONS; THE REQUIREMENT OF A FEE; THE ISSUANCE OF A LICENSE BY THE CITY SECRETARY; ESTABLISHING THE LENGTH THAT A LICENSE SHALL BE VALID; PERMITTING OPERATIONS UNDER LICENSE; PROVIDING FOR A PENALTY THEREFOR; PROVIDING THAT ANY PERSON VIOLATING ANY PROVISION OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND FINED UPON CONVICTION, NOT EXCEEDING TWO HUNDRED AND NO/100 ($200.00) DOLLARS; PROVIDING FOR ABATEMENT OF ANY PROVISION ON CITY COUNCIL APPROVAL; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY". Motion seconded by Councilman Hutto and carried unanimously.

VI. DEPARTMENTAL REPORTS.

The reports for the month of May relative to Police and Animal Control activity were reviewed as well as the April Financial Report submitted by the Lake Cities Volunteer Fire Department.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of May, 1982 and the June Accounts Payable were reviewed. Councilman Davidson moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of June, 1982. Motion seconded by Councilman Hutto and carried unanimously.

2. The Municipal Court Reports for the May 18 and June 1 dockets were reviewed.

VIII. OLD BUSINESS.

1. Councilman Hutto moved for the passage and approval of a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, SUSPENDING THE OPERATION OF A PROPOSED FUEL COST FACTOR TARIFF FILED BY TEXAS POWER & LIGHT COMPANY FOR AN ADDITIONAL THIRTY (30) DAYS BEYOND THE DATE ON WHICH SUCH SCHEDULES WOULD OTHERWISE GO INTO EFFECT". Motion seconded by Councilman Robertson and carried unanimously.

2. It was generally agreed that, before an ordinance is drafted restricting on-street parking in the Kings Manor Subdivision, that Chief of Police Y. G. Carr should conduct a traffic study of the area, making specific recommendations as to exactly where on-street parking should be permitted and where it should be restricted.

3. City Secretary reported that the Denton City-County Health Department would not make regular scheduled inspections of food establishments in Lake Dallas until such time as an ordinance is passed adopting at least the minimum requirements as set out by State regulation. However, they will continue to respond and investigate specific complaints made on food establishments located in Lake Dallas.

IX. NEW BUSINESS.

Street Superintendent Elmer Crawford stated the City's brush-hog mower is pulled directly behind the tractor, requiring the tractor-mower to be on the shoulder of a road or actually in a ditch in order to mow same. This condition makes it impossible to keep up with the mowing in wet seasons such as last fall and this spring. He suggested the City purchase a Ditch Bank Model mower that fits our tractor at a current total price of $4,248.00. He stated the mower is mounted on the rear of the tractor but extends far out to the right of same, permitting the tractor to stay on the paved road while mowing the shoulder, or the tractor will ride on the shoulder while mowing the ditch. It is capable of cleaning out heavy brush or weeds in drainage ditches or hard-to-reach road shoulders. Mower head floats over rough terrain, or may be held hydraulically at any angle. It was agreed that Councilman Davidson would negotiate for the City on the proposed mower and report back to Council.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried unanimously. The meeting was adjourned at 9:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 8, 1982

The meeting was not called to order because of lack of a quorum.

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL AUGUST 10, 1982

The meeting was called to order at 8:45 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

The preliminary budget for Fiscal Year 1983 was reviewed on a line item basis and discussed in great detail. It was determined that a tax increase for 1982 would be necessary in order to fund the 1983 proposed budget, but no exact amount could be determined until such time as a certified tax roll is received from the Denton County Appraisal District.

City Secretary explained revenues for this fiscal year have not met estimated projections for several reasons, and may result in ending the year with a deficit to be paid in the next fiscal year. Tax statements cannot be mailed by October 1 as customary due to the delays incurred by the Appraisal District, which further compounds the cash flow problem.

Councilman Byers moved for the passage and approval of a resolution authorizing and directing the Mayor to execute any and all papers as required by the Lake Cities State Bank for approval of a cash loan not to exceed $30,000.00. Motion seconded by Councilwoman Kennedy and carried unanimously. City Secretary was instructed said loan should not be made until such time as the money is absolutely essential to maintain the financial integrity of the City, and only after checking to insure the rate of interest charged is competitive with that being charged by other banks in the area.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson, and carried unanimously. The meeting was adjourned at 11:00 A.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL AUGUST 12, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary

The following persons were absent:

J William Davidson, Councilman
Robby Robertson, Councilman

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held June 10, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto and carried.

II. CITIZEN'S AGENDA.

1. Ms. Jackie Kovsky stated the railroad crossings within the City need repair and requested that something be done to require the railroad to keep their crossings in a good state of repair.

2. Ms. Lee Giordano inquired as to what use is to be made of the money received from animal registrations, and stated it should be used to improve the animal shelter.

3. Ms. Maureen Awalt stated there is a problem in the Kingswood Mobile Home Community with a family using a portion of the common area to store and repair junked vehicles which results in an almost unbearable nuisance to residents. She complained of a lack of enforcement of City Ordinances in that subdivision. Chief of Police was instructed to investigate the complaints, and do whatever possible to abate the nuisances.

4. Ms. Deanie Stowe requested the junked vehicles be removed as provided by Ordinance from the First Baptist Church parking lot.

III. ORDINANCE NO. 150 - ADOPTING 1979 UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS.

Councilman Byers moved for the passage and approval of Ordinance No. 150, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING ORDINANCE NOS. 78, 85, 86 AND 87 OF THE CITY OF LAKE DALLAS, TEXAS, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; ADOPTING THE 1979 EDITION OF THE UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; REGULATING THE CONSTRUCTION, ERECTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF LAKE DALLAS; PROVIDING FOR INSPECTION, THE ISSUANCE OF PERMITS, AND THE COLLECTION OF FEES THEREFOR; PROVIDING A FINE

NOT TO EXCEED $200.00 FOR ANY VIOLATION HEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE". Motion seconded by Councilman Hutto and carried.

IV. ORDINANCE NO. 151 - ADOPTING 1979 UNIFORM MECHANICAL CODE.

Councilman Hutto moved for the passage and approval of Ordinance No. 151, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING THE 1979 EDITION OF THE UNIFORM MECHANICAL CODE AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; PROVIDING FOR A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilman Byers and carried.

V. ORDINANCE NO. 152 - ADOPTING 1979 ADMINISTRATIVE CODE.

Councilwoman Kennedy moved for the passage and approval of Ordinance No. 152, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING THE 1979 EDITION OF THE ADMINISTRATIVE CODE AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO, PROVIDING FOR A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilman Hutto and carried.

VI. ORDINANCE NO. 153 - ADOPTING 1979 UNIFORM SIGN CODE.

Councilwoman Kennedy moved for the passage and approval of Ordinance No. 153, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING THE 1979 EDITION OF THE UNIFORM SIGN CODE AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; PROVIDING FOR A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilman Hutto and carried.

VII. ORDINANCE NO. 154 - ADOPTING 1979 INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS PLUMBING CODE.

Councilman Hutto moved for the passage and approval of Ordinance No. 154, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING THE 1979 EDITION OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS PLUMBING CODE AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; PROVIDING FOR A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilwoman Kennedy and carried.

VIII. ORDINANCE NO. 155 - ADOPTING 1981 NATIONAL ELECTRICAL CODE.

Councilman Byers moved for the passage and approval of Ordinance No. 155, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING ORDINANCE NO. 47 OF THE CITY OF LAKE DALLAS, TEXAS; AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; ADOPTING THE 1981 EDITION OF THE NATIONAL ELECTRICAL CODE AND ANY SUPPLEMENTS AND/OR AMENDMENTS THERETO; PROVIDING FOR A FINE NOT TO EXCEED $200.00 FOR ANY VIOLATION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE". Motion seconded by Councilwoman Kennedy and carried.

IX. LONE STAR GAS COMPANY - GATE RATE CASE FILED 6-25-82.

Councilman Hutto moved for approval of the City's participation with other cities in a joint study of Lone Star Gas Company's gate rate increase, Docket No. 3543, now pending before the Railroad Commission, at a cost of 4¢ per capita. Motion seconded by Councilman Byers and carried.

X. CHANGE IN STREET NAME.

Councilwoman Kennedy moved for approval of the name of Texas Street being changed to Falcon Street. Motion seconded by Councilman Hutto and carried.

XI. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

XII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the months of June and July were reviewed, as well as the July and August Accounts Payable. Councilman Byers moved for City Secretary being authorized and directed to pay all those accounts due and payable within the months of July and August, 1982. Motion seconded by Councilwoman Kennedy and carried.

2. The Budget Report for Nine Months ending June 30, 1982 was reviewed.

3. The Municipal Court Reports for the June 15, July 6, July 20 and August 3 dockets were reviewed.

XIII. OLD BUSINESS.

1. WILLOW GROVE PARK.

Councilman Hutto moved for the passage and approval of a resolution entitled, "BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, FORMALLY APPLYING FOR A DEPARTMENT OF THE ARMY LEASE FOR A ONE YEAR PERIOD FOR PUBLIC PARK AND RECREATIONAL PURPOSES AT LEWISVILLE LAKE RESERVOIR". Motion seconded by Councilwoman Kennedy and carried

2. ORDINANCE NO. 156 SETTING SPEED LIMIT ON INTERSTATE HIGHWAY NO. 35E EAST FRONTAGE ROAD.

Councilman Byers moved for the passage and approval of Ordinance No. 156, entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS; ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 169(b) OF ARTICLE 6701 d, VERNON'S TEXAS CIVIL STATUTES, UPON INTERSTATE HIGHWAY NO. 35E EAST FRONTAGE ROAD, OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF LAKE DALLAS, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED $200.00 FOR THE VIOLATION OF THIS ORDINANCE. Motion seconded by Councilman Hutto and prevailed by the following vote:

AYES: Messrs. P. O. Byers and James W. Hutto.
NOES: Ms. Anne Kennedy.

XIV. NEW BUSINESS.

1. A proposal for regular preventive maintenance of City vehicles, submitted by Mr. John N. Alexander, was reviewed. Any action on the matter was postponed until the next regular meeting when all members of the Council would be present.

2. City Secretary stated that the Planning and Zoning Commission wishes to schedule a joint, informal meeting with the City Council relative to the proposed codification of the Zoning Ordinance. It was suggested that said meeting be scheduled prior to a regular Council meeting, if possible.

XV. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF LAKE DALLAS HELD AT CITY HALL SEPTEMBER 9, 1982

The meeting was called to order at 6:15 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary
Linwood Gilliland, P & Z Comm.
John Rushing, P & Z Comm.
Gene Welborn, P & Z Comm.

The following persons were absent:

James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman
Sue Rucker, P & Z Comm.
Pam Schaefer, P & Z Comm.

Mr. Charles Cryan, Planning Consultant, reviewed in detail suggested changes in the Zoning Code, as made by the Planning and Zoning Commission during their efforts to codify same. The following is a partial listing of proposed changes discussed:

* New minimum off-street parking requirement in most districts.
* 65% masonry construction required in Districts R 1-7200, R 1-6000, R-2, R-3 and all commercial districts.
* Minimum square footage increased to 720 square feet in District R 1-4000.
* Minimum square footage decreased to 650 square feet in District R-3.
* A new Zoning District, R 1-6600, is created providing for modular home construction.
* No stairstepping provision between zone districts is made.

Mr. Cryan stated the revised ordinance, as proposed, would create non-conforming uses of the land, and should be dealt with by present property owners registering their non-conforming use at City Hall. In this way, as property changes ownership, non-conforming use of the land can eventually be eliminated.

Inasmuch as several members of both boards were absent, no consensus of opinion was taken.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL SEPTEMBER 9, 1982

The meeting was called to order at 7:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

The following persons were absent:

J. William Davidson, Councilman
James W. Hutto, Mayor Pro Tem

Mayor Vinson stated this meeting was called for the purpose of considering a petition brought by James Roy Wyatt for a variance from Ordinance No. 25, Section 7, pertaining to minimum lot area requirements per family with respect to Lot Nos. 4 and 5, Block B, Garza Beach Estates, located at 297 and 301 Lakeview Drive. It was explained that each of these lots total 5,000 square feet, and a minimum lot area of 6,000 square feet is required in Zone District R 1-6000. Mr. Wyatt stated it was his intent to build a house on each of the lots, meeting all other zoning and building requirements as set out by ordinance.

Mayor Vinson called for any citizen opposition to the request. None was made.

Councilwoman Kennedy moved for approval of granting the variance from minimum lot area requirements, as specified by Ordinance No. 25, with respect to Lot Nos. 4 and 5, Block B, Garza Beach Estates. Motion seconded by Councilman Byers and carried.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 7:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 9, 1982

The meeting was called to order at 7:55 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting was:

J William Davidson, Councilman

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held August 10 and 12, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy and carried.

II. CITIZEN'S AGENDA.

Mrs. Alice McCarty expressed her appreciation to Council for their assistance in abating the junked vehicle nuisance in Kingswood Mobile Park, but complained about the attitude of the Chief of Police in the matter.

III. ORDINANCE NO. 157 - ADOPTING UPDATED SERVICE CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM.

Councilman Robertson moved for the passage and approval of Ordinance No. 157, entitled 'AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM IN THE EMPLOYMENT OF THE CITY OF LAKE DALLAS; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS". Motion seconded by Councilwoman Kennedy and carried.

IV. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of August was reviewed, as well as the September Accounts Payable. Councilman Byers moved for City Secretary being authorized and directed to pay all those accounts due and payable within the month of September, 1982. Motion seconded by Councilman Robertson and carried.

2. The Municipal Court Reports for the August 17 and September 7 dockets were reviewed.

VI. PROPOSAL TO INCREASE PROPERTY TAXES BY EIGHTY PERCENT.

Mayor Vinson stated Councilmembers had had an opportunity to review and study the proposed budget for Fiscal Year 1983, in the amount of $624,643.00, requiring a tax rate of 45¢ per one hundred dollar valuation to fund same. It was explained that the proposed tax rate translates to an eighty percent increase in total tax levy. Mayor Vinson then called for a roll call vote on the propsal to increase taxes as follows:

FOR THE PROPOSAL:	James W. Hutto, Mayor Pro Tem P. O. Byers, Councilman Anne Kennedy, Councilwoman Robby Robertson, Councilman
AGAINST THE PROPOSAL:	None
ABSENT AND NOT VOTING:	J William Davidson, Councilman

VII. ADJOURNMENT.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 9:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 22, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: P. O. Byers, Councilman

Mayor Vinson stated the purpose of this meeting is to provide a public hearing on the proposal to increase total tax revenues from properties listed on the 1981 tax roll by eighty percent. He further stated the City had not imposed a property tax increase on its citizens in many years and regretted the necessity to do so at this time. However, the high cost of continued inflated prices over the past few years prohibites the City from delivering the same level of services at the current tax rate.

It was explained that a tax rate of 52¢ per one hundred dollar valuation was levied last year on an approximate total tax roll of $24,361,882., providing a tax levy of $126,682.00 and represented funding of 23% of the total budget.

After the reappraisal made this year by the Denton County Appraisal District, the 1982 tax roll has been increased to $51,732,160.00, bringing the effective tax rate down to 25¢ per one hundred dollar valuation. It has been determined that a tax rate of 45¢ per one hundred dollar evaluation is needed to fund the budget for Fiscal Year 1983, This is a 20¢ increase per one hundred dollar valuation and will fund approximately 31.18% of the total budget.

Each person present and wishing to comment on the matter was given an opportunity to do so. Many persons opposed such a large increase in any one year, particularly a year in which all properties have been reappraised for tax purposes. They suggested taxes should have been increased by small amounts over a period of years, and suggested that strategy now be implemented. It was further suggested that the present economy justified a freeze on employee salary increases and would reduce the total budget, permitting a lower tax rate. Several persons suggested the budget could be cut or reduced in several ways, but were not specific.

Some persons present supported the tax increase due to increased costs of maintaining capable personnel, adequate equipment, quality materials, etc., and stated they did not wish to see services reduced.

After all persons wishing to do so had addressed the City Council on the matter of an increased tax rate, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 9:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 23, 1982

The meeting was called to order at 7:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary

The following persons were absent:

P. O. Byers, Councilman
Robby Robertson, Councilman

Mayor Vinson stated the purpose of this meeting is to provide a public hearing on the proposed budget for fiscal year 1983. City Secretary explained the budget, as now proposed, totals $624,643.00, and represents an increase of 17.77% over last year's budget. Proposed departmental allocations are as follows:

Administrative Department	$120,852.00
Police Department	248,874.00
Street Department	119,942.00
Sanitation Department	104,199.00
Fire Department	30,776.00

Several persons protested the increased budget even though it may be needed to maintain services at the current level, largely due to the fact that an increased tax rate would be levied to fund same. They stated that, due to the poor economy and high unemployment, everyone needed to cut back, including local government. It was again suggested that among other things, only small salary increases if any should be given in an effort to keep expenses to a minimum.

There were also persons present who spoke in favor of the proposed budget indicating an understanding of high inflation eroding the City's purchase power as it has families and businesses alike.

There being no other persons wishing to speak on the matter, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 28, 1982

The meeting was called to order at 10:00 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary
Y. G. Carr, Police Chief
Elmer Crawford, Street Superintendent
Johnny Webber, Sanitation Supervisor
Randy Webb, Assistant Fire Chief

Mayor Vinson stated this emergency meeting was called for the purpose of discussing revisions in the proposed budget so that the percentage of tax increase could be reduced.

Mrs. Scottie Steen stated the over-65 property owners were already suffering greatly on their fixed incomes from the high cost of medical care food, utilities, etc., and just could not sustain a large tax increase. She requested consideration be given to granting larger over-65 exemptions so that that group would not risk loss of their homes.

Mrs. Deanie Stowe stated, while all employees were doing an admirable job, there is a limit to the burden that can be placed on the tax payors of a small town. She suggested that salary increases be frozen until the economy improves.

Mayor Vinson announced Council would enter into Executive Session for the purpose of evaluating personnel positions and salaries as permitted by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes.

Council then entered into Executive Session at 11:35 A.M., and re-convened in open session at 12:00 Noon.

City Secretary was instructed to rewrite the budget, freezing any and all salary increases for the full fiscal year, as well as making other budget cuts as previously instructed. Council will review the Budget in its entirety in January, 1983 and, if feasible, consideration will be given at that time to salary increases.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy, and carried unanimously.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 4, 1982

The meeting was called to order at 7:50 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated the budget for fiscal year 1983 had been reduced, from the original proposal of $624,643.00, to $587,909.00, requiring a tax rate of 35¢ per one hundred valuation which translates to a 40% increase in total property tax levy. It was explained that the reduction in total budget was accomplished by the following:

1. Freezing all employee salaries at the current level for the full fiscal year,
2. Eliminating the hiring of additional personnel in the Street and Sanitation Departments,
3. Cutting allocations in various accounts in all departments to the barest minimum,
4. Reducing the City's share of the Lake Cities Volunteer Fire Department's budget by five percent (5%).

Departmental allocations, as now proposed, are as follows:

Administrative Department	-	$115,058.00
Police Department	-	$230,151.00
Street Department	-	$117,423.00
Sanitation Department	-	$ 95,939.00
Lake Cities Volunteer Fire Department	-	$ 29,238.00
TOTAL		$587,809.00

Mr. Jerry McCutcheon, Chief of the Lake Cities Volunteer Fire Department, stated the City's amended share of his department's budget represents an increase of approximately 2% over last year's participation, and will result in a much greater reduction in the total budget when the same percentage rate of decrease is applied to the participation of the towns of Hickory Creek, Corinth and Shady Shores. He further stated the Fire Department just could not deliver the same level of services in Fiscal Year 1983 for the same amount of money as delivered in Fiscal Year 1982.

Ms. Carolyn Green stated, inasmuch as salary increases to employees are only considered on an annual basis in October, and no increases are scheduled for FY 1983, two years will have elapsed before they can expect consideration of another salary increase. Mayor Vinson responded by stating that the City Council will review the entire budget in January, 1983, and if feasible

salary increases to personnel will be considered at that time.

I. APPROVAL OF BUDGET FOR FISCAL YEAR 1983.

Councilman Byers moved for the approval and adoption of the Budget for Fiscal Year 1983, in the total amount of $587,809.00, with departmental allocations of $115,058 to the Administrative Department, $230,151.00 to the Police Department, $117,423.00 to the Street Department, $95,939.00 to the Sanitation Department, and 29,238.00 to the Volunteer Fire Department. Motion seconded by Councilman Hutto and prevailed by the following vote:

AYES: Messrs. P. O. Byers, James W. Hutto, Robby Robertson and Ms. Anne Kennedy.
NOES: Mr. J William Davidson.

II. ORDINANCE NO. 158 - APPROVING THE 1982 APPRAISAL ROLLS AND LEVYING PROPERTY TAXES FOR THE 1983 FISCAL YEAR.

Councilman Hutto moved for the passage, approval and adoption of Ordinance No. 158, entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING THE 1982 APPRAISAL ROLLS AS APPROVED BY THE APPRAISAL REVIEW BOARD OF THE DENTON COUNTY APPRAISAL DISTRICT; AND LEVYING PROPERTY TAXES FOR THE 1983 FISCAL YEAR". Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs. James W. Hutto, P. O. Byers, Robby Robertson and Ms. Anne Kennedy.
NOES: Mr. J William Davidson.

III. RESOLUTION DISAPPROVING OF THE 1983 BUDGET OF THE DENTON COUNTY APPRAISAL DISTRICT.

Councilman Davidson moved for the passage and approval of a resolution disapproving of the 1983 Budget of the Denton County Appraisal District. Motion seconded by Councilwoman Kennedy and carried unanimously.

IV. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 8:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 14, 1982

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson stated the purpose of this meeting is to provide a public hearing on a petition, brought by Mr. John R. Lugenheim, for a Special Use Permit to construct mini-warehouses on approximately 1.5274 acres of land out of Tract 50-5 in the Mary Wright Survey, Abstract No. 1355. Said property is located within the C-3 (commercial) District at 5006 A South Stemmons, and borders the Lakeland Shopping Center on the South.

Mr. Lugenheim stated the mini-warehouses would be constructed of cinder block with steel walls and roof. He said he would maintain an office on the premises. A gate will prohibit entry into the compound at a certain hour each night. The Fire Chief will be permitted to inspect each unit for combustible products at his request, and fire hydrants will be installed on the premises as requested by the Fire Department.

No opposition to the petition was presented.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 7:25 P.M.

M. Jean Chambers, City Secretary

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 14, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held September 9, 22, 23, 28 and October 4, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson and carried unanimously.

II. CITIZEN'S AGENDA.

1. Ms. Jackie Kovsky stated the M.K. & T. Railroad still has not repaired their railroad crossings and requested that City staff again contact them, requesting that they do so immediately. She also stated that the Water Department had made a large cut in the asphalt at the corner of Carlisle and Denton Drives and requested that they too be contacted to repair same.

2. A resident on Thompson Drive complained about large holes in that street made by the Water Department and not repaired.

3. Ms Maureen Awalt expressed her appreciation to the Police Department for their assistance in getting the Kingswood Mobile Home Subdivision cleaned up.

4. Ms. Carolyn Green requested that the drainage ditch on the South side of the Lake Haven Mobile Home Park at Shady Shores Road be cleaned and graded so that the water will drain properly and she can repair her fence.

III. CHANGE IN ZONING CLASSIFICATION - LAKE HIGHLANDS DEVELOPMENT COMPANY.

The petition, brought by the Lake Highlands Development Company, for a change in zoning classification from the R-3 (multi-family) District to the R 1-4000 (mobile home) District with respect to approximately 30.5 acres out of the M.E.P. & P.R.R. Survey, was withdrawn by the applicant.

IV. PETITION TO REQUIRE THAT AN ELECTION BE HELD TO LEGALIZE BINGO GAMES AUTHORIZED BY THE BINGO ENABLING ACT.

City Secretary certified that the petition submitted to require that an election be held in the City to legalize bingo games authorized under the Bingo Enabling Act was signed by registered, qualified voters in a number equal to or greater than ten percent of the number of votes cast for governor by qualified voters of the City in the 1980 Governor's Election.

Councilman Byers moved for the passage, approval and adoption of an Order for Local Option Election to be held in the City of Lake Dallas on the 15th day of January, 1983 to legalize bingo games authorized under the Bingo Enabling Act. Motion seconded by Councilwoman Kennedy and carried unanimously.

V. STRICT ENFORCEMENT OF CITY ORDINANCES.

Representatives of the Building, Fire and Police Departments stated they had met as a group to dedicate themselves to making our City a more attractive, safe and healthful place in which to live and work by cooperating jointly in the strict inspection of premises and enforcement of local ordinances. The major areas of concern were stated as being (1) high grass, (2) unregistered and abandoned vehicles, (3) trash and debris, (4) building and electrical code violations, (5) blocked access roads and alleyways, and (6) discarded applicances.

After an inspection of a premises has been made and violations noted, the property owner will be asked for voluntary compliance with City ordinance and a limited time will be given to each violator commensurate with the amount of work to be done and safety hazards involved. If, upon reinspection of the premises after the time period has elapsed, the violation has not been corrected, the property owner will be given a citation and a complaint filed in Municipal Court. Unless there is a reasonable excuse for not correcting the violation, citations will continue to be issued daily until such time as compliance with the ordinance exists.

They stated no exemptions or special considerations would be made to anyone and that a public service article would be published in the local newspaper asking citizens for voluntary compliance by correcting known violations before an inspection is made.

The City Council was asked for their complete and impartial support in this endeavor to clean-up the City. It was added that the intent of the program is not to harass anyone, but to make all property owners aware there are ordinances that will be enforced by exercising the inspection and enforcement powers available.

VI. MAINTENANCE OF UTILITY EASEMENTS.

The written opinion, submitted by the Attorney for the City, relative to the City's position in maintaining public utility easements was reviewed. City Secretary was instructed to contact the T.V. Cable Company, informing them all their cable in the Kings Manor Subdivision must be buried immediately.

VII. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports as submitted by the Fire and Police Departments were reviewed.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of September was reviewed, as well as the October Accounts Payable. Motion made by Councilman Robertson to authorize and direct the City Secretary to pay all those accounts due and payable within the month of October, 1982. Motion seconded by Councilwoman Kennedy and carried unanimously.

2. The Budget and Financial Report for fiscal year ending September 30, 1982 was reviewed.

3. The Municipal Court Reports for the September 21 and October 5 dockets were reviewed.

4. A report on Unpaid Property Taxes was reviewed. City Secretary explained that the Consolidated Tax Office had retained a new Tax Attorney who is supposed to move quickly to initiate procedures for the collection of all delinquent taxes.

IX. OLD BUSINESS.

Motion made by Councilman Robertson to pay attorneys, filing lawsuit to redraw County Precinct 1 lines, a minimum of $500.00 or a maximum not to exceed $750.00. Motion seconded by Councilman Hutto and carried unanimously.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried unanimously. The meeting was adjourned at 8:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL NOVEMBER 11, 1982

The meeting was called to order at 8:05 P.M. with the Mayor Pro Tem presiding and the following persons present:

James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: Johnny J. Vinson, Mayor

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held October 14, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried.

II. CITIZEN'S AGENDA.

Ms. Maureen Awalt commended the City Council and Police Department in their effort to clean-up the City by strict enforcement of City ordinances. She asked whether or not 20 MPH speed limit signs could be posted in the Kingswood Mobile Home Community. Staff was instructed to research the matter.

Mr. Mark Velton, 208 Stockard Street, requested that the pot holes in his street be repaired and that property owners in his neighborhood be cited for the junk accmulated in their yards.

III. REVIEW OF BIDS - EMPLOYEE GROUP HOSPITAL AND LIFE INSURANCE COVERAGE.

City Secretary explained that the Lake Cities Insurance Agency had inadvertently failed to receive an invitation to submit a bid on the employee group hospital and life insurance coverage. Councilman Byers moved for the period of time for acceptance of bids to be extended by one week, November 18, to allow the Lake Cities Insurance Agency time to prepare and submit a bid on the group insurance coverage, and that at the conclusion of the extended time period, authorization be given to the Mayor Pro Tem and City Secretary to make the determination, based on dollar cost for coverage provided, as to the granting of the bid. Motion seconded by Councilwoman Kennedy and carried.

IV. RESOLUTION AUTHORIZING THE MAYOR TO RENEW AND EXTEND AN EXISTING LOAN WITH THE LAKE CITIES STATE BANK AND TO SECURE AN ADDITIONAL LOAN.

City Secretary explained that the Tax Assessor-Collector is now projecting tax statements will be in the mail on or about December 17 which will necessitate making another loan at the bank to help meet expenses until such time as tax revenue is received. Councilman Byers moved for the passage and approval of a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING AND DIRECTING THE MAYOR AND/OR MAYOR PRO TEM, ATTESTED TO BY THE CITY SECRETARY, TO EXECUTE AND AND ALL PAPERS AS REQUIRED BY THE LAKE CITIES STATE BANK FOR APPROVAL TO RENEW AND EXTEND AN EXISTING LOAN DATED NOVEMBER 1, 1982, IN THE AMOUNT OF $30,000.00, AND TO SECURE AN ADDITIONAL LOAN NOT TO EXCEED $50,000.00". Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. P. O. Byers, Robby Robertson and Ms. Anne Kennedy.
NOES: None.
ABSTAINED: Mr. J William Davidson

V. INSPECTIONS MADE FOR VIOLATIONS OF CITY ORDINANCES.

The first monthly (October) report on inspections made for violations of City Ordinances was reviewed.

VI. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

VII ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of October, as well as the November Accounts Payable, was reviewed. Motion made by Councilman Byers that City Secretary be authorized and directed to pay all those accounts due and payable during the month of November, 1982. Motion seconded by Councilman Robertson and carried.

2. The Municipal Court Reports for the October 19 and November 2 dockets were reviewed.

VIII. NEW BUSINESS.

1. Inasmuch as the responsibility of animal control is by ordinance designated to the Police Department and until such time as the position of Animal Control Officer is filled, it was generally agreed that Police Officers would be required to respond to complaints relative to animal control by making every effort to locate the owner of an offending animal and issuing a citation for the violation. The Police Officer would only be required to capture and impound the offending animal in an emergency situation. City Secretary was instructed to have prepared an amendment to the Animal Control Ordinance increasing the registration fee to $5.00 per year per animal and increasing the impound fee to $10.00 per day.

2. Motion made by Councilman Byers that all major expenditures exceeding $500.00 must be submitted to City Council for prior approval until such time as the cash flow problem is corrected. Motion seconded by Councilwoman Kennedy and carried.

3. Motion made by Councilman Robertson that all "request" work to be done by the Street and Sanitation Departments must be scheduled by written Work Order, worked in the order in which they are received, and that written explanation be made on any work not completed within 30 days of the date of the order. Motion seconded by Councilman Byers and carried. It was agreed that an emergency situation involving a safety hazard would be given priority over regular scheduled work.

4. It was further agreed that, upon the Mayor's return from vacation, a special meeting of the City Council and Department Supervisors would be held for the purpose of reviewing and explaining the aforementioned policies and procedures.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 9:45 P.M.

James W. Hutto, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 9, 1982

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

The following persons were absent:

P. O. Byers, Councilman
J William Davidson, Councilman

a quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meeting held November 11, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Robertson and carried.

II. CITIZEN'S AGENDA.

1. Ms. Maureen Awalt protested the City's policy of expending funds to have gravel and oil placed on the streets. She stated the procedure was costly and did not effectively improve the quality of the street inasmuch as most of the rock ends up in the bar ditches. The Mayor explained that is the most economical procedure to protect the asphalt surface from winter moisture and freezing conditions.

2. Several persons protested the enforcement of the animal registration and the proposed increased registration fees. Most persons complained that increased fines should be imposed on persons permitting their animals to run at large, rather than increasing registration fees to those persons who take great care to insure that their pets are confined to their own yards.

III. PETITION FOR ABANDONMENT OF PEYTON STREET.

Councilwoman Kennedy moved for the postponement of a decision on the matter of abandoning a portion of Peyton Street until the January meeting and a full Council is present. Motion seconded by Councilman Robertson and carried.

IV. APPROVAL OF ORDINANCE NO. 159 - ANIMAL CONTROL.

Councilman Hutto moved for the passage and approval of Ordinance No. 159 entitled "AN ORDINANCE SUPERSEDING ORDINANCE NO. 5, ORDINANCE NO. 67 AND ORDINANCE NO. 123, AND ANY OTHER ORDINANCE DEALING WITH ANIMALS AND THE SUBJECT MATTER CONTAINED IN THIS ORDINANCE; DEFINITIONS; REQUIRING THAT ALL ANIMALS OF THE CAT FAMILY OR THE CANINE FAMILY MORE THAN THREE MONTHS OLD BE VACCINATED AGAINST RABIES; PROHIBITING THE RUNNING AT LARGE OF ANIMALS WITHIN THE CITY LIMITS OF LAKE DALLAS, TEXAS; PROVIDING THAT ALL

IMPOUNDED ANIMALS SHALL BE REDEEMED WITHIN THREE DAYS AFTER CAPTURE AND IMPOUNDMENT AND FOR THE DISPOSITION THEREOF; REQUIRING THAT ANIMALS REDEEMED FROM THE ANIMAL CONTROL CENTER MUST IMMEDIATELY BE VACCINATED; PROVIDING FOR THE QUARANTINE OF RABID ANIMALS OR ANIMALS WHICH HAVE BITTEN PERSONS; REQUIRING THE REPORTING OF RABID ANIMALS; PROHIBITING BARKING DOGS AND OTHER ANIMAL SOUNDS CONSTITUTING A NUISANCE AND PROVIDING A PENALTY THEREFORE; PROVIDING THAT ANY PERSON VIOLATING ANY PROVISIONS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND FINED UPON CONVICTION, NOT EXCEEDING TWO HUNDRED ($200.00) DOLLARS; PROVIDING FOR EXOTIC ANIMALS; PROVIDING FOR ABANDONED ANIMALS; PROVIDING FOR MISTREATMENT OF ANIMALS; PROVIDING A SAVING CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY". Motion seconded by Councilman Robertson and carried.

V. DEPARTMENTAL REPORTS.

The monthly activity and/or financial reports as submitted by the Police and Fire Departments were reviewed.

The Police and Fire Officers responsible for handling inspections for violations of City ordinances were commended by City Council for a job well done.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of November and the December Accounts Payable were reviewed. Motion made by Councilwoman Kennedy to authorize and direct City Secretary to pay all those accounts due and payable within the month of December for which funds are available. Motion seconded by Councilman Hutto and carried.

2. The Municipal Court Reports for the November 16 and December 7 dockets were reviewed.

VII. OLD BUSINESS.

1. City Secretary was instructed to delete penalty and interest billed by the Denton County Appraisal District on the amount owed them for last fiscal year.

2. The Chief of Police was instructed to ask the Department of Public Safety to hold the used police car previously ordered until January, 1983 or until tax revenue is received.

VIII. NEW BUSINESS.

Motion made by Councilman Hutto to approve and authorize the amendment of the present CID (Criminal Justice) Grant to include $2,000.00 for the purchase of a small computer. Motion seconded by Councilwoman Kennedy and carried.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Hutto moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 9:30 P.M.

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JANUARY 13, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent: None

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meeting held December 9, 1982 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy and carried unanimously.

II. CITIZEN'S AGENDA.

1. Ms. Jackie Kovsky inquired as to why the railroad crossings have not as yet been repaired as previously requested. City Secretary replied that request had been made of M.K.T. Railroad by telephone, and would now be followed up by letter. Mrs. Kovsky also inquired as to why the City Clean-Up Campaign did not seem to be active at this time when initially it make such an improvement in the over-all appearance of the City. Mayor Vinson stated the program was slowed down due to the holidays and lack of staff, but would be reactivated immediately. She further complained that her street (Thompson Drive) had been cut three (3) different times by three different entities without benefit of a street cutting permit being issued by City Hall. She stated the cuts were not repaired and something should be done to eliminate this costly situation.

2. Mr. Bill Sweeney asked why GRB Cablevision did not provide service to homes in his area of the Oak Lakes Subdivision. It was explained that they are not required to extend their service line at no charge unless there are at least ten (10) new subscribers within 1,000 feet of the existing line.

III. PETITION FOR ABANDONMENT OF PEYTON STREET.

A petition, submitted by Mr. and Mrs. Jerry Graves together with Mr. and Mrs. Rusty L. Holland, for abandonment of a portion of Peyton Street was considered, and all persons wishing to speak on the matter were given an opportunity to do so. Messrs. Jerry Graves, Rusty Holland and W. C. Benedict spoke in favor of the abandonment. Messrs. Bill Boynton, Gene Martin, Linwood Gilliland and Sinclair spoke for denial of the request.

Motion made by Councilman Davidson, second by Councilman Robertson, to deny the petition for abandonment of a portion of Peyton Street in accordance with the recommendation made by the Planning and Zoning Commission. Motion prevailed by the following vote:

AYES: Messrs. J William Davidson, Robby Robertson and P. O. Byers.
NOES: Ms. Anne Kennedy and Mr. James W. Hutto.

IV. RESOLUTION RELEASING DEDICATION OF LAND - JACKSON CONCRETE COMPANY.

City Secretary explained that on August 25, 1956 (26 years ago), public road easement was dedicated to Denton County by Zephie M. Riley, then owner of what was later to be known as the Roger Roper Ranch, located on Swisher Road. The right-of-way leads to a 53.3 acre tract of private property and has never been maintained by the County or the City. Jackson Concrete, Inc., present owner of the acreage is now requesting that said road easement be officially abandoned by the City. It was further explained that it is the opinion of the Attorney for the City that the dedication has lapsed inasmuch as it was not made available to the public and put to the use for which it was intended within a reasonable period of time, and the Planning and Zoning Commission, after careful consideration and investigation of the matter, recommended the release of dedication be granted.

Councilman Byers moved for the passage and approval of a resolution releasing the dedication for public use of certain land located on a 53.3 acre tract out of the H.H. Swisher Survey, specifically set out by metes and bounds in said resolution, and currently owned by Jackson Concrete, Inc. Motion seconded by Councilman Davidson and carried unanimously.

V. GRB COMMUNICATIONS, INC. FRANCHISE.

Due to the receipt of several citizen complaints relative to the quality and availability of local cablevision, Ordinance No. 105, granting to GRB Communications a franchise to conduct a community antenna television system, was reviewed. Ms. June Brownlee, Manager of GRB Communications, stated a new employee would be added to their staff effective February 1, 1983 and would be responsible for burying all existing cable drops which will then bring them into compliance with Article 12 of the franchise. She also stated a construction crew had beed hired to start March 1, 1983 to expand cable service to areas not presently being served. She further pledged improved response time to service calls in the future.

Councilman Davidson stated he wished to make certain recommendations for changes in the franchise and requested that same be scheduled for review.

VI. REQUEST FOR CHANGE IN MINIMUM BUILDING REQUIREMENTS IN THE OAK LAKES SUBDIVISION.

Messrs. Jesse Evans and Bill Singleton, both residents of the Oak Lakes Subdivision, again appealed to the City to change the minimum building requirements in their subdivision to meet the deed restrictions of the land. They stated several houses had been built in their subdivision recently that met the minimum requirements in square footage and exterior walls as set out by the City Zoning Ordinance, but did not met the deed restrictions placed on the property. They further stated they did not have the time or money to pursue each individual case in District Court, and felt the most efficient manner in which to handle the matter would be for the City to change the minimum zoning requirements in that subdivision only. They pointed out it was not until smaller houses were being built with no masonry exterior that they became aware of the conflict between the deed restrictions and the City's Zoning Code.

Motion made by Councilman Davidson, seconded by Councilman Hutto, to refer the matter to the Planning and Zoning Commission and, after holding public hearings and following prescribed procedure, make a recommendation to the City Council. Motion carried unanimously.

VII. DEPARTMENTAL REPORTS.

The December Activity Reports were reviewed as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of December, 1982 was reviewed, as well as the January Accounts Payable. Motion made by Councilman Robertson, seconded by Councilman Byers, to authorize and direct City Secretary to pay all those accounts due and payable during the month of January, 1983. Motion carried unanimously.

2. The Budget Report for the first quarter of the 1983 Fiscal Year was reviewed, as well as the Audit Report for fiscal year ending September 30, 1982 prepared by Howe, Fryman & Company, Certified Public Accountants.

3. The Municipal Court Reports were reviewed for the December 21, 1983 and January 4, 1983 dockets.

IX. OLD BUSINESS.

Police Chief Y. G. Carr stated there are far too many burglar alarms being activated accidently in the City, causing an undue hardship on the responding police officers. He explained that many cities have adopted an ordinance that authorizes a fine to be imposed on the business when an alarm is accidently activated more than three (3) times in a thirty (30) day period. He further stated it was his belief that if this procedure was adopted, merchants and business owners would be more conscientious about the maintenance of their alarm systems. It was generally agreed by all that research should be done immediately relative to this practice being adopted in Lake Dallas.

X. NEW BUSINESS.

Mr. Gregg Gross, representing the Lake Dallas Telephone Company, stated he had to go into the drainage ditch between Kings Manor and Prince Drives to replace buried cable and that the Lake Cities Municipal Utility Authority also had to get in there to replace and/or repair sewer lines. He said they planned to do the work at the same time to reduce mess and inconvenience to the abutting property owners and suggested this might be a good time for the City to obtain help in improving the condition of the ditch so that it can more easily be maintained. City Secretary was instructed to order a engineering report on the matter and schedule same for consideration and discussion as soon as possible.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Davidson and carried unanimously. The meeting was adjourned at 9:30 P.M.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JANUARY 19, 1983

The meeting was called to order at 7:30 P.M. with the Mayor Pro Tem presiding and the following persons present:

James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

The following persons were absent:

Johnny J. Vinson, Mayor
J William Davidson, Councilman

A quorum being present, the following business was transacted:

I. CANVASS OF VOTES CAST IN LOCAL OPTION ELECTION HELD JANUARY 15, 1983.

Mayor Pro Tem Hutto and City Secretary began the canvass of the votes cast in the election held January 15, 1983 to legalize bingo games for charitable purposes as authorized by the Bingo Enabling Act in the City of lake Dallas. It was determined that 120 qualified voters cast a total of 120 valid and legal votes on the option, 107 votes FOR and 13 votes AGAINST.

Councilman Byers moved for the passage, approval and adoption of an order declaring said results of the election and legalizing bingo games for charitable purposes as authorized by the Bingo Enabling Act in the City of Lake Dallas. Motion seconded by Councilwoman Kennedy and carried.

II. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried. The meeting was adjourned at 7:45 P.M.

James W. Hutto, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 10, 1983

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary
William D. Schoell, Consulting Engineer

The following person was absent:

Robby Robertson, Councilman

A quorum being present, the following business was transacted:

Mr. Gregg Gross, representing the Lake Dallas Telephone Company, stated he had to go into the drainage ditch (also a utility easement) between Kings Manor and Prince Drives to lay new telephone cable and that the Lake Cities MUA also had to go into the ditch to replace and/or repair a sewer line. Mr. Gross suggested this might be a good opportunity for the City to do any work planned to improve the ditch, and volunteered the free use of his equipment and manpower available at the site for needed dirt work.

Mr. Bill Schoell presented a written proposal containing two alternatives for improving the ditch so that it will (1) be easier to maintain, (2) better restrict erosion and (3) promote better drainage. Both proposals called for the City obtaining a wider easement. After discussion of the matter, it was generally agreed that before a definite plan of action was adopted, a survey should be obtained indicating exactly where the existing easement is located.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried, to authorize and direct City Secretary to secure a survey of the drainage easement running North and South between Kings Manor and Prince Drives at an estimated cost of $600.00 with all further costs to be approved before incurred.

There being no further business for consideration, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Davidson and carried. The meeting was adjourned at 7:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 10, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
M. Jean Chambers, City Secretary

The following person was absent:

Robby Robertson, Councilman

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held January 13 and 19, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried.

II. CITIZEN'S AGENDA.

1. Mr. Lawrence Imes, 5406 Countess Court, inquired as to when there would again be animal control enforcement within the City. He said there are numerous animals running at large in his neighborhood constituting a nuisance. He also made inquiries about what might be done about his neighbor that has had a dryer in his front yard since before Thanksgiving as well as the neighbor who uses auto seats in his front yard for lawn furniture. Police Chief Y. G. Carr responded by saying he would see what he could do to alleviate the problems.

2. Ms. Carolyn Green stated she was tired of picking up garbage that was strewn by stray animals in the Lake Haven Mobile Home Park. She further stated Police Officers should not be required to handle the animal problem, and urged that an Animal Control Officer be hired immediately.

3. Ms. Deanie Stowe stated Police Officers should respond to complaints of a potentially dangerous animal because they are charged with the responsibility of protecting citizens from danger, including animals as well as persons.

III. RESOLUTION AND ORDER ESTABLISHING PROCEDURE FOR CITY OFFICERS' ELECTION.

Councilman Byers moved for the passage and approval of a resolution and order establishing procedure for the City Officers' Election to be held April 2, 1983 at the Fire Hall at which time three (3) aldermen shall be elected, each to a two (2) year term of office. Motion seconded by Councilwoman Kennedy and carried.

IV. RESOLUTION AUTHORIZING APPLICATION BE MADE FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO FUND THE JUVENILE OFFICER V PROGRAM.

Motion made by Councilman Hutto, seconded by Councilwoman Kennedy and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO FUND THE JUVENILE OFFICER V PROGRAM".

V. RESOLUTION AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION FOR A GRANT TO FUND THE SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM III.

Motion made by Councilman Hutto, seconded by Councilman Davidson and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A GRANT TO FUND THE CITY OF LAKE DALLAS POLICE DEPARTMENT'S SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM III".

Motion made by Councilman Byers, seconded by Councilman Hutto and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE FOR A GRANT FROM THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A COMPUTER SYSTEMS PROJECT".

VI. REFUND OF 1982 PROPERTY TAXES COLLECTED IN ERROR.

Motion made by Councilwoman Kennedy, seconded by Councilman Hutto and carried, to approve and authorize refund of the following 1982 property taxes collected in error by the City of Lake Dallas:

Eugene Martin, Jr.	Acc. #505521	$35.70	Property not in City
Louis Drozd, Jr.	Acc. #507807	40.25	Property not in City
Louis Drozd, Jr.	Acc. #01-63489	35.00	Credit for Over-65 exempt.
W. E. Cantrell	Acc. #01-77702	1.75	Property not in City

VII. DEPARTMENTAL REPORTS.

The monthly activity and/or financial reports were reviewed as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of January, 1983 was reviewed together with the February Accounts Payable. Motion made by Councilman Hutto, seconded by Councilwoman Kennedy and carried, to authorize and direct City Secretary to pay all those accounts due and payable during the month of February, 1983.

2. The Municipal Court Reports for the January 18 and February 1, 1983 dockets were reviewed.

IX. OLD BUSINESS.

Councilwoman Kennedy inquired as to why the Police Department had not made a door to door check of animal registrations as previously planned for January, 1983. Police Chief Carr stated the Reserve Officers would make the investigation as time and manpower permitted.

X. NEW BUSINESS.

1. Motion made by Councilman Hutto, seconded by Councilman Davidson and carried, to pass and approve a resolution calling for a Public Hearing to be held on March 10, 1983, at 7:00 P.M., in Council Chambers, for the purpose taking citizen remarks concerning proposed changes in the Zoning Ordinance relative to minimum building requirements in the R 1-7200 District.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL FEBRUARY 22, 1983

The meeting was called to order at 5:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

The following persons were absent:

James W. Hutto, Mayor Pro Tem
J William Davidson, Councilman

Also present were the following persons representing:

Southern Cablevision Corp.
Don Adam, President
Bob Carter, Vice President
Don Campbell

GRB Communications, Inc.
Jeff Garvey, Vice Pres.
Bob Kay
June Brownlee, Manager

Mr. Jeff Garvey stated they are seeking City approval for transfer of the Street Use Franchise granted GRB Communications on May 23, 1978 to Lake Cities Cablevision Limited, a partnership principally owned by the management of Southern Cablevision Corp.

It was explained that it is intended that Southern Cablevision will purchase and manage GRB Communications. Southern Cablevision presently owns and manages cablevision systems in the cities of Bryan, College Station, Madisonville, Buffalo, Jasper, Woodville, Cleveland, Angleton, Kingsville, Hempstead, Bellville and Sealy. Mr. Adams stated that when the new management assumes operational responsibilities the first order of business will be to initiate construction, aerial and underground, to any and all areas within the City that are within the requirements of the franchise limitations or perimeters as it deals with density of customers per mile.

In conjunction with the transferring of the franchise to Lake Cities Cablevision Limited, a request for an increase in the basic cable television rate of $1.00, from $9.00 to $10.00 per month, was made.

It was noted by City Secretary that, since the franchise was granted by ordinance, to amend or change same in any way would require the drafting of a new ordinance for formal approval at a regular meeting. Mayor Vinson instructed that the matter be placed on the agenda for the regular scheduled meeting to be held March 10, 1983.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 6:10 P.M.

Johnny J. Vinson, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL MARCH 10, 1983

The meeting was called to order at 6:50 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

Mayor Vinson stated the purpose of this meeting is to provide a public hearing on the matter of a petition brought by the Lake Dallas Boat Company for a change in zoning classification from the R-1 7200 (residential) District to the C-3 (commercial sale of beer and wine) District with respect to a 60' x 100' tract of land covered with water and located in the M.E.P. and P.R.R. Survey, Abstract #924, also known as the Lake Dallas Boat Company Gas Dock floating approximately fifty (50) feet from the shoreline into Lake Lewisville.

The following persons spoke in opposition of the matter:

Ms. Yolanda Carpenter, 5316 Princess Court, stated the sale of beer and wine is not needed on the lake with the abundance of convenience stores selling same just a few blocks away.

Ms. Gayle Kemery, 708 Glen Rhea Drive, stated the sale of beer and wine on the lake would just increase the risk of boating accidents, as well as increase the amount of trash and rubbish deposited into the lake and onto the shoreland.

Ms. J. A. Posey, 404 Stockard, urged denial of the request because of limited police patrol.

There being no further persons wishing to speak on the matter, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 7:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 10, 1983

The meeting was called to order at 7:10 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

Mayor Vinson stated the purpose of this meeting is to provide a public hearing on the following proposed amendments to the present zoning ordinance:

SECTION 1. DEFINITIONS

ADD BUILDING DEFINITION OF: Masonry: Materials allowed under this code as exterior facade, including fired clay brick, stone finished stucco, aggregate concrete, other brick and materials as determined by the Zoning Commission.

SECTION 6. DISTRICT R-1 7200 SINGLE FAMILY DWELLING.

USE REGULATIONS

DELETE Article 9.c which states a garage may be constructed across a common lot line by mutual agreement between property owners.

CHANGE Article 9.d to provide on such lots there shall not be kept more than one horse for each ten thousand (10,000) square feet of lot area, or one cow or two goats or two sheep for each twenty thousand (20,000) square feet of lot area. Swine shall not be allowed.

HEIGHT AND AREA REGULATIONS

CHANGE MINIMUM DWELLING SIZE from twelve hundred (1200) square feet to fifteen hundred (1500) square feet.

CHANGE PARKING REGULATIONS to: Two (2) off street, covered parking spaces shall be provided for each dwelling unit. Such parking spaces shall be located on the same lot and not projecting beyond the established building lines.

ADDED REQUIREMENT: Exterior construction shall consist of approved masonry materials covering no less then eighty (80) percent of total exterior surface exclusive of windows, doors, gables and second story. Structures existing at the time of passage of this ordinance shall be exempt from the provisions of this regulation.

No opposition to the amendment was presented.

There being no persons wishing to speak on the matter, Councilman Byers moved that the public hearing be closed. Motion seconded by Counciman Hutto and carried. The meeting was adjourned at 7:40 P.M.

Johnny J. Vinson

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 10, 1983

The meeting was called to order at 7:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

There being no persons absent, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Davidson moved for the suspension of any rule requiring that the minutes of the meetings held February 10 and 22, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Hutto and carried.

II. CITIZEN'S AGENDA.

Mr. Bill Singleton, Oaklakes Subdivision, urged approval of the proposed ordinance amending the present zoning ordinance. He stated the residents of the Oaklakes Subdivision are requesting and depending on Council support in setting more rigid minimum building requirements in their subdivision.

Ms. Aldena Stowe requested a flag be placed on the Fire Hall building on Election Day, April 2. She said the flag serves to indicate the polling place to many persons.

III. CHANGE IN ZONING CLASSIFICATION - LAKE DALLAS BOAT CO.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy, to approve the request brought by the Lake Dallas Boat Company for a change in zoning classification from the R-1 7200 District to the C-3 District with respect to a 60' x 100' tract of land covered with water and located in the M.E.P. & P.R.R. Survey, Abstract #924, also known as the Lake Dallas Boat Company Gas Dock floating approximately fifty (50) feet from the shoreline into Lake Lewisville. Motion prevailed by the following vote:

AYES: Messrs. P. O. Byers, James W. Hutto, Robby Robertson and Ms. Anne Kennedy.
NOES: Mr. J William Davidson.

IV. ORDINANCE NO. 160.

Motion made by Councilman Hutto, seconded by Councilman Davidson to pass, approve and adopt Ordinance No. 160, entitled "AN ORDINANCE AMENDING ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES, PROVIDING AN ADDITION THERETO OF SECTION I OF ORDINANCE NO. 25 AND PROVIDING A DELETION OF SECTION VI, ARTICLE IX (c) AND CHANGE TO ARTICLE IX (d), SECTENCE TWO, AND

FURTHER PROVIDING FOR AN ADDITION AND CHANGE TO SECTION VI REGARDING HEIGHT AND AREA REGULATIONS; PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY". Motion prevailed by the following vote:

AYES: Messrs. James W. Hutto, J William Davidson, Robby Robertson and Ms. Anne Kennedy.
NOES: Mr. P. O. Byers.

V. REFUND OF 1982 TAXES COLLECTED IN ERROR.

Motion made by Councilwoman Kennedy, seconded by Councilman Hutto and carried, to approve and authorize refund of the following 1982 property taxes collected in error by the Tax Assessor-Collector:

P. F. O'Dell - $11.55 - Credit for Senior Citizen's Exemption.
Helen Cooley - $35.00 - Credit for Senior Citizen's Exemption.
Texas Title - $ 4.84 - Value lowered by Denton Co. Appraisal Dist.

VI. PURCHASE OF THREE POLICE-PACKAGE PARTOL CARS.

Motion made by Councilwoman Kennedy, seconded by Councilman Hutto, to approve and authorize the purchase of three (3) used 1981 Chevrolet police-package units from the Denton County Sheriff's Department, at an estimated cost of $1,500.00 to $2,000.00 per automobile. Motion prevailed by the following vote:

AYES: Messrs. James W. Hutto, Robby Robertson and Ms. Anne Kennedy.
NOES: Messrs. J William Davidson and P. O. Byers.

VII. DEPARTMENTAL REPORTS.

The monthly activity and/or financial reports were reviewed as submitted by the Police and Fire Departments.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of February, 1983 was reviewed, as well as the March Accounts Payable. Motion made by Councilman Hutto, seconded by Councilman Byers and carried, to authorize and direct City Secretary to cause to be paid all those accounts due and payable during the month of March, 1983.

2. The Municipal Court Reports for the February 15 and March 1 dockets were reviewed.

IX. NEW BUSINESS.

Councilman Byers requested that Council consideration be given to placing any excess revenues collected from garbage service fees in a special interest drawing account to be used at some point in time for the purpose of replacing equipment.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Robertson moved for an adjournment of the meeting. Motion seconded by Councilman Hutto and carried. The meeting was adjourned at 8:40 P.M.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 28, 1983

The meeting was called to order at 5:10 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
J William Davidson, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

Mayor Vinson explained the purpose of this meeting is to consider the request made by the Corps of Engineers for the City to enter into a contract for police patrol in the Westlake, Oakland and Arrowhead Parks beginning April 1 through September 30, 1983 at an approximate cost of $20.19 per man-hour.

Motion made by Councilman Hutto, seconded by Councilman Davidson and carried unanimously, for passage and approval of a resolution authorizing the Mayor to sign a contract with the Department of the Army to provide a total of 960 hours of police patrol in the Westlake, Oakland and Arrowhead Corps of Engineers Parks beginning April 1, 1983 and ending September 30, 1983.

There being no further business for discussion, Councilman Davidson moved for an adjournment of the meeting. Motion seconded by Councilman Robertson and carried unanimously. The meeting was adjourned at 5:50 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 5, 1983

The meeting was called to order at 8:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
James W. Hutto, Mayor Pro Tem
P. O. Byers, Councilman
Anne Kennedy, Councilwoman
Robby Robertson, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting:

J William Davidson, Councilman

A quorum being present, the following business was transacted:

I. CITY OFFICERS' ELECTION HELD APRIL 2, 1983.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 2, 1983. It was determined that 396 registered voters cast a total of 1,042 qualified votes for the following candidates:

FOR ALDERMAN:	Bill Honse	-	224 Votes
	Ronny L. Kee	-	248 Votes
	Joel B. Dalton	-	146 Votes
	John Alexander	-	117 Votes
	J. C. "Jim" Payne	-	192 Votes
	J William "Bill" Davidson	-	113 Votes
	Bob Como (Write-In)	-	1 Vote
	Webb (Write-In)	-	1 Vote

All things appearing to be in order, motion was made by Counciman Hutto, seconded by Councilman Robertson and carried unanimously, to pass, approve and adopt a resolution accepting said election returns and declaring Messrs. Bill Honse, Ronny L. Kee and J. C. Payne duly elected Alderman, each for a two year term, for the City of Lake Dallas. City Secretary presented each newly elected officer with a Certificate of Election, and administered the Oath of Office.

Messrs. Hutto and Robertson then relinquished their chairs to the newly elected officers

II. NEW APPOINTMENTS.

1. MAYOR PRO TEM.

Motion made by Councilman Honse, seconded by Councilman Byers, that Councilwoman Kennedy be appointed to the position of Mayor Pro Tem. Motion made by Councilman Honse, seconded by Councilman Kee, that nominations cease. Councilwoman Anne Kennedy was appointed Mayor Pro Tem by acclamation.

PLANNING AND ZONING COMMISSION.

Mayor Vinson appointed Councilman Ronny L. Kee to serve as Council liaison on the Planning and Zoning Commission.

PARK COMMISSION.

Mayor Vinson appointed Councilman J. C. Payne to serve as Council liaison on the Park Commission.

Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously, for confirmation of Councilman Kee's appointment to the Planning and Zoning Commission and Councilman Payne's appointment to the Park Commission.

III. ORIENTATION FOR NEW COUNCILMEMBERS.

City Secretary presented each new councilmember with a copy of TML's Handbook for Mayor's and Councilmembers in General Law Cities, as well as copies of the present budget, etc. Both she and Mayor Vinson provided information and data relative to matters on which would soon require a Council decision.

Mayor Vinson stated he wished to designate the month of May as Clean-Up Month in the City.

IV. PERSONNEL - POSITIONS, DUTIES AND SALARIES.

Mayor Vinson announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, 2(g), VATCS. The meeting was again opened to the public at 10:00 P.M.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, for approval of salary increases for all city employees effective October 1, 1982 and continuing through the present fiscal year at the following rate:

PRESENT MONTHLY SALARY IS:			AMOUNT OF MONTHLY INCREASE IS:
$ 0.00	-	$ 800.00	10%
801.00	-	1,000.00	9%
1,001.00	-	1,200.00	8%
1,201.00	-	1,400.00	7%
1,401.00	-	1,600.00	6%
1,601.00	-	1,800.00	5%

V. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 10:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL APRIL 14, 1983

The meeting was called to order at 6:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

Mayor Vinson called for public comments on the petition brought by Tom Coulter for a variance from Ordinance No. 25, Section 13, relative to the building set-back requirements from the property line in the M-1 Light Industrial District with respect to property located at 205 Carlisle Drive, and described more particularly as being Lot No. 9, Block A, First Highway Addition. A 50' front yard, 15' back yard, with a total of 40' in side yards, no side yard to be less than 10', is required in the M-1 District. Mr. Coulter wants to construct a 50' x 120' warehouse on the property and is requesting approval of a 17.5' to 21.8' front yard, 0 rear yard, 0 West side yard, and 16.4' East side yard.

Ms. Teri Porter stated she makes a residential use of Lot Nos. 7 and 8, Block A, First Highway Addition, immediately North of Mr. Coulter's property and therefore opposes his request for a variance in building set-back requirements or, for that matter, any light industry use of the land. She also stated Mr. Coulter's lot has a past history of flooding during heavy rains and, after construction of a large building and extensive paving for parking and loading, the existing problem could be compounded. Mr. Coulter denied any flooding of the property.

Mr. Tom Jester, representing Burt Shryock, opposed the request for variance on behalf of his client because of the potential fire hazard of traditionally built warehousing with no fire walls.

Motion made by Councilman Payne to approve the variance as requested on the front and side yards, providing a building set-back of one (1) foot off the rear (North) property line, and requiring that a fire hydrant be installed before final inspection of the property is made and an occupancy permit is granted. Motion seconded by Councilman Honse and prevailed by the following vote:

AYES: Messrs. J. C. Payne, Bill Honse, P. O. Byers and Ronny L. Kee.
NOES: Ms. Anne Kennedy.

There being no further business for consideration, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 7:25 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 14, 1983

The meeting was called to order at 7:25 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

Mayor Vinson announced the purpose of this meeting is to provide a public hearing on the petition brought by Lon E. Brown for a change in zoning classification from the M-1 (light industrial) District to the C-3 (retail sale of beer and wine) District with respect to property located at 620 South Denton Drive and described more particularly as being Lot Nos. 3 and 4, Block A, First Highway Addition, and called for anyone wishing to address the Council on the matter.

Mr. Tom Jester, representing Burt Shryock, protested the change in zoning classification on the basis the City presently has enough beer, wine and liquor stores, and should be seeking other types of businesses to diversify the commercial district.

Ms. Yolander Carpenter opposed the request on the basis approval would constitute spot zoning, generate increased traffic congestion in an already badly congested area, and present zoning should be maintained for needed clean light industry development.

Ms. Gale Kimery opposed the request on the basis that approval, if granted, would necessarily set a precedent for future decision making in other cases requesting a change in zoning classification to the C-3 District.

After having given an opportunity to all persons wishing to speak on the matter, and there being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 7:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 14, 1983

The meeting was called to order at 7:50 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held March 10, 28 and April 5, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. CHANGE IN ZONING CLASSIFICATION - LON E. BROWN.

Councilman Honse moved for approval of the request made by Lon E. Brown for a change in zoning classification from the M-1 District to the C-3 District with respect to Lot Nos. 3 and 4, Block A, First Highway Addition. Motion seconded by Councilman Payne and failed by the following vote:

AYES: Messrs. Bill Honse, J. C. Payne and Ms. Anne Kennedy.
NOES: Messrs. P. O. Byers and Ron Kee.

(In accordance with Article 1011e, VATCS, a three-fourths vote is required to pass the issue when as many as 20% of the owners of real property located within 200 feet of the property in question object to the change in zoning classification.)

IV. LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION.

Mr. Sam Florence, representing First Southwest Company, explained industrial revenue bonds for the benefit of new councilmembers and how they relate to the funding of the Payless Cashways project. He further explained how the Lake Dallas Industrial Development Authority is structured and its duties and responsibilities. Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to approve and adopt a resolution appointing the present City Councilmembers each to a two year term on the Board of Directors of the Lake Dallas Industrial Development Authority.

V. APPOINTMENTS - PLANNING & ZONING COMMISSION.

Motion made by Councilwoman Kennedy, seconded by Councilman Payne and carried unanimously, to approve the appointments of Pam Schaefer, John Rushing and Phil Kemery each to a two year term on the Planning and Zoning Commission.

VI. APPOINTMENTS - PARK & RECREATION COMMISSION.

Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, to create a Park and Recreation Board and approve the appointments of Joel Dalton, Jeff Crossland, Mike Drozd, Kathleen Gilliland, Deanie Stowe and Bette Dunn to said Board, the term of office to be determined later and set out by ordinance.

VII. CONSOLIDATED TAX OFFICE BUSINESS.

1. Motion made by Councilman Kee, seconded by Councilman Honse and carried unanimously, to approve and authorize refund of the following 1982 property taxes collected in error by the Tax Assessor-Collector:

Lake Dallas Methodist Church	-	$132.82	- Property is tax-exempt.
Kenneth Morlan	-	5.93	- Over paid due to error.
Eugene Martin	-	65.49	- DCAD lowered value.
Laurence Balsley	-	6.86	- DCAD lowered value.

2. Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously, to postpone the matter of approving the purchase of a computer system for the Tax Office until such time as additional information is obtained.

VIII. DEPARTMENTAL REPORTS.

The monthly activity and/or financial reports for the Police and Fire Departments were reviewed.

IX. PURCHASE OF NEW RADIO SYSTEM - POLICE DEPARTMENT.

This matter was postponed pending receipt of additional bids.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of March, as well as the April Accounts Payable, was reviewed. Motion made by Councilman Honse, seconded by Councilwoman Kennedy and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City during the month of April, 1983.

2. The Budget Report for the six months ending March 31, 1983 was reviewed.

3. The Municipal Court Reports for the March 15 and April 5 dockets were reviewed.

4. Motion made by Councilman Payne, seconded by Councilman Kee and carried unanimously, to approve and authorize City Secretary's attendance at a seminar, sponsored by North Texas State University, on Budget Process and Municipal Accounting to be held in Denton April 28-29, 1983.

XI. NEW BUSINESS.

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to appoint Mayor Johnny J. Vinson as the City's voting representative to the General Assembly of the North Central Texas Council of Governments.

XII. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 10:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 26, 1983

The meeting was called to order at 5:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent, the following business was transacted:

I. DRAINAGE DITCH BETWEEN KINGS MANOR & PRINCE DRIVES.

In addition to Councilmembers and City Staff, the following persons were present and invited to participate in the discussion regarding the improvement of the Kings Manor drainage ditch and utility easement:

Dewey Fields - Registered Surveyor representing the City.
Greg Edwards - Consulting Engineer representing the City.
Greg Gross - representing the Lake Dallas Telephone Company.
Martin Highbaugh - representing the Lake Cities MUA.
Jerry Morgan - representing the Texas Power & Light Company.
Jimmy McCormick - representing the Texas Power & Light Company.
June Brownlee - representing the Lake Cities Cable Vision.

Mr. Greg Gross stated he had to go into the ditch to replace bad telephone cable and would be willing to bury same in conduit and assist the City in improving the condition of the ditch by providing at no cost manpower and equipment to do dirt work. Mr. Martin Highbaugh stated he is willing to have the raised manholes cut off to the grade specified by the City which will improve the flow of water through the ditch and reduce erosion in the future. Mr. Jerry Morgan said if the City elects to concrete the ditch, his Company would consider burying their cable in conduit in the same manner as the telephone company. It was explained that if the City decided to concrete the ditch, the utility companies would be required to restore same anytime it became necessary for them to disturb either the grade or the concrete.

Motion made by Councilman Kee, seconded by Councilman Byers and carried unanimously, to accept the offer made by the Lake Dallas Telephone Company to provide manpower and equipment to accomplish the necessary grade work in the ditch, and approve the following capital improvement to be provided by the City:

Channel Type	Width-b	Depth-d	Capacity with Improvements	Estimated Cost
Concrete Type III	8'	2.0'		$24,000.-25,000.

III. PURCHASE OF COMPUTER SYSTEM - CONSOLIDATED TAX OFFICE.

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to approve the purchase of an I.B.M. Computer with appropriate software package for the consolidated Tax Office at a cost to the City not to exceed $3,669.75.

IV. PURCHASE OF NEW RADIO SYSTEM - POLICE DEPARTMENT.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING THE PURCHASE OF A NEW RADIO SYSTEM FOR THE POLICE DEPARTMENT FROM MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., AND AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE PAPERS NECESSARY FOR APPROVAL OF A LOAN TO FUND SAID RADIO SYSTEM WITH THE LAKE CITIES STATE BANK".

V. LONE STAR GAS COMPANY RATE INCREASE.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS SUSPENDING THE OPERATION OF THE SCHEDULE FOR THE IMPLEMENTATION OF THE RATE INCREASE FOR LONE STAR GAS COMPANY; CITING THE REASONS THEREFOR; PROVIDING NOTICE FOR SUCH SUSPENSION TO THE COMPANY".

VI. RESOLUTION AUTHORIZING MAINTENANCE OF CHECKING ACCOUNT - LAKE CITIES STATE BANK.

Motion made by Councilman Payne, seconded by Councilman Kee and carried unanimously, authorizing any two signatures of Johnny J. Vinson, Anne Kennedy and/or M. Jean Chambers to appear on any and all checks presented for payment to the Lake Cities State Bank in behalf of the City of Lake Dallas.

VII. OTHER BUSINESS.

It was agreed that gravel should be purchased and placed on Hundley Drive to alleviate the bleeding of the petroleum product. It was also agreed that an investigation should be made of the new surface on Kings Manor Drive that is breaking and a determination made of how it can be corrected.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MAY 12, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Payne moved for the suspension of any rule requiring that the minutes of the meetings held April 14 and 26, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Lee Giordano inquired as to who will be the major benefactor of Willow Grove Park, and how maintenance of the park will be funded. Mayor Vinson replied that it is the desire of the City that local residents will be the primary users of the Park, and that same will be maintained, at least presently, by funds allocated to the Street Department.

III. TAX OFFICE BUSINESS.

1. Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve and authorize refund of the following 1982 property taxes paid in error to the Tax Assessor-Collector:

Sam Fries - $79.30 - Value reduced by the DCAD.
General Elect. Credit Corp. - $31.71 - Property not located in the City.

2. Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, to instruct and authorize the Tax Assessor-Collector to cease any further attempt at collection of the following delinquent personal property accounts:

Acc. #3333-06550	TRA # 93	Industry Sales	$ 45.07
Acc. #3333-09100	TRA # 115	Millsap	36.14
Acc. #2250-09301	TRA # 34	Cardwell	27.87
Acc. #2250-13901	TRA # 85	Hitchcock	10.03
		TOTAL	$119.11

IV. LAKE CITIES LIBRARY BUSINESS.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve the appointment of Ms. Aldena Stowe to a second two year term on the Board of Directors of the Lake Cities Library representing the City of Lake Dallas.

V. PARKS AND RECREATION.

The matter of discussion on drafting an ordinance regulating public parks and recreation was postponed pending the receipt and study of additional information.

VI. PLANNING & ZONING COMMISSION BUSINESS.

Councilman Honse moved for the passage, approval and adoption of a resolution requesting the Planning and Zoning Commission to hold public hearings and make their recommendations to City Council on the proposal to change the zoning classification from the M-1 District to the C-3 District with respect to Lot Nos. 1 through 6, Block A, First Highway Addition, of the City of Lake Dallas. Motion seconded by Councilman Payne and prevailed by the following vote:

AYES: Messrs. Bill Honse, J. C. Payne, P. O. Byers and Ms. Anne Kennedy.
NOES: Mr. Ronny L. Kee

VII. STREET DEPARTMENT BUSINESS.

Councilman Kee made inquiries as to present policy and procedure of the Street Department relative to the repair and maintenance of streets, culverts, utility easements, railroad crossings and preventative maintenance of equipment. He stated the City's streets are deteriorating rapidly and made the following suggestions for consideration:

1. Investigate the possibilities of contracting for street repair work.
2. Hire additional help for the Sanitation Department so that the Street Superintendent's time and efforts are not required to sustain that program and can then direct all his attention to the Street Department.

VIII. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of April, as well as the May Accounts Payable, were reviewed. Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City during the month of May, 1983.

2. The Municipal Court Reports for the April 19 and May 3 dockets were reviewed.

X. NEW BUSINESS.

The fact that the Animal Control Officer is presently required to transport animals in an out-of-service squad car was discussed. It was generally agreed that estimates should be obtained on the cost to repair the Animal Control Truck and report back to Council at the next meeting.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for adjournment of the meeting. Motion seconded by Councilman Honse and carried unanimously. The meeting was adjourned at 9:45 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL JOINT MEETING
OF THE CITY COUNCIL WITH THE
PLANNING AND ZONING COMMISSION
OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 2, 1983

The meeting was called to order at 7:30 P.M. with Chairman Gilliland presiding and the following persons present:

City Council	Planning and Zoning Commission
Johnny J. Vinson, Mayor	Linwood Gilliland, Chairman
Anne Kennedy, Mayor Pro Tem	Phil Kemery, Member
P. O. Byers, Councilman	John Rushing, Member
Ronald E. Honse, Councilman	Pam Schaefer, Member
Ronny L. Kee, Councilman	Gene Welborn, Member
J. C. Payne, Councilman	Charlie Berry, Building Inspector
M. Jean Chambers, City Secretary	Donna Stephens, Secretary
Richard Podgorski, Attorney for the City	

There being no persons absent, the following business was transacted:

Chairman Gilliland stated the purpose of this meeting is to jointly discuss the City's position in a zoning matter, and the Planning and Zoning Commission and City Council will enter into executive session for the purpose of seeking the advise of the Attorney for the City with respect to contemplated litigation as authorized by Article 6252-17 Sec. 2 (e), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

After reconvening in open session, Mr. Podgorski was asked to give his expert opinion in writing on the following matters as each relates to the present circumstances prevailing in the City of Lake Dallas:

1. Can the C-3 Zoning of a new beer, wine or liquor store be certified to the State when an existing church (leasing space in the commercial district) is located within 300 feet of the proposed alcohol retailer?
2. Can a new church be permitted in a C-3 District within 300 feet of an existing retailer of beer, wine or liquor?
3. Whe an existing alcohol business (located in the proper C-3 District) is sold to a new owner, can the zoning be certified to the State when said business is located within 300 feet of an existing church leasing space in the district?
4. Detail the definition and procedure of the "Grandfather Clause" as it relates to non-conforming use of the land as herein discussed. When an alcohol retailer is operating in a commercial district at the time of the wet/dry election, and is later excluded from the new C-3 Zone District, when would the "Grandfather Clause" expire or be cancelled? At the time the business (personal property) changes ownership, or when the real estate changes ownership?

There being no further business for joint discussion, Mayor Vinson excused members of the City Council from the meeting at 9:00 P.M., and the Planning and Zoning Commission continued with their regular agenda of business.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF DIRECTORS OF THE
LAKE DALLAS INDUSTRIAL DEVELOPMENT AUTHORITY
HELD AT CITY HALL JUNE 9, 1983

The meeting was called to order at 6:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Mary K. Macauley, First Southwest Company
L. E. Brizzolara, III, Attorney

I. ELECTION OF OFFICERS.

Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, for appointment of the following persons to the following offices:

Johnny J. Vinson, President
Anne Kennedy, Vice President
M. Jean Chambers, Secretary-Treasurer

The minutes of previous meetings were reviewed and, on motion made by Councilman Byers and seconded by Councilman Kee, approved.

II. PUBLIC HEARING.

Mr. Vinson declared that a Public Hearing, required under Section 103(k) of the Internal Revenue Code of 1954, as amended, was open for purposes of discussing the issuance of Lake Dallas Industrial Development Corporation Revenue Bonds, Series 1983, and the execution of a Trust Indenture and Loan Agreement with Payless Cashways, Inc.

Mr. Vinson declared that notice of Public Hearing was published at least fourteen (14) days prior to the date of said Hearing in the Denton Record-Chronicle and the Lake Cities Sun, newspapers of general circulation in the jurisdiction in which the project is located

The Public Hearing was declared open and the Board of Directors proceeded to hold said Hearing. No person requested to be heard with respect to the project or the bonds.

After sufficient time was given for any interested parties to be heard, the President declared the Public Hearing closed and proceeded with the scheduled business.

III. RESOLUTION AUTHORIZING ISSUANCE OF REVENUE BONDS.

Motion made by Mr. Honse, seconded by Ms. Kennedy and carried unanimously, to pass and approve a "RESOLUTION AUTHORIZING THE ISSUANCE OF LAKE DALLAS INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE BONDS, SERIES 1983, AND THE EXECUTION OF A TRUST INDENTURE (PAYLESS CASHWAYS, INC. PROJECT)".

IV. RESOLUTION AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT, BOND PURCHASE AGREEMENT AND DISTRIBUTION OF AN OFFERING CIRCULAR.

Motion made by Mr. Byers, seconded by Mr. Kee and carried unanimously, to pass and approve a "RESOLUTION AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN LAKE DALLAS INDUSTRIAL DEVELOPMENT AUTHORITY AND PAYLESS CASHWAYS, INC., A BOND PURCHASE AGREEMENT WITH GEORGE K. BAUM & COMPANY AND PAYLESS CASHWAYS, INC., AND AUTHORIZING THE DISTRIBUTION OF AN OFFERING CIRCULAR".

It was stated that the Payless Cashways Project is scheduled to be closed on June 23, 1983 for $3,500,000.00.

V. ADJOURNMENT.

There being no further business for discussion, Mr. Honse moved for an adjournment of the meeting. Motion seconded by Mr. Byers and carried unanimously. The meeting was adjourned at 6:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 9, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held May 12 and June 2, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZEN'S AGENDA.

Ms. Jackie Kovsky complained that, after numerous requests made over a period of six months, Thompson Drive still has not been repaired. She also complained that after many requests made over a period of twelve months, the MKT railroad crossings still have not been properly repaired. Mayor Vinson replied that the Street Department is indeed behind in street repairs due to several factors that, hopefully, soon will be rectified. He also said MKT had made temporary repairs to their railroad crossings until more permanent repairs could be budgeted.

Mr. Jim Cope stated he objected to area convenience stores' policy of displaying pornographic magizines at a child's eye level in the highest traffic area of the store, usually close to the cash register, and suggested an ordinance be passed either prohibiting the open display of such literature or requiring that same be covered and/or placed high on a shelf in a less conspicuous area of the store. Mayor Vinson stated the matter would be taken under advisement.

III. LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION - PAYLESS CASHWAYS PROJECT.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, for passage and approval of a "RESOLUTION APPROVING AN AGREEMENT BY LAKE DALLAS INDUSTRIAL DEVELOPMENT AUTHORITY TO ISSUE BONDS FOR PAYLESS CASHWAYS, INC. AND THE BOND RESOLUTION PROVIDING FOR THE ISSUANCE OF SUCH BONDS".

IV. PARK & RECREATION COMMISSION BUSINESS.

Mr. Joel Dalton, representing the Park and Recreation Commission, stated the City of Highland Village is presently charging admission fees to Copperas Branch Park, and suggested this might be one way of rising funds to assist with the maintenance expense of Willow Grove Park. He further suggested that area service clubs be contacted and asked to man the admission gate with one-half of the proceeds being returned to them at the end of the season. He stated the Park and Recreation Commission will be responsible for the administrative detail work and implementation of the program. After much discussion, the following policies and fee schedules were approved to be effective in Willow Grove Park July 1, 1983:

Hours of Operation: 10:00 A.M. to 10:00 P.M. Daily.

The following Admission Fees will be charged from Memorial Day Weekend through Labor Day Weekend of each year from 3:00 P.M. on Friday through 8:00 P.M. on Sunday of each week, and will apply on all holidays falling within that period of time:

$ 2.50 Per Automobile
$15.00 Season Pass
$ 5.00 Per Site for Overnight Camping

It was also agreed that one (1) plastic trash sack would be given for every paid admission in an effort to control litter within the park.

City Secretary was instructed to have an ordinance prepared for formal approval setting hours of operation, admission fees, etc.

V. GARBAGE SERVICE - DISCUSSION

Councilman Kee stated it was his understanding that some interest has been generated in selling the garbage service to a private contractor. He requested that much consideration be given to the matter before a final decision is made, stating previous private contractors had not given good service and the City owned service is currently paying its way.

VI. GROUNDS MAINTENANCE - DISCUSSION.

The procedure followed for enforcement of proper maintenance of vacant lots by absentee owners was discussed in detail.

VII. DEPARTMENTAL REPORTS.

The Activity Report for the month of May was reviewed as submitted by the Police Department.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of May was reviewed as well as the June Accounts Payable. Motion made by Councilman Byers, seconded by Councilman Honse and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City during the month of June, 1983.

2. The Municipal Court Reports for the May 17 and June 7 dockets were reviewed.

IX. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 9:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 14, 1983

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
Donna Stephens, Recording Secretary
Jack Lock, Lone Star Gas Company

Absent: M. Jean Chambers, City Secretary

There being a quorum present, the following business was transacted:

Mayor Vinson stated the purpose of this meeting is to provide a work session on the request made by Lone Star Gas for an approximate 8.20% increase in rates charged for natural gas within the City.

Mr. Locke stated his Company's position on the matter and answered many questions posed by the Council. Citizens present were given an opportunity to ask questions and make comments on the matter.

The meeting was adjourned at 7:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Stephens

Donna Stephens, Recording Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 14, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
Donna Stephens, Recording Secretary

Absent: M. Jean Chambers, City Secretary

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held June 9, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. RATE INCREASE - LONE STAR GAS COMPANY.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to pass and approve Ordinance No. 161 entitled "AN ORDINANCE FIXING AND DERTERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF NATURAL GAS TO RESIDENTIAL AND COMMERCIAL CONSUMERS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED, AND AMENDED; AND PROVIDING FOR A SCHEDULE OF SERVICE CHARGES".

IV. CABLEVISION FRANCHISE - LAKE CITIES CABLEVISION, LTD.

Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, to pass and approve Ordinance No. 162 entitled "AN ORDINANCE GRANTING A FRANCHISE TO LAKE CITIES CABLEVISION, LIMITED OF BRYAN, TEXAS, TO OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF LAKE DALLAS, TEXAS, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE DALLAS, TEXAS".

V. APPROVAL OF RATES - LAKE CITIES CABLEVISION, LTD.

Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, to pass and approve Ordinance No. 163 entitled "AN ORDINANCE FIXING AND DETERMINING THE MAXIMUM ALLOWABLE CABLE TELEVISION (CATV) RATES TO BE CHARGED SUBSCRIBERS BY LAKE CITIES CABLEVISION, LIMITED BY PASSING A CITY ORDINANCE AND DECLARING AND EFFECTIVE DATE FOR SUCH".

VI. CABLE LEGISLATION PENDING IN CONGRESS.

Motion made by Councilwoman Kennedy, seconded by Councilman Honse and carried unanimously, to join with other Texas cities in an attempt to defeat the Cable Communications Act of 1983 - S. 66 - now pending in Congress which, if passed, will virtually strip cities of their powers to regulate CATV rates and services at the local level.

VII. ORDINANCE AUTHORIZING FINANCIAL COMPENSATION FOR THE MAYOR.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve Ordinance No. 164, entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AMENDING ORDINANCE NO. 22 FIXING FINANCIAL COMPENSATION FOR THE MAYOR OF THE CITY OF LAKE DALLAS".

VIII. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports submitted by the Police and Fire Departments were reviewed.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of June was reviewed as well as the July Accounts Payable. Motion made by Councilman Honse, seconded by Councilman Byer and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City during July, 1983.

2. The Budget Report for the nine months ending June 30, 1983 was reviewed.

3. The Municipal Court Report for the July 5 docket was reviewed.

4. Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize City Secretary's attendance at a seminar, sponsored by North Texas State University, on "Issues in Financial Management" to be held August 11-12 at an approximate cost to the City of $67.50.

X. NEW BUSINESS.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to approve and authorize the Mayor obligating the City for an expenditure of up to $1,000.00 without prior Council approval.

XI. ADJOURNMENT.

There being no further business for discussion, Councilman Byer moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 8:00 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Stephens

Donna Stephens, Recording Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF DIRECTORS OF THE
LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION
HELD AT CITY HALL AUGUST 11, 1983

The meeting was called to order at 6:30 P.M. with the President presiding and the following persons present:

Johnny J. Vinson, President
Anne Kennedy, Vice President
M. Jean Chambers, Secretary-Treasurer
Ronald E. Honse, Director
Ronny L. Kee, Director
J. C. Payne, Director

Sam V. Florence, First Southwest Company
Mary K. Macaulay, First Southwest Company
Ted Brizzolara, Bond Attorney
Frank O'Brien, The Ryland Group, Inc.

Absent from the meeting was:

P. O. Byers, Director

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Motion made by Mr. Payne, seconded by Mr. Honse and carried, to approve the minutes of the meeting held June 9, 1983 as submitted in writing by the Secretary.

II. INDUCEMENT RESOLUTION - THE RYLAND GROUP, INC.

Mr. O'Brien stated his company is purchasing 10.8 acres of land located immediately East of the Payless Cashways property on Swisher Road in the J. W. Simmons Survey for the purpose of constructing a 39,000 square foot metal fabricated building with 2,100 square foot attached office unit. The facility will be used to manufacture panels, trusses, doors, stairs and other materials required to construct single-family attached and detached dwellings. Approximately 65 new jobs will be created initially as a result of the project. An additional 35 new jobs will be created when operating at full production. The annual payroll associated with the 65 new jobs is estimated to be $1,200,000. The jobs will consist of plant workers, crew leaders and administrative positions. He estimated the initial cost of the project to be $2,011,000.00 and requested approximately $1,800,000.00 in industrial development revenue bonds be sold to finance said facility.

After reviewing the favorable report on the solid financial condition of the Company submitted in writing by the First Southwest Company, motion was made by Mr. Kee, seconded by Ms. Kennedy and carried, to adopt and approve a "RESOLUTION WITH RESPECT TO THE ISSUANCE OF BONDS TO FINANCE FACILITIES FOR THE RYLAND GROUP, INC."

There being no further business for discussion, motion was made by Ms. Kennedy, seconded by Mr. Honse and carried, for an adjournment of the meeting. The meeting was adjourned at 7:05 P.M.

Johnny J. Vinson, President
LAKE DALLAS INDUSTRIAL
DEVELOPMENT CORPORATION

M. Jean Chambers
Secretary-Treasurer

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL AUGUST 11, 1983

The meeting was called to order at 7:10 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting:

P. O. Byers, Councilman

A quorum being present, the following business was transacted:

Mayor Vinson stated the business before the Board is to consider a petition, brought by Rickey Charles Marney, for a variance from Ordinance No. 25, Section VI, relative to the 80% masonry requirement. Mr. Marney seeks permission to construct a frame Victorian house on approximately 7.669 acres of land located at 102 Dobbs Road and described more particularly as being Tract 4c out of the T.I. White Survey.

Mayor Vinson called for any person wishing to speak on the matter. Messrs. Clyde Edwards, 108 Dobbs Road, and Charles Haus, 102 Dobbs Road, spoke in opposition to the variance.

After much discussion of the matter, motion was made by Councilman Kee, seconded by Councilwoman Kennedy and carried, to deny the petition for variance as submitted by Mr. Marney.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried. The meeting was adjourned at 7:48 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL AUGUST 11, 1983

The meeting was called to order at 7:48 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
Ronald E. Honse, Councilman
Ronnly L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting was:

P. O. Byers, Councilman

A quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held July 14, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Honse and carried.

II. CITIZEN'S AGENDA.

Ms. Lee Giordano asked why Council had not passed an ordinance setting entrance fees in Willow Grove Park. She stated she felt such fees would aid in keeping undesirable persons out of the Park. She also asked why the Animal Control Shelter had not been improved as per plans submitted and discussed with the Mayor and Police Chief.

III. ORDINANCE ESTABLISHING NEW GARBAGE SERVICE RATES.

Motion made by Councilman Payne, seconded by Councilman Honse and carried, to pass and approve Ordinance No. 165 entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AMENDING ORDINANCE NOS. 114, 132 AND 136, AND ESTABLISHING NEW GARBAGE SERVICE RATES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS AND DECLARING AN EMERGENCY".

IV. ORDINANCE REGULATING HOURS OF OPERATION AND ADMISSION FEES IN WILLOW GROVE PARK.

Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried, to postpone the proposed ordinance regulating hours of operation and admission fees in Willow Grove Park until such time as certain revisions are made.

V. DEPARTMENTAL REPORTS.

The Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

Councilman Kee inquired as to what the construction was about in the rear of the Police Department. Police Chief Carr replied that the Police Department was building a "security area" for the temporary holding of prisoners awaiting transporation to the Denton County Jail. He stated the holding facility is necessary for the security of dispatchers, and no prisoner should be held pending transfer past a maximum of two hours. He further explained volunteer labor and, for the most part, donated materials were being utilized on the construction. He said he had spent over $200.00 of his personal money on the project, but no City funds have been expended. Councilman Kee stated he felt in the future any proposed improvement projects should be submitted to Council, together with cost estimates, for approval prior to implementation of the project. However, he did not feel as though it is necessary for the Chief to spend his personal funds on the improvement of the building. Motion made by Councilman Kee, seconded by Councilman Payne and carried, for approval of Chief Carr being reimbursed by the City for those personal funds expended on construction of the security area.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of the Receipts and Disbursements for the month of July was reviewed as well as the August Accounts Payable. Motion made by Councilwoman Kennedy, seconded by Councilman Honse and carried, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City during the month of August, 1983.

2. The Municipal Court reports were reviewed for the July 19 and August 2 dockets.

VII. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 9:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 8, 1983

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

I. PUBLIC HEARING ON PROPOSED BUDGET.

Mayor Vinson called for comments and/or suggestions from any interested citizen wishing to be heard on the proposed Budget for Fiscal Year 1984 in the total amount of $674,216.00. It was stated that Revenue Sharing funds, in the total amount of $20,100.00, are tentatively appropriated for street improvements. No citizen response was made.

Motion made by Councilman Honse, seconded by Councilwoman Kennedy and carried, to close the Public Hearing.

II. APPROVAL OF BUDGET FOR 1984 FISCAL YEAR.

Motion made by Councilwoman Kennedy, seconded by Councilman Honse and carried unanimously, to pass, approve and adopt a Budget for Fiscal Year 1984, in the total amount of $674,216.00, with the following departmental appropriations:

Administration Department	$127,506.00
Police Department	264,139.00
Street Department	132,073.00
Sanitation Department	117,283.00
Lake Cities VFD	33,215.00

III. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 8, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held ~~September 8~~ AUGUST 11, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Honse and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. and Mrs. Harold Turner stated they have plans to build a house in the Oaklakes Subdivision, and requested assistance in getting the gravel on Meadowoak Drive extended South approximately 400' feet from its intersection with Pembrook Drive. They stated they are willing to pay the cost of materials if the City would spread and blade the gravel. Mayor Vinson replied that the City does not have the equipment to do so. However, he would speak to the County Commissioner to see if his road crew could do the work.

III. REFUND OF 1982 PROPERTY TAXES.

Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously, to approve and authorize a refund of 1982 Property Taxes overpaid in the amount of $83.84 by Floyd West, Jr., on Lot 11, Block B, Beck Addition, due to the County Appraisal District reducing the property value.

IV. REQUEST FOR REFUND OF VARIANCE FEE PAID - R. D. ALCOTT.

Motion made by Councilman Payne, seconded by Councilman Byers and carried unanimously, to deny Mr. Robert B. Alcott's request for refund of the $80.00 fee paid with his petition for variance made on July 6, 1983 in behalf of Rickey C. Marney.

V. ORDINANCE NO. 166 - LONE STAR GAS COMPANY.

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve Ordinance No. 166, amending Ordinance No. 161, entitled "AN ORDINANCE FIXING AND DETERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF NATURAL GAS TO RESIDENTIAL AND COMMERCIAL CONSUMERS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED, AND AMENDED; AND PROVIDING FOR A SCHEDULE OF SERVICE CHARGES".

VI. ORDINANCE NO. 167 - LEVYING 1983 PROPERTY TAXES.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to pass and approve Ordinance No. 167 entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING THE 1983 APPRAISAL ROLLS AS CERTIFIED BY THE APPRAISAL REVIEW BOARD OF THE DENTON COUNTY APPRAISAL DISTRICT; AND LEVYING PROPERTY TAXES FOR THE 1984 FISCAL YEAR.

VII. ORDINANCE NO. 168 - TEXAS MUNICIPAL RETIREMENT SYSTEM.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve Ordinance No. 168 entitled "AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF LAKE DALLAS; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS".

VIII. ORDINANCE NO. 169 - TEXAS MUNICIPAL RETIREMENT SYSTEM.

Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously, to pass and approve Ordinance No. 169 entitled "AN ORDINANCE PROVIDING FOR INCREASED MUNICIPAL CONTRIBUTIONS TO THE CURRENT SERVICE ANNUITY RESERVE AT RETIREMENT OF THE EMPLOYEES OF THE CITY OF LAKE DALLAS, TEXAS".

IX. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports were reviewed as submitted by the Police and Fire Departments.

X. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of August was reviewed, as well as the September Accounts Payable. Motion made by Councilman Byers, seconded by Councilman Honse and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of September, 1983.

2. The Municipal Court Reports for the August 16 and September 6 dockets were reviewed.

3. Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to authorize City Secretary attending TML's annual convention to be held in Houston October 7-9 at a total cost not to exceed $400.00.

XI. EXECUTIVE SESSION.

Mayor Vinson announced that the City Council would enter into Executive Session for the purpose of evaluation of personnel and possible reassignment of duties as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. Council went into closed session at 9:40 P.M., and reconvened in regular session, open to the public, at 10:00 P.M.

XII. NEW BUSINESS.

Motion made by Councilman Kee, seconded by Councilman Honse and carried unanimously, to hire one temporary employee in the Street Department at a pay rate not to exceed $4.00 per hour in order that major street repairs can be made before the start of the winter season.

XIII. ADJOURNMENT.

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 10:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 13, 1983

The meeting was called to order at 6:45 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting: None

Mayor Vinson opened the Public Hearing on the matter of a petition, brought by James R. and Martha Russell, for a Special Use Permit to continue the operation of a Child Day Care Center in Zone District R-1 6000, on property located at 512 Atchison Street, and described more particularly as being Lot Nos. 1 and 2, Block B, Atchison Addition. It was explained that the Child Care Center is presently being operated by Special Use Permit granted to Diane Tisdale on November 13, 1980.

No opposition to the matter was presented.

There being no persons wishing to speak on the matter, Councilman Kee moved for an adjournment of the Public Hearing. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 7:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL OCTOBER 13, 1983

The meeting was called to order at 6:55 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Absent from the meeting: None

Mayor Vinson opened the Public Hearing on the matter of a proposed change in zoning classification from the M-1 (Light Industrial) District to the C-3 (Retail sale of Beer, Wine and Liquor) District with respect to six (6) lots located at 602-630 South Denton Drive, and described more particularly as being Lot Nos. 1 through 6, Block A, First Highway Addition.

The following persons spoke in opposition to the proposal:

Steve Gaines, Pastor - Lake Shore Baptist Church.
Bryant Hawks, 10 Red Oak Circle - Town of Hickory Creek.
Georganne Bradt - Kings Manor Subdivision.
Monty C. Carpenter, 5316 Princess Court.
LeRoy Martin, 5506 Bishop Court.
James R. Chapman, 134 Kingswood Estates.
Craig Smith, Youth Director - First Baptist Church.
Scott Tucker, 600 Lake Drive
Georgia Johnson, Owner of Real Property @ 631-633 South Denton Drive.
Burt Shryock, Owner of Real and Personal Property @ several locations.
Rell W. Gamblin, 12 Ervin Lane - Town of Hickory Creek.
Anna Henson, 5302 Prince Drive.
Mr. and Mrs. Earl Turner, Property Owner - Oaklakes Subdivision.
Mrs. Ben F. Priddy, Property Owner - 5318 Prince Drive.
Steve Brown, Minister of Music - Lake Shore Baptist Church.
David Halder, Kings Manor Subdivision.
Ricky Schocer, Kings Manor Subdivision.
Ray Clark, Kings Manor Subdivision.

The following person spoke in favor of the proposal:

Lon Brown, Owner of real property effected by the proposal.

All persons wishing to speak on the matter having been heard, Councilwoman Kennedy moved for an adjournment of the Public Hearing. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 7:30 P.M.

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 13, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held September 8, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZEN'S AGENDA.

Ms. Aldena Stowe stated she is opposed to the modular building Neal Tinnerello is erecting at the far East end of Hundley Drive for the purpose of housing a restaurant. It was explained that the building would be required to meet all the City's codes just as though it was on-site construction. Ms. Stowe also requested more routine police patrol in the vicinity of Hundley and Lakeview Drives.

III. SPECIAL USE PERMIT - JAMES R. AND MARTHA S. RUSSELL.

Motion made by Councilman Kee, seconded by Councilman Honse and carried unanimously, to approve "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING A SPECIAL USE PERMIT TO OPERATE A CHILD DAY CARE FACILITY ON PROPERTY LOCATED AT 512 ATCHISON STREET BY OWNERS JAMES R. AND MARTHA S. RUSSELL".

IV. CHANGE IN ZONING CLASSIFICATION - 602-630 DENTON DRIVE.

Councilwoman Kennedy moved for the denial of the proposed change in zoning classification from the M-1 District to the C-3 District relative to property located at 602-630 Denton Drive and known more particularly as being Lot Nos. 1 through 6, Block A, First Highway Addition. Motion seconded by Councilman Kee and failed by the following vote:

AYES: Ms. Anne Kennedy and Mr. Ronny L. Kee.
NOES: Messrs. P. O. Byers, Bill Honse and J. C. Payne.

In accordance with Article 1011e, Vernon's Texas Civil Statutes, this amendment requires a favorable 3/4 vote of all members of the legislative body in order to pass inasmuch as a protest of the issue was made by more than 20% of the adjacent property owners.

V. ORDINANCE NO. 170 - WILLOW GROVE PARK.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to pass and approve Ordinance No. 170, entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS REGULATING HOURS OF OPERATION AND ADMISSION FEES IN WILLOW GROVE PARK; PROVIDING THAT WILLOW GROVE PARK BE DEEMED A PUBLIC PARK FOR PURPOSES OF THE TEXAS PENAL CODE AND ORDINANCES OF THE CITY OF LAKE DALLAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY AND REMEDY; AND PROVIDING AN EFFECTIVE DATE".

VI. ORDINANCE NO. 171 - NUISANCE.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to pass and approve Ordinance No. 171, entitled "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, MAKING IT UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO PERMIT WEEDS, BRUSH OR ANY OBJECTIONABLE OR UNSIGHTLY MATTER TO GROW TO A HEIGHT GREATER THAN TWELVE INCHES (12"); PROHIBITING THE GROWTH OF CULTIVATED CROPS WITHIN THE RIGHT-OF-WAY OF ANY PUBLIC STREET OR EASEMENT; MAKING IT THE DUTY OF ANY PERSON TO CUT AND REMOVE ALL SUCH WEEDS, ET CETERA; PROVIDING THAT THE CUTTING AND REMOVING OF THE WEEDS, ET CETERA, EVERY THIRTY (30) DAYS CONSTITUTE COMPLIANCE WITH THIS ORDINANCE; PROVIDING FOR NOTICES TO OWNERS OR OTHER PERSONS VIOLATING THE TERMS OF THIS ORDINANCE; AUTHORIZING THE CITY TO CUT SUCH WEEDS, ET CETERA, AND CHARGE THE COSTS TO THE OWNERS OF THE PROPERTY; MAKING THE CHARGES FOR THE CUTTING OF THE WEEDS, ET CETERA, A LIEN AGAINST THE PROPERTY UPON FILING A STATEMENT WITH THE COUNTY CLERK OF DENTON COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; MAKING AND PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED ($200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY".

VII. ORDINANCE NO. 172 - ITINERANT MERCHANTS.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve Ordinance No. 172, entitled "AN ORDINANCE AMENDING ORDINANCE NO. 44 REQUIRING THAT ITINERANT MERCHANTS SELLING OUT OF A MOTOR VEHICLE PARKED IN ONE LOCATION, WHETHER ON PUBLIC OR PRIVATE PROPERTY, MUST HAVE A PERMIT ISSUED BY THE CITY OF LAKE DALLAS IN ORDER TO TRANSACT BUSINESS; PROVIDING FOR LICENSE AND BONDS; SETTING FORTH CERTAIN REGULATIONS; PROVIDING A PENALTY, AND DECLARING AN EMERGENCY".

VIII. INTERLOCAL AGREEMENT - TML WORKERS' COMPENSATION JOINT INSURANCE FUND.

Motion made by Councilman Byers, seconded by Councilman Honse and carried unanimously, to approve a Contract and Interlocal Agreement with the Texas Municipal League Workers' Compensation Joint Insurance Fund and to authorize the Mayor to execute said document on behalf of the City of Lake Dallas.

IX. BID AWARD - EMPLOYEE GROUP MAJOR MEDICAL & LIFE INS.

The bids submitted on Employee Group Major Medical and Life Insurance plans were reviewed and compared. Motion made by Councilman Honse, seconded by Councilwoman Kennedy and carried unanimously, to approve the awarding of the insurance coverage to Transamerica Occidental Life Insurance Company at the following rates guaranteed for a period of six months:

Benefit	Volume	X	Rate	=	Monthly Premium
Life	$260,000.		$ .35		$ 91.00
AD&D	260,000.		.06		15.60
Major Medical	20		57.96		1,159.20
Maternity	20		1.54		30.80
TOTAL ESTIMATED MONTHLY COST					$ 1,296.60

X. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial reports were reviewed as submitted by the Police and Fire Departments.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of September was reviewed as well as the October Accounts Payable. Motion made by Councilman Byers, seconded by Councilwoman Kennedy, to approve and authorize City Secretary to cause to be paid all those accounts due and payable within the month of October, 1983.

2. The End of Fiscal Year 1983 Budget and Financial Report was reviewed.

3. The Municipal Court Reports for the September 20 and October 4 dockets were reviewed.

XII. NEW BUSINESS.

City Secretary was instructed to prepare ordinances adopting State Health Department standards in the City of Lake Dallas to be submitted for Council approval as quickly as possible.

The matter of transferring $5,000.00 from the Lake Dallas Industrial Development Corporation to the City's operating account was discussed. Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize City Secretary to purchase a personal computer of her choice for the Administrative Department, payment of same to be made with the transferred funds.

XIII. ADJOURNMENT.

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 9:10.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL NOVEMBER 10, 1983

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

All members of the City Council being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held October 13, 1983 be read aloud, and that ssid minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITIZEN'S AGENDA.

Mrs. Aldena Stowe reported that the Police Department is patroling her neighborhood more frequently now, and consequently dangerous traffic violations are less frequent.

Mr. Linwood Gilliland expressed his appreciation for the street repair work recently completed in the East part of the City.

III. PLAT APPROVAL - THE RYLAND ADDITION.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve the final plat of the Ryland Addition subject to all recommendations as made by the City's civil engineer having been met before the Mayor and City Secretary sign same.

IV. VOTING ENTITLEMENT - DENTON COUNTY APPRAISAL DISTRICT.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to pass and approve a resolution authorizing and directing that the City's total voting entitlement of nineteen (19) votes be cast for John Beck, Candidate for the Board of Directors of the Denton County Appraisal District in the election to be held November 15, 1983.

V. DEPARTMENTAL REPORTS.

The monthly Activity and/or Financial Reports as submitted by the Police and Fire Departments were reviewed.

VI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Schedule of Receipts and Disbursements for the month of October and the November Accounts Payable were reviewed. Motion made by Councilman Byers, seconded by Councilman Payne and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City during the month of November, 1983.

2. The Municipal Court Reports for the October 18 and November 1 dockets were reviewed.

VII. NEW BUSINESS.

1. The matter of Mr. Carl Weeks having received and paid two statements for 1983 property taxes, one from the Lake Dallas Consolidated Tax Office and another from the Denton County Appraisal District, was discussed. Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to approve and authorize a payment in the amount of $5.79 be made to Carl Weeks representing refund of the duplicate 1983 tax payment.

2. Mr. John Gustafson was present and made himself available to answer any questions Councilmembers might have regarding the bid submitted by Texas Waste Management to provide garbage service in the City and to purchase the existing solid waste equipment.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 9:10 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 2, 1983

The meeting was called to order at 4:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

All members of the City Council being present, the following business was transacted:

City Secretary explained six (6) invitations to bid on the City's solid waste collection and disposal service were mailed to private contractors and only two (2) companies responded with a bid. Moore Industrial Disposal, Inc. bid $82,205.00 for the existing equipment, a $5.60 per month rate per residential unit and varying commercial rates, depending on volume of service. Texas Waste Management bid $175,000.00 for the existing equipment, a $4.90 per month rate per residential unit with a special $4.00 per month rate for over age 65 customers, and varying commercial rates, depending on volume of service. Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to award the bid for the collection and disposal of solid waste within the City of Lake Dallas to Texas Waste Management of Lewisville, Texas.

Motion made by Councilman Honse, seconded by Councilman Byers and carried unanimously, to pass and approve a resolution authorizing the Mayor to sign a contract for the City of Lake Dallas with Texas Waste Management, a division of American Container Service, Inc., for the collection and disposal of solid waste within the City.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to pass and approve Ordinance No. 173, entitled "AN ORDINANCE AMENDING ORDINANCE NO'S. 79, 92, 112, 113, 114, 117, 132, 136 AND 165 GRANTING TO TEXAS WASTE MANAGEMENT, A DIVISION OF AMERICAN CONTAINER SERVICE, INC., A TEXAS CORPORATION, THE RIGHT AND FRANCHISE TO OPERATE AND MAINTAIN THE SERVICE OF GARBAGE AND TRASH COLLECTION AND HAULING OVER, UPON, ALONG, AND ACROSS THE PRESENT AND FUTURE STREETS, ALLEYS, BRIDGES AND PUBLIC PROPERTIES OF THE CITY OF LAKE DALLAS, TEXAS, PROVIDING REGULATIONS FOR THE OPERATION OF SAID SERVICE, SETTING A RATE SCHEDULE, AND DECLARING AN EMERGENCY".

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 4:45 P.M.

M. Jean Chambers, City Secretary

Johnny J. Vinson, Mayor

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 8, 1983

The meeting was called to order at 7:30 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Johnny J. Vinson, Mayor, was absent from the meeting. There being a quorum present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Kee moved for the suspension of any rule requiring that the minutes of the meetings held November 10 and December 2, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITIZEN'S AGENDA.

No response.

III. APPROVAL OF ORDINANCE PROVIDING FOR FOOD HANDLER'S PERMITS, ADOPTING THE TEXAS STATE DEPARTMENT OF HEALTH RULES, ETC.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to pass and approve Ordinance No. 174, entitled "AN ORDINANCE FOR THE CITY OF LAKE DALLAS, TEXAS, PROVIDING FOR FOOD HANDLER'S PERMITS, ADOPTING THE TEXAS STATE DEPARTMENT OF HEALTH RULES AND ANY SUBSEQUENT AMENDMENTS, PROVIDING FOR AND GRANTING AUTHORITY TO THE DENTON COUNTY, TEXAS, HEALTH OFFICER OR ANY OF HIS AGENTS FOR INSPECTING FOOD ESTABLISHMENTS, SETTING SANITARY REQUIREMENTS, PROVIDING STANDARDS FOR FOOD ESTABLISHMENTS, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE".

IV. DEPARTMENTAL REPORTS.

The Police and Animal Control Activity Reports for the month of November were reviewed.

V. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet and Consolidated Statement of Operations for the month of November were reviewed as well as the December Accounts Payable. Motion made by Councilman Byers, seconded by Councilman Honse and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of December, 1983.

2. The Municipal Court Report for the November 15 docket was reviewed.

VI. NEW BUSINESS.

Mayor Pro Tem Kennedy announced Council would enter into Executive Session for the purpose of evaluating personnel as permitted by Article 6252-17, Sec. 2. (g), Vernon's Texas Civil Statutes. The Council Chamber was emptied of all spectators at 10:10 P.M. The Council reconvened in open session at 10:30 P.M.

City Secretary was instructed to contact the Engineer for the City and request written specifications for repairing street cuts that will hold up for a reasonable period of time.

Transferring Mr. Ray Weikum from the Street Department to the position of City Mechanic with no other duties was discussed, but no final decision was made.

Councilman Kee suggested that the culvert needed to be lengthened at the southwest corner of the Shady Shores and Hundley intersection and on Swisher Road, west of the new primary school. He also requested that additional reflectors be added to the posts defining ditch area at the following culvert locations: Post Office on Denton Drive, Lakeview Drive by the Duck Inn, north end of Lakeview Drive at foot of hill, and the intersection of Shady Shores Road and Hundley Drive.

Mr. Joel Dalton explained a definitive plan and map for the multi-purpose sports field, together with a letter explaining same, would have to be forwarded to the Corps of Engineers Fort Worth District Office before trees could be cut and ground cleared in Willow Grove Park.

VII. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Payne and carried unanimously. The meeting was adjourned at 10:45 P.M.

Anne Kennedy, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF DIRECTORS OF THE
LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION
HELD AT CITY HALL DECEMBER 16, 1983

PURPOSE OF MEETING: Lake Dallas Industrial Development Corporation Revenue Bonds, Series 1983 (The Ryland Group, Inc. Project) $2,000,000.

Johnny J. Vinson, being the President of Lake Dallas Industrial Development Corporation (the "Issuer"), the issurer of the above referenced Bonds (the Bonds) called the meeting of the Board of Directors of the Issuer to order at 2:25 P.M. The following persons were present:

Johnny J. Vinson, President
Ronald E. Honse, Board Member
Ronny L. Kee, Board Member
J. C. Payne, Board Member
M. Jean Chambers, Secretary-Treasurer
L. E. Brizzolara, III, Bond Attorney
Mary K. Macaulay, First Southwest Company

Ms. Anne Kennedy and Mr. P. O. Byers, members of the Board of Directors, were absent from the meeting. However, a quorum being present, the following business was transacted:

The President declared that a Public Hearing, required under Section 103(k) of the Internal Revenue Code of 1954, as amended, was open for purposes of discussing the Bonds and the project to be acquired or constructed with the proceeds of the Bonds (the "Project") by The Ryland Group, Inc. (the "User").

The President declared that the required notice of the Public Hearing for the Project was published in the following: the Dallas Morning News, the Dallas Times Herald, the Lewisville Daily Leader and the Lake Cities Sun, being newspapers of general circulation in the specific location of the Project and in the Dallas-Fort Worth Metroplex.

The President declared himself the hearing officer and proceeded to hold the Public Hearing. No persons came forth to make any oral or written comments regarding the Project.

After sufficient time was given for all interested persons to make any oral or written comments with respect to the Bonds and the Project, the President declared the Public Hearing closed and proceeded with other business of the Issuer.

Johnny J. Vinson, President

M. Jean Chambers, Secretary-Treasurer

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF DIRECTORS OF THE
LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION
HELD AT CITY HALL DECEMBER 16, 1983

The meeting was called to order at 2:35 P.M. with the President presiding and the following persons present:

Johnny J. Vinson, President
Ronald E. Honse, Board Member
Ronny L. Kee, Board Member
J. C. Payne, Board Member
M. Jean Chambers, Secretary-Treasurer
L. E. Brizzolara, III, Bond Attorney
Mary K. Macaulay, First Southwest Company

Ms. Anne Kennedy and Mr. P. O. Byers, members of the Board of Directors, were absent from the meeting. However, a quorum being present, the following business was transacted:

A written "RESOLUTION AUTHORIZING THE ISSUANCE OF LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION REVENUE BONDS, SERIES 1983, AND THE EXECUTION OF A TRUST INDENTURE (THE RYLAND GROUP, INC. PROJECT)" was duly introduced for the consideration of the Board and read in full. Motion made by Mr. Payne, seconded by Mr. Kee, that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed by the following vote:

AYES: Messrs. J. C. Payne, Ronny L. Kee and Ronald E. Honse.

NOES: None

ABSTENTIONS: None

A written "RESOLUTION AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT WITH THE RYLAND GROUP, INC." was duly introduced for the consideration of the Board and read in full. Motion made by Mr. Payne, seconded by Mr. Honse, that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed by the following vote:

AYES: Messrs. J. C. Payne, Ronald E. Honse and Ronny L. Kee.

NOES: None

ABSTENTIONS: None

Motion made by Mr. Kee, seconded by Mr. Honse and carried, to approve and authorize the purchase of an Olivetti M-20 Computer with printer and software, in the total amount of $4,657.00.

There being no further business for discussion, the meeting was adjourned at 2:50 P.M.

Johnny J. Vinson, President

M. Jean Chambers, Secretary-Treasurer

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 16, 1983

The meeting was called to order at 2:55 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
L. E. Brizzolara, III, Bond Attorney
Mary K. Macaulay, First Southwest Company

Ms. Anne Kennedy and Mr. P. O. Byers, Councilmembers, were absent from the meeting. However, a quorum being present, the following business was transacted:

A written "RESOLUTION APPROVING AN AGREEMENT BY THE LAKE DALLAS INDUSTRIAL DEVELOPMENT CORPORATION TO ISSUE BONDS FOR THE RYLAND GROUP, INC. AND THE BOND RESOLUTION PROVIDING FOR THE ISSUANCE OF SUCH BONDS" was duly introduced for consideration and read in full. Motion made by Councilman Kee, seconded by Councilman Payne, that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: Messrs. Ronny L. Kee, J. C. Payne and Ronald E. Honse.

NOES: None

ABSTENTIONS: None

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried. The meeting was adjourned at 3:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 17, 1983

The meeting was called to order at 9:00 A.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Y. G. Carr, Chief of Police

There being no persons absent from the meeting, the following business was transacted:

Chief Carr stated it was not his desire to have a private hearing before the Council, and requested that the meeting remain open to the public and to the press.

Mayor Vinson stated the purpose of this meeting is to provide a hearing for Chief Carr relative to the indictments against him for official misconduct recently handed down by the Denton County Grand Jury. Chief Carr stated he was not guilty on any of the four counts and, in his mind, had done no wrong. He stated he had retained legal counsel and intended to protest his innocence of all charges. He said, however, he was sensitive to the position of the City in this matter, and would accept any decision handed down by the Council, even to a suspension from his duties until the matter is resolved.

Councilman Kee stated the charges made against Chief Carr appear to be of a very serious nature, even if somewhat vague. Nonetheless, he urged serious attention and consideration be given to the matter by City Council. After much discussion and consideration of the charges, it was unanimously agreed by all members of the Council that a suspension of Chief Carr would, at this point in time, be premature. The matter of a suspension could be re-evaluated at a later date if necessary. It was agreed that until more definitive evidence is presented, Chief Carr would remain in his present position as Chief of Police with full support of the Council.

It was further agreed that Councilmembers Anne Kennedy and Ronny Kee be appointed to act as an Internal Investigative Committee of the Council to investigate this particular matter for any wrong doing, as well as the administrative policies and procedures of the Police Department relative to their routine handling of confiscated property. The Committee is to report their findings to Council in an expeditious manner, together with any recommendations deemed necessary.

There being no further business for discussion, the meeting was adjourned at 10:20 A.M.

Johnny J. Vinson, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL JANUARY 12, 1984

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent from the meeting, the following business was transacted:

Mayor Vinson called for any comments from interested citizens present regarding the petition, brought by Rich Varnell, for a variance from Ordinance No. 25 relative to the 15 feet side yard setback requirement at 703 Glen Rhea. The existing house (built before the passage of the ordinance) is located approximately nine feet from the west property line (abutting Donald Street), and permission is requested to construct an addition which would also be nine feet from the west property line.

Mr. Juan Longoria, 611 Glen Rhea, stated Donald Street is extremely marrow, and Mr. Varnell does not presently have adequate guest parking on his lot. He expressed concern that if the addition is permitted, guests parking on Donald Street would become an even greater problem. Mr. Bob Sudderth, Glen Rhea Drive, stated, in addition to the on-street parking problem, Mr. Varnell's brick fence is presently encroaching approximately 13 feet into the street right-of-way, further narrowing the street making it even more difficult to negotiate a turn from Glen Rhea onto Donald. After adequate time for given for all persons to make comments with respect to the requested variance, Mayor Vinson declared the public hearing closed and proceeded with Council discussion of the matter.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve and grant the petition for variance as presented by Rich Varnell.

Mayor Vinson called for any comments from interested persons present regarding the petition brought by Jerry Blazewicz for a variance from Ordinance No. 25 relative to the 15 feet rear yard setback requirement at 140 West Hundley Drive. Permission is requested to observe a 10 feet setback in order to allow wider drives within the proposed mini-warehouse project. There was no response and, after adequate time was given for all persons to be heard with respect to the requested variance, Mayor Vinson declared the Public Hearing closed and proceeded with Council discussion of the matter.

Motion made by Councilman Byers, seconded by Councilman Payne and carried unanimously, to approve and grant the petition for variance dated December 15, 1983 submitted by Jerry Blazewicz.

There being no further business before the Board of Adjustment, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 7:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JANUARY 12, 1984

The meeting was called to order at 7:10 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting the following business was transacted:

Mayor Vinson declared the Public Hearing open, and called for comments from interested persons regarding the petition, brought by Jerry Blazewicz, for a Special Use Permit to construct mini-warehouses on approximately .56 acres of land out of Tract 1 of the S. O. McCarroll Survey located at 140 West Hundley Drive.

There was no response from any person present and, after adequate time was given for all interested persons to be heard on the matter, Mayor Vinson declared the Public Hearing closed.

The meeting was adjourned at 7:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JANUARY 12, 1984

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held December 8 and 16, 1983 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITIZEN'S AGENDA.

Ms. Jackie Kovsky requested that repairs be made to Thompson Drive. She stated some part of the needed repairs are due to work the Lone Star Gas Company did and failed to repair adequately.

III. SPECIAL USE PERMIT - JERRY BLAZEWICZ.

Motion made by Councilman Payne, seconded by Councilman Honse and carried unanimously, to pass and approve Ordinance No. 175, entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, GRANTING A SPECIAL USE PERMIT FOR COMMERCIAL RENT WAREHOUSING (MINI-WAREHOUSES) FOR APPROXIMATELY .56 ACRES OF LAND OUT OF TRACT 1 OF THE S. O. McCARROLL SURVEY, ABSTRACT NO. 958; PROVIDING CONDITIONS OF THE SPECIAL USE PERMIT; PROVIDING FOR FINES AND PENALTIES".

IV. REFUND OF 1982 TAXES - NEIL HICKEY.

Motion made by Councilman Honse, seconded by Councilman Kee and carried unanimously, to approve and authorize a refund in the amount of $40.28 for 1982 property taxes billed and paid in error by Neil Hickey on property described as being Block B, Lot 7, Garza Beach Estates Addition.

V. BOARD OF TRUSTEES ELECTION - TML WORKERS COMPENSATION JOINT INSURANCE FUND.

Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously, to cast one vote each to the five (5) candidates listed on the ballot for election to the Board of Trustees of the TML Workers' Compensation Joint Insurance Fund.

VI. DEPARTMENTAL REPORTS.

The December Police Activity and Animal Control Reports were reviewed.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet, Consolidated Statement of Operations and Budget Report as of December 31, 1983 were reviewed.

2. Motion made by Councilman Kee, seconded by Councilman Honse and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of January, 1984.

3. The Audit Report for the 1983 Fiscal Year was reviewed as prepared by Howe, Fryman & Company, Certified Public Accountants.

4. The Municipal Court Reports for the December 6 and 20 dockets were reviewed.

5. Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously, to approve and authorize City Secretary's attendance at the Election Law Seminar to be held in San Antonio January 26-27, 1984.

VIII. ADJOURNMENT.

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 8:30 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL FEBRUARY 9, 1984

The meeting was called to order at 6:15 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Absent: None

Mayor Vinson removed himself from the Council table, stating inasmuch as he was related to the Petitioner, he wished to be excused from any participation in this matter before the Board of Adjustment.

Ms. Anne Kennedy then took the chair, and called for any interested person wishing to be heard on the matter of a petition, brought by L. D. Vinson for a variance from Ordinance No. 25 regarding the building setbacks for detached accessory buildings in District R 1-6000. It was explained that Mr. Vinson had constructed a detached garage at 728 Summers Lane that is three (3) feet from the primary building rather than the ten (10) feet as required by ordinance.

No opposition was presented to the request for a variance and, after adequate time was given for all persons to be heard on the matter, Ms. Kennedy declared the Public Hearing closed and proceeded with Council discussion of same.

Motion made by Councilman Payne, seconded by Councilman Byers and carried unanimously, to approve and grant the petition for variance dated January 17, 1984, submitted by L. D. Vinson, relative to the position of the detached accessory building located on property at 728 Summers Lane.

There being no further business before the Board of Adjustment, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried unanimously. The meeting was adjourned at 6:40 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 9, 1984

The meeting was called to order at 6:40 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent from the meeting, the following business was transacted:

Mayor Vinson declared the Public Hearing open and called for comments from interested persons wishing to be heard on the matter of a petition, brought by James H. Kinley & Son, for a change in zoning classification from the R 1-7200 (single-family residential) District to the R 1-4000 (single-family mobile home) District with respect to 159.7 acres of land out of the T. I. White Survey. Said tract of undeveloped land is located north of the Oaklakes Subdivision, south of Dobbs Road and west of Shady Shores Road.

Mr. Mark Delk, 707 North Shady Shores Road, stated he opposed the change in zoning classification based on the high density factor, impact on present water, sewer and school facilities, as well as the fact that mobile home developments traditionally tend to devalue surrounding properties.

Ms. Patsy Farrow, representing the Swisher Cemetery Association, expressed concern regarding the drainage problem that could adversely impact the cemetery due to adjacent high density development.

Mr. Bob Jameson, Superintendent of the Lake Dallas Independent School District, opposed the change in zoning classification due to the adverse impact the higher density land use factor would have on the already crowded school system.

No persons representing James H. Kinley & Son were present to present their proposed project and answer questions regarding same.

After adequate time was given for all interested persons to be heard regarding the petition brought by James H. Kinley & Son, Mayor Vinson declared the Public Hearing on the matter closed.

The meeting was adjourned at 7:10 P.M. on motion made by Councilman Kee, seconded by Councilman Honse.

Johnny J. Vinson, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 9, 1984

The meeting was called to order at 7:10 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

No persons being absent from the meeting, the following business was transacted:

Mayor Vinson declared the Public Hearing open and called for comments from interested persons wishing to be heard on the matter of a petition, brought by Burton L. Shryock, for a change in zoning classification from the M-1 (Light Industrial) District to the R-3 (Multi-Family Residential) District with respect to 8.315 acres of land out of the J. W. Simmons Survey. Said tract of undeveloped land is located in the 300 Block of Shady Shores Road, West of the Kings Manor Subdivision, North of the Lakehaven Mobile Home Park and South of the Shady Shores Apartment complex.

Mr. Shryock explained he wished to construct an adult apartment and office/industrial warehousing project on approximately 14.7 acres of land presently zoned for Light Industrial development. He proposed the construction of a 44 feet wide, curbed and guttered, concrete extension of Overly Drive through his property west from Shady Shores Road to the I-35E Access Road so that the project will not adversely impact the already traffic congested condition of Shady Shores Road and Hundley Drive. He stated the concrete street would be constructed to meet or exceed specifications as set by the City and would support heavy industrial traffic.

Mr. Shryock proposed to develope the apartment complex in two phases, construction on the first 100 units to begin in September, 1984 and construction on another 100 units to begin in September, 1985. Entrance to and exit from the complex will be on the new extension of Overly Drive and all buildings will front into the complex, away from Shady Shores Road. He stated the project will be an adult apartment complex with the following exterior amenities: Tiered pool with spa and waterscape; Multi-level decks for sun bathing; Luxurious clubhouse with lounge area, fireplace and kitchen facilities; Traditional architecture with extensive brick exterior and cedar trim; Extensively landscaped and sprinklered grounds; convenient laundry facilities; Full-time professional management. Living area features will include the following: One and two roommate bedroom floorplans; Washer/dryer connections; Woodburning fireplaces; Ceiling fans; Private patio or balcony with wood fence; All electric kitchens with quality appliances; Pass through serving bar between kitchen and dining area; Deadbolt locks, doorbell and full view peephole on all entrance doors; Wired for cable T.V.; Built in TV antenna system; Electronic smoke detectors; and individual heating and air conditioning units.

Several persons asked questions regarding the proposed project and Mr. Shryock replied to each inquiry. It was determined management of the complex would use the Dallas Adult Apartment Contract Agreement which prohibits school age children from living on the premises. In the event children are born to a couple while occupying a unit, they must vacate the premises before the first child reaches school age.

One person objected to a two story building being constructed on Shady Shores Road overlooking the rear yards of residences on Queens Court. Mr. Shryock explained the apartment buildings will be facing away from Shady Shores Road and set-back a considerable distance with only a small bathroom window on the rear of the building. There were no further objections to the proposed project.

After adequate time was given for all interested persons to be heard on the petition for a change in zoning classification, Mayor Vinson declared the Public Hearing closed.

The meeting was adjourned at 7:40 P.M. on motion made by Councilwoman Kennedy, seconded by Councilman Honse.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 9, 1984

The meeting was called to order at 7:40 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held December 17, 1983 and January 12, 1984 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Honse and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. Greg Gross, representing the Lake Dallas Telephone Company, explained that the area utility companies are meeting regularly to discuss matters of mutual concern. He requested that the City place all effected utility companies on notice of any proposed major development so that they may have the opportunity to involve themselves in the planning stage of said development.

Mr. Linwood Gilliland, Chairman of the Planning and Zoning Commission, stated it would greatly benefit the planning process if the area utility companies would provide them with maps indicating the location and size of present and planned utility lines.

Mr. Jess Giordano, Kingswood Estates, requested that the City take responsibility for the enforcement of City ordinances such as tall grass and weeds, underskirting of mobile homes, junked vehicles, etc. He stated violations at specific locations are being reported regularly to City Officials with no action being taken. Mayor Vinson replied that the inspection and enforcement program will be resumed soon.

III. CHANGE IN ZONING CLASSIFICATION - JAMES H. KINLEY & SON.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy, to deny the petition for a change in zoning classification, dated December 9, 1983 and brought by James H. Kinley & Son, relative to 159.7 acres of land out of the T. I. White Survey, Abstract Nos. 1375 and 1376. Motion prevailed by the following vote:

AYES: Ms. Anne Kennedy, Messrs. J. C. Payne, Bill Honse and Ronny Kee.
NOES: Mr. P. O. Byers.

IV. CHANGE IN ZONING CLASSIFICATION - BURTON L. SHRYOCK.

Motion made by Councilman Honse, seconded by Councilwoman Kennedy and carried unanimously, to approve and grant a change in zoning classification from the M-1 District to the R-3 District with respect to 8.315 acres of land out of the J. W. Simmons Survey, Abstract No. 1163, as requested by Burton L. Shryock in a petition dated January 9, 1984.

V. RESOLUTION AND ORDER ESTABLISHING ELECTION PROCEDURE.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to pass and approve an order and resolution establishing procedure for the City Officers' Election to be held April 7, 1984 in which a Mayor and two (2) Alderman will be elected, each to a two (2) year term.

Motion made by Councilman Honse, seconded by Councilman Kee and carried unanimously, to approve the Fire Hall, 275 Main Street, as the polling place for the April 7, 1984 City Officers' Election, and to appoint Aldena Stowe as the Election Judge and Thana Bounds as Alternate Election Judge with a maximum of eight (8) additional clerks to be appointed by said Election Judge.

Motion made by Councilman Honse, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize a pay scale of $5.00 per hour for each of the Election Judges and clerks, with the Election Judge to be paid an additional $25.00 for delivering the returns.

It was further approved that Absentee Voting would be conducted at City Hall, 303 Alamo Street, between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, with Donna Stephens and Margaret Coulter serving as clerks for Absentee Voting.

VI. RESOLUTION - CID PROGRAM IV.

Motion made by Councilman Payne, seconded by Councilman Byers and carried unanimously, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A GRANT TO FUND THE CITY OF LAKE DALLAS POLICE DEPARTMENT'S SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM IV.

VII. DEPARTMENTAL REPORTS.

The January Activity Reports were reviewed as submitted by the Police Department.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

The Balance Sheet, Consolidated Statement of Operations and Budget Report as of January 31, 1984 were reviewed.

Motion made be Councilman Honse, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of February, 1984.

The Municipal Court Report for the January 17 Docket was reviewed.

IX. NEW BUSINESS.

The need for a new tranquilizer gun for use by the Animal Control Officer in the Police Department was discussed. It was generally agreed by City Council to approve and authorize the unallocated purchase of an extra long-range XLR Cap-Chur Kit at an approximate cost of $474.80.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 9:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL MARCH 8, 1984

The meeting was called to order at 7:00 P.M. with the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Mayor Vinson removed himself from the Council table, stating inasmuch as he is related to the petitioner, he wished to be excused from any participation in this matter before the Board of Adjustment.

Ms. Anne Kennedy then took the chair, opening the Public Hearing by calling for any interested persons wishing to speak on the matter of a petition, brought by L. D. Vinson, for a variance from Ordinance No. 25 regarding the rear yard setback from the building line relative to property located at 108 North Lakeview Drive in the R 1-6000 Zone District.

The following persons spoke in opposition of the requested variance: Mr. and Mrs. Lee H. Hughes, Aldena Stowe, Volta Moore, George Buchanan, Stanley McNeil, Dale Boliver, Lyle Shelton, Bill Finch, Steve Randall, Scott Tucker, C. L. Randolph, and Jerry McCutcheon, Fire Marshall. Mr. Charlie Berry, City Building Inspector, recommended that the variance be denied and all building materials ordered removed from the lot within fifteen (15) days. Mr. Berry stated he had red-tagged the project three (3) times as well as instructing Mr. Vinson to discontinue construction until the hearing was held and a decision on the matter was made by the Board of Adjustment. He stated Mr. Vinson ignored his instructions and continued with construction of the project.

Mr. Moke Vinson stated he began construction based on the survey of the property made by Registered Surveyor Jim Dowdy, not knowing that it was in error. He stated the only thing any builder had to go on when establishing the building line setbacks was his survey of the property. He said he was not aware of any problem until Mr. George Buchanan (abutting property owner) told him the property had not been staked properly by the Surveyor, but Mr. Buchanan did not at that time have a registered survey of his property to offer as evidence of the error. It was some weeks later before Mr. Buchanan was able to secure a survey of his property which indicated one of the surveys had to be in error.

Mr. Jim Dowdy stated his original survey of Mr. Vinson's property was in fact in error. He said he started from the West assuming Lakeview Drive was a 50' right-of-way, when in fact it was a 30' right-of-way, resulting in a 16' error in the on-the-ground staking of Mr. Vinson's lots. Mr. Buchanan's surveyor started from the East and made a more accurate survey. He further stated, however, had the original survey been absolutely accurate, there would have been a need to secure a variance for that particular house plan to fit on the lots.

After adequate time was given for all interested persons to be heard regarding the petition brought by L. D. Vinson, Ms. Kennedy declared the Public Hearing on the matter closed.

After much discussion of the matter, Councilman Kee moved for a denial of L. D. Vinson's request, dated February 28, 1984, for a variance from Ordinance No. 25 regarding the rear yard setback from the building line on property located at 108 North Lakeview Drive. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs. Ronny L. Kee, P. O. Byers and Bill Honse.
NOES: Mr. J. C. Payne

It was further agreed, for the exception of Mr. Payne, the Board would support the Building Inspector's proposal that Mr. Vinson be required to clear the lot of all improvements and building materials within fifteen (15) days of the date of this hearing.

There being no further business for discussion by the Board, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 8:00 P.M.

Anne M. Kennedy

Anne M. Kennedy, Chairperson
BOARD OF ADJUSTMENT

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 8, 1984

The meeting was called to order at 8:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no person absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held February 9, 1984 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Kee and carried unanimously.

II. CITIZEN'S AGENDA.

No Response.

III. PROJECT "I CARE".

Mr. Ron Hewitt, representing the Lake Cities Chamber of Commerce, explained the "I Care" Program on drug and alcohol abuse and requested the City's assistance in introducing the program in the Lake Cities area. Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ENDORSING PROJECT "I CARE" SPONSORED BY THE LAKE CITIES CHAMBER OF COMMERCE".

IV. CITIES FOR RESPONSIBLE CABLE POLICY.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to approve and authorize a contribution in the amount of $250.00 to the Texas Municipal League Cable TV Defense Fund.

V. TML SEMINAR "ISSUES IN POLICE RISK MANAGEMENT".

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize City Secretary and P. O. Byers attending the TML Seminar on "Issues in Police Risk Management" to be held in Austin March 22 and 23, 1984.

VI. DEPARTMENTAL REPORTS.

The monthly activity reports were reviewed as submitted by the Police and Fire Departments.

VII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet, Consolidated Statement of Operations and Budget Report as of February 29, 1984 were reviewed.

2. Motion made by Councilman Byers, seconded by Councilman Honse and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of March, 1984.

3. The Municipal Court Reports for the February 7 and 21 dockets were reviewed.

VIII. NEW BUSINESS.

Mr. Greg K. Edwards, Consulting Engineer for the City, provided a written report on options for consideration by the Council to correct the ground water problem currently existing under Kings Manor Drive. The matter was discussed at great length, but no decisions were made.

Motion made by Councilman Honse, seconded by Councilman Kee and carried unanimously, to approve and authorize a refund be made to Jack Joseph McDonald, Account #712-R61989, in the amount of $78.68, representing an overpayment of 1983 property taxes.

Mayor Vinson appointed Councilmembers Anne M. Kennedy and Ronny L. Kee to organize the City's Texas Sesquicentennial Committee.

IX. OLD BUSINESS.

Mayor Vinson announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes.

The Report of Internal Investigation of the Police Department made by Councilmembers Anne M. Kennedy and Ronny L. Kee was presented to the Council and discussed at great length with Chief Y. G. Carr. It was agreed that Chief Carr was to study and implement the recommended changes in administrative policy and procedures, submitting a written report on same to Council at the next regular scheduled meeting.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried unanimously. The meeting was adjourned at 10:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 29, 1984

The meeting was called to order at 2:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
Ronald E. Honse, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Councilmembers Anne M. Kennedy and Ronny L. Kee were present in the building, but absent from the Councilroom. However, a quorum being present, the following business was transacted:

City Secretary explained the effective date for the 1984 contract with the Corps of Engineers is proposed to be April 15 through September 22, 1984 for a total of 950 hours of police patrol in the Arrowhead, Oakland and Westlake Parks at a cost of $22.17 per manhour, or a total of $21,070.64 for the contract period.

Motion made by Councilman Honse, seconded by Councilman Payne and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING AND AUTHORIZING THE MAYOR TO SIGN A CONTRACT AGREEMENT WITH THE DEPARTMENT OF THE ARMY TO PROVIDE POLICE PATROL IN THE ARROWHEAD, OAKLAND AND WESTLAKE PARKS LOCATED ON LAKE LEWISVILLE IN DENTON COUNTY, TEXAS".

There being no further business for discussion, Councilman Honse moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried. The meeting was adjourned at 2:05 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 12, 1984

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Councilman Ronald E. Honse was absent from the meeting. However, a quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held March 8 and 29, 1984 be read aloud, and that said minutes by approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITY OFFICERS' ELECTION HELD APRIL 7, 1984.

Mayor Vinson and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 7, 1984. It was determined that 235 registered voters cast a total of 590 qualified votes for the following candidates:

FOR MAYOR:	Johnny J. Vinson		150 Votes
	Monty Carpenter	(Write-In)	6 Votes
	John R. Day	(Write-In)	2 Votes
	Ronny Kee	(Write-In)	2 Votes
	Bill Singleton	(Write-In)	1 Vote
	Roy Harper	(Write-In)	1 Vote
	Jeffery Miller	(Write-In)	2 Votes
	Bill Grammer	(Write-In)	1 Vote
	Donald R. Smith	(Write-In)	1 Vote
	P. O. Byers	(Write-In)	1 Vote
	Joel Dalton	(Write-In)	1 Vote
FOR ALDERMAN:	Anne M. Kennedy		160 Votes
	P. O. Byers		131 Votes
	Jim Bragg		131 Votes

Motion made by Councilman Byers, seconded by Councilman Kee and carried, to pass and approve a resolution accepting said election returns and declaring Johnny J. Vinson duly elected Mayor and Anne M. Kennedy duly elected Alderman for the City of Lake Dallas, each for a two year term of office. City Secretary presented each officer with a Certificate of Election and administered the Oath of Office.

III. TIE IN ALDERMAN'S RACE.

It was determined that a tie existed between P. O. Byers and Jim Bragg for Alderman. Mr. Bragg presented Mayor Vinson with a written request for a recount of the ballots cast in that race. Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried, to pass and approve "AN ORDER AND RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPOINTING CLERKS TO RECOUNT VOTES CAST IN THE TIED CITY OF LAKE DALLAS ALDERMAN'S RACE HELD APRIL 7, 1984; AND ORDERING THE CHIEF OF POLICE TO DELIVER THE KEY TO BALLOT BOX NO. 3 TO THE CITY SECRETARY ON APRIL 16, 1984 FOR THE PURPOSE OF RECOUNTING SAID BALLOTS".

The requirement that a run-off election must be held within 30 days of the official canvass of votes was discussed in the event a tie still existed at the conclusion of the recount of ballots. Motion made by Councilwoman Kennedy, seconded by Councilman Payne and carried, to pass and approve an order and resolution establishing procedure for a Run-Off Election to be held May 12, 1984. Motion made by Councilman Payne, seconded by Councilman Kee and carried, to approve the appointment of Aldena Stowe as Election Judge, Thana Bounds as Alternate Judge, with a maximum of five clerks to work the Run-Off Election at a salary of $5.00 per hour with an additional $25.00 being paid to the Election Judge for delivery of the returns. Motion made be Councilman Payne, seconded by Councilman Kee and carried, to approve the designation of City Hall for absentee voting and Donna Stephens and Margaret Coulter as Clerks for absentee voting.

IV. CITIZEN'S AGENDA.

Mrs. Lee Giordano and Mr. Rodney Courtney commended the Police Department for the assistance received in abating code violations in the Kingswood Estates addition and requested regular inspections be made for violations of City ordinances.

V. RATE INCREASE - TEXAS UTILITIES ELECTRIC COMPANY.

Mr. Jerry Morgan, representing Texas Power & Light Company, explained his Company is requesting an approximate 8% increase in electrical rates system-wide. After much discussion of the matter, Councilman Byers moved for the passage and approval of Ordinance No. 176, entitled "AN ORDINANCE APPROVING RATE SCHEDULES AND SERVICE REGULATIONS FOR TEXAS UTILITIES ELECTRIC COMPANY, PROVIDING AN EFFECTIVE DATE THEREFOR, PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES AND SERVICE REGULATIONS MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW". Motion seconded by Councilman Payne and carried.

VI. STREETS CROSSING RAILROAD RIGHT-OF-WAY.

City Secretary explained the M.K.T. Railroad is extremely negative regarding the granting of any additional street crossings over their right-of-way due to the high liability factor. However, the railroad will consider granting an easement through their property for the extension of Overly Drive in exchange for the City closing the Alamo Street crossing as well as closing that portion of Alamo Street which encroaches onto their property.

After much discussion of the matter, Councilman Kee moved for approval to close the Alamo Street crossing as well as that portion of Alamo Street encroaching upon M.K.T. property in exchange for the execution of an easement for the proposed extension of Overly Drive across their right-of-way further north. Motion seconded by Councilman Byers and carried.

VII. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CALCULATE THE 1984 EFFECTIVE TAX RATE.

Motion made by Councilman Payne, seconded by Councilman Byers and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING AND AUTHORIZING THE TAX ASSESSOR-COLLECTOR FOR THE CITY TO CALCULATE THE EFFECTIVE TAX RATE FOR THE 1984 TAX ROLL AS PREPARED BY THE DENTON COUNTY APPRAISAL DISTRICT".

VIII. PROPOSED AMENDMENT TO ORDINANCE NO. 100.

It was generally agreed that the proposed amendment to Ordinance No. 100, Art. I, Sec. 4(2), made by the Planning and Zoning Commission, changing the side yard setback requirement from a minimum of four feet to a minimum of seven feet and changing the minimum distance between mobile homes from twenty feet to fourteen feet in Zone District R-1 4000, should be referred to City Council together with all other proposed amendments to the Zoning Ordinance for consideration at one time.

IX. INSURANCE COVERAGE.

The matter of some employee interest being generated in the North Texas MedCare program was discussed. It was generally agreed that inasmuch as the City's employee group is only 20 persons at maximum strength, the group should not be further diluted by permitting employees the option of major medical insurance coverage or a health maintenance plan provided by a local medical group. Councilman Kee indicated concern that some employees feel they cannot afford medical treatment because the deductable factor and the cost of dependent coverage is to high relative to the present major medical plan of insurance. After much discussion of the matter, Councilman Kee moved for approval of the City paying the last $100.00 of the $300.00 deductable being imposed by the present major medical insurance plan, and that the employee's dependent coverage cost be reduced to a maximum of $75.00 per month by the City paying the difference of $46.33 per month per employee. Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Ronny L. Kee, Anne M. Kennedy and Mayor Johnny J. Vinson.
NOES: P. O. Byers and J. C. Payne.

City Secretary was instructed to obtain bids on professional liability insurance coverage for both career and reserve police officers as well as cost of adding the reserve police officers to the Workmen's Compensation plan.

X. DEPARTMENTAL REPORTS.

The Activity Reports for the month of March were reviewed as submitted by the Police Department.

XI. NEW BUSINESS.

The requirement that all print-outs coming off the computer in the Police Dispatch Office must be destroyed rather than merely deposited in the trash for traditional disposal was discussed. It was determined that such print-outs are presently being burned at some inconvenience to staff members. Motion made by Councilman Kee, seconded by Councilman Byers and carried, to approve and authorize the unallocated purchase of a new shredder not to exceed a cost of $560.00 or a used shredder not to exceed a cost of $300.00.

XII. ADMINISTRATIVE DEPARTMENT BUSINESS.

The Balance Sheet, Consolidated and Departmental Statement of Operations, and Budget Report as of March 31, 1984 were reviewed.

Motion made by Councilman Byers, seconded by Councilman Kee and carried, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of April, 1984.

The Municipal Court Reports for the March 6 and 20th dockets were reviewed.

The matter of an Executive Session for the purpose of discussing personnel was cancelled due to the late hour.

XIII. ADJOURNMENT.

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried, for an adjournment of the meeting. The meeting was adjourned at 10:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 18, 1984

The meeting was called to order at 12:00 Noon with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
Ronald E. Honse, Councilman
M. Jean Chambers, City Secretary

All members of the City Council being present, the following business was transacted:

City Secretary explained that she had this date spoken to Mr. John Steiner in the Elections Division of the Secretary of State's Office relative to the tie vote cast in the Alderman's race at the election held April 7, 1984, as well as the recount of that vote held Monday, April 16, and Tuesday, April 17. She reported that, in Mr. Steiner's opinion, both recounts were null and void because Mr. Jim Bragg's original application for a recount did not meet the requirements as set out by Article 9.38a of the Election Code. Thereby, the Presiding Officer (Mayor) of the Canvassing Board (City Council) had no authority to order a recount of the votes cast in said Election. Neither was Mr. P. O. Byers' request for a second recount valid inasmuch as the first recount was procedurally incorrect and the Election Code does not authorize a recount of a recount.

It was further explained that it was the opinion of the Secretary of State's office that the Mayor and City Council should disregard both recounts of the ballots, and proceed with the holding of a run-off election on May 12 to break the tie cast in the April 7 City Officers' Election. City Council unanimously agreed to this course of action as recommended by the Secretary of State's office, and instructed City Secretary to proceed with the Run-Off Election to be held on May 12, 1984.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried unanimously. The meeting was adjourned at 12:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MAY 10, 1984

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Mayor Pro Tem Anne M. Kennedy was absent from the meeting. However, a quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held April 12 and 18, 1984 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Kee and carried.

II. CITIZEN'S AGENDA.

No response.

III. CITY FRANCHISE TO OPERATE TAXI CAB SERVICE.

This matter was postponed inasmuch as the applicant, Mr. Carl Bayer, was not present.

IV. PURCHASE OF TWO FIRE HYDRANTS.

Motion made by Councilman Kee, seconded by Councilman Byers and carried, to approve and authorize the unallocated purchase of two (2) fire hydrants, at an approximate total cost of $1,400.00, to be installed by the Lake Cities MUA at Shore and Lakeview Drive and Shore and Lake Drive.

V. REFUND OF 1983 PROPERTY TAX - RUSSELL C. FONDREN.

Motion made by Councilman Payne, seconded by Councilman Honse and carried, to approve and authorize the refund of $3.74 to Russell C. Fondren representing an overpayment of the 1983 tax paid on property described as being Lot Nos. 26 and 27, Block 1, out of the W. D. Franks University Camp addition to the City of lake Dallas.

VI. APPOINTMENT TO THE OFFICE OF CHIEF OF POLICE.

Motion made by Councilman Kee, seconded by Councilman Honse and carried, to pass and approve the appointment of Alex F. Williams, Jr. to the position of Chief of Police for the City of Lake Dallas. City Secretary administered the Oath of Office.

VII. RESOLUTION SUPPORTING THE DEVELOPMENT OF A COUNTY WIDE TRANSPORATION PLAN.

Motion made by Councilman Honse, seconded by Councilman Payne and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS SUPPORTING THE DEVELOPMENT OF A COUNTY WIDE TRANSPORATION PLAN".

VIII. RESOLUTION SUPPORTING INCREASED STATE HIGHWAY FUNDING, PASSAGE OF THE POTHOLE BILL AND INCREASED HIGHWAY USER CHARGES.

Motion made by Councilman Kee, seconded by Councilman Honse and carried, to postpone the matter of support for the Pothole Bill until the next regular scheduled meeting in June.

IX. INSURANCE COVERAGE.

1. City Secretary reported that Transamerica Occidental Life Insurance Company had given notice to the City of an approximate 23.71% rate increase effective May 1, 1984. The rate for employee major medical insurance coverage, which is paid totally by the City, will increase from $60.19 to $74.46 per month per employee. The dependent coverage will increase from $109.70 to $131.33 per month per family, $56.33 of which will be paid by the City due to the recent Council decision to reduce the employee cost of providing coverage for their families.

2. The matter of providing comprehensive general liability insurance coverage for career and reserve police officers was postponed pending receipt of additional bids.

3. Motion made by Councilman Byers, seconded by Councilman Kee and carried, to approve and authorize the purchase of Workmen's Compensation insurance coverage for a maximum of twelve (12) reserve police officers at an approximate annual cost of $1,944.67, and for all Councilmembers at an annual cost of $22.00.

X. ENGINEERING REPORT ON KINGS MANOR DRIVE.

This matter was postponed until the next regular scheduled meeting.

XI. PURCHASE OF NEW A.B. DICK 998E COPYING SYSTEM.

The matter of an unallocated purchase of a new photocopy machine with automatic document feeder, 15 bin sorter and console cabinet for a total purchase price of $8,495.00 was discussed. Motion made by Councilman Byers, seconded by Councilman Honse and carried, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING THE PURCHASE OF A NEW A. B. DICK 998RE COPYING SYSTEM; AND AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE PAPERS NECESSARY FOR APPROVAL OF A LOAN TO FUND THE PURCHASE PRICE OF SAID COPY SYSTEM WITH THE LAKE CITIES STATE BANK".

XII. DEPARTMENTAL REPORTS.

The Police Department's April Activity Reports and the Fire Department's monthly Budget Report was reviewed.

XIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet, Consolidated Statement of Operations and Budget Report as of April 30, 1984 were reviewed.

2. Motion made by Councilman Byers, seconded by Councilman Honse and carried, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of May, 1983.

3. The Municipal Court Reports for the April 3 and 17 dockets were reviewed.

XIV. NEW BUSINESS.

Motion made by Councilman Kee, seconded by Councilman Payne and carried, to retire deceased Chief Y. G. Carr's Police badge and have same encased with his credentials in epoxy to present to his widow as a memento of his service to the City of Lake Dallas.

XV. ADJOURNMENT.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Kee and carried. The meeting was adjourned at 9:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MAY 24, 1984

The meeting was called to order at 4:00 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Councilmen Ronald E. Honse and Ronny L. Kee were absent from the meeting. However, a quorum being present, the following business was transacted:

Mayor Vinson and City Secretary began the official canvass of the votes cast in the Special Run-Off Election held May 12, 1984 to break the tie cast in the Alderman's race on April 12 between P. O. Byers and Jim Bragg. It was determined that 246 registered voters cast 246 valid and legal votes in the following manner:

FOR ALDERMAN:	P. O. Byers	136 Votes
	Jim Bragg	110 Votes

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried, to pass and approve a resolution and order accepting said election returns and declaring P. O. Byers duly elected Alderman for another two year term of office. City Secretary presented Mr. Byers with a Certificate of Election and administered the Oath of Office.

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried. The meeting was adjourned at 4:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT THE DUCK INN RESTURANT JUNE 4, 1984

A joint meeting of the Lake Dallas City Council, Lake Dallas ISD Board of Trustees and the Lake Cities Chamber of Commerce Board of Directors was called to order at 11:30 A.M. with the following persons present:

Lake Dallas City Council:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Beyers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

Lake Dallas ISD Board of Trustees:

Bob Kleam, President
Ron Hamby, Trustee
Jesse Evans, Trustee
James Wood, Trustee
Bob Jameson, Superintendent

Chamber of Commerce Board of Directors:

Jerry Morgan, Director
Martin Highbaugh, Director
LeeRoy Schramm, Director
Jesse Ames, Director
Margaret Cates, Director
Bob Jameson, Director
M. Jean Chambers, Director
Kyle Shipp, Member
Jack Hedge, Member

Mr. Jay Corn, representing Linda Seto & Associates, explained that the Federal Communications Commission has allocated a new television broadcast station, UHF Channel 55, to be located within the incorporated limits of the City of Lake Dallas. He explained a total of six persons and/or corporations, including Linda Seto, have made application for this new television station. Miss Seto proposed the following station goals:

To serve the community.
To provide community based programing.
To actively seek out the community needs.
To boldly develope new program concepts and make them commercially viable.
To develope new programs for small segments of the community.
To encourage and nurture talent from the community.
To train and educate the youth of the community.
To aid and give support to family orientated organizations.
To sponsor and promote a 24 hour youth hotline.
To sponsor and support a 24 hour youth shelter.

They stated there is a need in the metroplex for family and youth programing. An Advisory Board made up of interested citizens of the community was proposed to provide valuable imput to management on programing and participate in the youth hotline and shelter programs.

Motion made by Councilman Honse, seconded by Councilman Kee and carried unanimously, to approve and support the concepts and principles of programing and operation for the proposed television UHF Channel 55 in Lake Dallas as outlined by Linda Seto & Associates, Inc. The same motion was introduced and passed by the Board of Trustees of the Lake Dallas ISD and the Board of Directors of the Lake Cities Chamber of Commerce.

There being no further business for discussion, the meeting was adjourned at 1:15 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 14, 1984

The meeting was called to order at 7:35 P.M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Councilman J. C. Payne was absent from the meeting. However, a quorum being present, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held May 10, May 24 and June 4, 1984 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried.

II. CITIZEN'S AGENDA.

Dr. William Tanner, 5510 Castle Court, stated his overall dissatisfaction with Texas Waste Management and their policies and procedures for the collection and disposal of residential garbage in the City. He requested that a citizen's committee be appointed to study and determine whether or not mandatory plastic bag collection is a good decision in every circumstance in this community.

Mr. Eddie Stearns, 5434 Kings Manor Drive, requested the curb be replaced on Kings Manor Drive that was torn out when the street was resurfaced almost two years ago. Mayor Vinson said he would see that the curb is replaced as soon as possible.

III. PETITION FOR ABANDONMENT OF CARROLLTON DRIVE.

Councilman Byers moved for approval of a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPROVING THE ABANDONMENT OF A PORTION OF CARROLLTON DRIVE, AND AUTHORIZATING THE MAYOR UNDER CERTAIN CONDITIONS TO EXECUTE QUIT CLAIM DEEDS OF SAID RIGHT-OF-WAY TO ABUTTING PROPERTY OWNERS". Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. P. O. Byers, Bill Honse and Ms. Anne M. Kennedy.
NOES: Mr. Ronny L. Kee.

IV. PURCHASE OF UNALLOCATED FIRE HYDRANT.

Motion made by Councilman Byers, seconded by Councilman Honse and carried, to approve and authorize the purchase of another unallocated fire hydrant, at an approximate cost of $811.25, to be installed by the Lake Cities MUA on Hundley Drive by the Middle School Tennis Courts.

V. POLICE DISPATCH SERVICE TO TOWN OF HICKORY CREEK.

Mayor Lon Brown and Councilman Sid Randolph, representing the Town of Hickory Creek, stated a new City Marshall had been appointed to work approximately twenty (20) hours per week enforcing local ordinances in Hickory Creek, and requested an opportunity to negotiate a contract with the City of Lake Dallas to provide limited dispatch service for said Marshall. Motion made by Councilman Byers, seconded by Councilman Kee and carried, to approve and authorize City Secretary to determine from actual cost figures approximately what such limited dispatch service as outlined in Mayor Lon Brown's letter of June 5 would cost and report said findings to the Council.

VI. WILLOW GROVE PARK.

Various capital improvements and maintenance of Willow Grove Park was discussed, but no motions were made.

VII. JUNKED VEHICLES AND TRASH ON MAIN STREET

Several obvious violations of the Junk Vehicle and Nuisance Ordinances on Main Street were discussed. Chief Williams was instructed that said ordinances should be enforced by the Police Department and such long term violations not permitted to stand unchallenged.

VIII. ENGINEERING REPORT ON KINGS MANOR DRIVE.

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried, to approve and authorize Greg Edwards, Consulting Engineer, to prepare a plan and cost estimate for the French Drain system to be installed in the problem area of Kings Manor Drive as outlined in the third paragraph of his report dated March 7, 1984.

IX. RESOLUTION SUPPORTING INCREASED HIGHWAY FUNDING, PASSAGE OF THE POTHOLE BILL AND INCREASED HIGHWAY USER CHARGES.

Councilman Kee moved that the resolution supporting increased highway funding, passage of the Pothole Bill and increased highway user charges be tabled. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs. Ronny L. Kee, P. O. Byers and Bill Honse.
NOES: Ms. Anne M. Kennedy.

X. DEPARTMENTAL REPORTS.

The Police Activity Reports for the month of May were reviewed.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet, Departmental Statement of Operations and Budget Report as of May 31, 1984 were reviewed.

2. Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City within the month of June, 1984.

3. The Municipal Court Reports for the May 1 and May 15 dockets were reviewed.

XII. NEW BUSINESS.

Chief of Police Bud Williams explained Messrs. Jerry Kaplan and Ron Parker, Reserve Police Officers, had agreed to lease their personal Kawasaki KZ 1000 Police Motorcycles to the Police Department for limited patrol use at $1.00 per year. He stated both men were experienced motorcyclists and would be the only persons authorized to use the vehicles. He requested approval of the motorcycle program stating the only expense incurred by the City would be the additional cost of liability insurance coverage and a small amount of gasoline. After much discussion of the matter, Councilwoman Kennedy moved for approval of the Police Motorcycle Program as presented, and the written policy bearing this date regarding same, for implementation upon confirmation of liability insurance coverage on each vehicle. Motion seconded by Councilman Kee and prevailed by the following vote:

AYES: Ms. Anne M. Kennedy, Messrs. Ronny L. Kee and Bill Honse.
NOES: Mr. P. O. Byers
Councilman J. C. Payne, being absent from the meeting, registered his disapproval of the Police Motorcycle Program by letter directed to the Mayor and Councilmembers dated June 11, 1984.

Due to the late hour, the Executive Session on personnel was postponed.

XIII. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Honse and carried. The meeting was adjourned at 11:55 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL JULY 12, 1984

The meeting was called to order at 7:10 P. M. with the Mayor presiding and the following persons present:

[redacted]ny J. Vinson, Mayor
A[redacted]e M. Kennedy, Mayor Pro Tem
P. [redacted]. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
N. Jean Chambers, City Secretary

All members of the City Council being present, the following business was transacted:

It was explained that a variance on set back requirements from the building line had been granted to Tom Coulter on April 14, 1983 to construct a commercial warehouse relative to Lot 9, Block A, First Highway Addition, located at 205 Carlisle Drive predicated on his agreement to install a fire hydrant at that location. This set back variance permitted a 17.5' to 21.8' front yard, 1' off North property in rear, 0 West side yard, and 16.4" East side yard.

It has now been determined that there is only a 2" water line serving that portion of Carlisle and a 6" water line is required to support a fire hydrant. Mr. Coulter stated at the time of the variance agreement, he assumed the line serving the property was adequate to support same, and felt it was unfair to require him to install a 6" water line to support the fire hydrant in order to develop one small lot and requested relief from that conditional requirement.

Fire Marshall Jerry McCutcheon stated he would be willing to accept the inoperatable fire hydrant located at the corner of Sargent and Carlisle being replaced by Mr. Coulter with a new Mueller Hydrant at an approximate cost of $1,200 including the valve.

It was moved by Councilman Payne to approve relief from the conditional requirement of variance providing the owner would purchase approved Mueller Fire Hydrant and Valve to be set at Sargent and Carlisle replacing the old, inefficient fire hydrant. Councilman Honse seconded the motion and it prevailed by the following vote:

AYES: Messrs: Payne, Honse, Byers and Ms. Kennedy
NOES: Mr. Kee

There being no further business for discussion, Councilman Byers moved for adjournment of this meeting. Motion seconded by Councilman Payne and carried unanimously. The meeting was adjourned at 7:55 P.M.

John J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR METING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 12, 1984

The meeting was called to order at 7:55 P. M. with the Mayor presiding and the following persons present:

Johnny J. Vinson, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

All members of the City Council being present, the following business was transacted:

I. APPROVAL OF MINUTES

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held June 14 and June 29, 1984 be read aloud, and that the minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

II. CITIZENS AGENDA

No Response.

III. LONE STAR GAS MAIN LINE EXTENSION RATE

It was moved by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously to approve "An Ordinance establishing a new main line extension rate applicable to main line extensions by Lone Star Gas Company within the City of Lake Dallas, and providing an effective date.

IV. REQUEST FOR VARIANCE FROM ORDINANCE NO. 175
MINI-WAREHOUSES

Mr. Jerry Blazewicz and Mr. Bud West appeared before the Council asking for a variance from Ordinance No. 175 which requires that a six foot (6') wooden privacy fence be constructed upon completion of the project before an occupancy permit is issued. They stated the neighbors to the East of the property presently has a chain fence erected and does not want it removed. They have offered to remove it and install the wooden fence inasmuch as if he erects the wooden fence next to the neighbor's chain fence, an area will be created to catch garbage and weeds with little or no way to remove it.

Messrs. Blazewicz and West stated their willingness to comply with the requirements of the Ordinance, but requested the Council's decision on whether in this particular set of circumstances, the

fence may create a more unsightly condition for the neighbor than it was designed to protect.

It was moved by Councilman Byers to approve the variance from the requirement that a wooden fence be constructed before occupancy permit is issued and that this section of the ordinance be strictly complied with at such time as the chain link fence presently existing on the East side of the property is ever removed or dismantled. The motion was seconded by Councilman Payne and prevailed by the following vote:

AYES: Messrs: Byers, Payne, Vinson
NOES: Ms. Kennedy and Mr. Kee
ABSTAIN: Mr. Honse

V. ANNUAL APPOINTMENTS

1. It was moved by Councilman Kee and seconded by Councilman Honse and carried unanimously to approve the appointment of Mrs. Anne M. Kennedy as Mayor Pro Tem.

2. It was moved by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously to approve the appointment of Linwood Gilliland and Gene Welborn to another term on the Planning and Zoning Commission.

VI. PROPOSED AGREEMENT - EXTENSION OF OVERLY DRIVE FROM SHADY SHORES WEST TO THE I-35E ACCESS ROAD

1. It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to approve the agreement relative to the extension of Overly Drive from Shady Shores West to the I-35E Access Road.

2. It was moved by Councilman Honse, seconded by Councilman Kee and carried unanimously to approve that M-K-T Railroad make the granting of the Overly Drive Easement contingent upon the successful passage of a City Ordinance closing the Alamo Street crossing and the further abandonment of the encroachment of Alamo Street on M-K-T property, and with the restriction that the construction of the Overly Drive extension is begun from Shady Shores Road West to the I-35E Access Road.

VII. NO PARKING ON ONE SIDE OF STREET IN THE KINGS MANOR ADDITION

Postponed until August Council Meeting.

VIII. DEPARTMENTAL REPORTS

Police, Animal Control and Code Enforcement June Activity Reports were reviewed.

IX. POLICE DEPARTMENT BUSINESS

1. It was moved by Councilman Kee to approve agreements to lease police motorcycles. Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs: Kee, Honse and Ms. Kennedy
NOES: Messrs: Payne and Byers

2. It was moved by Councilman Honse to approve in principle the Police Cadet Program with Councilmen Honse and Kee and Councilwoman Kennedy serving on Officer Cadet Review Board, and subject to an explanation of the City's liability from the Attorney for the City. Motion seconded by Councilman Kee and prevailed by the following vote:

AYES: Messrs: Kee, Honse, Payne and Ms. Kennedy
NOES: Mr. Byers

X. ADMINISTRATIVE DEPARTMENT BUSINESS

1. Balance Sheet, Departmental Statement of Operations and Budget Report as of June 30, 1984 was reviewed.

2. Motion made by Councilman Byers, seconded by Councilwoman Kennedy and approved unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

3. The June Municipal Court Report was reviewed.

4. It was moved by Councilman Payne, seconded by Councilman Byers and carried unanimously, to approve temporary part-time employee at the pay rate of $6.00 per hour to assist with Summer court dockets.

XI. OLD BUSINESS

Councilman Kee commended the Street Department in cleaning out the ditch in Kings Manor Addition.

XII. NEW BUSINESS

None

XIII. ADJOURNMENT

There being no further business for discussion, Councilman Byers moved for adjournment of this meeting. Motion seconded by Councilman Payne and carried unanimously. The meeting was adjourned at 10:20 P.M.

Johnny J. Vinson, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL AUGUST 9, 1984

The meeting was called to order at 7:30 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Ronald E. Honse, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

After the opening ceremonies, a moment of silence was observed in memory of the late Mayor Johnny J. Vinson.

There being no persons absent from the meeting the following business was transacted:

I. CITIZEN'S AGENDA.

Mr. Eddie Stearns, 5434 Kings Manor Drive, again requested that Council consider passing an ordinance restricting parking to only one side of Kings Manor Drive. He stated extreme hazard conditions presently exist with parking permitted on both sides of the street. It was generally agreed by Councilmembers that a Public Hearing on the matter should be scheduled prior to the October meeting.

II. ACCEPTANCE OF DONATION TO THE POLICE DEPARTMENT.

Motion made by Councilman Honse, seconded by Councilman Payne and carried unanimously, to accept the donation of six (6) bullet proof vests donated to the City by Mr. Burt Shryock for use by the Police Department.

It was announced that Council would enter into Executive Session for the purpose of discussing appointments to the offices of Mayor, Alderman and Judge of the Municipal Court as provided by Art. 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was closed to the public at 7:45 P.M. and Council reconvened in open session at 8:40 P.M.

III. COUNCIL DEPARTMENTAL RESPONSIBILITIES.

Motion made by Councilman Kee, seconded by Councilman Byers and carried unanimously, to approve the appointments of Jim Payne to act in a liaison position with the Street Department and Anne Kennedy to act in a liaison position with the Police Department, each reporting back to the City Council on matters effected those particular departments. While it was agreed a liaison position could be advantageous between the Council and a particular department, it was unanimously agreed that no special authority would be vested in any one Councilperson and that all policy making and/or final decisions would be made by the entire Council.

IV. APPOINTMENT TO THE OFFICE OF MAYOR.

Councilman Kee moved for confirmation of the appointment of Bill Honse to the office of Mayor, serving out the deceased Johnny J. Vinson's unexpired term. Motion seconded by Councilman Payne and prevailed by the following vote:

AYES: Messrs. Ronny L. Kee, J. C. Payne and Ronald E. Honse.
NOES: Ms. Anne M. Kennedy and Mr. P. O. Byers.

V. APPOINTMENT TO THE OFFICE OF ALDERMAN.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve the appointment of Mr. Linwood Gilliland to the office of Alderman, serving out Mayor Bill Honse's unexpired term.

City Secretary then administered the Oath of Office to the newly appointed Mayor and Alderman.

VI. APPOINTMENT TO THE OFFICE OF MUNICIPAL COURT JUDGE.

This matter was postponed. It was generally agreed that City Secretary would continue to serve as temporary Municipal Court Judge until such time as a more permanent appointment could be made.

VII. DEPARTMENTAL REPORTS.

The Police Activity Report for the month of July was reviewed.

VIII. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet and Departmental Statement of Operations as of July 31, 1984 were reviewed.

2. Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City during the month of August, 1984.

3. The Municipal Court Reports for the July 3 and July 17 dockets were reviewed.

IX. NEW BUSINESS.

The following items were requested for Council consideration at a future meeting:

(1) Written policy and procedure for use of the holding cell by the Police Department. Such written policy and procedure to be first approved by the Attorney for the City, then submitted for Council approval.

(2) Proposed ordinance charging a fee to businesses and/or individuals for Police response to a false burglar alarm after so many responses for that reason within any given thirty (30) day period.

X. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 10:00 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL AUGUST 16, 1984

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Bill Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse stated the purpose of this meeting is to provide a Public Hearing on the proposed Budget for Fiscal Year 1985. He said the Council had worked diligently preparing the budget and welcomed any written and/or verbal comments regarding same. Copies of the Budget were available for review by any interested persons.

A total Budget in the amount of $632,689.00, down 6.15% from the previous year, was proposed for Fiscal Year 1985 with the following departmental appropriations:

Department	Total Appropriation	Percentage of Increase or [Decrease]
Administrative	$137,506.00	7.84%
Police	295,495.00	11.87%
Street	165,876.00	25.59%
Fire	33,812.00	1.79%
Total Appropriations	$632,689.00	[6.15%]
Total Estimated Revenues	$632,689.00	[6.15%
Surplus - [Deficit]	-0-	

It was stated that all Revenue Sharing Funds, in the estimated amount of $22,642.00, representing approximately 3.58% of the total revenues, were presently designated to be used for street improvements.

It was explained that, due to the elimination of the need to fund a Sanitation Department, the overall budget was reduced while each remaining departmental appropriation was increased. The larger than average increase in appropriation for the Street Department is also due in part by the elimination of the Sanitation Department because of a transfer of personnel from that department into the Street Department.

Mayor Honse repeatedly called for any comments and are questions regarding the proposed Budget for 1985 from any person. No response was made.

After adequate time was given for all interested persons to be heard on the matter of the 1985 Budget, Mayor Vinson declared the Public Hearing closed.

There being no further business for discussion, Councilman Payne moved for an adjournment of the meeting. Motion seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 8:30 P.M.

Ronald E. Honse, Mayor
CITY OF LAKE DALLAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL AUGUST 25, 1984

The meeting was called to order at 9:00 A.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Alex F. (Bud) Williams, Jr., Chief of Police

Councilman P. O. Byers was absent from the meeting. However, a quorum being present, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of considering complaints and charges made against Chief of Police Bud Williams as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public. Chief Williams was made aware of the specific charges and allegations made against him, and both the complaints and his responses to same were discussed in great detail. The Executive Session was closed, and Council reconvened in open session at 11:10 A.M.

Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried, that Bud Williams be suspended effective immediately without salary from all duties and responsibilities as Chief of Police and that the following options be made available to him:

1. Immediate resignation as Chief of Police.
2. File a written answer to the charges made against him with the Mayor and/or City Secretary within ten (10) days of this date.
3. No written answer or reply by Mr. Williams within the specified period time shall be construed as adequate grounds for immediate termination of his employment with the City.

Chief Williams was informed both verbally and in writing of the allegations made against him and of the above options. He was also informed that his employment was still in the probationary period, and was provided with a copy of page 6 of the Personnel Manual relating to Probation.

The matter of who would be placed temporarily in the position of Acting Chief of Police was discussed. Motion made by Councilman Payne, seconded by Councilwoman Kennedy and carried, for approval of the appointment of Ronnie Pair to the position of Acting Chief of Police at a salary of $1,700.00 per month effective this date until further notice.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Gilliland and carried. The meeting was adjourned at 11:30 A.M.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 4, 1984

The meeting was called to order at 6:10 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Richard Podgorski, Attorney for the City

Councilman P. O. Byers was absent from the meeting. However, a quorum being present, the following business was transacted:

Mayor Honse announced that Council would enter into closed session for the purpose of discussing and evaluating complaints made against suspended Chief of Police Bud Williams and his written response to same as provided by Article 6252-17, Sec. 2. (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public. Council reconvened in open session at 6:50 P.M.

Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried, to permit Bud Williams another opportunity to resign his position with the Police Department and if such resignation is not submitted, then his employment with the City of Lake Dallas be immediately terminated due to his overall unsatisfactory job performance during the probation period.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilman Gilliland and carried. The meeting was adjourned at 6:55 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 13, 1984

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held July 12, August 9, 16, 25 and September 4, 1984 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Payne and carried unanimously.

II. CITIZEN'S AGENDA.

Mr. James Bragg, unsuccessful candidate for the City Council last April, expressed his disapproval at the appointment of Mr. Gilliland to serve out Mr. Honse's unexpired council term, and questioned the legality of the appointment inasmuch as the matter had been posted as a discussion item on the agenda for that particular meeting rather than an action item. He stated, while he had absolutely nothing against Mr. Gilliland and was certain he would make a good Councilman, he had not indicated an interest in the position by running for the office as he had done. Mr. Bragg said he was disappointed this Council did not choose the practice established by previous Councils of appointing the next candidate not elected and receiving the highest number of votes cast in the last City Officers' Election. Mayor Honse responded by stating that the Attorney for the City had explained the various options available to the Council in filling the position, and they chose to make an appointment that could be supported unanimously.

. Mr. Charlie Berry again expressed his concern regarding the hazardous traffic conditions presently existing at the intersection of Hundley Drive and Shady Shores Road, and urged the Council to take the necessary steps to have a 4-Way Stop Sign erected before a terrible accident occurs. Mayor Honse responded by explaining that the State has established certain criterion which must exist before a traffic control device may be installed, and, at last count, the traffic going through the intersection did not meet the published criterion for a 4-Way Stop Sign. He added, however, he would check further to see what other circumstances might justify the control devices.

Jerry McCutcheon, Chief of the Lake Cities Volunteer Fire Department, submitted a list of inoperable fire hydrants and their location within the City.

He stated out of sixty-four hydrants tested by the Fire Department, seventeen were out of service. He said he had made every effort possible over a period of several years to encourage the Lake Cities MUA to make fire hydrant maintenance top priority and had been unsuccessful. He urged City Council to have a joint meeting with the Board of Directors of the Lake Cities MUA in an effort to solve this critical problem.

III. APPROVAL OF BUDGET FOR FISCAL YEAR 1985.

Motion made by Councilman Byers, seconded by Councilman Gilliland and carried unanimously, to pass, approve and adopt a Budget for Fiscal Year 1985 in the total amount of $632,689.00, with the following departmental appropriations:

Administrative Department	$137,506.00
Police Department	295,495.00
Street Department	165,876.00
Lake Cities VFD	33,812.00

IV. ORDINANCE NO. 178 LEVYING 1984 PROPERTY TAXES.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to pass, approve and adopt an ordinance entitled "AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING THE 1984 APPRAISAL ROLLS AS CERTIFIED BY THE APPRAISAL REVIEW BOARD OF THE DENTON COUNTY APPRAISAL DISTRICT; AND LEVYING PROPERTY TAXES FOR THE 1985 FISCAL YEAR".

V. RESOLUTION AUTHORIZATING BANK SIGNATURES.

Motion made by Councilman Kee, seconded by Councilman Gilliland and carried unanimously, to pass and approve a resolution authorizing any two (2) signatures by the Mayor, Mayor Pro Tem and City Secretary to withdraw City funds on deposit with the Lake Cities State Bank and that checks, drafts, notes, bills of exchange and orders for the payment of money may be endorsed be any one (1) of the signatures hereby authorized.

VI. APPOINTMENTS TO THE PLANNING & ZONING COMMISSION.

Councilman Kee moved for the appointment of Messrs. Bill Gilliland and Bob Garcia, Jr. to serve out the unexpired terms of Messrs. Linwood Gilliland and John Rushing on the Planning and Zoning Commission. Motion seconded by Councilman Payne and failed by the following vote:

AYES: Messrs. Ronny L. Kee and J. C. Payne.
NOES: Messrs. P. O. Byers, Linwood Gilliland and Ms. Anne M. Kennedy.

Councilwoman Kennedy moved for the appointment of Ms. Sandy Payne to serve out the unexpired term of Mr. Linwood Gilliland. Motion seconded by Councilman Gilliland and prevailed by the following vote:

AYES: Messrs. Linwood Gilliland, P. O. Byers and Ms. Anne M. Kennedy.
NOES: Messrs. Ronny L. Kee and J. C. Payne.

Councilman Byers moved for the appointment of Mr. Bill Gilliland to serve out the unexpired term of Mr. John Rushing on the Planning and Zoning Commission. Motion seconded by Councilman Gilliland and carried unanimously.

VII. PROPOSED AMENDMENTS TO THE ZONING ORDINANCES.

The proposed amendments to the Zoning Ordinances, as recommended by the Planning and Zoning Commission, were reviewed and discussed at great length. After much disscussion of the matter and some Council opposition to some of the proposed amendments, it was generally agreed that said amendments could

be referred to the Attorney for the City to be written in ordinance form and hearings scheduled for the purpose of providing public input.

VIII. RESIGNATION OF CHIEF OF POLICE.

Motion made by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously, to accept the resignation, dated September 7, 1984, of Mr. Alex F. Williams, Jr. as Chief of Police.

IX. POLICE DEPARTMENT BUSINESS.

The August Police and Animal Control Activity Reports were reviewed as well as several special reports submitted by Acting Chief of Police Ronnie W. Pair. Due to the length of the proposed Police Department Personnel Manual, approval of same was postponed to provide Councilmembers adequate time to absorb the content.

Chief Pair explained that the City of Corinth was interested in entering into a contract agreement with the City of Lake Dallas for the services of our Animal Control Officer and facility at a suggested cost of $400.00 per month. After much discussion of the matter, it was generally agreed that for the City to expand its Animal Control responsibilities at this particular time would tax the capacity of the shelter, and to enlarge the facility would impose upon the generosity of the owner of the land on which the shelter is located.

X. PURCHASE OF USED MAINTAINER.

Motion made by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve the unallocated purchase of a used Allis Chalmers Maintainer for the Street Department at a cost of $5,000.00 plus $250.00 transporation charge to lake Dallas.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The Balance Sheet, Departmental Statement of Operations and Budget Report as of August 31, 1984 were reviewed.

2. Motion made by Councilman Payne, seconded by Councilman Kee and carried unanimously, to approve and authorize City Secretary to cause to be paid all those accounts due and payable by the City during the month of September, 1984.

3. The Municipal Court Reports for the August 7 and 21 dockets were reviewed.

XII. NEW BUSINESS.

1. Motion made by Councilwoman Kennedy, seconded by Councilman Payne and carried unanimously, to approve and accept the following donation of equipment made by Mr. Jerald A. Kaplan for use by the Police Department.

A. Winchester mod. 1200 pump 12 ga. riot shotgun serial #L763332 used.
B. Savage mod. 69RXL pump 12 ga. riot shotgun serial #E205224 new.
C. Ruger mini 14 223 cal. sniper rifle used.
D. Three boxes 223 cal. ammo new.
E. Assorted .38 and 12 ga. ammo reloads.

2. Mr. Les Williams, representing Frontier Ford in Lewisville, explained a new, very attractive lease just made available to governmental entities for the acquisition of vehicular equipment. He stated he would be submitting specific figures within the next few days relative to police packaged Ford LTD automobiles using this plan, and requested that these lease figures be considered carefully before a purchase is made.

XIII. PERSONNEL.

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating personnel and discussing new appointments as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was closed to the public at 11.40 P.M. Council reconvened in open session at 12:25 A.M., taking the following action:

Motion made by Councilman Payne, seconded by Councilman Byers and carried unanimously, to approve the temporary appointment of Ronnie W. Pair to the position of Acting Chief of Police subject to the following conditions:

1. Such appointment shall be on a trial basis for a period of six (6) months. At the conclusion of the trial period, Mr. Pair's performance as Chief of Police shall be evaluated for permanent appointment to the position. In the event his performance is judged to be unsatisfactory, Mr. Pair shall be returned to the position he occupied prior to his acceptance of the temporary appointment of Acting Chief of Police.
2. The hiring, appointment, suspension and/or dismissal of Police personal shall be subject to confirmation by City Council during the trial period.

Motion made by Councilman Kee, seconded by Councilman Payne and carried unanimously, to approve the promotion and temporary appointment of Donald Hamilton to the position of CID Officer, subject to the satisfactory completion of a six (6) month trial period, to fill the vacancy created by Officer Pair's appointment to Acting Chief of Police.

Motion made by Councilwoman Kennedy, seconded by Councilman Gilliland and carried unanimously, to approve the hiring and appointment of Scott Pedigo to the position of Police Patrol Officer, subject to the satisfactory completion of a six (6) month trial period, to fill the vacancy created by Officer Hamilton's promotion to CID Officer.

XIV. ADJOURNMENT.

There being no further business for discussion, Councilman Kee moved for an adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 12:35 A.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 6, 1984

The meeting was called to order at 9:45 A.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse opened the meeting and announced that Council would enter into Executive Session for the purpose of evalulating complaints made against certain Police personnel. The meeting was closed to the public at 9:50 A.M. in accordance with Article 6252.17, Sec. 2(g).

Several complaints made against Police Personnel were reviewed and discussed in great detail, but no action was taken. The meeting was opened to the public at 12:05 P.M.

Inasmuch as these were the first complaints received on these individuals, it was decided that no disciplinary action will be taken at this time. It was generally agreed that Mayor Honse and Mayor Pro Tem Kennedy would speak to the particular persons involved in the complaints, explaining the conduct expected of them as city employees.

It was further suggested that each Supervisor, together with the council liaison person will do an employee progress report every six (6) months. These progress reports will be graded on a grading scale developed by the City Secretary.

There being no further business for discussion, Councilman Byers moved for adjournment of the meeting. Motion seconded by Councilman J.C. Payne and carried unanimously. The meeting was adjourned at 1 P.M.

M. Jean Chambers, City Secretary

Ronald E. (Bill) Honse, Mayor

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL OCTOBER 11, 1984

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse opened the Public Hearing on the petition brought by Donald N. Brittain for a variance from Ordinance No. 25 which provides that the maximum height of construction shall not exceed thirty (30) feet. It was explained that a Special Use Permit is requested granting a variance from this provision and approving the construction of a fifty (50) foot high advertising (billboard) sign on property located at 1006 South Stemmons.

Mr. Stuart Herigodt, representing Midwest Fabricating Company, spoke in support of the variance and Special Use Permit being granted.

The following persons, owning or acting in behalf of owners of real property located within 200 feet of the proposed construction site, submitted oral and/or written opposition to the petition for variance and Special Use Permit: Mr. Jack Hedge, representing the Lake Cities State Bank.
Ms. Jo Hedge, representing the Lake Cities Insurance Agency.
Mr. Burton L. Shryock, representing Charter Properties, Inc.
Mr. Guy Vince, representing Guy's Drive-In and Buckeye Liquor Stores.
Drs. Cyril and Lory Hermes, representing the Hermes Chiropractic Clinic.

After having provided every person wishing to speak on the matter an opportunity to do so, the Public Hearing was closed.

Motion made by Councilman Payne, seconded by Councilman Gilliland and carried unanimously, to deny the Petition for Variance and Request for Special Use brought by Donald N. Brittain and dated September 13, 1984.

There being no further business for discussion, Councilman Byers moved for and adjournment of the meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 7:00 P.M.

M. Jean Chambers, City Secretary

Ronald E. (Bill) Honse, Chairman

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 11, 1984

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse opened the Public Hearing on the petition brought by Mary Ann Duwe for a change in zoning classification from the C-1 (Limited Commercial) District to the C-2 (Broad Commercial) District with respect to property described as being Tract 2A (1) out of the J.W. Simmons Survey and located at the northwest corner of Shady Shores Road and Hundley Drive, known as 101 North Shady Shores Road.

Mr. Morris Burns spoke in favor of the change in zoning because of the proposed project's desirability and the improvement to the area.

Mr. Harold Manner was opposed to the change in zoning, but stated that he would favor a Special Use Permit for the proposed landscape nursery. Mr. Manner based his object to the change in zoning on the possibility that the proposed nursery could fail and go out of business and that the property would still hold and could be sold with the broader commercial zoning on the property.

Mr. Gene Jenkins opposed the C-2 zoning change, but would approve the Special Use Permit for the same reasons as Mr. Manner.

Mr. Burns, Mr. Manner and Mr. Jenkins own or are acting in behalf of owners of real property located within 200 feet of the proposed zoning change.

After having provided every person wishing to speak on the matter an opportunity to do so, the Public Hearing was closed on the motion of Councilman Ronny Kee to adjourn the meeting. Councilwoman Anne Kennedy seconded the motion and the council approved unanimously. The Public Hearing was closed at 7:20 P.M.

M. Jean Chambers, City Secretary

Ronald E. (Bill) Honse, Mayor

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 11, 1984

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES.

The approval of the minutes of the regular meeting held Sept. 13, 1984 was postponed until the next regular meeting.

II. CITIZEN'S AGENDA

Mr. Jess Giordano commended Police Chief Ronnie Pair and his department for their efforts to bring Kingswood Estates up to code. He also asked that funds be allocated to improve the Animal Control Shelter and that the entire facility be roofed and dog houses be floored. He stated that three (3) animals froze to death last winter in the shelter. Chief Pair is to prepare a list of the materials required to do the proposed improvements for the shelter.

III. REQUEST FOR ZONING CHANGE

Councilman J. C. Payne moved to deny the petition brought by Mary Ann Duwe for a change in zoning classification from the C-1 (Limited Commercial) District to the C-2 (Broad Commercial) District relative to property located at 101 North Shady Shores Road. Councilwoman Anne Kennedy seconded the motion and it was approved unanimously by the City Council.

A request for a Special Use Permit for this property to be used as a landscape nursery will be submitted by Ms. Duwe at the November meeting of the council.

IV. APPROVAL OF LEASE-PURCHASE OF THREE VEHICLES FOR THE POLICE DEPARTMENT.

Councilman J. C. Payne moved to approve the three (3) year lease-purchase of three (3) 1985 Ford LTD automobiles, equipped with police

package, for the Police Department. Councilwoman Anne Kennedy seconded the motion and it was approved unanimously by the City Council.

Chief Pair is to attempt tonegotiate an extended warranty with the automobile dealer for these vehicles.

V. APPROVAL OF LEASE OF UPDATED COMMUNICATIONS SYSTEM

Councilman J. C. Payne moved to approve a five (5) year lease with Racál-Milgo for a updated communications system for the Police Department. This new equipment will consist of one (1) new terminal and one (1) new keyboard for the cost of $81.00 per month plus 24-hour, no-fault maintenance agreement at $115.00 per month, for a total of $196.00 per month.

Outright purchase of this equipment would be $3,675.00 plus a three (3) percent handling charge with free installation consisting of one (1) keyboard, one (1) printer, one (1) terminal and one (1) modem. A 24-hour, no fault maintenance agreement for three (3) years would be $115.00 per month or ten (10) percent of CPI increase.

Councilwoman Anne Kennedy seconded the motion and the council approved it unanimously.

VI. APPROVAL OF FOUR-WAY STOP SIGN AT SHADY SHORES RD. AND HUNDLEY DRIVE.

Councilman P. O. Byers moved to approve an ordinance authorizing four-way stop signs to be erected at the intersection of Hundley Drive and Shady Shores Road with the appropriate penalty clause. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the council.

VII. APPROVAL OF ORDINANCE TO CLOSE ALAMO ST. RAILROAD CROSSING.

Councilman J. C. Payne moved to approve an ordinance closing the Alamo St. railroad crossing and abandoning any and all encroachment of Alamo Street onto M.K.T. property, subject to the City securing a Right-Of-Way easement for the proposed Overly Drive extension to cross railroad property further north. The motion was seconded by Councilman Ronny Kee and approved unanimously by the City Council.

VIII. APPROVAL OF ORDINANCE AUTHORIZING "UPDATED SERVICE CREDITS".

Councilman J. C. Payne moved to approve an ordinance authorizing "Updated Service Credits" in TMRS for employees qualifying for same. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the City Council.

IX. TML CONFERENCE AND EXHIBITION IN DALLAS

The council approved the Mayor and the City Secretary attendance at the TML Annual Conference & Exhibition to be held in Dallas November 1-3, 1984.

X. APPROVAL OF LCMUA AGREEMENT FOR FIRE HYDRANTS

Councilman P. O. Byers moved to approve the proposed agreement with the Lake Cities MUA regarding responsibility for fire hydrants. This agreement will cover the maintenance and replacement of fire hydrants. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the City Council.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS.

1. The End-of-the-Year Balance Sheet, the September Statement of Operations and the Budget Reports were reviewed.

2. Councilman Ronny Kee moved to pay the October Accounts Payable. This motion was seconded by Councilman Linwood Gilliland and approved unanimously by the council.

3. The September Municipal Court Reports were reviewed by the council.

XII. POLICE DEPARTMENT REPORT

The September Police and Animal Control Activity reports were reviewed by the council.

XIII. ADJOURNMENT

There being no further business for discussion, Councilman Linwood Gilliland moved for adjournment. The motion was seconded by Councilwoman Anne Kennedy and approved unanimously by the council. The meeting was adjourned at 10:00 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL NOVEMBER 8,1984

The meeting was called to order at 6:35 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
Donna Hamilton, Municipal Clerk

Mayor Ronald E. (Bill) Honse and City Secretary Jean Chambers were absent from the meeting.

The following business was transacted:

Mayor Pro Tem Kennedy opened the Public Hearing on ways and means to alleviate traffic congestion on Kings Manor Dr. Rick Green, the only resident of Kings Manor Dr. to speak, asked the council which side of the street would be used for parking. The council advised Mr. Green that a decision had not yet been made on this matter.

Council members discussed the options available, which are:
(1) To make traffic one-way on Kings Manor Dr.
(2) To allow parking on only one side of the street.
(3) For residents to extend their driveways for parking to their side property line.

Councilman Kee suggested restricting parking from 1 AM to 7 AM.

The council comment on the small amount of input from residents on Kings Manor Dr.

There being no further business for discussion, Councilman P. O. Byers moved to adjourn the meeting. Councilman Kee seconded the motion and it was approved unanimously by the council. The hearing was adjourned at 7:12 PM.

Anne M. Kennedy

Anne M. Kennedy, Mayor Pro Tem

M. Jean Chambers

M. Jean Chambers, City Secretary

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF LAKE DALLAS
SITTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL NOVEMBER 8, 1984

The meeting was called to order at 7:15 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J.C. (Jim) Payne, Councilman
Donna Hamilton, Municipal Clerk

The following business was transacted:

Mayor Pro Tem Anne Kennedy opened the Public Hearing for a petition for a Special Use Permit, brought by Mary Ann Duwe, requesting permission be granted for a nursery and garden center to be placed on property presently zoned in the C-1 (limited commercial) District. Said property is described as being Tract 2A(1) out of the J.W. Simmons Survey and located at 101 North Shady Shores Road.

Mayor Pro Tem Kennedy asked for comments on the request for the Special Use Permit. There were no comments made concerning this request.

There being no further business for discussion, Councilman P. O. Byers moved for adjournment of the meeting. Motion was seconded by Councilman Ronny Kee and approved unanimously by the council. The meeting was adjourned at 7:17 P.M.

Anne M. Kennedy
Anne M. Kennedy, Mayor Pro Tem

M. Jean Chambers
M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL NOVEMBER 8, 1984

The meeting was called to order at 7:30 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. (Jim) Payne, Councilman
Donna Hamilton, Municipal Clerk

Mayor Ronald E. Honse and City Secretary Jean Chambers were not present at the meeting.

The following business was transacted:

I. APPROVAL OF MINUTES

Councilman Byers moved to accept the minutes of the regular meeting held September 13, 1984 and the minutes of special meetings held October 6 and October 11, 1984. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the council.

II. CITIZEN'S AGENDA

Animal Control Warden Bob Merrifield advised the council of the additional needs of his department and asked for more funding of this department for improvements and repair to the Dog Pound. Mr. Merrifield also asked for a committee to study the needs of the Animal Control Dept. Councilman Ronny Kee suggested that Mr. Merrifield submit a written report to the Chief of Police on this matter.

III. SPECIAL USE PERMIT FOR GARDEN CENTER

Councilman J. C. Payne made a motion to approve a resolution granting a Special Use Permit for a nursery and garden center to be developed on land described as being Tract 2A(1) of the J. W. Simmons Survey, located at 101 North Shady Shores Road. It was suggested that Mary Ann Duwe, the developer of the garden center, contact engineer Greg Edwards regarding the drainage, pavement and culverts on this property. Councilman Linwood Gilliland seconded the motion and it was approved unanimously by the council.

IV. SPECIAL PERMISSION FOR TEMPORARY MOBILE HOME

Councilman J.C. Payne moved to approve special permission for a mobile home to be placed temporarily on property located at 111 Gotcher St. while the residence at this location is being remodeled. The special permission for the placement of this mobile home expires May 31, 1984. Councilman Gilliland seconded this motion and it was approved unanimously by the council.

V. COUNTY WIDE TRANSPORTATION PLAN FOR DENTON COUNTY

Councilman J.C. Payne moved to postpone a resolution supporting the development of a county wide transportation plan for Denton County. The motion was seconded by Councilman P. O. Byers and approved unanimously by the council. This will be put on the December, 1984 agenda.

VI. PROPOSED DISPATCH CONTRACT WITH HICKORY CREEK

The interlocal contract with the City of Hickory Creek to provide limited dispatch service approximately twenty (20) hours per week was discussed. Mayor Pro Tem Kennedy advised that Hickory Creek officials have offered to pay $50.00 per month for this service. Councilman J. C. Payne moved to reject this offer. The motion was seconded by Councilman P. O. Byers and approved unanimously by the council.

VII. POLICE DEPARTMENT BUSINESS

1. The October Police and Animal Control Activity Reports were reviewed as presented by Chief Pair.

2. The proposed Police Dept. Personnel Manual and General Orders #1, #2, #3, #4, #5 and #6 were adopted on the motion of Councilman Kee, which was seconded by Councilman Byers and approved unanimously by the council.

3. After discussing the lease contract for motorcycle patrol, the council voted on the motion of Councilman Ronny Kee to discontinue the contract with Mr. Jerry Kaplan. The motion was seconded by Councilman Payne and approved unanimously by the council. Mr. Kaplan was commended for his services to the City and the Police Dept.

VIII. STREET DEPARTMENT BUSINESS

There was no Street Dept. business conducted at this meeting.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS

1. The Balance Sheet and the Departmental Statement of Operations and Budget Report as of October 31, 1984 were reviewed.

2. Councilman Byers moved to approve and authorize the City Secretary to cause to be paid all those accounts due and payable by the City during the month of October, 1984. The motion was seconded by Councilman Gilliland and approved unanimously by the council.

3. The November, 1984 Municipal Court Reports were reviewed.

X. OLD BUSINESS

Councilman Gilliland discussed the violation of City Ordinances.

XII. NEW BUSINESS

1. Councilman Kee discussed the need for an ordinance requiring all structures within the City to display street numbers. Councilman

Kee requested an ordinance to govern this if one does not presently exist.

2. Chief Ronnie Pair was requested to contact Buddy Star and to request permission to bury dead animals on property located on FM 2181.

3. Chief Pair requested an ordinance which would allow the City to sell confiscated property after due process is exhausted.

4. Councilman Kee advised that he was investigating the escrowing of money for street improvement. It was also suggested that an ordinance be written which would require all developers to pay the expense of streets within their developments.

XII. ADJOURNMENT

There being no further business for discussion, Councilman Byers moved for adjournment of the meeting. Motion was seconded by Councilman Payne and approved unanimously by the council. The meeting was adjourned at 9:36 P.M.

Ronald E. Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 7, 1984

The meeting was called to order at 6:05 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse stated that the City Council would enter into Executive Session for the purpose of evaluating Police Dept. personnel as provided by Art. 6252-17, Sec. 2 (g). The meeting was then closed to the public.

The meeting was opened to the public at 8:45 P.M.

It was agreed that:

1. The city will check on the extended warranty of the new cars.

2. In view of the delivery of the three (3) new patrol cars, it was agreed that:

A. The Police Dept. will retain two Chevrolets (#4 and #5), one of which will be used for back up only.

B. The City will sell two (2) Chryslers, one (1) Plymouth, one (1) Ford and one (1) Chevrolet at sale by bid. The City will mail bid invitations and advertise for bids.

There being no further business for discussion, Councilman Byers moved for adjournment of the meeting. His motion was seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 8:55 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

SPECIAL CITY COUNCIL MEETING
SITTING AS THE BOARD OF ADJUSTMENT
DECEMBER 13, 1984

The meeting was called to order at 6:20 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no person absent from the meeting, the following business was transacted:

1. Councilman Byers moved, it was seconded by Councilwoman Kennedy and approved unanimously by the council to grant the request for variance made by Mary Renwick, #207 Kingswood Estates from Ordinance No. 100, Section 4, 2(b), relative to a carport erected without a building permit and encroaching six and one-half feet (6½ feet) past the building line at the above mentioned address.

Mr. Frank Branscombe said he would pay the Building Permit fee for Mary Renwick.

2. Councilman Byers moved, it was seconded by Councilman Linwood Gilliland and approved unanimously by the council to grant the request for variance made by Frank Branscombe, #173 Kingswood Estates, from Ordinance No. 100, Section 4, 2(b), relative to a carport erected without a building permit and encroaching three feet (3 feet) past the building line at #173 Kingswood Estates.

3. Councilman Byers moved, it was seconded by Councilman Linwood Gilliland and approved unanimously by the council to grant the variance requested by Robert Doake, #200 Kingswood Estates from Ordinance 100, Section 4, 2(b) relative to a carport erected without a building permit and encoaching ten (10) feet past the building line.

There being no further business for discussion, Councilman Byers moved, it was seconded by Councilman Gilliland and approved unanimously by the council to adjourn the meeting. The meeting closed at 7:10 P.M.

Bill Honse

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 13, 1984

The meeting was called to order at 8:05 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

1. APPROVAL OF MINUTES

Councilman Byers moved, it was seconded by Councilman Gilliland and approved by the council unanimously to approve the minutes of the November 8, 1984 council meeting with the correction "Councilman Kee suggested restricting parking on Kings Manor Drive from 6 P.M. to 7 A.M."

II. CITIZEN'S AGENDA

1. Mr. Marvin Burns, 409 Stockard St., asked the City Council for their assistance to help the Lake Dallas PTA in a Public Awareness Program to observe all traffic laws when school buses stop to load and unload children. Mr. Burns cited the case of a Dallas student who was killed at a bus stop on December 3.

2. Mr. Bob Garcia made a presentation of $1,203, which he had collected from some businesses in Lake Dallas, for emblems for the new police cars and for uniform emblems.

3. Mrs. Judy Hunt, representing the Lake Dallas PTA, asked for police to do school patrol on Main Street at 3:30 P.M.

4. Mr. Les Vinson informed the council of several violations at specific locations of the Junk Vehicle Ordinance.

III. FINAL APPROVAL OF HOWARD ADDITION PLAT

Councilman Ronny Kee moved, it was seconded by Councilman Gilliland and approved unanimously by the council to approve the final plat of the Howard Addition, being in particulat 2.62 Acres out of the M.E.P. & P.R.R. Survey A-924.

IV. WILLOW GROVE PARK

Councilman Kee moved, it was seconded by Councilman Gilliland and approved unanimously by the council to approve the supplemental Agreement No. 2 extending the lease on Willow Grove Park for one year. It was also agreed that the City Secretary will prepare an ordinance establishing the Lake Dallas Park Commission.

V. COUNTY WIDE TRANSPORTATION PLAN

Councilman Gilliland moved, it was seconded by Councilman Payne and approved unanimously by the council to approve the resolution supporting the development of a County Wide Transportation Plan.

VI. AMENDMENT OF ORDINANCE NO. 65-A

Councilman Byers moved, it was seconded by Councilman Gilliland and approved unanimously by the council to amend Ordinance No. 65-A relative to traffic control devices at the intersection of Alamo and Market Streets.

VII. STREETS AND UTILITIES IN OAKLAKES SUBDIVISION

The absence of developed streets, curbs, gutters and a sewer system in the Oaklakes Subdivision was discussed. The council elected to have all future Building Permit applications in the Oaklakes Subdivision submitted to the City Council for approval. The City will draft an ordinance requiring a minimum of one (1) acre before a septic system may be installed.

VIII. RECORD KEEPING

The storage of old municipal and police dept. records was discussed, but no action was taken.

IX. DEPARTMENTAL REPORTS

1. Police - Regular Police, Code Enforcement and Animal Control Activity Reports for the month of November were reviewed.

X. ADMINISTRATIVE DEPT. BUSINESS

1. The Balance Sheet and Departmental Statement of Operations as of November 30, 1986 were reviewed.

2. Councilman Linwood Gilliland moved, it was seconded by Councilwoman Kennedy and approved unanimously by the council to pay the December Accounts Payable.

3. The November Municipal Court Report was reviewed.

XI. OLD BUSINESS

The traffic congestion on Kings Manor Drive was discussed as well as alternatives to alleviate the conditions. The City will prepare an ordinance ordering "No parking from 6:00 P.M. to 7:00 A.M. on the South and West side of Kings Manor Drive and the West side of Prince Drive." A Public Hearing will be scheduled before the council meeting in which this ordinance will be considered.

XII. NEW BUSINESS

1. Councilman Byers suggested the Planning & Zoning Commission look into amending Ordinance No. 100 in order to allow carports to be constructed over the parking area of mobile home

lots, not using the set-backs of ten (10) feet or twenty-five (25) feet from the property line.

2. The City Secretary was instructed to place the Extended Car Warranty on the January City Council agenda.

There being no further business for discussion, Councilman Byers moved to adjourn. The motion was seconded by Councilman Gilliland and approved unanimously by the council. The meeting was adjourned at 10:15 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL JANUARY 10, 1985

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P.O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

A Public Hearing was held on the proposal to prohibit parking on the South and West sides of Kings Manor Dr. and the West side of Prince Dr. from the hours of 6:00 P.M. to 7:00 A.M.

1. Fire Chief Jerry McCutcheon submitted a letter indicating that he did not feel Kings Manor Dr. was providing any greater hazard for emergency vehicles than any other street in the city.

2. Charlie McMath opposed the proposed ordinance in view of the following:

(a.) There is not enough or adequate off-street parking and that parking will overflow into the cul de sacs.

(b.) Neighborhood disputes will follow when residents of the street cannot park in front of their homes.

(c.) Parking on only one side of the street will allow traffic to speed up on the street.

(d.) Residents of the street will begin to park their vehicles in their front yard.

(e.) The majority of the residents on the street do not want to live with an ordinance restricting the parking. Of the thirty-three houses polled on Kings Manor Dr., the following results were ascertained: one person was unavailable, one person did not care, four persons approved of the proposed ordinance and 27 opposed the parking ordinance.

(f.) Mr. Marvin Simmons agreed speeding would be increased on the street and therefore more of a danger would be created for for the small children living on the street.

(g.) Mr. Jim Bragg spoke in favor of the proposed ordinance.

Councilman Gilliland moved, it was seconded by Councilman Payne and approved unanimously by the council not to proceed with the adoption of an ordinance prohibiting parking from 6:00 P.M. to 7:00 A.M. on the South and West sides of Kings Manor Dr. and on the West side of Prince Dr. in the Kings Manor Subdivision.

There being no further business for discussion, Councilwoman Kennedy moved, it was seconded by Councilman Byers and approved unanimously by the council to adjourn the Public Hearing at 7:45 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL JANUARY 10, 1985

The meeting was called to order at 7:50 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

1. APPROVAL OF MINUTES

Councilman Byers moved, it was seconded by Councilman Gilliland and approved by the council unanimously to approve the minutes of the December 7 and December 13, 1984 Council meetings.

2. CITIZENS AGENDA

There being no citizen who wished to address the council, the council moved to the next item on the agenda.

3. RATE INCREASE REQUEST FROM TEXAS WASTE MANAGEMENT

Texas Waste Management General Manager John Gustafson requested a six percent increase in waste collection fees for the city.

Councilman Payne moved, it was seconded by Councilman Gilliland and approved unanimously by the council to approve an ordinance granting an approximate six percent rate increase to Texas Waste Management.

Joel Dalton presented the council with a petition asking that the rate increase not be granted until the following conditions are met:

a. Pickup times are on a more consistent basis.
b. Pickup crews clean up trash they spill.
c. A local phone service be established for customer complaints.
d. The billing system be standardized with LCMUA
3. Increase service to two pickups per week.

4. ELECTRIC SERVICE

Mr. Jerry Morgan, Texas Power and Light, advised the council that the PUC had cut their last rate increase by approximately $7 million. Mr. Morgan further advised that Texas is experiencing tremendous growth and that his company has added 120,000 customers to their service area, but no generating capacity was brought on line. Therefore, a great load is being placed on

the system. The rate case must be presented to the PUC before power plants can be built for future needs. A shortage of electricity is forthcoming acress the state, and particularly in this area. Future service calls and manpower will be reduced.

5. CONTRACT AGREEMENT WITH THE LAKE CITIES LIBRARY ASSOCIATION

Gaye Bridges, Director of the Lake Cities Library, appeared before the council to request that the council approve and sign a contract with the Lake Cities Library making the Library the public agent for the City of Lake Dallas in library matters.

Councilwoman Kennedy moved, it was seconded by Councilman Gilliland and approved unanimously by the council to approve and sign the contract.

6. DRAINAGE STUDY ON PROPOSED EXTENSION OF OVERLY DRIVE

The council agreed to plan a work session with the City Engineer to study the preliminary drainage study for the proposed extension of Overly Drive.

7. PROPOSED ORDINANCE ON COMMERCIAL ADVERTISING (BILLBOARD TYPE)

The City Secretary will check with the City Attorney to see if the City has the right or ability to regulate billboard type lease sign space.

8. PROPOSED ORDINANCE TO POST BOND PRIOR TO CUTTING CITY STREET

After discussing the matter, the council realized that the city already has an ordinance covering the requirement to post bond before a permit will be issued for anyone to cut any of the streets of Lake Dallas. The council agreed to enforce Ordinance No. 60.

9. EXTENDED WARRANTY ON NEW POLICE VEHICLES

Councilman Gilliland moved, it was seconded by Councilwoman Kennedy and approved unanimously by the council to approve the purchase of a five-year, unlimited mileage extended warranty insurance contract with the Lake Cities Insurance Agency on the three new police vehicles at a cost of $370 each.

10. PLANNING AND ZONING COMMISSION BUSINESS

(a.) The City Secretary will check with the City Attorney to ascertain if the proposed amendment to Ordinance No. 100 relative to building line set back requirements apply to all other mobile home parks (some on private property) within the city.

(b.) It was suggested that letters be written to the Chief of Police, the Fire Chief and the Building Inspector in an effort to join in a City Clean Up program set for the month of April.

11. SEPTIC SYSTEMS IN THE CITY

The council discussed the problem of septic tanks within the city without the necessary property for proper lateral lines. The City Secretary is to check with the City Attorney to determine the legality of some plats filed within the city.

12. STREET, DITCH AND CULVERT MAINTENANCE

The council discussed several drainage problems within the city. The manager of Lake Haven Estates agreed to have the ditch between the South side of the mobile home park bladed as soon as weather permits to alleviate the flooding problem on Beck Street.

The City Secretary will contact MKT Railroad and ask them to barricade encroachment of Alamo St. and the railroad crossing.

The City Secretary will ask the City Engineer to make a recommendation about repairing the streets.

13. BUILDING CODE VIOLATIONS, MINIMUM HOUSING, BUILDING PERMITS

The council discussed building code violations, minimum housing standards and building permits, but no action was taken.

14. MAINTENANCE IMPROVEMENTS TO CITY HALL BUILDING

It was generally agreed that the City Hall Building requires painting, some ceiling tiles have to be replaced and some ceiling lights require new lens.

15. DEPARTMENTAL REPORTS

(a.) The council reviewed the Police Dept. Activity Report for the month of December, 1984, and the Fire Dept. Activity Report.

(b.) The Balance Sheet, the Departmental Statement of Operations and the Budget Reports as of December 31, 1984 were presented to the council.

(c.) Councilman Byers moved, it was seconded by Councilman Gilliland and approved unanimously by the City Council to approve the payment of the January, 1985 Accounts Payable.

(d.) The City Council reviewed the December Municipal Court Report.

16. PERSONNEL

The Council entered into Executive Session for the purpose of evaluating personnel as provided by Art.6252-17, Sec. 2(g), VATS.

The meeting was re-opened to the public at 1:55 P.M.

Councilman Kee moved, it was seconded by Councilwoman Kennedy and approved unanimously by the council to advertise for a permanent Police Chief.

17. OLD BUSINESS

There being no Old Business to conduct, the council proceeded to the next item on the agenda.

18. NEW BUSINESS

It was general agreed that the city will write a letter of appreciation for the donations from merchants for the logos for the new police vehicles.

19. ADJOURNMENT

There being no further business for discussion, Councilman Byers moved, it was seconded by Councilman Gilliland and approved unanimously by the council to adjourn the meeting. The meeting was adjourned at 2:00 A.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL JANUARY 26, 1985

The meeting was called to order at 11:35 A.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary
Ronnie W. Pair, Acting Chief of Police
Bob Merrifield, Animal Control Officer

Mayor Honse announced Council would enter into executive session, closed to the public, for the purpose of examining and evaluating complaints made against certain personnel as provided by Article 6252-17, Sec. 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

Council then reviewed several complaints made against Bob Merrifield, Animal Control Officer for the Police Department. Mr. Merrifield was present and accepted the opportunity to answer all complaints made against him, as well as respond to questions from the Councilmembers. Mr. Ronnie Pair, Acting Chief of Police, also gave his testimony regarding the complaints as well as his evaluation of Mr. Merrifield's performance of his job responsibilities.

Mr. Merrifield was instructed he had no authority either by law or from the City Council to have a pistol or sidearm on or about his person at any time or under any circumstances. He was also instructed he must control his temper at all times under the most adverse circumstances. If a person with whom he is dealing becomes too abusive, he was instructed to radio a police officer to handle the situation. He was instructed that he must perform his duties in such a manner that will bring credit upon himself and the City.

After much discussion of the matter and in consideration of Mr. Merrifield's past satisfactory performance of his duties, it was agreed he would be retained in his present position subject to the following disciplinary action for failure to comply with supervisory instructions:

* His employment is subject to another 90 day probation period beginning this date. In the event comparable complaints are received during this period, he shall be terminated immediately without benefit of an appeal to the Council.

* A three (3) day suspension from work and salary shall be served.

The meeting was opended to the public at 2:55 P.M.

There being no further business for discussion, Councilwoman Kennedy moved for an adjournment of the meeting. Motion seconded by Councilman Gilliland and carried unanimously. The meeting was adjourned at 3:00 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL FEBRUARY 14, 1985

The meeting was called to order at 7:00 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no person absent from the meeting, the following business was transacted:

Mayor Honse called for public comments on the petition brought by Ralph Eary for a variance of six and three-fourths feet (6.8') from Ordinance NO. 25, Section 7, relative to the building set-back requirements of thirty feet (30') relative to property located at 725 Summers Lane and described as being Lot 5, Block A in the R. C. Summers Subdivision .

Mayor Honse called for public comments on the petition. The City Secretary informed the Council that no letters of opposition were received from adjacent property owners.

Mrs. Evelyn Brown, adjacent property owner, stated she knew of no resident opposition to the variance.

After allowing sufficient time for opposition to the petition, it was moved by Councilman Payne to approve the petition for variance of 6.8' from the rear building set-back requirement of thirty feet (30'). Motion seconded by Councilman Gilliland and carried unanimously.

Mayor Honse called for public comments on the petition brought by Ralph Eary for the variance of ten feet (10') from Ordinance No. 25, Section 7, relative to the building set-back requirement of thirty feet (30') relative to property located at 727 Summers Lane and described as being Lot 6, Block A of the L. C. Summers Subdivision.

After allowing sufficient time for public discussion and there being no opposition to this petition, it was moved by Councilman Byers to approve the petition for variance of ten feet (10') from the rear building set-back requirement of thirty feet (30'). Motion seconded by Councilman Gilliland and carried unanimously.

There being no further business for consideration, Councilman Byers moved for adjournment of this meeting. Motion seconded by Councilman Gilliland and carried unanimously. The meeting was adjourned at 7:10 P.M.

Ronald E. Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL FEBRUARY 14, 1985

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES

Councilwoman Kennedy moved, it was seconded by Councilman Byers and approved by the Council unanimously to approve the minutes of the special meeting of January 10, 1985, the regular meeting of January 10, 1985, and the special meeting held on January 26, 1985.

II. CITIZEN'S AGENDA

Mayor Honse read a statement regarding the hiring of a new Police Chief of Lake Dallas.

1. Mr. Jim Bragg asked the Council why the Lake Cities Municipal Utility Authority was permitted to dump raw sewerage into the lake and what could be done to eliminate this problem.

2. Mr. Rodney Courtney asked if the same consideration would be given to Ronnie Pair as to the other applicants for the Chief of Police position. He was assured this would be done.

3. Mrs. Olive Stephens, representing the Denton County Transportation Committee, asked the Council to appoint a representative from Lake Dallas to attend the Denton County Transportation meetings to provide input of the needs from this area.

4. Mr. Jess Giordano presented a petition with approximately 400 signatures supporting Ronnie Pair being retained as Chief of Police.

5. Mr. Jerry Lawson presented a petition with approximately 200 signatures supporting the Council in their decision to seek a new Chief of Police.

6. Mr. Jim Bragg, stated that Mr. Pair had performed much of his recent duties as Chief under extreme pressure and commended him on the good job he had done as Chief of Police.

7. Pat Hammonds stated she felt the Council should represent the citizens and inquired whether or not the Council members had asked their neighbors' opinions as to whether Mr. Pair had done a good job as Chief of Police. She felt she had not been fairly represented in this matter which affects all citizens. She also inquired as to why the Animal Control Officer was retained when several complaints, including hers, had been made against him.

8. Mrs. Scottie Steen commented that all citizens had the privilege of voting at the polls.

9. Mrs. Pauline Courtney stated she did not feel the Council had made a good decision in not retaining Ronnie Pair as Chief.

10. Mrs. Jackie Kovsky stated she felt our City had grown out of the need to replace City personnel because of some personal vendetta.

11. Mrs. Royce Hobbs asked why Ronnie Pair was being replaced as Chief.

12. Mrs. Yvonne Gilliland stated she would have voter registration cards available for anyone needing to register to vote.

13. Mrs. Sherry Lawson also stated she had voter registration cards available.

III. FINAL APPROVAL OF BISHOP ADDITION PLAT

It was moved by Councilman Gilliland and seconded by Councilman Kee to approve the final plat of 0.683 acres in the Mary R. Wright Survey, Abstract No.1355, known as the Bishop Addition. Motion carried unanimously.

IV. DONATION OF EQUIPMENT

Mr. Jerry McCutcheon donated the following equipment to the City of Lake Dallas:

1. Five 5-pound fire extinguishers to the Police Department by Mr. Don Brittian.

2. One infant carrier and one toddler carrier to the Police Department by Mrs. Judy Graham in order that the City can be in compliance with the new law requiring their usage in transporting young children.

V. SEPTIC SYSTEMS IN THE OAK LAKES SUBDIVISION

Mr. Jim Leggieri, Chief Sanitarian of the Denton City-County Health Department, appeared before the Council to state the problem of the septic tank systems now being installed in Oak Lakes Subdivision and to answer any questions the Council might have. He stated that due to the small lots and because of the density of the lots, there will be an unsolveable problem if it continues to develop with individual septic systems.

Councilman Byers quoted from a letter written by Richard S. Podgorski, Attorney at Law, stating that after examining the original plat of Oak Lakes Subdivision, it appears that the plat is in order and complies with the laws

of the State of Texas. He sees no way the City of Lake Dallas can prevent property owners from installing a private septic tank system.

Mr. Leggieri recommended minimum County guidelines be adopted by ordinances on all future development.

Mr. Leggieri will attempt to make an appointment with the County Judge and the County Commissioners' Court to discuss this problem. In the meantime, he will attempt to suspend the issuance of permits for septic systems until a more permanent solution can be affected.

The Council extended their appreciation to Mr. Leggieri for his assistance in trying to come up with a workable solution to this urgent problem.

VI. RESOLUTION AND ORDER ESTABLISHING PROCEDURE FOR CITY OFFICERS' ELECTION TO BE HELD APRIL 6, 1985

It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously, to pass and approve an order and resolution establishing procedure for the City Officers' Election to be held April 6, 1985, in which three (3) Alderman will be elected, each to a two (2) year term.

It was moved by Councilman Gilliland, seconded by Councilwoman Kennedy and carried unanimously, to appoint Aldena Stowe as the Election Judge and Thana Bounds as Alternate Election Judge with a limit of seven (7) additional clerks to be appointed by said Election Judge. The pay scale will be $5.00 per hour with an additional $25.00 being paid to the Judge for delivering the returns.

It was moved by Councilman Byers, seconded by Councilman Kee and carried unanimously, to approve the Fire Hall, 275 Main Street, as the polling place for the April 6, 1985 City Officers' Election. It was further moved that the Absentee Voting would be conducted at City Hall, 303 Alamo Street, with Jean Chambers, Margaret Coulter and Donna Hamilton serving as Clerks for Absentee Voting.

VII. RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDS BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS

It was moved by Councilman Gilliland, seconded by Councilman Payne and carried unanimously, to pass and approve a resolution entitled "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING APPLICATION BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR A GRANT TO FUND THE CITY OF LAKE DALLAS POLICE DEPARTMENT'S SPECIAL INVESTIGATORS AND TASK FORCE PROGRAM V."

VIII. PURCHASE OF ELECTRONIC AIR CLEANER FOR COUNCIL CHAMBER

It was moved by Councilman Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve unallocated purchase of an electronic air cleaner control for the Council Chamber at an approximate cost of $800.00 plus installation.

IX. ORDINANCE ESTABLISHING A PARK BOARD

(a) It was moved by Councilman Gilliland, seconded by Councilman Kee and carried unanimously to pass and approve an ordinance entitled "AN ORDINANCE ESTABLISHING A PARK AND RECREATION BOARD POLICY AND PROCEDURE GUIDE;

CREATING A BOARD; ESTABLISHING CERTAIN QUALIFICATION; SETTING FORTH PROCEDURES FOR MEETINGS; PROVIDING CERTAIN OFFICERS AND THEIR DUTIES; APPOINTMENT OF SUBCOMMITTEES; PROVIDING A REPEALER AND DECLARING AN EMERGENCY."

(b) It was moved by Councilwoman Kennedy, seconded by Councilman Gilliland and carried unanimously to appoint the following Park and Recreation Board which would meet on the fourth (4th) Thursday of each month at 7:00 P. M.

Mike Drozd
Bette Dunn
Kathleen Gilliland
Aldena Stowe
Marvin Simmons
Charlie McMath
Rodney Courtney

(c) It was further agreed that Mr. Jim Bragg, Mr. Joel Dalton, and Mr. Jerry McCutcheon would be appointed to an Advisory Board to work with the Park and Recreation Board.

X. COMMERCIAL ADVERTISING "BILLBOARD TYPE" SIGNS

It was moved by Councilman Kee, seconded by Councilman Gilliland and carried unanimously to postpone "Billboard Type" signs matter and place it on the next agenda.

XI. DEPARTMENTAL REPORTS

(a) The Council reviewed the Police Department Activity Report for the month of January, 1985.

(b) The Council reviewed the Fire Department Activity and Financial Reports .

(c) The Council reviewed the Administrative Department business;
(1) The Balance Sheet, Departmental Statement of Operations, and Budget Report as of January 31, 1985 was reviewed.
(2) The CPA Audit Report for Fiscal Year ending September 30, 1984 was reviewed.
(3) It was moved by Councilwoman Kennedy, seconded by Councilman Payne and carried unanimously to approve February Accounts Payable.
(4) The Council reviewed the January Municipal Court Report.

XII. OLD BUSINESS

Discussion was held regarding street repair in the City. Mayor Honse will contact County Commissioner Tansey as to what extent she would be willing to assist the City in street repair so that a plan can be formulated.

XIII. NEW BUSINESS

(a) A problem of driveway culverts on Swisher Road was discussed. Two recently built homes are using a six inch (6") plastic tubing as a driveway culvert, and another new house has no driveway culvert. It was agreed that in the future, no final inspections shall be approved until a steel culvert is installed in accordance with the Building Inspector's specifications.

(b) It was generally agreed that the ceiling tiles in the Administrative Office would be replaced and the ceiling painted in the Council Chambers at an approximate cost of $500.00

There being no further business for discussion, Councilman Gilliland moved, it was seconded by Councilman Payne and approved unanimously by the Council to adjourn the meeting. The meeting closed at 9:50 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 14, 1985

The meeting was called to order at 7:00 p.m. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

A Public Hearing was held on the following Ordinance change: AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING A CHANGE TO SECTION VI, ARTICLE 9 (d), FIRST TWO SENTENCES, AND FURTHER PROVIDING FOR A CHANGE TO SECTION VII, R-1 (6000) REGARDING HEIGHT AND AREA REGULATIONS; PROVIDING FOR INVALIDITY ORDINANCE AND DECLARING AN EMERGENCY, AND PENALTY CLAUSE.

Mr. Les Vinson stated that while he had no personal opposition to building a minimum of 122 square feet of living area, it was his opinion that in the Eastern part of the city, no lending institution would grant a loan for 100% value.

A Public Hearing was held on the following Ordinance change: AN ORDINANCE AMENDING AN ORDINANCE - THE ORDINANCE REGULATING THE USE OF MOBILE HOMES WITHIN THE CITY LIMITS - ORDINANCE NO. 52 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING AN ADDITION THERETO OF SECTION I, ARTICLE III (a); PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY, AND PENALTY CLAUSE.

No public opposition was presented to the adoption of this ordinance.

A Public Hearing was held on the following Ordinance change: AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE NUMBER 100 OF THE LAKE DALLAS BOOK OF ORDINANCES PROVIDING FOR A CHANGE TO ARTICLE I, SECTION 4, CHANGING THE HEIGHT AND AREA REGULATIONS OF MOBILE HOMES: PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY, AND PENALTY CLAUSE.

Mr. Mike Fahey spoke in favor of the proposed amendment to Ordinance No. 100 and encouraged the Council to pass and approve same.

After allowing sufficient time for public discussion on these Ordinance changes, Councilwoman Kennedy moved for adjournment, it was seconded by Linwood Gilliland and carried unanimously to adjourn. The meeting was adjourned at 7:25 P.M.

Bill Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 14, 1985

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
J. C. Payne, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meeting held February 14, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy and carried unanimously.

II. CITIZENS AGENDA

1. Mr. James Bragg stated he was pleased to see so much interest generated in the City, as evidenced by twelve persons running for the three seats in the City Officers Election to be held on April 6, 1985.

2. Mr. Mike Fahey inquired as to how the election works. He was informed that the candidates run on an "at large" basis, meaning the three candidates receiving the greatest number of votes will win the alderman seats. A run-off election will be held only in the case of a tie providing no other agreeable means is available to break said tie vote.

III. PROPOSED ORDINANCE AMENDING SECTION 6, ARTICLE 9(d), OF ORDINANCE NO. 25

It was moved by Councilman Kee, seconded by Councilman Gilliland to approve an ordinance amending an ordinance as follows:

AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING A CHANGE TO SECTION VI, ARTICLE 9(d) FIRST TWO SENTENCES, AND FURTHER PROVIDING FOR A CHANGE TO SECTION VII, R-1 (6000)REGARDING HEIGHT AND AREA REGULATIONS; PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY , AND PENALTY CLAUSE.

After much discussion, a Saving Clause was added to amend the proposed amendment to Ordinance No. 25 by adding a provision exempting owners of homes existing and occupied at the time of passage of the amendment. The motion carried after adding the Saving Clause by the following vote:

Ayes: Messrs: Ronny L. Kee, P. O. Byers, Linwood Gilliland and Ms. Anne M. Kennedy.

Noes: Messrs: J. C. Payne

IV PROPOSED ORDINANCE AMENDING SECTION I., ARTICLE III(a) of ORDINANCE NO. 52

It was moved by Councilman Gilliland, seconded by Councilman Payne, seconded by Councilman Gilliland and carried unanimously, to approve an ordinance amending an ordinance as follows:

AN ORDINANCE AMENDING AN ORDINANCE - THE ORDINANCE REGULATING THE USE OF MOBILE HOMES WITHIN THE CITY LIMITS - ORDINANCE NO. 52 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING AN ADDITION THERETO OF SECTION I., ARTICLE III (9a); PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITHTHIS ORDINANCE AND DECLARING AN EMERGENCY, AND PENALTY CLAUSE.

V. PROPOSED ORDINANCE AMENDING SECTION 4, ARTICLE I, OF ORDINANCE NO. 100

It was moved by Councilwoman Kennedy, seconded by Councilman Gilliland to approve an ordinance amending an ordinance as follows:

AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE NO. 100 OF THE LAKE DALLAS BOOK OF ORDINANCES PROVIDING FOR A CHANGE TO ARTICLE I., SECTION 4 , CHANGING THE HEIGHT AND AREA REGULATIONS OF MOBILE HOMES; PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY, AND PENALTY CLAUSE.

The motion carried by the following vote:
Ayes: Messrs: P. O. Byers, Linwood Gilliland, J. C. Payne and Mrs. Anne Kennedy.
Noes: Messr: Ronny Kee

VI. BUILDING PERMIT EXEMPTION - COMMUNITY CENTER BUILDING

It was moved by Councilman Gilliland, seconded by Councilwoman Kennedy and carried unanimously,to exempt the Lake Cities Chamber of Commerce from payment of any and all building permit fees for the construction of the new Community Center Building at 302 South Shady Shores Road.

VII. WILLOW GROVE PARK GATEHOUSE

It was moved by Councilman Byers, seconded by Councilman Gilliland, and carried unanimously, to approve construction of a six feet (6') by twelve feet (12') log gatehouse at the entrance to Willow Grove Park at a cost of $2,000.00, exclusive of foundation and electrical work. The shingles are being donated as per the Mayor.

VIII. VCR CAMERA AND VIDEO RECORDER FOR POLICE DEPARTMENT

It was moved by Councilwoman Kennedy, and seconded by Councilman Gilliland and carried unanimously, to postpone the purchase of a VCR Camera and Video Recorder for the Police Department.

IX. DEPARTMENTAL REPORTS

(a) Council reviewed the Police Department Activity Report as submitted by the Police Department.

(b) Administrative Department business;
(1) The Comparitive Balance Sheet, Consolidated and Departmental Statement of Operations and Budget Reports as of February 28, 1985 were reviewed.

(2) Motion made by Councilwoman Kennedy, seconded by Councilman Payne and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of March.

(3) The February Municipal Court Report was reviewed, as well as the 1984 Tax Levy Report.

X. OLD BUSINESS

(a) The Lake Cities Library Annual Report was reviewed.

(b) Minutes of the organizational meetings of the Park Board were reviewed.

(c) Mr. Jim Bragg reported that there is one vacancy on the Park and Recreation Board by virtue of Mr. Marvin Simmons' resignation and requested the City Council consider him for that appointment.

(d) Councilwoman Kennedy inquired why the telephone and electrical companies had not buried their cable in the drainage ditch between Kings Manor and Prince Drive and why the Water Authority had not had the two remaining main holes cut off to ground level.

(e) Councilman Kee stated water is not draining properly out of LakeHaven Mobile Home Park and is flooding the North end of Beck Street. Recommendation was made to contact the park Manager to determine what action is planned. Councilwoman Kennedy will handle this matter with Lake Haven Park.

XI. NEW BUSINESS

(a) The proposed ordinance regulating certain alarm systems was reviewed.

(b) It was moved by Councilman Payne, seconded by Councilwoman Kennedy and carried unanimously, to package and designate ballots No.1-50 to be sent to City Hall for Absentee Voting, and ballots Nos. 51-1200 to the Polling Place for the April 6 City Officers Election.

XII. ADJOURNMENT

There being no further business for discussion, Councilman Byers moved to adjourn, it was seconded by Councilman Kee and approved unanimously by the Council. The meeting closed at 9:30 P.M.

Ronald E. Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 11, 1985

The meeting was called to order at 6:45 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Councilman J. C. Payne was not present for this meeting.

A Public Hearing was held on the request made by the Lake Cities Cablevision, Ltd. for a 20% increase in the rate charged for basic primary cablevision service.

Mayor Honse called for public comments on the request.

Mr. Lawrence Imes stated that approximately two months ago, the Cable Company had gotten their trencher stuck in the easement property adjacent to his home. Since this property is used as an alley way, this caused a problem in drainage and passage way through the alley. He felt that if an increase of 20% is being asked, an increase in services should also be forthcoming.

Mr. Joel Dalton spoke in opposition to the increase; asking instead that a study be made in conjunction with Corinth and Hickory Creek since the city entered into the agreement in conjunction with these other cities. He also complained that there was cable not buried and when service is disrupted, there is no indication that there is something wrong with your set, or that a problem exists with the Cable Company.

Mr. Mike Fahey stated our cable rates were competitive with other area cable rates, but less service is available for the basic rate.

Mrs. Carolyn Green stated she had experienced problems getting the Cable Company to bury their cables.

Mr. Tommy Vance, representing Lake Cities Cablevision, Ltd., stated that since taking over ownership of the company, they have tried diligently to get all the unburied cables buried of which they were aware. He will relay the complaint about the interference and disruption in service to the Chief Engineer and try to get the matter solved in the near future. Mr. Vance also suggested that when comparing basic rate structure and services provided, one should look to the size of the system. It is much easier to provide larger selections when you have a larger number of subscribers. They have twenty (20) basic channels and there is no technical reason why this many channels should not be received. He pointed out that his company has also now implemented 24-hour maintenance service since purchasing the system.

After allowing sufficient time for public discussion, Councilman Byers moved for adjournment of this meeting. It was seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 7:30 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENTS
HELD AT CITY HALL, APRIL 11, 1985

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Councilman J. C. Payne was not present for this meeting.

Mayor Honse called for public comments on the petitions for variance brought by H. A. Cramer, from Ordinance No. 25 relative to front and rear yard building setback requirements regarding property located at 720-722 Summers Lane and described more specifically as being Lot No. 5 & 6, Block B , of the L.C. Summers Addition.

Opal Miller, of Glen Rhea Drive, opposed the variance on the ground that the building would be too close to her property line.

Mrs. Jean Chambers stated that she got several written responses to this matter, but no one was opposed to it.

After much discussion of the matter, Councilman Kee moved for a denial of Mr. H. A. Cramer's request, dated March 12, 1985, for a variance from Ordinance NO. 25 regarding the 16' front yard setback and 23'-6" rear yard setback from the building lines at 720 Summers Lane, Lot No. 5, Block B, L. C. Summers Addition. Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. Ronny Kee, Linwood Gilliland and Ms. Anne Kennedy
NOES: Mr. P. O. Byers

It was moved by Councilman Kee to deny a 16' front yard setback and a 23'-6" rear yard setback from the respective building lines regarding property located at 722 Summers Lane described as being Lot No.6, Block B, of the L. C. Summers Addition as requested by Mr. H. A. Cramer on March 12, 1985. Motion seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. Ronny Kee, Linwood Gilliland and Ms. Anne Kennedy
NOES: Mr. P. O. Byers

There being no further business for consideration, Councilwoman Kennedy moved for adjournment of this meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 7:55 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, APRIL 11, 1985

The meeting was called to order at 8:00 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

I. APPROVAL OF MINUTES

Councilman Kee moved for the suspension of any rule requiring that the minutes of the meeting held March 14, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary with the following corrections:

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT THE CITY HALL, MARCH 14, 1985

Paragraph 4, page 1, should read:

Mr. Les Vinson states that while he had no personal opposition to building a minimum of 1200 square feet of living area, it was his opinion that in the Eastern part of the city, no lending institution would grant a loan for 100% value.

and

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL, MARCH 14, 1985

Item IV, PROPOSED ORDINANCE AMENDING SECTION I., ARTICLE III(a) of ORDINANCE No. 52 should read:

It was moved by Councilman Payne, seconded by Councilman Gilliland, and carried unanimously, to approve an ordinance amending an ordinance as follows:

II. CITY OFFICERS' ELECTION HELD APRIL 6TH, 1985

Mayor Honse and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 6, 1985. It was determined that 351 registered voters cast a total of 960 qualified votes for the following candidates:

FOR ALDERMAN:	Joel B. Dalton	109 Votes
	Rich Varnell	46 Votes
	Patricia Hammons	43 Votes
	J. C. (Jim) Payne	92 Votes
	Marvin Haney	73 Votes
	L. D. Vinson	44 Votes
	Paul M. Peters	29 Votes
	Bill J. Gilliland	115 Votes
	Scott Tucker	19 Votes
	James Bragg	103 Votes

Linwood Gilliland		162 Votes
Ronny L. Kee		120 Votes
Dena Stowe	(Write-In)	1 Vote
O. B. Smith	(Write-In)	1 Vote
George Trede	(Write-In)	1 Vote
Bruce Smith	(Write-In)	1 Vote
James H. Stanford	(Write-In)	1 Vote

Motion made by Councilwoman Kennedy, seconded by Councilman Byers and carried, to pass and approve a resolution accepting said election returns and declaring Linwood Gilliland, Ronny Kee and Bill Gilliland duly elected Aldermen for the City of Lake Dallas, each for a two-year term of office. City Secretary presented each officer with a Certificate of Election and administered the Oath of Office.

III. CITIZENS AGENDA

No response.

IV. PROPOSED RATE INCREASE FOR BASIC SERVICE - LAKE CITIES CABLEVISION, LTD.

Mr. Tommy D. Vance, Vice President of Operations of Lake Cities Cablevision, Ltd. appeared before the Council requesting a rate increase of $2.00 on the primary basic outlet, from the current $10.00 per month to $12.00 per month, which is a 20% increase.

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland, and carried unanimously to postpone the ordinance granting increase in rate and appoint Councilwoman Kennedy, Councilman Bill Gilliland and Mayor Honse to serve on a committee with Hickory Creek and Corinth to study the matter.

V. PROPOSED ORDINANCE REGULATING ALARM USERS

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland, and carried unanimously to approve an ordinance entitled: "AN ORDINANCE PROVIDING DEFINITIONS, REQUIRING A PERMIT OF CERTAIN ALARM USERS; PROVIDING SERVICE CHARGES FOR FALSE ALARMS; PROVIDING FOR SUSPENSION OF A PERMIT; REGULATING ALARM REPORTING AND OPERATION; PROVIDING FOR PROTECTION OF FINANCIAL INSTITUTIONS; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS ($1,000.00); PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY"

VI. PROPOSED RESOLUTION REGARDING THE 1985 TAX RATE

It was moved by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously to approve a resolution by the City Council of the City of Lake Dallas, Texas, approving and authorizing the Tax Collector for the City to calculate the effective tax rate for the 1985 tax roll as prepared by the Denton County Appraisal District.

VII. NEW FLOOR COVERING IN CITY HALL BUILDING

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to postpone action for the new floor covering in the City Hall Building.

VIII. PARKS AND RECREATION BOARD BUSINESS

Mr. Rod Courtney, Chairman of the Lake Dallas Park and Recreation Board gave his report of the activities at Willow Grove Park.

1. A proposed amendment to Ordinance No. 170, relative to user fees, was discussed. The City Secretary was instructed to prepare an Ordinance Amendment as recommended by the Park and Recreation Board for presentation at the May Council Meeting.

2. It was generally agreed that permission be granted for the Park and Recreation Board to gather information and data on the proposal of construction and operation of a refreshment stand in Willow Grove Park.

3. It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to approve membership fees to Texas Recreation and Park Society at an annual cost of $40.00 and National Recreation and Park Association at an annual cost of $50.00.

4. It was moved by Councilwoman Kennedy, seconded by Councilman Kee, to approve reimbursement of $25.00 to Kathleen Gilliland to cover the cost of her registration fee for attending the annual meeting of Texas Recreation and Parks Society. Motion passed with Councilman Linwood Gilliland abstaining.

5. Messrs. Rod Courtney, Linwood Gilliland and Ms. Carolyn Green stated they would donate funds to be used for the purchase of grass seed to sow in those areas of the park vulnerable to soil erosion.

IX. APPOINTMENTS

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating personnel and discussing prospective persons for appointment to City Boards and Commissions as provided by Article 6252-17, Sec. 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public at 9:55 P.M. Council re-convened in open session at 11:15 P. M

1. It was agreed by Council that Police automobiles would be placed on a preventative maintenance program with G & H Auto Service, and that Ray Weikum, Street Department employee, would continue to be responsible for the maintenance and repair of Street Department vehicles only. Said work to be done only at the City Barn property. The $300.00 per month presently paid to Mr. Weikum for the use of his personal garage to work on City-owned vehicles will be discontinued immediately.

2. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Councilwoman Kennedy as Mayor Pro Tem.

3. It was agreed that Councilman Linwood Gilliland would serve as Lake Dallas' representative to Denton County Transportation Committee, with Councilman Kee assisting with that responsibility when Councilman Gilliland could not attend the meetings.

4. It was moved by Councilman Bill Gilliland, seconded by Councilwoman Kennedy, and carried unanimously to approve the appointment of Phil Kemery and Mike Fahey each to a two-year term on the Planning and Zoning Commission.

5. It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve the appointment of Ronny Kee as Council liason to the Planning and Zoning Commission.

X. POLICE DEPARTMENT BUSINESS

1. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to approve the attendance of Lake Dallas Police Chief Fenley at the Police Liability Controls Seminar. This will be held in San Antonio on April 29-30 at an approximate cost of $500.00.

2. The Police Activity Reports for the month of March were reviewed.

XI. ADMINISTRATIVE DEPARTMENT BUSINESS

1. The Comparative Balance Sheet, Consolidated & Departmental Statement of Operations and Budget Report as of March 31, 1985 were reviewed.

2. It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of April.

3. The March Municipal Court Report was reviewed.

XII. STREET DEPARTMENT BUSINESS

The Proposed Interlocal Cooperative Agreement with the Denton County Commissioners' Court was postponed pending the Attorney for the City reviewing same.

XIII. OLD BUSINESS

1. The approval of the final plans for Overly Drive were postponed, pending further study and review.

2. Councilman Kee suggested that we write a letter to Lake Cities Municipal Utility Authority regarding the need to lower remaining manholes in the ditch located between Kings Manor Drive and Prince Drive.

XIV. NEW BUSINESS

The City Secretary was instructed to purchase a surge protector for the Administrative and Police Departments' computers at an approximate cost of $70.00 each. These are to protect same from costly

damage due to weather conditions which affect the control of electric current.

XV. ADJOURNMENT

There being no further business for discussion, Councilman Byers moved for an adjournment of the meeting. Motion seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 12:45 A. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, APRIL 20, 1985

The meeting was called to order at 8:05 A. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public at 8:10 A.M.

The meeting was opened to the Public at 12:07 P. M.

There being no further business for discussion, Councilwoman Kennedy moved to adjourn. The motion was seconded by Councilman Bill Gilliland and approved unanimously by the Council. The meeting was adjourned at 12:10 P.M.

M. Jean Chambers, City Secretary

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, MAY 9, 1985

The meeting was called to order at 7:30 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meeting held April 11, 1985 and April 20, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Kee and carried unanimously.

1. Councilman Bill Gilliland, in a privileged motion, moved that this regular meeting be adjourned by 10:00 P.M. and all unfinished business be taken up at a future meeting. Requiring no second, the motion prevailed by the following vote:

AYES: Messrs: Bill Gilliland, P. O. Byers, Linwood Gilliland
Ms. Anne Kennedy
NOES: Mr. Ronnie Kee

II. CITIZENS AGENDA

1. Mrs. Jackie Kovsky requested that the City write a thank you note to LINE ONE of The Dallas Morning News, for their response to request assistance in bringing pressure upon MKT to repair the railroad crossings within the city.

2. Mrs. Carolyn Green, as well as other residents of Lake Haven MobileHome Park, expressed her disapproval of the extension of Overly Drive being placed within fourteen feet (14') of Lake Haven Mobile Home Park.

Mrs. Green also referred to a letter she had written to the Mayor and the Chief of Police requesting regular patrol of the Lake Haven Mobile Home Park.

3. Mrs. Carpenter, 5316 Princess, recommended Mrs. Paula Horne for the appointment to the Planning and Zoning Commission.

III. AWARD BID ON EMPLOYEE GROUP MAJOR MEDICAL AND LIFE INSURANCE PROGRAM

It was moved by Councilman Bill Gilliland, seconded by Councilman Byers and approved unanimously to award the bid on Employees Group Life and Major Medical program to Prudential Insurance Company submitted by Kent Clark Agency.

IV. APPROVAL OF FINAL PLANS FOR EXTENSION OF OVERLY DRIVE

It was moved by Councilman Kee to approve the final paving plans for the extension of Overly Drive from Shady Shores Road West to the Interstate 35-E Access Road, as submitted by Jones & Boyd, Inc., signed by Robert J. Quinn, Registered Engineer No. 57090, and dated 4-4-85. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs: Kee, Byers, Bill Gilliland, Linwood Gilliland
NOES: Ms. Kennedy

V. PROPOSED ORDINANCE GRANTING INCREASE IN RATES FOR BASIC SERVICE - LAKE CITIES CABLEVISION, LTD.

It was moved by Councilman Bill Gilliland to approve proposed ordinance establishing new rates of $12.00 per month for cost of basic service to subscribers of Lake Cities Cablevision, Ltd. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs: Bill Gilliland, Byers, Kee
NOES: Mr. Linwood Gilliland and Ms. Kennedy

VI. APPLICATION FOR APPOINTMENT TO CITY BOARD OR COMMISSION

It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy, and carried unanimously to approve as to form the proposed application for appointment to a City Board or Commission requesting some background information on the applicant.

VII. PARK AND RECREATION BOARD BUSINESS

1. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland, and approved unanimously to appoint Mr. Fred Long, 5308 Prince Drive, to serve out the unexpired term of Mr. Marvin Simmons on the Park and Recreation Board.

2. It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and approved unanimously to approve a resolution authorizing application be made to the Texas Park and Wildlife Department for basic site planning in Willow Grove Park at no cost to the City.

3. City Secretary was instructed to cause to be prepared a proposed amendment to Ordinance No. 170 relative to rules and regulations in Willow Grove Park.

4. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve a proposed agreement with Buddy Brooks of Southwest Concessions to operate a gate-keeping and concession operation out of the log cabin structure located in Willow Grove Park.

5. It was agreed that reserved use of Willow Grove Park by Police and Fire personnel for a private party on June 1, 1985 will be allowed with the User Fee waived.

VIII. PLANNING & ZONING COMMISSION BUSINESS

1. It was moved by Councilman Bill Gilliland to appoint Paula Horne to a full two-year term on the Planning and Zoning Commission. Motion seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs: Bill Gilliland, Linwood Gilliland, Byers
Ms. Kennedy
ABSTAINED: Mr. Kee

2. A recommendation that all public notices required by law to be published for the Planning and Zoning Commission be published in the Lake Cities Citizen as well as the Lake Cities Sun was rejected by City Council as an accepted procedure except on these matters of controversial nature and of high interest to all citizens. It was not determined who would be responsible for making the decision as to which matters might be of controversial nature and of high interest to a majority of citizens.

IX. ORDINANCE ENFORCEMENT BY BUILDING OFFICIAL

Mr. Charlie Berry stated he was asked by a Councilman to enforce Ordinance No. 95 and had worked up some cost involved. He determined 70% of all residences in Lake Dallas needed painting and 30% needed shingling. He also stated that in order to enforce the Ordinance, a full-time inspector would be needed and additional Administrative staff would be needed to implement the program. He further suggested many citizens would financially be unable to make the required improvements.

1. It was pointed out that the Nusiance and Fire Ordinances should be enforced.

2. A work session on the Minimum Housing Ordinance No. 95 was scheduled for Friday, May 17th, at 7:30 P.M.

X. BOND ISSUE FOR CAPITAL STREET IMPROVEMENTS

The matter of the need for a bond program to make needed street improvement was brought up and it was decided to schedule the item on the work session planned for May 17th.

XI. INTERLOCAL CONTRACT AGREEMENT FOR STREET MAINTENANCE WORK WITH DENTON COUNTY

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland, and approved unanimously to approve Interlocal Contract Agreement for Street Maintenance Workwith Denton County Commissioners Court.

XII. POLICE DEPARTMENT BUSINESS

1. It was moved by Councilman Kee, seconded by Councilman Byers and approved unanimously to approve overtime pay for subordinate personnel at the rate of 1-1/2 times basic pay for all over 40 hours required and approved by the Chief of Police.

Privileged motion made by Councilman Bill Gilliland to set the time and place for the next meeting. It was agreed that Council would reconvene, in open session, on May 11, 1985 at 9:00 A.M., for the purpose of taking up the unfinished business of the May 9 meeting.

ACCOUNTS PAYABLE

Motion made by Councilman Byers, seconded by Counciwoman Kennedy and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of May, 1985.

ADJOURNMENT

In view of the privileged motion approved at the beginning of this Council meeting, it was moved by Councilman Bill Gilliland to adjourn the meeting. Motion was seconded by Councilman Byers, and prevailed by the following vote:

AYES:	Messrs:	Bill Gilliland, P. O. Byers, Linwood Gilliland
	Ms.	Ann Kennedy
NOES:	Mr.	Ronny Kee

The meeting was closed at 10:02 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, MAY 11, 1985

The meeting was called to order at 9:05 A.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Councilman P. O. Byers was absent when the meeting was called to order, but arrived later and was present for a portion of the meeting.

XII. POLICE DEPARTMENT BUSINESS

2. April Activity Reports were reviewed. Questions concerning the disposal of animals were answered and comments made as to the fine job Mrs. Connie Ashdown was performing as the new Animal Control Officer.

3. The new Police Policy and Procedures Manual was reviewed as submitted by Texas Commission on Law Enforcement Officer Standards and Education. It was moved by Councilwoman Kennedy, seconded by Councilman Kee, and approved unanimously to adopt this new manual.

XIII. ADMINISTRATIVE DEPARTMENT BUSINESS

1. The Comparative Balance Sheet, Consolidated and Departmental Statement of Operations and Budget Report as of April 31, 1985 were reviewed.

2. The April Municipal Court Reports were reviewed.

XIV. PROPOSED ORDINANCE REGULATING COMMERCIAL ADVERTISING (BILLBOARD) TYPE SIGNS

Council was reminded that it is the opinion of the Attorney for the City that Billboard type signs cannot be prohibited by the City, but that same can be regulated by size and construction. It was suggested that the maximum height of a pole sign might be thirty-five feet (as is presently permitted by the Zoning Ordinance), and that no sign attached to a building exceed the height of said building. It was further agreed that this matter be included on the agenda for discussion at the special work session to be held on May 17,1985.

XV. OLD BUSINESS

1. The problem of lowering the remaining manholes in the ditch located between Kings Manor and Prince Drives was discussed. The Mayor stated he had discussed the problem with Martin Highbaugh, Manager of Lake Cities Municipal Utility Authority, and was informed

that this matter would be handled when they had the time to perform the work. A letter will be sent by the Mayor to Mr. Highbaugh, with copies to The Board of Directors of Lake Cities Municipal Utility Authority, advising that if action is not taken by a specified date prior to our next Regular Council Meeting, the City will be forced to take legal action.

2. The problem of the disposal and wrecker fees for junk cars was discussed.

3. Councilman Bill Gilliland challenged that several items were being discussed that had not been placed on the Agenda, and should not be discussed. Councilman Kee protested and Councilman Gilliland instructed City Secretary to cause the record to reflect his resentment of Councilman Kee's remarks.

4. Councilman Kee asked what was being done to collect back taxes and clean up junk and high weeds on property abandoned by the owners within the city. Mayor Honse will contact Mr. Bob Jameson, Superintendent of Lake Dallas Independent School District, to determine which properties have been turned over to the Attorney to collect, and the matter will be on the Agenda for the next meeting.

5. It was agreed that any unfinished business would be placed on the Agenda for the next month's meeting.

XVI. NEW BUSINESS

1. Mr. and Mrs. Bill Gilliland will represent the City of Lake Dallas at the Traffic Orientation for Elected Officials and Administrators to be held in Salado on May 30 and 31, 1985.

2. Councilwoman Kennedy moved for approval of the City paying the registration fee, travel and hotel expense of any Councilmember wishing to attend the TML sponsored 1985 Leadership Institute for Mayors and Councilmembers to be held in Galveston, Texas, June 20-23, 1985. Motion seconded by Councilman Linwood Gilliland and prevailed by the following vote:

AYES: Messrs. Linwood Gilliland, P. O. Byers, Ronny L. Kee, and Ms. Anne Kennedy
NOES: None
ABSTAINED FROM VOTING: Mr. Bill Gilliland

3. Insurance coverage for the Log Cabin Gatehouse at Willow Grove Park and the buildings and sheds at the City's Street Department area was discussed. The Council was informed that the Lake Cities Insurance Agency had requested a rate from the State Board of Insurance. In the meantime, the insurance company placed the structures on binder.

There being no further business for consideration, Councilwoman Kennedy moved for adjournment of this meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 12:25 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, MAY 17, 1985

The meeting was called to order at 7:30 P.M., with the Mayor presiding and the following persons present;

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. EVALUATION OF PERSONNEL - EXECUTIVE SESSION

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2(g), Vernons Texas Civil Statutes.

The meeting was opened to the Public at 8:31 P.M.

II. ENFORCEMENT OF ORDINANCE NO. 95
MINIMUM HOUSING STANDARDS

A lengthy discussion was held on the intent and methods of enforcement of Ordinance No. 95. It was generally agreed that the ordinance is needed, but perhaps changes in content might be necessary.

The possibility of an Occupancy Permit will be studied by placing the matter on the agenda for the June meeting and inviting Mr. James Lovelace and Mr. Robert Bennett from Texas Power and Light to attend said meeting.

Individual members of Council will go over this ordinance in great detail, making notes of proposed changes. The matter will then be discussed at a Work Session to be held on Friday, June 7, 1985 at 7:00 P.M.

III. PROPOSED ORDINANCE REGULATING COMMERCIAL
(BILLBOARD TYPE) SIGNS

It was agreed that an Ordinance would be drafted prohibiting any pole sign from being constructed unless there is already a commercial building situated on the property. Such pole sign shall not exceed thirty five feet (35') in height. When sign is attached to a building, then the height of said sign shall not exceed ten feet(10') beyond the

highest point of the roofline of the building to which it is attached. The width of said sign shall not exceed the width of the building.

It was also agreed that a stipulation be included in the Ordinance limiting the size of pole signs to ten feet and five inches by thirty six feet (10'-5" X 36') which represents the size of the largest pole sign now constructed on the Service Road of Interstate 35E within the limits of the City of Lake Dallas.

IV. PROPOSED BOND ISSUE FOR STREET IMPROVEMENT PROJECT

It was generally agreed that alternative methods of street improvements should be pursued before any serious consideration is given to the proposed $3,000,000 bond issue.

In order to assist in the control of flooding on some of the streets, it was the concensus of opinion that a machine should be rented to clean out the ditches in the City which would promote better drainage.

V. ADJOURNMENT

There being no further business for consideration, Councilman Linwood Gilliland moved for adjournment of this meeting. Motion seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 11:30 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 7, 1985

The meeting was called to order at 7:20 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. CERTIFICATES OF OCCUPANCY

Mr. James Loveday, Manager of the local Texas Power and Light office, was present to discuss the administrative handling of the City denying electrical service to any existing living space or building until a City inspection for ordinance violation has been made and an Occupancy Permit issued by City Hall. He stated Texas Power and Light Company was willing to work with the City in every way possible.

III. COUNTY FUNDING OF PUBLIC LIBRARY SERVICES

It was moved by Councilman Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve "Resolution Supporting The Proposal For Funding Of Public Library Services By Denton County."

IV. ENFORCEMENT OF ORDINANCE NO. 95, MINIMUM HOUSING STANDARDS

Several proposed changes were discussed on Ordinance No. 95, known as The Minimum Housing and Building Standards Code, and City Secretary was instructed to amend this Ordinance to reflect the proposed changes.

V. EVALUATING PUBLIC OFFICERS AND/OR EMPLOYEES

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating public officers and/or employees as provided by Article 6252-17, Sec.2(g), Vernon's Texas Civil Statutes.

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 12:00 Midnight.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JUNE 13, 1985

The meeting was called to order at 6:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill)Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. BUILDING LOCATED AT 709 SUMMERS LANE DEEMED UNSAFE BY THE BUILDING INSPECTOR AND FIRE MARSHALL.

Council reviewed the Property Owner's appeal in regard to this unsafe structure.

It was moved by Councilman Kee, seconded by Councilwoman Kennedy, and carried unanimously to deny Property Owner's request for consideration and to sustain the Building Inspector's order to demolish the structure within thirty (30) days of this date.

III. BUILDING LOCATED AT LOT NO. 1, BLOCK 4, LAKE DALLAS SITES ADDITION DEEMED UNSAFE BY THE BUILDING INSPECTOR

It was moved by Councilman Linwood Gilliland, seconded by Councilman Kee, and carried unanimously for the City Street Department to demolish the building, remove the waste offsite, mow said property and maintain same in a clear, uncluttered state. The appropriate lien will be filed with the County Clerk's Office to recover the City's expense.

IV. REQUEST FOR VARIANCE FROM ORDINANCE NO. 25 REGARDING MINIMUM LOT SIZE REGARDING PROPERTY DESCRIBED AS LOT 6, BLOCK B, GARZA BEACH ESTATES, AND LOCATED AT 303 LAKEVIEW DRIVE.

The Council reviewed a request for variance from Ordinance No. 25 regarding minimum lot size in the R-1600 Zone District and rear yard setback from the property line regarding property described as being Lot 6, Block B, Garza Beach Estates and located at 303 Lakeview.

It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to approve the variance of 5,000 square feet in minimum lot area rather than the 6,000 square feet as required by Ordinance , and twenty five feet (25') from the property line rather than the required thirty feet (30').

V. ADJOURNMENT

There being no further business for consideration, Councilman Byers moved for adjournment of this meeting. Motion seconded by Councilman Bill Gilliland and carried unanimously. The meeting was adjourned at 7:15 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JUNE 13, 1985

The meeting was called to order at 7:15 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BY EDDIE CHUNG FOR ZONING CHANGE REGARDING PROPERTY DESCRIBED AS BEING BLOCK K, LOT 21, OAK LAKES ADDITION, LOCATED AT 107 SWISHER ROAD.

A Public Hearing was held regarding change in zoning classification from the R 1-7200 (single family) Residential District to the R-3(multi-family) Residential District regarding property described as being Block K, Lot 21, Oak Lakes Addition, and located at 107 Swisher Road.

1. Ms. Paula Horn stated she was personally opposed to the requested change in the zoning and stated various reasons for her opposition.

2. Ms. Yolanda Carpenter stated she was not opposed to growth,but encouraged thought be given to quality growth and development.

3. Mr. Harvey Arnold spoke in opposition of the proposed change in zoning based on the traffic congestion which would be created and the present shortage of water.

4. Mr. Scott Sherrod opposed the proposed change in zoning and encouraged low density development.

5. Mr. David Jones opposed any high density development.

6. Mr. James Price spoke in opposition based on all the above reasons plus poor drainage of storm water in the area.

7.Mr. E. Durand, representing Mr. Eddie Chung, spoke in favor of the proposed change in zoning and urged favorable consideration be given to the petition.

8. Ms. Judy Amstutz and Ms. Nancy Cunningham, owners of real property, spoke in favor of the change in zoning.

After allowing sufficient time for further comments, Mayor Honse called for a motion of adjournment. It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JUNE 13, 1985

The meeting was called to order at 7:50 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. APPROVAL OF MINUTES

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meeting held May 9, May 11, May 17, and June 7, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

III. CITIZENS AGENDA

Mr. Jim Wilson, 709 Harbortown, requested additional street lighting around curve of Harbortown Drive at approximately 709 in the Lake Terrace Addition. He also requested speed bumps be installed on Harbortown Drive in an effort to slow and control automobiles traveling at a high rate of speed through the area. A letter signed by twenty-nine (29) residents of the area was read to the Council by Mr. Wilson, supporting the placement of these speed bumps.

It was suggested by the Mayor to have Tom Fenley, Chief of Police, in attendance at the next Homeowners Association meeting to make recommendations to alleviate this problem.

IV. PETITION BY EDDIE CHUNG FOR ZONING CHANGE REGARDING PROPERTY DESCRIBED AS BEING BLOCK K, LOT 21, OAK LAKES ADDITION, LOCATED AT 107 SWISHER ROAD.

It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy, and carried unanimously to deny the petition brought by Eddie Chung for a change in zoning classification from the R 1-7200 (single family) Residential District to the R-3 (multi-family) District regarding property described as being Lot 21, Block K, Oak Lakes Addition, located at 107 Swisher Road.

V. PROPOSED ORDINANCE ESTABLISHING RULES OF PROCEDURE AND CONDUCT TO BE OBSERVED FOR ALL FORMAL AND INFORMAL MEETINGS OF THE CITY COUNCIL.

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to postpone action on the proposed ordinance until after the representative from the Council has attended the TML Workshop next week. It will then be placed on the Agenda for the July Council meeting.

a. A discussion was held in regard to establishing a new starting hour for the Regular Meeting of the City Council. A suggestion was made that the Regular Meeting be set for 6:30 P. M. Since some month's meetings are preceeded by Special Meetings or Board of Adjustment Meetings, the City Secretary questioned the legality of not having a specific time for the Regular Meetings. City Secretary was instructed to check with legal counsel and report back at the July meeting.

b. It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve procedure of automatically placing any unfinished business left from any particular meeting on the agenda for the next regular meeting under "Old Business", providing same is not otherwise indicated as an action item.

VI. PROPOSED ORDINANCE AMENDING ORDINANCE NO . 95 MINIMUM HOUSING AND BUILDING STANDARDS CODE

After reviewing the proposed amended Ordinance No. 95, it was moved by Councilman Bill Gilliland to approve the new ordinance with the following changes:

Page 7, Section 17, Line 8 - Section entitled "Notice of Intent to Demolish". The sentence should read - "If the Board upholds the intent to demolish by the Inspector, the Board shall issue an order to demolish said substandard structure. "

The City Secretary was instructed to check with the Attorney for the City to determine if a clause can be added that City Inspector could not enter a private dwelling without a complaint or reasonable cause of an existing condition which could affect the health or welfare of the occupant.

Councilman Gilliland's motion died for lack of a second and Mayor Honse called for a motion to table the matter pending legal advice.

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and the following vote prevailed to table the matter:

AYES: Messrs. Byers, Kee, Linwood Gilliland and Ms. Kennedy
NOES: Mr. Bill Gilliland

VII. DESIGNATION OF A PUBLIC NEWSPAPER AS THE OFFICIAL PAPER FOR THE CITY OF LAKE DALLAS

It was moved by Councilman Bill Gilliland, seconded by Councilman

Kee and carried unanimously to designate the Lake Cities Sun as the official newspaper of the City.

VIII. DEPARTMENTAL AND COMMUNITY SERVICE REPORTS.

a. The May Activity Report for the Police Department was reviewed.

b. The Financial Reports of the Lake Cities Volunteer Fire Department for January through April, 1985 was reviewed.

c. The Activity and Financial Report for the Lake Cities Library for the Quarter ending March 31, 1985 was reviewed.

d. It was decided that additional stockpile of gravel for street maintenance be ordered to insure the availability of having sufficient quantity for the Summer Improvement Project.

IX. ADMINISTRATIVE DEPARTMENT BUSINESS

a. The Comparative Balance Sheet, Consolidated & Departmental Statement of Operations and Budget Report as of May 31, 1985 was reviewed.

b. Motion made by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of June 1985.

c. The Municipal Court Reports for May were reviewed.

X. PERSONNAL

Council entered into Executive Session for the purpose of evaluating personnel and discussing appointments as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes at 9:25 P.M.

The Council re-opened the meeting to the public at 12:30 A.M.

a. It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously, to approve the appointment of Hardy Burke to the position of Judge of the Municipal Court.

b. It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy, and carried unanimously to approve and create an additional previously unallocated position in the Street Department effective July 1, 1985 at a maximum salary rate of $1,700.00 per month.

XI. OLD BUSINESS

a. A report regarding the public sale of real property to satisfy delinquent tax bills was discussed.

b. Mayor Honse's letter of May 20, 1985 to Martin Highbaugh, Manager of Lake Cities Municipal Utility Authority, in regard to the elevated manhole in the North section of drainage ditch between Kings Manor and Prince Drive was reviewed. The Mayor remarked that Mr. Bud Whitehead of the Board of Directors of L.C.M.U.A. had reviewed the letter and some action would be taken.

c. The proposed Ordinance amending Ordinance No. 170 relative to Willow Grove Park should appear on July Agenda.

XII. NEW BUSINESS

a. Councilman Bill Gilliland stated that Ordinance No. 118, Board of Adjustment, and Ordinance No. 7, Planning and Zoning Commission, need to be updated and should be placed on some future agenda.

b. Mayor Honse reported that an agreement has been made with Texas Waste Management to dispose of the animals from Animal Control at the cost of $3.10 per load. This method of disposal has been approved by the S.P.C.A.

XIII. ADJOURNMENT

It was moved by Councilman Bill Gilliland, seconded by Councilwoman Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 12:45 A. M., June 14,1985.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 11, 1985

The meeting was called to order at 5:40 P. M. with the Mayor Pro-Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Mayor Honse was absent from this meeting. The following business was transacted:

I. EVALUATION OF PERSONNEL - EXECUTIVE SESSION

Mayor Pro Tem Kennedy announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

The Council Chamber was cleared of spectators at 5:45 P.M.for the Executive Session.

Council reconvened at 6:40 P. M. at which time the meeting was again opened to the Public.

There being no further business for discussion, Councilman Kee moved to adjourn. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the Council. The meeting was adjourned at 6:40 P. M.

Anne M. Kennedy, Mayor Pro Tem
City of Lake Dallas, Texas

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JULY 11, 1985

The meeting was called to order at 6:40 P. M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Mayor Honse was absent from this meeting. The following business was transacted:

II. REQUEST FOR VARIANCE FROM ORDINANCE NO. 25 REGARDING MINIMUM LOT SIZE REGARDING PROPERTY DESCRIBED AS LOT 5, BLOCK A, L. C. SUMMERS ADDITION , AND LOCATED AT 725 SUMMERS LANE

Mayor Pro Tem Anne M. Kennedy opened the Public Hearing on the petition for variance,brought by Kevin Law, from Ordinance No. 25 relating to rear yard set back requirement from the building line on property described as being Lot 5, Block A, L. C. Summers Addition and located at 725 Summers Lane. The request is made to position a residential dwelling seventeen feet (17') from the rear property line rather than the thirty feet (30') as required by Ordinance.

After giving every person an opportunity to speak and receiving no opposition to the variance, it was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve the variance allowing a seventeen foot (17') rear setback rather than the thirty foot (30) as required by Ordinance.

III. ADJOURNMENT

There being no further business for consideration, Councilman Bill Gilliland moved for adjournment, seconded by Councilman Kee and the motion carried unanimously. The meeting was adjourned at 6:55 P.M.

M. Jean Chambers, City Secretary

Anne M. Kennedy, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 11, 1985

The meeting was called to order at 6:55 P. M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Mayor Honse was absent from this meeting. The following business was transacted:

PUBLIC HEARING - PETITION BROUGHT BY THOMAS B. PRALLE, LILA J. CUNNINGHAM, N. A. CUNNINGHAM, AND J. L. AMSTUTZ FOR ZONING CHANGE REGARDING PROPERTY DESCRIBED AS BEING LOT NOS. 23 and 24 AS WELL AS A 1.7 ACRE UNPLATTED TRACT, BLOCK K, OAKLAKES SUBDIVISION

A Public Hearing was held regarding change in zoning classification from the R-1 7200 (single family) Residential District to the R-2 (Two Family) District relative to Lot Nos. 23 and 24 as well as a 1.7 acre unplotted tract in Block K of the Oaklakes Subdivision. Said tracts of land are bounded by Swisher, Ridgewood and Meadowbrook Roads.

Ms. J. L. Amstutz made a presentation to support the request for change in zoning classification.

No opposition was presented.

It was moved by Councilman Bill Gilliland, seconded by Councilman Byers and carried unanimously to adjourn Meeeting was adjourned at 7:25 P. M.

M. Jean Chambers, City Secretary

Anne M. Kennedy, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 11, 1985

The meeting was called to order at 7:25 P. M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Mayor Honse was absent from this meeting. The following business was transacted:

PUBLIC HEARING - PETITION FOR A SPECIAL USE PERMIT TO ESTABLISH AND MAINTAIN A PRIVATE SCHOOL AND EXTENDED CARE PROGRAM FOR CHILDREN ON PROPERTY PRESENTLY ZONED COMMERCIAL AT 612 MAIN STREET.

Mayor Pro Tem Anne M. Kennedy opened the public hearing on the petition,brought by Toni C. Smith, for a Special Use Permit to establish and maintain a private school and extended care program for children on property presently zoned for commercial use and located 612 Main Street.

There was no public opposition to the petition.

It was moved by Councilman Byers to adjourn, seconded by Councilman Kee and carried unanimously. The meeting was adjourned at 7:30 P.M.

M. Jean Chambers, City Secretary

Anne M. Kennedy, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JULY 11, 1985

The meeting was called to order at 7:35 P.M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

Mayor Bill Honse was absent from this meeting. The following business was transacted.

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meeting held June 13, 1985 be read aloud and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Linwood Gilliland and carried unanimously.

III. PETITION BROUGHT BY THOMAS B. PRALLE, LILA J. CUNNINGHAM, N. A. CUNNINGHAM AND J. L. AMSTUTZ FOR CHANGE IN ZONING CLASSIFICATION FROM R-1 7200 TO THE R-2 DISTRICT - LOTS NOS. 23 AND 24 AND A 1.7 ACRE UNPLATTED TRACT, BLOCK K, OF THE OAKLAKES ADDITION.

A motion was made by Councilman Byers to approve the petition brought by Thomas B. Pralle, Lila Cunningham, N. A. Cunningham and J. L. Amstutz for a change in zoning classification from the R-1 7200 (Single Family) District to the R-2 (Two Family Residential) District relative to property described as being Lot Nos. 23 and 24, as well as 1.7 acre unplatted tract, Block K, of the Oaklakes Addition. The motion died for lack of a second.

Councilman Kee moved, seconded by Councilman Linwood Gilliland and carried unanimously, to approve a change in zoning on Lot No. 23 and that portion of unplatted tract abutting Swisher Road only, and to deny change in zoning on Lot No. 24 and that portion of unplatted area facing Hillcrest.

IV. PETITION BROUGHT BY TONI C. SMITH FOR A SPECIAL USE PERMIT TO ESTABLISH AND MAINTAIN A PRIVATE SCHOOL AND EXTENDED DAY CARE FACILITY FOR CHILDREN ON PROPERTY ZONED FOR COMMERCIAL USE - TRACT 19C AND 19D, 1.55 ACRES, M.E.P. & P. R. R. SURVEY, LOCATED AT 612 MAIN STREET.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to approve a petition brought by Toni C. Smith for a Special Use Permit to establish and maintain a private school and extended day care facility for children on property presently

zoned for commercial use and described as being Tract 19C and 19D, 1.55 acres, M.E.P. & P.R.R. Survey, located at 612 Main Street.

V. CITIZENS AGENDA

A citizen indicated his concern for the clause in the proposed amendment to Ordinance No. 95 giving the Building Inspector access to a private residence without probable cause.

VI. WILLOW GROVE PARK

Mayor Pro Tem Anne Kennedy asked council to consider the times of opening and closing of the gate at Willow Grove Park. The Parks and Recreation Board had ordered the gate closed at night, but on several instances, there has been the need for the gate to be unlocked during the night hours.

Mr. Charlie McMath, Chairman of the Parks and Recreation Board, requested that the gate to Willow Grove Park be locked by combination lock and the Park closed when the gatekeeper is not on the premises. Also, he requested that only the gatekeeper issue camping permits and reservations. The request was made that Councilman Bill Gilliland be appointed as a liason to the Parks and Recreation Board, and that a telephone be installed in the gatehouse at a cost of $15.00 per month plus installation. No long-distant calls could be made from this telephone.

All of the above was generally agreed to by concensus of the Council.

It was moved by Councilman Kee, seconded by Councilman Bill Gilliland, and carried unanimously to approve an ordinance amending Ordinance No. 170 entitled, "THE WILLOW GROVE PARK ORDINANCE, ORDINANCE NUMBER 170 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR A CHANGE IN ARTICLE II, SECTION A, CHANGING THE ADMISSION FEE SCHEDULE; PROVIDING FOR A GROUP USAGE BY RESERVATION FEE; ADDING RULES AND REGULATIONS FOR PARK USAGE; PROVIDING FOR REPEAL OF ALL PARTS OR ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND DECLARING AN EMERGENCY" .

VII. PROPOSED ORDINANCE ESTABLISHING RULES OF ORDER AND PROCEDURE FOR COUNCIL MEETINGS.

It was moved by Councilman Linwood Gilliland and seconded by Councilman Bill Gilliland to approve an ordinance establishing rules of order and procedure for all formal and informal meetings. Motion prevailed by the following vote:

AYES: Messrs: Linwood Gilliland, Bill Gilliland, Kee, and Ms. Kennedy

NOES: Mr. Byers

VIII. PROPOSED ORDINANCE AMENDING ORDINANCE NO. 95, KNOWN AS THE MINIMUM HOUSING AND BUILDING STANDARDS CODE.

It was moved by Councilman Kee and seconded by Councilman Linwood Gilliland to approve an ordinance amending Ordinance No. 95, entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAKE DALLAS, TEXAS, BY REPEALING SECTION 204 OF THE LAKE DALLAS BUILDING CODE AND

ORDINANCE NO. 95, AND ENACTING IN LIEU THEREOF A NEW ARTICLE CONSISTING OF SECTIONS 1 THROUGH 98 KNOWN AS THE MINIMUM HOUSING AND BUILDING STANDARDS CODE, PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DESIGNATION OF RESPONSIBILITY FOR THE ENFORCEMENT OF THESE PROVISIONS; PROVIDING FOR THE PROCEDURE BEFORE THE BOARD OF ADJUSTMENT AND MEMBERS THEREOF; PROVIDING FOR AUTHORITY TO DEMOLISH SUBSTANDARD STRUCTURES; PROVIDING FOR NOTICE OF HEARING THEREOF; PROVIDING FOR LAND AREA REQUIREMENTS AND STANDARDS FOR STRUCTURES; PROVIDING A PENALTY AND PROVIDING A SAVINGS CLAUSE" . The motion prevailed by the following vote:

AYES: Messrs: Kee, Linwood Gilliland, Bill Gilliland, and Ms. Kennedy
NOES: Mr. Byers

IX. RESOLUTION TO DENTON COUNTY COMMISSIONER'S COURT- DENTON ANIMAL SHELTER

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to approve a resolution supporting Denton County Commissioner's Court to join with the City of Denton in a cooperative effort to enlarge the Denton Animal Shelter and to make the use of same available to small cities by interlocal agreement.

X. RESOLUTION ACKNOWLEDGING THE CITY'S INTENTION TO PARTICIPATE IN FUNDING COUNTY LIBRARY

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to approve a resolution acknowledging the City's intention to participate in funding library services as approved by the Denton County Commissioners Court.

XI. PROPOSED CONTRACT AGREEMENT - LAKE CITIES V.F.D. AND CITY OF CORINTH

Action postponed on this proposed contract agreement.

XII. PROPOSED AGREEMENT - TRINITY ENGINEERING TESTING CORPORATION - LABORATORY TESTING ON OVERLY DRIVE EXTENSION

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland, and carried unanimously to approve the proposed agreement with the Trinity Engineering Testing Corporation for laboratory testing relative to the construction of the extension of Overly Drive, West from Shady Shores Road to the East access road of I-35E.

XIII. PURCHASE OF ROLLER

No action was taken in regard to the purchase of 4-6 ton Tandem Steel Sheel Roller with Gas Engine. Matter postponed.

XIV. DEPARTMENTAL REPORTS

a. The June Activity Report for the Police Department was reviewed.

b. The Code Enforcement Activity Report was reviewed. Proper action to be taken when violator does not respond to Violation Letter was discussed.

c. The Animal Control Activity Report was reviewed.

XV. ADMINISTRATIVE DEPARTMENT BUSINESS

a. The Comparative Balance Sheet, Consolidated & Departmental Statement of Operations and Budget Report as of June 30, 1985 was reviewed.

b. Motion made by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July, 1985.

c. The Municipal Court Reports for June were reviewed.

XVI. OLD BUSINESS

a. Councilman Kee reported that Wayne Burns, Road Foreman for Denton County Commissioner Ruth Tansey, stated his crew would be in Lake Dallas on Monday, July 15th, with the Grade-All to correct some drainage problems such as cleaning ditches, installing new culverts, etc. The following Monday, July22, they will be here to effect the seal coating process of streets.

It was the concensus of opinion to install culvert at the following intersections with the City paying all costs:

Howard at Lakeview
Shore at Lakeview
Myers at Lakeview
Stadium at Lakeview
Thompson at Lakeview

Where the culvert is undersized or substandard under driveways to private property, each property owner will pay for the culvert with the City installing same at no cost to the property owner.

Councilman Kee stated that in his opinion, the following streets should be determined as first priority in getting seal coated:

1. Hundley Drive
2. Shady Shores
3. Lakeview
4. Swisher Road

Main Street from Denton Drive to Lakeview will then be next priority if materials are available.

He also stated the Street Department needed a tank mounted on a trailer for the storage and delivery of tack oil to be used in street repairs.

It was generally agreed by concensus of opinion that Councilman Ronny Kee would oversee management of the Street Department.

b. A discussion was held regarding Billboard Signs and the possibility of prohibiting the construction of all signs until the proposed Ordinance is passed. A future work session will be scheduled to refine the Ordinance.

XVII. NEW BUSINESS

a. The Budget Workshop was tentatively set for July 30, 31; August 1 and 2.

b. Ordinance No. 18, in regard to No Parking on Streets, is in need of amendment and will be placed on a future adenda.

c. The new Animal Control Ordinance No. 159 should be scheduled for a work session.

d. It was generally agreed by concensus of opinion that Councilman Byers shall work with the Police Department in the absence of the Mayor.

XVIII. ADJOURNMENT

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 12:00 Midnight.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, AUGUST 8, 1985

The meeting was called to order at 6:05 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BY L. D. VINSON FOR VARIANCE FROM ORDINANCE REQUIRING A MINIMUM OF 1,200 SQUARE FEET OF LIVING SPACE IN THE R-1 6000 DISTRICT RELATIVE TO LOTS NO. 1-5,8-15, 17-32,BLOCK K, GARZA BEACH ESTATES. APPROVAL IS REQUESTED TO CONSTRUCT THIRTEEN (13) SINGLE FAMILY HOMES EACH CONSISTING OF FROM 1,048 to 1,200 SQUARE FEET OF LIVING AREA PER FAMILY ON TWENTY NINE (29) LOTS.

A Public Hearing was held regarding a petition, brought by L. D. Vinson, for variance from Ordinance requiring a minimum of 1,200 square feet of living space in the R-1 6000 District relative to Lots No. 1-5, 8-15, 17-32, Block K, Garza Beach Estates. Approval is requested to construct thirteen (13) single family homes each consisting of from 1,048 to 1,200 square feet of living area per family on twenty-nine (29) lots.

The Mayor called for those who would like to speak in opposition to the petition:

1. Mr. Ed Stidham stated that he opposed the petition due to poor access to the area. The street would need to be widened. If this was accomplished, he would not object.

2. Mr. Bill Crump opposed the petition due to poor access and severe traffic problems which would result.

3. Mr. Jonish Ensley opposed the petition due to poor street access and danger to the many children with the increased traffic.

4. Mr. George Boliver was opposed to the matter and urged the Council to adhere and enforce the minimum square footage as set out by Zoning Ordinance.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Kee and carried unanimously to postpone the matter and schedule same for a special workshop.

After allowing sufficient time for further comments, Mayor Honse

called for a motion of adjournment. It was moved by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:30 P. M.

Ronald E. (Bill) Honse, Mayor

M. Jean Chambers, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 8, 1985

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held July 11, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilman Byers and carried unanimously.

III. CITIZENS AGENDA

No response.

IV. APPLICATION TO CONSTRUCT A BILLBOARD TYPE SIGN AT 5000 SOUTH STEMMONS

Motion made by Councilman Kee, seconded by Councilwoman Kennedy, to deny the application made by Mark McCrary to construct a thirty foot (30') billboard type sign at 5000 South Stemmons in accordance with policy previously approved by Council to temporarily suspend the issuance of all permits for such construction until a new ordinance could be researched and approved.

Mr. Mark McCrary, presented the facts of the matter as being that the Application for Permit was approved on June 12, 1985 by the Building Inspector and the decision to suspend all permits was not decided until the Council meeting on July 11, 1985. Councilman Kee then withdrew his motion and it was approved by a second.

Motion made by Councilman Byers, seconded by Councilman Linwood Gilliland for approval of the building permit and motion prevailed by the following vote:

AYES: Messrs. Byers, Linwood Gilliland, Bill Gilliland and Mrs. Kennedy
NOES: Mr. Kee

V. DEVELOPMENT OF STREETS IN THE OAK LAKES ADDITION

Mr. Greg Edwards, Consulting Engineer, presented a proposal for the future development of the Oak Lakes Addition. One possibility would be for the City of Lake Dallas to create a Special Assessment District, assessing property owners some portion of the expense to develop the Subdivision with water, sewer and streets.

Another possibility would be for the City to declare the area a "Blighted Area" and to designate a Redevelopment Corporation to develop the Subdivision.

Mr. Edwards and Mr. Roger Bennet, Planner, explained several options available to the City in re-developing the Oak Lakes Addition.

After much discussion of the matter, it was generally agreed that the Council would be interested in considering the options available for the development of paved streets, curb, gutter, water and sewer in the Oaklakes Subdivision. It was agreed that the engineering firm of Fields, Edwards, & Associates, Inc. would do a feasibility study on the matter for presentation to the Council and Mr. Aidan Aidman with Texas State Homes Corporation would be responsible for paying the cost of same.

VI. ORDINANCE ADOPTING "UPDATED SERVICE CREDITS" FOR EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM

Motion made by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously, to pass and approve, "AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF LAKE DALLAS; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS; AND AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM; GRANTING THE ADDITIONAL RIGHTS,CREDITS AND BENEFITS AUTHORIZED BY SECTIONS 62.105 AND 64.202 OF TITLE 110B, REVISED CIVIL STATUTES OF TEXAS, 1925, AS AMENDED; PROVIDING THAT SUCH RIGHTS SHALL BE SUPPLEMENTARY TO THOSE HERETOFORE ALLOWED AND THAT ARE IN FORCE ON THE EFFECTIVE DATE OF THIS ORDINANCE; AND PRESCRIBING THE EFFECTIVE DATE OF THIS ORDINANCE. "

VII. 1985 TEXAS LEGISLATIVE REPORT

The 1985 Texas Legislative Report was reviewed.

VIII. ORDINANCE NO. 118 RELATIVE TO THE BOARD OF ADJUSTMENT

It was generally agreed that Ordinance No. 118 should be strictly adhered to and the Board should appoint a Chairperson at the next meeting.

IX. MOWING SMALL LOTS

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to authorize the Mayor to contract to have lots of absentee landowners, who cannot be contacted or located, mowed at City's expense.

X. PURCHASE OF USED GALION TANDEM STEEL WHEEL ROLLER

It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy to approve payment of $4,350.00 for a used Galion Tandem Steel Wheel Roller on or before October 1, 1985.

XI. DEPARTMENTAL REPORTS

1. POLICE _ The Activity Reports for the month of July were reviewed.

2. STREET - Councilman Kee made a report on the street resealing process and drainage work done by the County road crew, together with the Street Department staff.

3. PARKS AND RECREATION BOARD

(a) A report was given by Councilman Bill Gilliland. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to reimburse Mike Drozd for the expense he has incurred in replacing windows and doors that were vandalized in the Gatehouse at Willow Grove Park .

(b) It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to pay Mr. Elmer Sublett for mowing the Willow Grove Park at the rate of $150.00 per mowing.

XII. ADMINISTRATIVE DEPARTMENT

1. The Balance Sheet, Consolidated and Departmental Statement of Operations as of July 31, 1985 were reviewed.

2. Motion made by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and carried unanimously to cause to be paid all those accounts due and payable by the City within the month of August.

3. The Municipal Court Reports for July were reviewed.

XIII. OLD BUSINESS

1. ORDINANCE REGULATING THE CONSTRUCTION OF BILLBOARD TYPE SIGNS

It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to approve a Resolution declaring no permits shall be granted for the construction of billboard type advertising signs for a period of 180 days to provide adequate time for the drafting and approval of a revised Ordinance regulating same.

XIV. NEW BUSINESS

1. COMMITTEE OF THE FUTURE - ISSUES AND GOALS

The COMMITTEE OF THE FUTURE SURVEY was reviewed and priority items were set for the meeting of the Committee of the Future which will have their first meeting on August 10, 1985 with Councilman Bill Gilliland representing the City of Lake Dallas.

2. The application for a building permit submitted by Larry Eperjesi, 321 Crest, was discussed. It was generally agreed that an investigation should be made of the use of the land and if found to be used commercially, the building permit should be denied.

XV. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 10:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, AUGUST 15, 1985

The meeting was called to order at 6:30 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted.

It was moved by Councilwoman Kennedy, and seconded by Councilman Kee to consider the proposal to increase total tax revenues from properties on the Tax Roll in 1985 by eight (8) percent and to set a Public Hearing on the matter to be held August 29, 1985 at 6:30. P. M. The motion prevailed by the following vote:

AYES: Messrs: Ronny Kee, P. O. Byers, Bill Gilliland, Linwood Gilliland and Mrs. Anne Kennedy.

NOES: None

There being no further business for consideration, Councilman Byers moved for adjournment of this meeting. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 6:55 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS BOARD OF ADJUSTMENT
HELD AT CITY HALL, AUGUST 15, 1985

The meeting was called to order at 6:55 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Mayor Pro Tem Anne Kennedy as Chairperson for this meeting.

II. PETITION BY L. D. VINSON FOR A VARIANCE FROM ORDINANCE REQUIRING A MINIMUM OF 1,200 SQUARE FEET OF LIVING SPACE IN THE R1-6000 ZONE DISTRICT RELATIVE TO LOT NOS. 1-5, 8-15,17-32, BLOCK K, GARZA BEACH ESTATES.

A petition, brought by L. D. Vinson, for a variance from Ordinance requiring a minimum of 1,200 square feet of living space in the R 1-6000 Zone District relative to Lot Nos. 1-5, 8-15, 17-32, Block K, Garza Beach Estates. Approval is requested to construct thirteen (13) single family homes, each consisting of from 1,048 to 1,200 square feet of living area, on twenty-nine (29) lots on Denton Street.

Mr. Vinson stated he would dedicate twenty feet (20') of his lots on Denton Street to provide off-street parking for the houses he proposes to build and for widening the street. Mr. Ed Stidham has agreed to dedicate five feet (5') off his property for the purpose of widening the street. Mr. Vinson agreed to contact his surveyor to determine and mark the right-of-way of Denton Street.

Mr. Vinson stated the smallest house he proposes to build will be 1,133 square feet of living space, and amended his request for variance.

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to approve variance of 1,133 square feet of living space with double car garages on the first three houses with dedication of twenty feet (20') off the front property line of said lots for widening of that portion of the street. Also, gravel would be put on the street at Mr. Vinson's expense.

If two out of three houses with double car garages do not sell within 120 days of the date of issuance of the building permit, then a variance granting the construction of single car garages on the remaining ten houses is automatically granted with twenty feet (20') off the front property line being dedicated to the City for street right of way and graveled at Mr. Vinson's expense.

III. ADJOURNMENT

It was moved by Councilman Kee, seconded by Councilman Byers and carried unanimously to adjourn this meeting. Meeting adjourned at 9:15 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 29, 1985

The meeting was called to order at 6:30 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted.

Mayor Honse called the meeting to order and announced the Public Hearing was open on the proposal to increase total tax revenues from properties on the tax roll in 1985 by eight percent (8%) .

Mrs. Hazel Randolph complained that the Police Department had responded to several complaints she had made relative to barking dogs and loud music at night in her neighborhood, and persons living in a converted bus on Lakeview Drive at the old Doran residence, but no action was taken. The nuisances are still present. Mayor Honse stated that he would check with the Chief of Police and see that some action is taken to see that the problems are solved.

City Secretary explained the tax increase and the need for same.

Mr. Lon Brown, representing his Mother, Mrs. B. E. Brown, protested the proposed tax revenue increase.

Clarice Pierson asked when something would be done about the drainage on Beck Street. Mayor Honse responded that plans are being made at this time to alleviate the excessive water in the area after a large rain. A drainage plan has been approved by the railroad and action will be taken soon.

After allowing sufficient time for all persons wishing to speak on the matter to do so, Mayor Honse called for a motion of adjournment. It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:50 P.M.

M. Jean Chambers, City Secretary

Ronald E. (Bill Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 29, 1985

The meeting was called to order at 7:50 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order and stated that City Secretary, M. Jean Chambers, had submitted her resignation from that office effective September 15, 1985.

Mayor Honse announced that Council would enter into Executive Session for the purpose of discussing possible appointments to the position of City Secretary as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

The Council interviewed interested persons for appointment to the position of City Secretary. However, no decision was made.

The Council reconvened at 11:00 P. M. with the meeting opened to the public.

There being no further business, Councilman Bill Gilliland moved for adjournment. The motion was seconded by Councilman Byers and carried unanimously. The meeting was adjourned at 11:15 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 5, 1985

The meeting was called to order at 6:30 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O.Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
M. Jean Chambers, City Secretary

Councilman Ronny Kee was absent from this meeting.

Mayor Honse called the meeting to order and announced the purpose of this meeting is to provide a Public Hearing on the Budget for Fiscal Year 1986, and stated anyone wishing to ask questions or make statements regarding same would be given an opportunity to do so.

Mrs. Aldena Stowe stated she felt the funding for the Police Department was excessive for the kind of job they are doing. She complained about a man who has harrased her at her place of business and the Police had not responded in a satisfactory manner.

Mrs. Carolyn Green stated she was not opposed to the increase in tax revenues, but did not agree with the way in which it was proposed to be spent and asked several questions regarding specific proposed expenses. She complained that several complaints had been filed with the Chief of Police on a particular officer, but no action was taken.

Mrs. Buchanan asked how persons living on fixed incomes such as Social Security can pay any increased taxes.

Mrs. Stowe, Randolph and Green stressed they were not opposed to the overall budget or the increased tax revenue; only that they did not feel the Police Department was cooperative, protective and responsive to the citizens they served.

After allowing sufficient time for further comments, Mayor Honse called for a motion of adjournment. It was moved by Councilman Bill Gilliland, seconded by Councilman Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:25 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 6, 1985

The meeting was called to order at 6:30 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
M. Jean Chambers, City Secretary
Tom Fenley, Chief of Police

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

The meeting was then closed to the public at 6:35 P. M.

The Council reconvened at 8:30 P. M.

There being no further business, Councilman Byers moved for adjournment. It was seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 9:00 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 12, 1985

The meeting was called to order at 6:10 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BROUGHT BY WILLIAM T. COULTER FOR A CHANGE IN ZONING CLASSIFICATION FROM THE M-1 (LIGHT INDUSTRIAL) DISTRICT TO THE R-1 7200 (SINGLE-FAMILY RESIDENTIAL) DISTRICT RELATIVE TO 2.27 ACRES OF LAND LOCATED ON CARLISLE STREET - LOT 11, L. COBB SURVEY, ABSTRACT NO. 284.

A PUBLIC HEARING was held regarding change in zoning classification from the M-1 (Light Industrial) District to the R-1 7200 (Single Family Residential) District relative to 2.27 acres of land located on Carlisle Street and described as being Lot 11, L. Cobb Survey, Abstract No. 284.

No opposition was presented.

After allowing sufficient time for further comments, Mayor Honse called for a motion of adjournment. It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and approved unanimously to adjourn the meeting. The meeting was adjourned at 6:15 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 12, 1985

The meeting was called to order at 6:15 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BY FLOYD J. WEST, JR. FOR CHANGE IN ZONING CLASSIFICATION FROM M-1 (LIGHT INDUSTRIAL) DISTRICT TO THE R-3(MULTI-FAMILY)DISTRICT WITH RESPECT TO 2.511 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF SARGENT AND BETCHAN STREETS.

A Public Hearing was held regarding change in zoning classification from the M-1 (Light Industrial) District to the R-3 (Multi-Family) District relative to 2.511 acres of land located at the Southeast intersection of Sargent and Betchan Streets.

No opposition was presented.

After allowing sufficient time for comments, Mayor Honse called for a motion of adjournment. It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and approved unanimously to adjourn the meeting. The meeting was adjourned at 6:30 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 12, 1985

The meeting was called to order at 6:30 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BY EDDIE CHUNG FOR CHANGE IN ZONING CLASSIFICATION FROM THE R-1 7200 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE R-2 (TWO FAMILY RESIDENTIAL) DISTRICT RELATIVE TO PROPERTY LOCATED AT 107 SWISHER ROAD AND DESCRIBED AS BEING LOT NO. 21, BLOCK K, OAK LAKES SUBDIVISION

A Public Hearing was held regarding change in zoning classification from the R-1 7200 (Single Family Residential) District to the R-2 (Two Family Residential) District relative to property located at 107 Swisher Road and described as being Lot No. 21, Block K, Oak Lakes Subdivision.

No opposition was presented.

After allowing sufficient time for comments, Mayor Honse called for a motion of adjournment. It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and approved unanimously to adjourn the meeting. The meeting was adjourned at

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 12, 1985

The meeting was called to order at 7:00 P.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

PUBLIC HEARING - PETITION BROUGHT BY EDDIE CHUNG FOR A CHANGE IN ZONING CLASSIFICATION FROM THE R-1 7200 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE C-1 (RETAIL COMMERCIAL) DISTRICT WITH RESPECT TO PROPERTY LOCATED AT 101 SWISHER ROAD (AT ITS INTERSECTION WITH SHADY SHORES ROAD) AND DESCRIBED AS BEING LOT NO. 18, BLOCK K, OAK LAKES SUBDIVISION.

A Public Hearing was held regarding change in zoning classification from the R-1 7200 (Single Family Residential) District to the C-1 (Retail Commercial) District with respect to property located at 101 Swisher Road (at its intersection with Shady Shores Road) and described as being Lot No. 18, Block K, Oak Lakes Subdivision.

Mr. Merv Waage, representing Mr. Chung, addressed each argument for opposition to this change in zoning previously presented to the Planning and Zoning Commission.

He brought to the Council photographs of the surrounding buildings and stated that this particular lot is sandwiched between a commercial lot on which is located an overhead water storage tank and a metal accessary building, and a multi-family lot on which is located a 4-Plex apartment building.

No opposition was presented.

After allowing sufficient time for comments, Mayor Honse called for a motion of adjournment. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and approved unanimously to adjourn the meeting. The meeting was adjourned at 7:15 P. M.

M. Jean Chambers, City Secretary

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 12, 1985

The meeting was called to order at 7:30 p. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
M. Jean Chambers, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Kee moved for the suspension of any rule requiring that the minutes of the meetings held August 8, August 15, August 29, September 5 and September 6, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. Motion seconded by Councilwoman Kennedy and carried unanimously.

III. CITIZENS AGENDA

1. Mr. Ivan Bounds stated he had been cited and fined several times for violation of certain City Ordinances and requested a period of ninety (90) days in which to comply. It was generally agreed by Council that a ninety (90) day period be granted to allow him time to comply with the Ordinances.

2. Mrs. Yvonne Gilliland urged Council to pass and approve the Budget for Fiscal Year 1986 as written, not reducing salaries of Police personnel.

IV. PETITION BY WILLIAM T. COULTER FOR ZONING CHANGE REGARDING 2.27 ACRES OF LAND LOCATED ON CARLISLE STREET AND DESCRIBED AS BEING LOT 11, L. COBB SURVEY, ABSTRACT NO. 284

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve the petition brought by William T. Coulter for a change in zoning classification from the M-1 (Light Industrial) District to the R-1 7200 (Single-family Residential) District relative to 2.27 acres of land located on Carlisle Street and described as being Lot 11, L. Cobb Survey, Abstract No. 284.

V. PETITION BY FLOYD J. WEST, JR. FOR ZONING CHANGE REGARDING 2.511 ACRES OF LAND LOCATED AT THE INTERSECTION OF SARGENT AND BETCHAN STREETS

It was moved by Councilwoman Kennedy, seconded by Councilman Bill Gilliland and carried unanimously to deny the petition brought by Floyd J. West, Jr. for change in zoning classification from M-1 (Light Industrial) District to the

R-3 (Multi-family) District relative to 2.511 acres of land located at the Southeast intersection of Sargent and Betchan Streets.

VI. PETITION BY EDDIE CHUNG FOR ZONING CHANGE RELATIVE TO PROPERTY LOCATED AT 107 SWISHER ROAD AND DESCRIBED AS BEING LOT NO. 21, BLOCK K, OAK LAKES SUBDIVISION

It was moved by Councilman Kee, seconded by Councilwoman Kennedy and carried unanimously to approve the petition brought by Eddie Chung for a change in zoning classification from the R-1 7200 (Single-Family Residential) to the R-2 (Two-Family Residential) relative to property located at 107 Swisher Road and described as being Lot No. 21, Block K, Oak Lakes Subdivision.

VII. PETITION BY EDDIE CHUNG FOR ZONING CHANGE RELATIVE TO PROPERTY LOCATED AT 101 SWISHER ROAD AND DESCRIBED AS BEING LOT NO. 18, BLOCK K, OAK LAKES SUBDIVISION

It was moved by Councilman Byers and seconded by Councilman Bill Gilliland to approve the petition brought by Eddie Chung for a change in zoning classification from the R-1 7200 (Single Family Residential) to the C-1 (Retail Commercial)District with respect to property located at 101 Swisher Road (at its intersection with Shady Shores Road) and described as being Lot No. 18, Block K, Oak Lakes Subdivision. The following vote prevailed:

AYES: Messrs. Byers, Bill Gilliland, Linwood Gilliland, and Mrs. Kennedy
NOES: Mr. Ronny Kee

VIII. FINAL APPROVAL OF BUDGET FOR FISCAL YEAR 1986

It was moved by Councilman Bill Gilliland and seconded by Councilman Kee to approve the Budget for the Fiscal Year of 1986 in the total amount of $729,613.00 with Departmental appropriations as follows:

Administrative Department	$ 157,507.00
Police Department	349,560.00
Street Department	189,128.00
Fire Department	33,418.00
TOTAL	$ 729,613.00

The motion prevailed as follows:

AYES: Messrs. Bill Gilliland and Kee
NOES: Messrs. Linwood Gilliland, Byers and Mrs. Kennedy

Motion to approve the Budget for Fiscal Year 1986 failed to pass.

Mayor Honse stated it was necessary to come into agreement on a budget tonight in order that an Ordinance could be passed levying a property tax.

Mrs. Kennedy and Messrs. P. O. Byers and Linwood Gilliland suggested the salaries in the Police Department be amended.

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating personnel and their salaries as provided by Article 6252-17, Section 2, (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public at 9:10 P. M.

The meeting was opened to the public at 11:10 P. M.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to approve a total Budget for the Fiscal Year of 1986 in the total amount of $729,613.00 with Departmental allocations as follows:

Administrative Department	$ 156,507.00
Police Department	341,572.00
Street Department	198,116.00
Fire Department	33,418.00
TOTAL	$ 729,613.00 *

IX. ORDINANCE APPROVING THE 1985 APPRAISAL ROLLS AS CERTIFIED BY THE APPRAISAL REVIEW BOARD OF THE DENTON COUNTY APPRAISAL DISTRICT AND LEVYING AN ADVALOREM TAX ON SAID PROPERTY

It was moved by Councilman Byers, seconded by Councilman Kee and carried unanimously to approve Ordinance approving the 1985 Appraisal Rolls as certified by the Appraisal Review Board of the Denton County Appraisal District and levying an Advalorem Tax on said property at the rate of $.3441 per $100.00 of valuation.

X . REPORT FROM PARKS AND RECREATION BOARD

The report from the Parks and Recreation Board was reviewed by Council.

XI. REPORT FROM LAKE CITIES VOLUNTEER FIRE DEPARTMENT

The May, June and July Receipts and Disbursements Reports were reviewed as submitted by the Lake Cities Volunteer Fire Department.

XII. REPORT FROM STREET DEPARTMENT

Councilman Kee reported the Street Department were attempting to patch potholes while the temperature was very high. Also, equipment is being repaired and culverts installed upon request by several residents of the City.

He also reported on the extension of Overly Drive between Shady Shores Road and the East Service Road of I-35E. Due to an error, the middle island on this extension was installed too low. After discussing the matter with the owner's resident engineer, the island was torn out and replaced with another. Councilman Kee will check back with the engineer, since it now appears that the replacement island is too high.

Mayor Honse agreed to contact Mr. Adrian Aikman in regard to the filling-in of the drainage ditch in Oaklakes Subdivision.

XIII. POLICE DEPARTMENT MONTHLY ACTIVITY REPORTS.

The following Police Activity Reports for the month of August were reviewed:

* See attached Budget

1. Criminal and Traffic
2. Animal Control
3. Ordinance Violation

XIV. ADMINISTRATIVE DEPARTMENT BUSINESS

1. The Balance Sheet, Consolidated and Departmental Statement of Operations, and Budget Report as of August 31, 1985 were reviewed.

2. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously, to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of September, 1985.

3. The report on Administrative Department Ordinance Violations were reviewed.

4. The Municipal Court Reports were reviewed.

5. It was moved by Councilman Bill Gilliland and seconded by Councilman Kee to accept Mrs. M. Jean Chambers' resignation from the office of City Secretary effective September 15, 1985 and the following vote prevailed:

AYES: Messrs. Bill Gilliland, Kee, Linwood Gilliland and Mrs. Kennedy
NOES: Mr. Byers

6. Appointment to the office of City Secretary was discussed. It was moved by Councilwoman Kennedy to advertise for City Secretary and appoint Donna Hamilton as acting City Secretary until such permanent appointment is made. Motion seconded by Councilman Linwood Gilliland and carried unanimously.

XV. OLD BUSINESS

1. A workshop for proposed Ordinance regulating advertising and billboard signs was scheduled for the 3rd Thursday in September, September 19th, at 6:30 P.M.

2. The proposed new Ordinance concerning Animal Control, proposed revision of Ordinance Nos. 7,18 and 41 to be placed under Old Business on the Agenda for the Regular Council Meeting in October for scheduling of a workshop.

XVI. NEW BUSINESS

1. Proposed revision of Ordinance No. 7 relative to the Planning and Zoning Commission was discussed and will be placed on a future agenda.

2. Councilman Kee suggested that the Ordinance prohibiting truck traffic on certain streets be also examined for revision at a scheduled workshop.

3. Councilman Bill Gilliland requested that the following items be placed on a future agenda:

a. Committee of the Future Report
b. Consider revising Agenda format
c. Five Ordinances that pertain to garbage and trash should be studied in a workshop and combined into one or two Ordinances.

4. Schedule Ordinance regarding Late Hours Permit for private clubs on Agenda for regular meeting in October.

XVII. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 1:25 A. M., September 13, 1985.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

M. Jean Chambers, City Secretary

COPY

EXHIBIT

CITY OF LAKE DALLAS, TEXAS

OVERALL BUDGET SUMMARY

FISCAL YEAR 1986

ESTIMATED REVENUES:

Cash Transferred Forward	
General Fund	$ 36,854.00
Property Taxes	
Current Year	241,905.00
Prior Year	5,000.00
Penalty & Interest	5,225.00
City Sales Tax	166,200.00
Mixed Beverage Tax	8,000.00
Franchise Tax	
Lone Star Gas Company	7,600.00
Lake Dallas Telephone Company	2,890.00
Texas Power & Light Company	64,484.00
Lake Cities Cablevision, Ltd.	9,245.00
Texas Waste Management	8,500.00
Lake Cities State Bank	1,935.00
Animal Registration	1,500.00
Zoning Changes & Variances	3,000.00
Permit to Move Structure	150.00
Building Permits	23,315.00
Beer, Wine & Liquor Licenses	2,800.00
Vehicle Impound Fees	4,500.00
Park Use Fees	1,000.00
Other Permits & Fees	200.00
Court Receipts	66,000.00
Dispatch Contract	14,500.00
CID Grant	10,000.00
Tax Certificates	100.00
Mowing	200.00
Accident Reports	135.00
Other Revenue	7,000.00
Interest Income	12,500.00
Donations for Specific Use	4,875.00
ESTIMATED REVENUE - GENERAL FUND	$709,613.00
Cash Transferred Forward	
Revenue Sharing Fund	$ 100.00
Revenue Sharing Payments	19,900.00
ESTIMATED REVENUE - REVENUE SHARING FUND	$ 20.000.00
TOTAL ESTIMATED REVENUE	$729,613.00

APPROPRIATIONS:

ADMINISTRATIVE DEPARTMENT:

Salaries	$ 60,624.00
Retirement Program	3,550.00
Contract Labor	12,450.00
Longivity Pay	1,568.00
Insurance & Bonds - Personnel	4,085.00
Insurance - Casualty	2,650.00
Unemployment Insurance	180.00
Office Expense	2,000.00

1986 BUDGET SUMMARY

ADMINISTRATIVE DEPARTMENT, Continued

Travel Expense	$ 5,800.00
Miscellaneous Expense	600.00
Continuing Education	1,200.00
Elections	1,000.00
Municipal Court Expense	5,800.00
Consolidated Tax Office	9,000.00
Public Notices	500.00
Publications, Books, etc.	600.00
Dues & Memberships	1,250.00
Ambulance Service Contract	10,000.00
Telephone & Utilities	2,500.00
Planning, Engineering & Zoning	2,500.00
Professional Services	8,000.00
Denton County Appraisal District	6,000.00
Denton City/County Health Department	200.00
Swisher Cemetery Association	500.00
Lake Cities Public Library	2,000.00
Maintenance & Repair - Building	3,000.00
Maintenance & Repair - Equipment	800.00
Maintenance - Grounds	100.00
Capital Outlay - Building	1,000.00
Capital Outlay - Office Equipment	7,050.00
TOTAL APPROPRIATION	$156,507.00

POLICE DEPARTMENT:

Salaries	$216,472.00
Retirement Program	12,000.00
Contract Labor	4,500.00
Longivity Pay	1,200.00
Insurance - Personnel	19,500.00
Insurance - Casualty	7,175.00
Insurance - Unemployment	800.00
Office Expense	5,000.00
Vehicle Supplies	300.00
Animal Control Expense	1,500.00
Travel Expense	1,500.00
Miscellaneous Expense	2,000.00
Interest Paid	2,300.00
Continuing Education	2,500.00
Public Notices	200.00
Publications, Books, etc.	350.00
Dues & Memberships	350.00
Uniforms	2,000.00
Telephone & Utilities	6,400.00
Professional Services	400.00
Maintenance & Repair - Building	1,000.00
Maintenance & Repair - Equipment	2,750.00
Maintenance & Repair - Vehicles	6,350.00
Equipment Rental	2,400.00
Gas & Oil	10,000.00
Capital Outlay - Building	1,300.00
Capital Outlay - Equipment	10,650.00
Capital Outlay - Vehicles	17,675.00
Capital Outlay - Office Equipment	-0-
Contingency Fund	3,000.00
TOTAL APPROPRIATION	$341,572.00

1986 BUDGET SUMMARY

STREET DEPARTMENT:

Salaries	$ 65,964.00
Retirement Program	3,000.00
Contract Labor	4,000.00
Longivity Pay	1,064.00
Insurance - Personnel	6,500.00
Insurance - Unemployment	250.00
Insurance - Casualty	4,000.00
Park Expense	5,000.00
Tools & Supplies	600.00
Miscellaneous Expense	500.00
Uniforms	1,100.00
Telephone & Utilities	1,400.00
Street Lighting	15,000.00
Maintenance & Repair - Building	500.00
Maintenance & Repair - Equipment	6,500.00
Street Maintenance - Revenue Sharing	20,000.00
Street Maintenance - General Fund	8,150.00
Gas & Oil	4,500.00
Equipment Rental	1,000.00
Capital Outlay - Building	-0-
Capital Outlay - Equipment	1,000.00
Capital Outlay - Signs, Posts, etc.	1,600.00
Capital Outlay - Streets (Gen. Fund)	43,988.00
Capital Outlay - Streets (Rev. Shar.)	-0-
Capital Outlay - Fire Hydrants	2,500.00
TOTAL APPROPRIATION	$198,116.00

VOLUNTEER FIRE DEPARTMENT:

Pro-rata share of budget of the Lake Cities Volunteer Fire Dept. for operational and capital outlay expenses.	$ 33,418.00
TOTAL APPROPRIATION	$ 33,418.00

TOTAL REVENUE	$729,613.00
TOTAL APPROPRIATION	$729,613.00
SURPLUS - [DEFICIT]	-0-

THIS BUDGET FOR FISCAL YEAR 1986, AS HEREIN PROVIDED, IS HEREBY PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AT A REGULAR MEETING HELD THIS THE 12TH DAY OF SEPTEMBER, 1985.

Ronald E. Honse, Mayor

ATTEST:

M. Jean Chambers, City Secretary

MINUTES OF A WORKSHOP OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 19, 1985

The meeting was called to order at 6:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, Acting City Secretary

Absent from this meeting was Councilman P. O. Byers. The following business was transacted:

I. PROPOSED ORDINANCE REGULATING ADVERTISING AND BILLBOARD SIGNS

It was generally agreed that the proposed Ordinance regulating Billboard type signs would restrict signs from being placed closer than One Thousand feet (1,000 ') apart.

It was also agreed that using the ordinance passed by the City of Lewisville as a guide, the Council would review the City's complete sign ordinances. A workshop will be set prior to the Regular Council Meeting on October 10th .

There being no further business, the meeting was adjourned by Mayor Honse at 8:45 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, Acting City Secretary

MINUTES OF A SPECIAL MEETING - WORKSHOP OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 10, 1985

The meeting was called to order at 6:00 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from the meeting, the following business was transacted:

Donna Hamilton reported to the Council that a representative from the State of Texas had contacted her in regard to the regulation of billboard type advertising. She was informed that there is a State regulation requiring a permit be issued from the State of Texas prior to the City permit being issued. There is also a new regulation from the State limiting the billboard type signs from being no closer than fifteen hundred (1,500) feet apart.

A copy of the rules and regulations regarding highway advertising signs will be obtained from the State of Texas Highway Department.The matter will be put on the November agenda for consideration at that time.

There being no further business, the workshop was adjourned at 6:10 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, Acting City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 10, 1985

The meeting was called to order at 6:10 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

The meeting was then closed to the public at 6:15 P. M.

The Council reconvened at 7:20 P. M.

There being no further business, the meeting was adjourned.

Ronald E. (Bill) Honse, Mayor

Donna Hamilton, Acting City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 10, 1985

The meeting was called to order at 7:25 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from this meeting, the following business was transacted:

PUBLIC HEARING - PROPOSED AMENDMENTS TO ORDINANCES NO. 25 AND NO. 160.

A Public Hearing was held on the proposed amendments to Ordinance No. 25 entitled, "AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES- PROVIDING FOR VARIOUS CHANGES TO SECTION VIII, SECTION IX, SECTION XXIV, AND SECTION XXVI; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY. "

Councilman Bill Gilliland stated concern regarding Ordinance No. 118 and whether change in fees should be amended in Ordinance No. 25 or Ordinance No. 118 .

Councilman Linwood Gilliland questioned the amendment in Section I, c. (1) regarding two car garages. He had concern for those lots which are not large enough to build a two car garage for each dwelling.

Councilwoman Kennedy and Councilman Byers questioned the amount of the increase in Section III(A) to $200.00 filing fees for appeals.

It was decided to send this Proposed Amendments Ordinance back to Planning and Zoning Commission for reconsideration.

After allowing sufficient time for comments, Mayor Honse called for adjournment. It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:55 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, Acting City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 10, 1985

The meeting was called to order at 7:55 P. M. with the Mayor presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. APPROVAL OF MINUTES

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meeting of September 12, 1985 be read aloud, and that said minutes be approved with the following corrections:

VIII. "A copy of the approved Budget is herein attached" be added.
XVI. 3 (c). Five Ordinances that pertain to garbage and trash should be studied in a workshop and combined into one or two Ordinances.

The motion was seconded by Councilman Kee and carried unanimously.

III. CITIZENS AGENDA

1. Sherry Lawson stated a complaint against Officer Barker of the Lake Dallas Police Department in regard to his handling of an accident which occured on October 10, 1985. Mayor Honse agreed to check into the matter with the Police Department.

2. Aldena Stowe registered a complaint with the Council in regard to her daughter being mistreated by the Police Department during a recent arrest. She feels that women are being mishandled by the police, when men prisoners are not treated as badly.

3. Carolyn Green agreed that the Police Department should not abuse women prisoners.

IV. AMENDMENTS TO ORDINANCE NO. 25
ZONING DISTRICT ORDINANCE

Mayor Honse reported that this Ordinance amending Ordinance No. 25 will be sent back to the Planning and Zoning Commission.

V. AMENDMENT TO ORDINANCE NO. 160

Mayor Honse reported that this amended Ordinance will be sent back to the Planning and Zoning Commission.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN EQUIPMENT LEASE WITH ROY BRAGG FOR ONE 1974 CHEVROLET 4 ½ TON CAB AND ONE 1963 HOBBS TRAILER.

Councilman Linwood Gilliland expressed concern for the lack of supporting data in regard to costs of this equipment versus savings for the benefit of future councils.

Councilwoman Kennedy stated that she felt this was presented to the Council in a hurried manner, which did not allow the Council members to do background work on the costs. Councilman Kee and Mayor Honse reminded Council that this matter had been before the Council in two prior meetings.

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland to approve the resolution authorizing the equipment lease with Roy Bragg for one 1974 Chevrolet 4 ½ ton cab and one 1963 Hobbs Trailer with further information furnished to Council regarding costs of insurance and hauling costs information. The following vote prevailed:

AYES: Messrs. Byers, Bill Gilliland, Linwood Gilliland, Kee
NOES: None
ABSTAIN: Mrs. Kennedy

VII. RESOLUTION SUPPORTING ADOPTION OF THE NEW TEXAS WATER PLAN.

It was moved by Councilman Bill Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve the resolution supporting the adoption of the New Texas Water Plan which will appear on the November 5,1985 Constitutional Amendment Election.

VIII. CHANGE IN CITY COUNCIL LIASION POSITIONS

1. Councilman Kee resigned his position as liasion from Council to the Planning and Zoning Commission. It was moved by Councilman Bill Gilliland to accept Councilman Kee's resignation, seconded by Councilman Linwood Gilliland and carried unanimously.

2. Councilwoman Kennedy moved that Councilman Linwood Gilliland be appointed as liasion to Planning and Zoning Commission. It was seconded by Councilman Kee and carried unanimously.

3. Councilman Linwood Gilliland moved that Councilwoman Kennedy be appointed as liasion to Administrative Department. It was seconded by Councilman Byers and prevailed by the following vote:

AYES: Messrs. LInwood Gilliland, Byers, and Mrs. Kennedy
NOES: Messrs. Bill Gilliland and Kee

4. Councilman Linwood Gilliland moved that Councilman Byers be appointed as liasion to the Police Department. It was seconded by Councilwoman Kennedy and prevailed by the following vote:

AYES: Messrs. Linwood Gilliland, Byers, and Mrs. Kennedy
NOES: Messrs. Bill Gilliland, Kee

5. Councilman Bill Gilliland moved that Councilman Linwood Gilliland be appointed as liasion to the Fire Department. It was seconded by Councilman Byers and carried unanimously.

IX. FREEZE ON HIRING OF PERSONNEL

Freeze on hiring of personnel died for lack of a motion and second.

X. PARK AND RECREATION BOARD

The Park and Recreation Board Report was reviewed.

XI. LAKE CITIES VOLUNTEER FIRE DEPARTMENT

1. The report for the Lake Cities Volunteer Fire Department was not received.

2. Assistant Fire Chief Roger McCurley appeared before the Council to advise them of several items of business:

(a.) He expressed appreciation for the appointment of a liasion from the Council.

(b.) He advised Council of the Fire Department's concern regarding the City's denial of budgeting for the new sub-station. He reported that the other three cities in the Lake Cities area had agreed to accept the budget item for the Corinth Sub-station in their 1986 budget.

He also advised Council that some of the other cities had been concerned about the original plan to build this Sub-station on Corinth property at their City Hall location. He informed Council that .891 acres has now been donated by Lomas-Nettleton to build this station, with the property deeded to Lake Cities Volunteer Fire Department. This property is located at the corner of Jean and Garrison streets in Corinth.

(c.) Mr. McCurley advised Council of the purchase of a used fire truck for the department and answered questions regarding the truck.

Mayor Honse advised Mr. McCurley that there was nothing the Council could do at this meeting in regard to the budget, but it would be put on the Agenda for an action item on the November meeting.

XII. STREET DEPARTMENT REPORT

Councilman Kee reported on activities of the Street Department.

XIII. POLICE DEPARTMENT

1. The Criminal and Traffic Report was reviewed. Councilman Bill Gilliland questioned the effective date of our Alarm Ordinance. The date will be corrected as being effective January 1, 1986.

2. The Animal Control Report was reviewed.

3. The Ordinance Violation Report was reviewed.

XIV. ADMINISTRATIVE DEPARTMENT

1. The Comparative Balance Sheet, Consolidated and Departmental Statement of Operations and Budget Report as of September 30, 1985 was reviewed.

2. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland, and carried unanimously to authorize and direct Acting City Secretary to cause to be paid all those accounts due and payable by the City within the month of October, 1985.

(a.) Concern for Police Department telephone bill was discussed. The possibility of installing a Watts type line will be investigated.

(b.) It was the concensus of opinion of the Council to allow the Mayor to approve payment of budget items when due to allow the payment of bills on time, as well as to take advantage of any discounts. This will be placed on the November Agenda for action.

(c.) The Municipal Court Reports for September was reviewed.

XV. OLD BUSINESS

1. A workshop to review the Ordinance Regulating Animals and the Care of Same, as well as Traffic Control Ordinances No. 18 and No. 41 will be discussed at a workshop to be held on October 17, 1985 at 6:00 P. M.

XVI. NEW BUSINESS

1. A workshop with Council and Planning and Zoning Commission will be held on November 7, 1985 to prepare Goals and Priorities For The City.

2. Councilman Bill Gilliland asked that the item, Revision of Agenda Format, be on the November Agenda.

3. Other items which should be placed on the November Agenda are:
   (a.) Surety Bonds
   (b.) Liability Insurance
   (c.) Committee of the Future Report
   (d.) Five ordinances pertaining to Nuisiance Laws
   (e.) Consideration of non-smoking and smoking section

4. Open Meeting Laws as pertain to Boards and Commissions of the City were discussed.

XVII. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 10:55 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, Acting City Secretary

MINUTES OF A WORKSHOP OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 17, 1985

The meeting was called to order at 6:05 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. ANIMAL CONTROL ORDINANCE 159-A

The Council reviewed Ordinance NO. 159-A entitled: "AN ORDINANCE AMENDING AN ORDINANCE, ORDINANCE NO. 159, OF THE LAKE DALLAS BOOK OF ORDINANCES,AN ORDINANCE SETTING FORTH CERTAIN RULES AND REGULATIONS CONCERNING ANIMALS WITHIN THE CITY, PROVIDING DEFINITIONS, PROVIDING FOR VACCINATIONS, PROVIDING FOR IMPOUNDMENT OF STRAY ANIMALS, DECLARING VICIOUS ANIMALS AS NUISANCES, PROVIDING FOR CONFINEMENT OF ANIMALS, PROHIBITING KEEPING CERTAIN ANIMALS, PROVIDING FOR PERMITS FOR DOGS, PROVIDING A PENALTY, PROVIDING A REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY. "

Changes were made to the proposed Amendment Ordinance which will be presented to Council for approval.

III. TRAFFIC CONTROL ORDINANCES NO. 18, NO. 41, NO. 51

It was the concensus of opinion that the review of Ordinance No. 18 entitled, " AN ORDINANCE ESTABLISHING TRAFFIC REGULATIONS FOR THE CITY OF LAKE DALLAS, TEXAS, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, PROVIDING A PENALTY, AND DECLARING AN EMERGENCY." ; Ordinance No. 41 entitled, "AN ORDINANCE AMENDING SECTION OF THE TRAFFIC REGULATION ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AND DECLARING AN EMERGENCY." ; and Ordinance NO. 51 entitled, " AN ORDINANCE ESTABLISHING A TRUCK ROUTE IN THE CITY; DESIGNATING CERTAIN OTHER STREETS IN THE CITY FOR TRUCK TRAFFIC; PROVIDING FOR ENFORCEMENT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS." be postponed to another workshop.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 17, 1985

The meeting was called to order at 9:46 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, Acting City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public at 9:50 P. M.

The meeting was opened to the public at 10:20 P. M.

There being no further business for discussion, Councilwoman Kennedy moved to adjourn. The motion was seconded by Councilman Kee and approved unanimously. The meeting was adjourned at 10:22 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, Acting City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL NOVEMBER 7, 1985

The meeting was called to order at 6:08 with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

The meeting was opened to the public at 7:28 P. M.

There being no further business for discussion, Councilman Byers moved to adjourn. The motion was seconded by Councilman Kee and approved unanimously by the Council. The meeting was adjourned by Mayor Pro Tem Kennedy at 7:28 P. M.

Ronald E. Honse
Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

AND

PLANNING AND ZONING COMMISSION

HELD AT CITY HALL NOVEMBER 7, 1985

The meeting was called to order with Mayor Pro Tem Kennedy presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Those absent from this workshop was Mayor Bill Honse.

The purpose of this meeting was to provide a workshop with the Planning and Zoning Commission to discuss proposed ordinance amendments. The following business was transacted:

I. DISCUSSION OF AMENDMENTS TO ORDINANCE NO. 7

Councilman Bill Gilliland reported to the workshop that he felt the Council persons who serve as ~~Liason and Ex Officio~~ OH Members of the Planning and Zoning Commission should not have a vote on issues brought before the Commission, since they already have one vote in Council when the matter is brought before that body.

Councilman Gilliland also pointed out that some of the practices being followed by the Planning and Zoning Commission are not written into the Ordinance, so there should be some amendments to Ordinance No. 7.

II. DISCUSSION OF AMENDMENTS TO ORDINANCE NO. 25

Ordinance No. 25 was discussed relative to its similarity to Ordinance No. 118. Donna Hamilton, City Secretary, advised the workshop that she hopes the Council will see the need in the near future to codify the ordinances in order that this type of problem will be corrected.

Councilman Linwood Gilliland expressed concern that a 2,400 square foot duplex with two two-car garages will not fit on a 7,200 square foot lot.

III. ADJOURNMENT

There being no further business, the workshop was adjourned.

Anne M. Kennedy, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL NOVEMBER 14, 1985

The meeting was called to order at 6:45 P. M., with the Mayor Pro-Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Absent from this meeting was Mayor Bill Honse who is in attendance at the Texas Municipal Workshop in Austin.

I. DISCUSSION OF TRAFFIC ORDINANCES

Councilman Kee brought before the Council Workshop his concern in regard to truck routes within the City. Some signs are posted, and it is obvious that an effort was made at some time to establish these routes, but Councilman Kee felt the present Council should be made aware of these routes. Also, these routes should be marked accordingly and enforced.

A committee will be established which will meet with the Council in a workshop. This workshop was set for January 16, 1986 at 6:30 P.M.

II. ADJOURNMENT

There being no further business, it was moved by Councilman Linwood Gilliland that the meeting be adjourned, seconded by Councilman Byers and carried unanimously.

The meeting was adjourned at 7:25 P. M.

Anne M. Kennedy, Mayor Pro-Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL NOVEMBER 14, 1985

The meeting was called to order at 7:30 P. M. with the Mayor Pro Tem presiding and the following persons present:

Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Absent from this meeting was Mayor Bill Honse who is in attendance at the Texas Municipal Workshop in Austin.

I. APPROVAL OF MINUTES

Councilman Linwood Gilliland moved for the suspension of any rule requiring that the minutes of the meetings held September 19, and October 10 and 17, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Byers and carried unanimously.

II. CITIZENS AGENDA

Don Glockel, representing the Booster Club of Lake Dallas Schools, approached the Council to request their permission to install an information sign about school activities at the intersection of Main and Denton Drive. He was informed he needs only to bring authorization from the railroad who owns the property to City Hall and obtain a permit.

III. RESOLUTION DESIGNATING LAKE CITIES SUN AS OFFICIAL NEWSPAPER OF CITY OF LAKE DALLAS

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to designate the Lake Cities Sun as the official newspaper of the City of Lake Dallas.

IV. RESOLUTION AUTHORIZING THE MAYOR, MAYOR PRO TEM AND CITY SECRETARY TO SIGN DRAFTS, CHECKS, NOTES OR ORDERS FOR THE CITY WITH THE LAKE CITIES STATE BANK

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to authorize the Mayor, Mayor Pro Tem and City Secretary to sign drafts, checks, notes or orders for the City with the Lake Cities State Bank.

V. RESOLUTION CASTING VOTES FOR DENTON COUNTY SINGLE APPRAISAL DISTRICT BOARD OF DIRECTORS

It was moved by Councilman Linwood Gilliland, seconded by Councilman

Bill Gilliland and carried unanimously to cast 18 votes for Raymond Pitts for Denton County Single Appraisal District Board of Directors for 1985-1986.

VI. AMENDMENTS TO ANIMAL CONTROL ORDINANCE NO. 159

The Council reviewed the proposed Amended Ordinance No. 159 and recommended it be amended with several changes. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to approve this ordinance as amended.

VII. REVIEW BOARD FOR HIRING OF PERSONNEL

The legality of Council appointing a Review Board for hiring of personnel was raised and discussed. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to postpone this item and place it under Old Business until information is received regarding the legality of such a Review Board.

VIII. PARK AND RECREATION

1. The report of the Park and Recreation Board was reviewed.

2. Councilman Bill Gilliland, Liason from Council to Park Board, reported to the Council.

3. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Mr. Jeff Crossland to the Park and Recreation Board.

IX. STREET DEPARTMENT

Councilman Kee, Liason from Council to Street Department, reported to the Council regarding current Street Department activities.

X. FIRE DEPARTMENT

Councilman Linwood Gilliland, Liason from Council to Fire Department, reported to the Council regarding the Fire Department.

XI. PLANNING AND ZONING COMMISSION

Councilman Linwood Gilliland, Liason from Council to Planning and Zoning Commission, reported that Mr. Phil Kemery, Chairman of Planning and Zoning, had submitted his resignation from the Commission.

XII. POLICE DEPARTMENT

1. The Police Activity Reports for the month of October were reviewed.

2. It was moved by Councilman Kee that we pursue seeking applications and resumes for a new police chief since Chief Tom Fenley has submitted his resignation. It was seconded by Councilman Linwood Gilliland and prevailed by the following vote:

AYES: Messrs. Kee, Linwood Gilliland and Mrs. Kennedy
NOES: Mr. Bill Gilliland

XIII. ADMINISTRATIVE DEPARTMENT

1. The Comparative Balance Sheet, Consolidated and Departmental Statement of Operations and Budget Report as of October 31, 1985 were reviewed.

2. It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of November.

3. The October Municipal Court Reports were reviewed.

4. Councilwoman Kennedy, Liason from Council to Administrative Department, reported that Mrs. Karen Mankoff had now been hired and was assuming the duties previously performed by Donna Hamilton.

She also commented on the excellent way in which Mrs. Hamilton has made the transition to City Secretary and that everything was running smoothly in the Administrative Department.

XIV. OLD BUSINESS

1. Councilman Bill Gilliland reported on the activities and meetings of the Committee of the Future.

2. In order to consolidate several ordinances pertaining to nuisances, it was suggested by Councilman Bill Gilliland that it be put on the Agenda for the workshop to be held on January 16, 1986.

3. Revision of the agenda format was discussed. Councilman Bill Gilliland suggested that the Administrative Liason, City Secretary and Mayor get together to streamline the agenda for the Council meetings.

4. Councilman Linwood Gilliland asked that Goals and Priorities be set for a future workshop. It will be brought before the Council under Old Business for the December Council meeting.

5. Councilman Kee stated his concern that the condemnation suits that have been sent to our Attorney for the City, Richard Podgorski, have had no action taken. He reported that he had talked with City Secretary about this matter and another letter will be sent to Mr. Podgorski asking that he update the City on the present status of these condemnations.

XV. NEW BUSINESS

1. A letter from Jerry McCutcheon to the Mayor and City Council was discussed regarding the sale of pornographic books in a local establishment which are being displayed on book racks at a level where small children can view them. These books are not covered or taped to prevent their being viewed at the book rack or controlled by the sales clerk. A letter will be sent from the City to the sellers of this type material asking their cooperation in placing these books so they are not accessible to minors.

2. Councilman Bill Gilliland requested that "No Smoking" signs be posted in the Council chamber with the understanding that the ~~chairperson~~ Presiding Officer

of each group using the room would have the prerogative of changing the smoking rule for that meeting. The matter will be postponed and discussed at a future date.

3. The Council discussed whether surety bonds on employees are adequate. It was the consensus of opinion that each Administrative worker should be covered with a $25,000 surety bond.

4. Councilman Linwood Gilliland will check into the matter of Liability Insurance.

5. Codification of ordinances was discussed. It was the general agreement of the Council that we should invite the representative from Municipal Code Corporation to meet with the Council to inform them of their methods and costs of codification.

6. Items to be placed on future agenda:

a. Salary of Council (Action item for December Agenda)

b. Council - Manager form of government

c. Open Meeting laws

d. Board of Adjustment

There being no further business for consideration, Councilman P. O. Byers moved for adjournment. Motion seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 11:30 P. M.

Anne M. Kennedy, Mayor Pro-Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 4, 1985

The meeting was called to order at 6:34 p.m. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P.O. Byers, Councilman
Linwood Gilliland, Councilman
Bill J. Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Aricile 6242-17, Section 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

The meeting was opened to the public at 9:02 p.m.

There being no further business for discussion, Councilman Linwood Gilliland moved to adjourn. The motion was seconded by Councilman Byers and approved unanimously by the Council. The meeting was adjourned by Mayor Honse at 9:03 p.m.

Ronald E. (Bill) Honse, Mayor

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 12, 1985

The meeting was called to order at 6:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

The meeting was opened to the Public at 7:45 P. M.

There being no further business for discussion, Councilman Linwood Gilliland moved to adjourn. The motion was seconded by Councilman Byers and approved unanimously by the Council. The meeting was adjourned at 7:45 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 12, 1985

The meeting was called to order at 7:50 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

I. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held November 7 and 14, 1985 be read aloud, and that said minutes be approved as presented in writing by City Secretary with the following corrections:

1. Workshop of November 7, 1985
   Section I, Paragraph 1 should read:
   Councilman Bill Gilliland reported to the workshop that he felt the Council members who serve as members of the Planning and Zoning Commission should be Ex Officio members.

   Section I, Paragraph 2 should read:
   Councilman Bill Gilliland also pointed out that some items in the Ordinance are not being practiced.

2. Regular Meeting of November 14, 1985
   Section XII, (2) should read:
   .....and prevailed by the following vote:
   AYES: Messrs. Kee, Linwood Gilliland, Byers and Mrs. Kennedy
   NOES: Mr. Bill Gilliland

   Section XV. (2) should read:
   Councilman Bill Gilliland requested that "No Smoking" signs be posted in the Council Chamber with the understanding that the Presiding Officer of each group using the room would have the prerogative of changing the smoking rule for that meeting.

The motion to approve these minutes as corrected was seconded by Councilman Linwood Gilliland and carried unanimously.

II. CITIZENS AGENDA

1. Velta Moore of 606 Galbraith appeared before the Council protesting the cutting of ditches on Galbraith Street. She had been told that this was being done to relieve the flooding of Beck Street, but she stated she felt this work done would not affect Beck Street. Mayor Honse assured Ms. Moore that he would check into the matter.

2. Paula Horn asked the Council to give first consideration to Mr. Monte Carpenter as a replacement for Mr. Phil Kemery on the Planning and Zoning Board.

III. TEXAS WASTE MANAGEMENT - JOHN GUSTAFSON

1. Mr. John Gustafson, General Manager of Texas Waste Management, appeared before the Council advising them of the problems they are experiencing with Lake Dallas residents who are not subscribing to the garbage service even though it is their understanding that service is mandatory. Mayor Honse advised Mr. Gustafson that the Ordinance covering this matter would be researched and checked out with the Attorney for the City.

2. The matter of bad debt experience which is now resulting in an 8% write-off rate was discussed. The Attorney for the City will also be consulted in regard to the City of Lake Dallas joining in Class Action Suits against these residents who refuse to pay.

3. A 5% rate increase, which will make the garbage rate $5.46, was requested by Mr. Gustafson. This will be put on the January agenda as an Action item.

IV. AMENDMENT TO ELECTRICAL CODE ORDINANCE NO. 155

It was moved by Councilman Bill Gilliland, seconded by Councilwoman Kennedy and carried unanimously to pass and approve an Ordinance entitled, "AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING ORDINANCE NO. 155 WHICH ADOPTED THE 1981 EDITION OF THE NATIONAL ELECTRICAL CODE, BY ADOPTING THE 1984 EDITION OF THE NATIONAL ELECTRICAL CODE, WITH CERTAIN AMENDMENTS AND/OR ADDITIONS AS HEREIN SET OUT; PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND AN EFFECTIVE DATE. "

V . AMENDMENT TO FIRE DEPARTMENT BUDGET

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to table this matter until later in the meeting when the report from the Fire Department Liason is given.

VI. SALARY OF MAYOR AND COUNCIL

It was moved by Councilman Bill Gilliland and seconded by Councilman Byers to continue the present salary of Mayor and Council members, which is $5.00 for Regular Meetings and $3.00 for Special Meetings.

Councilman Kee moved for an Amendment to set the salary at $8.00 for Regular Meetings and $5.00 for Special Meetings. It was seconded by Councilwoman Kennedy and the following vote prevailed:

AYES: Messrs: Kee, Byers, Bill Gilliland, and Mrs. Kennedy
NOES: None
ABSTAIN: Mr. Linwood Gilliland

The vote was then taken on the main motion and prevailed by the following vote:

AYES: None
NOES: Messrs: Byers, Kee, Bill Gilliland and Mrs. Kennedy
ABSTAIN: Mr. Linwood Gilliland

VII. COMMITTEE REPORTS

A report was given by Councilman Bill Gilliland on the Transportation Committee and the Committee of the Future. At a future meeting, the subject of grants and how to obtain them will be discussed. Articles by Scott Harper of the Lewisville Daily Leader were shared with the Council regarding highway routing and water supply for the future.

VIII. PARK AND RECREATION DEPARTMENT

1. The Board MInutes were reviewed.

2. Councilman Bill Gilliland gave his Liason Report.

3. It was moved by Councilman Bill Gilliland, seconded by Councilman LInwood Gilliland and carried unanimously to appoint Loretta Powers to the Park Board in the vacancy created by Bette Dunn's resignation.

IX. FIRE DEPARTMENT

1. Fire Chief Jerry McCutcheon appeared before the Council asking that the Fire Department budget be reconsidered and the $4,150.00 cut from the 1986 Budget be re-instated. This money had been included in the budget to help substain the Sub-Station to be located in Corinth.

2. Discussion was held regarding getting the Mayor, Mayor Pro-Tem and Liason to the Fire Department from each City in the Lake Cities Area together in a meeting in order to resolve the problems that now exist in the funding of the Fire Department. It was generally agreed by the Council that this meeting would be very constructive.

3. Councilman LInwood Gilliland, Liason to the Fire Department, gave his report.

X. PLANNING AND ZONING COMMISSION

1. The Planning and Zoning Commission minutes were reviewed.

2. Councilman Linwood Gilliland gave his Liason Report from the Planning and Zoning. The matter of the replacement for the Chairperson of this committee was discussed, as well as the recommendation that the Liason from the Council be made Chairperson.

3. Persons recommended to fill the vacancy on the Committee are Monty Carpenter and Robert Marks.

Motion made by Councilman Bill Gilliland and seconded by Councilman Kee that Monty Carpenter be appointed to fill this vacancy and the following vote prevailed:

AYES: Messrs: Byers, Kee, Bill Gilliland and Mrs. Kennedy
NOES: None
ABSTAIN: Mr. Linwood Gilliland

XI. STREET DEPARTMENT

Councilman Kee, Liason to the Street Department, gave a report. Councilman Kee reported that there were several bicycles and parts of bicycles at the City Barn and since we are looking at Toys for Tots in this Cbristmas season, this is a possible way to distribute some of these bicycles.

Councilman Kee spoke to the matter of the cleaning of the ditch in front of Mrs. Moore's house on Galbraith.

Work is to begin soon on replacement of many signs in the City which need to be replaced due to vandalism or deterioration.

A chain link fence has been installed at the City Yard to completely enclose the Auto Pound. As soon as possible after the holidays, advertisements will be published in the official newspaper to offer these impounded vehicles for sale.

Due to the extreme weather, the street employees are on call to sand the roads in case of icing.

XII. POLICE DEPARTMENT

1. The Criminal and Traffic Report was reviewed.

2. The Animal Control Report was reviewed.

3. The Ordinance Violations Report was reviewed.

4. Liason to Police Department, Councilman Byers, gave his report.

XIII. ADMINISTRATIVE DEPARTMENT

1. The Comparative Balance Sheet and Consolidated and Departmental Statement of Operations as of November 30, 1985 was reviewed.

2. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of December.

3. The Municipal Court Report was reviewed.

4. Councilwoman Kennedy, Liason to the Administrative Department, reported that the new Municipal Court Computer is in the process of being installed.

XIV. OLD BUSINESS

1. The date for a workshop to discuss Goals and Priorities for the City will be set at the January meeting.

2. A Review Board, consisting of the Mayor, MAYOR PRO TEM, Department Head and Liason from the Council, will evaluate and review all employee hiring except Department Heads. The City Council will evaluate and review Department Heads.

3. Councilman Bill Gilliland recommended that "No Smoking" be practiced in Council Chamber with the provision that the presiding officer of each group using the room could modify the smoking rule for that meeting. He asked that this be placed on the January Agenda as an action item.

4. The Open Meeting Law was discussed. The volume of Vernon's Texas Civil Statutes 6252-17 which covers Public Meetings and Open Meetings Act will be ordered for our library which will direct the Boards and Commissions in this matter.

5. The problem of getting citizens to volunteer to serve on the Board of Adjustments was discussed. Councilman Bill Gilliland asked why the Council is now serving as the Board of Adjustment and was advised that it was due to the problem of obtaining Board members.

6. A workshop was set for January 16, 1986 to discuss proposed sign ordinance, Amendments to Ordinance NO. 7 and traffic ordinances.

XV. NEW BUSINESS

1. It was the general consensus of opinion of the Council that they did not feel the City Manager type of government was best for the City, and this matter will be dropped from the Agenda.

2. The need for an Alternate Municipal Judge was discussed and will be placed on the January Agenda under New Business.

XVI. ADJOURNMENT

There being no further business, it was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously that the meeting be adjourned. The meeting was adjourned at 11:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL DECEMBER 21, 1985

The meeting was called to order at 10:30 A.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P.O. Byers, Councilman
Linwood Gilliland, Councilman
Bill Gilliland, Councilman
Ronny L. Kee, Councilman

Donna Hamilton, City Secretary, was absent from the meeting.

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public.

The meeting was opened to the public at 12:14 P.M.

There being no further business for discussion, Mayor Pro Tem Kennedy moved to adjourn. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the Council. The meeting was adjourned at 12:15 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL JANUARY 2, 1986

I. The meeting was called to order at 6:10 p.M. with the Mayor presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P.O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronnly L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. Mayor Honse announced the Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes. The meeting was then closed to the public. The meeting was reopened to the public at 7:19 P.M.

III. Mayor Honse announced that he had appointed Don Hamilton to the position of Chief of Police. A motion was made by P.O. Byers and seconded by Bill Gilliland to confirm the appointment of Don Hamilton as Police Chief and the following vote prevailed:

AYES: Messrs: Byers, Bill Gilliland, and Ms. Kennedy.
NOES: Messrs: Kee and Linwood Gilliland

IV. There being no further business, it was moved by Councilman Bill Gilliland , seconded by Councilman Linwood Gilliland and carried unanimously that the meeting be adjourned. The meeting was adjourned at 7:26 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL METING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JANUARY 9, 1986

The meeting was called to order at 6:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse called the meeting to order in open session and announced Council would enter into Executive Session for the purpose of evaluating personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes. The meeting was then closed to the public at 6:33 P. M.

The meeting was opened to the Public at 7:19 P. M.

There being no further business for discussion, Councilwoman Anne Kennedy moved for adjournment. The motion was seconded by Councilman Linwood Gilliland and approved unanimously by the Council. The meeting was adjourned at 7:20 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JANUARY 9, 1986

I. The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings of December 12 and December 21, 1985 and January 2, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary with the following addition:

Regular Meeting of December 12, 1985
Section XIV (2)
A Review Board, consisting of the Mayor, Mayor Pro Tem,Department Head and Liaison from the Council , will evaluate and review all employee hiring except Department Heads. The City Council will evaluate and review Department Heads.

The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. CITIZENS AGENDA

Mrs. Jackie Kovsky appeared before the Council to complain about the need for repairs to the railroad crossings in the City. Mayor Honse explained to Mrs. Kovsky that he had been in contact with the railroad offices several times requesting that repairs be made to the crossings.

She also pointed out that an area on Thompson Drive is in need of repair after installation of a culvert. Councilman Kee advised Mrs. Kovsky that additional work is planned for the street and that asphalt would then be put on the area.

IV. TEXAS WASTE MANAGEMENT

1. Mr. John Gustafson appeared before the Council to discuss the problems that would arise from garbage pick-up not being mandatory. He explained that when the bid for the garbage franchise was made in 1983, the cost of $4.90 per residence and $4.00 per senior citizen was given with the understanding that the garbage service would be mandatory.

He also pointed out the problems of not knowing who to pick up since many of the residences do not have house numbers. Also, there would be a drastic decrease in productivity.

Mr. Gustafson recommended that the garbage service be mandatory by amending Ordinance NO. 173. The matter will be discussed at the January 16 workshop.

2. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to table the request for rate increase until after the matter of mandatory garbage service is determined.

V. AMENDMENT TO ZONING ORDINANCE NO. 160

It was moved by Councilman Kee, seconded by Councilman Bill Gilliland, and carried unanimously to approve an amendment to Ordinance No. 160 as follows:

AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 160 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR A CHANGE TO SECTION II, ARTICLE A; PROVIDING A REPEALER: PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

VI. FINAL PLAT APPROVAL - LAKE DALLAS INDUSTRIAL PARK

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and approved unanimously to approve the final plat of the Lake Dallas Industrial Park with the exception of "Utility Easement" .

VII. PAYMENT OF ACCRUED SICK LEAVE IN EXCESS OF THIRTY SIX DAYS

It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and approved unanimously to cause to be paid the sick leave days in excess of thirty six (36) days as follows:

Elmer Crawford	-	11 days totaling $412.50
Donna Hamilton	-	11.6 days totaling $446.94
Johnny Webber	-	13.1 days totaling $467.01

VIII. REVIEW PROCESS FOR HIRING OF PERSONNEL

It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to set up a Review Board to review hiring of personnel, consisting of the Mayor, Mayor Pro Tem, Liaison from the Council and Department Head. In the case of hiring a Department Head, the entire Council would be the Review Board.

IX. CONTROL OF SMOKING IN COUNCIL CHAMBERS

It was moved by Councilman Bill Gilliland and seconded by Councilman Kee that there be no smoking in the Council Chambers, with the provision that this rule may be waived or suspended depending on the circumstances at that time by the presiding officer.

After discussion, Councilman Bill Gilliland withdrew his motion, and Councilman Kee agreed to withdraw his second to the motion.

It was then moved by Councilman Bill Gilliland that no smoking be allowed in the Council Chambers. This motion was seconded by Councilman Kee and the following vote prevailed:

AYES: Messrs: Byers, Kee, Bill Gilliland, Linwood Gilliland
NOES: Mrs. Kennedy

X. COMMITTEE REPORTS

No reports were given for Transportation Committee and Committee of the Future.

XI. PARKS AND RECREATION DEPARTMENT

1. The Board Minutes were reviewed.

2. Liaison Bill Gilliland gave his report.

3. The first Annual Garza Days brochure was reviewed and discussion was held in regard to the best day of the week for it to be held.

4. Opening day for Willow Grove Park was discussed. It was moved by Councilman Linwood Gilliland, seconded by Councilwoman Kennedy and carried unanimously to set the date of April 1st as the opening date.

5. It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to pay the gate attendant at Willow Grove Park fifty percent (50%) of the entry fees or minimum wage, whichever is greater.

XII. STREET DEPARTMENT

Councilman Kee, Liaison for the Street Department, gave his report.

In view of the completion of Overly Drive extension from Shady Shores Road to the Service Road of I-35E, the question of the Police Department being able to legally patrol the street was discussed. This street will not be dedicated until after the building of the area is completed, so there is a question of the legality of patrolling on private property. The Attorney for the City will be asked for his legal opinion.

XIII. POLICE DEPARTMENT

1. Chief Hamilton discussed the matter of bids on a police car and minimum equipment required for it. It was agreed to let the bid to Frontier Ford in Lewisville for a 1986 Ford Crown Victoria.

He proposed to sell the two Chevrolet patrol cars now used as back-ups and use the money obtained from the sale to purchase a Department of Public Safety supervisor car which would serve as the Lake Dallas Police Department C.I.D. car. The present Chief's car could be marked and used as a patrol car. This would give the City three marked patrol cars.

2. The Criminal and Traffic Report was reviewed.

3. The Animal Control Report was reviewed.

4. The Ordinance Violation Report was reviewed.

5. Councilman Byers, Police Department Liaison, gave his report.

6. Responsibilities of Chief of Police was presented to the Council for approval. It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to accept this job description and it will be placed into the Personnel Manual.

XIV. ADMINISTRATIVE DEPARTMENT

1. The Balance Sheet and Statement of Operations Reports as of December 31, 1985 were reviewed.

2. It was moved by Councilwoman Kennedy, seconded by Councilman Byers, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City for the month of January.

XV. OLD BUSINESS

1. A workshop date of February 20, 1986 at 6:30 P. M. was set to discuss Goals and Priorities.

2. The workshop for discussing Planning and Zoning Ordinance No. 7 has been set for January 16th.

3. The January 16th workshop will include discussion of Traffic Ordinances.

4. Sign Ordinances will be discussed at the January 16th workshop.

5. City Secretary informed the Council that she had ordered the volume of Vernon's Texas Civil Statutes pertaining to Open Meeting Law.

6. It was generally agreed by the Council to drop Board of Adjustment from Old Business.

XVI. NEW BUSINESS

1. Alternate Municipal Court Judge will be discussed at the workshop to be held on February 20, 1986.

2. City Secretary reported to the Council that in view of the age of the telephone system currently being used by the City, she is checking into the costs of replacing them.

XVII. ADJOURNMENT

There being no further business, it was moved by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously that the meeting be adjourned. The meeting was adjourned at 11:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, JANUARY 16, 1986

I. The meeting was called to order at 6:37 P. M. with the Mayor presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Mr. P. O. Byers was absent from this meeting. The following business was transacted:

II. DISCUSSION OF TRAFFIC CONTROL ORDINANCES

Councilman Bill Gilliland stated that he had researched the Ordinances and found that we have thirteen (13) Traffic Control Ordinances. He feels these could be condensed to approximately two (2) Ordinances.

Councilman Kee brought before the workshop the problem of the 30 mile per hour speed limit within the City. On only a few streets within the City can a car be driven safely at this speed. The question was asked whether we can legally lower the speed zone other than in school zones, parks, etc.

Councilman Bill Gilliland was appointed to chair a committee to study the Ordinances relating to traffic control. This committee will meet in a workshop set for January 28, 1986 at 7:00 P. M.

III. DISCUSSION OF SIGN ORDINANCE

The City of Lewisville Sign Ordinance was discussed and it was generally agreed that we use this as a guide in proposing a new Sign Ordinance for the City of Lake Dallas with amendments made as necessary.

IV. DISCUSSION OF PLANNING AND ZONING ORDINANCE NO. 7

Amendments were made to Ordinance NO. 7 and the proposed Ordinance will be presented at the next City Council meeting.

V . ADJOURNMENT

It was moved by Councilwoman Anne Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 10:00 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL FEBRUARY 13, 1986

The meeting was called to order at 8:03 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings held January 9 and 16, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilwoman Kennedy and carried unanimously.

III. CITIZENS AGENDA

A. Mr. Gary Foster appeared on behalf of his wife who is a candidate for Mayor in the April City Election to ask the approval of the Council to allow political signs to be posted throughout the City. He was advised by the Council that there would be no need to obtain Council approval if the signs were posted on private property with the owners approval.

After a lengthy discussion, the approval was given to post signs by political candidates if these were removed within five (5) days after the election. The Council also agreed to research the removal of the signs for Mrs. Foster to determine if the City should reimburse her for their cost.

B. Mr. Eddie Stearns brought the problem of stray cats in the City to the Council for discussion. He feels some live traps should be set out in the area to reduce the cat population within the City.

C. Ms. Christie Houghton of Oak Lakes Subdivision asked what the plans were for the streets within this area of the City. Mayor Honse advised her that the streets of Oak Lakes Subdivision had never been dedicated to the City.

The Council suggested to Ms. Houghton that she meet with her neighbors in this subdivision to determine what possible action could be taken in the matter.

D. Mrs. Carolyn Green complained regarding the stoppage of flow of water through the culvert at the entrance of Lake Haven Mobile Home Park. She also asked if assistance could be obtained from the developer of Overly Drive extension between Shady Shores Road and the service road of I-35E, together with the City and the Lake Haven Mobile Home Park in planting an attractive buffer zone between the new road and Lake Haven's property.

IV. PETITION BROUGHT BY CROFT INVESTMENTS FOR A CHANGE IN ZONING FROM R1-7200 (SINGLE FAMILY) CLASSIFICATION TO C-2 (COMMERCIAL) CLASSIFICATION ON APPROXIMATELY 4 ACRES OUT OF THE LOWERY COBB SURVEY. THIS PROPERTY IS LOCATED ON THE CORNER OF CARLISLE AND MAIN STREET.

A motion to deny this petition was made by Councilman Kee. It was seconded by Councilman Bill Gilliland and prevailed by the following vote:

AYES: Messrs: Kee, Bill Gilliland, Linwood Gilliland and Mrs. Kennedy
NOES: None
ABSTAIN: Mr. Byers

V. PETITION BROUGHT BY ASTOR DEVELOPMENT FOR A CHANGE IN ZONING FROM R1-7200 (SINGLE FAMILY) CLASSIFICATION TO R1-7200 WITH GROUP HOUSING (SINGLE FAMILY) CLASSIFICATION ON A 131.8 ACRE TRACT OF LAND OUT OF THE T. WHITE SURVEY. THIS PROPERTY IS LOCATED AT SHADY SHORES AND DOBBS ROAD.

A motion to approve this petition was made by Councilman Byers, It was seconded by Councilwoman Kennedy and approved unanimously.

VI. AMENDMENT TO ZONING BOARD ORDINANCE NO. 7

The motion to adopt Amendments to Zoning Board Ordinance No. 7 was made by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously.

VII. AMENDMENTS TO ORDINANCE NO. 173 REQUIRING MANDATORY GARBAGE SERVICE FOR ALL RESIDENTS WITHIN THE CITY OF LAKE DALLAS

It was moved by Councilman Bill Gilliland, seconded by Councilwoman Kennedy and carried unanimously to approve the Amendment to Ordinance No.173, requiring mandatory garbage service for all residents within the City of Lake Dallas.

VIII. AMENDMENT TO ORDINANCE NO. 184 ESTABLISHING NEW GARBAGE SERVICE RATES FOR RESIDENTIAL CUSTOMERS

It was moved by Councilman Bill Gilliland and seconded by Councilman Kee to approve the Amendment to Ordinance No. 184 raising the garbage service rates five percent (5%) for residential and commercial customers. The rate for those residents over 65 years of age will be remaining at $4.00 per month. The motion prevailed by the following vote:

AYES: Messrs: Bill Gilliland, Linwood Gilliland and Kee
NOES: Mr. Byers and Mrs. Kennedy

IX. AMENDMENT TO SIGN ORDINANCE NO. 153 ESTABLISHING NEW REGULATIONS AND PERMIT FEES

It was moved by Councilman Kee and seconded by Councilman Linwood Gilliland

to approve this Amendment to Sign Ordinance No. 153 with the following changes:

SECTION XIII, ARTICLE K - SPACING OF COMMERCIAL ADVERTISING SIGNS

Paragraph 1 - No such structure shall be located within fifteen hundred feet (1,500') of a residential district boundary line.....

Paragraph 2 - Off-premise commercial advertising signs shall not be located within fifteen hundred feet (1,500') of any public park, public forest, public playground or scenic area.....

Tables attached to ordinance should be changed to reflect these changes .

WORDING OF HEADING OF ORDINANCE NO. 153
"An Ordinance of the City of Lake Dallas, Texas, repealing Ordinance No. 153....."

The motion carried unanimously.

X. AMENDMENT TO ORDINANCE NO. 101 REPEALING FUTURE LATE-HOURS PERMITS FOR PRIVATE CLUBS.

It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to repeal future late-hour permits for private clubs.

XI. ORDER FOR CITY OFFICERS' ELECTION TO BE HELD APRIL 5, 1986

It was ordered by the Mayor that the City Officers' Election will be held on April 5, 1986.

XII. DESIGNATION OF ELECTION POLLING PLACES AND HOURS OF VOTING

It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to designate the Lake Cities Fire Department Building as the voting site for the City Officers' Election to be held April 5, 1986, from 7:00 A.M. to 7:00 P. M.

XIII. APPOINT ELECTION JUDGES AND CLERKS

It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Mrs. Aldena Stowe as Election Judge; Mrs. Thana Bounds as Alternate Judge; Mrs. Donna Hamilton as Absentee Clerk; Mrs. Margaret Coulter and Mrs. Karen Mankoff as Deputy Absentee Clerks and Mrs. Aldena Stowe as Judge of Absentee Ballot Board.

XIV. RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDS TO BE MADE TO THE CRIMINAL JUSTICE DIVISION OF THE THE STATE OF TEXAS

It was moved by Councilman Byers, seconded by Councilwoman Kennedy and carried unanimously to approve the application for grant funds for a period of one year to support the Crime Prevention Program of the Lake Dallas Police Department.

XV. RESOLUTION ESTABLISHING NEW WRECKER SERVICE AND IMPOUND FEES

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to increase the wrecker fee to $35.00 and Impound Fee to $15.00 plus $8.00 per each day thereafter.

XVI. COMMITTEE REPORTS

A. Councilman Bill Gilliland reported on the Traffic Control Ordinance Committee.

B. Councilman Bill Gilliland reported on the Committee of the Future.

C. Councilman Linwood Gilliland reported on his meeting with the Fire Department in which the proposed Corinth Fire Department Annex was discussed. A meeting has been set up for representatives from the four Lake Cities municipalities, but no date for the meeting has been decided.

Councilman Gilliland also reported that the Fire Department was advised to furnish a financial report for the cities each month.

XVII. PARK AND RECREATION DEPARTMENT

A. The Park and Recreation Board minutes for the month of January, 1986 were reviewed.

B. Councilman Bill Gilliland, Liason from Council to the Parks and Recreation Board, gave his report.

C. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Rev. Lester Vinson to the Advisory Committee of the Park and Recreation Board.

XVIII. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning Commission minutes for the month of January,1986 were reviewed.

B. Councilman Linwood Gilliland, Liason from Council to Planning and Zoning Commission, gave his report.

XIX. STREET DEPARTMENT

A. Councilman Kee, Liason from Council to Street Department, gave his report.

B. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to hire a Street Supervisor.

C. Donna Hamilton reported that a reply had been received from our Attorney for the City, Richard Podgorski, in regard to traffic control on Overly Drive extension from Shady Shores Road to I-35E service road. It was his legal opinion that we should not give citations on this street, but merely give warning tickets. It was suggested that we contact Texas Municipal League to seek their guidance.

XX. POLICE DEPARTMENT

A. The Criminal and Traffic Report was reviewed.

B. The Animal Control Report was reviewed.

C. The Ordinance Violations Report was reviewed.

D. Councilman Byers, Liason from Council to Police Department, gave his report. He advised the Council that Mr. Paul Brothers has been hired to fill one of the openings in the Police Department.

XXI. ADMINISTRATIVE DEPARTMENT

A. The Comparative Balance Sheet and Statement of Operations Report as of January 31, 1986 were reviewed.

B. It was moved by Councilwoman Kennedy, seconded by Councilman Byers and carried unanimously to cause to be paid all those accounts due and payable by the City within the month of February.

C. The Municipal Court Report was reviewed.

D. Councilwoman Kennedy, Liason from Council to Administrative Department, gave her report.

E. It was moved by Councilman Bill Gilliland, seconded by Councilman Byers and carried unanimously to deny the motion for exemption of a building permit fee for the new Church of Christ building.

XXII. OLD BUSINESS

A. Goals and Priorities for the City will be discussed at the February 20th workshop.

B. Alternate Municipal Court Judge will be discussed at the February 20th workshop.

C. Codification of Ordinances will be discussed at the February 20th workshop.

D. Open Meeting Law to be put under Old Business for March meeting.

E. Office Telephone System will be carried forward to March meeting under Old Business.

F. Fire Department Budget will be carried forward to March meeting under Old Business.

G. The Personnel Handbook was discussed, with Councilman Kee stating that there was some opposition to the handbook by the employees of the Street Department. He was informed that if there were questions by any employees of the City regarding the handbook, they should appear before the Council on Thursday, February 20th, at 6:30 P. M.

XXIII. NEW BUSINESS

A. Fee Ordinance will be postponed until the March Meeting.

B. Councilwoman Kennedy questioned the present status of the Animal Pound location. Councilman Byers informed the Council that no word had been received from Montserrat regarding the matter.

C. Councilman Linwood Gilliland questioned the availability of the Attorney for the City, Richard Podgorski, since he is a candidate for public office in the upcoming May Primary Election. Mayor Honse advised that he had talked with Mr. Podgorski who had stated he would be available at least until April, 1986.

D. Councilman Bill Gilliland requested that the following items be placed under New Business for the March Council Meeting:

1. Status of Lake Cities Library
2. Ordinance No. 192 regarding Rules of Order and Procedure on City Council Meetings
3. Park Board Ordinance
4. Ordinance No. 82 regarding the office of Fire Marshall
5. Four Ordinances which he feel should be repealed...72,73,102 and 104

XXIV. ADJOURNMENT

There being no further business for consideration, Councilman P. O. Byers moved for adjournment. Motion seconded by Councilwoman Kennedy and carried unanimously. The meeting was adjourned at 11:58 P. M.

Ronald E.(Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 13, 1986

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

PUBLIC HEARING - PETITION BROUGHT BY CROFT INVESTMENTS FOR A CHANGE IN ZONING CLASSIFICATION FROM R1-7200 (SINGLE FAMILY) TO C-2(COMMERCIAL) CLASSIFICATION ON AN APPROXIMATE 4 ACRE TRACT OF LAND OUT OF THE LOWERY COBB SURVEY. THIS PROPERTY IS LOCATED ON THE CORNER OF CARLISLE AND MAIN STREET.

Mr. Jimmy Croft, President of Croft Investments, presented his petition for a change in zoning from R1-7200 (Single Family) to C-2(Commercial) .

Mr. Dave Steely, Engineer for Croft Investments, was introduced and answered questions regarding the project.

Residents appearing were Mr. Gary Foster who was in favor of the project and Mr. Robert Mark who was opposed to the project.

PUBLIC HEARING - PETITION BROUGHT BY ASTOR DEVELOPMENT FOR A CHANGE IN ZONING CLASSIFICATION FROM R1-7200 (SINGLE FAMILY) TO R1-7200 WITH GROUP HOUSING (SINGLE FAMILY) DISTRICT CLASSIFICATION ON A 131.8 ACRE TRACT OF LAND OUT OF THE T. WHITE SURVEY. THIS PROPERTY IS LOCATED AT SHADY SHORES AND DOBBS ROAD.

Mr. Kent Flynn, Executive Vice President of Astor Development, presented his petition for a change in zoning classification from R1-7200 (Single Family) to R1-7200 with Group Housing (Single Family) District Classification.

Mr. Flynn explained to the Council that the need for the change in zoning was to enable Astor Development to preserve the terrain and the trees in the area being developed. With Group Housing this would be possible.

After allowing sufficient time for comment, Mayor Honse called for a motion of adjournment. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:58 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 23, 1986

The meeting was called to order at 6:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
Bill Gilliland, Councilman
P. O. Byers, Councilman
Linwood Gilliland, Councilman
Donna Hamilton, City Secretary
Ronny L. Kee, Councilman

There being no persons absent from this meeting, the following business was transacted:

I. ALTERNATE MUNICIPAL JUDGE

After discussion of the Municipal Court responsibilities, it was decided to contact Ron Vanzura for the name of a lawyer who he feels would be qualified to serve as the Municipal Judge for the City of Lake Dallas. This would then allow Mayor Honse to serve as the Alternate Judge. The Mayor will contact Mr. Vanzura.

II. CODIFICATION OF CITY ORDINANCES

Donna Hamilton advised the Council that the representative from the Municipal Code Corporation of Florida had planned to meet with the Council in this workshop. His secretary called to inform Mrs. Hamilton that he had been called back to Florida due to the illness of his father.

In lieu of Municipal Code's representative appearance, Mrs. Hamilton presented the information she had obtained from five different codification companies. She explained that the information received revealed that all these companies handle the codification in approximately the same manner. She then advised the Council of the way codification of a city's ordinances are accomplished.

III. GOALS AND PRIORITIES OF THE CITY OF LAKE DALLAS

Councilman Linwood Gilliland reviewed goals that he felt the Council should consider in the future. He suggested that all members be thinking about goals and priorities the Council should be looking toward accomplishing.

Mayor Honse made the recommendation that we start with the Ordinances as a priority. He suggested that each Council member be responsibile for looking through a certain number of Ordinances to determine what needs to be changed or corrected.

Donna Hamilton also suggested that as we look toward budget time, the Liason from Council meet with the Department Head and work up a capital outlay that will be needed for the coming year's budget.

I. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:36 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF THE CITY COUNCIL OF

THE CITY OF LAKE DALLAS

SETTING AS THE BOARD OF ADJUSTMENT

HELD AT CITY HALL MARCH 13, 1986

I. The meeting was called to order at 6:06 P. M. with the Chairperson Anne Kennedy presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 MULTI-FAMILY DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENT OF THIRTY FEET (30') FOR THE REAR YARD TO TWENTY FEET (20') ; FROM THE REQUIREMENTS OF TWO(2) PARKING SPACES PER UNIT TO 1.75 PARKING SPACES AND TO ALLOW PARKING IN THE FRONT YARD; AND FROM THE MINUMUM DWELLING SIZE OF TWELVE HUNDRED (1200) SQUARE FEET TO A MINUMUM OF SIX HUNDRED AND FIFTEEN (615) SQUARE FEET. THE SAID PROPERTY IS SPRUCE CREEK APARTMENTS LOCATED ON THE NORTH SIDE OF THE EXTENSION OF OVERLY DRIVE WEST OF SHADY SHORES ROAD.

PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 LIGHT INDUSTRIAL DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENTS OF FIFTEEN FEET (15') FOR THE REAR YARD TO TEN FEET (10') AND TO ALLOW PARKING WITHIN FIFTY FEET (50')FRONT YARD. THE SAID PROPERTY IS LOT I OF LAKE DALLAS INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF THE EXTEN-SIONOF OVERLY DRIVE APPROXIMATELY SIX HUNDRED TWENTY FEET (620') WEST OF SHADY SHORES ROAD.

PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 LIGHT INDUSTRIAL DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENTS OF FIFTEEN FEET (15') FOR THE REAR YARD TO ZERO FEET (0') AND FROM A MINIMUM OF TEN FEET (10') FOR THE SIDE YARD TO NINE FEET (9'). THE SAID PRO-PERTY IS LOT 2 OF LAKE DALLAS INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF THE EXTENSION OF OVERLY DRIVE APPROXIMATELY SIX HUNDRED TWENTY FEET (620') WEST OF SHADY SHORES ROAD.

PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 LIGHT INDUSTRIAL DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENTS OF FIFTEEN FEET (15') FOR THE REAR YARD TO ZERO FEET (0'). THE SAID PROPERTY IS LOT 3 OF LAKE DALLAS INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF THE EXTENSION OF OVERLY DRIVE APPROXIMATELY SIX HUNDRED TWENTY FEET (620') WEST OF SHADY SHORES ROAD.

PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 LIGHT INDUSTRIAL DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENTS OF FIFTEEN FEET (15') FOR THE REAR YARD TO TEN FEET (10') AND FROM A MINIMUM OF FIFTY FEET (50') FOR THE FRONT YARD TO FORTY FOUR FEET (44'). THE SAID PROPERTY IS LOT 4 OF LAKE DALLAS INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF THE EXTENSION OF OVERLY DRIVE APPROXIMATELY SIX HUNDRED TWENTY FEET (620') WEST OF SHADY SHORES ROAD.

PUBLIC HEARING - PETITION OF BURTON SHRYOCK FOR A VARIANCE FROM ORDINANCE NO. 25 LIGHT INDUSTRIAL DISTRICT. THE VARIANCE IS REQUESTED FROM THE SETBACK REQUIREMENT OF FIFTEEN FEET (15') FOR THE REAR YARD TO ZERO FEET (0') AND THE MINIMUM OF TEN FEET (10')FOR THE SIDE YARD TO ZERO FEET (0'). THE SAID PROPERTY IS LOT 5 OF LAKE DALLAS INDUSTRIAL PARK LOCATED ON THE NORTH SIDE OF THE EXTENSION OF OVERLY DRIVE APPROXIMATELY SIX HUNDRED TWENTY FEET (620') WEST OF SHADY SHORES ROAD.

A Public Hearing was held regarding the petitions for variance of the Spruce Creek Apartments and Lots 1 through 5 of Lake Dallas Industrial Park located on the North side of the extension of Overly Drive West of Shady Shores Road .

Chairperson Kennedy called for public comments on the petitions:

1. Mrs. Dorothy Flowers, resident of KIngs Manor, objected to the request of the Spruce Creek Apartment's variance of 1.75 parking space.

2. A resident questioned the availability of water for this large apartment unit since there was already a water shortage in the Lake Cities area . Councilman Byers advised him that the Lake Cities Municipal Utility Authority has now signed a contract with the City of Denton to purchase water and this should be added to our Lake Cities water supply by Summer of 1986.

3. Councilman Kee expressed his objection to the 1.75 per unit parking space, since he felt this would compound the parking problems already existing in the city.

After allowing sufficient time for public comment, the following action was taken:

SPRUCE CREEK APARTMENTS

It was moved by Councilman Bill Gilliland and seconded by Councilman Byers to approve this variance asking for a reduction of setback requirements of thirty feet (30') for the rear yard to twenty feet (20'); reducing the requirements of two (2) parking spaces per unit to 1.75; to allow parking in the front yard and reduce the minimum dwelling size from twelve hundred (1200) square feet to a minimum of six hundred fifteen (615) square feet. The following vote prevailed:

AYES: Messrs. Bill Gilliland, Byers
NOES: Messrs. Kee, Linwood Gilliland and Mrs. Kennedy

It was then moved by Councilman Kee and seconded by Councilman Linwood Gilliland to grant the variance as follows: The setback requirement

be reduced for the rear yard from thirty feet (30') to twenty feet (20'); that the requirements of two (2) parking spaces per unit be reduced to 1.97 per unit; to allow parking in the front yard with a seven foot (7') burm between the parking area and Overly Drive; reduce the minimum dwelling size of twelve hundred (1200) square feet to a minimum of six hundred fifty (650) square feet. The following vote prevailed:

AYES: Messr: Kee, Bill Gilliland, Linwood Gilliland, Byers
NOES: Mrs. Kennedy

LOT 1 - LAKE DALLAS INDUSTRIAL PARK

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to grant the variance on Lot 1 to reduce the setback requirements of fifteen feet (15') to ten feet (10') for the rear yard and to allow parking within the fifty feet (50') front yard with a seven foot (7') burm between the parking area and Overly Drive.

LOT 2 - LAKE DALLAS INDUSTRIAL PARK

It was moved by Councilman Byers and seconded by Councilman Bill Gilliland to grant the variance on Lot 2 to reduce the setback requirements for the rear yard from fifteen feet (15') to zero feet (0') and from a minimum of ten feet (10') to nine feet (9') for the side yard. The following vote prevailed:

AYES: Messrs. Byers, Bill Gilliland, Linwood Gilliland, Kee
NOES Mrs. Kennedy

LOT 3 - LAKE DALLAS INDUSTRIAL PARK

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to grant the variance reducing the setback requirements of fifteen feet (15') to zero feet (0') for the rear yard.

LOT 4 - LAKE DALLAS INDUSTRIAL PARK

The variance requesting the reduction of setback requirements for the rear yard from fifteen feet (15') to ten feet (10') and reducing front yard minimum from fifty feet (50') to forty four feet (44') was withdrawn by the petitioner.

LOT 5 - LAKE DALLAS INDUSTRIAL PARK

It was moved by Councilman Linwood Gilliland and seconded by Councilman Kee to grant the variance for the side yard requirements from a minimum of ten feet (10') to zero feet (0'), but to deny the request for variance of the setback requirements for the rear yard from fifteen feet (15') to zero feet (0'). The following vote prevailed:

AYES: Messr: Linwood Gilliland, Kee and Mrs. Kennedy
NOES: Mr. Bill Gilliland
ABSTAIN: Mr. Byers

There being no further business to come before this Board of Adjustment, Councilman Byers moved for adjournment. It was seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 7:55 P. M.

RECONSIDERATION OF VOTE ON LOT 5 OF LAKE DALLAS INDUSTRIAL Park

The Board of Adjustment reconvened at 8:03 P. M. to reconsider the vote

on Lot 5 of Lake Dallas Industrial Park variance since the vote must be passed by a 4/5 majority of the Council.

Councilman Kee asked the Council for reconsideration of the earlier motion. It was seconded by Councilman Linwood Gilliland and carried unanimously.

It was then moved by Councilman Linwood Gilliland, seconded by Councilman Kee and carried unanimously to grant the variance for the side yard requirements from a minimum of ten feet (10') to zero feet (0') , but to deny the request for variance of the setback requirements for the rear yard from fifteen feet (15') to zero feet (0') due to this being adjacent to the apartments.

Councilman Byers moved for adjournment. The motion was seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 8:05 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 13, 1986

I. The meeting was called to order at 8:05 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. PUBLIC HEARING - PETITION BROUGHT BY CROFT INVESTMENTS FOR A CHANGE IN ZONING FROM R-1 7200 (SINGLE FAMILY) CLASSIFICATION TO C-1(COMMERCIAL) CLASSIFICATION ON APPROXIMATELY 4 ACRES OUT OF THE LOWERY COBB SURVEY. THIS PROPERTY IS LOCATED AT CARLISLE AND MAIN.

A Public Hearing was held on the request for change in zoning from R-1 7200 (Single Family) classification to C-1 (Commercial)classification by Croft Investments. This property is located on approximately four (4) acres out of the Lowery Cobb survey located at Carlisle and Main.

Mayor Honse called for public comments on this petition.

1. Mr. Jimmy Croft requested from the Council that this matter be tabled until a future meeting. City Secretary informed Mr. Croft that since this was put in the paper as a public hearing, these people who had come to speak would need to be heard.

2. Mrs. Rita Harvell spoke in opposition to this request for rezoning due to the effect it would have on the evaluation of her home located on Carlisle Street.

After allowing sufficient time for all to speak in regard to this issue, it was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to table this matter as Mr. Croft requested.

III. PUBLIC HEARING - PETITION BROUGHT BY WILLIAM BROWN FOR A CHANGE IN ZONING FROM R-1 7200 (SINGLE FAMILY)TO C-1 (COMMERCIAL) CLASSIFICATION ON A 4.61 ACRE TRACT OF LAND AND A CHANGE IN ZONING FROM R-1 7200 (SINGLE FAMILY) TO R-3 (MULTI-FAMILY) ON A 10.93 ACRE TRACT OF LAND. BOTH OF THESE TRACTS ARE OUT OF THE M.E.P. & P.R.R. SURVEY AND ARE LOCATED ON MAIN STREET AND CARLISLE STREET.

A Public Hearing was held on the request for change in zoning for a

4.61 acre tract of land from R-1 7200 (Single Family) to C-1 (Commercial) classification, and a change in zoning on a 10.93 acre tract of land from R-1 7200 (Single Family) to R-3 (Multi-family) classification.

Mayor Honse called for public comments on this petition.

1. Mr. William Brown presented the details of the retirement village project planned for the property.

2. An owner of property in the Harbourtown area presented a petition with several concerns from the residents in his neighborhood.

3. Mr. Carl Thomas, resident of Thompson Drive, asked for clarification of zoning requests and what they would accomplish.

4. Concern was expressed by some residents regarding the access to Willow Grove Park.

5. The problem with availability of water was questioned and Councilman Byers advised that the Lake Cities Municipal Utility Authority is now in the process of contracting for Denton water and this would be available by the Summer of 1986.

6. Councilman Kee expressed his concern for opening up additional commercial property.

After allowing sufficient time for all to speak, Mayor Honse called for a motion of action. Motion was made by Councilman Linwood Gilliland and seconded by Councilwoman Kennedy to approve this petition for change in zoning and prevailed by the following vote:

AYES: Messrs: Linwood Gilliland, Byers, Bill Gilliland and Mrs. Kennedy
NOES: Mr. Kee

IV. APPROVAL OF MINUTES OF MEETING HELD FEBRUARY 13 and 20, 1986

Councilwoman Kennedy moved for the suspension of any rule requiring that the minutes of the meetings of February 13 and 20, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary with the following addition:

Workshop Meeting of February 20, 1986

Add Councilman Ronny Kee to list of attendees

Councilman Byers seconded this motion and it carried unanimously.

V. ORDINANCE REPEALING ORDINANCE NUMBER 94 AND ADOPTING A NEW FLOOD DAMAGE PREVENTION ORDINANCE

It was moved by Councilwoman Kennedy, seconded by Councilman Kee and carried unanimously to approve the repeal of Ordinance NO. 94 and adopt a new flood damage prevention program.

VI. CITIZENS AGENDA

Kenda Pyson, 519 Addison, represented several citizens from Oak Lakes

Subdivision to complain about the sewage problem in their area. They also had numerous complaints in regard to the business practices of Mr. Aiden Aikman, builder of these homes in Oak Lakes Subdivision.

Charley Berry, Building Inspector, reported that he and representatives from the Denton County Health Department had inspected the properties. It was the consensus of the Health Department officials that these septic systems had been put in correctly to meet the minimum standards of the State. They felt that since the systems had been put on two lots, this was all that was required of Mr. Aikman. It was therefore decided by the County and Mr. Berry that the only solution was for the homeowners to reduce the amount of water sent through these systems.

Mayor Honse advised the homeowners that all permits have been temporarily suspended for Oak Lakes Subdivision until a solution is found to the septic tank system problems.

VII. COMMITTEE REPORTS

Councilman Bill Gilliland reported that the Committee of the Future had met on February 20th which was the Council's Workshop meeting night. He was therefore unable to attend, but he included Scott Harper's account of the meeting in the March Council Packet.

Councilman Gilliland also reported on the Traffic Control Committee. He has reviewed four ordinances of the existing fifteen traffic ordinances for the City. He will also be reviewing the speed ordinances , sign ordinances, and truck route ordinances.

VIII. PARK AND RECREATION DEPARTMENT

A. The minutes of the Park and Recreation Board meeting for February was reviewed.

B. Councilman Bill Gilliland, Liason to the Park Board,reported that Loretta Powers had turned in her resignation from the Board. It was the question of the Chairman as to whether another person should be recommended to fill this vacancy or allow the Advisary Member to become a member. It was the consensus of the Council that Rev. Lester Vinson be appointed to fill this vacancy,thus making him a full member of the Board.

C. Councilman Gilliland reported that the gatekeeper of Willow Grove Park had resigned.

D. A Garza Days Treasurer has been appointed in order that the City Hall Office would not be responsible for the handling of all the Garza Days' financial activity. A tentative fee of booth rental for Garza Days has been set as $20.00 for commercial groups and $10.00 for non-profit organizations.

IX. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission for March 6th were reviewed.

B. Councilman Linwood Gilliland, Liason to the Planning and Zoning Commission, gave his report. A workshop has been planned for March 25th, 1986.

X. FIRE DEPARTMENT

Councilman Linwood Gilliland, Liason to Fire Department, gave his report. He advised the Council that a meeting of all the representatives from the four Lake Cities municipalities would be meeting with the Fire Department representatives on Friday, March 28th at 7:30 P. M..

XI. STREET DEPARTMENT

Councilman Kee, Liason to the Street Department, gave his report. He advised that the street department employees have been replacing inadequate culverts, and have been cleaning out ditches to assist in the drainage of water throughout the City.

Mr. Kee also reported on the present status of correcting the school zone signal lights.

Applications have been received on the Street Superintendent position, but no action has been taken insofar as the hiring of a person to fill this opening.

The question of patrolling and issuing citations on the extension of Overly Drive was discussed. Mayor Honse will contact Mr. Burt Shryock, owner of the property on which Overly Drive is located, to get written permission for the City to legally patrol the extension and to issue citations when necessary.

XII. POLICE DEPARTMENT

A. The Criminal and Traffic Report was reviewed.

B. The Animal Control Report was reviewed.

C. The Ordinance Violations Report was reviewed.

D. Police Chief Hamilton reported on the interest in an Interlocal Agreement with the cities of Corinth, Hickory Creek, Lake Dallas and Denton County for emergency assistance between these four law enforcement agencies.

XIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of February 28, 1986 were reviewed.

B. It was moved by Councilwoman Kennedy, seconded by Councilman Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of March.

C. The Municipal Court Report was reviewed.

XIV. OLD BUSINESS

A. There was no discussion regarding Goals and Priorities for the City.

B. The codification company based in Dallas will be contacted to ask them to make a presentation at a future Council workshop.

C. The A. T. & T. Company has given a price quote on the office telephone system. Donna Hamilton reported that she will ask for a bid from the local telephone company and also planned to get a bid from another telephone company. She would prefer to present these bids all at one time. This will be discussed at the March 20, 1986 workshop.

D. The Personnel Handbook will be discussed at the March 20th workshop.

E. The Fee Ordinance will be discussed at the March 20th workshop.

F. The Open Meeting Law will be discussed at the March 20th workshop.

G. Councilman Kee spoke to the problem of the different hours of enforcement of School Zone speeds. He has talked to the school officials and they had no problem with making the speed zones consistent throughout the City. This matter will be discussed further at a future workshop.

XV. NEW BUSINESS

A. Councilman Bill Gilliland questioned the current status of the Lake Cities Library in regard to the Chamber of Commerce Building where it is now housed. Mrs. Aldena Stowe, a member of the Library Board, advised that some of the Lake Cities towns had donated to the operational fund of the Library and the County would match the funds. There have also been donations from private businesses.

B. Ordinance NO. 192 covering Rules of Order and Procedure of City Council Meetings will be reviewed at a future workshop.

C. The Park Board Ordinance will be reviewed in a workshop together with the Park and Recreation Board.

D. Ordinance NO. 82, Office of Fire Marshall, will be reviewed at a future workshop.

E. The repeal of the Lake Cities Municipal Utility Authority Ordinances No. 72 and 73 will be reviewed at a future workshop.

F. The possibility of an impact fee on future building within the City was discussed. It was decided to place the matter on the agenda for a future workshop.

G. An addition to the Food Service Ordinance giving authority to the Denton County Health Department to close businesses who are found in violation of health rules was discussed. It was the consensus of the Council to add this to the current ordinance and review the ordinance at a future workshop.

XVI. ADJOURNMENT

There being no further business, it was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 11:35 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 20, 1986

I. The meeting was called to order at 6:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Absent from this meeting were Mayor Pro Tem Anne Kennedy and Councilman P. O. Byers.

II. CODIFICATION OF ORDINANCES

Mr. Rick Jenkins, representing Governmental Service Agency, informed the Council in regard to codification of ordinances.

He explained to the Council the basis on which the cost of codification is measured and the steps taken to accomplish the codification.

III. PERSONNEL HANDBOOK

A proposed Personnel Handbook was reviewed by the Council and changes made for the handbook to comply with City of Lake Dallas policies. Since the revision was not completed, the handbook will be discussed again at a future workshop.

IV. FEE ORDINANCE

Discussion on the Fee Ordinance was postponed.

V. OPEN MEETING LAW

Discussion regarding the Open Meeting Law was postponed.

VI. OFFICE TELEPHONE SYSTEM

Discussion on the office telephone system was postponed.

VII. ADJOURNMENT

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this workshop. The meeting was adjourned at 10:05 P. M.

Ronald E. Honse
Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, MARCH 27, 1986

The meeting was called to order at 6:05 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Anne M. Kennedy, Mayor Pro Tem
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The meeting was then closed to the public at 6:06 P. M.

The Council reconvened at 7:03 P. M.

There being no further business the meeting was adjourned at 7:04 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF THE CITY COUNCIL OF
THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL APRIL 10, 1986

The meeting was called to order at 7:00 P. M. with Mayor Honse acting as Chairman in the absence of Chairperson Anne Kennedy. The following were present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

The following business was transacted:

II. PUBLIC HEARING - PETITION BROUGHT BY CINDY S. WALKER FOR A VARIANCE FROM ORDINANCE NO. 186 ON A .2302 ACRE TRACT OUT OF THE CLAIRMONT SUBDIVISION, M.E.P. & P.R.R. SURVEY

Ms. Cindy Walker presented her petition for a variance from Ordinance NO. 186 to construct a one-car garage on a .2302 acre tract out of the Clairmont Subdivision, M. E. P. & P. R. R. Survey located at 611 Lakeland Street.

Chairman Honse called for public comments.

A resident living directly adjacent to the proposed building site was present, but had no objection to the variance.

Councilman Kee remarked that he felt the Board should take into consideration the fact that this property is located in an area which has not been developed. He feels that a precedent would be set by allowing this variance to be granted.

After allowing sufficient time for all to speak who desired to do so, Chairman Honse called for a motion of approval. It was moved by Councilman Bill Gilliland and seconded by Councilman Byers to allow the variance from a two-car garage to a one-car garage and the following vote prevailed:

AYES: Messrs: Bill Gilliland, Byers, Linwood Gilliland
NOES: Mr. Kee

III. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting of the Board

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, APRIL 10, 1986

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Councilman
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Absent from this meeting was Mrs. Anne Kennedy, Mayor Pro Tem. The following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of March 13, 20 and 27, 1986 be read aloud, and that said minutes be approved as presented in writing by the City Secretary.

III. CITY OFFICERS ELECTION HELD APRIL 5, 1986

A. Mayor Honse and City Secretary began the official canvass of the votes cast in the City Officers' Election held April 5, 1986. It was determined that 1,182 qualified votes were cast as follows:

FOR MAYOR:	Bill Honse	225 votes
	Anne M. Kennedy	137 votes
	Carol Lea Foster	72 votes
	Write-Ins	0 votes
FOR ALDERMAN:	Gary Bills	135 votes
	P. O. Byers	259 votes
	Jeff Crossland	142 votes
	Philip W. Kemery	73 votes
	Harriet Seymour	131 votes
	Write-Ins	8 votes

B. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to pass and approve a resolution accepting said election returns and declaring Bill Honse as duly elected Mayor for the City of Lake Dallas and P. O. Byers and Jeff Crossland as duly elected Aldermen for the City of Lake Dallas.

C. City Secretary administered the Oath of Office to each newly elected officer and Mayor presented Certificates of Election.

IV. APPOINTMENT OF MAYOR PRO TEM

It was moved by Councilman Linwood Gilliland, seconded by Councilman Kee and carried unanimously to elect Councilman P. O. Byers as the Mayor Pro Tem of the City of Lake Dallas.

V. PETITION BROUGHT BY CROFT INVESTMENTS FOR A CHANGE IN ZONING FROM R-1 7200 (SINGLE FAMILY) TO C-1(COMMERCIAL) CLASSIFICATION ON APPROXIMATELY 4 ACRES OUT OF THE LOWERY COBB SURVEY

Mr. Lloyd Anderson, representing Croft Investments, brought to the Council a proposal for a change in zoning from R-1 7200 (Single Family) to C-1(Commercial) Classification on approximately four (4) acres out of the Lowery Cobb Survey.

Mrs. Rita Harvell spoke in opposition to the zoning change and Mayor Honse advised the Council that three (3) letters of disapproval had been received from residents in the area affected by the zoning change.

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland to deny this change in zoning request. The motion prevailed by the following vote:

AYES: Messrs: Kee, Linwood Gilliland, Crossland, Bill Gilliland
NOES: Mr. Byers

VI. FINAL PLAT - SPRUCE CREEK APARTMENTS

Mr. John Porterfield, an engineer representing Mr. Burt Shryock, appeared before the Council requesting approval of the final plat at the Spruce Creek Apartments.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland, and carried unanimously to approve the final plat of the Spruce Creek Apartments.

VII. ORDINANCE AMENDING ORDINANCE NO. 174 AND GRANTING THE HEALTH DEPARTMENT THE AUTHORITY TO CLOSE FOOD ESTABLISHMENTS FOR UNSANITARY CONDITIONS

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve the Ordinance amending Ordinance No. 174 granting the Health Department authority to close food establishments when determined to have unsanitary conditions.

VIII. RESOLUTION APPROVING AND AUTHORIZING THE TAX COLLECTOR FOR THE CITY TO CALCULATE THE EFFECTIVE TAX RATE FOR THE 1986 TAX ROLL

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to adopt a resolution approving and authorizing the Tax Collector for the City to calculate the effective tax rate for the 1986 tax roll.

IX. INTERLOCAL COOPERATION AGREEMENT WITH DENTON COUNTY FOR DETAINING ARESTEES WITH CLASS "C" MISDEMEANOR OFFENSES

It was moved by Councilman Kee, seconded by Councilman Bill Gilliland and approved unanimously to table the Interlocal Cooperation Agreement with Denton County for detaining arrestees with Class "C" misdemeanor offenses due to the delay in the completion of the new Denton County Jail.

X. LAKE CITIES CABLEVISION -TRANSFER OF FRANCHISE AGREEMENT

Mr. Tommy Vance, representing Lake Cities Cablevision , advised the Council of the pending purchase of the cable company. Two representatives from Sammons Cable Communication presented details regarding their company and asked the Council to approve the transfer of ownership. They agree to abide by all rules and regulations as set out in the franchise with Lake Cities Cablevision.

Mrs. Paula Horn, resident of Lake Dallas, questioned the representative from Sammons as to whether the Playboy Channel was shown through Sammons. He replied that it was shown only in Fort Worth, and would not be shown in the Lake Cities Area. She felt that due to the recent Southland Corporation decision to not sell Playboy magazines due to a recent Government study linking pornography to violent crimes, we should get a signed agreement from Sammons that they would not show Playboy Channel in this area.

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to approve this request for transfer of ownership.

XI. CITIZENS AGENDA

A. Mrs. Paula Horn complained regarding service hours of the Lake Dallas Post Office and the problem of getting packages or certified mail picked up before or after hours. Mayor Honse will discuss the problem with the Postmaster and advise Mrs. Horn.

B. Mr. Randy Bills asked what could be brought up before the Council in the Citizens Agenda.

XII. COMMITTEE REPORTS

Councilman Bill Gilliland had nothing to report on the Committee of the Future or Traffic Ordinance Committee.

XII. PARK AND RECREATION DEPARTMENT

A. The Parks and Recreation minutes were reviewed and discussed.

B. Councilman Bill Gilliland, Liaison from Council, gave his report.

C. It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Rev. Lester Vinson to the Parks and Recreation Board to fill the opening created by the resignation of Loretta Powers. It was the consensus of the Council to appoint Mr. Gary Bills as Advisor Member.

D. Mr. Charley Mc Math discussed the proposed Concession Agreement from Mr. Jack Scroggins with the Council. He asked Council's approval of this agreement prior to the Board approaching the Corps. of Engineers.

Councilman Kee questioned the matter of insurance in case of an accident and also reminded the Council that under the terms of this agreement, the cleaning of the restrooms and mowing of Willow Grove Park would now be the responsibility of the City.

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to grant the Park Board permission to establish concessions within Willow Grove Park.

E. Mr. Fred Long asked that the area along the railroad track aside Denton Drive be mowed prior to Garza Days on May 10th. He shared with the Council some of the plans that have been completed to date for the special event.

XIV. PLANNING AND ZONING COMMISSION

A. The minutes of Planning and Zoning Commission were reviewed.

B. Councilman Linwood Gilliland, Council Liaison, gave his report.

C. It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to re-appoint Sandy Payne and Paula Horne to their positions on the Planning and Zoning Commission for another term, leaving only one position to be filled when additional names are received who desire to serve.

XV. FIRE DEPARTMENT

Councilman Linwood Gilliland, Council Liaison,reported on the meeting with the Lake Cities Volunteer Fire Department and the representative from the four Lake Cities municipalities held on March 28, 1986.

XVI. STREET DEPARTMENT

Councilman Kee, Council Liaison, gave his report to the Council of the activities being performed by workers in the Street Department.

The hiring of a Street Superintendent was discussed and an Executive Session will be held on April 17, 1986 at 7:00 P. M.

XVII. POLICE DEPARTMENT

A. The Criminal and Traffic Report was reviewed and Chief Hamilton advised the Council of the meeting of Police Chiefs held in Houston on April 3rd & 4th, 1986,which he attended. He also advised the Council of training films purchased to accomplish on-going training for Police Department personnel.

B. The Animal Control Report was reviewed.

C. The Ordinance Violations Report was reviewed and discussed.

D. Councilman Byers, Council Liaison, gave his report .

XVIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of March 31, 1986 were reviewed and discussed.

B. It was moved by Councilman Kee, seconded by Councilman Crossland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of April.

C. The Municipal Court Report was reviewed.

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to recess until Thursday, April 17, 1986 at which time the remainder of the Agenda will be discussed.

The meeting was recessed at 11:00 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, APRIL 17, 1986

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Councilman
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman

Absent from this meeting was Councilman Ronny Kee and City Secretary, Donna Hamilton. The following business was transacted which was a continuation of the Regular Meeting of the Council held on April 10, 1986:

XIX. OLD BUSINESS

A. GOALS AND PRIORITIES FOR CITY

No action was taken regarding this matter. It was decided to continue to show this under Old Business until a smaller agenda allowed sufficient time to discuss in full.

B. CODIFICATION OF ORDINANCES

Due to lack of information from the firm from whom we are seeking advice regarding codification of City ordinances, this will be postponed until the May Council Meeting.

C. OFFICE TELEPHONE SYSTEM

Three bids have been received from telephone system companies which need to be studied in a workshop to determine future needs of City offices.

D. PERSONNEL HANDBOOK

The changes in the Personnel Handbook were discussed.

E. FEE ORDINANCE

Councilman Bill Gilliland suggested that we make a review of all ordinances which state the amount of fees, and write one ordinance containing all fees. This will be worked in with the Codification of Ordinances.

F. OPEN MEETING LAW

Councilman Bill Gilliland's concern regarding Open Meeting Law is in regard to the bringing up of business under New Business and Old Business which are not on the published agenda for that particular meeting. It was the consensus of the Council that progress had been made in this area, but the State Open Meeting Law regulations needed to be followed more closely.

G. SCHOOL ZONE SPEEDS

Councilman Kee, Liaison from Council to Street Department had asked that this matter be put on the Agenda for April. In view of his absence from this meeting,the matter was postponed until the next meeting.

H. RULES OF ORDER AND PROCEDURE OF CITY COUNCIL MEETINGS-ORDINANCE NO. 192

Councilman Bill Gilliland recommended that Ordinance No. 192, stating that a Workshop would be held at 6:30 preceding the Regular Council Meeting, either be followed or changed. Ordinance No. 192 will be put in a Workshop meeting for the future.

I. PARK BOARD ORDINANCE

Discussion was held regarding the number of members to serve on the Park and Recreation Board as set out in Ordinance No. 185. It was agreed that there should be nine members, of which seven are members and two are Advisory Members.

J. OFFICE OF FIRE MARSHALL - ORDINANCE NO. 82

Councilman Bill Gilliland brought before the Council the need to look at the position of Fire Marshall for the City of Lake Dallas. Due to the volume of work with the Volunteer Fire Department representing all four Lake Cities municipalities, and also working at a full-time job, Jerry McCutcheon does not have the additional time to serve as Fire Marshall.

The appointment of a new Fire Marshall as well as the wording of Ordinance No. 82 regarding duties of that office will be discussed at a Workshop Meeting.

K. REPEAL OF ORDINANCE NOS. 72 and 73 - LAKE CITIES MUNICIPAL UTILITY AUTHORITY

It was decided to put the Repeal of Ordinance Nos. 72 and 73 regarding the acquisition of Lake Cities Municipal Utility Authority by the City of Lake Dallas on the Agenda at May Council as an action item.

L. IMPACT FEES

The discussion of prospective Impact Fees for future building will be postponed until the May meeting in order that Councilman Kee may be present, since it was at his request that it be put on the Agenda for discussion.

XX. NEW BUSINESS

A. Councilman Bill Gilliland requested that the five (5) Nuisiance Ordinances that have been shown under Old Business since November, 1985 be put back on the Agenda for May.

B. Councilman Bill Gilliland also requested that the matter of delapidated or boarded up structures need to be discussed.

C. Councilman Bill Gilliland suggested that a wall clock be put in Council Chamber.

D. Mayor Honse allowed Mrs. Carolyn Green, Manager of Lake Haven Mobile Home Park, to speak regarding minimum footage of mobile homes parked on a commercial mobile home park. This problem will be referred to the Planning and Zoning Commission.

XXI. ADJOURNMENT

There being no further business, the meeting was adjourned.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, MAY 8, 1986

The meeting was called to order at 6:00 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. GOALS AND PRIORITIES FOR CITY

Mayor Honse has talked with Ruth Tansey, County Commissioner for Precinct 1, in regard to the work for the City of Lake Dallas to be done later in the year on the streets and ditches. This is the second of a three-year agreement with the County.

He has also talked with the railroad company regarding drainage in the area of the warehousing development along the railroad. They advised Mayor Honse to perform whatever drainage work was needed in the area.

It was suggested by Councilman Linwood Gilliland that in the City's attempt to clean up junk and other ordinance violation, that we take a street and work with just that area in order not to try to correct the entire city at once. Mayor Honse replied that he had been riding with Officer Ashdown looking at the areas which needed to be done first.

Councilman Bill Gilliland suggested that we try an "Adopt a Block" Program as has been done in other cities.

Councilman Bill Gilliland felt that his main goal for the city at this time was the codification of city ordinances .

Councilman Byers advised the Council that in the near future, some funds will need to be spent on the air conditioning in City Hall. Mayor Honse reminded the Council that any repairs or needs suggested by the Council need to outlined in order that they might be considered for the proposed budget. A workshop was set for the third Thursday in June to look at the budget recommendations.

Mayor Honse asked all the Council members make a list of their priorities and goals for the workshop set for June 19th.

III. OFFICE TELEPHONE SYSTEM

City Secretary shared the information she had received from the Lake Dallas Telephone Company, A.T. & T., and Network Communications.

It was decided to ask a representative from one of these telephone companies to meet with the Council in workshop on the third Thursday in May.

IV. PERSONNEL HANDBOOK

City Secretary advised the Council that rather than taking Council members' time in going through the Personnel Handbook suggesting changes, she has obtained handbooks from comparable cities and has made changes. This is being put on the word processor and a copy will be run for each Councilman to study and suggest changes if necessary. This will be printed as computer time is available, but should be ready within the next two to three weeks.

V. OFFICE OF FIRE MARSHALL, ORDINANCE NO. 82

Councilman Bill Gilliland feels that since Fire Chief Jerry McCutcheon has the responsibility of the Lake Cities Fire Department and the coordination of four area cities, the City of Lake Dallas should look to another person to fill the office of Fire Marshall for the City.

The Council discussed the possibility of asking Charlie Berry to serve as Fire Marshall for the City of Lake Dallas in addition to his responsibilities as Building Inspector. The possibility of making this combined job into a full-time paid position was also discussed.

Mayor Honse will contact Mr. Berry to ask if he is interested in this position and ask if he could meet with the Council for an interview on the third Thursday in May.

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. Meeting was adjourned at 6:50 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MAY 8, 1986

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of April 10 and 17, 1986 be read aloud, and that said minutes be approved as presented in writing by the City Secretary. Councilman Kee seconded the motion and it carried unanimously.

III. FINAL PLAT APPROVAL - CARLISLE COURT

Mr. Bob McNamara of McNamara Engineering Company,represented Mr. Robert Marks to answer Council's question regarding the final plat for Carlisle Court, being 3.15 acres of the Lowery Cobb Survey.

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to approve the final plat of Carlisle Court.

IV. FINAL PLAT APPROVAL -CLARAMONT ADDITION

Mr. Monty Williams requested approval of the final plat of Claramont Addition, being a part of a 13.52 acre tract situated in the M.E.P. & P.R.R. Survey.

Councilman Kee questioned the width of the road, designated as Lakeland Court, being only thirty feet (30') and the problem with access if cars parked in front of the houses on that street.

It was moved by Councilman Kee, seconded by Councilman Byers and carried unanimously to approve the final plat of Claramont Addition.

V. PUBLIC HEARING - AMENDMENTS TO ZONING ORDINANCE NO. 25

A Public Hearing was held regarding Amendments to Zoning Ordinance No.25 which reads: "AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR VARIOUS CHANGES TO SECTION VIII, SECTION IX, SECTION XXIV, AND SECTION XXVI; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY."

Mayor Honse called for public comment on the proposed Amendment to Zoning Ordinance NO. 25. No public response.

VI. ORDINANCE AMENDING ZONING ORDINANCE NO.25 - ACTION

An Ordinance Amending Zoning Ordinance NO. 25 was read as follows: "AN ORDINANCE AMENDING AN ORDINANCE - THE ZONING DISTRICT ORDINANCE, ORDINANCE NO. 25 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR VARIOUS CHANGES TO SECTION VIII, SECTION IX, SECTION XXIV, AND SECTION XXVI; PROVIDING A REPEALER ; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY."

It was moved by Councilman Kee and seconded by Councilman Crossland to approve this Amendment to Ordinance NO. 25 and the following vote prevailed:

AYES: Messrs: Kee, Crossland, LInwood Gilliland, Bill Gilliland
NOES: Mr. Byers

VII. PUBLIC HEARING - AMENDMENTS TO SUBDIVISION ORDINANCE NO. 26

A Public Hearing was held regarding Amendments to Subdivision Ordinance No. 26 entitled: "AN ORDINANCE AMENDING AN ORDINANCE - THE PLATS & SUBDIVISION ORDINANCE, ORDINANCE NO. 26 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR VARIOUS CHANGES TO SECTION V AND SECTION VII; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY."

Mayor Honse called for public comment on the proposed Amendment to the Subdivision Ordinance NO. 36. No public response.

VIII. ORDINANCE AMENDING SUBDIVISION ORDINANCE NO. 26 - ACTION

An Ordinance Amending Subdivision Ordinance NO. 26 was read as follows: "AN ORDINANCE AMENDING AN ORDINANCE - THE PLATS AND SUBDIVISIONS ORDINANCE, ORDINANCE NO. 26 OF THE LAKE DALLAS BOOK OF ORDINANCES - PROVIDING FOR VARIOUS CHANGES TO SECTION V AND SECTION VII; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY."

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and carried unanimously to approve this Amendment to Ordinance No. 26.

IX AND X. ORDINANCE REPEALING ORDINANCE NO. 73 & NO. 74

It was moved by Councilman Kee that Ordinance NO. 73, known as the Lake Cities Municipal Utility Authority Ordinance and Ordinance No. 74, known as The Ordinance Abolishing the Lake Cities Municipal Utility Authority be repealed. The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

XI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE-PURCHASE AGREEMENT WITH FORD FINANCIAL SERVICE, INC. FOR 1986 FORD-ACTION

A Resolution entitled, " A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING THE MAYOR TO SIGN AN EQUIPMENT LEASE AGREEMENT WITH THE FORD FINANCIAL SERVICES, INC. FOR ONE 1986 FORD CROWN VICTORIA POLICE PACKAGE AUTOMOBILE" was read. It was moved by Councilman Bill Gilliland, seconded by Councilman Crossland, and carried unanimously to adopt this Resolution.

XII. CODIFICATION OF CITY ORDINANCES - ACTION

The matter of codification of city ordinances was discussed and it was the consensus of opinion of the Council that we pursue bids from the codification firms. It was moved by Councilman Bill Gilliland, seconded by Councilman Crossland and carried unanimously for the Mayor and City Secretary to pursue soliciting bids for codification of City of Lake Dallas Ordinances.

XIII. APPOINTMENT OF BOARD OF ADJUSTMENT CHAIRMAN - ACTION

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously that Mayor Pro Tem, P. O. Byers, be appointed as Chairman of Board of Adjustment.

XIV. CITIZENS AGENDA

1. Mr. Kent Flynn shared with the Council a drawing of the proposed Thousand Oaks Subdivision and an update of its development.

2. Mr. Fred Long gave a report on the forthcoming "Garza Days" to be held on Saturday, May 10th.

XV. COMMITTEE REPORTS

Councilman Bill Gilliland, representative on the Committee of the Future, and Councilman Linwood Gilliland on the Transportation Committee reported that there had been no action on either of these committees.

XVI. PARK AND RECREATION DEPARTMENT

A. The Park Board Minutes were reviewed.

B. Councilman Bill Gilliland, Liaison from Council, gave his report.

C. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to nominate Gary Bills as a member of the Park Board, to fill the position vacated by Jeff Crossland.

D. A financial report for Garza Days was given by Liaison Bill Gilliland and Fred Long, Chairman of Garza Days.

XVII. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning Commission minutes were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council, gave his report.

C. It was moved by Councilman Bill Gilliland and seconded by Councilman Crossland that the discussion regarding the appointment of one member to the Planning and Zoning Commission be discussed in Executive Session on May 15, 1986. Motion prevailed by the folowing vote:

AYES: Messrs; Bill Gilliland, Crossland, Byers, Kee
NOES: NONE
ABSTAIN: Mr. Linwood Gilliland

XVIII. FIRE DEPARTMENT

Councilman Linwood Gilliland, Liaison from Council, reported on the

activities in the Fire Department. He also advised that Jerry McCutcheon had been informed of the need for a monthly activity report and financial report.

XIX. STREET DEPARTMENT

A. A progress report regarding the Street Department was given by Mayor Honse.

B. It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to appoint Ray Weikum as Street Supervisor.

XX. PLICE DEPARTMENT

A. The reports from the Police Department were reviewed.

B. Councilman Byers, Liaison from the Council, gave his report stating that the City of Lake Dallas Animal Shelter had been asked to move from its prior location on property owned by Montserrat Retreat. The animals are now being housed in a Flower Mound Veterinary Clinic at a rate of $6.00 per day.

Possible sites for the relocation of the shelter was discussed.

XXI. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of April 30, 1986 were reviewed and discussed.

B. It was moved by Bill Gilliland, seconded by Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of May.

C. The Municipal Court Report was reviewed.

XXII. OLD BUSINESS

A. Goals and Priorities for City will be set for workshop discussion on third Thursday in June.

B. Office Telephone System has been set for Workshop on 3rd Thursday in May.

C. Personnel Handbook is now being compiled on word processer and will be put on either the May or June Workshop schedule depending on the completion of compiling it.

D. Fee Ordinance to be removed from Old Business since it will be handled during codification of Ordinance .

E. Open Meeting Law to be removed from Old Business since matter decided.

F. School Zone Speeds are in the process of being determined.

G. Rules of Order and Procedure of City Council Meeting- Ordinance No. 192- The Council is now attempting to follow more closely the rules as set forth in this Ordinance. To be removed from Old Business items.

H. Park Board Ordinance to be amended as per March 14, 1985 Council minutes to reflect addition of Advisory Board members.

I. Office of the Fire Marshall was discussed at the workshop prior to this meeting and is in the process of being determined.

J. Impact Fees will be discussed at the workshop set for third Thursday in May.

K. Nuisiance Ordinance to be removed from Old Business since it will be handled by codification of ordinances .

Condemned buildings on Adolphus and Summers will be added to May Workshop to be held on third Thursday.

XXIII. NEW BUSINESS

No New Business was discussed.

XXIV. ADJOURNMENT

There being no further business, it was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 9:45 P. M.

Ronald L. (Bill) Hpnse, Mayor

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL MAY 15, 1986

I. ROLL CALL.

The meeting was called to order at 6:50 P.M. with the Mayor presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Jeff Crossland, Councilman
Donna Hamilton, ~~Councilman~~ City Secretary

There were no persons absent from this meeting.

II. EXECUTIVE SESSION

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluating personnel for the positions of Building Inspector/ Fire Marshall and Zoning Commissioner as provided by Article 6252-17, Sections 2(g), Vernon's Texas Civil Statutes.

The meeting was then closed to the public at 6:51 P.M.

The meeting reopened to the public at 7:30 P.M.

III. OFFICE TELEPHONE SYSTEM.

Fred Deger and Vicky Oehler of Network Telecom presented their proposal for an office telephone system. They explained the various features of their system and answered questions from the Council.

IV. CONDEMED BUILDINGS

Mayor Honse informed the Council that he had attempted to contact City Attroney Richard Podgorski about condemnation of buildings but Mr. Podgorski had not returned his call.

V. IMPACT FEES

It was deceded to postpone the discussion of impact fees.

VI. ADJOURNMENT

It was moved by Councilman P.O. Byers, seconded by Council Linwood Gilliland, and carried unanimously to adjourn the workshop. The meeting was adjourned at 8:12 P.M.

Ronald E.(Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL JUNE 12, 1986

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of May 8 and May 15, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary with the following correction:

May 15, 1986 minutes ... Approval of minutes should read:
Donna Hamilton, City Secretary

The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. FINAL PLAT APPROVAL - LAKEVIEW RETIREMENT CENTER

Mr. Greg Edwards, Engineer for the City of Lake Dallas, presented the final plat for the Lakeview Retirement Center. It was moved by Councilman Crossland, seconded by Councilman Kee and approved unanimously to accept this final plat.

IV. FINAL PLAT APPROVAL - THOUSAND OAKS SUBDIVISON, PHASE I

Mr. Kent Flynn, representative of Astor Development, presented the final plat for Phase I of Thousand Oaks Subdivision.

He advised the Council that they were working with Fire Chief McCutcheon in regard to the naming of the streets in the Subdivision to avoid confusion in the event of an emergency.

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve this final plat.

V. CONFIRMATION OF APPOINTMENT OF BUILDING INSPECTOR/ FIRE MARSHALL

It was moved by Councilman Kee, seconded by Councilman Crossland and approved unanimously to appoint Mr. Charlie Berry to the position of Building Inspector/Fire Marshall of the City of Lake Dallas.

VI. PROPOSED ORDINANCE GRANTING A RATE INCREASE TO LONE STAR GAS CO.

Mr. Jack Locke, representative of Lone Star Gas Company, presented a proposal for an increase in rates effective July 9, 1986 asking for a 5.7% increase. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland, and approved unanimously that a counter-proposal be offered Lone Star Gas in the amount of 75% of the requested increase which would total approximately a 3.8% increase in rates.

VII. SCHEDULE DATES FOR BUDGET WORKSHOPS

The budget workshops were set for July 24, 25, and 26 with the meetings on Thursday and Friday beginning at 6:00 P. M. and the Saturday meeting beginning at 9:00 A. M.

VIII. CITIZENS AGENDA

A. Mrs. Carolyn Green spoke to the Council in regard to their relationship with the Committees of the City of Lake Dallas. She also stated to the Council that they were not following the rules regarding Executive Sessions.

Mrs. Green presented a letter from the owners of Lake Haven Estates regarding the maintenance of the bumper zone between Lake Haven and Overly Drive extension.

B. Mrs. Moore, representative of residents of Oak Lakes Subdivision, appeared before the Council with the continuing problem regarding septic tanks in Oak Lakes. She advised the Council that the letter written by Aiden Aikman in regard to the correction of the septic problems had not been followed and nothing had been done to correct the problem. Council advised her that the only thing the City of Lake Dallas could do was to stop issuing building permits to Mr. Aikman, and this action had been taken. Any further action toward Mr. Aikman would need to be done through Civil Court.

C. Frances Grammer appeared before the Council asking if there were plans to help with the drainage problem on Beck Street.

D. Mike Fahey appeared in support of Anne Kennedy for appointment to the Planning and Zoning Commission.

E. Paula Horn expressed her appreciation for the Mayor's action in encouraging the Lake Dallas Post Office to assist working persons who do not have access to the Post Office during normal working hours.

Mrs. Horn also spoke regarding recent differences between the Planning and Zoning Commission and the City Council.

IX. COMMITTEE REPORTS

There were no committee reports.

X. PARK AND RECREATION DEPARTMENT

A. The minutes of the Park and Recreation meeting for May were reviewed.

B. Councilman Bill Gilliland, Liaison from Council to Park and Recreation Board gave his report. He advised the Council that Jim Boyll of Jim's Seafoods in Lake Dallas had approached the Board to inquire about the possibility of placing a concession in the Willow Grove Park. He also inquired about stacks of brush that had been placedin the area of the prospective ball field by the City. Mayor Honse

advised that this would be burned.

C. City Secretary asked the present status of the gatekeeper at Willow Grove Park, since there had been no funds brought to the City Hall by Mr. Scroggins. Mayor Honse advised the Council that he had been advised by Mr. Charley McMath that Mr. Scroggins had decided not to pursue the agreement he had brought before the City regarding the keeping of the gatehouse and caring for the park. Mr. McMath is presently attempting to find someone to fill this position.

XI. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning minutes were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report. He advised the Council that a Landscaping Ordinance is now in the office of the Attorney for the City for his review.

C. It was moved by Councilman Byers and seconded by Councilman Crossland to confirm the Mayor's appointment of Frances Grammer to the Planning and Zoning Commission and the following vote prevailed:

AYES: Messrs: Byers, Crossland, Bill Gilliland, Kee
NOES: None
ABSTAIN: Mr. Linwood Gilliland

XII. FIRE DEPARTMENT

Councilman Linwood Gilliland, Liaison from Council to the Fire Department, gave his report advising the Council that the firemen had been going through tests for C. P. R. and other Pre-Medical courses.

Since the financial statement has not been received, he will check with Fire Department in order to have information for the Budget Workshop.

XIII. STREET DEPARTMENT

The Mayor gave a report on the Street Department and its activities. Meetings are scheduled with the Denton County personnel to make plans for street work during the summer. The Mayor has been in contact with the railroad and they have agreed to close the railroad crossing at Alamo Street and do some repair work at Swisher Road.

XIV. POLICE DEPARTMENT

A. The reports from the Police Department were reviewed and Chief Hamilton gave his report.

B. There was no Liaison Report.

XV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of May 31, 1986 were reviewed.

B. It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of June.

C. The Municipal Court Report was reviewed.

XVI. OLD BUSINESS

A. Goals and Priorities for City of Lake Dallas to be discussed at a workshop set for June 19, 1986 beginning at 6:30 P. M.

B. Personnel Handbook is set for June 19th workshop.

C. The Parks and Recreation Board is reviewing the Park Board Ordinance.

D. Impact Fees will be discussed at a future workshop.

E. Condemned Building was discussed and will be dropped from Old Business.

F. School Zone Speeds will be discussed at a future workshop.

G. Office Telephone System was not discussed since A.T. & T. is on strike and the representative was not available for presentation to Council.

XVII. NEW BUSINESS

A. The parking of trucks in residential zoning district was discussed and it was agreed that if these trucks are on streets that are not marked as truck route, they are in violation. Chief Hamilton will check on this matter.

B. Businesses in residential zoning districts were discussed. It was decided that if violations to this ordinance are noted, citations will be issued.

C. Liability Claims Ordinance will be put on the July Agenda.

XVIII. ADJOURNMENT

There being no further business, it was moved by Councilman Byers, seconded by Councilman Kee and carried unanimously to adjourn this meeting. The meeting was adjourned at 10:00 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL JUNE 19, 1986

I. ROLL CALL.

The meeting was called to order at 6:42 P.M. With the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Jeff Crossland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Council P.O. Byers was absent from this meeting.

II. PERSONNEL HANDBOOK.

The Council reviewed the proposed personnel handbook and made some changes. The review will continue at a future workshop.

III. GOALS & PRIORITIES FOR CITY.

Due to a shortage of time, the Council decided to postpone the discussion of goals and priorities until a future workshop.

IV. ADJOURNMENT.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland, and carried unanimously to adjourn the workshop. The meeting was adjourned at 10:10 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JULY 10, 1986

The meeting was called to order at 6:04 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 232 ADOLPHUS DEEMED UNSAFE BY THE BUILDING INSPECTOR

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize the condemnation of property located at 232 Adolphus whose legal owner is listed as Cliff Bragg, (a minor) and legally discribed as Block B, Lot 27, Garza Beach Estates in Lake Dallas, Texas.

In conjunction with this matter, City Inspector Charlie Berry advised the Board of Adjustment that the City Ordinance No. 193, Section 20, authorized the Tax Assessor -Collector to collect condemnation costs, etc. He asked that the members consider authorizing the Tax Office to collect these charges rather than having liens attached to property since the City would have to wait until the property is sold to recover our costs. If the charge could be added to the Ad Valorem taxes, the costs could possibly be recovered within the year.

It was the concensus of the Board of Adjustment that we pursue handling these charges with the Tax Assessor-Collector, and City Secretary was authorized to contact persons involved with the Tax Office to determine the action needed to accomplish change in collection procedure.

III. ADJOURNMENT

It was moved by Councilman Linwood Gilliland, seconded by Councilman Kee and carried unanimously to adjourn this meeting. Meeting adjourned at 6:10 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 10, 1986

The meeting was called to order at 6:15 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from this meeting, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, Section 2 (g), Vernon's Texas Civil Statutes.

The meeting was then closed to the public .

The Council reconvened at 6:25 P. M.

There being no further business, the meeting was adjourned.

Ronald E.(Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 10, 1986

The meeting was called to order at 6:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

II. PERSONNEL HANDBOOK

The proposed Personnel Handbook was discussed and individual questions by the Council members were reviewed. It was decided to put this matter on the August agenda.

III. GOALS AND PRIORITIES

Long-term goals and priorities for the City of Lake Dallas were discussed and the following were suggested:

REMODEL DISPATCH OFFICES

AIR CONDITIONER REPLACEMENT AT APPROXIMATELY $4,000 PER UNIT

CLEAN-UP AND BEAUTIFICATION OF LAKE DALLAS

NEW CITY HALL OR EXPANSION OF CURRENT BUILDING

PARK IMPROVEMENTS

CODIFICATION OF CITY ORDINANCES

STREET IMPROVEMENTS

IV. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to adjourn the meeting. Meeting was adjourned at 7:25 P. M.

Ronald E. Honse
Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, JULY 10, 1986

The meeting was called to order at 7:33 P. M. with the Mayor presiding and the following members present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from this meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman P. O. Byers moved for the suspension of any rule requiring that the minutes of the meeting of June 12 and June 19, 1986 be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilman Crossland and carried unanimously.

III. NOTICE OF CLAIMS ORDINANCE

The proposed ordinance required by Texas Municipal League, relating to Notice of Claims against the City, was discussed. It was noted by Councilman Bill Gilliland that this matter is also covered by Ordinance No. 1 and No. 16. It was moved by Councilman Linwood Gilliland and seconded by Councilman Kee to adopt this ordinance. Motion carried unanimously.

IV. CITIZENS AGENDA

Mrs. Aldena Stowe submitted Lake Cities Library's quarterly report. Each Council Member signed a resolution supporting the Library which will be directed to the County Commissioners Court.

V. COMMITTEE REPORTS

There were no committee reports.

VI. PARKS AND RECREATION DEPARTMENT

A. The minutes of the Parks and Recreation Board meeting for June were reviewed.

B. Councilman Bill Gilliland, Liaison from the Council to Park Board, gave his report.

The Mayor reported that David Bodiford, who is now the gatekeeper for Willow Grove Park on weekends, agreed to keep the park mowed if the City would furnish him with the mower.

VII. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission's meeting held on July 3, 1986 were reviewed.

B. Councilman Linwood Gilliland, Liaison from the Council to Planning and Zoning Commission, gave his report.

VIII. FIRE DEPARTMENT

A. Councilman Linwood Gilliland, Liaison from Council to Fire Department, gave his report. He urged every member to attend the meeting of the four Lake Cities Mayors and Council Members to be held on July 11, 1986.

Councilman Bill Gilliland questioned the lack of a financial report from the Fire Department.

IX. STREET DEPARTMENT

A. The Mayor gave a report from the Street Department. He advised that the Lake Dallas Telephone Company was re-routing their telephone cable and it was necessary that they cut the street. They have agreed to put the street back in good condition after completion of the work.

B. Councilman Kee asked the current status of drainage work to be done at Galbraith and Wilson.

X. POLICE DEPARTMENT

A. Chief Hamilton reviewed the Police Department reports for June.

B. Councilman Byers, Liaison from Council to the Police Department, gave no report.

XI. ADMINISTRATIVE DEPARTMENT

A. The financial reports as of June 30, 1986 were reviewed.

B. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

C. Mayor Honse reported to Council of large increase in Health Department costs for next year's budget. The City of Sanger will be contacted to determine what action they were taking, since they had voted at their recent meeting to deny the request for the large increase.

XII. OLD BUSINESS

A. Goals and Priorities were discussed at the July 10 workshop.

B. The Personnel Handbook was discussed at the July 10 workshop.

C. Impact Fees will be discussed at a future workshop.

D. School Zone Speeds will be discussed at a future workshop.

E. The parking of trucks in residential zoning districts will be discussed at a future workshop.

F. Conducting businesses in residential zoning districts will be discussed at a future workshop.

XIII. NEW BUSINESS

A. Opening of street connecting streets from Thompson to Shore Drive now closed by Corps of Engineers.

B. Need for additional fire hydrants.

C. Emergency vehicle ordinance.

XIV. ADJOURNMENT

There being no further business, Councilman Bill Gilliland moved for adjournment of this meeting. It was seconded by Councilman Linwood Gilliland and carried unanimously. The meeting was adjourned at 8:30 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, AUGUST 14, 1986

The meeting was called to order at 6:07 P. M. with the Mayor Pro Tem presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 615 SHORE DRIVE DEEMED UNSAFE BY THE BUILDING INSPECTOR

The City Building Inspector Charlie Berry presented the matter of the unsafe building located at 615 Shore Drive to the Board of Adjustment which is legally described as Block 5, Lots 11-12 and 27-28 in the Lake Shores Addition. The recorded owner of this property is Jack Galbraith.

It was moved by Councilman Kee, seconded by Councilman Bill Gilliland and carried unanimously to condemn this structure.

III. ADJOURNMENT

It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to adjourn the meeting. Meeting was adjourned at 6:22 P. M.

After the adjournment of this meeting, Mr. and Mrs. Jack Galbraith arrived and the meeting was re-opened to allow them to speak on the condemnation proceedings. They discussed the possibility of having repairs made to the building, but Inspector Berry reminded them that since this is located in a residential area the house must be brought up to the minimum housing standard.

It was the concensus of opinion of the Council that the unsafe building be condemned, and demolition be completed within 30 days of notification to the property owner.

It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:48 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 14, 1986

The meeting was called to order at 6:49 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

II. DISCUSSION OF FIRE DEPARTMENT BUDGET

Assistant Fire Chief Roger McCurley presented the Fire Department Budget for the review of the Council, and questions regarding the budget items were discussed.

It was moved by Councilman Linwood Gilliland and seconded by Councilman Byers to approve this proposed budget for the Lake Cities Fire Department and the motion prevailed by the following vote:

AYES: Messrs: Linwood Gilliland, Byers, Kee and Bill Gilliland
NOES: Mr. Jeff Crossland

III. ADJOURNMENT

The meeting was adjourned at 7:25 P. M.

Ronald E. (Bill)Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL AUGUST 14, 1986

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no members absent, the following business was conducted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of July 10, 1986 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilman Crossland and carried unanimously.

III. RESOLUTION ADOPTING CITY OF LAKE DALLAS PERSONNEL HANDBOOK

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and carried unanimously to adopt the proposed City of Lake Dallas Personnel Handbook with the addition of a signature sheet stating that the Handbook was received and understood.

IV. RESOLUTION DESIGNATING THE CHAMBER OF COMMERCE BUILDING AS THE POLLING PLACE FOR CITY ELECTIONS

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to postpone action on this resolution.

V. ORDINANCE ESTABLISHING CURFEW HOURS FOR MINORS

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve this ordinance establishing curfew hours for minors.

VI. PURCHASE OF AN .832 ACRE TRACT OF LAND AT 207 GOTCHER

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and carried unanimously to purchase the .832 acre tract of land located at 207 Gotcher in the Mary Wright Survey. This is being purchased to provide for future expansion of the City of Lake Dallas offices.

VII. CITIZENS AGENDA

A. Mr. R. L. Settles, who lives at the Southeast corner of Wilson and Mosely Streets, complained about the Street Department action of digging out the ditch and his driveway. Mayor Honse advised those residents from this area that he would talk with the City Engineer to determine what needed to be done to correct the drainage problem in the area.

B. Mrs. Moore of 606 Galbraith also asked about the erosion problem on Galbraith Street. Mayor Honse stated that Mr. Greg Edwards, City Engineer, will check into the matter and advise the city of the action needed.

VIII. COMMITTEE REPORTS

There were no committee reports.

IX. PARK AND RECREATION DEPARTMENT

A. The minutes of the Park Board meeting of August 7th were reviewed.

B. Councilman Bill Gilliland, Liaison from the Council to the Park Board, gave his report.

X. PLANNING AND ZONING COMMISSION

A. The Commission minutes for the month of August were reviewed.

B. Councilman Linwood Gilliland, Liaison from the Council to Planning and Zoning Commission, gave his report. He pointed out to the Council that M-K-T Railroad was asking for rezoning on their property located at Carlisle, Betchan and Denton Drive to M-2 Zoning.

XI. FIRE DEPARTMENT

A. Councilman Linwood Gilliland, Liaison from the Council to the Fire Department, reviewed the financial report for July, 1986.

B. Councilman Linwood Gilliland also gave his Liaison report.

XII. STREET DEPARTMENT

A. Mayor Honse reported on Street Department activities. Councilman Kee reported on the present status of the school zone lights.

XIII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. There was no Liaison report.

XIV. ADMINISTRATIVE DEPARTMENT

A. The financial reports as of July 31, 1986 were reviewed and discussed.

B. It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and approved unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of August, 1986.

C. The Municipal Court reports for July, 1986 were reviewed.

XV. OLD BUSINESS

A. Impact Fees will be discussed at a future workshop.

B. School Zone Speeds will be discussed at a future workshop.

C. Parking of trucks in residential zoning districts will be discussed at a future workshop.

D. Businesses in residential zoning districts will be discussed at a future workshop.

E. Street connecting Thompson, Lakeland, Glen Rhea, Summers and Hundley will be discussed at a future workshop.

F. Emergency Vehicle Ordinance will be discussed at a future workshop.

G. Fire Hydrants will be put under Old Business for September meeting for discussion at a future workshop.

XVI. NEW BUSINESS

There was no new business to discuss.

XVII. ADJOURNMENT

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn. The meeting was adjourned at 8:12 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 18, 1986

The meeting was called to order at 8:00 A.M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse
P.O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Jeff Crossland, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted.

It was moved by Councilman Bill Gilliland, and seconded by Councilman Jeff Crossland to consider the proposal to increase total tax revenues from properties on the Tax Roll in 1986 by eight (8) percent and to set a Public Hearing on the matter to be held August 28, 1986 at 6:00 P.M. The motion prevailed by the following vote:

AYES: Messrs: Bill Gilliland, Jeff Crossland, P.O. Byers and Linwood Gilliland.

NOES: None

ABSTAIN: Ronnie Kee.

There being no further business for consideration, Councilman Kee moved for adjournment of this meeting. Motion seconded by Councilman Bill Gilliland and carried unanimously. The meeting was adjourned at 8:50 A.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 28, 1986

The meeting was called to order at 6:04 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Donna Hamilton, City Secretary

Absent from this meeting was Councilman Ronny Kee. The following business was transacted:

Mayor Honse announced the Public Hearing was open on the proposal to increase total tax revenues from properties on the tax roll in 1986 by eight percent (8%).

Mr. Gary Bills was the only person in attendance and he had no opposition to increase in effective tax.

After allowing sufficient time for all persons wishing to speak on the matter to do so, Mayor Honse called for a motion of adjournment. It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:10 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 4, 1986

The meeting was called to order at 6:33 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

Absent from this meeting was Councilman Jeff Crossland. The following business was transacted:

Mayor Honse announced the the purpose of this meeting was to provide a Public Hearing on the Budget for Fiscal Year 1987, and stated anyone wishing to ask questions or make comments regarding same would be given an opportunity to do so.

There were no persons in attendance. Mayor Honse read a letter from Mr. Mike Fahey who stated that the City should spend more money in legal and engineering fees.

After allowing sufficient time for all persons wishing to speak on this matter to do so, Mayor Honse called for a motion of adjournment. It was moved by Councilman Bill Gilliland, seconded by Councilman Ronny Kee and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:42 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 11, 1986

The meeting was called to order at 6:33 P. M., with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Jeff Crossland, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. SCHOOL ZONE SPEEDS

Councilman Kee suggested that school zone speed limits all be the same rather than having different limits as is now the practice, and that the time of the controlled speed all be the same in each school zone.

It was the concensus of opinion of the Council that the school zones all be set at 20 miles per hour between the hours of 7:00 a. m. and 4:00 p.m.

The ordinances covering speed limits in school zones will be repealed and a new ordinance drawn up showing the new limits and effective times.

Councilman Kee also advised the Council of the problems with the timers on the flashing lights of the school zone warnings.

III. PARKING OF TRUCKS IN RESIDENTIAL ZONE DISTRICTS

Discussion was held regarding the problem of trucks parking in residential areas. Councilman Linwood Gilliland was authorized by the Council to review the existing ordinance and make recommendations to update it.

IV. BUSINESSES IN RESIDENTIAL ZONE DISTRICTS

Charlie Berry is presently working toward notifying those persons who are conducting businesses in the areas zoned residential that they are in violation of city ordinance.

ADJOURNMENT

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to adjourn this meeting. The meeting was

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 11, 1986

The meeting was called to order at 7:34 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill)Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of August 14, 18 and 28 and September 4, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Kee and carried unanimously.

III. RESOLUTION AUTHORIZING MAYOR TO SIGN A CONTRACT AGREEMENT WITH DENTON COUNTY FOR HEALTH SERVICES

It was moved by Councilman Kee, seconded by Councilman LInwood Gilliland and carried unanimously to authorize the Mayor to sign a contract agreement with Denton County for Health Services.

IV. RESOLUTION AUTHORIZING MAYOR TO SIGN A CONTRACT AGREEMENT WITH LAKE DALLAS INDEPENDENT SCHOOL DISTRICT FOR TAX COLLECTIONS

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize the Mayor to sign a contract agreement with the Lake Dallas Independent School District for tax collections.

V. RESOLUTION AUTHORIZING MAYOR TO SIGN A CONTRACT AGREEMENT WITH CITY OF CORINTH TO PROVIDE POLICE DISPATCH SERVICES

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize the Mayor to sign a contract agreement with the City of Corinth to provide police dispatch services.

VI. PROPOSED ORDINANCE ADOPTING "UPDATED SERVICE CREDITS" FOR EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to approve the proposed ordinance adopting "Updated Service Credits" for employees in the Texas Municipal Retirement System.

VII. PROPOSED "EMERGENCY VEHICLE' ORDINANCE

The approval of this proposed ordinance was tabled since the ordinance had not been received from the Attorney for the City. The move to table was made by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously.

VIII. FINAL APPROVAL OF BUDGET FOR FISCAL YEAR 1987

It was moved by Councilman Crossland and seconded by Councilman Bill Gilliland to approve the Budget for Fiscal Year 1987. The following vote prevailed:

AYES: Messrs. Byers, Crossland, Bill Gilliland, Kee
NOES: Mr. Linwood Gilliland
ABSTAIN: None

IX. ORDINANCE APPROVING THE 1986 APPRAISAL ROLLS AS CERTIFIED BY THE DENTON COUNTY APPRAISAL DISTRICT AND LEVYING AN ADVALOREM TAX ON SAID PROPERTIES

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and approved unanimously to approve the Ordinance approving the 1986 Appraisal Rolls as certified by Denton County Appraisal District and levying an Advalorem Tax on said properties.

X. CITIZENS AGENDA

A. Mrs. Moore was not present to speak in regard to the drainage on Mosely, Galbraith and Wilson Streets.

No other citizens were present who wished to speak during the Citizens Agenda.

XI. COMMITTEE REPORTS

There were no Committee Reports.

XII. PARK AND RECREATION DEPARTMENT

A. The minutes of the Park and Recreation Board meeting were reviewed.

B. Councilman Bill Gilliland, Liaison from Council to Park and Recreation Board, gave his report.

He advised the Council that there was a problem at Willow Grove Park with individuals dumping their garbage in the dumpster.

The City-wide picnic will be held on Saturday, October 18th. Fred Long, member of Park and Recreation Board, advised the Council of some of the activities planned for that event.

James Loveday and Jerry McCutcheon have been appointed as Advisory Members of the Park and Recreation Board.

XIII. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission meeting were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report.

He advised the Council that the Commission will be attempting to revise M-2 Zoning due to some of the businesses this zoning allows.

The Council was brought up to date by Councilman Linwood Gilliland on the zoning requests from the M. K. T. Railroad on the zoning change on their property in Lake Dallas.

XIV. FIRE DEPARTMENT

A. Financial Report from the Fire Department was not available.

B. Liaison report was given by Councilman Linwood Gilliland. He advised Council that he would check with the Fire Department to make sure the Financial Reports and Audits were received.

C. Audit Report was not available.

D. A discussion was held regarding the Board of Directors of the Fire Department and its responsibilities. It was suggested that the Council meet with the Board which will meet on September 25, 1986 at 7:30 P. M.

XV. STREET DEPARTMENT

A. Mayor Honse gave a Liaison Report from the Street Department. He advised that he had talked with Texas Power and Light and Lake Dallas Telephone Company regarding the utilities easement located between Lake Haven Mobile Home Park and Beck Addition. The blockage of water flow in this easement is causing flooding in the Beck Addition. The utility companies will check into the matter and inform the Mayor.

B. A citizen reported that Moseley Street is buckling up and needs to be repaired.

XVI. POLICE DEPARTMENT

A. The Police Department reports were reveiwed.

XVII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of August 31, 1986 were reviewed.

B. It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of September.

C. The Municipal Court Report was reviewed.

D. Due to a Texas Municipal League meeting in Houston, the Mayor, City Secretary and Councilman Bill Gilliland will be absent from the City on October 9,10 and 11, 1986. The Mayor requested the Council's approval to reset the October Council meeting from October 9th to October 16th. He also requested approval for these members of the Council to attend this meeting.

It was moved by Councilman Kee, seconded by Councilman Crossland and carried unanimously to allow these members to attend the T. M. L. Meeting.

It was moved by Councilman Linwood Gilliland, seconded by Councilman Crossland and carried unanimously to change the October Council meeting from October 9th to October 16th.

XVIII. OLD BUSINESS

A. School Zone speeds are being discussed at workshop meetings.

B. Parking of trucks is being discussed at workshop meetings.

C. Businesses in residential zone districts are now being handled by ordinance violation personnel.

D. The Mayor has discussed the matter of opening the street connecting Thompson, Lakeland, Glen Rhea, Summers and Hundley with Corps of Engineers' representative. He feels that there will be a problem in the Corps agreeing to open up a street in this area.

Councilman Linwood Gilliland remarked that he felt the City of Lake Dallas would need to draw a sketch of what they wanted, submit it to the Corps of Engineers' office in Fort Worth, sending a copy of same to our Congressman.

City Secretary stated that she thought the Corps of Engineer had given permission to build turn-arounds at the end of these streets. She will search the files to attempt to locate this authorization.

E. Councilman Linwood Gilliland, Liaison to Fire Department from Council, will check with the Fire Chief, Jerry McCutcheon,and Martin Highbaugh, Manager of Lake Cities Municipal Utility Authority, in regard to the present status of the fire hydrants.

F. Impact Fees will be discussed at a future workshop.

G. Resolution changing voting place for City Elections to be dropped from Old Business.

XIX. NEW BUSINESS

A workshop was set for September 18, 1986 to discuss some of the Old Business items.

XX. ADJOURNMENT

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:50 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL SEPTEMBER 18, 1986

The meeting was called to order at 7:41 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Donna Hamilton, City Secretary

Councilman Ronny L. Kee was absent from this meeting. The following business was transacted:

II. IMPACT FEES

After a discussion of the possibility of an impact fee for the City of Lake Dallas, it was the concensus of opinion that this matter be dropped from Old Business on future agenda.

III. FIRE HYDRANTS

No decision was made on fire hydrants since there has been no meeting with Fire Department personnel .

IV. TURN AROUNDS AT END OF STREETS ABUTTING CORPS PROPERTY

It was decided that a resolution be presented at the October Council meeting asking that turn arounds be allowed at end of streets abutting Corps of Engineer properties. These streets are Thompson, Lakeland, Glen Rhea, Summers and Hundley.

V. ADJOURNMENT

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. Meeting was adjourned at 8:42 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL OCTOBER 16, 1986

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny L. Kee, Councilman
Donna Hamilton, City Secretary

Councilman Jeff Crossland was absent from this meeting. The following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of September 4, 11, and 18, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Kee and carried unanimously.

III. PUBLIC HEARING - AMENDMENTS TO ZONING ORDINANCE NO. 25

A public hearing was held to consider the proposed amendments to Zoning Ordinance No. 25, adding to Sections 10, 11, 11A pertaining to exterior surfaces and amending Section 13 regarding M-1 and M-2 and deleting all of Section 14.

Mayor Honse called for public comments from the audience, but there were none. After allowing sufficient time for all interested persons to speak, Mayor Honse closed the hearing.

IV. ORDINANCE AMENDING ZONING ORDINANCE NO. 25

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve an ordinance amending Zoning Ordinance No. 25.

V. PUBLIC HEARING - PETITION BY MISSOURI-KANSAS- TEXAS RAILROAD COMPANY FOR A CHANGE IN ZONING FROM R1-6000 TO M-1 ON 12.5 ACRES OUT OF THE MARY WRIGHT SURVEY.

Mayor Honse called for public comments from the audience.

A. Mr. Terry Dyson spoke against the change in zoning.
B. Mrs. Elva Pockrus spoke against the change in zoning.

After allowing all to speak who wished to do so, the Public Hearing was closed.

VI. ORDINANCE CHANGING THE ZONING ON 12.5 ACRES OUT OF THE MARY WRIGHT SURVEY FROM R1-6000 TO M-1

It was moved by Councilman Bill Gilliland and seconded by Councilman Linwood Gilliland to change the zoning on 12.5 acres out of the Mary Wright Survey from R1-6000 to M-1 and the following vote prevailed:

AYES - Messrs: Byers, Bill Gilliland, Linwood Gilliland
NOES - Mr : Kee

VII. PUBLIC HEARING - PETITION BY JOANN CRAWFORD FOR A SPECIAL USE PERMIT TO OPERATE A DAY NURSERY AT 215 BETCHAN

Mayor Honse called for public comments from the audience, but there were none. After allowing sufficient time for all to speak, Mayor Honse closed the Public Hearing.

VIII. RESOLUTION APPROVING A SPECIAL USE PERMIT FOR DAY NURSERY AT 215 BETCHAN AS REQUESTED BY JOANN CRAWFORD

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to grant a special use permit for a day nursery to Joann Crawford located at 215 Betchan.

IX. ORDINANCE AMENDING THE MINIMUM HOUSING ORDINANCE NO. 193

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to approve the amendment to the Minimum Housing Ordinance No. 193 deleting the power of the Office of the Tax Collector of the City of Lake Dallas to collect and recover demolition costs in Section 20.

X. ORDINANCE AMENDING THE TRAFFIC CONTROL ORDINANCE NO. 18

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to approve the amendment to Traffic Control Ordinance NO. 18 providing for a maximum speed zone of 20 miles per hour in all school zones between the hours of 7:00 A. M. and 4:00 P. M. on school days.

XI. PROPOSED ORDINANCE APPLICABLE TO EMERGENCY ACTIONS

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland, and carried unanimously to approve an ordinance applicable to emergency actions.

XII. RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland, and carried unanimously to designate the Lake Cities Sun as the official newspaper for the City of Lake Dallas.

XIII. RESOLUTION AUTHORIZING MAYOR TO SIGN LOAN AGREEMENT WITH LAKE CITIES STATE BANK TO PURCHASE ONE 1968 ALLIS-CHAMBERS MOTOR GRADER

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland, and carried unanimously to authorize Mayor Honse to sign a loan agreement with Lake Cities State Bank to purchase one 1968 Allis-Chambers Motor Grader.

XIV. RESOLUTION AUTHORIZING CITY TO APPLY TO U. S. ARMY CORPS OF ENGINEERS FOR RIGHT OF WAY FOR EMERGENCY TURNAROUNDS

It was moved by Councilman Linwood Gilliland, seconded by Councilman Bill Gilliland and carried unanimously to authorize City to apply to U. S. Army Corps of Engineers for right of way for emergency turnarounds.

XV. RESOLUTION AUTHORIZING MAYOR TO PURCHASE THE COMMUNITY CENTER FROM THE CHAMBER OF COMMERCE

It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers and carried unanimously to authorize the Mayor to purchase the Community Center from the Lake Cities Chamber of Commerce.

XVI. WRITE-OFF OF UNCOLLECTIBLE PROPERTY TAXES

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland, and carried unanimously to write-off those property taxes that have been considered to be uncollectible.

XVII. CITIZENS AGENDA

A. Karen Meilleur, who was on the agenda to discuss boats parked in a residential neighborhood, was not present.

XVIII. COMMITTEE REPORTS

There were no committee reports.

XIX. PARK AND RECREATION DEPARTMENT

A. The Park and Recreation Board minutes were reviewed.

B. The Liaison Report was given by Councilman Bill Gilliland.

XX. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning Commission minutes were reviewed.

B. Councilman Linwood Gilliland gave his Liaison Report from Planning and Zoning Commission.

XXI. FIRE DEPARTMENT

A. The Budget Report of the Lake Cities Fire Department was received.

B. The Liaison Report was given by Councilman Linwood Gilliland.

XXII. STREET DEPARTMENT

Council reviewed the property damage claims made by Kevin Harpstripe and M. J. Harpstripe Graham. It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to deny both claims for damages covering alleged loss of trees on lots mowed by the City in Oak Lakes Subdivision.

XXIII. POLICE DEPARTMENT

A. Police Department Reports were reviewed.

B. The Liaison Report was given by Councilman P.O. Byers.

XXIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of September 30, 1986 were reviewed.

B. It was moved by Councilman Linwood Gilliland, seconded by Councilman Byers, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of October.

XXV. OLD BUSINESS

A. Parking of trucks in residential zone districts to be set for a future workshop.

B. Turnarounds on streets abutting Corps of Engineers property is to be removed from Old Business.

C. The matter of fire hydrants is to be removed from Old Business.

XXVI. NEW BUSINESS

A. Planning and Zoning Workshop series report

B. Clean City Commission

C. Civil Defense Disaster Emergency Commission

XXVII. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Kee and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:58 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, NOVEMBER 13, 1986

The meeting was called to order at 6:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Donna Hamilton, City Secretary

With Councilman Ronny Kee absent, the following business was transacted.

II. PARKING OF TRUCKS, BOATS AND RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

The problem of the parking of trucks, boats and recreational vehicles in areas zoned for residential was discussed. The ordinance from the City of Fort Worth and the City of Benbrook covering this matter was studied . It was decided that a new ordinance regarding this parking,using portions of both City's ordinance, would be written .

III. ADJOURNMENT

There being no further business, it was moved by Mayor Pro Tem Byers to adjourn this meeting. It was seconded by Councilman Bill Gilliland and carried unanimously.

The meeting was adjourned at7:04 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF THE CITY COUNCIL OF
THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL NOVEMBER 13, 1986

The meeting was called to order at 6:10 P. M. with Mayor Pro Tem P. O. Byers presiding. The following were present:

P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronald E.(Bill) Honse, Mayor
Donna Hamilton, City Secretary

With Councilman Ronny Kee absent, the following business was transacted:

II. PUBLIC HEARING - CONDEMNATION OF UNSAFE BUILDING LOCATED AT 424 MARKET STREET - LAKE DALLAS, TEXAS

The City Building Inspector, Charlie Berry, reported on the condition of the building located at 424 Market Street and legally described as Block 9 of O. T. Garza Survey. He also advised the efforts that had been made to have the building brought up to Minimum Standards .

Mr. Walter Scholl, owner of the property, was given an opportunity to comment on the proposed condemnation.

III. CONDEMNATION OF UNSAFE BUILDING LOCATED AT 424 MARKET STREET -LEGALLY DESTRIBED AS BLOCK 9 OUT OF THE O.T. GARZA ADDITION

After allowing all interested persons to speak, Chairman Byers called for a motion to approve or deny the request for condemnation. Councilman Bill Gilliland moved that the property be condemned. It was seconded by Councilman LInwood Gilliland and approved unanimously.

IV. ADJOURNMENT

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:25 P. M.

P O Byers
P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, NOVEMBER 13, 1986

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of October 16, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. PUBLIC HEARING - PETITION BY CHARLES JACKSON FOR A CHANGE IN ZONING FROM R1-7200 TO C-2 ON 12 ACRES AND TO R-3 ON 41.4 ACRES OUT OF THE SWISHER SURVEY

A Public Hearing was held to consider the proposed zoning change request by Charles Jackson from R1-7200 (Residential) to C-2(Commercial) on 12 acres and to R-3(Multi-Family) on 41.4 acres out of the Swisher Survey.

A. Mr. John Porterfield, representative of the Jackson property presented the plans for the acreage on which a zoning change is being requested.

B. Mr. Charlie McMath spoke to the effect that the Multi-Family zoning would have on the Lake Dallas Independent School District, insofar as the overcrowding of the Primary School was concerned. He also spoke as to the effect the Multi-Family Zoning would have on the tax structure of the City of Lake Dallas.

C. A resident of 215 Swisher complained that the apartments and the widening of the streets would reduce his property value.

D. Mr. Monty Carpenter objected to the apartment zoning in view of the traffic problems it would create.

E. Another resident of Swisher Road was concerned with the traffic congestion.

After allowing all to speak who desired to do so, Mayor Honse called the Public Hearing to a close.

IV. CHANGE IN ZONING ON 12 ACRES TO C-2(COMMERCIAL) AND ON 41.4 ACRES TO R-3(MULTI-FAMILY) OUT OF THE SWISHER SURVEY

It was moved by Councilman Byers and seconded by Councilman Linwood Gilliland to approve the zoning change on 12 acres from R1-7200 to C-2(Commercial) and on 41.4 acres from R1-7200 to R-3(Multi-Family) out of the Swisher Survey. The following vote prevailed:

AYES: Messrs: Byers, Linwood Gilliland, Crossland, Bill Gilliland
NOES: Mr. Kee

V. RESOLUTION ACCEPTING MINUTE ORDER #84908 OF THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to approve the resolution accepting Minute Order #84908 of the State Department of Highways which agrees to convert the frontage roads within the City of Lake Dallas to one-way during the reconstruction of Interstate Highway 35E.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LOAN AGREEMENT WITH LAKE CITIES STATE BANK TO PURCHASE ONE MASSEY-FERGUSON BACKHOE

It was moved by Councilman Byers, seconded by Councilman Crossland and approved unanimously to authorize the Mayor to sign a loan agreement with Lake Cities State Bank to purchase one Massey-Ferguson backhoe.

VII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE DISPATCH SERVICES FOR ITS POLICE DEPARTMENT

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and carried unanimously to authorize the Mayor to sign a contract with the Town of Hickory Creek to provide dispatch services for its police department.

VIII. RESOLUTION DESIGNATING THE COMMUNITY CENTER AS THE POLLING PLACE FOR CITY ELECTIONS.

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to designate the Community Center as the polling place for City elections.

IX. CITIZENS AGENDA

A. The City Secretary reported that the Erroll Turners, who requested that they be put on November agenda, had called to advise there was illness in the family and they would not be able to attend. They requested that they be placed on the December agenda.

B. Mr. Kenneth Paddack, owner of Jolly Roger Boat Club, and Paul Peters, appeared before the Council to ask that the 2:00 A. M. ordinance which was rescended be studied for re-instatement.

X. COMMITTEE REPORTS

No Committee reports.

XI. PARK AND RECREATION DEPARTMENT

A. The Park and Recreation Board did not meet on its regular meeting night due to the lack of a quorum.

B. Councilman Bill Gilliland, Liaison from Council to Park and Recreation Board, gave his report.

XII. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning Commission minutes of their November 6, 1986 meeting were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report stating that a workshop would be held on November 10, 1986 to consider landscaping and parks ordinance and the proposed revision of garage requirements.

C. Councilman Bill Gilliland gave a report from the NCTCOG Planning and Zoning Workshop. A discussion was held regarding the conflict of office in regard to the holding of a Council seat as well as Chairmanship of a Commission. Councilman Bill Gilliland stated that he had asked this question at the NCTCOG meeting and it was the consensus that this was not a good idea.

XIII. FIRE DEPARTMENT

A. No Fire Department Financial reports were available. Assistant Chief McCurley advised City Secretary that these would be available for next month's meeting.

B. Councilman Linwood Gilliland, Liaison to Fire Department gave report.

XIV. STREET DEPARTMENT

A. The timers on the school zone signs were discussed. They are still causing problems as per Councilman's Kee report.

XV. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. There was no Liaison Report.

XVI. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of October 31, 1986 were not available.

B. It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of November.

C. The Municipal Court Report was reviewed.

XVII. OLD BUSINESS

A. Clean City Commission will be discussed at a later date.

B. City Defense Disaster Emergency Commission will be discussed at a future workshop.

XVIII. NEW BUSINESS

A. Health Department

XIX. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 9:33 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, DECEMBER 11, 1986

The meeting was called to order at 6:37 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. PARKING OF TRUCKS, BOATS AND RECREATIONAL VEHICLES IN RESIDENTIAL AREA

The parking of trucks, boats and recreational vehicles in residential areas was discussed. The decision was postponed and the matter will be discussed at a workshop to be held on January 15, 1987.

III. LAKE CITIES COMMUNITY CENTER

Mayor Honse reported that all legal papers had been signed by the City on the purchase of the Chamber of Commerce Building located on Shady Shores Road in Lake Dallas.

He explained that the monies given in donations amounting to $4,890.00 to the Community Center would be placed into a special account entitled "Community Center Improvements " and will be used only for improvements to the building or furniture .

IV. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn. The meeting was adjourned at 7:35 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, DECEMBER 11, 1986

The meeting was called to order at 7:40 P. M. with the Mayor presiding and the following persons present ;

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of November 13, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Linwood Gilliland and the following vote prevailed:

AYES: Messrs: Byers, Crossland, Bill Gilliland and Linwood Gilliland
NOES: None
ABSTAIN: Mr. Kee

III. PUBLIC HEARING; AMENDMENT TO ZONING ORDINANCE PROVIDING FOR SCREENING REQUIREMENTS; PROVIDING FOR OPEN SPACES AND RECREATIONAL AREAS; PROVIDING FOR TREE PRESERVATION; PROVIDING FOR LANDSCAPING REGULATIONS; PROVIDING FOR A REPEALER AND A PENALTY; AND DECLARING ANY EMERGENCY.

Mayor Honse called for public comments in the Public Hearing for the Amendment to the Zoning Ordinance:Providing for screening requirements;Providing for open spaces and recreational areas; Providing for tree preservation; Providing for landscaping regulations; Providing for a repealer and a penalty; and declaring any emergency.

After allowing all to speak who desired to do so, Mayor Honse closed the Public Hearing.

IV. AMENDMENT TO ZONING ORDINANCE

It was moved by Councilman Crossland and seconded by Councilman Bill Gilliland to approve the Amendment to Zoning Ordinance entitled: "AMENDMENT TO ZONING ORDINANCE PROVIDING FOR SCREENING REQUIREMENTS; PROVIDING FOR OPEN SPACES AND RECREATIONAL AREAS; PROVIDING FOR TREE PRESERVATION; PROVIDING FOR LANDSCAPING REGULATIONS; PROVIDING FOR A REPEALER AND A PENALTY; AND DECLARING ANY EMERGENCY," and the following vote prevailed:

AYES: Messrs: Crossland, Bill Gilliland, Linwood Gilliland, Kee
NOES: Mr. Byers
ABSTAIN: None

V. REVISION TO FINAL PLAT OF THOUSAND OAKES SUBDIVISION, PHASE I

Mr. Bob Wright, a representative of the developers of Thousand Oakes Subdivision pointed out changes to the Final Plat of Phase I of the subdivision.

It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to approve these changes as noted.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL CONTRACT AGREEMENTS WITH DENTON COUNTY, TOWN OF CORINTH AND TOWN OF HICKORY CREEK PROVIDING FOR MUTUAL AID IN POLICE SERVICES

It was moved by Councilman Kee, seconded by Councilman Linwood Gilliland and carried unanimously to approve this resolution authorizing Mayor Honse to sign these interlocal contract agreements which provides for emergency loan of law enforcement personnel.

VII. CITIZENS AGENDA

A. The citizens requesting that Council review their request to install septic system on Lots 5 and 6 of Block J, Oak Lakes Subdivision were not present. It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to table the matter until the January meeting.

B. Mrs. Shirley Hinsley appealed to the Council in a matter regarding a complaint reported to the Police Department on which she feels action was not taken. Mayor Honse explained to her that the problem appeared to be a civil matter rather than a police matter.

VIII. COMMITTEE REPORTS

There were no Committee Reports.

IX. PARK AND RECREATION DEPARTMENT

A. No Minutes of the Park and Recreation Board Meeting were available.

B. Councilman Bill Gilliland, Liaison from Council to Park and Recreation, gave his report. The Garza Days has been set for May 9, 1987 and meetings to plan for the activities will begin in January.

X. PLANNING AND ZONING COMMISSION

A. The minutes of the November Workshop and the December Meeting of the Planning and Zoning Commission were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report.

XI. FIRE DEPARTMENT

A. Jerry McCutcheon, Fire Chief, reported that he had discussed with the City Secretary the possibility of the City doing the bookkeeping for the Fire

Department and preparing the financial statements. Statements for the months of September, October and November were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Fire Department, gave his report.

C. Chief McCutcheon thanked the City for the assistance the Fire Department had received in the recent fund-raiser for the children of John Paul Allen, a fireman who recently drowned. He also advised the Council that they would attempt to have a representative from the Fire Department at the Council Meetings each month.

XII. STREET DEPARTMENT

A. Mayor Honse reported on the Street Department activities. He commented on the good job Superintendent Ray Weikum is doing.

XIII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. The Mayor reported on the progress of work on the Animal Control Shelter.

XIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of November 30, 1986 were not available due to Audit in process.

B. It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of December.

C. The Municipal Court report for November was reviewed.

XV. OLD BUSINESS

A. A letter from Corps of Engineers dated December 4, 1986 denying the approval of allowing the City to build turn-arounds at the end of Lakeland, Thompson, Glen Rhea and Summers was reviewed. Councilman Linwood Gilliland was appointed to study the traffic problem caused by several roads in the eastern section of Lake Dallas which end at the Corps property and this information will be sent to the Corps of Engineers to appeal their decision.

B. Clean City Commission will be set for a February workshop.

C. City Defense Disaster Emergency Commission will be set for a February workshop.

XVI. NEW BUSINESS

A. Health Department will be put on the January agenda under Old Business.

B. Enclosure of garages in Kings Manor Addition.

C. Home Rule Charter.

XVII. ADJOURNMENT

It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:30 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JANUARY 8, 1987

The meeting was called to order at 7:40 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Linwood Gilliland moved for the suspension of any rule requiring that the minutes of the meetings of December 11, 1986 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. RESOLUTION SUPPORTING CREATION OF A 9-1-1 EMERGENCY DISTRICT

It was moved by Councilman Bill Gilliland, seconded by Councilman Crossland and carried unanimously to adopt the Resolution Supporting Creation of a 9-1-1 Emergency District as authorized by State of Texas Statute #1432e in Denton County.

IV. CITIZENS AGENDA

A. Mrs. Carolyn Green appeared before the Council requesting an amendment to Ordinance NO. 100 to allow the use of mobile home park lots for travel trailers. The Mayor advised Mrs. Green that the Council would look into the matter.

B. Mr. Charlie Berry advised the Council that the paving contractor who had poured the streets in Thousand Oaks Subdivision needs a letter from the City of Lake Dallas approving the streets within the subdivision. It was the consensus of opinion that this approval be given.

C. Mr. Ken Paddock of the Jolly Roger Club appeared to request the consideration of the Council regarding the late hours permit being re-instated. Mayor Honse advised Mr. Paddock that it was still the consensus of the Council that the late hours permit should not be re-instated.

V. COMMITTEE REPORTS

There were no committee reports.

VI. PARK AND RECREATION DEPARTMENT

A. Due to the lack of business to be conducted, the Park and Recreation Board did not meet in December.

B. There was no Liaison Report to be made.

VII. PLANNING AND ZONING

A. The minutes of the Planning and Zoning Commission for the January meeting were reviewed.

B. Councilman Linwood Gilliland, Liaison to the Planning and Zoning Commission, gave his report. He reported on the progress made in the area of a zoning ordinance dealing with sexually oriented businesses.

VIII. FIRE DEPARTMENT

A. The December Financial report was reviewed.

B. Councilman Linwood Gilliland, Liaison to the Fire Department, gave his report.

IX. STREET DEPARTMENT

A. Mayor Honse gave a report from the Street Department. He reported that there was now water to the new Animal Control Shelter. The connection to the lift station will be installed by Lake Cities Municipal Utility Authority.

X. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. Chief Don Hamilton gave his report and responded to questions regarding the low number of warrants served.

XI. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of December 31, 1986 were reviewed.

B. It was moved by Councilman Kee, seconded by Councilman Crossland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of January.

C. The Municipal Court Report was reviewed.

XII. OLD BUSINESS

A. Turn-around easements on Corps of Engineers' property will be placed on February Agenda.

B. Clean City Commission will be discussed in February workshop.

C. City Defense Disaster Emergency Commission will be discussed in February workshop.

D. Health Department to be discussed at a future workshop.

XIII. NEW BUSINESS

A. Fees for game machine licenses.

XIV. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Kee and carried unanimously to adjourn. The meeting was adjourned at 9:10 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, JANUARY 15, 1987

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted.

II. PARKING OF TRUCKS, BOATS AND RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

After discussion of the various aspects of parking of recreational vehicles and motor vehicles in residential zoning, it was a consensus of opinion to place this item on the agenda for the February 12, 1987 workshop.

III. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Linwood Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:35 P. M.

Ronald E.(Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 12, 1987

The meeting was called to order at 6:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. PARKING OF VEHICLES AND RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

After reviewing the proposed ordinance, it was the concensus of opinion of the Council that this matter be put before the citizens in a Public Hearing .

III. ADJOURNMENT

It was moved by Councilman Linwood Gilliland, seconded by Councilman Kee and carried unanimously to adjourn. The meeting was adjourned at 7:30 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, FEBRUARY 12, 1987

The meeting was called to order at 7:34 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from this meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of January 8, 1987 and January 15, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. PUBLIC HEARING: AMENDMENT TO ZONING ORDINANCE PROVIDING FOR SETBACK AND AREA REQUIREMENTS OF ACCESSORY BUILDINGS AND GARAGES IN SINGLE FAMILY DISTRICTS.

Mayor Honse called for public comments on the Amendment to Zoning Ordinance providing for setback and area requirements of accessory buildings and garages in Single Family Districts. Councilman Linwood Gilliland commented on the need for the change in the ordinance.

No public comments were given. After allowing all to speak who desired to do so, Mayor Honse closed the Public Hearing.

IV. AMENDMENT TO ZONING ORDINANCE

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to approve the Amendment to Zoning Ordinance entitled, "AMENDMENT TO ZONING ORDINANCE PROVIDING FOR SETBACK AND AREA REQUIREMENTS OF ACCESSORY BUILDINGS AND GARAGES IN SINGLE FAMILY DISTRICTS".

V. CITIZENS AGENDA

A. Donna Eperjesi appeared before the Council to complain about businesses being operated out of residential neighborhoods. She was assured by Mayor Honse and Building Inspector Berry that steps are being taken to close all business being conducted from residences illegally.

B. Walter Scholl addressed the Council in regard to the steps taken by the City of Lake Dallas to condemn his property located at 424 Market.

C. Gary Bills complimented the Police Department on the good job they did in patroling their home while on vacation. Also, he suggested that an article be put in the local paper encouraging citizens of Lake Dallas to use the initiative to clean up their own property rather than being contacted by the city.

VI. FLOOD PREVENTION ORDINANCE

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to approve an ordinance entitled "AN ORDINANCE REPEALING ORDINANCE NO. 94-A AND PROVIDING FOR FLOOD DAMAGE PREVENTION FOR THE CITY OF LAKE DALLAS, TEXAS; PROVIDING STATUATORY AUTHORIZATION; FINDING OF FACT, PURPOSE AND METHODS; DEFINITIONS; GENERAL PROVISIONS; ADMINISTRATIONS; VARIANCE PROCEDURES; PROCEDURES FOR FLOOD HAZARD REDUCTION; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE" .

VII. RESOLUTION APPOINTING TWO MEMBERS TO THE INITIAL BOARD OF MANAGERS FOR THE PROPOSED EMERGENCY COMMUNICATION DISTRICT

It was moved by Councilman Bill Gilliland, seconded by Councilman Kee and carried unanimously to approve this resolution appointing two members to the Initial Board of Managers for the proposed Emergency Communication District. They are David Purifoy and Olive Stephens.

VIII. ORDER DESIGNATING ELECTION POLLING PLACES AND HOURS OF VOTING

It was moved by Councilman Bill Gilliland, seconded by Councilman Crossland and carried unanimously to designate the Lake Cities Community Center as the polling place for the April 4th Election of City Officers with the voting hours being 7:00 A. M. to 7:00 P. M.

The Absentee Voting polling place will be the Lake Dallas City Hall between the hours of 9:00 A. M. and 5:00 P. M.

IX. COMMITTEE REPORTS

There were no committee reports.

X. PARK AND RECREATION DEPARTMENT

A. The Board Minutes of the January 22, 1987 meeting were reviewed.

B. Councilman Bill Gilliland, Liaison from Council to Park and Recreation Department, gave his report.

XI. PLANNING AND ZONING COMMISSION

A. The Planning and Zoning Commission minutes of February 5, 1987 were reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report.

C. Mr. Don Glockel of the Lake Dallas Telephone Company was not present, but Councilman Linwood Gilliland reported that Mr. Glockel's concern regarded the utility companies not being kept aware of proposed building within the City of Lake Dallas.

XII. FIRE DEPARTMENT

A. The Financial Report for January, 1987 for the Fire Department was reviewed.

B. Councilman Linwood Gilliland, Liaison from Council to Fire Department gave his report.

C. Charlie Berry was appointed by the Volunteer Fire Department to represent them at the City Council meetings.

XIII. STREET DEPARTMENT

A. Mayor Honse, Liaison from Council to Street Department, gave his report.

XIV. POLICE DEPARTMENT

A. The Police Department reports for January, 1987 were reviewed.

B. There was no Liaison Report.

XV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports as of January 31, 1987 were reviewed.

Mayor Honse gave a report on the Community Center activity, advising the Council that plans are now being reviewed to install a ramp for the handicapped prior to the April City Elections. He also advised that additional chairs and tables had been ordered.

B. It was moved by Councilman Crossland, seconded by Councilman Kee and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of February.

C. The Municipal Court report for January was reviewed.

XVI. OLD BUSINESS

A. Letters from Chief of Police, Donald Hamilton, and the Fire Chief, Jerry McCutcheon, and Texas Waste Management representative, Dan Walsh, were written in regard to the streets that end at the lake which need to have a turn-a-round for emergency vehicles. Copies of these letters and other correspondence will be sent to Corps of Engineer and members of Congress asking for a street connecting Thompson Drive and Hundley Drive.

B. Clean City Commission is scheduled for a workshop on February 19th at 7:30 P. M.

C. City Defense Disaster Emergency Commission is also scheduled for the February 19th workshop.

D. Health Department will be set for a future workshop.

XVII. NEW BUSINESS

A. Fees for Game Machines License will be discussed in the February 19th workshop.

XVIII. ADJOURNMENT

It was moved by Councilman Bill Gilliland, seconded by Councilman Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:55 P. M.

Ronald E. (Bill) Honse, Mayor

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 19, 1987

The meeting was called to order at 7:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Donna Hamilton,City Secretary

Absent from this meeting was Councilman Jeff Crossland and Councilman Ronny Kee. The following business was transacted:

II. NO PARKING SIGNS - THOUSAND OAKS SUBDIVISION

Charlie Berry, Building Inspector for the City of Lake Dallas, addressed the Council advising of the need to mark the streets in Thousand Oaks Subdivision with "No Parking" signs in view of the 26 feet (26') width of the streets. It was his suggestion that we install the signs prior to homes being built in the subdivision. The legality of this action will be checked with the Attorney for the City.

III. CLEAN CITY COMMISSION

The need for a clean-up commission for the City of Lake Dallas was discussed. Councilman Bill Gilliland recommended that different organizations of the city be contacted to serve on this commission from the following: Businesses, Sanitation Department, Community Organizations such as Women's Club, Scouts, Churches and Rebekah Lodge and Birthday Club, and City Administration. A letter will be drafted to encourage interest in a Clean City Commission.

IV. CITY DEFENSE DISASTER EMERGENCY COMMISSION

It was the concensus of opinion that the ordinance dealing with Disaster Emergency Commission be placed on the March Agenda as an action item.

V. FEES FOR GAME MACHINE LICENSE

Ordinance No. 130 entitled, "AN ORDINANCE PRESCRIBING RULES AND REGULATIONS OF THE OWNING AND OPERATION, FOR PROFIT, OF ANY POOL OR BILLIARD TABLE OR TABLES OR AUTOMATIC AMUSEMENT DEVICE OR DEVICES WITHIN THE CITY OF LAKE DALLAS, TEXAS; PROVIDING DEFINITIONS;PROVIDING FOR LICENSE; PROVIDING FOR FIXING LICENSE FEE; PROVIDING A TERM OF LICENSE; PROVIDING FOR HOURS OF OPERATION; PROVIDING FOR EXCLUSION OF MINORS FROM THE PREMISES; PROVIDING FOR EXCLUSION OF ALCOHOLIC BEVERAGES; PROVIDING FOR REVOCATION OF LICENSE; PROVIDING FOR PARTITIONS; PROVIDING THAT ALL POOL OR BILLIARD TABLES OR AMUSEMENT MACHINES BE LOCATED ON THE GROUND FLOOR; PROVIDING FOR INSPECTIONS;

PROVIDING PENALTIES NOT TO EXCEED $200.00; PROVIDING SEVERABILITY; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; AND DECLARING AN EMERGENCY ", will be placed on the March Agenda to consider repeal of same.

VI. ADJOURNMENT

It was moved by Councilman Byers, seconded by Councilman Bill Gilliland and carried unanimously to adjourn the meeting. Meeting was adjourned at 8:30 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL MARCH 12, 1987

The meeting was called to order at 7:32 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilman
Bill Gilliland, Councilman
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Donna Hamilton, City Secretary

There being no persons absent from the meeting, the following business was transacted:

II. APPROVAL OF MINUTES

Councilman Byers moved for the suspension of any rule requiring that the minutes of the meetings of February 12 and February 19, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilman Linwood Gilliland and carried unanimously.

III. PUBLIC HEARING: PROPOSED ORDINANCE REGULATING PARKING OF MOTOR VEHICLES AND MAJOR RECREATIONAL EQUIPMENT IN AREAS ZONED SINGLE AND TWO-FAMILY

Mayor Honse called for public comments on an ordinance regulating parking of motor vehicles and major recreational equipment in areas zoned single and two-family residences.

1. Lawrence Imes questioned some portions of the ordinance and stated that the allowance of three hours parking in Section IV was impractical.

2. Ken Sippet also questioned the length of time parking on the street or in the driveway as permitted in the ordinance.

3. John Day commented that he felt the three hour limit should be extended to twelve hours overnight and forty-eight hours on the weekends to allow persons to park their business-related vehicles overnight and on weekends.

4. Mrs. Lawrence Imes stated that they had put rock in the back alley, but the telephone installation crew has now dug it up. She asked the Council if the installation company would be liable to replace the rock. Mayor Honse replied that the installation company were to replace all areas in the same condition or better than before the digging.

5.Rick Green questioned the need for the installation of concrete pads to park the boats and recreational vehicles. He also stated that the alley on Kings Manor Drive, where he lives, is blocked by mail boxes.

6. Paula Horn commended the Council on the proposed ordinance.

After allowing all to speak who desired to do so, Mayor Honse called the Public Hearing to a close.

IV. CITIZENS AGENDA

1. Mrs. Aldena Stowe gave a report on the Lake Cities Library.

2. Mr. Lawrence Imes asked if there was a violation of an ordinance if someone owning a home in a single-family area rents rooms.

V. ORDINANCE REPEALING ORDINANCE NO. 130 KNOWN AS THE POOL HALL AND AMUSEMENT CENTER ORDINANCE

It was moved by Councilman Bill Gilliland, seconded by Councilman Crossland, and carried unanimously to repeal Ordinance NO. 130 known as the Pool Hall and Amusement Center Ordinance.

VI. ORDINANCE ESTABLISHING A PROGRAM OF COMPREHENSIVE EMERGENCY MANAGEMENT

It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland, and carried unanimously to approve an ordinance establishing a program of comprehensive emergency management.

VII. RESOLUTION ESTABLISHING THE DENTON COUNTY EMERGENCY MANAGEMENT ORGANIZATION

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to pass a resolution establishing the Denton County Emergency Management Organization.

VIII. RESOLUTION SUPPORTING DENTON COUNTY IN THEIR POSITION AGAINST THE U. S. ENVIRONMENTAL PROTECTION AGENCY'S INCLUSION OF DENTON COUNTY IN THE REVISED STATE IMPLEMENTION PLAN.

It was moved by Councilman Bill Gilliland, seconded by Councilman Linwood Gilliland and carried unanimously to pass a resolution supporting Denton County in their position against the U. S. Environmental Protection Agency's inclusion of Denton County in the revised implementation plan.

IX. RESOLUTION URGING TORT REFORM LAW

It was moved by Councilman Kee, seconded by Councilman Bill Gilliland and carried unanimously to pass a resolution urging Tort Reform Law.

X. RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS TO PROVIDE LOAN OF LAW ENFORCEMENT PERSONNEL

It was moved by Councilman Crossland, seconded by Councilman Bill Gilliland and carried unanimously to issue a resolution authorizing the Mayor to sign an interlocal agreement with the City of Dallas to provide loan of law enforcement personnel.

XI. PARK AND RECREATION DEPARTMENT

A. The minutes of the Park and Recreation Department were reviewed.

B. Councilman Bill Gilliland, Liaison from the Council to Park and Recreation Department, gave his report.

XII. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission were reviewed.

B. Councilman Linwood Gilliland, Liaison from the Council to Planning and Zoning Commission, gave his report. He brought the Council up to date on the Adult Entertainment Zoning Ordinance being prepared by the Planning and Zoning Commission.

XIII. FIRE DEPARTMENT

A. The financial reports of the Lake Cities Volunteer Fire Department were reviewed.

B. Councilman Linwood Gilliland, Liaison from the Council to the Volunteer Fire Department, gave his report.

C. Fire Department Representative, Charlie Berry, gave his report.

XIV. STREET DEPARTMENT

A. There was no Liaison Report .

B. Greg Edwards, City Engineer for the City of Lake Dallas, and Tim Carroll of Albritton Development reported on the money to be put in escrow by Albritton Development who is developing Thousand Oaks Subdivision. This $40,000 will be put in an interest earning account to assist in the flood control of Shady Shores Road. The low area of Shady Shores Road will be raised in order to avoid the flooding that occurs approximately every two years. It was moved by Councilman Crossland, seconded by Councilman Linwood Gilliland and carried unanimously to accept this $40,000 to be put in escrow in an interest earning account.

XV. POLICE DEPARTMENT

A. The Police Department Reports were reviewed.

B. There was no Liaison Report.

XVI. ADMINISTRATIVE REPORT

A. The Financial Report as of February 28, 1987 were reviewed.

B. It was moved by Councilman Kee, seconded by Councilman Crossland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of March.

C. The Municipal Court Report was reviewed.

XVII. OLD BUSINESS

A. City Secretary Hamilton reported on a telephone call she received

from the Real Estate Division of the Corps of Engineers advising that they were checking into the matter of an aligned street being built to provide emergency access at the end of the dead-end streets ending at the lake.

B. Two responses have been received from the letters written asking for assistance from civic organizations and churches to assist in a city clean-up.

C. Attorney for the city, Richard Podgorski, advises that the City of Lake Dallas has a contract with the County Health Department until September, 1987.

XVIII. NEW BUSINESS

A. Ordinance NO. 7 revisions .

B. Permit Bonds.

XIX. ADJOURNMENT

It was moved by Councilman Linwood Gilliland, seconded by Councilman Crossland and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:30 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL APRIL 9, 1987

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilmember
Bill Gilliland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember Elect
Garry Bills, Councilmember Elect
Donna Hamilton, City Secretary

Councilmember Ronny Kee was absent from this meeting. The following business was transacted:

II. APPROVAL OF MINUTES

Councilmember Byers moved for the suspension of any rule requiring that the minutes of the meetings of March 12, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Linwood Gilliland and carried unanimously.

III. CITY OFFICERS ELECTION HELD APRIL 4, 1987

A. Mayor Honse and the City Council began the official canvass of the votes cast in the City Officers' Election held on April 4, 1987. It was determined that 685 votes were cast as follows:

FOR ALDERMAN:

Garry Bills	175 votes
Anne Kennedy	163 votes
Bill Gilliland	138 votes
Linwood Gilliland	179 votes
Write-ins	30 votes

B. It was moved by Councilmember Crossland, seconded by Councilmember Bill Gilliland and carried unanimously to pass and approve a resolution accepting said election returns and declaring Garry Bills, Anne Kennedy and Linwood Gilliland as duly elected Aldermen for the City of Lake Dallas.

IV. PUBLIC HEARING: AN ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES: PROVIDING FOR DEFINITIONS: PROVIDING FOR LICENSING AND REGULATIONS: REGULATING LOCATIONS OF SUCH BUSINESSES: PROVIDING FOR COMPLIANCE WITH OTHER ORDINANCES: PROVIDING FOR EXTERIOR SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

Mayor Honse called for public comments on an ordinance regulating

sexually oriented businesses. Several questions and comments were discussed relating to different parts of the proposed ordinance.

After allowing all to speak who desired to do so, Mayor Honse called the public hearing to a close.

V. ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES

It was moved by Councilmember Crossland, seconded by Councilmember Linwood Gilliland and carried unanimously to approve the ordinance entitled, "AN ORDINANCE REGULATING SEXUALLY ORIENTED BUSINEESSES; PROVIDING FOR DEFINITIONS; PROVIDING FOR LICENSING AND REGULATIONS; REGULATING LOCATIONS FOR SUCH BUSINESSES; PROVIDING FOR COMPLIANCE WITH OTHER ORDINANCES; PROVIDING FOR EXTERIOR SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY " with amendments.

VI. CITIZENS AGENDA

No citizens were present who wished to speak.

VII. REQUEST TO PLACE SEPTIC SYSTEM ON LOT 6, BLOCK J, OAK LAKES SUBDIVISION

The owner of Lot 6, Block J, of Oak Lakes Subdivision requested information as to how a building permit may be obtained for this subdivision, since the Council has previously issued a moratoriam for permits due to the problem with septic systems.

VIII. PARK AND RECREATION DEPARTMENT

A. The Board minutes of Park and Recreation Department were reviewed and the Liaison Report was given by Councilmember Bill Gilliland.

B. It was moved by Councilmember Linwood Gilliland, seconded by Councilmember Crossland and carried unanimously to appoint Garry Bills to the position of Liaison from the Council to the Park and Recreation Department.

C. It was moved by Councilmember Linwood Gilliland, seconded by Councilmember Byers and carried unanimously to appoint Mr. Charlie McMath and Mrs. Aldena Stowe to the Park Board.

IX. PLANNING AND ZONING COMMISSION

A. The Commission minutes were reviewed.

B. Councilmember Linwood Gilliland, Liaison from Council to Planning and Zoning Commission, gave his report.

C. It was moved by Councilmember Linwood Gilliland, seconded by Councilmember Crossland and carried unanimously to appoint Monty Carpenter and Mike Fahey to Planning and Zoning Commission.

X. FIRE DEPARTMENT

A. The Financial Report was reviewed.

B. There was no Liaison Report.

C. Charlie Berry, Fire Department Representative, advised the Council that the Fire Department Awards Banquet would be held at the V. F. W. Club on Saturday, April 11th.

XI. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department. The street employees are changing their hours to begin work at 7:00 A. M. in order that they may be able to haul more supplies from the County of Denton. The County ends their work day at 2:30 P. M.

C.E.T.A. will be contacted regarding employees for summer part time work.

XII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. There was no Liaison Report.

XIII. ADMINISTRATIVE DEPARTMENT

A. The financial reports were reviewed.

B. It was moved by Councilmember Crossland, seconded by Councilmember Linwood Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of April.

XIV. OLD BUSINESS

A. The proposed roadway to provide emergency access at the end of the dead-end streets ending at the lake was discussed. The City has been advised by the Corps of Engineers that they should have the street surveyed, have a plot plan drawn, and decide the size of storm drainage needed. The representatives from the Corps of Engineers will then approve the project.

B. There has still been only two responses from Community groups in regard to a Clean City Commission.

C. No action on Ordinance No. 7 Amendments.

D. Permit Bonds were discussed.

E. City Secretary administered the Oath of Office to each newly elected officer.

XV. NEW BUSINESS

There was no new business to be conducted.

XVI. ADJOURNMENT

It was moved by Councilmember Linwood Gilliland, seconded by Councilmember

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL MAY 14, 1987

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

II. APPROVAL OF MINUTES

Councilmember Byers moved for the suspension of any rule requiring that the minutes of the meeting of April 9, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

III. APPOINTMENT OF MAYOR PRO TEM

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to appoint Councilmember P. O. Byers to the position of Mayor Pro Tem .

IV. FINAL PLAT - KATY RAILROAD NUMBER ONE, MISSOURI, KANSAS TEXAS RAILROAD COMPANY

It was moved by Councilmember Crossland, seconded by Councilmember Bills and carried unanimously to approve the Final Plat of Katy Railroad Number One owned by Missouri, Kansas, Texas Railroad .

V. ORDINANCE REPEALING ORDINANCES NO. 7 AND NO. 7A, ESTABLISHING A CITY PLANNING AND ZONING COMMISSION; PROVIDING FOR ITS MEMBERSHIP, ORGANIZATION AND DUTIES

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to approve an Ordinance repealing Ordinance NO. 7 and Ordinance No. 7A; establishing a City Planning and Zoning Commission; providing for its membership, organization and duties.

VI. ORDINANCE RELATING TO TAXATION OF TELECOMMUNICATIONS SERVICES

It was moved by Councilmember Crossland and seconded by Councilmember Bills to approve an ordinance relating to taxation of telecommunication services. The motion passed by the following vote:

Ayes: Messrs: Crossland, Bills, Byers
Noes: Mr. Gilliland and Mrs. Kennedy

VII. ORDINANCE ESTABLISHING ONE WAY OPERATION OF FRONTAGE ROADS ON INTERSTATE HIGHWAY 35E

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to approve an ordinance establishing one way operation of frontage roads on Interstate Highway 35E within the City of Lake Dallas.

VIII. RESOLUTION APPROVING AND AUTHORIZING THE TAX COLLECTOR FOR THE CITY OF LAKE DALLAS TO CALCULATE THE EFFECTIVE TAX RATE FOR THE 1987 TAX ROLL

It was moved by Councilmember Crossland, seconded by Councilmember Byers and carried unanimously to approve a resolution approving and authorizing the Tax Collector for the City to calculate the effective tax rate for the 1987 tax roll.

IX. COLLECTION OF PROPERTY TAXES BY DENTON CENTRAL APPRAISAL OFFICE

It was moved by Councilmember Gilliland, and seconded by Councilmember Kennedy to designate Denton County Central Appraisal Office as collector of property taxes for the City of Lake Dallas. The motion passed by the follow - ing vote:

AYES; Messrs: Gilliland, Byers, Bills, and Mrs. Kennedy
NOES: None
ABSTAIN: Mr. Crossland

X. SAMMONS COMMUNICATIONS - JOHN ENLOW - DISCUSSION OF CABLE TELEVISION FRANCHISE

Mr. John Enlow appeared before the Council to discuss the cable television franchise.

XI. KENNETH PADDOCK - REQUEST FOR REINSTATEMENT OF ORDINANCE PERMITTING LATE HOURS FOR PRIVATE CLUBS

Mr. Kenneth Paddock requested that the Council reconsider the reinstatement of the ordinance permitting private clubs' late hour openings. He was informed by Mayor Honse that since this was not on the agenda as an action item, it would be brought up and decided at a later meeting.

XII. CITIZENS AGENDA

A. Mr. Wayne Tabola appeared before the Council in opposition to the proposed street connecting Thompson and Hundley. Councilmember Gilliland explained to Mr. Tabola and the Council the need for the street and other facts regarding it.

B. Mr. Charlie McMath, Chairman of the Park and Recreation Board, thanked the Council for their cooperation in making Garza Day a success.

XIII. PARK AND RECREATION DEPARTMENT

A. There were no minutes of the Park and REcreation Board for May.

B. Councilmember Gary Bills, Liaison from Council to Park and Recreation Department, gave his report.

C. The name of Mike Williams was brought before the Council for approval to replace Garry Bills on the Park and Recreation Board. It was moved by Councilmember Gilliland, seconded by Councilmember Crossland and carried unanimously to approve this appointment .

XIV. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission were reviewed.

B. Councilmember Gilliland, Liaison from Council to Planning and Zoning, gave his report. He also recommended that Councilmember Anne Kennedy be appointed as Liaison to Planning and Zoning Commission from the Council.

XV. FIRE DEPARTMENT

A. The Financial Report of the Fire Department was reviewed.

B. Councilmember Linwood Gilliland, Liaison from Council to Fire Department gave his report.

XVI. STREET DEPARTMENT

A. Mayor Honse gave the Liaison Report for the Street Department.

XVII. POLICE DEPARTMENT

A. Police Department reports were reviewed and the Mayor advised the Council of the Lake Dallas Police Department patrolling Highway I-35E within the City limits.

B. There was no Liaison report.

XVIII. ADMINISTRATIVE DEPARTMENT

A. The financial report as of April 30, 1987 was reviewed.

B. It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of May.

The present status of Thousand Oaks Subdivision was discussed. No building permits have been requested and Mayor Honse reported the information he had received from local builders who are desiring to buy lots in the area. It was a consensus of opinion of the Council that the $40,000 to be put in escrow for the flood control of Shady Shores Road be deposited by the developer prior to the issuance of any building permits.

C. The Municipal Court Report was reviewed.

XIX. OLD BUSINESS

A. Clean City Commission was discussed. No additional response has been received from the organizations within the city. Councilmember Gilliland suggested that the program regarding "Adopt a Street" be investigated.

B. Permit bonds were discussed. Councilmember Gilliland will check with other cities to determine what their policies are to avoid the City having to repair streets, etc. A workshop will also be held to resolve the matter.

C. A Workshop will be held on the proposed Parking Ordinance.

XX. NEW BUSINESS

There was no New Business .

XXI. ADJOURNMENT

It was moved by Councilmember Gilliland, seconded by Councilmember Byers and carried unanimously to adjourn this meeting. The meeting was adjourned at 9:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL JUNE 11, 1987

The meeting was called to order at 7:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

II. APPROVAL OF MINUTES

Councilmember Crossland moved for the suspension of any rule requiring that the minutes of the meeting of May 14, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

III. DRAINAGE PROBLEMS

Mayor Honse asked Charlie Berry, Building Inspector for the City, to speak to the problem of drainage in the Beck Addition. It was his opinion that in order to correct the matter, a drainage would be necessary under Shady Shores Road and an open drainage ditch to carry the flow of water to the drainage area behind Kings Manor Drive. Any other attempt to correct the problem would merely move the water problem from one area to another.

IV. ORDINANCE NO. 53 RELATING TO POSTING OF BONDS BY BUILDING CONTRACTORS

Councilmember Gilliland reported on the information he had obtained from several surrounding cities in regard to the posting of bonds by building contractors. It was the concensus of opinion that this would be put on the agenda for July to repeal.

V. CITIZENS AGENDA

Aldena Stowe questioned the financial status of the City. She was advised that there is a cash flow problem due to the decline in sales taxes and other revenue that is not being paid into the City treasurer.

VI. PARK AND RECREATION DEPARTMENT

A. Due to the lack of a quorum, there were no Board minutes for the May meeting.

B. Councilmember Bills, Liaison from Council to Park and Recreation Board, gave his report.

VII. PLANNING AND ZONING COMMISSION

A. The minutes of the June meeting were reviewed.

B. Councilmember Kennedy, Liaison from the Council to Planning and Zoning Commission, gave her report.

A discussion was held regarding the possibility of a sexually oriented business being started within the City. Councilmember Gilliland explained to the Council that the city could not legally keep these types of businesses out of the city, but the steps they are taking within the Planning and Zoning Commission will assure prohibitive zoning.

VIII. FIRE DEPARTMENT

A. The Lake Cities Volunteer Fire Department financial statement was reviewed.

B. Councilmember Gilliland, Liaison from the Council to the Fire Department , gave his report.

IX. STREET DEPARTMENT

A. Mayor Honse reported on the Street department activities. He said due to all the rain and the lack of funds, there has not been much activity except some mowing where possible.

X. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

B. There was no Liaison Report.

XI. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Crossland, seconded by Councilmember Bills and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of June.

C. The Municipal Court Report was reviewed.

D. A Budget Workshop will be held on Friday, June 19th at 7:30 P. M. to discuss the present financial problems.

XII. OLD BUSINESS

A. A workshop to discuss the proposed parking ordinance will be held on July 16, 1987.

B. It was the concensus of opinion of the Council to allow the Jolly Roger Club to resume their late hour operation.

XIII. NEW BUSINESS

No New Business.

XIV. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:15 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL JUNE 19, 1987

The meeting was called to order at 7:32 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

II. ORDINANCE PERTAINING TO EXTENDED HOURS FOR LAWFUL SALE, POSSESSION AND CONSUMPTION OF ALCHOLIC BEVERAGES

Mayor Honse called for those who wished to speak in regard to this ordinance.

Reverend Lester Vinson, pastor of the First Baptist Church , spoke in opposition to the proposed ordinance .

Mr. Pete Looney, pastor of Lake Cities Independent Baptist Church, also spoke in opposition to the ordinance.

It was moved by Councilmember Kennedy and seconded by Councilmember Byers to approve the extended hours for lawful sale, possession and consumption of alcholic beverages. It was denied by the following vote:

AYES: Councilmembers Kennedy and Byers
NOES: Councilmembers Bills, Crossland and Gilliland

III. WORKSHOP PERTAINING TO 1986-1987 BUDGET

Mayor Honse outlined the problem of cash flow to the Council, pointing out the reason for the short-fall as being the lack of building permits for the Thousand Oaks Subdivision, as well as the reduction in sales tax. He asked that the Council study the budget figures given by the City Secretary and attempt to arrive at a solution to the matter.

Mayor Honse also advised the Council that he has contacted Jack Hedge, President of Lake Cities State Bank, in regard to a low-interest loan to assist the city through this period of financial difficulty.

Several citizens spoke in regard to the problem of finances. The Council discussed ideas that could possibly relieve the short-fall. It was the concensus of opinion that the only solution was to attempt to keep the spending at a bare minimum and look toward an increase in the income of the City when taxes and building permits increase.

The Budget Workshop for planning the 1987-88 Budget was set for July 16, 17, and 18, 1987 at 7:30. P. M.

IV. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:45 P. M.

Ronald E. (Bill) Honse, Councilmember
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF THE CITY COUNCIL

OF THE CITY OF LAKE DALLAS

SETTING AS THE BOARD OF ADJUSTMENT

HELD AT CITY HALL JULY 9, 1987

The meeting was called to order at 7:17 P. M. with Mayor Pro Tem P. O. Byers presiding. The following Councilmembers were present:

P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

With Councilmember Garry Bills absent, the following business was transacted:

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 612 E. HUNDLEY DRIVE WHICH HAS BEEN DEEMED UNSAFE BY BUILDING INSPECTOR

Mr. Charlie Berry, Building Inspector for the City of Lake Dallas, reported on the building located at 612 East Hundley Drive and legally described as Block 1, Lot 7, W. W. Little Survey. He also advised the Council of the efforts that had been made to have this structure brought up to Minimum Standards .

Mr. Winston Harper, owner of the property, was given an opportunity to comment on the proposed condemnation. He disagreed with the Inspector as to the severity of the violations and asked the Board of Adjustments to allow him to bring the structure up to standard rather than it being condemned.

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to allow Mr. Harper ninety (90) days to bring the property up the Minimum Standards as outlined in Ordinance No. 193 (Section 92-B).

III. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 7:45 P. M.

P O Byers

P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 9, 1987

The meeting was called to order at 7:45 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Councilmember Garry Bills was absent from this meeting. The following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and the Invocation was led by Pete Looney, Pastor of Lake Cities Independent Baptist Church.

III. APPROVAL OF MINUTES

Councilmember Crossland moved for the suspension of any rule requiring that the minutes of the meetings of June 11 and June 19, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. PUBLIC HEARING: AMENDMENT OF ZONING ORDINANCE NO. 25 RELATING TO LOCATION OF SEXUALLY ORIENTED BUSINESSES AND MOVIE THEATERS

Councilmember Linwood Gilliland gave the Council a review of the activities of the Planning and Zoning Commission relating to zoning for location of sexually oriented businesses and movie theaters.

Mayor Honse called for any citizen input or comments on the matter. After allowing all to speak who wished to do so, the Public Hearing was closed.

V. ORDINANCE AMENDING ORDINANCE NO. 25

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland, and carried unanimously to approve the Ordinance Amending Ordinance No. 25.

VI. ORDINANCE REPEALING ORDINANCE NO. 53 PERTAINING TO REQUIRING GENERAL CONTRACTORS AND SUBCONTRACTORS TO POST BONDS

It was moved by Councilmember Kennedy, seconded by Councilmember Byers and carried unanimously to repeal Ordinance No. 53 pertaining to requiring general contractors and subcontractors to post bonds.

VII. RESOLUTION IN SUPPORT OF THE CREATION OF AN ENHANCED 9-1-1 EMERGENCY DISTRICT

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to approve a resolution in support of the creation of an Enhanced 9-1-1 Emergency District.

VIII. CITIZENS AGENDA

The Mayor requested Mr. Pete Looney to speak to the letter that he sent to the Mayor and members of the City Council, especially in regard to the availability of the meetings to citizens and other criticism of both present and past Councils. He expressed his apologies to the Mayor and Council for his strong wording in the letter.

IX. PARK AND RECREATION DEPARTMENT

A. The minutes of the June meeting were reviewed.

B. Councilmember Linwood Gilliland gave the Liaison report in the absence of Councilmember Garry Bills.

X. PLANNING AND ZONING COMMISSION

A. The minutes of the July meeting were reviewed.

B. Councilmember Anne Kennedy, Liaison from Council to Planning and Zoning Commission, gave her report. She reported that there would not be a meeting in August. There will be a public hearing on the proposed massage ordinance to be held on September 3, 1987.

XI. FIRE DEPARTMENT

A. The financial report for the period ending June 30, 1987 was reviewed.

B. Councilmember Gilliland, Liaison from the Council to the Fire Department, gave his report.

C. Jerry McCutcheon, Fire Chief, reported to the Council that the Budget meeting for the Fire Department would be held on July 22, 1987 at 7:30 P.M.

XII. STREET DEPARTMENT

A. Mayor Honse advised that the Street Department was being kept busy with mowing, cleaning out ditches, etc. that did not involve a great deal of cost, in view of the financial status of the City. He also hoped that some street work and repairs could be done later with the assistance of Denton County.

XIII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed. The City Secretary advised that

the franchise check from Texas Power and Light Company had been received and the City is now operating in a solvent status.

B. It was moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

C. The Municipal Court report for June was reviewed.

XV. OLD BUSINESS

A. The workshop scheduled for July 16, 1987 regarding the proposed Parking Ordinance was discussed. Mayor Honse instructed City Secretary to have an article published prior to the workshop that the meeting would be open to the public for their suggestions and comments.

B. Due to the lack of tax figures from Denton County Appraisal District, it was necessary to postpone the 1987-88 Budget Workshop. The Workshop will be held on August 6,7,and 8, 1987.

XVI. NEW BUSINESS

No new business.

XVII. ADJOURNMENT

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:30 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 16, 1987

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Councilmember Jeff Crossland was absent from this meeting. Mayor Honse requested the City Secretary to write Mr. Crossland informing him of the importance of his being at the meetings and being prompt for the meetings. The following business was then transacted:

II. PARKING ORDINANCE

Mayor Honse called for public comment on this proposed Parking Ordinance. Several citizens commented on their ideas for the Ordinance. Changes were made to the proposed ordinance reflecting the citizens' and councilmembers' suggestions.

A Public Hearing will be held at the August Council meeting on the proposed ordinance, and the Council will then vote on the ordinance at the same meeting.

III. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:20 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, AUGUST 13, 1987

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

Councilmember Anne Kennedy was absent with permission from this meeting. The following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and the Invocation was led by Reverend Gifford Long, Pastor of Lake Dallas United Methodist Church.

III. APPROVAL OF MINUTES

Councilmember Gilliland moved for the suspension of any rule requiring that the minutes of the meetings of July 9 and July 16, 1987 be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Bills and carried unanimously.

IV. PUBLIC HEARING: ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES AND MAJOR RECREATIONAL EQUIPMENT IN SINGLE-FAMILY AND TWO-FAMILY ZONE DISTRICTS

Mayor Honse gave a brief review of the writing of the Ordinance relating to the parking of motor vehicles and recreation equipment in Single-Family and Two-Family Zone Districts. He called for public comment on the Ordinance.

After allowing all to speak who desired to do so, the Public Hearing was closed.

V. ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES AND MAJOR RECREATIONAL EQUIPMENT IN SINGLE-FAMILY AND TWO-FAMILY ZONE DISTRICTS

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to approve the Ordinance Regulating the Parking of Motor Vehicles and Major Recreational Equipment in Single-Family and Two-Family Zone Districts.

VI. ORDINANCE ADOPTING "UPDATED SERVICE CREDITS" FOR EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM

It was moved by Councilmember Crossland, seconded by Councilmember

Gilliland and carried unanimously to approve the Ordinance Adopting "Updated Service Credits" for Employees in the Texas Municipal Retirement System.

VII. RESOLUTION ENDORSING APPLICATION TO THE TEXAS RAILROAD COMMISSION FOR INCLUSION IN THE DALLAS/FORT WORTH COMMERCIAL TRADE ZONE

It was moved by Councilmember Gilliland, seconded by Councilmember Crossland and carried unanimously to approve a Resolution Endorsing Application to the Texas Railroad Commission for Inclusion in the Dallas/Fort Worth Commercial Trade Zone.

VIII. CITIZENS AGENDA

No citizen was present asking to be heard.

IX. PARK AND RECREATION DEPARTMENT

A. No Park and Recreation minutes were available.

B. Councilmember Bills, Liaison from Council to Park and Recreation Department, gave his report. He advised the Council of the Community Picnic which would be held on October 3, 1987 and that invitations would be sent to many people in the Lake Dallas area.

He also advised that the positions of leadership for next year's Garza Days' events had been determined.

X. PLANNING AND ZONING

A. No Planning and Zoning minutes were available.

B. There was no Liaison Report.

XI. FIRE DEPARTMENT

A. The financial report for the period ending July 31, 1987 was reviewed.

B. There was no Liaison Report and no representative from the Fire Department was present.

XII. STREET DEPARTMENT

A. Mayor Honse reported that the Street Department has been mowing and has also been in Kings Manor Addition cleaning the alleys. These alleys will all be brought back up to grade. Some of the residents have agreed to buy gravel to improve these alleys if the City would spread it. The Mayor has agreed to this.

After the alleys are completed, citations will be issued to the residents using these alleys for dumping.

XIII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed. The City Secretary advised that there is still a positive cash flow and that the Sales Tax is still remaining to be higher due to the cable installation of the Telephone Company. All departments are continuing to hold expenses to a minimum.

XV. OLD BUSINESS

A. There was no Old Business.

XVI. NEW BUSINESS

A. There was a discussion regarding the possibilities of an Ordinance regulating Garage Sales. Ordinances from other cities will be obtained on which to base the proposed Ordinance.

XVII. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting . The meeting was adjourned at 7:55 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, AUGUST 20, 1987

The meeting was called to order at 7:39 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

II. PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE 1987 TAX ROLL BY TWENTY TWO PERCENT (22%) , AND SET DATE FOR PUBLIC HEARING ON SAME

It was moved by Councilmember Byers and seconded by Councilmember Crossland to increase the total tax revenues from properties on the 1987 tax roll by twenty two percent (22%). The motion was approved by the following vote:

AYES: Councilmembers; Byers, Crossland, Bills, Kennedy

NOES: Councilmember Gilliland

PRESENT AND NOT VOTING: NONE

ABSENT : NONE

The Public Hearing will be held on September 2, 1987 at 6:00 P.M. at the City Hall, 303 Alamo, Lake Dallas, Texas.

III. SET PUBLIC HEARING ON 1987-88 BUDGET

The Mayor announced that the Public Hearing on the 1987-88 Budget would be held on September 10, 1987 at 6:00 P.M.

IV. ADJOURNMENT

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:10 P. M.

Ronald E. (Bill Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 2, 1987

The meeting was called to order at 6:06 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember

With all members of the Council present, the following business was transacted:

II. PUBLIC HEARING ON PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE 1986 TAX ROLL BY TWENTY-TWO PERCENT (22%)

Mayor Honse announced that the purpose of this meeting was to provide a Public Hearing on the proposed tax increase, and stated anyone wishing to ask questions or make comments regarding same would be given an opportunity to do so.

Mrs. Carolyn Green stated she did not want taxes to increase, but could see no alternative but to raise taxes since she did not want to give up any services of the city.

Mayor Honse allowed until 6:15 P.M. for late arrivals to speak on the matter. There being no other citizens to speak on the proposed tax increase, the Mayor called for a motion to close the Public Hearing.

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to close the Public Hearing.

III. SCHEDULE AND ANNOUNCE MEETING TO VOTE ON TAX RATE

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to schedule and announce that the meeting to vote on the tax rate would be September 10, 1987 at 7:30 P.M.

IV. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Kennedy and carried unanimously to adjourn the meeting. Meeting was adjourned at 6:20 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, SEPTEMBER 10, 1987

The meeting was called to order at 7:01 P. M. with Mayor Pro Tem Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton , City Secretary

With no members absent, the following business was transacted:

II. CONSIDERATIONS OF CONDEMNATION OF BUILDING LOCATED AT 446 BETCHAN DEEMED UNSAFE BY THE BUILDING INSPECTOR

Mr. Loyed Ezzell, owner of the property located at 446 Betchan, appeared before the Board of Adjustment and advised that he is willing to demolish the structure that has been deemed unsafe by the Building Inspector. He has the use of equipment to destroy the building, but does not have the equipment to haul the material away from the lot.

The Board agreed to allow additional time than normally given to accomplish the demolition. Mr. Ezzell was allowed sixty (60) days to complete the removal of the house.

It was moved by Councilmember Crossland, seconded by Councilmember Kennedy and carried unanimously to condemn this substandard structure and allow Mr. Ezzell sixty (60) days to accomplish the demolition.

III. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Bills and carried unanimously to adjourn. The meeting was adjourned at 7:15 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 10, 1987

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the flag was given and Invocation was led by Reverend Lester Vinson, Pastor of First Baptist Church of Lake Dallas.

III. APPROVAL OF MINUTES

Councilmember Crossland moved for the suspension of any rule requiring that the minutes of the meetings held on August 13 and August 20, 1987 be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. PUBLIC HEARING: ORDINANCE REGULATING MASSAGE ESTABLISHMENTS

Mayor Honse called for public comment on the ordinance regulating massage establishments. There were no comments from the public.

After allowing all to speak who desired to do so, the Public Hearing was closed.

V. ORDINANCE REGULATING MASSAGE ESTABLISHMENTS

Councilmember Kennedy and Mayor Honse complimented the Planning and Zoning Commission for the hard work on this ordinance regulating massage establishments and the many hours given to its preparation.

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to approve the Ordinance Regulating Massage Establishments.

VI. ORDINANCE ADOPTING BUDGET FOR 1987-88 FISCAL YEAR

It was moved by Councilmember Byers and seconded by Councilmember Kennedy to approve the Budget for 1987-88 Fiscal Year. The motion passed

by the following vote:

AYES: Councilmembers Bills, Byers, Crossland

NOES: Councilmember Gilliland

ABSTAIN: None

VII. ORDINANCE APPROVING THE 1987 ROLLS AS CERTIFIED BY THE DENTON COUNTY APPRAISAL DISTRICT AND LEVYING AN AD VALOREM TAX ON SAID PROPERTIES

It was moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to approve the Ordinance Approving the 1987 Appraisal Rolls as Certified by the Denton County Appraisal District and Levying an Ad Valorem Tax on Said Properties.

VIII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE DISPATCH SERVICES

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to authorize the Mayor to sign a contract agreement with the City of Corinth to provide police dispatch service.

IX. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE DISPATCH SERVICES

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to authorize the Mayor to sign a contract agreement with the Town of Hickory Creek to provide police dispatch services.

X. RESOLUTION OF PARTICIPATION IN THE DENTON AREA 9-1-1 DISTRICT

It was moved by Councilmember Kennedy, seconded by Councilmember Crossland and carried unanimously to approve the Resolution of Participation in the Denton Area 9-1-1 District

XI. CITIZENS AGENDA

1. Mr. Michael Smith, who had requested to appear before the Council during the Citizens Agenda, was not present.

2. Mr. Lawrence Imes complained about the timing of Public Hearings and that there should be some consistency in the times they are held to enable the public to attend. Mayor Honse advised him that due to other meetings and demands on the Council's time, this was not possible.

3. Mrs. Aldena Stowe complained about the noise coming from a house located on Galbraith Street.

4. Mr. Imes complained about a hole in the street at 5400 Countess.

XII. PARK AND RECREATION DEPARTMENT

A. The minutes of the August meeting of Park and Recreation Board were reviewed.

B. Councilmember Garry Bills, Liaison from the Council to Park and Recreation Department gave his report. He advised the Council that new fees had been set for next year's Garza Days Celebration, and plans had been made for the October 3rd Lake Dallas Community Picnic. He also advised the Council that David Bodiford has resigned as the gatekeeper and has been replaced by Gary Green.

XIII . PLANNING AND ZONING COMMISSION

A. The minutes of the September meeting of Planning and Zoning Commission were reviewed.

B. Councilmember Kennedy, Liaison from the Council to Planning and Zoning was unable to attend the September meeting and Councilmember Gilliland represented the Council for that meeting. He reported to the Council that a discussion was held regarding the requirements for masonry on all future homes in the R1-6000 zoning.

XIV. FIRE DEPARTMENT

A. The Financial Report for the period ending August 31, 1987 was reviewed.

B. Charlie Berry, representative from the Lake Cities Fire Department, gave his report.

C. Councilmember Gilliland, Liaison from the Council to the Fire Department, gave his report.

XV. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XVI. POLICE DEPARTMENT

A. The Police Department reports for August, 1987 were reviewed.

XVII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed. The City Secretary advised that there is a negative cash flow at the present time. Building permits are less, but the sales tax figure is increased.

B. It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of September.

C. The Municipal Court Report was reviewed.

XVIII. OLD BUSINESS

A. The Garage Sign Ordinance was not discussed since copies of other cities' ordinance was not obtained. The Mayor advised the Councilmembers to obtain these ordinances from other cities with which they might have contact.

XIX. NEW BUSINESS

A. Councilmember Bills inquired as to the action taken and the time allowed to process a complaint regarding ordinance violations.

XX. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 8:12 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 10, 1987

The meeting was called to order at 6:04 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. PUBLIC HEARING ON 1987-88 FISCAL YEAR BUDGET

Mayor Honse announced that the purpose of this meeting was to provide a Public Hearing on the Budget for Fiscal Year 1988, and stated anyone wishing to ask questions or make comments regarding same would be given an opportunity to do so.

There were no public comments. After allowing sufficient time for all persons wishing to speak on the matter to do so, Mayor Honse called for a motion of adjournment. It was moved by Councilember Crossland, seconded by Councilmember Bills and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:20 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 24, 1987

The meeting was called to order at 6:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
LInwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Councilmember Jeff Crossland was absent from this meeting. The following business was transacted:

II. CONSIDER RESOLUTION AUTHORIZING MAYOR TO SIGN A LOAN WITH LAKE CITIES STATE BANK IN THE AMOUNT OF $40,000.00 FOR OPERATIONS

It was moved by Councilmember Kennedy, seconded by Councilmember Byers and carried unanimously to authorize the Mayor to sign a loan with Lake Cities State Bank in the amount of $40,000.00 for operations of the City of Lake Dallas.

III. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 6:45 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton , City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, OCTOBER 8, 1987

The meeting was called to order at 6:35 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

There being no persons absent from this meeting, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session for the purpose of evaluation of personnel as provided by Article 6252-17, Section 2 (g) , Vernon's Texas Civil Statutes.

The meeting was then closed to the public.

The Council reconvened at 7:27 P. M.

There being no further business, Councilmember Gilliland moved for adjournment. The motion was seconded by Councilmember Bills and carried unanimously.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 8, 1987

The meeting was called to order at 7:38 P. M. with the Mayor presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

There being no persons absent from this meeting, the following business was transacted:

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the flag was given and the Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES

Councilmember Kennedy moved for the suspension of any rule requiring that the minutes of the meetings held on September 2 and September 10, 1987 be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Bills and carried unanimously.

IV. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE ANIMAL CONTROL SERVICES

It was moved by Councilmember Crossland, seconded by Councilmember Kennedy and carried unanimously to authorize the Mayor to sign a contract with the Town of Hickory Creek to provide Animal Control services commencing on November 1, 1987 and ending September 30, 1988.

V. NOMINATION OF FIVE CANDIDATES FOR DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS

It was moved by Councilmember Gilliland, seconded by Councilmember Byers and carried unanimously to postpone the nomination of five candidates for Denton Central Appraisal District Board of Directors.

VI. CITIZENS AGENDA

A. Mr. Ken Sibbet, a resident of Countess Court in Kings Manor Addition, reported on the Crime Watch Program he is promoting in that area. He reported that everyone he has contacted has been very interested in the program.

B. Jackie Kovsky asked when the I-35 service road would be made into one-way traffic. The Mayor responded that until all cities along the highway are unanimous in the action, it will not be finalized. At this time, Corinth is awaiting the building of the new overpass at Highway 2181 before their

approval. The only other way for it to become one-way would be for the Texas Highway Department to determine its need.

Mrs. Kovsky also asked when the work would be completed by the telephone cable company. The Mayor advised her that it would be over another year before they are finished with the installation throughout the Lake Cities area. She complained that the area around her home was left in a condition where mowing was a problem. Mayor Honse advised her to complain to the telephone company and this would be corrected.

C. Mr. Larry Dawes, a resident of Prince Drive, complained about cars cutting across the field from High School and racing down Prince Drive. Since it is actually a dead-end street, he requested that the City attempt to stop this entry onto Prince Drive.

D. Mr. Larry Imes thanked the Street Department and the City of Lake Dallas for the concrete that was poured at the cul-de-sac on Countess Court to fill the large pot hole. He also inquired about the gravel that the County was to supply for the alleys in Kings Manor. The Mayor advised that this would begin being hauled in the near future.

E. Mrs. Aldena Stowe thanked the City of Lake Dallas for its contribution to the Lake Cities Library and gave a report from the Library Board.

F. Carolyn Green advised the Council that she had talked with the Denton Central Appraisal District regarding the taxes due on mobile homes moving from Lake Dallas' Lake Haven Mobile Home Park. The Appraisal District agreed to advise her of the amount of taxes due, and after advising the City of this amount, the property owner could pay the amount due to the City of Lake Dallas. The city would then forward the payment to the Appraisal District. The concensus of opinion of the Council was to allow Mrs. Green to proceed in this manner in order to speed up the issuance of moving permits.

VII. PARK AND RECREATION DEPARTMENT

A. Mr. Garry Bills, Liaison from the Council to the Park and Recreation Department, gave his report. He also reported on the Community Picnic which was held on October 3, 1987.

VIII. PLANNING AND ZONING COMMISSION

A. The minutes of the Planning and Zoning Commission held on October 1, 1987 were reviewed. Councilmember Kennedy, Liaison from the Council to the Planning and Zoning Commission,gave her report.

IX. FIRE DEPARTMENT

A. The Financial Report for the period ending September 30, 1987 was reviewed.

X. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XI. POLICE DEPARTMENT

A. The Police Department reports for September, 1987 were reviewed.

XII. ADMINISTRATIVE

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Bills, seconded by Councilmember Gilliland, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of October.

C. The Municipal Court Report was reviewed.

XIII. OLD BUSINESS

A. An ordinance regulating garage sales was reviewed which is now in effect within the City of Dallas. It was the concensus of opinion of the Council to table this matter until more copies of other cities' ordinances were obtained.

XIV. NEW BUSINESS

There was no new business.

XV. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 8:55 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL,NOVEMBER 12, 1987

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Absent from this meeting was Jeff Crossland. The following business was transacted:

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the flag was given and the invocation was led by Rev. Steve Gaines, Pastor of Lake Shore Baptist Church.

III. APPROVAL OF MINUTES

A correction to the minutes of the Special Meeting of the City Council held on October 8, 1987 was made deleting Jeff Crossland from those present. Councilmember Bills then moved for the suspension of any rule requiring that the minutes of the meetings held on October 8, 1987 be read aloud, and that said minutes be approved with correction as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. RESIGNATION OF COUNCILMEMBER JEFF CROSSLAND

Mayor Honse read a letter of resignation from Councilmember Jeff Crossland stating personal reasons and his move from the city as the reason for his resignation. It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to accept this letter of resignation to be effective immediately.

V. APPOINTMENT OF COUNCILMEMBER TO FILL VACANCY

Mayor Honse called for nominations from the Council to fill the vacancy left by Councilmember Crossland. Councilmember Gilliland placed before the Council the name of Sandy Payne, a member of Planning and Zoning Commission, as the replacement. Councilmember Kennedy seconded the nomination and it carried unanimously. She was sworn into her office by Donna Hamilton, City Secretary, and was seated on the Council.

VI. PUBLIC HEARING- PETITION BY ASTOR DEVELOPMENT FOR A CHANGE IN ZONING FROM R1-7200 SINGLE FAMILY WITH GROUP HOUSING PROJECT PLAN TO C-1 COMMERCIAL ON 10 ACRES AND CHANGE IN MINIMUM AND AVERAGE DWELLING SIZE ON REMAINING 121.1225 ACRES. THIS PROPERTY IS A 131.1225 ACRE TRACT OF LAND OUT OF THE T. WHITE SURVEY.

Mr. Pat Atkins and Mr. Jim Douglas appeared representing Astor Development. They explained that a study had been made to determine the necessity of a multi-lane road following Dobbs Road West to Interstate Hwy. 35-E. In order to allow the right of way for this road, they requested the minimum area of the proposed homes be 1250 square feet. They also advised the price of the smaller homes would be a good marketing advantage.

Mayor Honse called for public comments regarding the petition and the following comments were made:

1. Mr. Scott Sherrod spoke against the change in zoning.
2. Mr. Larry Imes spoke against the smaller minimum sized housing.
3. Mrs. Carolyn Green felt that the 1250 square foot minimum was too low.

After allowing all to speak who desired to do so, Mayor Honse closed the Public Hearing at 9:15 P. M.

VII. ZONING CHANGE - ASTOR DEVELOPMENT

It was moved by Councilmember Kennedy and seconded by Councilmember Gililand to deny the change in square footage minimum average and approve the change of zoning to C-1 Commercial. The motion passed with the following vote:

AYES: Councilmembers Bills, Gilliland, Kennedy, Payne
NOES: Councilmember Byers
ABSTAIN: None

VIII. ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR FOOD AND FOOD SERVICE ESTABLISHMENTS

Due to the large increase in the contract price with Denton County Health Department, it was decided that Lake Dallas would service its own health and sanitation inspections. The Ordinance adopting this service was based on The Colony's program and the fees were based on one-half those of Denton County. Items of this ordinance and fees were discussed with the Council making necessary changes to the fee schedule.

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to accept this ordinance with changes in fee schedule.

IX. RESOLUTION DESIGNATING THE LAKE CITIES SUN AS THE OFFICIAL NEWSPAPER OF THE CITY OF LAKE DALLAS

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to approve the resolution designating the Lake Cities Sun as the official newspaper of the City of Lake Dallas.

X. RESOLUTION CASTING VOTES FOR DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS

It was moved by Councilmember Bills, seconded by Councilmember Byers and carried unanimously to approve the Resolution casting all thirteen votes for Jon Beck for Denton Central Appraisal District Board of Directors.

XI. RESOLUTION AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE A LOAN WITH LAKE CITIES STATE BANK TO FUND PURCHASE OF THE LAKE CITIES COMMUNITY CENTER

It was moved by Councilmember Byers, seconded by Councilmember Bills and carried unanimously to authorize the Mayor and City Secretary to execute a loan with Lake Cities State Bank to fund purchase of the Lake Cities Community Center.

XII. CITIZENS AGENDA

None

XIII. PARK AND RECREATION DEPARTMENT

A. Councilmember Bills, Liaison from Council to Park and Recreation, gave his report. He advised the Council that Mike Williams had moved from the City of Lake Dallas, so would need to be replaced on the Board. He will continue to be on the Advisory Board, since this does not require that a person be a resident of the City.

Mr. Les Lorimer of 606 Myers, was recommended by the Park and Recreation Board to replace Mr. Williams. It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously that Mr. Lorimer be appointed to the Park and Recreation Board of the City of Lake Dallas.

XIV. PLANNING AND ZONING COMMISSION

A. The minutes of the November 5, 1987 meetings were reviewed. Councilmember Kennedy,Liaison from the Council to Planning and Zoning, gave her report.

XV. FIRE DEPARTMENT

The financial report for the period ending October 31, 1987 was reviewed. Charlie Berry, representative from the Lake Cities Volunteer Fire Department, gave a report.

XVI. STREET DEPARTMENT

The Mayor gave a report from the Street department. Councilmember Kennedy expressed concern over the blocking of a drainage ditch behind Duck In by the contractor installing new telephone lines. Charlie Berry will discuss the problem with Fischer Company to make sure the ditch is cleared for the natural flow of water in case of a heavy rain.

XVII. POLICE DEPARTMENT

The Police Department Reports were reviewed.

XVIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of November.

C. The Municipal Court Report was reviewed.

XIX. OLD BUSINESS

A. No report on Garage Sale Ordinance.

XX. NEW BUSINESS

Councilmember Kennedy advised the Council that she had received calls regarding three Pit Bull dogs located in Kings Manor Addition. She inquired as to an ordinance prohibiting the possession of these dogs. Chief Hamilton advised the Council that our Animal Control Ordinance covers vicious dogs, but there was no specific ban of Pit Bulls.

XXI. ADJOURNMENT

It was moved by Councilmember Gilliland, seconded by Councilmember Byers and carried unanimously to adjourn this meeting. The meeting was adjourned at 10:20 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, DECEMBER 10, 1987

The meeting was called to order at 7:05 P. M. with Mayor Pro Tem Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Ronald E. (Bill) Honse, Mayor
Donna Hamilton, City Secretary

There being no one absent from this meeting, the following business was transacted:

II. CONDEMNATION HEARING - 229 SOUTH LAKEVIEW

Charlie Berry, Building Inspector for the City of Lake Dallas, gave the Board of Adjustment the facts regarding the proposed condemnation of this mobile home.

The owner of the mobile home, James L. Stone, advised the Board that he had received a complaint from the City in August of 1985. At this time, he claims the mobile home was covered by the "Grandfather Clause" and that at the present time it is zoned as a mobile home park.

It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to table this matter pending further investigation and advice from the Attorney for the City.

III. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 7:45 P. M.

P. O. Byers

P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, DECEMBER 10, 1987

The meeting was called to order at 7:55 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

There being no one absent from this meeting, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and the invocation was led by Reverend Lester Vinson.

III. APPROVAL OF MINUTES OF MEETINGS HELD IN NOVEMBER, 1987

Councilmember Bills moved for the suspension of any rule requiring that minutes of meeting held on November 12, 1987 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. RESOLUTION REQUESTING THE PUBLIC UTILITY COMMISSION TO CONDUCT STUDY TO DETERMINE ELIGIBILITY OF LAKE DALLAS PHONE COMPANY CUSTOMERS FOR EXTENDED AREA SERVICE TO THE DALLAS METRO AREA

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to approve the Resolution requesting the Public Utility Commission to conduct a study to determine eligibility of Lake Dallas Telephone Company customers for extended area service to the Dallas Metro area.

V. SALARY OF MAYOR AND COUNCILMEMBERS

It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to set the salaries of the Mayor and Councilmembers to remain the same as in 1987.

VI. DISCUSSION OF GARBAGE SERVICE RATES - JOHN GUSTAFSON, TEXAS WASTE MANAGEMENT

Mr. John Gustafson appeared before the Council to discuss an increase in rates for garbage service for the City of Lake Dallas. The current rate is $5.30 and the proposed change is to $5.55, for an increase of 4.7%. The rate for elderly citizens on fixed income would remain the same.

VII. CITIZENS AGENDA

None

VIII. PARK AND RECREATION DEPARTMENT

A. Councilmember Bills, Liaison from Council to Park and Recreation Department, reported that there was no meeting of the Board.

IX. PLANNING AND ZONING COMMISSION

A. Councilmember Kennedy, Liaison from Council to Planning and Zoning Commission , gave her report advising that Ron Smith had been recommended by the Commission to the Council to fill a vacancy on the Commission.

B. It was moved by Councilmember Gilliland, seconded by Councilmember Byers and carried unanimously to appoint Mr. Ron Smith to the Planning and Zoning Commission to replace Sandy Payne.

X. STREET DEPARTMENT

The Mayor gave a report from the Street Department and advised the Council that the quarantine pens for the Animal Control Shelter had been completed by the street employees, as well as the shooting range for the Police Department, which is located at the Animal Control Shelter site.

XI. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XII. ADMINISTRATIVE DEPARTMENT

A. Financial reports were not available due to auditors having City files.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of December.

C. The Municipal Court Report was reviewed.

XIII. OLD BUSINESS

A. The Mayor reported that he had received the Garage Sale Ordinance from Lewisville.

XV. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 8:55 PM.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JANUARY 14, 1988

The meeting was called to order at 7:00 P.M. with the Mayor presiding in the absence of Mayor Pro Tem P. O. Byers and the following present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. CONDEMNATION HEARING - 229 SOUTH LAKEVIEW

Mr. James L. Stone presented the members of the board with a copy of the Texas Manufactured Housing Standards Act and advised the members that it was his belief that the City of Lake Dallas had no authority to force him to move the mobile home from the present location at 229 South Lakeview.

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to condemn the mobile home since it does not conform with the Zoning Code of the City of Lake Dallas.

Mr. Stone was given thirty (30) days to remove the mobile home from its location.

IV. ADJOURNMENT

The meeting was adjourned at 7:40 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JANUARY 14, 1988

The meeting was called to order at 7:45 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Mayor Pro Tem P. O. Byers absent from this meeting, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Councilmember Linwood Gilliland gave the invocation.

III. APPROVAL OF MINUTES OF DECEMBER 1987 MEETING

Councilmember Bills moved for the suspension of any rule requiring that minutes of meetings held on December 10, 1987 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. ORDINANCE AMENDING GARBAGE SERVICE RATES

Mr. John Gustafson appeared before the Council to ask for approval of an increase in garbage rates of 4.7%.

It was moved by Councilmember Payne, seconded by Councilmember Bills and carried unanimously to approve this increase which will be effective April 1, 1988.

V. ABANDONMENT OF EASEMENT TO LAKE DALLAS I.S.D.

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to abandon the easement to Lake Dallas Independent School District on property located South of the Primary School on Shady Shores Road. This is legally described as 0.3785 acre tract of land in J. W. Simmons Survey, Abstract No. 1163, Denton County, Texas, as recorded in Volume 626, Page 47 of the Deed Records of Denton County.

VI. AMENDMENT OF PERSONNEL MANUAL, SECTION 3.3

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to amend Section 3.3 of the City of Lake Dallas Personnel Manual to allow compensation time to be taken within 60 days after earned instead of 7 days as the personnel manual now reads.

VII. CITIZENS AGENDA

A. Mrs. Carolyn Green appeared before the Council with a complaint regarding drainage of water into Lake Haven Mobile Home Park.

VIII. PARK AND RECREATION DEPARTMENT

Councilmember Garry Bills, Liaison from Council to Park and Recreation Department, gave his report .

The minutes of the meeting of December 17, 1987 were reviewed.

IX. PLANNING AND ZONING COMMISSION

A. There was no meeting of Planning and Zoning Commission in January.

X. STREET DEPARTMENT

A. Mayor Honse gave a report from the Street Department. He advised the Council that the employees reported at 4:00 A.M. to sand streets during the recent ice storm.

XI. POLICE DEPARTMENT

A. The Police Department Reports were reviewed.

XII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports for the period ending December 31, 1987 were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Bills and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of January, 1988.

C. The Municipal Court Report for December, 1987 was reviewed.

XIII. OLD BUSINESS

A. There was no discussion regarding Garage Sale Ordinance.

XIX. NEW BUSINESS

No new business.

XX. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Payne and carried unanimously to adjourn this meeting. The meeting was adjourned at 8:50 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, FEBRUARY 11, 1988

The meeting was called to order at 7:05 P.M. with the Mayor Pro Tem presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

II. PUBLIC HEARING: PETITION FOR A VARIANCE ON REAR YARD SETBACK FOR THE ASSEMBLY OF GOD CHURCH LOCATED AT 214 GOLIAD

Ms. Glenda Loftin and Mrs. Eva Garrison, whose properties adjoin the church property, appeared before the Board of Adjustment to advise that they have no objection to the proposed variance.

A letter of opposition from Jerry McCutcheon, Volunteer Fire Chief, was read.

After allowing all to speak who desired to do so, the Public Hearing was closed.

III. PETITION FOR VARIANCE: ASSEMBLY OF GOD CHURCH

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland, to approve the request for variance to allow the Assembly of God Church to build on the property line with 0' clearance. The motion failed with the following vote:

AYES: Councilmembers Kennedy, Gilliland, Byers
NOES: Councilmember Bills
ABSTAIN: Councilmember Payne

In order to clear the questions of the Council about the distance between the neighbor's house and the proposed building, a measurement was made. It was determined the distance was fifteen feet (15').

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland, and carried unanimously to reconsider the previous motion.

It was then moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to approve the request for a variance which would allow the Assembly of God Church to build to the property line with 0' clearance.

IV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland, and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:39 P.M.

P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 11, 1988

The meeting was called to order at 7:45 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Reverend J. C. Taylor of the Assembly of God Church gave the invocation.

III. APPROVAL OF MINUTES OF JANUARY, 1988 MEETINGS

Councilmember Payne moved for the suspension of any rule requiring that minutes of meetings held on January 14, 1988 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. PUBLIC HEARING: PETITION BY LAKE CITIES INVESTMENT CORPORATION FOR A CHANGE IN ZONING FROM R-3 MULTIFAMILY TO C-1 COMMERCIAL AT 402 SOUTH LAKEVIEW DRIVE.

A. The petitioner for the Public Hearing for a change in zoning at 402 South Lakeview Drive which is tract 16A out of the MEP & PRR Survey, Abstract No. 924 withdrew the petition previous to the meeting.

V. ZONING CHANGE - LAKE CITIES INVESTMENT CORPORATION

Withdrawn by petitioner

VI. RESOLUTION APPROVING AND VALIDATING THE PURCHASE OF PROPERTY LOCATED AT 3911 MORSE STREET, DENTON, TEXAS, BY DENTON CENTRAL APPRAISAL DISTRICT

It was moved by Councilmember Kennedy, seconded by Councilmember Bills and carried unanimously to approve a resolution validating the purchase of property by Denton Central Appraisal District located at 3911 Morse Street in Denton, Texas.

VII. ORDER OF ELECTION

Mayor Honse ordered an election for the City of Lake Dallas to be held on May 7, 1988 to elect a Mayor and two (2) Councilmembers.

Absentee voting will be conducted each weekday between 9:00 A.M. and 5:00 P.M. at Lake Dallas City Hall beginning on April 18, 1988 and ending on May 3, 1988.

Applications for ballots by mail must be received no later than the close of business on April 29, 1988.

VIII. CITIZENS AGENDA

Mrs. Carolyn Green questioned the Council as to why the builders of the Spruce Creek Apartments have not installed the three feet (3') berm along Overly Drive.

The Mayor advised that the minutes of the meeting approving this project would be researched and contact would be made with the builders to assure that this berm is included in their project plans.

IX. PARK AND RECREATION DEPARTMENT

A.Minutes of the January meeting were reviewed. Councilmember Garry Bills, Liaison from Council to Park and Recreation, introduced Mr. Les Lorimer who is working with Denton County on an Interlocal Agreement to furnish fill dirt for the baseball field at Willow Grove Park.

B. It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to enter into an Interlocal Agreement to enable the County to haul fill dirt to Willow Grove Park to build a baseball field.

X. PLANNING AND ZONING COMMISSION

A. Planning and Zoning Commission minutes for February, 1988 were reviewed. Councilmember Anne Kennedy, Liaison from Council to Planning and Zoning Commission, gave her report.

XI. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department. Work is being done to assist in the drainage problems throughout the city. Councilmember Payne asked what action had been done to direct drainage behind the Soccer Field at Shady Shores. The mayor advised that he had been promised the free services of a surveyor who would assist in deciding what needed to be done to help this area.

XII. POLICE DEPARTMENT

A. Police Department reports were reviewed.

XIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports for the period ending January 31, 1988 were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Bills, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of February, 1988.

C. The Municipal Court Report for January, 1988 was reviewed.

XIV. OLD BUSINESS

A. Two garage sale ordinances were reviewed by the Council. This will be put on the March agenda as an action item.

B. There was a discussion as to what action could be taken to clean up the cars on Main Street and to make the area look more attractive.

XV. NEW BUSINESS

A. There was no new business.

XVI. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland, and carried unanimously to adjourn. The meeting was adjourned at 8:30 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL; MARCH 10, 1988

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Councilmember
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Charley McMath gave the Invocation.

III. APPROVAL OF MINUTES OF FEBRUARY 1988 MEETINGS

Councilmember Kennedy moved for the suspension of any rule requiring that minutes of meetings held on February 11, 1988 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

The Mayor allowed Mr. Charley McMath to speak to the Council at this time due to a conflict of another meeting. Mr. McMath made a request of the Council that the school zone on Shady Shores Road limiting traffic to 20 miles per hour be moved South of Overly Drive and the streets striped.

IV. PUBLIC HEARING: PROPOSED ORDINANCE REGULATING OCCASIONAL SALES

The Mayor called for public comments regarding the regulation of garage sales.

Patsy Farrow spoke to the proposed ordinance asking that the section limiting sales to a carport or garage be changed to include having the sales in the front yard for those who do not have a garage or car- port. She also questioned the section that states the sale can only include the property of the person who lives on the property where the sale is held.

After allowing all to speak who desired to do so, Mayor Honse called the Public Hearing to a close.

V. ORDINANCE REGULATING OCCASIONAL SALES

It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously to table the action on the proposed ordinance regulating occasional sales.

VI. RESOLUTION APPOINTING OFFICERS FOR ELECTIONS HELD BY THE CITY OF LAKE DALLAS

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to appoint Aldena Stowe as Presiding Judge and Bette Keyes as Alternate Judge for Elections held by City of Lake Dallas.

VII. RESOLUTION PROVIDING FOR EXEMPTION OF CERTAIN VEHICLES FROM REQUIREMENTS OF ARTICLE 6701M-2, VTCS, IDENTIFICATION OF CITY AND COUNTY OWNED VEHICLES AND HEAVY EQUIPMENT

It was moved by Councilmember Payne, seconded by Councilmember Gilliland and carried unanimously to approve the resolution providing for exemption of certain vehicles from requirements of Article 6701M-2, V.T.C.S., Identification of City and County Owned Vehicles and Heavy Equipment.

VIII. PETITION FOR ABANDONMENT OF EASEMENT BETWEEN LOTS 16 & 17 AND 18 & 19 OF THE THOMPSON SUBDIVISION AS REQUESTED BY MARGIE R. MYERS AND E. T. SEABOLT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously to abandon the eastment between Lots 16 & 17 and 18 & 19 of the Thompson Subdivision.

IX. CITIZENS AGENDA

None

X. PARK AND RECREATION DEPARTMENT

A. Garry Bills, Liaison from Council to Park and Recreation Department gave his report and the minutes of the February 25, 1988 were reviewed.

XI. PLANNING AND ZONING COMMISSION

A. The minutes of the March 3, 1988 meeting were reviewed and Councilmember Kennedy, Liaison from Council to Planning and Zoning Commission, gave her report regarding the parking lot operated illegally on Main Street and the proposed occupancy of the Ryland building on Swisher Road by a lubricant blending company.

XII. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XIII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports for the period ending 2-29-88 were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of March, 1988.

C. The Municipal Court Report for February, 1988 was reviewed.

XV. OLD BUSINESS

A. Councilmember Gilliland spoke to Main Street beautification and the responses he has received from his comments in the local paper. He suggested a letter be written thanking the businesses for cooperating in keeping their areas clean.

XVI. NEW BUSINESS

None

XVII. ADJOURNMENT

It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to adjourn the meeting. Meeting was adjourned at 8:18 P. M.

Ronald E. (Bill)Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, APRIL 14, 1988

The meeting was called to order at 7:34 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Linwood Gilliland gave the Invocation.

III. APPROVAL OF MINUTES OF MEETING HELD IN MARCH, 1988

Councilmember Gilliland moved for the suspension of any rule requiring that minutes of meetings held on March 10, 1988 be read aloud and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Bills and carried unamimously.

IV. PUBLIC HEARING: ORDINANCE REGULATING SCHOOL SPEED ZONE ON SHADY SHORES ROAD

Mayor Honse called for public comment regarding the moving of the school speed zone for the Primary School on Shady Shores Road. There was no response and after allowing all to speak who desired to do so, the Public Hearing was closed.

V. ORDINANCE REGULATING SCHOOL SPEED ZONE ON SHADY SHORES ROAD AT OVERLY DRIVE

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to approve the ordinance regulating the school speed zone on Shady Shores beginning at Overly Drive for the Lake Dallas Primary School.

VI. CITIZENS AGENDA

Mrs. Aldena Stowe requested a letter of support to the Commissioner's Court of Denton County for absentee voting of Precints 1P and 1R which would be held at the Lake Dallas City Hall. Mrs. Stowe will contact Commissioner's Court and Mayor Honse will contact the other Mayors of the Lake Cities Area to find out their response.

VII. PARK AND RECREATION DEPARTMENT

A.Councilmember Garry Bills, Liaison from the Council to the Parks and Recreation, was absent from the City on March 24th, and Councilmember Sandy Payne attended the Park and Recreation meeting for him. She gave her report to the Council.

VIII. PLANNING AND ZONING COMMISSION

A. Councilmember Anne Kennedy, Liaison from the Council to the Planning and Zoning Commission, advised that there was no meeting of the Planning and Zoning Commission in April.

IX. FIRE DEPARTMENT

A.Councilmember Gilliland, Liaison from the Council to the Fire Department, gave his report.

Jerry McCutcheon, Fire Chief, reported on the plans regarding the proposed Corinth Sub Station.

X. STREET DEPARTMENT

A. Mayor Honse gave a report from the Street Department

XI. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports for the period ending March 31, 1988 were reviewed.

B. It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of April, 1988.

C. The Municipal Court Report for March, 1988 was reviewed.

D. The Code Enforcement Report for March, 1988 was reviewed.

XIII. OLD BUSINESS

A. There was no discussion on the proposed ordinance for Occasional Sales.

XIV. NEW BUSINESS

A. The Budget Workshop was set for May 6, 1988 at 7:30 P. M.

XV. ADJOURNMENT

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:15 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL, MAY 6, 1988

The meeting was called to order at 7:48 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

There being no one absent, the following business was conducted:

I. BUDGET WORKSHOP

The Council reviewed the 1987-88 Budget Report. The projected year end balance is - $1,412.00 which is better than originally predicted.

II. ADJOURNMENT

The meeting was adjourned at 8:45 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, MAY 12, 1988

The meeting was called to order at 7:04 P. M. with Mayor Pro Tem Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

II. PUBLIC HEARING: PETITION FOR A VARIANCE ON FRONT AND REAR YARD SETBACKS AT 724 SUMMERS LANE

Mayor Pro Tem Byers opened the Public Hearing by asking for comments from the audience. Several questions were asked by the Council members and the City Secretary informed the Council that there was no opposition from the neighbors. Only one letter was received in favor of the variance.

III. PETITION FOR VARIANCE: JOE TISDALE, 724 SUMMERS LANE

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to allow the variance on front and rear yard setbacks at 724 Summers Lane.

IV. PUBLIC HEARING: PETITION FOR A VARIANCE ON FRONT AND REAR YARD SETBACKS AT 722 SUMMERS LANE

Mayor Pro Tem Byers asked for public comments. No further comments or questions.

V. PETITION FOR VARIANCE: JOE TISDALE, 722 SUMMERS LANE

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to allow the variance on front and rear yard setbacks at 722 Summers Lane.

VI. PUBLIC HEARING: PETITION FOR A VARIANCE ON HEIGHT REQUIREMENTS FOR A SIGN LOCATED AT 5000 S. STEMMONS

A representative from Archway Homes explained the need for the variance is due to the tall trees located on the lot. Rather than cutting down trees, they are requesting a variance to extend above the tree line. After allowing all to speak who desired to do so, the Public Hearing was closed.

VII. PETITION FOR VARIANCE: ARCHWAY HOMES, 5000 SOUTH STEMMONS

It was moved by Councilmember Bills, seconded by Councilmember Gilliland, and carried unanimously to allow the variance on height requirements for a sign located at 5000 South Stemmons.

VIII. ELECTION OF CHAIRMAN

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to elect Councilmember Byers as Chairman of the Board of Adjustment. The motion carried by the following vote:

AYES: COUNCILMEMBERS Bills, Kennedy, Gilliland, Payne
NOES: COUNCILMEMBER Byers

IX. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:20 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, MAY 12, 1988

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Linwood Gilliland gave the Invocation.

II. APPROVAL OF MINUTES OF MEETING HELD IN APRIL, 1988

Councilmember Kennedy moved for the suspension of any rule requiring that the minutes of the meetings of April 14, 1988 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

III. CITY OFFICERS ELECTION HELD MAY 7, 1988

A. Mayor Honse and the City Council began the official canvass of the votes cast in the City Officers' Election held on May 7, 1988. It was determined that 34 votes were cast as follows:

FOR MAYOR:

Ronald E. (Bill) Honse	34 votes

FOR ALDERMAN:

P. O. Byers	34 votes
Sandy Payne	34 votes

B. It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to pass and approve a resolution accepting said election returns and declaring Ronald E. (Bill) Honse as duly elected Mayor and P. O. Byers and Sandy Payne as duly elected Aldermen for the City of Lake Dallas.

C. The Oaths of Office were given to the newly elected Mayor and Aldermen.

IV. ELECTION OF MAYOR PRO TEM

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to elect Councilmember P. O. Byers to the position of Mayor Pro Tem.

V. PUBLIC HEARING: AMENDMENT TO ORDINANCE NO. 100, SECTION IV (2e)PERTAINING TO WOODEN FENCES

Mayor Honse invited all who wished to speak to the proposed amendment to be recognized at this time.

1. Mike Fahey of 144 Kingswood Estates spoke against the wooden fence amendment due to density of homes, the fire hazard and problem of maintenance of fences.

2. Letitia de Burgos of 46-47 Kingswood Estates spoke against the wooden fence amendment because of the lack of upkeep on fences and the unaccesibility to utility easements.

3. Carolyn Green of Lake Haven Estates pointed out the matter of prevention of crime by not having wooden fences where a criminal could hide when fleeing from police. Also, she was against the amendment due to the deterioration of wooden fences.

4. Norma McAlvy, Park Manager of Kingswood Estates spoke against the wooden fences, stating that chain link fences would look much better in the park.

Mayor Honse asked if there were persons present who were in favor of allowing wooden fences in Rl - 4000 Mobile Home Zone District. There was no response.

After allowing all to speak who desired to do so, Mayor Honse closed the Public Hearing.

VI. AMENDMENT TO ORDINANCE NO. 100, SECTION IV (H)(2e) PERTAINING TO WOODEN FENCES

It was moved by Councilmember Kennedy and seconded by Councilmember Gilliland to deny the change in Ordinance No. 100, Section IV(H)(2e) pertaining to wooden fences in Rl - 4000, Mobile Home Zone District. The motion passed by the following vote:

AYES: Councilmembers Bills, Gilliland, Kennedy, Payne

NOES: None

ABSTAIN: Councilmember Byers

VII. CITIZENS AGENDA

None

VIII. PARK AND RECREATION DEPARTMENT

A. The minutes of the April meeting were reviewed. Councilmember Garry Bills, Liaison from Council to the Park and Recreation Department , gave his report emphasizing Garza Days and the progress on the baseball field at Willow Grove Park.

IX. PLANNING AND ZONING COMMISSION

A. Minutes of the May 5, 1988 meeting were reviewed and Councilmember Kennedy, Liaison from Council to Planning and Zoning Commission,gave her report.

B. It was the recommendation from the Commission that the Council reappoint the following members whose terms have expired:

Ron Smith, Frances Grammer, Paula Horn

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to reappoint Ron Smith, Frances Grammer and Paula Horn to the Planning and Zoning Commission. The motion carried unanimously .

X. FIRE DEPARTMENT

A. Councilmember Gilliland, Liaison from Council to the Fire Department, gave a report.

Mayor Honse reported to the Council on a meeting with Fire Chief Jerry McCutcheon in which they discussed the availability of the Chief and Assistant Chief since they both work the same shift at their respective Fire Departments in other cities. He also discussed the proposed Fire Sub Station at Corinth. The concrete at the Lake Dallas Fire Station which is in this year's budget was discussed and Mayor Honse advised the Chief that this work must be done during the 1988 year. Chief McCutcheon will discuss these items at their monthly meeting.

XI. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XII. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XIII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Payne, seconded by Councilmember Kennedy and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of May.

C. The Municipal Court Report was reviewed.

D. The Code Enforcement Report was reviewed.

XIV. OLD BUSINESS

A. No action on Occasional Sales.

XV. NEW BUSINESS

There was no new business.

XVI. ADJOURNMENT.

It was moved by Councilmember Kennedy, seconded by Councilmember Byers and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:45 P. M.

Ronald E. (Bill) Honse, Mayor

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JUNE 9, 1988

The meeting was called to order at 7:45 P.M. with the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

II. APPROVAL OF MINUTES OF MEETINGS HELD IN MAY, 1988

Councilmember Kennedy moved for the suspension of any rule requiring that the minutes of the meetings of May 6 and May 12, 1988 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Bills and carried unanimously.

III. DISCUSSION OF DENCO AREA 9-1-1 DISTRICT

Marilynn Milor, Director of Denco Area 9-1-1 District, spoke to the Council and outlined the plans for the program. She answered the questions of the Council members regarding costs and items which will be involved in setting up the system.

IV. PUBLIC HEARING: ORDINANCE ADOPTING THE 1988 UNIFORM BUILDING CODE, UNIFORM PLUMBING CODE, UNIFORM MECHANICAL CODE, ADMINISTRATIVE CODE AND 1988 NATIONAL ELECTRICAL CODE

Mayor Honse invited all to speak who wished to do so in regard to the adoption of the 1988 Uniform Codes. After allowing all to speak, the Public Hearing was closed.

V. CONSIDERATION OF ADOPTION OF BUILDING AND CONSTRUCTION CODES

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adopt the 1988 Building and Construction Codes.

VI. PUBLIC HEARING: ORDINANCE ADOPTING THE 1988 UNIFORM FIRE CODE AND THE UNIFORM FIRE CODE STANDARDS

Mayor Honse invited all to speak who wished to in regard to the adoption of the 1988 Uniform Fire Code and the Uniform Fire Code Standards. After allowing all to speak, the Public Hearing was closed.

VII. CONSIDERATION OF ADOPTION OF FIRE CODES

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried uannimously to adopt the 1988 Fire Codes.

VIII. CITIZENS AGENDA

1. Mrs. Aldena Stowe of 603 Hundley questioned a statement made at last month's Council meeting regarding the patrolling of the residential areas of the city in the evening hours. She was assured by the Mayor that the residential areas were patrolled during the evening and night hours, but just not as heavily as the daytime hours when many houses are empty due to both husband and wife working.

IX. PARK AND RECREATION

A. Councilmember Garry Bills, Liaison from Council to Parks and Recreation , gave his report.

B. Councilmember Bills reported on the three vacancies for the Board left by the completion of the term of Kathleen Gilliland and the resignation of Lester Vinson and Fred Long. They are recommending to the Council the names of Gifford Long, Pastor of Lake Dallas United Methodist Church, and Gary Bowles, resident of 5516 Bishop Court.

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to appoint these two persons to the Parks and Recreation Board.

Councilmember Payne raised the question regarding the Parks and Recreation Secretary. She felt that the City should provide a secretary as done for the Planning and Zoning Commission. City Secretary explained that the Park and Recreation Ordinance stated that the secretary of the Board be appointed from the membership.

Councilmember Bills also pointed out the need for personnel from the City Hall who would be familiar with details of Willow Grove Park in order to avoid directing questions to the Park Board members.

A workshop will be held on June 16th with the Parks and Recreation Department to discuss the problems of the Willow Grove Park administration.

X. PLANNING AND ZONING

A. Councilmember Anne Kennedy, Liaison from Council to Planning and Zoning, reported that there was no meeting in June due to the lack of a quorum.

XI. FIRE DEPARTMENT

A. Councilmember Linwood Gilliland, Liaison from Council to the Fire Department, reported on the meeting he attended where the plans for the new substation in Corinth was discussed.

Mayor Honse asked him if there was a discussion regarding the lack of paid personnel at the fire station due to the Chief and Assistant Chief being on duty on the same shift at their respective fire departments. Councilmember Gilliland advised that this matter was brought up and the Fire Department was advised that at budget time, there would be problems with increases in funding if this problem is not corrected.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JUNE 16, 1988

The meeting was called to order at 7:45 P. M. with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gílliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Councilmember P. O. Byers absent, the following business was transacted:

II. DISCUSSION OF THE PARK BOARD AND WILLOW GROVE PARK AND ANY APPROPRIATE ACTION

It was moved by Councilmember Gilliland to place the Parks and Recreation Board under the Administrative Department and name the City Secretary as Park Director with the Administrative staff performing clerical work for the Park Board meetings. The motion was seconded by Councilmember Kennedy and carried unanimously.

III. DISCUSSION OF PROPOSED ORDINANCE ON OCCASIONAL SALES

It was the concensus of opinion that the proposed Ordinance on Occasional Sales be removed from future agendas.

IV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:37 P. M.

Donna Hamilton
Donna Hamilton, City Secretary

Ronald E. Honse
Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

The Mayor also questioned why there was no financial statement for the month from the Fire Department. City Secretary advised that the statement is issued from City Hall, but the bank statement had not been received to complete the financial statement.

Mayor Honse directed the City Secretary to write a letter to the Fire Department demanding that a representative be present at all City Council meetings.

XII. STREET DEPARTMENT

A. Mayor Honse reported that the Street Department crew was working in Kings Manor to correct several large pot-holes.

The retention ponds at Spruce Creek Apartments were discussed and Charlie Berry reported that they were not working properly due to being stopped up. There is also the need in the area to have the ditch cleaned out to assist in flood prevention.

XIII. POLICE DEPARTMENT

A. The Police Department Reports were reviewed.

Mayor Honse advised the Chief that due to the financial strain on the City, the Animal Control Officer should put all strays down after 72 hours as is the rule rather than keeping them for adoption.

XIV. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of June.

C. The Municipal Court Report was reviewed.

D. The Code Enforcement Report was reviewed.

XV. OLD BUSINESS

A. A workshop has been set for June 16th to discuss Occasional Sales.

XVI. NEW BUSINESS

There was no new business.

XVII. ADJOURNMENT

It was moved by Councilmember Kennedy, seconded by Councilmember Bills and carried unanimously to adjourn the meeting. Meeting adjourned at 9:08 P.M.

Ronald E. (Bill) Honse, Mayor

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JUNE 9, 1988

The meeting was called to order at 7:05 P. M. with the Mayor Pro Tem P. O. Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

There being no one absent, the following business was transacted:

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 430 NORTH LAKEVIEW DRIVE WHICH HAS BEEN DEEMED UNSAFE BY THE BUILDING INSPECTOR

Charlie Berry, Building Inspector for the City of Lake Dallas, reviewed the facts regarding this condemnation.

Mrs. Sadie Hansen, Mother of the owner of the property (Ruth Hendry) advised the Board that she had been attempting to get the signatures of her children to allow her to sell the property.

It was moved by Councilmember Payne, seconded by Councilmember Bills and carried unanimously to allow the owners of the property located at 430 North Lakeview Drive thirty (30) days to start the removal of the building.

III. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 440 BETCHAN WHICH HAS BEEN DEEMED UNSAFE BY THE BUILDING INSPECTOR

Mr. Ivan Bounds, owner of property located at 440 Betchan, informed the Board regarding the activities that have occurred on the two condemned buildings. He explained that he had been working on the problem, but due to the lack of time from his job, he would need additional time to complete the work.

It was moved by Councilmember Payne and seconded by Councilmember Gilliland to condemn both buildings and allow three (3) months to complete the demolition of one of the buildings and the bringing up to Minimum Standard or demolition of the other building. The motion passed by the following vote:

AYES: Councilmember Bills, Gilliland, Payne
NOES: Councilmember Kennedy

IV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to adjourn this meeting. Meeting adjourned at 7:43 P.M.

P. O. Byers, Mayor Pro Tem

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS HELD AT CITY HALL, JULY 14, 1988

The meeting was called to order at 7:18 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem

Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Councilmember Garry Bills absent, the following business was transacted:

Mayor Honse announced Council would enter into Executive Session pursuant to Article 6252-17, Section 2 (E), Vernon's Texas Civil Statutes.

The meeting was then closed to the public.

The Council reconvened at 7:30 P. M.

There being no further business, the meeting was adjourned.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 14, 1988

The meeting was called to order at 7:33 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Councilmember Garry Bills absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given and the invocation was led by Councilmember Linwood Gilliland.

III. APPROVAL OF MINUTES OF MEETINGS HELD IN JUNE, 1988

Councilmember Byers moved for the suspension of any rule requiring that the minutes of the meetings of June 9 and June 16, 1988 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT WITH DENTON CENTRAL APPRAISAL DISTRICT FOR ASSESMENT AND COLLECTION OF TAXES

It was moved by Councilmember Gilliland, seconded by Councilmember Byers and carried unanimously to authorize the Mayor to sign the agreement with Denton Central Appraisal District for assesment and collection of taxes.

V. RESOLUTION AUTHORIZING MAYOR TO SIGN CONTRACT WITH HUKE & BURROUGHS FOR THE COLLECTION OF DELINQUENT TAXES

It was moved by Councilmember Payne, seconded by Councilmember Gilliland and carried unanimously to authorize the Mayor to sign a contract with Huke and Burroughs for the collection of delinquent taxes.

VI. RESOLUTION APPOINTING DAVID PURIFOY TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to approve a resolution appointing David Purifoy to the Board of Managers of the DenCo Area 9-1-1 District.

VII. ORDINANCE PRESCRIBING A PENALTY FOR ORDINANCE VIOLATIONS FOR WHICH NO OTHER PENALTY IS SEPARATELY PROVIDED

It was moved by Councilmember Payne, seconded by Councilmember Gilliland and carried unanimously to approve an ordinance prescribing a penalty for ordinance violations for which no other penalty is separately provided.

VIII. ORDINANCE PROVIDING FOR GENERAL PROVISIONS LANGUAGE USED IN THE ORDINANCES OF THE CITY OF LAKE DALLAS

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to approve an ordinance providing for general provisions language used in the ordinances of the City of Lake Dallas.

IX. ORDINANCE REPEALING OBSOLETE, SUPERSEDED OR UNCONSTITUTIONAL ORDINANCES AND PORTIONS THEREOF FOR THE CITY OF LAKE DALLAS

It was moved by Councilmember Payne, seconded by Councilmember Gilliland and carried unanimously to approve an ordinance repealing obsolete, superseded or unconstitutional ordinances and portions thereof for the City of Lake Dallas.

X. ORDINANCE AMENDING, ADDING, REPLACING, REMOVING OR READOPTING ORDINANCE NUMBERS 18, 49, 83, 121 and 172

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to approve an ordinance amending, replacing, removing or readopting Ordinance Numbers 18, 49, 83, 121 and 172.

XI. CITIZENS AGENDA

1. Aldena Stowe presented the Library Budget for 1988-89 to the Council for consideration.

2. Mrs.Carolyn Green requested that the City Council look into the problem of numberous disturbances at Spruce Creek Apartments. She also asked that steps be taken to correct the drainage problems in Lake Haven Mobile Home Park.

3.Ms. Blakely of Kings Manor Addition complained regarding tall grass in Kings Manor.

4. Mrs. Murray complained about the property owned by Roy Bragg located at 299 Adolphus.

XII. PARK AND RECREATION

The Park and Recreation minutes for the June 30, 1988 meeting were reviewed.

In the absence of the Council Liaison, Garry Bills, Les Lorimer gave a report from the Park and Recreation Department. They are in the process of obtaining bids from contractors for the roads that will be affected in Willow Grove Park when the level of the water is raised.

XIII. PLANNING AND ZONING

The minutes of the July 7, 1988 Planning and Zoning Commission were reviewed.

Councilmember Gilliland gave a report on the Planning and Zoning Commission advising the Council that they are in the process of obtaining a new zoning map.

XIV. FIRE DEPARTMENT

Councilmember Gilliland, Liaison from City Council to Fire department, gave a report. He reported that Assistant Chief, Roger McCurley, had resigned and a replacement had been hired for him.

XV, STREET DEPARTMENT

Mayor Honse reported on the activities of the Street Department.

XVI. POLICE DEPARTMENT

The Police Department reports were reviewed.

XVII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

C. The Municipal Court Report was reviewed.

D. The Code Enforcement Report was reviewed.

XVIII. OLD BUSINESS

None.

XIX, NEW BUSINESS

A. The Mayor announced that Budget Workshops are scheduled for August 4, at 7:30 P.M., August 5 at 7:30 P.M. and August 6 at 5:00 P.M.

XX. ADJOURNMENT

It was moved by Councilmember Kennedy and seconded by Councilmember Payne to adjourn the meeting. The motion carried unanimously.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, AUGUST 11, 1988

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Mayor Pro Tem P. O. Byers absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given and the invocation was led by Councilmember Linwood Gilliland.

III. APPROVAL OF MINUTES OF MEETINGS HELD IN JULY, 1988

Councilmember Payne moved for the suspension of any rule requiring that the minutes of the meetings of July 14, 1988 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. ORDINANCE ADOPTING "UPDATED SERVICE CREDITS" FOR EMPLOYEES

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to approve an ordinance adopting "Updated Service Credits" for employees in the Texas Municipal Retirement System.

V. PETITION FOR ABANDONMENT OF THAT PORTION OF WILSON STREET WHICH ABUTS LOTS 6-12, BLOCK C, OF LAKEVIEW CAMP AS REQUESTED BY MRS. ESTER FRENCH

It was moved by Councilmember Payne, seconded by Councilmember Gilliland and carried unanimously to approve a petition for abandonment of the West fifteen feet (15')of that portion of Wilson Street which abuts Lots 6-12, Block C of Lakeview Camp as requested by Mrs. Esther French.

VI. CITIZENS AGENDA

None

VII. PARK AND RECREATION

A. Councilmember Bills, Liaison from Council to Park and Recreation Department gave his report. He reported to the Council that bids had been received covering the moving of dirt in Willow Grove Park to allow for the raising of the lake level and still maintain the park. The bids that have been received range from $10,000 to 30,000.

Mayor Honse responded that the city would only be able to obtain that much money through raising of taxes and he felt the citizens would not want another tax raise of approximately 5% for this expenditure.

VIII. PLANNING AND ZONING

A. Councilmember Kennedy, Liaison from Council to Planning and Zoning, gave her report.

IX. FIRE DEPARTMENT

A. Linwood Gilliland, Liaison from Council to the Fire Department, gave his report regarding the budget hearing with the Fire Department.

X. STREET DEPARTMENT

A. Mayor Honse gave his report as Liaison from the Street Department.

XI. POLICE DEPARTMENT

A. The Police Department reports were reviewed.

XII. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Bills, and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

C. The Municipal Court Report was reviewed.

D. The Code Enforcement Report was reviewed.

XIII. OLD BUSINESS

Councilmember Payne asked the present status of the condemned houses that were brought before the Board of Adjustment which were owned by Ruth Hendry and Ivan Bounds.

Charlie Berry advised the Council that the structure owned by Ruth Hendry has now been sold and the new owners are cleaning up the property but they cannot start demolition of the building until the matter clears the title company.

XIV. NEW BUSINESS

No new business.

XV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 9:07 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, AUGUST 18, 1988

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

II. PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE 1988 TAX ROLL BY SEVEN AND 99/100 PERCENT (7.99%) AND SET DATE FOR PUBLIC HEARING ON SAME

It was moved by Councilmember Byers and seconded by Councilmember Kennedy to increase the total tax revenues from properties on the 1988 tax roll by seven and 99/100 Percent (7.99%). The motion was approved by the following vote:

AYES: Councilmembers P.O. Byers, Sandy Payne, Anne Kennedy

NOES: Councilmember Linwood Gilliland

PRESENT AND NOT VOTING: Councilmember Garry Bills

ABSENT: None

The Public Hearing will be held on September 1, 1988 at 7:30 P.M. at the City Hall, 303 Alamo, Lake Dallas, Texas.

III. SET PUBLIC HEARING ON 1988-89 BUDGET

The Mayor announced that the Public Hearing on the 1988-89 Budget would be held on September 8, 1988 at 7:00 P. M.

IV. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:30 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, AUGUST 25, 1988

The meeting was called to order at 7:15 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, Councilmember

II. EXECUTIVE SESSION PURSUANT TO ARTICLE 6252-17, SEC. 2(E) V.T.C.S TO DISCUSS PERSONNEL

Mayor Honse announced Council would enter into Executive Session pursuant to Article 6252-17, Section 2(E), Vernon's Texas Civil Statutes to discuss personnel.

The meeting was then closed to the public.

The Council reconvened at 8:12 P. M.

III. DISCUSSION OF 1988-89 BUDGET

The budget for 1988-89 was reviewed and discussed by the Council members.

IV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Payne and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:45 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 1, 1988

The meeting was called to order at 7:35 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With all members of the Council present, the following business was transacted:

II. PUBLIC HEARING ON PROPOSAL TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE 1987 TAX ROLL BY SEVEN AND 99/100 PERCENT (7.99%)

Mayor Honse announced that the purpose of this meeting was to provide a Public Hearing on the proposed tax increase, and stated anyone wishing to ask questions or make comments regarding same would be given an opportunity to do so.

There were no public comments on the proposed tax rate.

Mayor Honse allowed until 7:45 P. M. for late arrivals to speak on the matter. There being no other citizens to speak on the proposed tax increase, the Mayor called for a motion to close the Public Hearing.

III. SCHEDULE AND ANNOUNCE MEETING TO VOTE ON TAX RATE

It was moved by Councilmember Bills, seconded by Councilmember Payne, and carried unanimously to schedule and announce that the meeting to vote on the tax rate would be September 8, 1988 at 7:30 P. M.

IV. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:50 P. M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 8, 1988

The meeting was called to order at 7:04 P. M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. PUBLIC HEARING ON 1988-1989 FISCAL YEAR BUDGET

Mayor Honse announced that the purpose of this meeting was to provide a Public Hearing on the Budget for Fiscal Year 1988-1989, and stated that anyone wishing to ask questions or make comments regarding same would be given an opportunity to do so.

Mr. Bill Gilliland and Mr. Mike Fahey both expressed concern that enough monies be appropriated to fund necessary improvements in Willow Grove Park due to the raising of the lake level. There were no further public comments or suggestions.

After allowing all to speak who desired to do so, Mayor Honse called the Public Hearing on the Budget for Fiscal Year 1988-1989 to a close.

III. ADJOURNMENT

It was moved by Councilmember Payne, seconded by Councilmember Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:10 P. M.

Ronald E. Honse
Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, SEPTEMBER 8, 1988

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Invocation was led by Ms. Carolyn Green.

III. APPROVAL OF MINUTES

Councilmember Bills moved for the suspension of any rule requiring that the minutes of the meetings held during the month of August, 1988, be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. ORDINANCE ADOPTING BUDGET FOR 1988-89 FISCAL YEAR

It was moved by Councilmember Kennedy and seconded by Councilmember Byers to approve the Budget for 1988-89 Fiscal Year. The motion carried unanimously.

V. ORDINANCE APPROVING THE 1988 TAX ROLLS AS CERTIFIED BY THE DENTON CENTRAL APPRAISAL DISTRICT AND LEVYING AN AD VALOREM TAX ON SAID PROPERTIES

It was moved by Councilmember Byers, seconded by Councilmember Payne and carried unanimously to adopt the Ordinance approving the 1988 Appraisal Rolls and levying an Ad Valorem Tax of $.3687 on said properties.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE POLICE DISPATCH SERVICES

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to authorize the Mayor to sign a contract agreement with the Town of Corinth to provide police dispatch services.

VII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE ANIMAL CONTROL SERVICES

It was moved by Councilmember Bills, seconded by Councilmember Payne

and carried unanimously to authorize the Mayor to sign a contract with the Town of Corinth to provide animal control services.

VIII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE POLICE DISPATCH SERVICES

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to authorize the Mayor to sign a contract agreement with the Town of Hickory Creek to provide police dispatch services.

IX. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE ANIMAL CONTROL SERVICES

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to authorize the Mayor to sign a contract with the Town of Hickory Creek to provide animal control services.

X. CITIZENS AGENDA

A. Ms. Carolyn Green stated that she was delighted the way this meeting was going, and hoped that all meetings would be this way.

XI. PARK AND RECREATION DEPARTMENT

A. The minutes of the August meeting of the Park and Recreation Board were received.

B. Councilmember Bills introduced Carolyn Green and Jimmy Stewart and informed the Council that the Park and REcreation Board were recommending these persons for membership on the Board.

C. Donna Hamilton, City Secretary, related the information that she received from the Corps of Engineers regarding their plans to build a road in Willow Grove Park with ten pull-in parking spaces for camping and to remove the concrete tables which will be in the water when the lake level is raised.

XII. PLANNING AND ZONING COMMISSION

A. The minutes of the September meeting of Planning and Zoning Commission were reviewed.

XIII. FIRE DEPARTMENT

A. The Financial Report for the period ending August 31, 1988 was received.

B. Councilmember Gilliland, Liaison to the Fire Department, informed the Council that the Fire Department had not resolved their contract with the Town of Corinth for placement of a sub-station.

XIV. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XV. POLICE DEPARTMENT

A. Chief Hamilton reviewed the August Police Reports with the Council.

XVI. ADMINISTRATIVE DEPARTMENT

A. The Financial Reports were reviewed.

B. It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to authorize and direct the City Secretary to cause to be paid all those accounts due and payable within the month of September.

C. The Municipal Court Report was reviewed.

XVII. OLD BUSINESS

A. Councilmember Gilliland expressed concern that cars are still parked on unpaved lots on Main Street and Denton Drive.

XVIII. NEW BUSINESS

A. None

XIX. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Bills and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:10 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, OCTOBER 13, 1988

The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

With Councilmember Sandy Payne absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES

Councilmember Gilliland moved for the suspension of any rule requiring that the minutes of the meetings held in September, 1988, be read aloud, and that said minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Byers and carried unanimously.

IV. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT FOR DISPATCH SERVICES

It was moved by Councilmember P.O. Byer, seconded by Councilmember Gilliland, carried unanimously to authorize the Mayor to sign a contract agreement with the Lake Cities Volunteer Fire Department to provide dispatch services.

V. REQUEST FOR REFUND OF 1986 PROPERTY TAXES PAID IN ERROR

It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to refund $269.04 to C.C. Mortgage Co. for 1986 property taxes paid in error.

VI. CITIZENS AGENDA

A. Ms. Aldena Stowe thanked the City Council for contribution to the Lake Cities Library.

VII. PARK AND RECREATION DEPARTMENT

A. The minutes of the September meeting of the Park and Recreation Board were received.

B. Councilmember Bills informed the Annual Picnic at Willow Grove Park has been rescheduled for November 5, 1988. He then introduced Ms. Kim Desmuke as a recommedation by the Park Board for membership on the Board.

C. It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy, and carried unanimously to appoint Jimmy Stewart, Kim Desmuke and Carolyn Green to serve on the Park and Recreation Board.

VIII. PLANNING AND ZONING COMMISSION

The minutes of the October meeting of Planning and Zoning Commission were received. Councilmember gave a report and informed Council of a proposal for upgrading the Zoning Map. Council agreed that the proposal by Metroplex Engineering for $600.00 was reasonable.

IX. FIRE DEPARTMENT

A. The Financial Report for the period ending September 30, 1988 was received.

B. Councilmember Gilliland, Liaison to the Fire Department, gave his report.

X. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

XI. POLICE DEPARTMENT.

A. Chief Hamilton reviewed the September Police Reports with the Council.

XII. ADMINISTRATIVE DEPARTMENT.

A. The September Financial Reports were reviewed.

B. It was moved by Councilmember Gilliland, seconded by Councilmember Kennedy and carried unanimously to authorize and direct the City Secretary to pay all those accounts due and payable within the month of October.

C. The Municipal Court Report was reviewed.

D. The Code Enforcement Report was reviewed.

XIII. OLD BUSINESS

Councilmember Byers stated that rock needs to placed on Lakeland Court.

XIV. NEW BUSINESS

A. None

XV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, NOVEMBER 10, 1988

The meeting was called to order at 7:38 P.M. with Mayor Pro Tem P.O. Byers presiding and the following persons present:

P.O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Mayor Ronald E. Honse absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES

Councilmember Bills moved for the approval of the minutes of meetings held in October, 1988 as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. RESOLUTION RECOGNIZING NATIONAL HOSPICE MONTH

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to recognize National Hopspice Month.

V. CITIZENS AGENDA

There were no persons on the Citizen's Agenda.

VI. PARK AND RECREATION DEPARTMENT

A. The minutes of the October meeting of the Park and Recreation Board were received.

B. Councilmember Bills reviewed with City Council proposed maintenance plans for Willow Grove Park and requested that the Street Department mow the park on at least thirty day intervals.

VII. PLANNING AND ZONING COMMISSION.

A. Due to the lack of a quorum, the Planning and Zoning Commission did not hold its meeting on November 3, 1988. Councilmember Kennedy expressed concern that members were not attending and that some action should be taken to alleviate this problem.

VIII. FIRE DEPARTMENT

A. Councilmember Gilliland informed the Council that the Lake Cities Volunteer Fire Department had received a contract with the Town of Corinth to build a substation in Corinth.

IX. STREET DEPARTMENT

A. There was no information on the street department activities.

X. POLICE DEPARTMENT

A. Chief Hamilton reviewed the October Police Reports with the Council.

XI. ADMINISTRATIVE DEPARTMENT.

A. The October Financial Reports were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to authorize and direct the City Secretary to pay all those accounts due and payable within the month of November.

C. The Municipal Court Report was reviewed.

D. City Secretary Hamilton discussed with Council some pending code enforcement cases. Councilmember Gilliland discussed other pending cases and suggested that City Council should have a workshop concerning code enforcement. It was a consenus of opinion of Council that a workshop be called.

XII. OLD BUSINESS.

A. Councilmember Kennedy inquired about the electrical problems with a rent house owned by Mr. Harper that was reported to Council a few months back. She was informed that this problem was apparently alleviated.

B. Mayor Pro Tem Byers asked again when rock would be placed on Lakeland Ct.

XIII. NEW BUSINESS.

None

XIV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Payne and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:07 P.M.

P.O. Byers

P.O. Byers, Mayor Pro Tem

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, DECEMBER 8, 1988

The meeting was called to order at 7:30 P.M. with Mayor Bill Honse presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

With P.O. Byers and Sandy Payne absent, the following business was transacted:

II. PLEDGE OF ALLIGENIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES

Councilmember Kennedy moved for the approval of the minutes of meeting held in November, 1988 as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. CITIZEN'S AGENDA

Ms. Norma McAlvey, President of Kingswood Homeowner's Association, expressed their desire to work with the city in enforcement of ordinances in Kingswood Mobile Home Park.

V. PARK AND RECREATION DEPARTMENT

A. No meeting was held in November.

VI. PLANNING AND ZONING COMMISSION

A. The minutes of the November, 1988 meeting were received.

B. Councilmember Kennedy reported to the Council that the Planning and Zoning Commission was almost ready to have public hearings on a proposed fence ordinance.

VII. FIRE DEPARTMENT

A. No financial reports were received due to the auditor having the records.

B. Councilmember Gilliland gave a report on the Fire Department.

VIII. STREET DEPARTMENT

A. Mayor Honse reported on the activities of the Street Department.

IX. POLICE DEPARTMENT

A. Chief Hamilton reviewed the November Police Reports with the Council.

X. ADMINISTRATIVE DEPARTMENT

A. The November Financial Reports were reviewed.

B. It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to pay December billings.

C. The Municipal Court Report was reviewed.

XI. OLD BUSINESS

The Mayor announced a workshop scheduled for January 12, 1988 at 6:30 P.M. to discuss code enforcement.

XII. NEW BUSINESS

None.

XIII. ADJOURNMENT

It was moved by Councilmember Gilliland, seconded by Councilmember Bills and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:10 P.M.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

Donna Hamilton

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JANUARY 12, 1989

I. The meeting was called to order at 6:05 P.M. with Mayor Bill Honse presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Councilmember Anne Kennedy absent, the following business was transacted:

II. The council discussed various means of handling code enforcement, health inspections and building inspections. It was determined to contract with a City of Lake Dallas police officer for code enforcement. A workshop was set for January 17, 1989 to interview prospective candidates for health and building inspections.

III. The meeting was adjourned at 6:45 P.M.

Ronald E. Honse
Ronald E.(Bill) Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JANUARY 12, 1989

I. The meeting was called to order at 7:03 P.M. with Mayor ProTem Byers presiding and the following persons present:

P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

There being no one absent, the following business was transacted:

II. PUBLIC HEARING: PETITION FOR A VARIANCE ON MINIMUN DWELLING SIZE AT LOT 26, KINGSWOOD ESTATES.

Mr. Ronald Rapp presented the case on behalf of his son, Wesley Rapp. He stated that due the shape of the lot and the fact that an existing mobile home next to him encroaching upon his lot, he wished to place a 720 square feet home on the lot. He also stated that he was informed by former building inspector that 720 square feet would meet the minimum requirements. Mr. Rapp also presented pictures of the proposed home which is presently located in Lake Haven Estates.

The following residents of Kingswood Estates spoke in opposition to the proposed variance: Norma McAlvey, Mr. McGee, Jane Crouch, Joyce Campbell, Mr. McAlvey and Frank Branscomb.

III. PETITION FOR VARIANCE - WESLEY RAPP, #26 KINGSWOOD ESTATES

It was moved by Councilmember Garry Bills to deny the petition. The motion was seconded by Councilmember Linwood Gilliland and carried with the following vote: Yeas: Garry Bills, Linwood Gilliland, Sandy Payne.
Noes: Anne Kennedy.

IV. DISCUSSION OF CONDEMNED HOUSE AT 430 NORTH LAKEVIEW DRIVE.

Mr. Tom Praille informed the board that he had purchased the property at 430 North Lakeview Drive without knowing that it had been condemned. He stated that there were no records at the County Clerks offices and that TU Electric had turned on the electricity because they had not been informed of the condemnation. The Board agreed to give Mr. Praille one hundred twenty days (120) to bring the house up to minimum building standards.

V. ADJOURNMENT.

The meeting was adjourned at 7:43 P.M.

P.O. Byers
P.O. Byers, Mayor ProTem

Donna Hamilton
Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JANUARY 12, 1989

I. The meeting was called to order at 7:58 P.M. with Mayor Bill Honse presiding and the following persons present:

Ronald E.(Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no members absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES

Councilmember Bills moved for the approval of the minutes of meeting held in December, 1988 as presented in writing by the City Secretary. The motion was seconded by Councilmember Payne and carried unanimously.

IV. ORDINANCE REGARDING THE TOWING OF VEHICLES WITHIN THE CITY OF LAKE DALLAS

Mayor ProTem Byers moved to adopt an ordiance regarding the towing of vehicles in the City of Lake Dallas. The motion was seconded by Councilmember Gilliland and carried unanimously.

V. ORDINANCE PROVIDING FOR THE NUMBERING OF BUILDINGS WITHIN THE CITY OF LAKE DALLAS

Councilmember Kennedy moved to adopt an ordinance providing for the numbering of all buildings within the City of Lake Dallas. The motion was seconded by Councilmember Bills and carried unanimously.

VI. 9-1-1 COMMUNICATIONS AND DISPATCH

Jerry McCutcheon, Fire Chief, expressed his concern over recent rumors that Lake Dallas could possibily disband its dispatch and contract with Denton County for such services. He stated that in his opinion, the level of service would drop due partically to the fact that their dispatchers would not be familar with the Lake Cities Area and the response time would be longer. He urged the City Council to meet with Corinth, Hickory Creek and Shady Shores to discuss a central dispatch. The City Council urged Chief McCutcheon to set up a meeting between the four cities.

VII. CITIZEN'S AGENDA

None.

VIII. PARK AND RECREATION DEPARTMENT.

Garry Bills, liaison to the Park Board, stated that he did not attend the last meeting. The minutes from that meeting were not received in time for this meeting.

IX. PLANNING AND ZONING COMMISSION

A. The minutes of the January, 1989 meeting were received.

B. Councilmember Kennedy reported to the Council that Commissioner Ron Smith had not been attending meetings. The City Secretary was instructed to write Mr. Smith a letter informing him of his dismissal from the Commission.

X. FIRE DEPARTMENT

No reports were received.

XI. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XII. POLICE DEPARTMENT.

Chief Hamilton reviewed the December Police Reports with the Council.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The December Financial Reports and the Annual Audit were reviewed.

B. It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to pay January billings.

C. The Municipal Court Report was reviewed.

XIV. OLD BUSINESS.

None

XV. NEW BUSINESS.

Councilmember Bills expressed a desire to discuss the City Attorney at a future workshop.

XVI. ADJOURNMENT.

It moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:50 P.M.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, FEBRUARY 9, 1989

The meeting was called to order at 7:00 P.M. with Mayor Bill Honse presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With P.O. Byers absent, the following business was transacted:

I. EXECUTIVE SESSION

Mayor Honse announced that the City Council would enter into executive session pursuant to Article 6252-17, Vernon's Texas Civil Statutes to discuss dispatch personnel.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. APPROVAL OF MINUTES

Councilmember Payne moved for the approval of the minutes of meeting held in January, 1989 as presented in writing by the City Secretary. The motion was seconded by Councilmember Bills and carried unanimously.

IV. FENCING ORDINANCE

After discussion in regards to the setback for fences in residential areas and the height of fences in mobile home parks, Linwood Gilliland moved for adoption of the fencing ordinance with the following changes: remove the words "repair, remove or demolish"from Section II(A) and the words "except as specified in Subsection (A) of this section" and delete Section II (A) (1); change setbacks "from property line or edge of pavement if property line extends into street easement." The motion was seconded by Sandy Payne and passed unanimously.

V. CITIZEN'S AGENDA

A. Mr. Ronald Rapp of Kingswood Estates complained of the inequality of ordinance enforcement in his sub-division.

VI. PARK AND RECREATION

A. Councilmember Bills reported on the activities of the Park Board and stated that they were busy preparing for Garza Days which will be held in May.

VII. PLANNING AND ZONING

A. Councilmember Kennedy reported on the activities of the Planning and Zoning Commission stating that they were going to have a public hearing to amend Ordinance Number 25 to separate Commercial from Residential in uses allowed.

VIII. FIRE DEPARTMENT

A. Councilmember Gilliland reported the Fire Department has been training on Thursday nights.

IX. STREET DEPARTMENT

A. Mayor Honse gave a report on the activities of the Street Department.

X. POLICE DEPARTMENT

A. Chief Hamilton gave a report on the activities of the Police Department.

XI. ADMINISTRATIVE DEPARTMENT

A. The financial reports for January were reviewed.

B. Garry Bills moved to authorize the City Secretary to pay all those accounts due in the month of February except a statement from Hecht and Newcom in the amount of $6,950.00. Motion was seconded by Sandy Payne and carried unanimously.

C. The Municipal Court Report was reviewed.

XII. OLD BUSINESS

None.

XIII. NEW BUSINESS

Councilmember Gilliland stated he would like for the City to pass an ordinance regarding commercial parking lot surfaces. It was a consensus of opinion that this should be initated through Planning and Zoning.

XIV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned.

Ronald E. Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, MARCH 9, 1989

The meeting was called to order at 7:35 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Councilmember P.O. Byers absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Alleginace to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES

Councilmember Kennedy moved for that the minutes be approved as presented in writing by the City Secretary. The motion was seconded by Councilmember Gilliland and carried unanimously.

IV. PUBLIC HEARING: PROPOSED CHANGES TO ZONING ORDINANCE

Mr. Mike Fahey expressed concern that citizens would not be able to sell their single family homes located in business districts. He was informed that these properties would be non-conforming which means that they cannot alter or enlarge their homes but they can be used as residences.

V. AMENDMENTS TO ZONING ORDINANCE NO. 25

Councilmember Kennedy moved adoption of an ordinance amending Ordinance No. 25 and allowing commercial businesses 180 days to bring their parking lots up to minimum requirements. The motion was seconded by Garry Bills and carried unanimously.

VI. AMENDMENT TO HEALTH AND FOOD CODE ORDINANCE.

Councilmember Gilliland moved for adoption of an ordinance amending Ordinance No. 87-16 (Health and Food Code) providing for a change from Director of Health to Health Authority; providing for inspection fees, providing for repeal of health certificate requirements and amending the annual permit fees. The motion was seconded by Sandy Payne and carried unanimously.

VII. RESOLUTION AUTHORIZING MAYOR TO SIGN LOAN AGREEMENT.

Councilmember Payne moved to pass a resolution authorizing the Mayor to sign a loan agreement with Lake Cities State Bank to finance one Massey-Ferguson 360 Tractor and Thino Cutter Mower. Garry Bills seconded the motion and it carried unanimously.

VIII. REFUND OF 1988 PROPERTY TAXES.

Councilmember Bills to moved to refund 1988 Property Taxes that were paid in error by Richard Edson. Linwood Gilliland seconded the motion and it carried unanimously.

IX. DEDICATION OF LOT 13, BLOCK D, OAK LAKES SUBDIVISION

Councilmember Bills moved to deny dedication of Lot 13, Block D of the Oak Lakes Subdivision. Councilmember Kennedy seconded the motion and it carried unanimously.

X. ORDER OF ELECTION.

Mayor Honse announced that the City of Lake Dallas would hold an election on May 6, 1989 for the purpose of electing three councilmembers.

XI. CITIZEN'S AGENDA.

Chief McCutcheon and members of the Lake Cities Volunteer Fire Department presented an award to Police Chief Don Hamilton.

XII. PARK AND RECREATION DEPARTMENT.

Councilmember Bills reported on the activities of the Park Board and their plans for Garza Days.

XIII. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy reported on the activities of the Planning and Zoning Commission.

Councilmember Gilliland moved to appoint Robert Garcia, Jr. to the Planning and Zoning Commission. Councilmember Payne seconded the motion and it carried unanimously.

XIV. FIRE DEPARTMENT.

Chief McCutcheon gave a report on the activities of the Lake Cities Volunteer Fire Department.

XV. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XVI. POLICE DEPARTMENT.

Chief Hamilton reviewed the activities of the Police Department with Council.

XVII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Councilmember Bills moved to direct the City Secretary to pay those accounts due within the month of March. Councilmember Kennedy seconded the motion and it carried unanimously.
C. The Municipal Court reports were received.

XVIII. OLD BUSINESS.

None.

XIX. NEW BUSINESS.

A. The Mayor suggested that a public hearing be held in reference to changing the name of streets.

XX. Councilmember Bills moved for adjournment of the meeting. Councilmember Kennedy seconded the motion and it carried unanimously.

Ronald E. Honse

Ronald E. Honse, Mayor

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, APRIL 13, 1989

I. The meeting was called to order at 7:00 P.M. with the P.O. Byers presiding and the following persons present:

P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PUBLIC HEARING: VARIANCE AT 215 SWISHER RD.

Mr. Troy Baugh presented his petition for a variance from Ordinance No. 25 relative to rear yard setbacks in order to build an addition to his residence. Mr. Baugh stated that his family had outgrown their present home and that the addition would extend beyond the rear building line six feet. There were no comments from the public.

III. PETITION FOR VARIANCE - TROY AND SUSAN BAUGH

Councilmember Payne moved to grant a variance to Troy and Susan Baugh to allow an addition to the rear of their residence which will extend beyond the rear building line by six feet. Councilmember Bills seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: VARIANCE AT 721 MAIN

Mr. Alan McWhorter of Archways Homes presented a petition for a variance on behalf of Pam Schaefer. The petition request a variance from Ordinance No. 25-A relative to masonry requirements in order to construct a home with natural cedar siding. There were no public comments and one letter was received in favor of the variance.

V. PETITION FOR VARIANCE AT 721 MAIN

It was moved by Councilmember Bills to approve the variance as requested by Pam Schaefer to allow her to construct a residence with cedar siding at 721 Main. Councilmember Kennedy seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

Councilmember Bills moved to adjourn the meeting. It was seconded by Councilmember Kennedy and carried unanimously.

P.O. Byers, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, APRIL 13, 1989

I. The meeting was called to order at 7:30 P.M. with the Mayor presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was vien and Invocatin was led by Bill Gilliland.

III. APPROVAL OF MINUTES

It was moved by Councilmember Kennedy and seconded by Councilmember Gilliland to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. CITIZEN'S AGENDA

A. Gail Marney of Lake Cities and Saddle expressed concern in reference to the proposed asphalt specifications for commercial parking lots. She stated that she had bids to pave her parking lot but could not afford to at this time. She further stated that she felt that it would hurt many of the local businesses if these specifications were enforced.
B. Mr. Paul Peters, owner of the property at 208 Main, also expressed his concerns regarding asphalt paving requirements.

V. SPECIFICATIONS FOR COMMERCIAL PARKING LOTS

After much discussion among the Council, the City Secretary was instructed to obtain a variety of parking lot specifications for Council review at next month's meeting.

VI. PARK AND RECREATION DEPARTMENT

Councilmember Bills gave a report on the activities of the Park Board and for Garza Days to be held on May 13, 1989.

VII. PLANNING AND ZONING COMMISSION

Councilmember Kennedy gave a report on the activities of the Planning and Zoning Commission. She stated that the Commission had expressed a desire to change the Zoning Board Ordinance in order to retain Mike Fahey as a member.
It was a consensus of Council that it would be unwise and too costly to change an ordinance for this purpose.

VIII. FIRE DEPARTMENT

Councilmember Gilliland gave on report on the activities of the Lake Cities Volunteer Fire.

IX. STREET DEPARTMENT

Mayor Honse gave a report on the activities of the street department.

X. POLICE DEPARTMENT

Chief Hamilton reviewed the monthly reports with the Council and also explained new regulations in the Police Department Policies and Procedures Manual.

XI. ADMINISTRATIVE DEPARTMENT

A. The financial reports were reviewed.
B. Councilmember Bills moved to direct the City Secretary to pay those accounts due with the month of April. Councilmember Gilliland seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XII. OLD BUSINESS

A. The Mayor stated that the section regarding wreckers arriving upon the scene of an accident by scanning their radios should be repealed. After discussion, it was a consensus of Council that this item should be discussed

further before repealing this section.

XIII. NEW BUSINESS

A. Mayor ProTem Byers informed the Council that Mayor Stephens said that the City of Lake Dallas needs to give the 9-1-1 Board a letter of committment on the desire to have a PSAP.
B. Mayor ProTem Byers stated that he thought the City had been unfair with the Lake Dallas Telephone Co. in requesting them to move a truck and some cable.

XIV. ADJOURNMENT

Councilmember Kennedy moved to adjourn the meeting. Councilmember Bills seconded the motion and it carried unanimously. The meetting was adjourned at 9:25 P.M.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, MAY 11, 1989

I. The meeting was called to order at 7:30 P.M. with Mayor Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Reverend Gifford Long.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. CITY OFFICERS ELECTION HELD MAY 6, 1989

A. Mayor Honse and the City Council began the official canvass of the votes cast in the City Officers' Election held on May 6, 1989. It was determined that a total of 317 total votes were cast as follows:

FOR COUNCIL:

Larry Imes	45 votes
Bill J. Gilliland	60 votes
Garry Bills	73 votes
Linwood E. Gilliland	69 votes
Anne Kennedy	70 votes

B. It was moved by Councilmember Byers, seconded by Councilmember Kennedy and carried unanimously to pass a resolution accepting said election returns and declaring Garry Bills, Linwood E. Gilliland and Anne Kennedy as duly elected

Councilmembers for the City of Lake Dallas.

C. The City Secretary gave the newly elected Councilmembers their Oath of Office.

V. ELECTION OF MAYOR PRO TEM

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to elect P.O. Byers as Mayor Pro Tem.

VI. DENCO AREA 9-1-1 DISTRICT.

Ms. Marilynn Milor, Director of the Denco Area 9-1-1 District, informed the Council of the latest developments in the procurement of the 9-1-1 equipment. She explained to the Council that because of financial problems, Lake Dallas dispatch will receive a secondary answering point instead of a primary answering point. With this system, Denton County Sheriff's office will answer the call and immediately transfer it to Lake Dallas for dispatch purposes. This type of system will have a screen and printer.

VII. THOUSAND OAKS SUBDIVISION.

Mayor Honse informed Council that he had been in contact with First Texas Mortgage who has repossessed the property in the Thousand Oaks Subdivision and with the Corps of Engineers in reference to drainage on Shady Shores Road at Swisher Creek. It was a consensus of opinion of the Council that $40,000.00 should still be placed in escrow before the final plat is released on the subdivision and perhaps return the money to the investor/developer if after the subdivision is built out, it does not create an additional drainage problem.

VIII. STREET AND DRAINAGE PROBLEMS

Mayor Honse informed the Council that he had received an estimate on completely repaving every street in the city and correcting some of the major drainage areas. To complete this project, it would take approximately 3.2 million dollars which would increase taxes by 131 percent. The council decided that it would have a workshop May 20, 1989 at 9:30 A.M. to drive around and look at the streets.

IX. CITIZEN'S AGENDA.

A. Ms. Aldena Stowe informed the Council of the problems she had with the locks at the Community Center.

X. PARK AND RECREATION DEPARTMENT.

Councilmember Bills gave a report on the activities of the Park Board.

XI. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy gave a report on the activities of the Planning and Zoning Commission.

XII. FIRE DEPARTMENT.

A. Councilmember Gilliland reported that the Fire Department had secured a loan for the Corinth Sub-station.

B. Councilmember Bills moved to support the Fire Department in their request to halt controlled burning. Councilmember Kennedy seconded the motion and it carried with the following vote:

Ayes: Garry Bills
Anne Kennedy
Linwood Gilliland
Sandy Payne
Noes: P.O. Byers

XIII. STREET DEPARTMENT.

Mayor Honse stated that he did not have any further information to report on the activities of the Street Department.

XIV. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Councilmember Kennedy moved to direct the City Secretary to pay those accounts due within the month of May. Councilmember Bills seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

A. Commercial Parking Lot Specifications: The City Secretary was instructed to draw up specifications for gravel parking lots.

B. Towing and Wrecker Ordinance: No action.

XVII. NEW BUSINESS.

A. Mayor Honse informed the Council that he would like to quit impounding cars at the city barn lot. The Council agreed that the wrecker companies should be responsible for impounding the vehicles.

B. Councilmembers Kennedy and Gilliland expressed concern over some nuisance violations.

XVIII. ADJOURNMENT.

Councilmember Gilliland moved to adjourn the meeting. The motion was seconded by Councilmember Payne and it carried nanimously.

Ronald E. HOnse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, JUNE 8, 1989

I. ROLL CALL.

The meeting was called to order at 7:15 P.M. with Chairman P.O. Byers presiding. With all members present, the following business was transacted:

II. APPEAL FROM ORDINANCE NO. 109 - JUDD POTEET

Mr. Poteet requested a stay on the proceedings to remove his junk vehicle from the impound yard at Kingswood Estates because he has not been able to locate a transmission to put in his car. After much discussion, Sandy Payne moved to allow Mr. Poteet thirty (30) days to bring the car up to standards or remove it from the city. Garry Bills seconded the motion and it carried unanimously.

III. ADJOURNMENT

Anne Kennedy moved to adjourn the meeting. The motion was seconded by Garry Bills and carried unanimously.

P O Byers
P.O. Byers, Chairman

ATTEST:

Donna Hamilton
Donna Hamilton, Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, JUNE 8, 1989

I. The meeting was called to order at 7:30 P.M. with Mayor Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Reverend Gifford Long.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Kennedy and seconded by Councilmember Bills to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. COMMERCIAL PARKING LOT SPECIFICATIONS

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to adopt the commercial parking lot specifications as presented. The motion carried unanimously

V. WILLOW GROVE PARK

Mayor Honse suggested to Council that the City may want to give Willow Grove Park back to the Corps of Engineers due to the expsense of operating the park and the fact that the Corps is difficult to work with. Council generally express the opinion that parks are not supposed to be profitable and that we need to write our congressmen to put pressure on the Corps of Engineers.

VI. CITIZEN'S AGENDA

A. Aldena Stowe stated that she was in favor of having parks but that the City is wasting money in Willow Grove Park.
B. Les Lorimer, President of Park Board, informed the Council of current and future plans that the Baseball Association has at Willow Grove and about the scout troops who have adopted the park to keep clean.
C. Gifford Long, park board member, said that it would be very expensive to buy the amount of land that is in Willow Grove for a park elsewhere. He encouraged Council to retain Willow Grove Park.
D. Carolyn Green, park board member, also encouraged the Council to retain Willow Grove Park. She also stated that she thought the City should issue permits to allow persons to place garage sale signs on street easements and ticket those which are not removed.

VII. PARK AND RECREATION DEPARTMENT.

Gifford Long reported on the activities of the Park Board.

XI. PLANNING AND ZONING COMMISSION.

A. Councilmember Bills gave a report on the activities of the Planning and Zoning Commission.
B. Councilmember Kennedy moved to appoint Matthew Flanagan and Sherry Gaines to the Planning and Zoning Commission. Councilmember Payne seconded the motion and it carried unanimously.

XII. FIRE DEPARTMENT.

A. Councilmember Gilliland reported that the Fire Department did not have a regular meeting but that there had been a budget meeting and June 7 and another scheduled for June 29.

XIII. STREET DEPARTMENT.

Mayor Honse stated that some of the streets are in need of major repairs which will be considered in budget workshops.

XIV. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Councilmember Kennedy moved to direct the City Secretary to pay those accounts due in the month of June. Councilmember Payne seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

None.

XVII. NEW BUSINESS.

A. The Pool Hall and Amusement Center ordinance has been referred to Planning and Zoning.

B. Councilmember Gilliland suggested that the city needs to help in correcting some street corners which are difficult to see around.

XVIII. ADJOURNMENT.

Councilmember Bills moved to adjourn the meeting. The motion was seconded by Councilmember Payne and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, JULY 13, 1989

I. ROLL CALL.

The meeting was called to order at 7:00 P.M. with Chairman P.O. Byers presiding. With Anne Kennedy absent and Bill Honse serving as alternate, the following business was transacted:

II. PUBLIC HEARING: Petition for a variance to place a mobile home in the R1-7200 Single Family Zone District at 446 Bethchan. Loyed Ezzell presented his case to place a 1,680 square feet home on a pier and beam foundation with a two car carport on his property at 446 Betchan. He stated that he intended to brick the home one-third of the height and showed pictures of the home. One letter was received in favor of this request and one against. No one actually spoke against the proposal but did state that the Board would be setting a precedence for future requests to place mobile homes outside mobile home zone districts.

III. PETITION FOR A VARIANCE - Loyed Ezzell, 446 Betchan: Bill Honse moved to grant a variance to Loyed Ezzell to place a mobile home at 446 Betchan. The motion died for a lack of a second. Garry Bills moved to deny the petition. Linwood Gilliland seconded the motion and it carried with the following vote: Ayes: Garry Bills, Linwood Gilliland. Noyes: Bill Honse. Abstain: Sandy Payne.

IV. PUBLIC HEARING: Petition for a variance on front and rear year setbacks, covered paring size and minimum dwelling size in the R1-6000 Single Family Zone District at 732 Summers Lane. L.D. Vinson presented his case to the Board. No letters were received on this variance request. Several surrounding property owners stated they were opposed to the variance because of the lack of adequate parking.

V. PETITION FOR A VARIANCE - L.D. Vinson, 732 Summers Land. Sandy Payne moved to approve the variance. After discussion, Ms. Payne withdrew her motion. Garry Bills moved to approve the variance on front and rear yard setbacks and to deny the variance on covered parking and minimum dwell size. Linwood Gilliland seconded the motion and the motion carried unanimously.

VI. ADJOURNMENT. Sandy Payne moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, JULY 13, 1989

I. The meeting was called to order at 8:25 P.M. with Mayor Honse presiding and the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With P.O. Byers and Anne Kennedy absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Gilliland and seconded by Councilmember Bills to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. PUBLIC HEARING: PETITION FOR A CHANGE IN ZONING FROM C-2 COMMERCIAL TO C-3 COMMERCIAL ON TRACT 4 OUT OF THE J.W. SIMMONS SURVEY.

The petition was withdrawn by the property owner.

V. PETITION FOR CHANGE IN ZONING ON TRACT 4 OUT OF THE J.W. SIMMONS SURVEY - ACTION.

The petition was withdrawn by the property owner.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LAW ENFORCEMENT INTERLOCAL AGREEMENT WITH THE TOWN OF CORINTH - ACTION.

Councilmember Payne moved to authorize the Mayor to sign a law enforcement interlocal agreement with the Town of Corinth. Councilmember Bills seconded the motion and it carried unanimously.

VII. RESOLUTION APPOINTING MAYOR OLIVE STEPHENS TO

THE DENCO AREA EMERGENCY COMMUNICATION DISTRICT - ACTION.

Councilmember Bills moved to appoint Mayor Olive Stephens to the DenCo Area Emergency Communication District. Councilmember Gilliland seconded the motion and it carried unanimously.

VIII. ORDINANCE ADOPTING THE "LAKE DALLAS MUNICIPAL CODE" - ACTION.

Councilmember Gilliland moved for the adoption of the "Lake Dallas Municipal Code". Councilmember Bills seconded the motion and it carried unanimosly.

IX. CITIZEN'S AGENDA.

A. Mrs. Cleo Murray complained about the illegal fence on the property adjacent to her. The Mayor assured her that the City employee who owns the property would clean it up within ten days.

B. Diane Wood, President of the Chamber of Commerce, informed the Council of the upcoming events planned by the Chamber to encourage people to shop in the Lake Cities area. She also told of the pot luck dinner which will be held on August 8, 1989 at 7:00 p.m.

C. James Loveday, representing the Chamber of Commerce, informed the Council of the Denton County Economic Development Day in October and that the city would have a booth available at this event for economic promotion.

D. Aldena Stowe, representative on the Lake Cities Library Board, informed Council of library activities and ask the city to budget $.50 per capita for 1989-90.

E. Bill Tanner expressed his concern of the ineffectiveness of Ordinance No. 171 relating to high grass. He would like to see some changes in the ordinance to make more restrictive. Council referred the matter to Planning and Zoning.

F. Paul Dawes also expressed the same concerns as Mr. Turner.

G. Paula Horn said she would like to see city sponsored programs for the youth to keep them off the streets.

X. PARK AND RECREATION.

A. Carolyn Green gave the report on the activities of the Park Board.

B. Councilmember Payne moved to appoint Debbie Murray to the Park Board. Linwood Gilliland seconded the motion and it carried unanimously.

XI. PLANNING AND ZONING COMMISSION.

Councilmember Gilliland and Paula Horne reported that the Planning and Zoning Commission were currently working on an

amusement center ordinance.

XII. FIRE DEPARTMENT.

Councilmember Gilliland reported that they had been working with the Fire Department on their 1989-90 budget.

XIII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department were busy mowing and repairing pot holes.

XIV. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Councilmember Gilliland moved to direct the City Secretary to pay those account due in the month of July. Councilmember Payne seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

None.

XVII. NEW BUSINESS.

XVIII. ADJOURNMENT.

Councilmember Bills moved to adjourn the meeting. The motion was seconded by Councilmember Payne and it carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, AUGUST 10, 1989

I. The meeting was called to order at 7:00 P.M. with P.O. Byers presiding and the following persons present:

P.O. Byers, Chairman
Ronald E. Honse,
Sandy Payne
Anne Kennedy
Linwood Gilliland
Donna Hamilton, Secretary

With P.O. Byers presiding and Ronald Honse alternating for Garry Bills, the following business was transacted:

II. Mark Spitzfaden, #72 Kingswood requested that the Board allow him additional time to remove his junk vehicle from his property because he was awaiting an insurance settlement. Anne Kennedy moved to allow Mr. Spitzfaden an additional thirty days to remove the car. The motion was seconded by Linwood Gilliland and carried with the following vote: Ayes: Anne Kennedy, Linwood Gilliland, Sandy Payne. Nayes: Ronald Honse.

III. Jessie Davis requested that the Board allow him additional time to remove his junk vehicle from 205 Swisher Road. He stated that he no longer resides at that address and as soon as possible he intends to repair the vehicle. Sandy Payne moved to allow Mr. Davis an additional two weeks to remove the vehicle. Anne Kennedy seconded the motion and it carried unanimously.

IV. Anne Kennedy moved to adjourn the meeting. Ronald Honse seconded the motion and it carried unanimously. The meeting was adjourned at 7:30 P.M.

P.O. Byers
P.O. Byers, Chairman

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, AUGUST 10, 1989

I. The meeting was called to order at 7:35 P.M. with Mayor Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Councilmember
Linwood Gilliland, Councilmember
Sandy Payne, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

With Garry Bills absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Gilliland and seconded by Councilmember Kennedy to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE ANIMAL CONTROL.

It was moved by Councilmember Gilliland and seconded by Councilmember Kennedy to pass a resolution authorizing the Mayor to sign a contract with the Town of Corinth to provide animal control services. The motion carried unanimously.

V. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE DISPATCH SERVICE.

It was moved by Councilmember Payne and seconded by Councilmember Gilliland to pass a resolution authorizing the Mayor to sign a contract with the Town of Corinth to provide dispatch services. The motion carried unanimously.

VI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE ANIMAL CONTROL SERVICES.

Councilmember Byers moved to table this item pending further contract negotiations. Councilmember Gilliland seconded the motion and it carried unanimously.

VII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE DISPATCH SERVICES.

Councilmember Kennedy moved to pass a resolution authorizing the Mayor to sign a contract with the Town of Hickory Creek to provide dispatch services. The motion was seconded by Councilmember Payne and carried unanimously.

VIII. CITIZEN'S AGENDA.

A. Carolyn Green stated that she was very proud of the way the Councilmembers had been conducting their meetings.

IX. PARK AND RECREATION.

A. Carolyn Green reported on the activities of the Park Board. Donna Hamilton reported the possibility of receiving Federal Disaster Funds for Willow Grove Park.

X. PLANNING AND ZONING COMMISSION.

A. Councilmember Kennedy informed the Council that Commissioner Frances Grammer had resigned. The Council informed Ms. Kennedy that Planning and Zoning did not need to work on the weed naughtiness ordinance.

XI. FIRE DEPARTMENT.

A. Councilmember Gilliland reported on the activities of the Fire Department.

XII. STREET DEPARTMENT.

A. Mayor Honse reported on the activities of the Street Department and reported that he thought that he had the problems with Texas Waste Management tearing up streets resolved.

XIII. POLICE DEPARTMENT.

A. Chief Hamilton reviewed the Police Department activities with the Council.

XIV. ADMINISTRATIVE DEPARTMENT.

A. Donna Hamilton reviewed the financial reports with Council.

B. Councilmember Payne moved to authorize the City Secretary to pay all bills due in the month of August. Councilmember Kennedy seconded the motion and it carried unanimously.

C. Council received the Municipal Court Report.

XV. OLD BUSINESS.

None.

XVI. NEW BUSINESS.

Mayor Honse stated that in the future, he would like to have some workshops to review ordinances.

XVII. ADJOURNMENT.

Mayor Pro-tem Byers moved to adjourn. Councilmember Kennedy seconded the motion and it carried unanimously.

Ronald E. Honse

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A PUBLIC HEARING
HELD AT CITY HALL, SEPTEMBER 14, 1989

I. The public hearing was called to order at 7:00 P.M. with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Anne Kennedy absent, the following business was transacted:

II. PUBLIC HEARING ON 1989-90 FISCAL YEAR BUDGET.

The Mayor announced that the meeting was open to the public for their comments on the 1989-90 Budget. There was not any response from anyone concerning the budget. After allowing fifteen minutes, the Mayor announced that the public hearing was closed.

III. Councilmember Gilliland moved to adjourn the meeting and Councilmember Bills seconded the motion. The motion carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, SEPTEMBER 14, 1989

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With Anne Kennedy absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Les Lorimer.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Payne and seconded by Councilmember Gilliland to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. ORDINANCE ADOPTING THE 1989-90 FISCAL YEAR BUDGET.

It was moved by Councilmember Payne and seconded by Councilmember Bills to adopt the 1989-90 Fiscal Year Budget in the amount of $877,659. The motion carried unanimously.

V. ORDINANCE APPROVING THE 1989 APPRAISAL ROLLS AND LEVYING AN ADVOLOREM TAX.

It was moved by Councilmember Bills and seconded by Councilmember Payne to approve to 1989 Appraisal Rolls and levy a tax rate of $ .3931 per $100.00 valuation.

VI. ORDINANCE ADOPTING TEXAS MUNICIPAL RETIREMENT SYSTEMS "UPDATED SERVICE CREDITS".

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to adopt "Updated Service Credits". The

motion carried unanimously.

VII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT AGREEMENT WITH THE TOWN OF HICKORY CREEK TO PROVIDE ANIMAL CONTROL SERVICES.

It was moved by Mayor ProTem Byers to authorize the Mayor to sign a contract with the Town of Hickory Creek to provide animal control services for the 1989-90 Fiscal Year for the sum of $7,835. with a definition added to the contract for emergency situation. Councilmember Payne seconded the motion and it carried unanimously.

VIII. CITIZEN'S AGENDA.

A. Norma McAlvey, representing the Kingswood Homeowners Association, related to the council several code violations in Kingswood Estates and asked the city's help in correcting them. Code Enforcement Officer Katz and Police Chief Hamilton informed Ms. McAlvey and the other Kingswood residents that they would work with them in correcting these problems.

B. Charlie McMath, Assistant Superintendent of the Lake Dallas Independent School District, commended the City and its employees on the good work they had done. He stated that he had always got great response whenever he made a request. He thanked the Police Department for their professionalism at football games.

C. Mr. Bergan, 309 Wilson, stated that he had a problem with drainage since a house was recently built at 310 Wilson. The Mayor informed Mr. Bergan that he would look into the problem.

IX. PARK AND RECREATION.

A. Les Lorimer, Chairman of the Park Board, gave a report on the activities of the Park Board. He stated that they were working on the Community Center park in order to get it ready for the annual picnic on October 7, 1989. He stated that the park would be dedicated at that time.

X. PLANNING AND ZONING COMMISSION.

Councilmember Payne gave a report on the Planning and Zoning stating that they were still working on the amusement center ordinance and that Frances Grammer had resigned from the Commission. Donna Hamilton informed Council that Robert Garcia, Jr. had also resigned because he has moved out of the city.

XI. FIRE DEPARTMENT.

Councilmember Gilliland reported on the activities of the Fire Department.

XII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department were busy mowing and repairing pot holes. Councilmember Payne asked the Mayor to check the drainage on Shady Shores Road south of Overly Drive.

XIII. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Councilmember Bills moved to direct the City Secretary to pay those account due in the month of August. Councilmember Payne seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

Councilmember Gilliland pointed out the problems with cars parked on Main Street near Falcon Drive.

XVI. NEW BUSINESS.

XVII. ADJOURNMENT.

Councilmember Bills moved to adjourn the meeting. The motion was seconded by Councilmember Gilliland and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, OCTOBER 12, 1989

I. ROLL CALL.

The meeting was called to order at 7:00 P.M. with Mayor Honse presiding. With Garry Bills and P.O. Byers absent and Mayor Honse serving as alternate, the following business was transacted:

II. PUBLIC HEARING: Petition for a variance to place to maintain two separate residences on one lot at 715 East Hundley Drive.

Mr. Eric Ko presented his petition and showed the Board pictures of his property and the surrounding properties. He stated that he has already remodeled the front house on this property and is asking to remodel the back house. He further stated that his lot was large enough to accommodate two houses and two families.

III. PETITION FOR A VARIANCE - Eric Ko, 715 East Hundley:

Anne Kennedy moved to grant a variance to Mr. Ko to allow two residences on the lot located at 715 East Hundley Drive. Sandy Payne seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: Petition for a variance from the Sign Code relative to sign height in the 500 block of North Stemmons.

Allison Archer presented a petition for a variance from the sign height requirements in the 500 block of North Stemmons. She stated with the addition of the new overpass on Stemmons it has created a vision problem for the sign located on their property.

V. PETITION FOR VARIANCE - B.L. Archer, 715 East Hundley, Action.

Linwood Gilliland moved to grant a variance from sign height requirements to B.L. Archer in the 500 Block of North Stemmons. Anne Kennedy seconded the motion and it carried unanimously.

V. APPEAL - William Murrell, 523 Howard Drive, Junk vehicles in violation of City Code 8.12 - Action.

Mr. Murrell informed the Board that he had moved his cars and that they were no longer in violation.

VI. APPEAL - Bruce Jones, 300 Block of Marina, Junk vehicles in violation of City Code 8.12 - Action.

Mr. Jones stated that he was will to comply with the Junk Vehicle Code but that he needed more time. Linwood Gilliland moved to allow Mr. Jones an additional thirty days to get in compliance with the Code. Sandy Payne seconded the motion and it carried unanimously.

VII. APPEAL - Terry Watts, 200 North Lakeview Drive, Junk Vehicles in violation of City Code 8.12 - Action.

Mr. Watts informed the Board that he is in the process of building a garage to house the above cars and needed more time to complete this project. Sandy Payne moved to allow Mr. Watts an additional thirty days to get in compliance with the Code. Anne Kennedy seconded the motion and it carried unanimously.

VIII. ADJOURNMENT - Action.

Linwood Gilliland moved to adjourn the meeting. Anne Kennedy seconded the motion and it carried unanimously.

Lowell E Bill Honse

MAYOR BILL HONSE, CHAIRMAN

ATTEST:

Donna Hamilton

DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, OCTOBER 12, 1989

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

With P.O. Byers and Garry Bills absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Lynnwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Payne and seconded by Councilmember Kennedy to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. NOMINATION OF CANDIDATE TO DCAD APPRAISAL REVIEW BOARD.

It was moved by Councilmember Kennedy and seconded by Councilmember Payne to table the nomination of a candidate for election to the DCAD Review Board. The motion carried unanimously.

V. NOMINATION OF CANDIDATE TO DCAD BOARD OF DIRECTORS.

It was moved by Councilmember Gilliland to nominate Bradley Moore as a canidate to the DCAD Board of Directors. The motion was seconded by Councilmember Payne and the motion carried unanimously.

VI. DESIGNATION OF OFFICIAL NEWSPAPER.

It was moved by Councilmember Payne and seconded by Councilmember Kennedy to designate the Lake Cities Sun as the official newspaper. The motion carried unanimously.

VII. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH GMAC.

Councilmember Kennedy moved to pass a resolution authoring the Mayor to sign a contract with GMAC to finance one 1989 Chevrolet Celebrity. Councilmember Payne seconded the motion and it carried unanimously.

VIII. CITIZEN'S AGENDA.

A. Doris Ezzell informed the Council that she was very upset the way she had been treated concerning code violations

IX. PARK AND RECREATION.

A. The Park Board minutes were review and there was discussion of the Fall Picnic which was held on October 7, 1989.

B. Councilmember Kennedy moved to appoint Lester Vinson and Jerry Graves to the Park Board. Councilmember Gilliland seconded the motion and it carried unanimously.

X. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy reported that the Planning and Zoning did not have a meeting on October 5, 1989 due to a lack of a quorum.

XI. FIRE DEPARTMENT.

Councilmember Gilliland reported on the activities of the Fire Department and the fact that they are going to set up an executive committee to handle such matters as finance and budget. Members of this committee will not serve concurrently on the Fire Department Board of Directors.

XII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department were busy mowing and repairing pot holes.

XIII. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Councilmember Kennedy moved to direct the City Secretary to pay those account due in the month of October. Councilmember

Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

XVI. NEW BUSINESS.

XVII. ADJOURNMENT.

Councilmember Gilliland moved to adjourn the meeting. The motion was seconded by Councilmember Kennedy and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, NOVEMBER 9, 1989

I. ROLL CALL.

The meeting was called to order with Chairman P.O. Byers presiding and Garry Bills absent.

II APPEAL - Clint Harris, 701 Thompson, #8, in reference to a vehicle allegedly in violation of City Code 8.12 - Action.

Mr. Harris informed the Board that he was in the process of restoring his vehicle and that he needed more time to replace the engine. Anne Kennedy moved to allow Mr. Harris an additional thirty days to bring the vehicle in compliance. The motion was seconded by Sandy Payne and carried uananimously.

VIII. ADJOURNMENT - Action.

Sandy Payne moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

P.O. Byers
P.O. BYERS, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, NOVEMBER 12, 1989

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

With Garry Bills absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. RESOLUTION CASTING VOTES FOR CANDIDATE FOR DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

It was moved by Councilmember Gilliland and seconded by Councilmember Kennedy to cast fourteen votes for Bradley Moore as a Director on the Denton Central Appraisal Board. The motion carried unanimously.

V. RESOLUTION APPROVING THE DENCO AREA 9-1-1 BUDGET.

It was moved by Mayor ProTem Byers to approve the 1989-90 Budget for the Denton County Emergency Communication District. The motion was seconded by Councilmember Gilliland and carried unanimously.

VI. DESIGNATION OF RECORDS MANAGEMENT OFFICER.

It was moved by Councilmember Gilliland and seconded by Councilmember Payne to designate the City Secretary as the

Records Management Officer for the City of Lake Dallas. The motion carried unanimously.

VII. CITIZEN'S AGENDA.

A. Bob Geisinger complained that a neighbor at 205 Skelton has a lot materials from his business stored in his yard and the he would like for the city to do something to relieve the situation.

B. Aldena Stowe informed the Council that they needed to appoint someone to the Lake Cities Library Board.

VIII. PARK AND RECREATION.

A. The Park Board did not have a meeting during the month of October.

IX. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy reported that the Planning and Zoning Commission recommends that Robert Geisinger and Randy Morris be appointed to the Commission by City Council. She further stated that Rita Harvell had also agreed to take the position. After discussion, the Council decided that Mr. Morris should not serve on the Planning and Zoning Board because two of his neighbors were on this board but that he might be interested in serving on the Park Board. Councilmember Byers moved to appoint Rita Harvell and Robert Geisinger to the Planning and Zoning Commission. Councilmember Gilliland seconded the motion and it carried unanimously.

X. FIRE DEPARTMENT.

Councilmember Gilliland reported that he did not attend and Fire Department meetings. Donna Hamilton informed the Council that the Fire Department has elected new officers and that Roger McCurley has been elected as Fire Chief.

XI. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XII. POLICE DEPARTMENT.

Chief Hamilton reviewed the monthly reports with the Council.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were incomplete for October due to not having opening balance entered.

B. Councilmember Payne moved to direct the City Secretary to pay those account due in the month of November. Councilmember Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XIV. OLD BUSINESS.

Councilmember Kennedy stated that there is a vision problem at Denton Drive and Hundley Drive when people are parked on Denton Drive to attend a garage sale. It was decided that this matter should be looked into and that perhaps "No Parking" signs should be placed on the east side of Denton Drive. It was also decided that the west side of Lakeview Drive also needed "No Parking" signs.

XV, NEW BUSINESS.

XVI. ADJOURNMENT.

Councilmember Gilliland moved to adjourn the meeting. The motion was seconded by Councilmember Kennedy and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, DECEMBER 14, 1989

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Anne Kennedy and seconded by Sandy Payne to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. REQUEST FOR RATE INCREASE - TEXAS WASTE MANAGEMENT.

Mr. Waynard Hyde, representing Texas Waste Management, presented their request for a rate increase. He explained that part of the increase is due to a surcharge mandated by Senate Bill 1519 and the other increase is due to new governmental standards for landfills.

Mayor ProTem Byers moved to approve the garbage rate increases as requested by Texas Waste Management. Sandy Payne seconded the motion and it carried uananimously.

V. TAXATION OF PROPERTY EXEMPT UNDER ARTICLE VIII, SECTION 1-3, TEXAS CONSTITUTION.

It was moved by Linwood Gilliland and seconded by Anne Kennedy to continue taxion of property exempt under Article VIII. Section 1-3, Texas Constitution. The motion carried unanimously.

VI. TEMPORARY PLACEMENT OF MOBILE HOME AT 112 N. LAKEVIEW DRIVE.

The petitioner failed to attend the meeting. It was moved by Garry Bills and seconded by P.O. Byers to deny permission to temporarily place a mobile home at 112 North Lakeview Drive. The motion carried unanimously.

VII. ORDINANCE REQUIRING LICENSE FOR MASTER AND JOURNEYMAN ELECTRICIANS.

Anne Kennedy made a motion to require a Master electrical license at $30.00 per year and a Journeyman license at $15.00 per year. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. APPOINTMENT TO LIBRARY BOARD.

Sandy Payne moved to appoint Aldena Stowe to the Library Board. Linwood Gilliland seconded the motion and it carried unanimously.

IX. CITIZEN'S AGENDA.

A. Carolyn Green recommended that the councils in the Lake Cities area should honor retired volunteer Fire Chief Jerry McCutcheon for his years of service.

B. Donna Campbell requested that the City take immediate action to secure the burned house at 112 North Lakeview Drive and to have it cleaned up.

C. J.E. Stidham of 715 Cain Street was concerned about his 1973 El Camino that he had received on litter abatement letter. He has enclosed it in a carport and was informed that he had taken care of this matter.

X. PARK AND RECREATION.

A. Garry Bills reported on the activities of the Park Board.

XI. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy reported that she did not attend the last Planning and Zoning Commission meeting but that they had a public hearing on the proposed recreation ordinance and they also voted to recommend to City Council the passage of this ordinance.

XII. FIRE DEPARTMENT.

A. No report.

XIII. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XIV. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department and informed the Council that he had been informed by the Director of the 9-1-1 Emergency Communications District that Lake Dallas may received a P.S.A.P.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for November were reviewed.

B. Anne Kennedy moved to direct the City Secretary to pay those account due in the month of November. Garry Bills seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

None.

XVII. NEW BUSINESS.

None.

XVIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Garry Bills and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, JANUARY 11, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Anne Kennedy and seconded by Linwood Gilliland moved to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. PRESENTATION OF CERTIFICATE OF APPRECIATION.

The recipient, Mike Drozd, was not present.

V. PUBLIC HEARING: RECREATIONAL FACILITIES ORDINANCE

There was no public response.

VI. ORDINANCE REGULATING RECREATIONAL FACILITIES - ACTION.

After discussion, Garry Bills moved to send the ordinance regulating recreational facilities back to Planning and Zoning Commission. Linwood Gilliland seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

A. Ronny Kee reported to Council that the Code Enforcement

Officer had filed a complaint on him for parking vehicles on a grassy lot behind his house. He stated that he felt that this was better than leaving the vehicles on the street in front of his house. He requested the Council to look into the matter of the parking ordinance applying to empty residential lots.

B. Bill Gilliland informed the Council of free income tax services that are being provided to senior citizen's.

VIII. PARK AND RECREATION.

A. The Park Board did not have a meeting in December due to the holidays.

IX. PLANNING AND ZONING COMMISSION.

Councilmember Kennedy reported that she did not attend the last Planning and Zoning Commission meeting. She asked that another Councilperson attend the meetings because of an illness in her family and Sandy Payne volunteered.

X. FIRE DEPARTMENT.

Linwood Gilliland reported on the activities of the Lake Cities Volunteer Fire Department.

XI. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XII. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department and informed the Council that he had replaced the animal control officer.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for December were reviewed.

B. Linwood Gilliland moved to direct the City Secretary to pay those account due in the month of January. Sandy Payne seconded the motion and it carried unanimously.

C. The Municipal Court reports were reviewed.

XIV. OLD BUSNESS.

A. Anne Kennedy stated that she had received complaints about citizen's burning and she thought the Council had voted to ban any burning. She was informed that they had voted to support the Fire Chief at that time in this effort but that the new Fire Chief did not want to prohibit burning.

B. Sandy Payne stated that she would like for the City

to review all of the franchise agreements.

XV. NEW BUSINESS.

None.

XVI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, FEBRUARY 8, 1990

I. ROLL CALL.

The meeting was called to order with Chairman P.O. Byers presiding and all members present.

II. CONDEMNATION OF STRUCTURE AT 112 NORTH LAKEVIEW DRIVE.

Deborah Cawthon stated that she owned the property in question and had read about the condemnation in the paper. She was informed that the legal owner on the tax row was Wilburn Petty. She said that this was her father and that the property had been given to her. She further stated that she had talked to a builder about repairing the partially burned structure but would not have the money to have the work done until June, 1990. After discussion, Sandy Payne moved to postpone action on the condemnation until March 8, 1990 in order to allow Ms. Cawthon to bring her builder with her to the meeting and present definite plans for rebuilding. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. ADJOURNMENT - Action.

Anne Kennedy moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

P O Byers
P.O. BYERS, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, FEBRUARY 8, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Pro Tem P.O. Byers presiding and the following persons present:

P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Anne Kennedy and seconded by Sandy Payne to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. 1988-89 FISCAL YEAR AUDIT - MONTE PIPES.

Monte Pipes, city auditor reviewed the 1988-89 Fiscal Year Audit with the Council.

V. PETITION FOR REPLAT OF LOTS 6-12, BLOCK C, LAKEVIEW CAMP SUBDIVISION INTO ONE LOT.

Mr. Bud Hauptman, representing Mr. and Mrs. Joseph Bergan, presented the petition for replat of Lots 6-12, Block C, Lakeview Camp Subdivision. Anne Kennedy moved to approve the replat. Sandy Payne seconded the motion and it carried unanimously.

VI. PRESENTATION OF REQUEST FOR A RATE INCREASE.

James Loveday, manager of the local TU Electric office, presented a request for a 10.2% rate increase. He explained that the overrun of costs in building the Commanche nuclear power plant is a major factor in the rate increase. He presented

a copy of an ordinance that he said would delay the rate increase until the Public Utility Commission set rates.

VII. RESOLUTION AUTHORIZING THE STEERING COMMITTEE OF TU ELECTRIC SERVICE AREA CITIES TO RETAIN COUNSEL AND RATE CASE CONSULTANTS, AUTHORIZE PAYMENT OF TEN CENTS PER CAPITA TO JOIN THE STEERING COMMITTEE, AND SUSPEND PROPOSED TARIFF AND SCHEDULE OF RATES - ACTION.

Garry Bills moved to disapprove the resolution joining the Steering Committee of TU Electric Service Cities and suspending the proposed tariff and schedule of rates. P.O. Byers seconded the motion and the motion carried with the following votes: Ayes: Garry Bills, P.O. Byers, Linwood Gilliland, Sandy Payne. Noes: Anne Kennedy.

VIII. LAKE CITIES LIBRARY.

The Lake Cities Library annual report was received.

IX. CITIZEN'S AGENDA.

A. George Buchanan complained that the Code Enforcement had filed complaints on him while other violations went unnoticed. He was informed that all violations would be handled as soon as one part time person could get to them.
B. Bert Robertson complained that the owner of On The Road Again Wrecker Service had been rude to him when he got his vehicle out of their pound.

X. PARK AND RECREATION.

A. Carolyn Green gave the report on the January Park Board meeting stating that they were working on improvements in Willow Grove Park. They are also working on Garza Days and would like to dedicate and name the park behind the Community Center at that time.

XI. PLANNING AND ZONING COMMISSION.

Councilmember Payne reported that the Commission had agreed to change the Recreational Facility ordinance as requested by Council. Donna Hamilton informed the Council that this ordinance would be placed on the next Council agenda.

XII. FIRE DEPARTMENT.

The Fire Department reports were received.

XIII. STREET DEPARTMENT.

No report.

XIV. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for Janaury were reviewed.
B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of February. Anne Kennedy seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

XVII. NEW BUSINESS.

Anne Kennedy was concerned that the Council had not been informed when the Mayor was admitted to the hospital and stated that a citizen had expressed concern that the Mayor had been transported in a city vehicle. Donna Hamilton informed the Council that all employees, council members and other board members are covered under our liability insurance.

XVIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Garry Bills and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, FEBRUARY 15, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following person was absent:

Linwood Gilliland

II. RECREATIONAL FACILITY ORDINANCE - ACTION.

Garry Bills moved to pass an ordinance adding Chapter 5.24 to the Municipal Code; regulating recreational facilities; requiring a license thereof; setting hours of operation; prohibiting drugs and alcohol and prohibiting certain activities. The motion was seconded by Sandy Payne and carried unanimously.

III. TEXAS UTILITIES RATE INCREASE ORDINANCE - ACTION.

P.O. Byers moved to pass an ordinance approving rate schedules and service regulations for Texas Utilities Electric Company; providing an effective date therefor; providing conditions under which such rate schedules and service regulations may be changed, modified, amended or withdrawn; and finding and determining that the meeting at which this ordinance is passed is open to the public. Anne Kennedy seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

P.O. Byers moved to adjourn the meeting. Garry Bills seconded the motion and it carried. The meeting was adjourned at 7:45 P.M.

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

Ronald E. Honse
Ronald E. Honse, Mayor

CITY OF LAKE DALLAS
BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, MARCH 8, 1990

I. The meeting was called to order at 7:00 P.M with Mayor Pro Tem Byers presiding and the following persons present:

P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

Councilmember Garry Bills was absent.

II. CONDEMNATION OF STRUCTURE AT 112 N. LAKEVIEW DR.

Mrs. Wilburn Petty, owner of the property at 112 North Lakeview Drive, informed the Board that she has bids to repair the structure at the above address. She was asked if she would have any problem with the financing. She said that that would not be a problem. Anne Kennedy moved to give Mrs. Petty sixty days to obtain a building permit and make substantial improvements to the structure at 112 North Lakeview Drive. Sandy Payne seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and carried unanimously.

P O Byers
P.O. Byers, Chairman

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A CITY COUNCIL MEETING
HELD AT CITY HALL, MARCH 8, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Ronald Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

Councilmember Garry Bills was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. APPROVAL OF MINUTES.

It was moved by Anne Kennedy and seconded by P.O. Byers to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. APPOINTMENT OF MUNICIPAL COURT JUDGE

Sandy Payne moved to appoint Aniela Warren as Municipal Court Judge. Anne Kennedy seconded the motion and it carried unanimously.

V. RESOLUTION INVESTING LOCAL FUNDS IN TEXPOOL.

Donna Hamilton informed the Council that the City would be investing money along with the State of Texas. Sandy Payne requested a monthly statement if the City invests money in TexPool. Anne Kennedy moved to pass a resolution investing in TexPool. Sandy Payne seconded the motion and it carried unanimously.

VI. ORDER OF ELECTION.

Mayor Honse ordered that the general election would be held on May 5, 1990 to elect one mayor and two councilmembers. Absentee voting will be conducted at City Hall between the hours of 9:00 a.m. and 5:00 p.m. beginning on April 16, 1990 and ending on May 1, 1990. Applications for ballots by mail must be received no later than the close of business on April 27, 1990.

VII. RESOLUTION APPOINTING ELECTION OFFICERS.

Sandy Payne moved to appoint Aldena Stowe as Presiding Judge, Kathy Geisinger as Alternate Judge and Donna Hamilton as Absentee Clerk for a two year term ending March 8, 1992.

VIII. CITIZEN'S AGENDA.

A. Darlene Whitten introduced informed the Council that she is a candidate for County Court Judge and would appreciate their support.

IX. PARK AND RECREATION.

A. Donna Hamilton apologized that the Board minutes were not ready because they were received too late. Garry Bills was not present to give a liaison report.

X. PLANNING AND ZONING COMMISSION.

Councilmember Payne reported on the activities of the Planning and Zoning Commission.

XI. FIRE DEPARTMENT.

The Fire Department reports were received.

XII. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XIII. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for February were reviewed.
B. Linwood Gilliland moved to direct the City Secretary to pay those accounts due in the month of March. Anne Kennedy seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

Sandy Payne presented a list of code violations that are located in the same neighborhood as George Buchanan's residence. She wants to make sure that the City enforces the codes on these

properties since we did so with Mr. Buchanan.

XVII. NEW BUSINESS.

XVIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Sandy Payne and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, ~~MARCH 8~~, 1990
APRIL 12

I. The meeting was called to order at 7:#0 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Garry Bills, Councilmember
Donna Hamilton, City Secretary

Councilmember Linwood Gilliland was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Bills.

III. APPROVAL OF MINUTES.

It was moved by P.O. Byers and seconded by Anne Kennedy to approve the minutes as presented in writing by the City Secretary. The motion carried unanimously.

IV. MRS. ESTHER FRENCH - WILSON DRIVE EASEMENT.

After much discussion, the Council informed Mrs. French that she could rebuild a fence on the easement in front of her property with the understanding that it would be removed if so needed for utility purposes. Mrs. French agreed to wait until the house under construction adjacent to the easement was completed.

V. APPOINTMENT TO LAKE CITIES LIBRARY BOARD. .

Garry Bills moved to table this item. Anne Kennedy moved to second the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

A. Albert B. Robertson - Absent.

VIII. PARK AND RECREATION.

A. Council Bills announced that Garza Days will be held on May 12, 1990. Willow Grove Park and scheduled to open on May 11. He requested the City's assistance in keeping the

Community Center Park cleaned and mowed and that the Board would like to dedicate and name the park either Lake Dallas Community Center Park or Garza Pioneer Park.

a

IX. PLANNING AND ZONING COMMISSION.

Councilmember Payne reported on the activities of the Planning and Zoning Commission. The name of Mark Albro was submitted for appointment to the Commission. Anne Kennedy moved to table this item. Garry Bills seconded the motion and it carried unanimously.

X. FIRE DEPARTMENT.

XI. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XII. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department and presented the Council with a copy of the 1989 Uniform Crime Report for the Lake Dallas Police Department.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for March were reviewed.
B. P.O. Byers moved to direct the City Secretary to pay those accounts due in the month of April. Sandy Payne seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XIV. OLD BUSINESS.

GARRY BILLS
~~Sandy Payne~~ inquired about holding a workshop the discuss the salary step program. Donna Hamilton informed Council that she anticipates receiving the TML Salary Survey sometime in May.

XV. NEW BUSINESS.

XVI. ADJOURNMENT.

Anne Kennedy moved to adjourn the meeting. The motion was seconded by Sandy Payne and it carried unanimously. The meeting was adjourned at 9:00 P.M.

ATTEST:

Ronald E. Honse, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, MAY 10, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

There were no absences.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES.

Sandy Payne said that under Old Business it was Garry Bills who inquired about holding a workshop to discuss the salary step program instead of herself. Anne Kennedy moved to approve the minutes with the correction. Garry Bills seconded the motion and it carried unanimously.

IV. CITY OFFICERS ELECTION HELD MAY 5, 1990.

A. Mayor Honse and the City Council began the official canvass of the votes cast in the City Officers' Election held on May 5, 1990. It was determined that a total of 364 votes were cast as follows

FOR MAYOR:	
Ronald E. (Bill) Honse	109 votes
FOR COUNCIL:	
Bill Gilliland	79 votes
Sandy Payne	91 votes
P.O. Byers	85 votes

B. It was moved by Garry Bills, seconded by Linwood Gilliland and carried unanimously to pass a resolution accepting said election returns and declaring Ronald E. Honse as Mayor, and Sandy Payne and P.O. Byers as Councilmembers.

C. The City Secretary gave the newly elected Mayor and Councilmembers their Oaths of Office.

V. ELECTION OF MAYOR PROTEM.

Sandy Payne nominated P.O. Byers as Mayor ProTem. Linwood Gilliland seconded the motion. There were no further nominations and the motion carried unanimously.

VI. RESOLUTION APPROVING PURCHASE OF COPYING SYSTEM AND TYPEWRITERS.

Anne Kennedy moved to approve a resolution approving the purchase of one Mita copying system and two IBM typewriters. Sandy Payne seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

A. Carolyn Green expressed concern that the City required Electrical License for persons performing electrical work within the city and required proof of a license from another city. She stated that the city should consider offering the license test.

VIII. ADOPT A STREET - HUNDLEY DRIVE.

Donna Hamilton informed the Council that Girl Scout Troop #161 would like to adopt Hundley Drive and keep it free of litter. Garry Bills moved to approve the adopting of Hundley Drive by Girl Scout Troop #161 and to post a street sign so stating. Linwood Gilliland seconded the motion and it carried unanimously.

IX. PARK AND RECREATION.

Carolyn Green reported that the theme for Garza Days is "Doorway to a New Decade, Earth Day 1990". The parade will begin at 10:00 A.M. She also related that the Park Board would like to use some the money that was budgeted for improvements in Willow Grove Park and make further improvements at the Community Center Park.

X. PLANNING AND ZONING COMMISSION.

Anne Kennedy reported that the Commission did not have any recommendations for an appointment to the Commission. Mayor Honse stated that Yvonne Gilliland had expressed an interest in serving. Ms. Kennedy stated that they had also discussed a garage on Stadium Drive at Lakeview Drive that was operating commercially.

XI. FIRE DEPARTMENT.

Linwood Gilliland related that the Fire Department was

experiencing problems getting insurance because of the excessive costs. They are also having problems with one of the fire trucks.

XII. STREET DEPARTMENT.

Mayor Honse reported that we have applied for disaster relief funds to repair streets, the bridges on Shady Shores Road and Carlisle Drive, and Willow Grove Park.

XIII. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department. Mayor Honse asked Chief Hamilton to talk to Mr. Davenport about a complaint that students were parking on the side of the road at the High School and creating traffic problems.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for March were reviewed.
B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of May. Anne Kennedy seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

A. Appointment to Library Board: Anne Kennedy moved to appoint Ruth Switzer to the Park Board. Linwood Gilliland seconded the motion and it carried unanimously.

XVI. NEW BUSINESS.

A. Garry Bills questioned why work has not began on the condemned house at 112 N. Lakeview Drive. The Mayor said that he would ask the City Attorney what our recourse is.

B. Sandy Payne informed that Council of the recycling program that a group headed by Mindy Grimes has started.

XVII.. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Sandy Payne and it carried unanimously. The meeting was adjourned at 9:00 P.M.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, JUNE 14, 1990

I. The meeting was called to order at 7:30 P.M. with Mayor ProTem Byers presiding and the following persons present:

P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

Mayor Bill Honse was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES.

Anne Kennedy moved to approve the minutes as submitted in writing by the City Secretary. Sandy Payne seconded the motion and it carried unanimously.

IV. RESOLUTION DECLARING CERTAIN PROPERTY TAXES UNCOLLECTIBLE

Linwood Gilliland moved to place those property taxes shown in Exibit "A" in an uncollectible account. Anne Kennedy seconded the motion and it carried unanimously.

V. ORDINANCE PROVIDING FOR EXTENDED HOURS FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

Garry Bills moved to disapprove an ordinance providing for extended hours for the sale and consumption of alcoholic beverages. Linwood Gilliland seconded the motion and it carried unanimously.

VI. BOARD OF ADJUSTMENT.

The Council was informed that the Attorney General has ruled that City Council should not serve as the Board of Adjustment. This matter will be referred the the City Attorney.

VII. CITIZEN'S AGENDA.

None.

VIII. PARK AND RECREATION.

Les Lorimer reported that Garza Days was a success and that the upcoming Fourth of July Fireworks will be bigger and better than ever.

IX. PLANNING AND ZONING COMMISSION.

Anne Kennedy reported that the Commission did not have a meeting due to a lack of quorum. The City Secretary informed her that a quorum consists of at least three members which they did have. Ms. Kennedy stated Commissioners were upset with Commissioner Sherry Gaines because she has not shown interest in the Commission. The City Council instructed the City Secretary to send Ms. Gaines a letter asking her to become more responsive or resign. Anne Kennedy will contact Aldena Stowe about becoming a Commission member.

X. FIRE DEPARTMENT.

Linwood Gilliland related that the Fire Department was experiencing problems remaining within their truck maintenance budget.

XI. STREET DEPARTMENT.

Donna Hamilton informed the Council that the City will receive approximately $15,000.00 in disaster relief funds to repair streets. The bridge on Shady Shores Road and Willow Grove Park have been placed in suspension until the water subsides.

XIII. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for May were reviewed.
B. Linwood Gilliland moved to direct the City Secretary to pay those accounts due in the month of June. Sandy Payne seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

A. It was discussed that the house at 112 North Lakeview Drive has began removal and repair.

B. Sandy Payne informed the Council of the recycling bins located on LDISD property just south of the baseball field on Falcon Drive.

XVI. NEW BUSINESS.

A. Anne Kennedy questioned why persons cannot drive past the barricades on Shady Shores Drive.
B. P.O. Byers reported on the Mayor's meeting that he recently attended in Corinth.

XVII.. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Anne Kennedy and it carried unanimously. The meeting was adjourned at 8:30 P.M.

P O Byers
P.O. Byers, Mayor ProTem

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, JUNE 15, 1990

I. The meeting was called to order at 7:00 P.M. with Mayor ProTem Byers presiding and the following persons present:

P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Donna Hamilton, City Secretary

Mayor Bill Honse was absent.

II. WORKSHOP.

A. The City Council reviewed the 1989-90 Budget which is on schedule.
B. The Salary Scale was discussed and Garry Bills volunteered to draw up some proposed salary plans. Chief Hamilton asked the Council to consider a one year probationary period for new employees and they agreed to place it on the July Council agenda. The need for a emergency generator was discussed and Garry Bills offered to look for a used one.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Garry Bills and it carried unanimously. The meeting was adjourned at 9:30 P.M.

P O Byers
P.O. Byers, Mayor ProTem

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, JULY 12, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTe
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Garry Bills, Councilmember
Donna Hamilton, City Secretary

Linwood Gilliland was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Bills.

III. APPROVAL OF MINUTES.

Anne Kennedy moved to approve the minutes. Sandy Payne seconded the motion and it carried unanimously.

IV. PROBATION TIME FOR NEW EMPLOYEES.

Anne Kennedy moved to change the probation period for new employees from six months to one year. Sandy Payne seconded the motion and it carried unanimously.

V. CONTRACT WITH TAX ATTORNEYS.

Sandy Payne moved to pass a resolution authorizing the Mayor to sign a contract with Huke & Burroughs, P.C. to enforce by suit or otherwise the collection of all delinquent ad valorem taxes, penalty and interest.

V. CITIZEN'S AGENDA.

VI. PARK AND RECREATION.

Garry Bills said that Les Lorimer had informed him a few of the Park Board members were suffering burn-out on the Board. It was a consensus of opinion that the Foreworks Show was a big success.

VII. PLANNING AND ZONING COMMISSION.

A. Anne Kennedy reported that the Commission met and are recommending Aldena Stowe as a new Commissioner.

B. Anne Kennedy moved to appoint Aldena Stowe to the Planning and Zoning Commission. Sandy Payne seconded the motion and it carried unanimously.

IX. FIRE DEPARTMENT.

No report.

XII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department has been busy laying asphalt.

XI. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department.

XII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for June were reviewed.
B. Sandy Payne moved to direct the City Secretary to pay those accounts due in the month of July. Garry Bills seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XIII. OLD BUSINESS.

A. Chief Hamilton informed the Council that 9-1-1 was suppose to come on line around August 11, 1990 and that it would cost somewhere between $1500.00 and $1700.00 for the electrical work for our PSAP. We will also need to put in a wider door and a small air-conditioner.

B. Council decided to still have a budget workshop on July 19 at 7:30 P.M.

C. Sandy Payne solicited the Councils aid in locating a site for the recycling center.

XIV. NEW BUSINESS.

A. Mayor Honse asked the Council to start thing about a bond election to make major road improvements within the City.

XV. ADJOURNMENT.

P.O. Byers moved to adjourn the meeting. The motion was seconded by Garry Bills and it carried unanimously. The meeting was adjourned at 8:25 P.M.

Ronald E Honse

RONALD E. HONSE, MAYOR

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR CITY COUNCIL MEETING
HELD AT CITY HALL, AUGUST 9, 1990

I. The meeting was called to order at 7:30 P.M with Mayor Bill Honse presiding and the following persons present:

Ronald E. Honse, Mayor
Anne Kennedy, Councilmember
Linwood Gilliland
Sandy Payne, Councilmember
Garry Bills, Councilmember
Donna Hamilton, City Secretary

P.O. Byers was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Councilmember Gilliland.

III. APPROVAL OF MINUTES.

Anne Kennedy moved to approve the minutes. Sandy Payne seconded the motion and it carried unanimously.

IV. ANIMAL CONTROL CONTRACT WITH TOWN OF CORINTH.

Sandy Payne moved to pass a resolution approving a contract with the Town of Corinth for animal control services. The motion was seconded by Linwood Gilliland and carried unanimously.

V. ANIMAL CONTROL CONTRACT WITH TOWN OF HICKORY CREEK.

Linwood Gilliland moved to pass a resolution approving a contract with the Town of Hickory Creek for animal control services. The motion was seconded by Anne Kennedy and carried unanimously.

VI. DISPATCH CONTRACT WITH THE TOWN OF CORINTH.

Anne Kennedy moved to approve a contract for dispatch services for the Town of Corinth. The motion was seconded by Linwood Gilliland and carried unanimously.

VII. DISPATCH CONTRACT WITH TOWN OF HICKORY CREEK.

Linwood Gilliland moved to approve a contract for dispatch services for the Town of Hickory Creek. The motion was seconded

by Sandy Payne and carried unanimously.

VIII. APPOINTMENT OF LIBRARY BOARD MEMBER.

Garry Bills moved to appoint Cleo Murray to the Lake Cities Library Board. The motion was seconded by Linwood Gilliland and carried unanimously.

IX. PURCHASE ORDER FOR THREE POLICE CARS ON STATE CONTRACT.

Anne Kennedy moved to approve purchase order for three 1991 Ford Crown Victoria police cars on the State contract. Garry Bills seconded the motion and the motion passed with the follow vote. Ayes: Anne Kennedy, Garry Bills, Mayor Honse. Nays: Linwood Gilliland, Sandy Payne.

X. CITIZEN'S AGENDA.

A. David Walsh of #11 Live Oak, Hickory Creek complained about gas prices being raised by merchants in Lake Dallas.

XI. PARK AND RECREATION.

XII. PLANNING AND ZONING COMMISSION.

A. Anne Kennedy reported that the Commission met but there is not much activity at this time.

XIII. FIRE DEPARTMENT.

The financial report was received.

XIV. STREET DEPARTMENT.

Mayor Honse reported that the Street Department is laying concrete at the intersections on Overly Drive.

XV. POLICE DEPARTMENT.

Chief Hamilton gave a report on the activities of the Police Department.

XVI. ADMINISTRATIVE DEPARTMENT.

A. The financial reports for July were reviewed.
B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of July. Sandy Payne seconded the motion and it carried unanimously.
C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

A. Sandy Payne inquired if anyone had thought of a location for the the recycling containers. Mayor Honse related that he had spoke to a representative of M K & T about using their right of way but his request was denied.
a wider door and a small air-conditioner.

B. It was a consensus of opinion to hold budget workshops on August 16 and 17 at 7:30 P.M.

XVIII. NEW BUSINESS.

XIX. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Anne Kennedy and it carried unanimously. The meeting was adjourned at 9:12 P.M.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 13, 1990

I. ROLL CALL.

The meeting was called to order by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

There were no members absent.

II. PUBLIC HEARING: 1990-91 FISCAL BUDGET.

Mayor Honse called for public comments on the 1990-91 Budget and there were none.

III. Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and carried unanimously. The meeting was adjourned at 7:30 P.M.

RONALD E. HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
SEPTEMBER 13, 1990

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. MINUTES.

Sandy Payne moved to approve the minutes of the August 9, 1990 meeting. Garry Bills seconded the motion and it carried unanimously.

IV. ORDINANCE ADOPTING THE 1990-91 FISCAL YEAR BUDGET.

P.O. Byers moved to adopt the 1990-91 Fiscal Year Budget in the amount of $948,675. The motion was seconded by Garry Bills and carried unanimously.

V. ORDINANCE APPROVING 1990 APPRAISAL ROLLS AND LEVYING AN AD VOLOREM TAX ON PROPERTIES.

P.O. Byers moved to approve the 1990 Appraisal Rolls and levy a tax rate of $ .4276 per hundred dollars valuation. The motion was seconded by Linwood Gilliland and carried unanimously.

VI. ORDINANCE ADOPTING TMRS UPDATED SERVICE CREDITS.

It was moved by Linwood Gilliland and seconded by Anne Kennedy to adopt "Updated Service Credits". The motion carried unanimously.

VII. ELECTION OF TRUSTEES TO TML INTERGOVERNMENTAL RISK POOL BOARD OF DIRECTORS.

It moved by Anne Kennedy and seconded by Linwood Gilliland to cast votes for Saul Ramirez and L. Don Dodson to service on the TML Intergovernmental Risk Pool Board of Directors. The motion carried unanimously.

VIII. REQUEST FOR EXTENSION OF TIME ON THE REMOVAL OF TWO JUNK VEHICLES FROM 5411 KINGS MANOR DRIVE.

It was moved by Anne Kennedy to allow Jay M. Fuller thirty days to remove the 1982 Ford and sixty days to remove or repair the 1974 Dodge. The motion was seconded by Linwood Gilliland and carried unanimously.

IX. REQUEST FOR RATE INCREASE BY TEXAS WASTE MANAGEMENT.

Waynard Hyde of Texas Waste Management requested a four percent increase in garbage rates due to increase in fuel costs. Sandy moved to approve a four percent increase. The motion was seconded by Linwood Gilliland and carried unanimously.

X. CITIZEN'S AGENDA.

The was not any citizen participation.

XI. PARK & RECREATION.

Les Lorimer, Chairman of the Park Board, stated that the Park Board would like to see Willow Grove Park re-opened by the City without making major improvements. He also requested the City to maintain the Community Center Park and make improvements there.

XII. PLANNING & ZONING.

Anne Kennedy reported on the Planning and Zoning Commission stating that Sherry Gaines had resigned and they would need to replace her. She said that Bob Geisinger had been nominated as Vice-Chairman.

XIII. FIRE DEPARTMENT.

Mayor Honse reported that the Fire Department was considering the formation of an advisory committee with one non-political representative from each city.

XIV. STREET DEPARTMENT.

Mayor Honse reported that the Street Department had completed their work on Overly Drive and were currently replacing the fence around the City Barn.

XV. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XVI. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Anne Kennedy moved to direct the City Secretary to pay those accounts due in the month of September. The motion was seconded by Garry Bills and carried unanimously.

C. The Municipal Court reports were reviewed.

XVII. OLD BUSINESS.

A. Anne Kennedy stated that there had been a traffic problem this past weekend at Denton Drive and Hundley Drive due to a garage sale.

B. Garry Bill stated their was a visual problem at Carlisle Drive and Denton Drive due to a sign and cars parked at the American Legion. Mr. Bills also inquired about the house at 301 South Lakeview Drive stating that they had not made any improvements for over a month and that their allotted time had expired. He wants to City to confer with the City Attorney about taking further action.

XVIII. NEW BUSINESS.

A joint meeting with the Park Board was discussed but a date was not set.

VIII. ADJOURNMENT.

P.O. Byers moved to adjourn the meeting. The motion was seconded by Anne Kennedy and it carried unanimously.

Ronald E Honse

RONALD E. HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, OCTOBER 11, 1990

I. ROLL CALL.

The meeting was called to order with Chairman P.O. Byers presiding and all members present.

II. CONDEMNATION OF STRUCTURE AT 112 NORTH LAKEVIEW DRIVE.

Mrs. Wilburn Petty, the owner of the property in question stated that she had stopped working on the house because she was told by the building inspector, Jon Katz, that he needed to inspect the framing before she did any further work. She further stated that she had not been able to get hold of him to make the inspection and was not aware that he no longer worked for the City until she responded to her latest letter from the City. After discussion, Linwood Gilliland moved to allow Mrs. Petty an additional sixty days to bring the house up to standards. Sandy Payne seconded the motion and it carried with the following vote: Ayes: Linwood Gilliland, Sandy Payne and Anne Kennedy; Noes: Garry Bills.

III. ADJOURNMENT - Action.

Anne Kennedy moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

P.O. Byers
P.O. BYERS, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
OCTOBER 11, 1990

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
P.O. Byers, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Anne Kennedy moved to approve the minutes of the September 13, 1990 meeting. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ORDINANCE ADOPTING FRANCHISE AGREEMENT WITH LONE STAR GAS COMPANY.

Mr. Jack Locke, Manager of Lone Star Gas Company, presented the proposal for a franchise agreement natural gas. P.O. Byers moved to adopt the ordinance granting Lone Star Gas Company a franchise. Anne Kennedy seconded the motion and it carried unanimously.

V. REQUEST FOR EXTENSION OF TIME ON THE REPAIR OF ONE JUNK VEHICLE FROM 220 NORTH LAKEVIEW DRIVE.

It was moved by Anne Kennedy and seconded by Linwood Gilliland to allow Ron Schacht an additional thirty days to repair the 1977 Camaro located at 220 North Lakeview Drive. The motion carried unanimously.

VI. RESOLUTION APPROVING THE 1990-91 OPERATING BUDGET FOR THE DENCO 9-1-1 DISTRICT.

It was moved by Sandy Payne and seconded by Garry Bills to approve the 1990-91 Operating Budget for the Denco 9-1-1

District. The motion carried unanimously.

VII. ELECTION OF TRUSTEE TO THE DENCO AREA 9-1-1 BOARD OF MANAGERS.

It was moved by Sandy Payne and seconded by Linwood Gilliland to cast votes for David Purifoy to the Denco Area Board of Managers. The motion carried unanimously.

VIII. CITIZEN'S AGENDA.

There was not any citizen participation.

IX. PARK & RECREATION.

There was not a Park and Recreation Board meeting in September.

X. PLANNING & ZONING.

A. Anne Kennedy reported on the Planning and Zoning Commission stating that they were recommending R.B. Cox as an appointee to the Commission.

B. Linwood Gilliland moved to appointment R.B. (Bruce) Cox to the Planning and Zoning Commission. Sandy Payne seconded the motion and it carried unanimously.

XI. FIRE DEPARTMENT.

Linwood Gilliland reported that the Fire Department needed the funding to repair fire trucks particularly since one had received damages in a recent fire.

XII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department has a new fence around their compound and a new floor in the shop.

XIII. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of October. The motion was seconded by Linwood Gilliland and carried unanimously.

C. The Municipal Court reports were reviewed.

XVII. OLD BUSINESS.

None.

XVIII. NEW BUSINESS.

A. Sandy Payne stated the Code Enforcement Officer needs to inspect a mobile located in Davis Mobile Home Park.

B. Linwood Gilliland suggested that the City consider allowing persons to have garage sales only on certain days each year.

VIII. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting. The motion was seconded by Garry Bills and it carried unanimously.

Ronald E. Honse

RONALD E. HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, NOVEMBER 8, 1990

I. ROLL CALL.

The meeting was called to order with Chairman P.O. Byers presiding and all members present.

II. CONDEMNATION OF STRUCTURE AT 213 ALAMO.

Kevin Scholl, the owner of the property in question, inquired about Certificate of Occupancies. He said that he would need at least three months to remove the structure at 213 Alamo. He was informed that it would reduce his tax liability if the structure was removed before January 1. He felt that he might not be able to remove it that fast. Garry Bills moved to condemn the structure located at 213 Alamo and allow Mr. Scholl three months to remove the building and clear the lot. Anne Kennedy seconded the motion and it carried unanimously.

III. ADJOURNMENT - Action.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

P.O. Byers
P.O. BYERS, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
NOVEMBER 8, 1990

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor ProTem P.O. Byers with the following persons present:

P.O. Byers, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Sandy Payne moved to approve the minutes of the October 11, 1990 meeting. Garry Bills seconded the motion and it carried unanimously.

IV. RESOLUTION AUTHORIZING THE PURCHASE OF TWO 1990 DODGE RAM PICKUPS AND AUTHORIZING MAYOR TO EXECUTE LOAN.

Linwood Gilliland moved to authorize the purchase of two 1990 Dodge Ram pickups and authorize the Mayor to execute a loan agreement with Lake Cities State Bank for the purchase price. THE MOTION WAS SECONDED BY GARRY BILLS AND CARRIED UNANIMOUSLY

V. NOMINATION OF CANDIDATE FOR APPOINTMENT TO THE APPRAISAL REVIEW BOARD.

Anne Kennedy moved to postpone the nomimation of a candidate. Garry Bills seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

A. Linda Gentilo, 5414 Prince Drive, stated that there were serious problems with persons speeding on Prince Drive. Chief Hamilton said that patrol had been watching this street but had been unable to catch these persons. The City agreed to check with legal counsel on the possibility of reducing speed limits and/or putting speed bumps in the street.

B. Robby Houghton inquired if the City had any plans to pave Pembrook. He said that he and some of his neighbors are willing to share in the costs.

VII. PARK & RECREATION.

The Council agreed to have a workshop with the Park Board on January 24, 1991.

VIII. PLANNING & ZONING.

A. Anne Kennedy reported on the Planning and Zoning Commission stating that they did not have any activity.

IX. FIRE DEPARTMENT.

Linwood Gilliland reported that he was uanable to attend the Fire Department meeting but presented a written report by Chief McCurley.

X. STREET DEPARTMENT.

None.

XI. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Anne Kennedy moved to direct the City Secretary to pay those accounts due in the month of October. The motion was seconded by Linwood Gilliland and carried unanimously.
C. The Municipal Court reports were reviewed.

XIII. OLD BUSINESS.

None.

XIV. NEW BUSINESS.

None.

XV. ADJOURNMENT.

Anne Kennedy moved to adjourn the meeting. The motion was seconded by Sandy Payne and it carried unanimously.

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

P.O. BYERS, MAYOR PROTEM

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, DECEMBER 13, 1990

I. ROLL CALL.

The meeting was called to order with Bill Honse presiding and P.O. Byers absent.

II. PUBLIC HEARING: PETITION OF ROBERT F. MEADOWS, VARIANCE ON BUILDING SETBACKS AT 401 STOCKARD.

Robert (Rusty) Meadows presented his request for a variance on building setbacks on the side and rear yards in construct a storage building and a garage. Two letters from area property owners were received with one for the proposal and one against. Ms. Glidewell, 302 Stockard, wanted clarification of requested variance. When it was explained that the variance was for side and rear yard setbacks, she said okay. After discussion, the public hearing was closed.

III. VARIANCE FROM ORDINANCE NO. 25, REAR AND SIDE YARD SETBACKS TO CONSTRUCT A STORAGE BUILDING AND A GARAGE AT 401 STOCKARD.

Anne Kennedy moved to grant a variance to Robert Meadows to allow him to construct a storage building on the rear lot line and to construct a garage on the rear and side lot lines. Sandy Payne seconded the motion and it carried unanimously.

III. ADJOURNMENT - Action.

Garry Bills moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously.

Ronald E. Honse
RONALD E. (BILL) HONSE

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
DECEMBER 13, 1990

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

Mayor ProTem P.O. Byers was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Garry Bills moved to approve the minutes of the November 8, 1990 meeting with the following correction to item IV: "The motion was seconded by Garry Bills and carried unanimously". Linwood Gilliland seconded the motion and it carried unanimously.

IV. REQUEST BY DAVID SHERSHEN FOR AN EXTENSION ON THE REMOVAL OR REPAIR OF 1980 FORD LOCATED AT 166 KINGSWOOD DRIVE WHICH IS IN VIOLATION OF JUNK VEHICLE CODE.

Mr. Shershen appealed for an extension of time or be allowed to cover above car with tarp because the owner of the vehicle was in the armed services in Saudi Arabia. Mayor Honse offered space in his garage to store the vehicle and Mr. Shershen agreed.

V. REPORT BY CHIEF HAMILTON ON THE POSSIBILITY OF PLACING SPEED BUMPS AND/OR REDUCING THE SPEED LIMITS ON PRINCE DRIVE.

Chief Hamilton consulted with the Texas Municipal League legal counsel about placing speed bumps on Prince Drive and they advised against this because of the liability. He further stated that the City could reduce the speed limit by ordinance. The Mayor agreed to place two thirty mile per hour speed limit

signs on Prince Drive.

VI. CITIZEN'S AGENDA.

A. Rick Marney, who asked to be placed on the agenda, was not present.

VII. PARK & RECREATION.

No Report.

VIII. PLANNING & ZONING.

A. The Zoning Commission is to start working on upgrading of the zoning map.

IX. FIRE DEPARTMENT.

Linwood Gilliland reported that Lake Dallas was the only city to accept the Fire Department budget as presented. The repair of fire trucks was discussed and Mr. Gilliland will check further on this matter.

X. STREET DEPARTMENT.

Mayor Honse reported that the Street Department have been cleaning out culvert and repairing street at bus accident site. They will pick up paper stacked outside dumpster at recycling location.

XI. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department. Sandy Payne inquired if there was any gang activity in Lake Dallas. Chief Hamilton reported that there had been some activity but the police department had been able to handle it. He reported that the new cars were in and had been equipped.

XII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Sandy Payne moved to direct the City Secretary to pay those accounts due in the month of December. The motion was seconded by Linwood Gilliland and carried unanimously.

C. The Municipal Court reports were reviewed.

XIII. OLD BUSINESS.

Mayor Honse reported on the condemnation of mobile homes in Davis Mobile Home Park.

XIV. NEW BUSINESS.

Workshops to discuss the street bond issue will be held in the near future.

XV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and it carried unanimously.

Ronald E. Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
JANUARY 10, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Donna Hamilton, City Secretary

With Mayor ProTem absent the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. MINUTES.

Garry Bills moved to approve the minutes of the December 13, 1990 meeting. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CONTRACT WITH CAPITAL ASSISTANCE GROUP FOR THE COLLECTION OF WARRANTS.

Kenny Hansmire, address the council on the services that Capital Assistance Group would provide the city under the proposed contract. After further discussion, Sandy Payne moved to approve the contract with Capital Assistance Group. Anne Kennedy seconded the motion and it carried unanimously.

V. DISCUSSION WITH CHRIS JANNING OF FIRST SOUTHWEST COMPANY REGARDING BOND ISSUE.

Chris Janning, First Southwest Company, informed the Council of the steps they would need to take if they should pursue a bond issue.

VI. CITIZEN'S AGENDA.

None.

VII. PARK & RECREATION.

The Park Board did not hold a meeting in December. Council was reminded of their workshop with the Park Board on January 24, 1991 at 7:30 P.M.

VIII. PLANNING & ZONING.

The Planning & Zoning Commission did not have a meeting on January 3, 1991 due to lack of a quorum.

IX. FIRE DEPARTMENT.

The revised Fire Department budget was discussed.

X. STREET DEPARTMENT.

Mayor Honse reported on the Street Department activities stating that they were unable to patch potholes due to weather.

XI. POLICE DEPARTMENT.

Chief Hamilton presented an annual crime report to the Council.

XII. ADMINISTRATIVE DEPARTMENT.

A. The monthly financial reports were reviewed.
B. Anne Kennedy moved to authorize the City Secretary to pay all accounts due in the month of January. Garry Bills seconded the motion and it carried unanimously.
C. The monthly Municipal Court reports were reviewed.

XIII. NEW BUSINESS.

1. Garry Bills inquired about the status of the substandard mobile home in Davis Mobile Home Park.
2. Sandy Payne stated that she has come to the conclusion that the glass recycling bin is not working because people continue to place papers and other matter outside the bin. She will contact Gail Marney and the bin will be removed.

XIV. OLD BUSINESS.

1. Mayor Honse related that the Lake Cities Bible Church had requested to place a temporary modular building at 315 Carlisle Drive. It was determined that they needed to apply for a Special Use Permit.
2. A workshop meeting on street bonds in addition to meeting with the Park Board, will be held on January 24, 1991.

XV. ADJOURNMENT.

Anne Kennedy moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A SPECIAL WORKSHOP MEETING
HELD AT CITY HALL, JANUARY 24, 1991

I. ROLL CALL.

The meeting was called to order with Mayor Honse presiding and all members present.

II. WORKSHOP WITH THE PARK BOARD.

A. Willow Grove Park.

The Park Board expressed a desire to continue operations at Willow Grove Park and the City Council agreed. The Mayor and City Secretary are to contact the Army Corps of Engineers to renew the park contract.

B. Community Center Park.

The Park Board informed the Council that the playground equipment needed to be repaired or replaced and the perimeter beam needed to be filled with pea gravel. They also said that the park should have a maintenance schedule. A grant through the Texas Parks and Wildlife Department was discussed and Sandy Payne agreed to check this out. The Council will meet again with the Park Board on February 28, 1991.

III. WORKSHOP ON STREET BOND ISSUE.

The Mayor reported that the engineering fees on the street improvements will cost approximately $40,000.00. It was decided to call the bond issue along with the General Election on May 4.
The Mayor will contact First Southwest Financial Advisors. It was decided to meet in a workshop session with the Planning and Zoning Commission to discuss the construction of a new City Hall Building.

III. ADJOURNMENT - Action.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

Ronald E Honse
RONALD E. (BILL) HONSE

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MINUTES OF A SPECIAL CITY COUNCIL MEETING
HELD AT CITY HALL, FEBRUARY 7, 1991

I. ROLL CALL.

The meeting was called to order with Bill Honse presiding and P.O. Byers and Anne Kennedy absent.

II. JOINT WORKSHOP WITH THE PLANNING AND ZONING COMMISSION.

Mayor Honse informed the Planning and Zoning Commission that the City plans to hold a bond election in May to improve all of the streets and make drainage improvements.

Chris Janning of First Southwest Company presented information relating the impact a bond issue would have on the tax rate and some possible exemptions for over sixty-five of age property owners.

Mayor Honse also informed the Commission that the City is in the planning stages to construct a new building to house both the City Hall and Police Department.

III. The Council recessed at 8:30 P.M. to allow the Planning and Zoning Commission to continue their regular meeting and recessed at 8:45 P.M.

IV. PROPOSED CITY HALL BUILDING.

The Council discussed the proposed City Hall Building. Mayor Honse estimates the cost will be between $220,000. and $250,000. The Council agreed to hire Charles Little as the architect at a cost of $9,400.

III. ADJOURNMENT - Action.

Garry Bills moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously.

Ronald E. Honse
RONALD E. (BILL) HONSE

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
FEBRUARY 14, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

Mayor ProTem P.O. Byers was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of the January, 1991 meetings. Sandy Payne seconded the motion and it carried unanimously.

IV. CONSIDER ADOPTION OF RECORDS MAINTENANCE ORDINANCE.

Sandy Payne moved to adopt the Records Maintenance ordinance. The motion was seconded by Garry Bills and carried unanimously.

V. ORDER OF CITY OFFICERS' ELECTION.

Mayor Honse ordered that an election be held on May 4, 1991 to elect three persons to serve on City Council.

VI. CONSIDERATION OF ALL MATTERS INCIDENT AND RELATED TO CALLING AND HOLDING A BOND ELECTION.

A. Garry Bills moved that Fulbright & Jaworski, Dallas, Texas be employed as bond attorneys and First Southwest Company, Dallas, Texas be employed as Financial Advisor, on a contingency basis in connection with a bond election and bond sales to be approved by the City Council. Sandy Payne seconded the motion and it carried unanimously.

B. Chris Janning of First Southwest Company read a resolution call a bond election, for street and drainage improvements, to be held on May 4, 1991. Sandy Payne moved that a bond election be called in accordance with the election order just read and that a copy of the election order be placed in the minutes of the City Council. Garry Bills seconded and the motion carried unanimously.

VII. CITIZEN'S AGENDA.

None.

VIII. LAKE CITIES LIBRARY.

The Council received the annual report.

IX. PARK & RECREATION.

The Council reviewed their joint meeting with the Park Board. Donna Hamilton informed the Council that she had requested the Corp of Engineers to renew the lease contract on Willow Grove Park.

X. PLANNING & ZONING.

The Planning and Zoning Commission minutes were received.

XI. FIRE DEPARTMENT.

Linwood Gilliland reported that the Fire Department is repairing the tank on the LaFrance fire truck.

XII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department has been grading and placing gravel on the streets in Oak Lakes Subdivision.

XIII. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Sandy Payne moved to direct the City Secretary to pay those accounts due in the month of February. The motion was seconded by Linwood Gilliland and carried unanimously.

C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

Garry Bills inquired about the condemnation of mobile homes in Davis Mobile Home Park.

XVI. NEW BUSINESS.

Chief Hamilton asked the Council to consider changing the names of Denton Street and Denton Avenue due to the confusion during emergency calls. This project will be passed to the Planning and Zoning Commission.

XV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

less than fourteen (14) full days prior to the day of the election.

PASSED AND APPROVED, this the 14th day of February, 1991.

Mayor, City of Lake Dallas, Texas

ATTEST:

City Secretary, City of
Lake Dallas, Texas

(City Seal)

4044J

CERTIFICATE OF CITY SECRETARY

THE STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF LAKE DALLAS §

I, the undersigned, City Secretary of the City of Lake Dallas, Texas, DO HEREBY CERTIFY as follows:

1. That on the 14th day of February 1991, a regular meeting of the City Council of the City of Lake Dallas, Texas, was held at a meeting place within the City; the duly constituted members of the Council being as follows:

BILL HONSE		MAYOR
P. O. BYERS	)	MAYOR PRO TEM
ANNE KENNEDY	)	
GARRY BILLS	)	
LINWOOD GILLILAND	)	COUNCILMEMBERS
SANDY PAYNE	)	

and all of said persons were present at said meeting, except the following: P.O. Byers & Anne Kennedy. Among other business considered at said meeting, the attached resolution entitled:

"A RESOLUTION ordering a bond election to be held in the City of Lake Dallas, Texas, making provision for the conduct of the election and resolving other matters incident and related to such election."

was introduced and submitted to the Council for passage and adoption. After presentation and due consideration of the resolution and, upon a motion made by Sandy Payne and seconded by Garry Bills, the resolution was duly passed and adopted by the Council to be effective immediately by the following vote:

3 voted "For" 0 voted "Against" 0 abstained

all as shown in the official Minutes of the Council for the meeting held on the aforesaid date.

2. That the attached resolution is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the City Council of said City on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of the meeting was given to each member of the Council; and that said meeting, and the deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the above-entitled resolution, was posted and given in advance thereof in compliance with the provisions of Article 6252-17, Section 3A, V.A.T.C.S.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of said City, this the 14th day of February, 1991.

Donna Hamilton
City Secretary
City of Lake Dallas, Texas

(City Seal)

4048J

A RESOLUTION ordering a bond election to be held in the City of Lake Dallas, Texas, making provision for the conduct of the election and resolving other matters incident and related to such election.

WHEREAS, the City Council of the City of Lake Dallas, Texas hereby finds that an election should be held to determine whether said governing body shall be authorized to issue bonds of said City in the amount and for the purpose hereinafter identified; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION 1: An election shall be held on the 4th day of May, 1991 in the City of Lake Dallas, Texas, which date is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption hereof and is a uniform election date pursuant to V.T.C.A, Election Code, Section 41.001, for the purpose of submitting the following measure:

"SHALL the City Council of the City of Lake Dallas, Texas, be authorized to issue general obligation bonds of the City in the principal amount of $5,000,000 for constructing street improvements, including drainage improvements incidental thereto; such bonds to mature serially or otherwise over a period not to exceed FORTY (40) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

SECTION 2: Paper ballots shall be used for said election, which ballots shall be prepared in accordance with the V.T.C.A. Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

"THE ISSUANCE OF $5,000,000 GENERAL
OBLIGATION BONDS FOR STREET IMPROVEMENTS"

SECTION 3: The entire City shall constitute one election precinct for this election and the Community Center, 302 S. Shady Shores, Lake Dallas, Texas is hereby designated the polling place. The persons hereby appointed to serve as the election officers at said polling place are as follows:

ALDENA STOWE	PRESIDING JUDGE
KATHY GEISINGER	ALTERNATE PRESIDING JUDGE

The Presiding Judge shall appoint not less than two (2) nor more than nine (9) qualified clerks to serve and assist in holding said election; provided that if the Presiding Judge herein appointed actually serves, the Alternate Presiding Judge shall be one of the clerks.

On election day, the polls shall be open from 7:00 A.M. to 7:00 P.M.

Absentee voting shall be conducted at the City Secretary's office in the City Hall, 303 Alamo Street, in accordance with the provisions of V.T.C.A., Election Code.

For purposes of processing ballots cast in absentee voting, the precinct election officers serving at the aforesaid polling place shall serve as the absentee ballot board for this election.

SECTION 4: All resident qualified electors of the City shall be permitted to vote at said election. This election shall be held and conducted in accordance with the provisions of V.T.C.A., Election Code and Chapter 1 of Title 22, V.A.T.C.S., and as may be required by law, all election materials and proceedings shall be printed in both English and Spanish.

SECTION 5: A substantial copy of this resolution shall serve as proper notice of said election. Said notice, including a Spanish translation thereof, shall be posted at three (3) public places within the City and at the City Hall not less than fourteen (14) full days prior to the date on which said election is to be held, and be published on the same day in each of two successive weeks in a newspaper of general circulation in said City, the first of said publications to appear in said newspaper not more than thirty (30) days and not

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
FEBRUARY 28, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor ProTem P.O. Byers and Anne Kennedy absent the following business was transacted:

II. JOINT WORKSHOP WITH THE PARK BOARD.

Gifford Long showed pictures of some playground equipment that he recommends for the Community Center Park. Donna Hamilton is to contact equipment companies in an attempt to get competitive pricing. Since the cost of this playground equipment will almost deplete the park budget for this year, major improvements in Willowgrove Park will be postponed until 1992.

III. AUDIT REPORT - MONTE PIPES, CPA.

Monte Pipers presented the audit report for the fiscal year 1989-90. He informed the Council that there were no discrepancies and that the City's overall financial condition has improved the past two years.

IV. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting and Linwood Gilliland seconded the motion. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
MARCH 14, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor Pro-Tem
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

Councilmember Gary Bills was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of the February, 1991 meetings with a correction to the February 28 minutes, Section III, sentence one changing the spelling of Piper to Pipes. Sandy Payne seconded the motion and it carried unanimously.

IV. CONSIDER ADOPTION OF ORDINANCE AMENDING CHAPTER 5.28 "TOWING SERVICES" OF THE CODE OF ORDINANCES

Linwood Gilliland moved to adopt an ordinance amending Chapter 5.28 "Towing Services" of the Code of Ordinances to require vehicles towing under the rotation list be stored in a licensed vehicle storage facility located within the City of Lake Dallas; providing for a penalty in the maximum amount of $500.00 for violations thereof; and providing for an immediate effective date. The motion was seconded by Anne Kennedy and carried unanimously.

V. PUBLIC HEARING - PETITION FOR A SPECIAL USE PERMIT BY LAKE CITIES BIBLE CHURCH TO PLACE A MODULAR BUILDING AT 315 CARLISLE DRIVE.

Brian Hill, Lake Cities Bible Church, presented a petition

for a special use permit to place a temporary modular building at 315 Carlisle Drive. They have permission from the property owner and need temporary space until they decide on a permanent location for their church. There were no public comments. This petition has been approved by the Planning and Zoning Commission.

VI. SPECIAL USE PERMIT BY LAKE CITIES BIBLE CHURCH TO PLACE A TEMPORARY, MODULAR BUILDING AT 315 CARLISLE DRIVE.

Anne Kennedy moved to approve the special use permit with the following conditions: Ten feet (10') rear yard setback.
Fifteen feet (15') between buildings.
To be renewed in two years.
Linwood Gilliland seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

None.

VIII. PARK AND RECREATION.

Carolyn Green informed the Council of the Park Board's request to have Garza Days celebration in conjunction with the Fourth of July. The council agreed to this informal request.

IX. PLANNING AND ZONING.

Anne Kennedy reported on the Planning and Zoning Commission and stated that they were unsure on how to approach renaming Denton Street and Denton Avenue. It was suggested that they contact the citizens on these streets and have them participate in the renaming.

X. FIRE DEPARTMENT.

Linwood Gilliland reported that the Fire Department is currently repairing the LaFrance fire truck.

XI. STREET DEPARTMENT.

A. Mayor Honse reported that the Street has placed forty two loads of rock on the Oak Lakes Subdivision streets.

B. The street bond proposal was discussed at length. There was confusion relating to the information that the voters have been receiving and about the proposed information packet the city will distribute. It was generally agreed that all future information should be as clear as possible to the public.

XII. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police

Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Sandy Payne moved to direct the City Secretary to pay those accounts due in the month of March. The motion was seconded by Anne Kennedy and carried unanimously.
C. The Municipal Court reports were reviewed.

XV. OLD BUSINESS.

None.

XVI. NEW BUSINESS.

XV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by P.O. Byers and it carried unanimously.

Ronald E Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
APRIL 5, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor ProTem P.O. Byers absent the following business was transacted:

II. PUBLIC FORUM TO DISCUSS PROPOSED STREET AND DRAINAGE BOND.

Mayor Honse explained that the Council realized the need for street improvements and had decided to let the citizens decide if they wanted finance improvements through a street and drainage bond. Several citizens asked questions about the extent of street and drainage improvements; over 65 years of age tax exemption; annual payment on the bond; and effect on the local economy. They also asked why the State or Denton County could not help improve the streets. Mayor Honse stated that he would invite Denton County Commissioner Buddy Cole to the next forum on April 19, 1991.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and Anne Kennedy seconded the motion. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
APRIL 11, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

Mayor ProTem P.O. Byers was absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Les Lorimer.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of the March, 1991 meeting. Anne Kennedy seconded the motion and it carried unanimously.

IV. CONSIDER NOTICE OF CLAIM BY OLGA MEADOWS.

Sandy Payne moved to pay Olga Meadows $345.67 to pay for injuries she sustained when she fell in a pothole on Stockard. Linwood Gilliland seconded the motion and it carried unanimously.

V. CONSIDER CONDEMNATION OF EASEMENT BETWEEN BLOCK 4 (LOTS 10 & 20) AND BLOCK 5 (LOTS 1 & 17) OF LAKE DALLAS SHORES ADDITION.

Anne Kennedy moved to condemn the easement between Block 4 and Block 5 of Lake Dallas Shores Addition and approve that the Mayor sign a Quick Claim Deed to the adjoining property owners, Vonnie Bennett and Helen N. Shelton.

VI. CONSIDER ADOPTION OF RESOLUTION TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PROGRAM.

After discussion, it was decided that the City need further information on the State Cooperative Purchasing Program. It was moved by Anne Kennedy to table the resolution pending receipt of further information. The motion was seconded by Sandy Payne and carried unanimously.

VII. CITIZEN'S AGENDA.

Eddie Clump with the Lake Cities Baseball Association thanked the City for the work they has done on the baseball fields at Willow Grove Park.

VIII. PARK AND RECREATION.

A. Les Lorimer, Chairman of the Park Board, updated the Council on the activities of the Board.

B. David Shershen was introduced by Les Lorimer as the Park Board's recommendation to serve as a member. Anne Kennedy moved that David Shershen be appointed to the Park & Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

IX. PLANNING AND ZONING.

Anne Kennedy reported on the Planning and Zoning Commission and stated that they are suggesting that Denton Street be renamed as Pearl Lane and that Denton Avenue be renamed Stadium Drive. The City Secretary's office will contact the citizens on these streets to see if they have any objections to these new names.

X. FIRE DEPARTMENT.

Linwood Gilliland reported on the activities of the Fire Department.

XI. STREET DEPARTMENT.

A. Mayor Honse reported that it will cost the City $2,300.00 to extend the asphalt on Carlisle east of Main Street. The Council agreed that this should be done.

XII. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of April. The motion was seconded by Linwood Gilliland and carried unanimously.

C. The Municipal Court reports were reviewed.

XIV. OLD BUSINESS.

None.

XV. NEW BUSINESS.

None.

XVI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Anne Kennedy and it carried unanimously.

Ronald E. Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
APRIL 19, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Anne Kennedy, Council Member
Donna Hamilton, City Secretary

With Mayor ProTem P.O. Byers absent the following business was transacted:

II. PUBLIC FORUM TO DISCUSS PROPOSED STREET AND DRAINAGE BOND.

Mayor Honse introduced Patty Kent, aid to Commissioner Buddy Cole. She explained that Denton County can assist a city with street repairs by providing manpower and equipment and the city providing materials. She further explained that the County currently has a backlog of two years on interlocal agreements for road repairs. Dr. Kuswitt present some costs of street construction. Several citizens expressed concern about the economic impact the higher tax rate would have on the City.

IV. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting and Garry Bills seconded the motion. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
MAY 9, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

Mayor ProTem P.O. Byers and Council Member Anne Kennedy were absent.

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Garry Bills moved to approve the minutes of the April, 1991 meetings. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITY OFFICER'S ELECTION HELD MAY 4, 1991.

A. Mayor Honse and the City Council began the official canvass of the votes cast in the City Officer's Election held on May 4, 1991. It was determined that a total of 785 votes cast as follows:

FOR COUNCIL:

Mike Fahey	176
Bill J. Gilliland	193
Linwood Gilliland	211
Garry Bills	187

B. It was moved by Linwood Gilliland, seconded by Sandy Payne and carried unanimously to pass a resolution accepting said election returns and declaring Bill J. Gilliland, Linwood Gilliland and Garry Bills as Council Members.

V. BOND ELECTION HELD MAY 4, 1991.

A. Mayor Honse and the City Council began the official canvass of the votes cast in the Street Bond Election held May 4, 1991. It was determined that a total of 460 votes were cast as follows:

FOR:	46
AGAINST:	414

B. It was moved by Linwood Gilliland, seconded by Garry Bills and carried unanimously to pass a resolution accepting said election returns and declaring that the Street Bonded failed to pass.

VI. RENAMING OF STREETS: DENTON STREET AND DENTON AVENUE.

It was moved by Sandy Payne to adopt an ordinance to renaming Denton Street to Pearl Lane and Denton Avenue to Boliver Avenue. The motion was seconded by Garry Bills and carried unanimously.

VII. WILLOW GROVE PARK - RENEWAL OF LEASE.

It was moved by Linwood Gilliland and seconded by Garry Bills to renew the lease for one year at Willow Grove Park with the U.S. Army Corps of Engineers. The motion carried unanimously.

VIII. LAKE CITIES LIBRARY.

The Council reviewed the Lake Cities Library quarterly reports.

VIII. PARK AND RECREATION.

IX. CITIZEN'S AGNEDA.

X. PARK & RECREATION.

Garry Bills informed the Council of the Park Board's plans for Garza Days and the Fourth of July Fireworks Display.

XI. PLANNING AND ZONING.

The Planning and Zoning minutes were received.

XII. FIRE DEPARTMENT.

Linwood Gilliland reported that volunteer firemen do not have worker's compensation insurance and asked if the City could assist the Lake Cities Fire Department in acquiring same.

XIII. STREET DEPARTMENT.

Mayor Honse stated that the street crew has been mowing and installing signs.

XIV. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Sandy Payne moved to direct the City Secretary to pay those accounts due in the month of May. The motion was seconded by Garry Bills and carried unanimously.
C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

A. After reviewing the contracts from the State Purchasing and General Services Agency, it was decided not to sign an interlocal agreement at this time.

XVII. NEW BUSINESS.

XVI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and it carried unanimously.

Ronald E Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
JUNE 13, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by the Reverend Lester Vinson of the First Baptist Church.

III. MINUTES.

Garry Bills moved to approve the minutes of the May 9, 1991 meetings. Linwood Gilliland seconded the motion and it carried unanimously.

IV. OATHS OF OFFICE BY NEWLY ELECTED COUNCIL MEMBERS.

Mayor Honse gave the Oath of Office to Linwood Gilliland, Garry Bills and Bill Gilliland.

V. ELECTION OF MAYOR PROTEM.

P.O. Byers moved to nominate Linwood Gilliland as Mayor ProTem. Garry Bills seconded the motion. There were no other nominations. The motion carried with Linwood Gilliland abstaining.

VI. PROPOSED ORDINANCE TO ALLOW EXTENDED HOURS FOR THE LAWFUL SALE, POSSESSION AND CONSUMPTION OF ALCOHOLIC

BEVERAGES.

Bob Griffith, owner of the Moonlighters Club, requested that the city extend the hours for the lawful sale, possession and sale of alcoholic beverages. He said that the City would benefit from additional sales tax and local merchants would benefit from additional sales to the private clubs. He further stated that the clubs planned to remain open until 2:00 a.m. on Thursday, Friday and Saturday only.

Chief Hamilton stated that he was opposed to the extended hours due to the extra load it would place on the Police Department.

Reverend Vinson stated that he was opposed because of the possible social problems.

Garry Bills made a motion to deny the passage of an ordinance to allow extended hours for the sale, possession, and consumption of alcoholic beverages. Bill Gilliland seconded the motion and it carried unanimously.

VII. INTERLOCAL AGREEMENT WITH LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

After reviewing the interlocal agreement, the Council agreed that there were some areas that need further clarification before a final decision could be made. The City Attorney and Lake Cities Municipal Utility Authority will be asked to attend the next City Council meeting. It was also determined that the supporting ordinance should be passed before the interlocal agreement is passed.

Linwood Gilliland moved to table a decision until further clarification by the City Attorney and a representative from Lake Cities Municipal Utility Authority. Sandy Payne seconded the motion and it carried unanimously.

VIII. PROPERTY TAX COLLECTION REPORT.

The property tax collection report was reviewed.

IX. CITIZEN'S AGENDA.

None.

X. PARK & RECREATION.

Garry Bills reviewed the minutes of the Park Board. reports.

XI. PLANNING & ZONING.

A. The minutes were received.

B. Sandy Payne moved to appoint Garry Bills as the liaison to the Planning and Zoning Commission. The motion was seconded

by Linwood Gilliland and carried unanimously.

XII. FIRE DEPARTMENT.

Linwood Gilliland reported that GTE has donated $750.00 to the Lake Cities Fire Department for training. He further reported that they are also working on their budget.

XIII. STREET DEPARTMENT.

Mayor Honse reported that the street crew has been patching streets and mowing.

XIV. POLICE DEPARTMENT.

Chief Hamilton reported on the activities of the Police Department.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Garry Bills moved to direct the City Secretary to pay those accounts due in the month of June. The motion was seconded by Sandy Payne and carried unanimously.
C. The Municipal Court reports were reviewed.

XVI. OLD BUSINESS.

A. Garry Bills requested that stop signs be place at Lakeview Drive and Hundley Drive.

XVII. NEW BUSINESS.

A. Re-appointment of Council liaison.
B. City Council agenda placement in the Lake Cities Sun.
C. Discussion of possible ex-employee interviews.
D. Discussion of future annexations.

XVI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and it carried unanimously.

Ronald E Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
JULY 11, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
P.O. Byers, Mayor ProTem
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by the Bill Gilliland

III. MINUTES.

Sandy Payne moved to approve the minutes of the June 13, 1991 meeting. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ORDINANCE REQUIRING CONNECTION TO WASTEWATER FACILITIES

Bill Gilliland moved to adopt an ordinance requiring connection to wastewater facilities; providing for abatement of inferior or substandard systems; providing for code enforcement officers; and providing for an interlocal agreement with Lake Cities Municipal Utility Authority. The motion was seconded by Linwood Gilliland and passed unanimously.

V. INTERLOCAL AGREEMENT WITH LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

Sandy Payne moved to approve an interlocal agreement with Lake Cities Municipal Authority to provide for effective enforcement and monitoring of a uniform environmentally

controlled water and wastewater system within the City of Lake Dallas. The motion was seconded by Linwood Gilliland and passed unanimously.

P.O. BYERS EXCUSED HIMSELF FROM THE REMAINDER OF THE MEETING.

VI. ORDINANCE ADOPTING V.T.C.A., PARKS AND WILDLIFE CODE, CHAPTER 31, ENTITLED WATER SAFETY ACT.

Linwood Gilliland moved for the adoption of an ordinance adopting V.T.C.A., Parks and Wildlife Code, Chapter 31, Entitled Water Safety Act. The motion was seconded by Sandy Payne and carried unanimously.

VII. DENTON CENTRAL APPRAISAL DISTRICT 1991-92 BUDGET.

Linwood Gilliland moved to disapprove the 1991-91 Proposed Budget. Sandy Payne seconded the motion and it carried unanimously.

VIII. APPOINTMENT OF MEMBER TO DENCO BOARD OF DIRECTORS.

Linwood Gilliland moved to appoint Mayor Olive Stephens to the Denco Board of Directors. Garry Bills seconded the motion and it carried unanimously.

IX. NOTICE OF CLAIM FOR DAMAGES BY GRADY BARNARD.

Bill Gilliland moved to deny the claim for damages requested by Grady Barnard. Linwood Gilliland seconded the motion and it carried unanimously.

X. APPOINTMENT OF COUNCIL LIAISONS.

Linwood Gilliland moved that council members be appointed to serve as liaisons as follows:

Bill Gilliland	Lake Cities Chamber of Commerce
Mayor Honse	Street Department
Sandy Payne	Parks and Recreation Board
Garry Bills	Planning and Zoning Commission

XI. CITIZEN'S AGENDA.

A. Steven Wohr stated that horse riding should be allowed in Willow Grove Park and that the fine amount for carrying glass containers into the park should be posted. Sandy Payne will discuss these requests with the Park Board.

XII. PARK & RECREATION.

David Shersheen gave a report on the Fourth of July

Fireworks Show and Garza Days.

XIII. PLANNING & ZONING.

The Planning Commission did not have a meeting due to lack of a quorum.

XIV. FIRE DEPARTMENT.

Linwood Gilliland reported that the Fire Department has made a change in shift schedules.

XV. STREET DEPARTMENT.

Mayor Honse reported that the street crew has been mowing, patching streets and maintaining the parks.

XVI. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department.

B. Chief Hamilton informed the Council that the Lake Dallas Police Department and the Corinth Police Department are joining together to install the D.A.R.E. program in the Lake Dallas Independent School District. Two Lake Dallas officers will be required to have special training in order to teach this program in the classroom. The School Board has given their approval. He also presented a film which further explained the program.

XVII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of July. Sandy Payne seconded the motion and it carried unanimously.
C. The Municipal Court Report was reviewed.
D. The Tax Collection Report for June was reviewed.

XVIII. OLD BUSINESS.

A. Stop Signs at Lakeview and Hundley - Mayor Honse informed Council that the Street Department will install signs soon.

B. Placement of Agenda in Lake Cities Sun - The Agenda has been placed in the Lake Cities Sun.

C. Ex-employees interviews - Sandy Payne and Garry Bills will conduct interviews with future exiting employees.

D. Future annexations - Bill Gilliland will seek information on this matter.

E. New Municipal Building - After discussion, it was a concensus of opinion that construction of the building should

be delayed.

XIX. NEW BUSINESS.

A. Charges for mowing.
B. Budget Workshop: August 9, 1991.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
CALL-SPECIAL MEETING OF THE CITY COUNCIL
JULY 11, 1991

I. ROLL CALL.

The meeting was called to order at 9:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor ProTem P.O. Byers absent the following business was transacted:

II. EXECUTIVE SESSION UNDER THE PROVISIONS OF ARTICLE 6252-17 (a), VERNON'S TEXAS CIVIL STATUTES.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting and Sandy Payne seconded the motion. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
AUGUST 8, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With P.O. Byers absent, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Sandy Payne moved to approve the minutes of the July 11, 1991 meeting. Garry Bills seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: PETITION FOR CHANGE IN ZONING FROM R-1 6000 RESIDENTIAL TO C-1 COMMERCIAL FOR PROPERTY SITUATED IN THE MCCARROLL SURVEY, TRACT 12.

Mr. John Holstead presented Mr. Harold Horton's request for a zoning change. He stated that Mr. Horton has a contingent sales contract with the U.S. Postal Service and their intentions are to construct a new postal office at this location.

After allowing all persons present an opportunity to speak, the Public Hearing was closed.

V. PETITION FOR A CHANGE IN ZONING FROM R-1 6000 to C-1 ON TRACT 12 OUT OF THE MCCARROLL SURVEY - ACTION.

Sandy Payne moved to approve the change in zoning on Tract 12 out of the McCarroll Survey from R-1 6000 Residential to C-1 Commercial. Linwood Gilliland seconded the motion and it carried unanimously.

VI. REQUEST FOR REFUND OF PROPERTY TAXES PAID IN ERROR.

There was some confusion about the amount of tax refund requested and the City Secretary was instructed to contact the Denton Central Appraisal District for clarification. Sandy Payne moved to table this item until the exact amount is determined. Bill Gilliland seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

A. Carolyn Green informed the City Council that she had visited Councilman Byers who asked her to relate his feelings to the Council. He told her "If we can get a truck and layout machine to fix the streets, let's do it." He also told her that he wants to construct the new city municipal building.

Ms. Green further stated that she thinks we need a building due to forthcoming State mandates concerning jail standards which we currently cannot meet. She also said that we need a place for our PSAP equipment so that we will not have 9-1-1 calls relayed to our dispatch. She related a story about a 9-1-1 call which was delayed by a Denton Fire Department dispatcher.

VIII. PARK & RECREATION.

David Shershen, Park Board secretary, expressed his appreciation to retiring Park Board members Les Lorimer and Carolyn Green. Mr. Shershen then introduced Cindy Davern who the Park Board has recommended as a new member.

Mr. Shershen stated that, upon request of Councilmember Payne, he had investigated the possibility of allowing horseback riding in Willow Grove Park. He could not recommend such at this time but suggested possible future development of bridle paths in the undeveloped portion of the park.

Mr. Shershen informed the Council of several ideas that the Park Board will be developing to further enhance the Park and Recreation program.

IX. PLANNING & ZONING.

Garry Bills stated that the main business of the Planning and Zoning meeting was the above requested zoning change. He related that Bruce Cox had inquired about the American Legion's plans for a future building on Hundley Drive.

X. FIRE DEPARTMENT.

Linwood Gilliland informed the Council that Jimmy Byers has been promoted to Captain with the Lake Cities Fire Department. He informed the Council of a fund raiser for the

fireman that was injured on July 4, 1991.

XI. STREET DEPARTMENT.

Mayor Honse stated that the stop signs have been placed on Lakeview Drive at the Hundley Drive intersection. He said that they have been patching streets including Denton County's portion of Shady Shores Road. They have also been mowing.

XII. POLICE DEPARTMENT.

Chief Hamilton gave his report and it was noted that citations have increased considerably.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The July financial reports were review.

B. Sandy Payne moved to approve for the City Secretary to pay all accounts due for the month of August. Garry Bills seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed and it was noted that there was a large number of dismissals due to the court ruling on Failure to Maintain Financial Responsibility citations.

XIV. OLD BUSINESS.

A. Future Annexations - The City Secretary gather property values of possible annexations.

B. The Council agreed that there should be a minimum charge of $75.00 for mowing.

XV. NEW BUSINESS.

A. Executive sessions and the open meeting law - Linwood Gilliland read some excerpts from a book containing the Attorney General's opinions.

B. Council duties - Linwood Gilliland referred to the duties of councilmembers as set out in the TML Handbook for Mayors and Councilmember in General Law Cities.

C. Council relations to city employees - Mr. Gilliland stated that he thought councilmembers should be able to talk to all employees about their jobs.

D. Bill Gilliland asked that the proposed municipal building be placed back on the agenda under old business.

XVI. ADJOURNMENT.

Bill Gilliland moved for adjournment of the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Ronald E Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 9, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With P.O. Byers absent, the following business was transacted.

II. WORKSHOP - 1991-92 FISCAL YEAR BUDGET.

The Council review and discussed the proposed 1991-92 Budget.

III. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting and Linwood Gilliland seconded the motion. It carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 14, 1991

I. ROLL CALL.

The meeting was called to order at 8:00 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP - 1991-92 FISCAL YEAR BUDGET.

The Council discussed the proposed 1991-92 Budget with emphasis placed on salaries and the construction of the new municipal building.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and Linwood Gilliland seconded the motion. It carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 20, 1991

I. ROLL CALL.

The meeting was called to order at 7:00 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP - 1991-92 FISCAL YEAR BUDGET.

The Council discussed the changes made to the proposed 1991-92 Budget since the last workshop. They reviewed the proposed budget for the Lake Cities Volunteer Fire Department.

III. 1991 TAX RATE.

A. Council discussed the tax rate needed for the 1991-92 Fiscal Year Budget.

B. Sandy Payne moved to propose a tax increase of 7.99%. Linwood Gilliland seconded the motion and it carried unanimously.

C. Linwood Gilliland moved to hold a public hearing on September 5, 1991 at 7:30 p.m. on a proposal to increase total tax revenues from properties on the tax roll in 1990 by 7.99%. Garry Bills seconded the motion and it carried with all members voting for the proposal.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and Linwood Gilliland seconded the motion. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 5, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council met in executive session to discuss appointment of member to fill unexpired term of P.O. Byers.

III. PUBLIC HEARING.

The Mayor opened the public hearing to anyone wishing to discuss the proposed tax rate increase. There was no response.

IV. SET AND ANNOUNCE DATE, TIME, AND PLACE OF MEETING ON VOTE ON TAX RATE - ACTION.

Garry Bills moved to vote on the tax rate at the regular scheduled meeting on September 12, 1991 at 7:30 p.m. The motion was seconded by Sandy Payne and carried unanimously.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Linwood Gilliland. It carried unanimously.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:
Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 12, 1991

I. ROLL CALL.

The meeting was called to order at 7:00 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. PUBLIC HEARING ON THE 1991-92 FISCAL YEAR BUDGET.

Mike Fahey inquired if the budget included funds for a new dump truck for the Street Department and he was informed that it did.

There were no further comments or questions.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Linwood Gilliland. It carried unanimously.

Ronald E Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
SEPTEMBER 12, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Sandy Payne moved to approve the minutes of the August, 1991 meetings. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ORDINANCE ADOPTING THE 1991-92 FISCAL YEAR BUDGET.

Garry Bills moved to adopt the 1991-92 Fiscal Year Budget in the amount of $1,022,838. The motion was seconded by Bill Gilliland and carried unanimously.

V. ORDINANCE APPROVING THE 1991 APPRAISAL ROLLS AND LEVYING AN AD VALOREM TAX ON PROPERTIES.

Garry Bills moved to approve the 1991 Appraisal Rolls and levy a tax rate of $ .4861 per hundred dollars valuation. The motion was seconded by Sandy Payne and carried unanimously.

VI. APPOINTMENT OF COUNCIL MEMBER TO FILL UNEXPIRED TERM OF P.O. BYERS.

Linwood Gilliland nominated Matt Flanigan to fill the unexpired term of P.O. Byers. There were no other nominations. Sandy Payne moved that Matt Flanigan be appointed by acclamation. Bill Gilliland seconded the motion and it carried unanimously.

VII. REQUEST FOR RATE INCREASE BY TEXAS WASTE MANAGEMENT.

Texas Waste Management requested a rate increase for residential customers of 5.41% plus $ .10 for surcharges. The only increase in commercial rates will be for surcharges. The new fee for residential customers will be $6.67 and for over sixty-five years of age customers, the rate will be $4.45. Commercial rates will be as set out in the ordinance. Bill Gilliland moved to adopt an ordinance approving the new garbage rates. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. INTERLOCAL CONTRACT WITH THE TOWN OF CORINTH TO PROVIDE DISPATCH SERVICES.

Linwood Gilliland moved to approve the contract to provide dispatch services for the Corinth Police Department. The motion was seconded by Sandy Payne and carried unanimously.

IX. INTERLOCAL CONTRACT WITH THE TOWN OF ~~CORINTH~~ HICKORY CREEK TO PROVIDE DISPATCH SERVICES.

Sandy Payne moved to approve the contract to provide dispatch service for the Hickory Creek Police Department. The motion was seconded by Bill Gilliland and carried unanimously.

X. CONSIDERATION OF DENCO AREA 9-1-1 DISTRICT OPERATING BUDGET FOR FISCAL YEAR 1992.

Garry Bills moved to approve the 1992 Denco Area 9-1-1 District Fiscal Year Budget. Matt Flanigan seconded the motion and it carried unanimously.

XI. CONSIDERATION OF PLACING CERTAIN DELINQUENT PROPERTY TAX ACCOUNTS ON THE INACTIVE LIST.

Linwood Gilliland moved to table action on this item pending further investigation. Bill Gilliland seconded the motion and it carried unanimously.

XII. CONSIDERATION OF REFUND OF PROPERTY TAXES TO LENORA SCHOULTZ.

Sandy Payne moved to table action on this item pending further information. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. CITIZEN'S AGENDA.

A, Kathleen Gilliland asked the Council to reconsider the length of time it keeps animals in the animal shelter before they are destroyed.

XIV. PARK & RECREATION.

A. David Shersheen gave a report on the activities of the Park Board. He informed the Council of their proposed appreciation dinner, teen program and senior citizen program. The Council will attend the next Park Board meeting on September 26, 1991. He also introduced Marge Woodard and Bonnie Holder as nominees to the Park Board.

B. Mayor Honse presented a Certification of Appreciation to retiring Park Board Chairman Les Lorimer.

C. Linwood Gilliland moved to appoint Bonnie Holder, Cindy Daveron and Marge Woodard to the Park Board. Sandy Payne seconded the motion and it carried unanimously.

XV. PLANNING & ZONING.

The Planning Commission did not have a meeting due to lack of a quorum.

XVI. FIRE DEPARTMENT.

John Ferry, a member of the Lake Cities Fire Department Board of Directors, informed the Council that he would be attending council meetings in the future to keep the Council informed of Fire Department activities. He further related that $9,300. has raised for the Kurt Hall benefit. The Fire Department currently has thirty eight members.

XVII. STREET DEPARTMENT.

Mayor Honse reported that the street crew has been mowing, patching streets and doing drainage work on Denton Drive.

XVIII. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department. He related that he has been asked to serve on the Denton County Parole Board.

XIX.. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of September. Linwood Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report for August was reviewed.

XX. OLD BUSINESS.

A. Annexations were discussed and it was agreed that we should get bids on survey costs before proceeding further.

B. Mayor Honse has not completed the re-drawing of the new municipal building.

XXI. NEW BUSINESS.

A. Mayor Honse reported that the cable franchise agreement should be review because it had been reported to him that persons in the Oak Lakes Subdivision were unable to obtain cable service.

XXII. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting. The motion was seconded by Sandy Payne and carried unanimously. The meeting was adjourned at 9:00 p.m.

Ronald E Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
OCTOBER 10, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. MINUTES.

Sandy Payne moved to approve the minutes with the following correction: The title of Section IX. should read "INTERLOCAL CONTRACT WITH THE TOWN OF HICKORY CREED TO PROVIDE DISPATCH SERVICES." The motion was seconded by Linwood Gilliland and carried unanimously.

IV. DESIGNATION OF OFFICIAL NEWSPAPER.

Linwood Gilliland moved to designate the Lake Cities Sun as the official newspaper of the City of Lake Dallas. The motion was seconded by Bill Gilliland and carried unanimously.

V. ORDINANCE AUTHORIZING "UPDATED SERVICE CREDITS."

Linwood Gilliland moved to adopt an ordinance authorizing and allowing, under the act governing the Texas Municipal Retirement System, "Updated Service Credits" on an annual basis. Sandy Payne seconded the motion and it carried unanimously.

VI. NOMINATION OF A CANDIDATE TO SERVE ON THE DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

Bill Gilliland moved to nominate Troy White as a candidate for election to serve on the Denton Central Appraisal District Board of Directors. Matt Flanagan seconded the motion and it carried unanimously.

VII. REQUEST FOR REFUND OF AD VALOREM TAXES BY LENORA SHOULTZ.

Garry Bills moved to deny the request for refund of ad valorem taxes as requested by Lenora Shoultz. The motion was seconded by Linwood Gilliland and carried unanimously.

VIII. CITIZENS AGENDA.

None.

IX. PARK & RECREATION.

A. David Shershen introduced Candy Payne as a candidate to serve on the Park Board. He then gave a report on the activities of the Park Board. He informed the Council of their proposed appreciation dinner, teen program and senior citizen program. He also related that he has several persons interested in serving on advisory committees as allowed by ordinance. He has been approached by several persons inquiring about making improvements in Willow Grove Park. The Council informed Mr. Shershen that improvements should not be made until our contract with the U.S. Army Corps of Engineers is renewed.

B. Matt Flanagan moved to appoint Candy Payne to the Park Board and Sandy Payne seconded the motion. It carried unanimously.

X. PLANNING & ZONING.

A. Garry Bills related that the Planning and Zoning Commission is in the process of reviewing the Zoning Map. They would also like to see some beautification efforts made on Main Street.

XI. FIRE DEPARTMENT.

John Ferry, a member of the Lake Cities Fire Department Board of Directors, reported that the Fire Department made 621 calls for the year with 238 of them in Lake Dallas. They are currently working on a five year plan.

XII. STREET DEPARTMENT.

Mayor Honse reported that the street crew has laid rock on the remaining streets in the Oak Lakes Subdivision. They will begin re-paving the streets in the Beck Addition on Monday along with some drainage work.

XIII. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department. He gave the Council a building check card and informed them that the officers placed these cards on the doors when they check buildings to see if they are secured.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Sandy Payne moved to approve for the City Secretary to pay all accounts due for the month of October. Linwood Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

XV. OLD BUSINESS.

A. Annexation: It was decided to start procedures with the engineer on Boliver area property.

B. Mayor Honse has not completed the re-drawing of the new municipal building.

C. Council is still reviewing tax accounts to see if they should be place on the inactive list.

D. Mayor Honse met with John Enlow of Sammons Communication and they will begin placing cable in the Oak lakes Subdivision.

XVI. NEW BUSINESS.

A. Garry Bills wants the two junk vehicles located at the tire store on Main Street removed and the place cleaned up. Donna Hamilton informed Council that the Code Enforcement Officer has issued a citation to the business owner. Mr. Bills would like to have more code enforcement throughout the City and the Council agreed.

B. Bill Gilliland asked if anything had been done regarding Kathleen Gilliland's request to hold impounded animals for more than three days. Chief Hamilton said that we are currently holding animals for at least five days.

C. Tom Watchler, former employee, inquired if the City has made any decision regarding refunds to employees for dependent premiums paid under the Maxicare Plan. He was informed that no decision has been made and that the city attorney will be contacted regarding same.

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
NOVEMBER 13, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was conducted:

II. RESOLUTION AUTHORIZING THE CASTING OF VOTES FOR CANDIDATES TO THE BOARD OF DIRECTORS OF THE DENTON CENTRAL APPRAISAL DISTRICT.

Sandy Payne moved to cast all twelve votes for Jon Beck for Director of the Denton Central Appraisal District Board. Linwood Gilliland seconded the motion and it carried unanimously.

III. WORKSHOP: DISCUSSION OF CODE ENFORCEMENT.

Various problem areas of code enforcement were discussed. Staff will start submitting a monthly report to City Council indicating those violations that are being processed.

IV. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Ronald E. Honse
RONALD E. HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
NOVEMBER 14, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Garry Bills moved to approve the minutes. The motion was seconded by Linwood Gilliland and carried unanimously.

IV. PUBLIC HEARING: REQUEST FOR SPECIAL USE PERMIT TO OPERATE A DAY CARE CENTER AT 711 THOMPSON.

Mr. David Lippi presented his request for a day care center stating that here was a need for a licensed facility in the city as other facilities were operating at or near capacity. Mr. Lippi said that the building was well suited for day care and that they intend to care for 24 pre-school children and have three employees. The hours of operation would be from 6:00 a.m. until 6:00 p.m. Traffic would only be during normal going to and from work hours and parents of small children are particularly aware of other children. The costs to convert this building would be require major remodeling and a loan would be hard to obtain.

The Mayor asked for comments from the audience. the following persons spoke in opposition to the proposed plan stating concerns of heavy traffic, noise. burdens on inefficient utilities, commercial trash trucks tearing up street and parking area would enhance drainage problems: Bobby Shikle, Karen

Rackle, Jackie Kovsky, Carl Thomas, Leorna Schoultz, Bruce Cox, Charles Redman and Bud Schoultz.

Peggy Cantar and Steve Walton spoke in favor of the proposed use stating that neighborhoods need good child care and asked for cooperation from the neighbors.

Scovilene Lippi appealed for passage of their request stating that she would provide profession child care.

V. RESOLUTION AUTHORIZING DAVID LIPPI TO OPERATE A DAY CARE CENTER AT 711 THOMPSON.

Bill Gilliland moved to deny the request for a day care center at 711 Thompson. Matt Flanagan seconded the motion and it carried unanimously.

VI. APPOINTMENT OF REPRESENTATIVES TO THE LAKE CITIES LIBRARY BOARD OF DIRECTORS.

Linwood Gilliland moved to appoint Aldena Gregory and Cleo Murray as representatives to the Lake Cities Library Board. Sandy Payne seconded the motion and it carried unanimously.

VII. REQUEST BY RAYMOND GARZA FOR EXTENSION OF TIME TO REPAIR JUNK VEHICLE LOCATED AT 531 CARLISLE.

Mr. Garza stated that he needed about 30 days to complete repairs of his truck. Matt Flanagan moved to allow Mr. Garza an addition thirty days to complete repairs. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. REFUND TO EMPLOYEES AND EX-EMPLOYEES OF MONIES PAID INTO THE DEPENDENT INSURANCE FUND UNDER THE MAXICARE INSURANCE PROGRAM.

The City Council was informed that the City Attorney has recommended the refund of dependent insurance money paid under the Maxicare Program. Sandy Payne moved to approve the repayment of money paid into the Maxicare Dependent Insurance Fund. Linwood Gilliland seconded the motion and it carried unanimously.

IX. ORDINANCE SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON PROPOSED ANNEXATION OF CERTAIN PROPERTIES AND AUTHORIZING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH HEARINGS.

Bill Gilliland informed the Council that he had learned at a TML seminar that cities under 5,000 can not annex unless they can provide water and sewer to the affected properties.

Matt Flanagan moved to disapprove an ordinance to set a public hearing and advertise such hearing. Garry Bills seconded the motion and it carried unanimously.

X. NOMINATION OF CANDIDATE FOR APPOINTMENT TO THE APPRAISAL REVIEW BOARD.

There were no nominations.

XI. CITIZENS AGENDA.

A. Brian Cogwell stated that his junk vehicle could not been seen by anyone except by one neighbor. He also requested the city's assistance in solving a drainage problem behind his home.

B. Steve SMITH reported that the trees on Shady Shores south of Overly Drive needed trimming so people could walk under them.

C. Tom Davenport, Superintendent of the Lake Dallas I.S.D., reported that he had received a complaint from the City regarding cars parking on the grass in their parking lot on Falcon Drive. It was agreed that if they placed some gravel on the west side of the parking lot they would be in compliance.

D. Les Lorimer explained that he needed more time to remove old buildings on his property.

E. Carolyn Worlan suggested that the merchants on Main Street put western storefronts on their buildings.

F. David Lippi requested the City to call TU Electric and have his service at 711 Thompson Drive changed to residential rates. The City agreed to do this.

G. Terry Lantrip, who has received a complaint from the City for debris outside his building on Market, showed the Council photographs of his construction. He said that he was putting the lumber stored outside his building back into the building and expected to be finished in about a month.

IX. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board. There will be a forum on Monday, November 18 to discuss future teen programs. They are also developing a program for senior citizens.

X. PLANNING & ZONING.

A. Garry Bills related that the Planning and Zoning Commission was unable to vote on the proposed day care center because one member was absent, two were thought to have conflict of interest and they are short one member.

B. Garry Bills moved to table the appointment of a new commissioner. Bill Gilliland seconded the motion and it carried unanimously.

XI. FIRE DEPARTMENT.

John Ferry, Chief of the Lake Cities Fire Department reported on the activities of that department.

XII. STREET DEPARTMENT.

Mayor Honse reported that the street crew has being working in the Beck Addition and doing drainage work.

XIII. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department. He gave the Council a year-to-date report on their activities.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of November. Bill Gilliland seconded the motion and it carried unanimously.
C. The Municipal Court Report was reviewed.
D. The Tax Collection Report was received.

XV. OLD BUSINESS.

A. Garry Bills will take the plans for the new municipal building in an effort to reduce the square footage.
B. Each council member will bring their completed list.

XVI. NEW BUSINESS.

A. A workshop and executive session were called for November 21, 1991 at 7:30 p.m.
B. It was requested by Council that the City Secretary not take vacation when the Mayor is out of town.
C. There was some discussion of the Extended Area Phone Service.

XVII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. The motion was seconded by Sandy Payne and carried unanimously. The meeting was adjourned at 10:15 p.m.

Ronald E Honse
RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 21, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary
MATT FLANAGAN

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council met in executive session to discuss the City Attorney's position.

III. WORKSHOP: Discussion of the Municipal Code.

There was discussion of the Abandoned and Junked Motor Vehicle Code and the C-1 Restricted Business District Code.

IV. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting and the motion was seconded by Linwood Gilliland. It carried unanimously and the meeting was adjourned at 10:25 p.m.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, DECEMBER 12, 1991

I. ROLL CALL.

The meeting was called to order with Linwood Gilliland presiding and all members present.

II. PUBLIC HEARING: PETITION OF TERRY LANTRIP REQUESTING A VARIANCE FROM ORDINANCE NO. 25 REGARDING RESIDENTIAL USE OF C-1 COMMERCIAL ZONED PROPERTY LOCATED AT 275 MARKET.

Terry Lantrip presented his request for a variance to use commercially zoned property as residential and commercial at 275 Market. Mr. Lantrip stated that he intends to use the first floor for his newspaper business and the upper portion as two apartments, one for himself and another for one of his workers. He is refurbishing this older building and believes it will be an asset to the City.

There were no comments from the audience and two written responses were received in favor of this use.

III. VARIANCE FROM ORDINANCE NO. 25, RESIDENTIAL USE OF COMMERCIAL ZONED PROPERTY.

Bill Gilliland moved to grant a variance to Terry Lantrip to allow him to use the property at 275 Market as residential as well as commercial. Matt Flanagan seconded the motion and it carried unanimously.

III. ADJOURNMENT - Action.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Linwood E. Gilliland
LINWOOD GILLILAND, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
DECEMBER 12, 1991

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Sandy Payne, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Bill Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes with the following corrections: November 14, 1991 Meeting - Article XI. (B) add Smith after Steve; Article XIII. (A) add report after year-to-date; Article XVI. (A) add session after executive and change call to called. November 21, 1991 Meeting - Article I. add Matt Flanagan to list of members present. Matt Flanagan seconded the motion and it carried unanimously.

IV. RESOLUTION AUTHORIZING RUSSELL VAUGHN TO EXECUTE PETITION FOR EXTENDED AREA SERVICE.

Matt Flanagan moved to pass a resolution authorizing Russell Vaughn to execute a petition for extended area service. Sandy Payne seconded the motion and it carried unanimously.

V. DISCUSSION OF FUTURE BILLING FOR SERVICES BY LAKE CITIES MUNICIPAL UTILITY AUTHORITY.

The Lake Cities Municipality Utility Authority will begin charging for water and sewer services provided to the city beginning January 1, 1992 due to conditions of the utility bonds.

VI. CITIZENS AGENDA.

VI. CITIZENS AGENDA.

A. Danny Barboza inquired what procedures he needs to take in order to have the City require Jim Davis to plat his property in the City's ETJ. He was told that the City cannot require Mr. Davis to plat unless he is going to dedicate road park easements.

B. Jim Bragg stated that because of recent actions by the City Council that he would become more involved in local government.

C. Jim Davis informed the Council that he had sold 1.5 acres to Rell Gamblin, is not doing any further development, and is improving the undeveloped portion of Lake Drive.

D. Steve Smith request that storm sewers be installed.

E. Shirley Gamblin stated that they desire to get along with their new neighbors.

F. Rell Gamblin pointed out that there were shrubs and a building located in the easement of Lake Drive.

IX. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board and introduced Thana Bounds as a candidate to the Park Board. The request for funds for the Youth Program and the Senior Citizen's Program was discussed. Mr. Shershen was informed by the Council that he needed to break down his request to show how the funds would be expended.

B. Garry Bills moved to appoint Thana Bounds to the Park Board. Linwood Gilliland seconded the motion and it carried unanimously.

Sandy Payne moved to appoint Donnie Collinsworth to the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

C. Linwood Gilliland moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Senior Citizen's Program pending further information. Matt Flanagan seconded the motion and it carried unanimously.

D. Linwood Gilliland moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Youth Program pending further information. Matt Flanagan seconded the motion and it carried unanimously.

VII. PLANNING & ZONING.

A. Garry Bills related that the Planning and Zoning Commission was still working on the zoning map.

B. Matt Flanagan moved to table the appointment of a new commissioner. Linwood Gilliland seconded the motion and it carried unanimously.

XI. FIRE DEPARTMENT.

Roberta Griffin, of the Lake Cities Fire Department reported on the activities of that department stating that they had 15 fire calls and 24 EMS calls in Lake Dallas during the month of November. She further stated that the Fire Department will be offering CPR courses to the public sometime after January 1, 1991.

XII. STREET DEPARTMENT.

Mayor Honse reported that the street crew has constructed and installed the Christmas decorations. The streets in the Beck Addition will be completed as soon a weather permits.

XIII. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Linwood Gilliland moved to approve for the City Secretary to pay all accounts due for the month of December. Sandy Payne seconded the motion and it carried unanimously.
C. The Municipal Court Report was reviewed.
D. The Tax Collection Report was received.

XV. OLD BUSINESS.

A. Garry Bills is still working on the plans for the new municipal building.
B. Mayor Honse related that he has taken the list of delinquent tax accounts to Denton Central Appraisal District and they will contact the Tax Attorney.
C. Linwood Gilliland inquired if any further action has been taken on correcting the installation of the home of Lyle Shelton. He pointed out foundation requirements as set out in Section 15.12.130 of the Municipal Code.

XVI. NEW BUSINESS.

A. Set-up for the Senior Citizen's Dinner will be on December 15th at 7:00 p.m.

XVII. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and carried unanimously. The meeting was adjourned at 9:15 p.m.

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
JANUARY 9, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With Sandy Payne absent, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meetings held in December, 1991. Matt Flanagan seconded the motion and it carried unanimously.

IV. AGENDA ITEMS FOR FUTURE WORKSHOPS.

Linwood Gilliland moved to set up the following schedule for workshops: Tuesday, January 14, 1992, 7:30 p.m. - Youth Program; Friday, January 17, 1992, 7:30 p.m. - Council Procedures; Tuesday, January 24, 1992, 7:30 p.m. - Park Board Funds. The motion was seconded by Bill Gilliland and it carried unanimously.

V. CITIZEN'S AGENDA.

A. Terry Lantrip asked at what point he would be able to occupy his building at 275 Market. Mayor Honse informed him that the building would have to meet all building codes. He informed him that he would inspect the building on Friday and let him know what else needed to be done to meet code.

IX. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board stating that the Senior Citizen Program had began on New Years' Day with about forty persons attending.

B. Garry Bills moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Senior Citizen's Program pending further study. Linwood Gilliland seconded the motion and it carried unanimously.

C. Garry Bills moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Youth Program pending further study. Linwood Gilliland seconded the motion and it carried unanimously.

VII. PLANNING & ZONING.

A. Garry Bills related that the Planning and Zoning Commission was still working on the zoning map.

B. Linwood Gilliland moved to table the appointment of a new commissioner. Bill Gilliland seconded the motion and it carried unanimously.

VIII. FIRE DEPARTMENT.

Roberta Griffin, of the Lake Cities Fire Department reported on the activities of that department stating that they had 9 fire calls and 21 EMS calls in Lake Dallas during the month of December. In 1991 there were 123 fire calls and 239 EMS calls for a annual total of 362 calls. There was a five percent increase in calls over 1990. Ms. Griffin informed the Council that Robby Robertson was the new Assistant Fire Chief and the department currently has forty two members.

IX. STREET DEPARTMENT.

Mayor Honse reported that the street crew has been cleaning ditches and putting rock in pot holes caused by the rains.

X. POLICE DEPARTMENT.

A. Chief Hamilton reported on the activities of the Police Department and asked that "No Truck" signs be placed on Overly Drive.

XI. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Linwood Gilliland moved to approve for the City Secretary to pay all accounts due for the month of January. Garry Bills seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XII. OLD BUSINESS.

A. Garry Bills is still working on the plans for the new municipal building and hopes to have them by next meeting.

B. Mayor Honse related that he was advised by the City Attorney to send registered letter to Lyle Shelton regarding his house foundation and the need to build a carport. He was also advised to send a letter to Magna Homes regarding the foundation. Mayor Honse has talked with Magna Homes and they are going to get in contact with Mr. Shelton regarding the foundation. Mr. Shelton inquired about the setbacks for his carport and advised to talk to the City Secretary after the meeting.

C. Bill Gilliland noted that replacing the City Attorney should still be on the agenda under Old Business.

XIII. NEW BUSINESS.

A. Garry Bills would like to see the City question the citizens about their relations with Denton Central Appraisal District.

XIV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Matt Flanagan and carried unanimously. The meeting was adjourned at 9:00 p.m.

Ronald E. Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 14, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP: Joint meeting with Corinth, Hickory Creek, and Shady Shores Councils to discuss the Youth Activities Program.

Mayor Mike Flowers of Hickory Creek suggested that the cities combine their resources to fund a full-time director to organize youth recreational programs as well as adult programs. In the past, programs have been directed by parents on a volunteer basis and when their children outgrow the program these parents leave, therefore creating inconsistency which could be avoided with a full-time director.

Mayor ProTem Linwood Gilliland of Lake Dallas thinks this position should be filled by a person trained in this field and that person would make reports to each Council.

Mayor Bill Honse shared with the group a letter that he had received from a youth asking that the City provide a place to workout. He stated that he has business people who are willing to support a youth program.

Mayor Flowers stated that the salary of a director would fall somewhere between $25,000. to $40,000. per year. He also announced that he is attempting to get International Wildlife Park to locate in Hickory Creek which would create approximately two hundred jobs for youth in the summer.

It was decided to form a committee with two Council Representatives and one Park Board representative from each city. Mayor Honse and Sandy Payne will represent Lake Dallas. Mayor Flowers and Louis Betancourt will represent Hickory. Mayor Olive Stephens will represent Shady Shores and Mayor Spellerberg will make appoints at her council meeting on January 16th. This committee will meet at the Community Center at 7:00

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 17, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP:

A. Discussion of Council Procedures.

Council agreed to make the following changes to Chapter 2.12 of the Municipal Code and place the revised ordinance on a future Council Agenda:

1. 2.12.020 Special meetings - strike city attorney from the first paragraph and strike the last paragraph referring to workshop meetings preceding the regular meeting.

2. 2.12.070 Order of business - In section C, replace Friday with Thursday.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Matt Flanagan. It carried unanimously and the meeting was adjourned.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 21, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP:

A. Discussion of Chapter 2.32 of the Municipal Code

It was agreed to make the following changes:
Section 2.32(E) - Replace "director of" with "council liaison".
Section 2.32(F) - Replace "director of" with "council liaison".

B. Discussion of ½% Special Sales Tax.

Staff will research to learn if we can adopt this tax due to Denton County having area in the DART System.

C. Goals.

Mayor Honse informed Council of four areas that would receive major improvements done by the Street Department.

Linwood Gilliland would like to see continued improvements to Main Street as well as other parts of the city.

Garry Bills would like to see on sidewalk on Hundley Drive.

Sandy Payne would like to have more street lighting.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Sandy Payne. It carried unanimously and the meeting was adjourned.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 23, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

I(B). PURCHASE OF NEW FIRE/POLICE BASE RADIO STATION.

Police Chief Hamilton explained that the current base radio has been breaking down. The problem is with a circuit board and the microphone. Because of the age of the radio, parts are not available to repair it.

Garry Bills moved to approve an amount not to exceed $11,000. for the purchase of a new base radio. Sandy Payne seconded the motion and it carried unanimously.

II. WORKSHOP:

A. Discussion of Chapter 12.04 of the Municipal Code

It was agreed to make the following changes: Section 12.04.010 - In the last sentence replace "two" with "twenty-five".

B. Discussion of Chapter 5.12 of the Municipal Code.

It was agreed to make the following changes: Section 5.12.030 - Replace "vendors of farm or dairy products" and add "local non-profit group".

C. Goals.

Several goals such as condemnation of buildings and improvements of Main Street were discussed but no decisions were made.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Bill Gilliland. It carried unanimously and the meeting was adjourned.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 27, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

I. WORKSHOP:

A. Discussion of Chapter 15.28 of the Municipal Code - Fences.

After extensive discussion, there was a consensus of opinion to study this subject further.

B. Discussion of Chapter 18.32 of the Municipal Code - Non-Conforming Uses.

There was a consensus of opinion that this section of the Zoning Code did not need changing.

C. Goals.

Linwood Gilliland pointed out that the City needs to observe the Americans with Disabilities Act.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting and the motion was seconded by Sandy Payne. It carried unanimously and the meeting was adjourned.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
FEBRUARY 13, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Sandy Payne moved to approve the minutes with the following corrections: The minutes of the January 9, 1992 meeting, second page, first paragraph, the word should be New instead of Jew, third page, second paragraph, the word should be send instead of sent. Linwood Gilliland seconded the motion and it carried unanimously.

IV. Monte Pipes, CPA presented the 1990-91 Fiscal Year Audit stating that the City's financial records were in good condition and the City's Fund Balance continues to increase.

V. Kenny Hansmire, President of Capital Assistance, stated that his firm had been successful the past year in collecting Lake Dallas warrants. He proposed a contract fee of $4,725.00 with a guarantee of collecting three times the amount of the contract within 120 days after submitting the last account for collection

Sandy Payne moved to approve the contract with Capital Assistance. Linwood Gilliland seconded the motion and it carried unanimously.

VI. Garry Bills moved to adopt a resolution approving the purchase of one 1992 GMC Dump Truck and authorizing the Mayor and City Secretary to execute a loan to fund said purchase. Linwood Gilliland seconded the motion and it carried unanimously.

VII. Linwood Gilliland moved to adopt an ordinance amending the 1991-92 Fiscal Year Budget allocating funds from the Contingency Fund into Capital Outlay-Equipment in the Police Department. Matt Flanagan seconded the motion and it carried unanimously.

VIII.Sandy Payne moved to adopt a resolution authorizing the purchase of a Base Radio System in the Police Department in the amount of $10,805.00. Matt Flanagan seconded the motion and it carried unanimously.

IX. CITIZEN'S AGENDA.

A. Judy Yancey, 440 Lakeview Drive, expressed concern about the location of the International Wildlife Park in Hickory Creek stating that it would cause traffic problems and a need for additional police officers.

B. Roddy Barton, #3 Walters, Hickory Creek, stated that the economic impact would not be positive.

C. Steven Smith asked when the trees on North Shady Shores would be trimmed.

X. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board and informed Council that he is arranging a meeting with Hickory Creek, Corinth and Shady Shores Park Boards to discuss the possibility of working jointly on park and recreation programs.

B. Matt Flanagan moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Senior Citizen's Program pending further study. Linwood Gilliland seconded the motion and it carried unanimously.

C. Matt Flanagan moved to table the request for allocation of $2,000. of the Capital Outlay Budget for the Youth Program pending further study. Linwood Gilliland seconded the motion and it carried unanimously.

XI. PLANNING & ZONING.

A. Garry Bills related that the Planning and Zoning Commission was still working on the zoning map.

B. Garry Bills moved to table the appointment of a new commissioner. Sandy Payne seconded the motion and it carried unanimously.

XII. FIRE DEPARTMENT.

Roberta Griffin, of the Lake Cities Fire Department reported on the activities of that department and submitted a written report.

XIII. STREET DEPARTMENT.

Mayor Honse reported that the street crew had worked on Saturday, because of the good weather, placing rock on Wildwood and Columbia.

XIV. POLICE DEPARTMENT.

A. The Police Department reports were received.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Sandy Payne moved to approve for the City Secretary to pay all accounts due for the month of February. Garry Bills seconded the motion and it carried unanimously.
C. The Municipal Court Report was reviewed.
D. The Tax Collection Report was received.

XVI. OLD BUSINESS.

A. Garry Bills asked for permission to have a co-worker quote him costs of re-designing the proposed municipal building. Council gave their approval.
B. Mayor Honse related that MagnaHomes has not corrected the foundation at 611 Moseley and that he would contact the City Attorney about the matter.
C. Mayor Honse is getting one more resume from a potential city attorney and will call a workshop if the resume is received.
D. Bill Gilliland stated that he was placing the question of Denton Central Appraisal District on the questionnaire that will be sent to the citizens.

XVII. NEW BUSINESS.

A. Garry Bills pointed out that employees on still on probation do not receive holidays.
B. A workshop was set for February 20. 1992 at 7:30 p.m. to discuss the personnel manual and code enforcement.

XVIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. The motion was seconded by Matt Flanagan and carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 21, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

I. WORKSHOP:

A. Council discussed the responsibilities of a full time Code Enforcement Officer. A job advertisement will be placed in the paper and Council will interview candidates.

B. It was decided to discuss the personnel manual at another workshop because of the amount of time it will take.

C. Council reviewed three resumes of potential City Attorneys. The Mayor and City Secretary will seek information on fees charged by Nichols, Jackson, Kirk and Dillard.

IV. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting and the motion was seconded by Linwood Gilliland. It carried unanimously and the meeting was adjourned.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:
Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 24, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council convened into executive session to discuss Police Personnel.

At 11:30 the Council re-convened into an open meeting.

III. REGULAR SESSION:

Matt Flanagan moved that a disciplinary action letter be placed in Chief Don Hamilton's personnel file for the unlawful use of a city vehicle. Linwood Gilliland seconded the motion and it carried unanimously.

Linwood Gilliland moved to place Chief Hamilton on thirty days probation pending further investigation of the incident at his residence in the summer of 1987. The motion was seconded by Sandy Payne and carried unanimously.

IV. ADJOURNMENT.

Sandy Payne moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously. The meeting adjourned at 11:59 p.m.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:
Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 27, 1992

I. ROLL CALL.

The meeting was called to order at 7:05 p.m. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council convened into executive session to discuss personnel.

At 12:30 a.m. the Council re-convened into an open meeting.

III. REGULAR SESSION:

Matt Flanagan moved that Chief Hamilton be terminated. Bill Gilliland seconded the motion. Bill Gilliland seconded the motion and it carried with the following vote: Ayes: Matt Flanagan, Bill Gilliland, Garry Bills, Linwood Gilliland. Noes: Sandy Payne.

Matt Flanagan moved to pay Chief Hamilton nine weeks severance pay. Bill Gilliland seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously. The meeting adjourned at 1:40 a.m.

Ronald E. Honse
Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
MARCH 12, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Garry Bills.

III. MINUTES.

Sandy Payne moved to approve the minutes with the following corrections: The minutes of the February 24, 1992 meeting, Section III, are to be clarified on the motions that were made; the minutes of the February 27, 1992 meeting, Section II. the time should read 12:30 a.m. instead of 1:30 a.m. and the time in Section IV. should read 12:40 a.m. instead of 1:40 a.m. Linwood Gilliland seconded the motion and it carried unanimously.

IV. Mayor Honse ordered that the general election would be held on May 2, 1992 to elect one mayor and two council members.

V. Linwood Gilliland moved to appoint Aldena Gregory as Presiding Election Judge, Kathy Geisinger as Alternate Judge, and Donna Hamilton as Early Voting Clerk for a two year period ending March 12, 1994.

VI. The Council will clarify authorized use of city vehicles when they revise the City Employee Personnel Manual.

VII. Council reviewed the Lake Cities Library annual report.

VIII. CITIZEN'S AGENDA.

A. Carolyn Green expressed her appreciation to the Mayor and Council for their involvement in the tree program that was sponsored by Food Fare and Coca Cola.

IX. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board.

X. PLANNING & ZONING.

A. Donna Hamilton related that the Planning and Zoning Commission has completed its work on the zoning map and city staff will research their areas of concern.

B. Matt Flanagan moved to appoint Mike Fahey to the Planning and Zoning Commission. Linwood Gilliland seconded the motion and it carried unanimously.

XI. FIRE DEPARTMENT.

Chief Robby Robertson of the Lake Cities Fire Department reported on the activities of that department and informed the Council of his plans for the future.

XII. STREET DEPARTMENT.

Mayor Honse reported that the street crew had laid 156 tons of asphalt during the last two weeks. Karen Turnbow, manager of Hundley Shores Apartments, asked if speed bumps or speed limit signs could be placed in the alley adjoining her buildings. She was informed that the city does not place speed bumps due to the liabilities.

XIII. POLICE DEPARTMENT.

A. Acting Chief Gaines reported on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of March. Linwood Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XV. OLD BUSINESS.

A. Garry Bills informed Council that it would take approximately 100 hours at a cost $20.00 per hour to put the plans of the proposed municipal building on a CAD system. Matt Flanagan and Linwood Gilliland will look into remodeling the current City Hall building.

B. Bill Gilliland presented a letter of resignation from City Attorney Richard Podgorski.

C. The City Employee Personnel Manual will be discussed at a future workshop.

D. Mayor Honse announced that a special meeting will be held on March 23, 1992 at 7:30 p.m. to interview applicants for Code Enforcement Officer.

XVI. NEW BUSINESS.

A. Sandy Payne gave a report on the steering committee that is researching the possibility of employing a Lake Cities Park and Recreation Program Coordinator. The committee is asking that each city pledge $200.00 for advertising and expenses. Council will take action on this matter at their meeting on March 23, 1992.

B. Mayor Honse and Ken McDonald, City Administrator of Corinth, have discussed the possibility of an interlocal agreement to share street equipment.

XVIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. The motion was seconded by Linwood Gilliland and carried unanimously.

Ronald E. Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 23, 1992

I. ROLL CALL.

The meeting was called to order at 7:45 p.m. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council convened into executive session to evaluate applicants for Code Enforcement Officer.

At 10:00 p.m. the Council re-convened into an open meeting, with Mayor Honse being absent due to illness and Mayor ProTem Linwood Gilliland chairing the meeting.

III. REGULAR SESSION:

A. Garry Bills moved that any action on the appointment of a Code Enforcement Officer be postponed Sandy Payne seconded the motion and it carried unanimously.

B. Garry Bills moved to pledge $200.00 to cover expenses of hiring a Program Coordinator for the Lake Cities Park and Recreation Program. Sandy Payne seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously. The meeting adjourned at 10:20 p.m.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 30, 1992

I. ROLL CALL.

The meeting was called to order at 7:35 p.m. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council convened into executive session to evaluate applicants for Code Enforcement Officer.

At 8:50 p.m. the Council re-convened into an open meeting.

III. REGULAR SESSION:

A. Mayor Honse appointed Richard Getts as Code Enforcement Officer. Linwood Gilliland moved to confirm Mr. Gett's appointment. Matt Flanagan seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously. The meeting adjourned at 9:55 p.m.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MINUTES OF A BOARD OF ADJUSTMENT MEETING
HELD AT CITY HALL, APRIL 9, 1992

I. ROLL CALL.

The meeting was called to order with Linwood Gilliland presiding and all members present.

II. PUBLIC HEARING: PETITION OF LYLE SHELTON REQUESTING A VARIANCE FROM ORDINANCE NO. 25 REGARDING PLACEMENT OF A MANUFACTURED HOUSE ON A FOUNDATION WHICH DOES NOT MEET R1-6000 ZONING REQUIREMENTS AT 720 MOSELEY.

Lyle Shelton presented his request for a variance to allow him to retain his manufactured home which was placed on blocks at 720 Moseley.

Aldena Gregory commented that she felt every resident should meet the codes. Linwood Gilliland explained that the company that sold and setup the house was aware of the city's codes and that they were informed that the slab did meet our codes because it was not on a permanent foundation. Mayor Honse said the house was setup on a foundation that meets requirements for mobile homes.

Roy Clark inquired why the City did not make the builder correct this problem during the process. He was informed that there were several misrepresentations made by the manufactured housing company such as the fact that it was a modular home when in fact it is a mobile home. He further stated that it had been determined that the best way to solve all the problems associated with this resident was to request a variance.

Matt Flanagan noted that there was still some question on the building costs as stated on the permit and that the permit fees were based on $30,000. when the building supposedly cost $38,000.

Garry Bills stated that he thinks Mr. Shelton should force the company that sold and setup the home to come back and set it up according to code even if it means taking them to court. He said that the city should not have to do this but he would be prepared to do this if necessary. He further stated that allowing this mobile to remain as is would mean that the city would have to allow any other person to do the same thing.

Sandy Payne and Bill Gilliland felt like the city was partly to blame for this problem.

Sandy Payne moved to approve the variance a requested by Lyle Shelton with Mr. Shelton paying the additional permit fees.

Bill Gilliland seconded the motion and it carried with the following vote: Ayes: Sandy Payne, Bill Gilliland, Matt Flanagan, Linwood Gilliland. Noes: Garry Bills.

III. ADJOURNMENT - Action.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously. The meeting adjourned at 7:30 p.m.

Linwood E. Gilliland
LINWOOD GILLILAND, CHAIRMAN

ATTEST:

Donna Hamilton
DONNA HAMILTON, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE CITY COUNCIL
APRIL 9, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 P.M. by Mayor Ronald E. Honse with the following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Sandy Payne, Council Member
Donna Hamilton, City Secretary

With all present, the following business was conducted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and Invocation was led by Linwood Gilliland.

III. MINUTES.

The City Council was informed the the tape recording of the February 24, 1992 meeting was reviewed and that the minutes were correct as previously presented.

Sandy Payne moved to approve the minutes of March, 1992. Garry Bills seconded the motion and it carried unanimously.

IV. DISCUSSION OF POSSIBLE QUIT CLAIM DEED AT 720 LAKE.

Mayor Honse informed Danny Barboza that the City will not quit claim street easement at 720 Lake nor would they ask him to remove any portion of his house encroaching on this easement. He asked Mr. Gamblin not to remove any trees in the easement and to keep his heavy equipment off the streets.

V. DISCUSSION OF COMMUNITY CENTER RENTALS.

Council discussed how to prevent damages at the Community Center caused by persons that lease the building. It decided that the current rental contract should be reviewed and adjustments be made to possibly curtail some of the problems that have been experienced.

MAYOR PROTEM LINWOOD GILLILAND ANNOUNCED THAT MAYOR HONSE WAS NOT FEELING WELL AND ASKED HIM TO CONTINUE THE MEETING.

VI. APPOINTMENT OF CITY ATTORNEY.

Mayor ProTem Gilliland introduced Cynthia Henry who was appointed a the City Attorney by Mayor Honse. Matt Flanagan moved to accept Cynthia Henry as the City Attorney with renewal provisions being included in her contract. Bill Gilliland seconded the motion and it carried unanimously.

VII. RESOLUTION DECLARING CERTAIN PROPERTY TAXES UNCOLLECTABLE.

Sandy Payne moved to table this item. Matt Flanagan seconded the motion and it carried unanimously.

VIII. CITIZEN'S AGENDA.

A. Harriet Hart stated that it might be possible to increase the fees charged to non-residents on the Community Center rentals and reimburse them part of the fee if they leave it in good condition.

B. Steve Smith thanked the City for trimming the trees on N. Shady Shores.

IX. PARK & RECREATION.

A. David Shershen reported on the activities of the Park Board.

X. PLANNING & ZONING.

A. Garry Bill reported that the only business that the Planning and Zoning Commission had at their meeting was the quit claim matter that was discussed by Council tonight.

XI. FIRE DEPARTMENT.

Roberta Griffin of the Lake Cities Fire Department reported on the activities of that department.

XII. STREET DEPARTMENT.

It was noted that the Street Department has laid asphalt in the Kingswood Estates subdivision.

XIII. POLICE DEPARTMENT.

A. Acting Chief Gaines reported on the activities of the Police Department.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of April. Matt Flanagan seconded the motion and it carried unanimously.
C. The Municipal Court Report was reviewed.
D. The Tax Collection Report was received.

XV. OLD BUSINESS.

A. New Municipal Building - Linwood Gilliland explained plans for remodeling the current building.
B. The City Employee Personnel Manual will be discussed at a future workshop.
C. Steering Committee for Parks and Recreation - Corinth has declined to pledge $200. toward expenses to hire a Lake Cities Park and Recreation Coordinator and Hickory Creek has not made a decision.
D. Interlocal cooperation agreement with Corinth for the use of street equipment - Sandy Payne reported that Corinth is still investigating this possibility.

XVI. NEW BUSINESS.

A. Sandy Payne read a newspaper article about Pilot Point receiving a grant from the Texas Community Development Block Grant Program and asked if we could research the possibility of applying for one.
B. Garry Bills expressed concern about housing conditions on Lakeview Drive in the City's ETJ and if we have any legal authority. We will inform Denton County Health department of these conditions.

XVIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. The motion was seconded by Garry Bills and carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
APRIL 13, 1992

I. ROLL CALL.

The meeting was called to order at 7:35 p.m. by Mayor Bill Honse with the following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Council Member
Sandy Payne, Council Member
Linwood Gilliland, Council Member
Bill Gilliland, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: Article 6252-17, Section 2(g), Vernon's Texas Civil Statutes.

The Council convened into executive session to evaluate applicants for Chief of Police at 7:40 p.m.

At 9:30 p.m. the Council re-convened into an open meeting.

III. REGULAR SESSION:

A. Mayor Honse appointed Nicholas C. Ristagno as the Chief of Police. Linwood Gilliland moved to confirm Mr. Ristagno's appointment. Sandy Payne seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously. The meeting adjourned at 9:45 p.m.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 7, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Garry Bills, Council Member
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland and Sandy Payne absent, the following business was transacted.

II. CITY OFFICIALS ELECTION HELD MAY 2, 1992.

A. The Mayor and Council canvassed the votes and determined that a total of 834 votes cast as follows:

FOR MAYOR:

Bill Honse	126
Winston Harper	109
Bill Gilliland	71

FOR COUNCIL:

Jerry McCutcheon	168
Harriet Hart	52
Bruce Cox	53
Matthew Flanagan	109
Jim Bragg	19
Thanna Bounds	77
Lyle Shelton	52

B. It was moved by Linwood Gilliland, seconded by Garry Bills and carried unanimously to pass a resolution accepting said election returns and declaring Bill Honse as Mayor and Jerry McCutcheon and Matt Flanagan as Council Members.

III. ORDINANCE AMENDING AN ORDINANCE PERTAINING TO TOWING AND IMPOUNDMENT OF VEHICLES BY THE LAKE DALLAS POLICE DEPARTMENT.

Chief Ristagno reported that On The Road Again Wrecker Service has gone out of business and since they were the only company eligible to tow and store vehicles under our current ordinance, it has become necessary to amend the ordinance.

Matt Flanagan moved to pass an ordinance amending Chapter 5.28 of the Code of Ordinances by adding a subparagraph B to Section 5.28.020; providing for a preferred storage facility located within the City of Lake Dallas; repealing Section II, Section III and Section IV of Ordinance 91-02 and Section 5.28.040(5), Section 5.28.050(E) and Section 5.28.100(F) of the Lake Dallas Municipal Code; providing for a penalty and providing an effective date. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MAY 14, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Linwood Gilliland, Mayor ProTem
Garry Bills, Council Member
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary

With Council Member Bill Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in April, 1992. Linwood Gilliland seconded the motion and it carried unanimously.

IV. OATHS OF OFFICE.

Donna Hamilton swore in Ronald (Bill) Honse as Mayor and Matt Flanagan and Jerry McCutcheon as Council Members.

V. APPOINTMENT OF MAYOR PROTEM.

Matt Flanagan moved to appoint Linwood Gilliland as Mayor ProTem. Garry Bills seconded the motion and it carried unanimously.

VI. APPOINTMENT OF COUNCIL LIAISONS.

Matt Flanagan moved to appoint Jerry McCutcheon as liaison to the Lake Cities Fire Department. The motion was seconded by Garry Bills and carried unanimously.

Matt Flanagan moved to appoint Linwood Gilliland as liaison to the Park and Recreation Board. Garry Bills seconded the motion and it carried unanimously.

Linwood Gilliland moved to appoint Garry Bills as liaison to the Planning and Zoning Commission. Matt Flanagan seconded the motion and it carried unanimously.

VII. ORDINANCE AMENDING ORDINANCE NO. 185 - COUNCIL MEETINGS.

Garry Bills moved to pass an ordinance amending Section 2(A), 3(E), and 3(F) of Ordinance No. 185 pertaining to City Council meetings. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. ORDINANCE AMENDING ORDINANCE NO. 192 - PARK AND RECREATION BOARD.

Matt Flanagan moved to pass an ordinance amending Section I(B)(2) and Section IV(C) of Ordinance No. 192 pertaining to the Park and Recreation Board.

IX. JOANNE JENSEN, LEWISVILLE LINC

Joanne Jensen, President of Lewisville LINC, explained that her organization helped persons with special needs. She requested that the city appoint a person to organize a LINC program in Lake Dallas. David Shershen volunteered the Park and Recreation Board.

X. LAKE CITIES ACTIVITY PROGRAM - INTERLOCAL AGREEMENT.

Linwood Gilliland moved to approve for the Mayor to sign an interlocal agreement with Corinth, Hickory Creek and Shady Shores for the Lake Cities Activity Program.

XI. APPOINTMENT OF TWO PERSONS TO THE LAKE CITIES ACTIVITY PROGRAM BOARD.

Matt Flanagan moved to appoint Linwood Gilliland and Sandy Payne to the Lake Cities Activity Program Board. Garry Bills seconded the motion and it carried unanimously.

XII. CITIZEN'S AGENDA.

A. David Shershen reported that he had received word that Bill Gilliland's surgery was complete and he should be home in about two and one-half weeks.

XIII. PARK & RECREATION.

A. David Shershen reported on the activities of the Park and Recreation Board.

B. Linwood Gilliland moved to appoint Barbara Green, Sherry Gaines and Sandy Payne to the Park and Recreation Board. Matt Flanagan seconded the motion and it carried unanimously.

C. Matt Flanagan moved to release the "Garza Days" bank account to the Lake Cities Community Action Committee. Jerry McCutcheon seconded the motion and it carried unanimously.

XIV. PLANNING & ZONING.

Garry Bills gave a report on the Planning & Zoning Commission meeting.

XV. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received.

XVI. STREET DEPARTMENT.

Mayor Honse reported on the activities of the Street Department.

XVII. POLICE DEPARTMENT.

Chief Ristagno reported on the activities of the Police Department and related that he is initiating some programs.

XVIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Linwood Gilliland moved to approve for the City Secretary to pay all accounts due for the month of May. Garry Bills seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

XIX. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop.

B. Personnel Manual - to be discussed at future workshop.

C. Uncollectable property taxes - to be placed on next regular meeting as action item.

D. Community Center rentals - Mayor Honse will rewrite the contract and rules.

E. Texas Community Development Block Grant Program - information was received.

F. Substandard housing on Lakeview Dr. in the Citie's ETJ - City Secretary contacted the Denton County Health Department.

XX. NEW BUSINESS.

A. Linwood Gilliland suggested that the Lake Dallas have a city-wide cleanup day and this will be discussed at the next regular meeting

B. Garry Bills related that the Zoning Ordinance should be amended regarding storage and accessory buildings. This will be remanded to the Planning and Zoning Commission.

XXI. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JUNE 11, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Linwood Gilliland, Mayor ProTem
Garry Bills, Council Member
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary
BILL GILLILAND, COUNCIL MEMBER

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Rell Gamblin.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in May, 1992. Linwood Gilliland seconded the motion and it carried unanimously.

IV. REQUEST FOR QUIT CLAIM DEED AT 720 LAKE.

Danny Barboza presented his request for a quit claim deed for nine feet of street easement located adjacent to his property at 720 Lake. He stated that he has maintained and used this property for several years as had the previous owner. He thought that adverse possession could be invoked.

Cindy Henry, City Attorney, informed the council that adverse possession does not apply to government property. She further advised against granting a claim deed at this time.

After a lengthy discussion, Garry Bills moved to deny the request for a quit claim deed at 720 Lake. Bill Gilliland seconded the motion and it failed with the following vote: Ayes: Garry Bills and Bill Gilliland; Noes: Linwood Gilliland, Jerry McCutcheon and Matt Flanagan.

Jerry McCutcheon moved to grant Danny Barboza the quit claim deed at 720 Lake. Matt Flanagan seconded the motion and it carried with the following vote: Ayes: Jerry McCutcheon, Matt Flanagan and Linwood Gilliland; Noes: Garry Bills and Bill Gilliland.

V. ORDINANCE AMENDING CHAPTER 12.04 OF THE MUNICIPAL CODE RELATING TO EXCAVATION OF STREETS.

Jerry McCutcheon questioned the fact that Lake Cities Municipal Utility Authority would be required to pay for excavation permits when they are a taxing entity. After lengthy discussion on this matter, Linwood Gilliland moved to pass the ordinance with a clause excluding the GOVERNMENTAL ENTITIES ~~Lake Cities Municipal Utility Authority~~. Jerry McCutcheon seconded the motion and it carried with the following vote: Ayes: Linwood Gilliland, Jerry McCutcheon, Bill Gilliland and Matt Flanagan; Noes: Garry Bills.

VI. ORDINANCE AMENDING CHAPTER 5.12 OF THE MUNICIPAL CODE PERTAINING TO ITINERANT MERCHANTS.

Linwood Gilliland moved to amend Chapter 5.12 of the Municipal Code to exempt nonprofit organizations from permit requirements. Matt Flanagan seconded the motion and it carried unanimously.

ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF THE POLICE DEPARTMENT.

Linwood Gilliland moved to adopt an ordinance providing for the establishment and administration of the Police Department. Matt Flanagan seconded the motion and it carried unanimously.

VIII. ORDINANCE AMENDING CHAPTER 5.24 OF THE MUNICIPAL CODE PERTAINING TO PLACES OF RECREATION.

Bill Gilliland moved to adopt an ordinance amending Chapter 5.24 of the Municipal Code pertaining to the location of places of recreation. Matt Flanagan seconded the motion and it carried unanimously.

IX. RESOLUTION REGULATING THE NUMBER OF POLICE OFFICERS.

Matt Flanagan moved to adopt a resolution regulating the number of regular police officers to eight and number of reserves to fifteen. Linwood Gilliland seconded the motion and it carried unanimously.

X. RESOLUTION DECLARING CERTAIN PROPERTY TAX ACCOUNTS UNCOLLECTABLE.

Bill Gilliland moved to pass a resolution declaring certain property tax accounts uncollectable. Linwood Gilliland seconded the motion and it carried unanimously.

XI. CONTRACT WITH THE CITY OF DENTON FOR AMBULANCE SERVICES.

Jerry McCutcheon moved to approve for the Mayor to sign a contract with the City of Denton for their Fire Department to provide ambulance services to the citizens of Lake Dallas. Matt Flanagan seconded the motion and it carried unanimously.

XII. COMMUNITY CENTER RENTAL RATES.

Linwood Gilliland moved to change the hourly rental rates for at the Community Center from $30.00 per hour to $40.00 per hour and to change the deposit from $100. to $300. for nonresidents. Bill Gilliland seconded the motion and it carried unanimously.

XIII. CITIZEN'S AGENDA.

A. There were not any citizens who chose to address Council.

XIII. PARK & RECREATION.

A. David Shershen reported on the activities of the Park and Recreation Board.

XIV. PLANNING & ZONING.

Garry Bills reported that the Planning & Zoning Commission meeting will be revising the Zoning Code in regards to assessory building setbacks.

XV. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received. Roberta Griffin gave a report on the activities of the department.

XVI. STREET DEPARTMENT.

Mayor Honse reported that the Street Department has been making drainage improvements and repairing the restrooms at Willow Grove Park. There was a discussion of Texas Waste Management garbage trucks tearing up streets in Kings Manor Subdivision.

XVIII. POLICE DEPARTMENT.

A. Linwood Gilliland moved to reduce the fee for animal registration during biannual rabies vaccination clinics for $5.00 to $3.00. Jerry McCutcheon seconded the motion and it carried unanimously.

B. Recognition of Chris Meehan as "1991 Officer of the Year" was postponed until July.

C. Chief Ristagno report on the activities of the Police Department and some changes that he has made and those he plans to initiate.

XIX. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of June. Linwood Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

E. Richard Getts presented the code enforcement report.

XX. OLD BUSINESS.

A. Municipal building - to be discussed at workshop on June 25 at 7:30 p.m.

B. Personnel Manual - to be discussed at workshop on June 25 at 7:30 p.m..

C. City wide clean up day - to be held later in the year.

XXI. NEW BUSINESS.

The Council will discuss the Community Center lease agreement and budget sessions at their workshop on June 25, 1992.

XXI. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Ronald E. Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JUNE 25, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland and Garry Bills absent, the following business was transacted.

II. WORKSHOP.

A. The Mayor and Council reviewed the rental contract and rules and regulations for the Lake Dallas Community Center. Item No. 14 will be changed to read that alcohol can only be served between 12:00 p.m. and 12:00 a.m. on Sundays.

B. Remodeling of the existing City Hall Building was discussed. Jerry McCutcheon will draw plans of the building and Chief Ristagno will get the requirements for placement of the 9-1-1 PSAP equipment.

C. Revision of the Personnel Manual was postponed.

III. ADJOURNMENT.

Jerry McCutcheon moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton
City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JULY 9, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Linwood Gilliland, Mayor ProTem
Garry Bills, Council Member
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meetings held in June, 1992 with the following corrections: June 11 meeting, item I should include Bill Gilliland as present; item V should read governmental entitities instead of Lake Cities Municipal Authority. Jerry McCutcheon seconded the motion and it carried unanimously.

IV. CONTRACT TO PROVIDE DISPATCH SERVICES FOR THE CITY OF CORINTH.

Linwood Gilliland moved to approve a contract to provide dispatch services for the City of Corinth. Jerry McCutcheon seconded the motion and it carried unanimously.

V. CONTRACT TO PROVIDE DISPATCH SERVICES FOR THE TOWN OF OF HICKORY CREEK.

Linwood Gilliland moved to approve a contract to provide dispatch services for the Town of Hickory Creek. Jerry McCutcheon seconded the motion and it carried unanimously.

VI. RESOLUTION EXPRESSING INTENT TO COMPLETE NECESSARY PREPARATIONS FOR INSTALLATION OF E911 PSAP EQUIPMENT

Linwood Gilliland moved to approve a resolution expressing intent to complete necessary preparations for the installation of 911 PSAP equipment. Matt Flanagan seconded the motion and it carried unanimously.

VII. ORDINANCE AMENDING CHAPTER 12.04 OF THE MUNICIPAL CODE PERTAINING TO EXCAVATION OF STREETS.

Linwood Gilliland moved to postpone this ordinance until further study can be made. Jerry McCutcheon seconded the motion and it carried unanimously.

VIII. ORDINANCE AMENDING CHAPTER 15.16 OF THE MUNICIPAL CODE PERTAINING TO SIGNS.

Matt Flanagan moved to adopt an ordinance changing the permit requirments for temporary signs from ninety days to annually. Jerry McCutcheon seconded the motion and it carried uananimously.

IX. REPORT ON LAKE LEWISVILLE BRIDGE TASK FORCE.

Matt Flanagan reported that an engineering firm is conducting a feasibilty study on the location of a bridge spaning Lake Lewisville. There will be a meeting at the Community Center on July 15, 1992 and the public is encouraged to attend.

X. PUBLIC HEARING: REVISED ZONING MAP.

Tommy Drozd expressed concern that his shop at Lakeview Marina does not conform to the current zoning. It was explained that adoption of the revised zoning map would not affect his zoning and that changes in the zoning regulations would originate with the Planning and Zoning Commission.

XI. ADOPTION OF REVISED ZONING MAP.

Matt Flanagan moved to adopt the revised zoning map. Jerry McCutcheon seconded the motion and it carried unanimously.

XII. CONTRACT WITH HUKE & BURROOUGHS AS DELINQUENT PROPERTY TAX ATTORNEYS.

Linwood Gilliland moved to approve a contract with Huke & Burroughs as delinquent property tax attorneys. Jerry McCutcheon seconded the motion and it carried unanimously.

XIII. CITIZEN'S AGENDA.

A. Brett Tulloss informed the Council that he has been doing research on the American with Disabilities Act and will be happy to share any information that he receives.

B. Bud Scholtz, owner of Lake Dallas Mobil Home Park, said that he had received a letter from the City Attorney informing him that he must move his mobile home off city easement or he would be fined. He requested that the city let him leave his home where it is and he would move it if the city decided to build a street on this easement. Council will have a workshop on this matter.

XIV. PARK & RECREATION.

A. David Shershen reported on the activities of the Park and Recreation Board. There was a lenghty discussion between Council and Mr. Shershen about the working relation between the Park Board and City Council. There will be a workshop on July 28 at 7:30 P.M. to further discuss these matters.

B. Linwood Gilliland moved to accept Candy Payne's resignation from the Park Board. Garry Bills seconded the motion and it carried unanimously.

C. Gifford Long has also resigned but there was no decision to appoint him as Chairman Emeritus.

D. Garry Bills moved to appoint Kathy Osburne and Julie Richardson to the Park and Recreation Board. Matt Flanagan seconded the motion and it carried unanimously.

E. The Council will discuss expanding the Park Board to fifteen members at the workshop on July 28, 1992.

XV. PLANNING & ZONING.

Garry Bills reported that the Planning & Zoning Commission had approved the revised zoning map at their meeting. The Commission will not be revising the Zoning Code in regards to assessory building setbacks as Richard Getts has located codes dealing with assessory buildings.

XVI. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received. Roberta Griffin gave a report on the activities of the department.

XVII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department has laid 141 tons of asphalt, placed 90 feet of 30 inch culvert and 44 feet of 12 inch culvert and has been making drainage improvements between Lake Haven Estates and the Beck Addition.

XVIII. POLICE DEPARTMENT.

Chief Ristagno reported on the activities of the Police Department. He introduced Chris Meehan as the 1991 Officer of the Year and cited his accomplishments.

XIX. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of July. Matt Flanagan seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

XX. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - to be discussed at future workshop.

C. Budget Workshops are scheduled for August 4, 11, and 18 at 7:30 P.M.

XXI. NEW BUSINESS.

A. Mayor Honse informed the Council that Bill Squier was requesting $200.00 per month for lease of his land at the Animal Control Shelter. The Mayor will attempt to negotiate for a lesser amount and possibly consider starting imminent domain procedures.

B. Mayor Honse informed the Council that the budget will need to be amended by about $10,000 to cover street improvements in Oak Lakes Subdivision.

XXII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Ronald E Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 4, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland absent, the following business was transacted.

II. WORKSHOP.

A. The Mayor and Council reviewed the proposed 1992-93 Fiscal Year Budget. The next workshop will be on August 11, 1992 at 7:30 p.m.

III. AJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 11, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland absent, the following business was transacted.

II. WORKSHOP.

A. The Mayor and Council reviewed the proposed 1992-93 Fiscal Year Budget. The next workshop will be on August 17, 1992 at 7:00 p.m.

III. AJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
AUGUST 13, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Linwood Gilliland, Mayor ProTem
Garry Bills, Council Member
Matt Flanagan, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland and Jerry McCutcheon absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meeting held in July, 1992. Garry Bills seconded the motion and it carried unanimously.

IV. APPOINTMENT OF REPRESENTATIVE TO THE DENCO AREA 9-1-1 BOARD OF DIRECTORS.

Garry Bills moved to appoint John McGrane to the Board of Directors of the DenCo Area 9-1-1 District. Linwood Gilliland seconded the motion and it carried unanimously.

V. DENCO AREA 9-1-1 DISTRICT 1993 OPERATING BUDGET.

Matt Flanagan moved to approve the 1993 DenCo Area 9-1-1 Operating Budget. Garry Bills seconded the motion and it carried unanimously.

VI. COUNTY FUNDING OF THE LAKE CITIES FIRE DEPARTMENT.

Mayor Honse reported that the Commissioner Court is having seconded thoughts and are considering a $5,000. pledge to the Lake Cities Fire Department.

VII. REPORT ON LAKE LEWISVILLE BRIDGE TASK FORCE.

Matt Flanagan reported on the six possible locations of the Lewisville Lake Bridge. The next task force meeting will be held on September 2, 1992 in Little Elm at which time they will have cost estimates of the different locations. The public is encouraged to participate and to contact the Commissioners Court to express their opinions.

VIII. REPORT ON VEHICLE INSPECTION TASK FORCE.

Linwood Gilliland reported that Denton County has been placed in the same air pollution category as Dallas County thereby requiring additional vehicle inspection testing for EPA regulations. This will require testing equipment which cost in excess of $250,000. There will only be one or two places that make these inspections which will cause major delays in receiving inspections.

IX. CITIZEN'S AGENDA.

A. Judy Yancey related that she opposes the proposed Lewisville Lake Bridge traffic coming through Lake Dallas.

X. PARK & RECREATION.

A. The Park Board minutes were received.

B. Council will vote on extending the Park Board membership to fifteen at their meeting in September.

C. Kathy Osburn reported on the upcoming Miss Lake Dallas Pageant, Garza Day Banquet and Ball. She asked Council for permission to open a checking account to handle the funds for these events. Linwood Gilliland moved to approve the request to open an account at Lake Cities State Bank. Matt Flanagan seconded the motion and it carried unanimously.

D. Kathy Zimmerman, director of the RecEd Program, informed Council of the current programs and the programs planned for the fall semester. She requested permission to open a checking account to handle funds for these programs. Linwood Gilliland moved to approve the request to open an account for this program. Matt Flanagan seconded the motion and it carried unanimously. Mayor Honse will contact the bank to request that these accounts be opened with less than the minimum $250. opening balance.

XI. PLANNING & ZONING.

Garry Bills gave a report of the Planning & Zoning Commission meeting. Linwood Gilliland wants the Commission to begin working on the zoning codes relating to outside storage and repairs in commercial and industrial zones. This matter will be placed on the September agenda of the Zoning Commission. Mayor Honse also requested that the Commission begin working on a five year plan for the City.

XII. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received. Glen Conners, Assistant Fire Chief, gave a report on the activities of the department.

XIII. STREET DEPARTMENT.

Mayor Honse gave a written report on the activities of the Street Department.

XIV. POLICE DEPARTMENT.

Chief Ristagno reported that we will be receiving our PSAP. The rabies vaccine clinic was a success and MADD is donating a video camera to use in one of the patrol cars. Chief Ristagno presented a certificate of appreciation for conduct above and beyond the call of duty for his assistance to John Katz of the Hickory Creek Police Department. He presented Susan Conners a two year service pin and a certificate of appreciation. He also recognized Glen Conners for his assistance to the Police Department. Glen and Susan Conners are moving out of state.

XV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of August. Linwood Gilliland seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

E. Richard Getts reported on code enforcement activities.

XVI. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - to be discussed at future workshop.

C. Animal Control Shelter - Mayor Honse reported that the City Attorney has advised to sign the lease agreement of $150. per month with Nelda Squier for the land which the shelter occupies and then we can proceed with imminent domain proceedings.

XVII. NEW BUSINESS.

A. Mayor Honse informed the Council that the Poison Control Center is requesting funding from the City for calls they have received from Lake Dallas. The City has never funded this organization and Council indicated that they were not willing to at this time.

XVIII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 17, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland absent, the following business was transacted.

II. RESOLTUION PROVIDING FOR EXEMPTION OF CERTAIN VEHICLES FROM REQUIREMENTS OF ARTICLE 6701M-2, V.T.C.S.

Linwood Gilliland moved to pass a resolution providing for exemption of certain vehicles from the requirements of Article 6701M-2, V.T.C.S. Garry Bills seconded the motion and it carried unanimously.

III. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

Mayor Honse announced that Council would enter into executive session at 8:00 p.m.

Council reconvened into open session at 9:00 p.m.

IV. WORKSHOP.

The Mayor and Council reviewed the proposed 1992-93 Fiscal Year Budget. The next workshop will be on August 20, 1992 at 9:15 p.m.

IV. AJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 20, 1992

I. ROLL CALL.

The meeting was called to order at 9:25 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Linwood Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Bill Gilliland absent, the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

Mayor Honse announced that Council would enter into executive session at 9:26 p.m.

Council reconvened into open session at 10:30 p.m.

IV. WORKSHOP.

The Mayor and Council reviewed the proposed 1992-93 Fiscal Year Budget.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
SEPTEMBER 10, 1992

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. PUBLIC HEARING: PETITION OF JOHN ALLEN, VARIANCE REAR YARD SETBACKS AT 511 ADDISON.

Mr. Allen presented his petition for a variance of ten feet on the rear setbacks at 511 Addison in order to save an oak tree in the front yard. There were no public comments on the petition and one letter was received in favor of the petition.

III. VARIANCE FROM MUNICIPAL CODE 18.12.120 RELATIVE TO REAR YARD SETBACKS AT 511 ADDISON.

Jerry McCutcheon moved to approve the variance at 511 Addison relative to rear yard setbacks as requested by John Allen. Matt Flanagan seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 10, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Bill Honse with following persons present:

Ronald E. Honse, Mayor
Bill Gilliland, Council Member
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. PUBLIC HEARING ON THE 1992-93 FISCAL YEAR BUDGET.

There were no public comments on the proposed 1992-93 Fiscal Year Budget.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Ronald E. Honse

Ronald E. (Bill) Honse, Mayor

ATTEST:

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
SEPTEMBER 10, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Bill Gilliland, Council Member
Garry Bills, Council Member
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Matt Flanagan moved to approve the minutes of meetings held in August, 1992. Garry Bills seconded the motion and it carried unanimously.

IV. ORDINANCE ADOPTING THE 1992-93 FISCAL YEAR BUDGET.

Garry Bills moved to approve an ordinance adopting the 1992-93 Fiscal Year Budget. Jerry McCutcheon seconded the motion and it carried unanimously.

V. ORDINANCE APPROVING THE 1992 APPRAISAL ROLLS AND LEVYING AN AD VOLOREM TAX.

Jerry McCutcheon moved to approve an ordinance approving the 1992 Appraisal Rolls as certified by the Denton Central Appraisal District and levy an ad volorem tax on said properties. Matt Flanagan seconded the motion and it carried unanimously.

VI. ADDENDUM TO DISPATCH CONTRACT WITH THE CITY OF CORINTH.

Matt Flanagan moved to approve the addendum to the Dispatch Contract with the City of Corinth. Garry Bills seconded the motion and it carried unanimously.

VII. ADDENDUM TO DISPATCH CONTRACT WITH THE TOWN OF HICKORY CREEK.

Jerry McCutcheon moved to approve the addendum to the Dispatch Contract with the Town of Hickory Creek. Matt Flanagan seconded the motion and it carried unanimously.

VIII. REQUEST FOR GARBAGE RATE INCREASE BY TEXAS WASTE MANAGEMENT.

Matt Flanagan moved to deny the request for a garbage rate increase by Texas Waste Management. Jerry McCutcheon seconded the motion and it carried unanimously.

IX. AMENDMENT TO PARK BOARD ORDINANCE INCREASING MEMBERSHIP TO A MAXIMUM OF FIFTEEN.

Jerry McCutcheon moved to disapprove an ordinance increasing membership on the Park Board to a maximum of fifteen members. Matt Flanagan seconded the motion and it carried unanimously.

X. CONSIDER RENEWAL OF LEASE ON WILLOW GROVE PARK.

After discussion of the possible requirements that the Corps of Engineers may have regarding the future plans of Willow Grove Park, Garry Bills moved to table this item pending further discussions with the Corps. Matt Flanagan seconded the motion and it carried unanimously.

XI. REPORT AND DISCUSSION OF PROPOSED LEWISVILLE LAKE BRIDGE.

Matt Flanagan reported that the Mayors and other representatives from the four cities met on Tuesday, September 8. Mayor Honse proposed two new access routes for the proposed bridge and all four cities approved of them. Matt Flanagan contacted Carter and Burgess, the engineering firm in charge of preliminary plans and they will do a cost analysis for these two new routes and present it to the Denton County Commissioners Court.

XII. LIBRARY REPORT.

The quarterly report for the Lake Cities Library was reviewed..

XIII. CITIZEN'S AGENDA.

Judy Yancy thanked Matt Flanagan and Mayor Honse for their involvement and work on the Lewisville Lake Bridge project.

XIV. PARK & RECREATION.

David Shershen, Park Board Chairman, reported that he was having a difficult time getting volunteers to work programs and that he was putting a hold on programs that he had planned but had not initiated.

XV. PLANNING & ZONING.

Council Member Bills reported that Clyde Fisher had came before the Commission to see what the consensus was on abandoning an easement abutting his property on Carlisle Drive. The Commission could not give an opinion until further information could be obtained.

The Commission also discussed their options relating to outside storage at commercial and industrial sites.

Each member will have ideas for a five year plan for the next meeting.

XVI. FIRE DEPARTMENT.

The financial reports were received but there was not an activity report.

XVII. STREET DEPARTMENT.

Mayor Honse reported that the Street Department was working on the major street work in the Oak Lakes Subdivision. On Glen Rhea, they are correcting drainage problems and will widen part of that street and overlay it.

XVIII. POLICE DEPARTMENT.

Chief Ristagno reported that he has been discussing the wiring for our PSAP with Fred Stephens and the engineer from the Lake Dallas Telephone Company.

Chief Ristagno is applying to the DEA for drug seizure money which he plans to use to buy bullet proof vests.

XIX. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of September. Jerry McCutcheon seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

E. The Code Enforcement Report was reviewed.

XX. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - to be discussed at future workshop.

XXI. NEW BUSINESS.

A. Mayor Honse informed the Council that ex-employee Richard Glenn has submitted an appeal and a request to be heard by the Personnel Grievance Committee and that a meeting has to be called within five days. It was decided to have this meeting on Monday, September 14, 1992 at 7:00 p.m.

B. Garry Bills asked that the ordinance pertaining to excavations be placed back on the agenda next month for clarification..

XXII. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 14, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Council Member Matt Flanagan with following persons present:

Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Bill Gilliland, Council Member
Garry Bills, Council Member
Donna Hamilton, City Secretary

With Mayor Honse and Linwood Gilliland absent, the following business was transacted.

II. ELECTION OF CHAIRMAN OF GRIEVANCE COMMITTEE.

Bill Gilliland moved to appoint Garry Bills as Chairman of the Employee Grievance Committee. Jerry McCutcheon seconded the motion and it carried unanimously.

III. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

Council Member Bills announced that the City Council, serving as the Employee Grievance Committee, would enter into executive session at 7:26 p.m.

A. Consider appeal of ex-employee Richard Glenn.

Mr. Glenn was informed of the procedures which would be taken and of his right to an open hearing. Mr. Glenn requested that the hearing be public.

Council Member Bills announced that the appeal portion of the session was open to the public.

Bill Tranthan, attorney for Richard Glenn, spoke on behalf of his client.

Council then questioned Mr. Glenn on the events leading up to his alleged forced resignation which involved Mr. Glenn allegedly driving a police squad car after being told not to do so by Sgt. Newby. Richard Glenn stated that Sgt. Newby had told him that a memo was coming out on this matter, but did not tell him that it applied to him that particular night.

Chief Nick Ristagno was then questioned on the events leading up to the allegedly forced resignation.

Sgt. Ron Newby was asked to give his remembrance of the events leading up to the allegedly forced resignation of Richard Glen. Sgt. Newby stated that he had called Richard Glenn into his office and told him that Chief Ristagno was coming out with a memo that forbids officers from driving squad cars while they were not on assignment and that he told Mr. Glenn not to drive a squad car that evening but to ride with another officer.

Council reconvened into executive session at 9:44 p.m.

Council convened into open session at 10:20 p.m.

IV. ACTION ON APPEAL OF RICHARD GLENN.

Council Member Bills announced that the Grievance Committee would report its findings and advisory opinions to the Mayor withing ten working days for his consideration.

V. ADJOURNMENT.

Jerry McCutcheon moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Garry Bills, Council Member

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 8, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Linwood Gilliland with the following members present:

Linwood Gilliland, Mayor ProTem
Garry Bills, Council Member
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary

With Mayor Honse and Bill Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Matt Flanagan moved to approve the minutes of meetings held in September, 1992. Jerry McCutcheon seconded the motion and it carried unanimously.

IV. AMENDMENT TO ORDINANCE NO. 92-04 RELATING TO EXCAVATION OF STREETS.

Garry Bills moved to amend Ordinance No. 92-04 by requiring that any person, firm or governmental agency shall obtain a permit from the city. Governmental agencies shall be exempt from the permit fee. Matt Flanagan seconded the motion and it carried unanimously.

V. APPOINTMENT OF ALTERNATE MUNICIPAL COURT JUDGE.

Matt Flanagan moved to appoint Jerry McCutcheon as Alternate Municipal Court Judge. Garry Bills seconded the motion and it carried unanimously. The Council agreed to also seek a citizen to serve as an alternate judge.

VI. RESOLUTION CONCERNING LEWISVILLE LAKE BRIDGE ROUTES.

Matt Flanagan moved to pass a resolution supporting Routes E1H and E2H for the proposed Lewisville Lake Bridge. Garry Bills seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

A. Marvin Haney, representing his mother who resides at 108 South Lakeview, asked that the City smooth the drainage ditch surrounding his mothers property. He was unhappy that the Street Department had removed their St. Augustine grass and left the ditch in an unmowable condition. The Council agreed to place a six to eight foot culvert in front of Mrs. Haney's house and Jerry McCutcheon will see if the Street Department can smooth the ditch.

VIII. PARK & RECREATION DEPARTMENT.

Kathy Osburne presented Miss Lake Dallas USA and Miss Lake Dallas Teen USA to the Council and asked that everyone support their fund raising efforts to send these girls to the sate pageants.

IX. PLANNING & ZONING COMMISSION.

Garry Bills reported that Clyde Fisher has been talking to the Commission about the possibility of receiving a quit claim deed on property located in the 700 block of Carlisle Dr.

X. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received.

XI. STREET DEPARTMENT.

Betchan Street is currently being completely overhauled. It was noted that the streets in Oak Lakes need to be inspected before final payment is made to the contractor.

XII. POLICE DEPARTMENT.

Chief Ristagno reported he is serving on the Emergency Medical Dispatch Task Force. He further reported that he hopes to have the cost of the electrical work for the PSAP by the next council meeting.

XIII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of October. Garry Bills seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was reviewed.

E. The Code Enforcement Report was reviewed.

XIV. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - to be discussed at workshops scheduled for October 26 and November 3, 1992..

XV. NEW BUSINESS.

A. Matt Flanagan related that there is a problem with persons parking their cars next door at the car wash and going into the Community Center. The Street Department needs to place signs on the south side of the Community Center reading "Parking in Rear".

XVI. RESIGNATION OF LINWOOD GILLILAND AS MAYOR PROTEM.

Linwood Gilliland resigned his position as Mayor ProTem due to conflicts with his job.

XVII. APPOINTMENT OF MAYOR PROTEM.

Matt Flanagan moved to appoint Garry Bills as Mayor ProTem. Linwood Gilliland seconded the motion and it carried unanimously.

XVIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

Ronald E. Honse

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
OCTOBER 29, 1992

I. ROLL CALL.

The meeting was called to order at 7:15 p.m. by Mayor Honse with following persons present:

Ronald E. Honse, Mayor
Garry Bills, Mayor ProTem
Matthew Flanagan, Council Member
Jerry Mccutcheon, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The Council reviewed and discussed changes to the Personnel Manual. They will meet again on November 3, 1992 to continue working on changes to the manual.

III. ADJOURNMENT.

Jerry McCutcheon moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 3, 1992

I. ROLL CALL.

The meeting was called to order at 6:45 p.m. by Mayor ProTem Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry Mccutcheon, Council Member
Bill Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor Bill Honse MATT FLANAGAN and Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The Council reviewed and discussed changes to the Personnel Manual. The City City Council will submit suggestions for possible changes at their regular meeting on November 12th. The City Secretary and the Police Chief will develop a personnel manual. to present to City Council before their regular meeting in January, 1993.

III. ADJOURNMENT.

Bill Gilliland moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 12, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Bill Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland and Bill Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held on October 8 and 29, 1992 and November 3, 1992 with the following correction: Matt Flanagan should be shown as absent from the November 3, 1992 meeting. Matt Flanagan seconded the motion and it carried unanimously.

IV. NOMINATION OF CANDIDATE FOR APPOINTMENT TO THE DENTON CENTRAL APPRAISAL DISTRICT APPRAISAL REVIEW BOARD.

Garry Bills moved to table this item pending further information. Matt Flanagan seconded the motion and it carried unanimously.

V. RENEWAL OF LEASE WITH CORPS OF ENGINEERS ON WILLOW GROVE PARK.

Jerry McCutcheon moved to reject renewal of a lease contract with the Corps of Engineers for Willow Grove Park. Matt Flanagan seconded the motion and it carried unanimously. The Council agreed also to support the Lake Cities Baseball Association in their efforts to obtain a lease agreement with the Corps of Engineers for the athletic fields.

VI. CITIZEN'S AGENDA.

A. Jack Nelson, who resides at 104 Dobbs Road, expressed his concern that a 30 x 40 metal building currently under construction at 106 Dobbs Road might be used for a business .

B. Clyde Edwards, who resides at 108 Dobbs Road, said that Mr. Broadwater had informed him that he was going to build a commercial garage at 106 Dobbs Road. Mr. Edwards also interprets the Zoning Code to require a masonry exterior for garages in the R1-7200 Zone District.

After discussion, the Council agreed to withdrawn the permit on this structure and halt construction pending legal opinion from the City Attorney.

C. Sandy Payne requested that a member of the Council attend meetings of the Lake Cities Co-op Committee during Councilman Linwood Gilliland's absence from the country. Matt Flanagan volunteered to attend.

VII. PARK & RECREATION DEPARTMENT.

A. David Shershen informed the Council that the Park Board is going to turn the Rec-Ed programs over to the Lake Cities Co-op Committee.

B. Garry Bills moved to accept the resignation of Sherry Gaines from the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

C. Garry Bills moved to appoint Tammy Hyte to the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

VIII. PLANNING & ZONING COMMISSION.

Garry Bills reported that B.L. Archer appeared before the Commission to request that the road easement located off the 700 block of Carlisle Dr. remain as he plans to develop his adjacent property. Clyde Fisher, who had wanted the abandonment, agreed to leave this easement intact if Mr. Archer was going to develop.

XI. FIRE DEPARTMENT.

The financial reports for the Lake Cities Fire Department were received.
Roberta Griffin presented the monthly statistical reports. She related that Austin Stahl has been appointed as Assistant Fire Chief and that they had received three bids on a fire truck.

XI. STREET DEPARTMENT.

Jerry McCutcheon report the following:

* Abcon has made all necessary repairs to the streets in the Oak Lakes Subdivision.
* The "NO PARKING" signs have been placed at the Community Center.
* The culvert has been placed on Lakeview in front of the Haney property.
* The crew is currently working on drainage on Lakeland.
* There are plans to pave the Community Center parking lot and redo the handicap ramp.

XI. POLICE DEPARTMENT.

The monthly Police Report was received. Chief Ristagno reported that the DenCo 9-1-1 Board has approved the purchase of the PSAP equipment for Lake Dallas.

XII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Jerry McCutcheon moved to approve for the City Secretary to pay all accounts due for the month of November. Garry Bills seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was not received in time for the meeting.

E . The Code Enforcement Report was reviewed.

XIII. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - the City Secretary and the Police Chief will develop a new personnel manual for Council's consideration.

C. The Lewisville Lake Bridge is on the Commissioner's Court Agenda for November 17, 1992.

XIV. NEW BUSINESS.

A. Matt Flanagan had requested that consideration of two council meetings per month be placed on this agenda but Mayor Honse will place it on next months agenda when all council members are present.

B. Jerry McCutcheon informed Council that a private ambulance company would like to present a proposal for service. He will gather information.

C. Jerry McCutcheon related that he has been receiving donations for the Senior Citizen Christmas Dinner.

XV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 12, 1992

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Bill Honse with following persons present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Mayor ProTem
Jerry Mccutcheon, Council Member
Donna Hamilton, City Secretary

With ~~Mayor~~ Bill Gilliland and Linwood Gilliland absent, the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

Mayor Honse announced that Council would enter into executive session at 6:37 p.m.

Council reconvened into open session at 6:54 p.m.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Ronald E. Honse, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
DECEMBER 10, 1992

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Bill Honse with the following members present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in November, 1992 . Garry Bills seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: PETITION FOR A REPLAT OF TRACT 85 IN M.E.P. & P.R.R. SURVEY INTO TWO LOTS.

Clyde Fisher explained his proposal to divide his property into two lots. There were no public comments.

V. REPLAT OF TRACT 85 OF THE M.E.P. & P.R.R. SURVEY.

Matt Flanagan moved to approve the replat of Tract 85 of the M.E.P. & P.R.R. Survey. Garry Bills seconded the motion and it carried unanimously.

VI. NOMINATION OF CANDIDATE FOR APPOINTMENT TO THE DENTON CENTRAL APPRAISAL DISTRICT REVIEW BOARD.

Garry Bills moved that the City Council not make an appointment to the Denton

Central Appraisal District Review Board. Jerry McCutcheon seconded the motion and it carried unanimously.

VII. APPOINTMENT OF CITY COUNCIL MEMBER TO SERVE OUT THE UNEXPIRED TERM OF COUNCIL MEMBER BILL GILLILAND.

Linwood Gilliland moved to appoint Thana Bounds to serve out the unexpired term of Council Member Bill Gilliland. Jerry McCutcheon seconded the motion and it carried unanimously.

******* MAYOR HONSE EXCUSED HIMSELF FROM THE MEETING AND MAYOR PROTEM BILLS CHAIRED THE REMAINDER OF THE MEETING.**

VIII. DISCUSSION OF ZONING CODE BY CLYDE EDWARDS.

Mr. Edwards expressed concern that his neighbor was being allowed to construct an accessory building which did not have a masonry exterior. He said that when the Zoning Code was amended to require masonry exteriors in the R1-7200 District, the intent of was to include assessory buildings.

IX. CONSIDER HOLDING TWO CITY COUNCIL MEETINGS PER MONTH.

Jerry McCutcheon moved that the City Council continue to hold only one regular meeting per month. Matt Flanagan seconded the motion and it carried unanimously.

X. CITIZEN'S AGENDA.

A. Carolyn Green requested that the Citizen's Agenda be placed further up on the agenda in order that citizens can make comments on agenda items before action is taken. She urged the Council to pass a stronger tree preservation ordinance.
B. Mike Broadwater, 106 Dobbs Road, asked that the City enforce codes on the properties surrounding his.

XI. PARK & RECREATION DEPARTMENT.

A. David Shershen informed the Council that the Park Board is going to concentrate its efforts on Garza Days, Fourth of July, Beauty Pageants and the Community Center Park. The annual P.O. Byers Award Dinner will now be the P.O. Byers/Bill Gilliland Awards Dinner. The P.O. Byers awards will go to individuals and the Bill Gilliland awards will go to organizations.

XII. PLANNING & ZONING COMMISSION.

Garry Bills reported that the Commission has proposals to change R1-7200 Zoning concerning hobby shops, assessory buildings and masonry requirements.

XIII. FIRE DEPARTMENT.

There were no reports received for the Lake Cities Fire Department.

XIV. STREET DEPARTMENT.

Jerry McCutcheon report that the Street Department has been trimming trees, placing signs, repairing equipment, pouring concrete, putting up Christmas decorations, watering Betchan, and doing drainage work on Glen Rhea.

XV. POLICE DEPARTMENT.

The monthly Police Report was received. Chief Ristagno reported that the Police Department has been renovating their offices.

XVI. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Jerry McCutcheon moved to approve for the City Secretary to pay all accounts due for the month of November. Linwood Gilliland seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

E . The Code Enforcement Report was reviewed with Richard Getts.

XVII. OLD BUSINESS.

A. Municipal building - to be discussed at future workshop .

B. Personnel Manual - the City Secretary and the Police Chief will develop a new personnel manual for Council's consideration.

C. Lewisville Lake Bridge - City will be notified of any public hearings before the Commissioner's Court on this matter.

D. Ambulance service - reports of ambulance service fees were reviewed.

XIV. NEW BUSINESS.

A. Jerry McCutcheon expressed disappointment that the Lake Cities Sun did not print the grand opening of a local business by printing pictures they had taken.

XV. EMERGENCY MEDICAL DISPATCH RESOLUTION.

Jerry McCutcheon moved to pass a resolution agreeing to develop a standard operating procedure for emergency medical dispatching; to provide EMD certification and re-certification for all of its telecommunicators after December 31, 1993; and, to hold harmless and indemnify the Denco Area 9-1-1 District in all matters directly related to emergency medical dispatch training. Linwood Gilliland seconded the motion and it carried unanimously.

XVI. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting, Matt Flanagan seconded the motion and it carried unanimously.

RONALD E. (BILL) HONSE, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SITTING AS THE BOARD OF ADJUSTMENT
DECEMBER 10, 1992

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Bill Honse with following persons present:

Garry Bills, Mayor ProTem
Jerry Mccutcheon, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. PUBLIC HEARING: PETITION OF O.L. GUNTER REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.12.100 RELATIVE TO FRONT YARD SETBACKS.

Jerry Dobson, 220 Pembrook, was opposed to the variance to allow a twenty foot front yard setback stating that the average setback on Pembrook was thirty-five to forty feet. He further noted that the house could be moved back without interfering with the tree. There were several letters received from property owners in opposition to this variance.

III. REQUEST FOR A VARIANCE RELATIVE TO FRONT YARD SETBACKS AT 225 PEMBROOK.

There was discussion about the fact that house plans for this location had not been presented.

Jerry McCutcheon moved to table this petition until building plans were received. Matt Flanagan seconded the motion. The City City Secretary pointed out that the variance was not for a certain set of plans, but for the setbacks only. Jerry McCutcheon withdrew his motion.

Jerry McCutcheon moved to deny the request for a variance from Municipal Code 18.12.100 relative to front yard setbacks at 225 Pembrook. Matt Flanagan seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 14, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry Mccutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. EXECUTIVE SESSION.

At 6:34 P.M. the City Council entered into executive session to discuss police department personnel.

At 7:29 P.M. the City Council reconvened into open meeting. There was no action taken on the subject of the executive session.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JANUARY 14, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in December, 1992 . Matt Flanagan seconded the motion and it carried unanimously.

IV. RESIGNATION OF MAYOR BILL HONSE.

Jerry McCutcheon moved to accept the resignation of Mayor Bill Honse. Matt Flanagan seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

A. Carolyn Green stated that she had fought against Bill Honse when he first became Mayor, but now admits that she was wrong. She stated that Honse had done a good job and that she is proud of him.

VI. PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 18.12 OF THE MUNICIPAL CODE RELATING TO ACCESSORY BUILDINGS.

There were no public comments.

VII. ORDINANCE AMENDING CHAPTER 18.12 OF THE MUNICIPAL CODE.

Matt Flanagan moved to approve the amendments to Chapter 18.12 of the Municipal Code. Thana Bounds seconded the motion and it carried unanimously.

VIII. QUIT CLAIM DEED FOR STREET EASEMENT BETWEEN BLOCK 3 AND BLOCK 6 OF LAKE DALLAS SHORES SUB-DIVISION.

Danny Barboza explained that he owns both Block 3 and Block 6 of Lake Dallas Shores Subdivision and that this easement divides his property.

Jerry McCutcheon moved to approve the Quit Claim Deed to Danny Barboza for the street easement between Block 3 and Block 6 of the Lake Dallas Shores Sub-division. Matt Flanagan seconded the motion and it carried unanimously.

IX. RESOLUTION SUPPORTING PROPOSED TEXAS HYDROFEST HYDROPLANE BOAT RACE ON LAKE LEWISVILLE.

Matt Flanagan moved to pass a resolution supporting the proposed Texas Hydrofest hydroplane boat race to be held on Lake Lewisville on Memorial Day weekend. Jerry McCutcheon seconded the motion and carried unanimously.

X. ELIMINATION OF CONTROLLED BURNING.

After considerable discussion about providing other means of disposing of brush and other matters that are burned by some citizens, Matt Flanagan moved to postpone any action pending further investigation. Thana Bounds seconded the motion and carried unanimously.

XI. CERTIFICATION PAY FOR DEPARTMENT HEADS .

Jerry McCutcheon moved to table any action on certification payment to Department Heads pending further information. There was not a second to the motion and the motion failed..

Matt Flanagan moved to pay Chief Nick Ristagno certification pay and to make it retroactive. Thana Bounds seconded the motion and it carried with the following vote: Ayes: Matt Flanagan, Thana Bounds, Garry Bills; Noes: Jerry McCutcheon.

XII. PARK & RECREATION.

Matt Flanagan informed the Council that Park Board Chairman David Shershen has requested that the joint meeting between the Park Board and the City Council be changed to February 25, 1993. Council agreed to this date at 7:30 P.M. at the Community

Center.

Matt Flanagan reported on the activities of the Community Action Committee.

Garry Bills stated that he has a problem with inconsistency of meeting dates of the Park Board. He also has a problem with Gifford Long having the title of Chairman Emeritus. Jerry McCutcheon brought up the fact that a carnival has not been secured for Garza Days. There matters will be discussed at the joint meeting on February 25, 1993.

XIII. PLANNING & ZONING COMMISSION.

Jerry McCutcheon reported that the Commission discussed the amendments to change R1-7200 Zoning concerning hobby shops, accessory buildings and masonry requirements.

The Commission also discussed a five year plan. Year one, they wanted the Community Center parking lot pave. Year two and three, paving and possible curbing of Main Street. Paving at the Community Center will done in the spring.

XIV. FIRE DEPARTMENT.

Roberta Griffin reported that a truck has been ordered and that they expect delivery in June. Financial reports were received but no activity reports.

XV. STREET DEPARTMENT.

Jerry McCutcheon report that the Street Department has been patching, bladework, installed alarm system at City Hall, and place exhaust fans in the restroom.

XVI. POLICE DEPARTMENT.

The monthly Police Report was received. Chief Ristagno reported that they anticipate being in full operation with the PSAP.

Jerry McCutcheon stated that he has noticed that there were several dogs at large in the older section of town and very few citations were being issued. Chief Ristagno will discuss this problem with the animal control officer.

The City Secretary was instructed to contact the City Attorney regarding imminent domain procedures for the property where the animal shelter is located.

XVII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Jerry McCutcheon moved to approve for the City Secretary to pay all accounts due for the month of January. Matt Flanagan seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

E . The Code Enforcement Report was reviewed with Richard Getts.

XVIII. OLD BUSINESS.

A. Municipal building - to be placed on the agenda to discuss possible renovations to the current building.
B. Personnel Manual - a workshop was set for February 4, 1993 at 7:00 P.M.
C. Lewisville Lake Bridge - engineering report is almost complete.
D. Ambulance service - this item will be removed from the agenda.

XIX. NEW BUSINESS.

A. Jerry McCutcheon requested that certification pay for Department Heads be placed on the agenda for February.
B. Jerry McCutcheon would like for the City to issue certificates of appreciation to volunteers.
C. Garry Bills would like City to consider building carport to house patrol vehicles.
D. Garry Bills would like to review salary ranges.
E. Garry Bills set January 18, 1993 at 8:00 A.M. for a quarterly council/employee meeting.
F. Jerry McCutcheon would like to have an action item placed on February's agenda designating smoking areas.
G. Garry Bills related that according to Vernon's Texas Civil Statutes, the Council will not be able to appoint anyone as Mayor, therefore he will handle these responsibilities and will retain his voting rights.

XX. ADJOURNMENT.

Jerry McCutcheon moved to adjourn the meeting, Matt Flanagan seconded the motion and it carried unanimously.

Garry D Bills
GARRY BILLS, MAYOR PROTEM

ATTEST:

Donna Hamilton
DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 5, 1993

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council discussed revisions to the personnel manual, but took no official action. They will meet again on February 23, 1993 at 6:00 p.m. to continue discussions of the manual.

II. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 11, 1993

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION.

A. Consider appeal of ex-employee John Gaines.

John Gaines requested that the meeting be open to the public.

John Gaines, along with his attorney Hank Payne, requested that his termination papers be withdrawn from his personnel files and that he be allowed to resign. Hank Payne told the Council that he did not think that Mr. Gaines appraisal merited termination. Chief Ristagno defended his position on the termination.

The Council convened into executive session with Mr. Gaines permission at 7:28 P.M.

The City Council reconvened into open session at 7:55 p.m.

III. ACTION ON APPEAL OF JOHN GAINES.

Three members were of the opinion to support the termination and one was in favor of allowing Mr. Gaines to resign. Each Council Member will submit their opinion in writing to Council Member Flanagan who will forward their recommendations to Mayor ProTem Garry Bills for his final decision.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
FEBRUARY 11, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Garry Bills

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in January, 1993. Thanna Bounds seconded the motion. The motion carried with Jerry McCutcheon, Matt Flanagan and Thanna Bounds voting in favor and Linwood Gilliland abstaining.

IV. CITIZEN'S AGENDA.

A. Carolyn Green asked the City to be active participants in the annual tree planting program on March 13, 1993 which is being sponsored by Food Fare.

V. AUDIT REPORT FOR 1991-92 FISCAL YEAR.

Monte Pipes, CPA, presented the 1991-92 Fiscal Year Audit Report.

VI. REQUEST FOR RATE INCREASE BY TU ELECTRIC.

James Loveday, manager of the local Texas Utilities, presented a rate increase request. Jerry McCutcheon moved to adopt an ordinance referring all rate increases by TU Electric to the Public Utility Commission. Linwood Gilliland seconded the motion and it carried unanimously. Jerry McCutcheon will compose a letter to PUC.

VII. RESOLUTION SUPPORTING THE CURRENT BOUNDARY BETWEEN DENTON COUNTY AND TARRANT COUNTY.

Matt Flanagan moved to pass an resolution supporting the current boundary between Denton County and Tarrant County. Jerry McCutcheon seconded the motion and it carried unanimously.

VIII. APPOINTMENT OF ALTERNATE MUNICIPAL COURT JUDGE.

Jerry McCutcheon moved to appoint Bill Honse as an alternate municipal court judge. Thanna Bounds seconded the motion and it carried unanimously.

IX. NON-SMOKING IN CITY BUILDINGS.

Matt Flanagan moved to ban smoking in all city-owned buildings, except the Community Center, and in all city vehicles. Jerry McCutcheon seconded the motion and it carried unanimously.

X. LIAISON APPOINTMENTS.

A. Garry Bills announced that he has appointed Thanna Bounds as liaison to the Park Board. Linwood Gilliland moved to confirm this appointment. Matt Flanagan seconded the motion and it carried unanimously.

B. Garry Bills announced that he has appointed Matt Flanagan as liaison to the Planning and Zoning Commission. Linwood Gilliland moved to confirm the appointment. The motion was seconded by Jerry McCutcheon and carried unanimously.

XI. CERTIFICATION PAY.

Linwood Gilliland moved to table any action on certification payment until Council reviews salary scales. Jerry McCutcheon seconded the motion and it carried unanimously.

XII. MAYOR'S SALARY FOR THE MAYOR PRO TEM.

Mayor ProTem Bills stated that he would decline the Mayor's salary if it was offered. Matt Flanagan moved to deny payment of the Mayor's salary to the Mayor ProTem. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. BARRICADING THE WEST END OF ALLEY BETWEEN ALTHEA AND GOTCHER SUBDIVISIONS.

Matt Flanagan moved to barricade a portion of the alley between Gotcher and Althea Subdivisions. Linwood Gilliland seconded the motion and it carried unanimously.

XIV. TEXAS WASTE MANAGEMENT GARBAGE TRUCKS.

There was discussion about the garbage trucks causing damage to the streets. Garry Bills is going to contact Texas Waste Management.

XV. PARK & RECREATION.

A. David Shersen reported on the activities of the Park Board.

B. Linwood Gilliland moved to accept the resignations of Gifford Long, Cindy Davern, Julie Richardson and Thanna Bounds from the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

C. There were no nominations for appointment to the Park Board.

D. Council inquired of David Shershen why so much money had been spent out of the the Park Board budget. He informed them that a loan was made to Beauty Pageant Committee. Any future loans will be approved by the Council.

XVI. PLANNING & ZONING COMMISSION.

The Planning and Zoning minutes were reviewed.

XVII. FIRE DEPARTMENT.

Council reviewed the Fire Department financial statement.

XVIII. STREET DEPARTMENT.

Jerry McCutcheon report that the Street Department has had Lakeland Court surveyed. They have also been cleaning out culverts. Jerry McCutcheon has taken an inventory of stop signs and street lights.

XIX. POLICE DEPARTMENT.

The monthly Police Report was received. Chief Ristagno reported that they anticipate being in full operation with the PSAP by March 8, 1993.

Chief Ristagno introduced Marcus Cook, a new dispatcher..

XX. CODE ENFORCEMENT REPORT.

Richard Getts reported on code enforcement activities.

XXI. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of February. Thanna Bounds seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XXII. OLD BUSINESS.

A. Municipal building - to discuss possible renovations to the current building.

B. Personnel Manual - a workshop is set for February 23, 1993 at 6:00 P.M.

C. Lewisville Lake Bridge - if the bridge is constructed across the old dam, Main Street will have to be enlarged thereby destroying several businesses..

D. Imminent Domain Procedures - City Attorney researching this matter..

XXIII. NEW BUSINESS.

Linwood Gilliland asked to be excused from meetings for the next month.

XXIV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Garry Bills

GARRY BILLS, MAYOR PROTEM

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 23, 1993

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council discussed revisions to the personnel manual, but took no official action. They will meet again on March 9, 1993 at 6:00 p.m. to continue discussions of the manual.

II. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 25, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council meet in joint session with the Park and Recreation Board and discussed the following matters:

Garza Days: There was a consensus of opinion that there must be a carnival, more banners and signs, and bleachers. The 1992 Garza Days netted $1,400.

Fourth of July Fireworks Display: The 1992 Fireworks Display costs $3,100. for fireworks and an operator. There was discussion of ways to raise monies for this program such as a raffle.

Community Center Park: The Park Board will prepare plans for improvement of the park.

The City Council and the Park and Recreation Board will meet again on March 22, 1993 at 7:30 p.m. in the Community Center to continue discussions of the Community Center Park.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 9, 1993

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council discussed revisions to the personnel manual, but took no official action. They will meet again on March 30, 1993 at 6:00 p.m. to continue discussions of the manual.

II. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MARCH 11, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Thanna Bounds, Council Member
Jody Brooks, Deputy City Secretary

With Linwood Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Robert Bennett.

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in February, 1993. Thanna Bounds seconded the motion. The motion carried with Jerry McCutcheon, Matt Flanagan and Thanna Bounds voting in favor.

IV. CITIZEN'S AGENDA.

A. Carolyn Green asked the City to be active participants in the annual tree planting program on March 13, 1993 which is being sponsored by Food Fare. She also stated that she would like to see the City start a beautification committee.

V. RENEWAL OF EMPLOYMENT CONTRACT WITH THE CITY ATTORNEY.

Matt Flanagan moved to renew an employment contract with Cynthia Henry, City Attorney except to strike the last sentence from Section I. which reads "This contract shall be automatically renewed at the end of the contract period and from year to year unless suitable notice of termination is given as stated above." Thanna Bounds seconded the motion and it carried unanimously.

VI. REPLAT OF BORCHARDT ESTATES.

Robert Bennett, representing Lake Shore Baptist Church, informed the Council that his church intends to buy this property to extend their church facilities. Thanna Bounds moved to approve the replat. Jerry McCutcheon seconded the motion and it carried unanimously.

VII. RESOLUTION ACCEPTING AND RATIFYING THE AGREEMENT WITH SAMMON'S COMMUNICATIONS TO DELAY FILING WITH THE FCC TO ALLOW TIME FOR THE REBUILD OF THE CABLE SYSTEM.

John Enlow, representing Sammons Communications, explained that his company needed additional time to complete rebuilding of their system. Matt Flanagan moved to pass the resolution accepting and ratifying the agreement with Sammon's Communications to delay filing with the FCC to allow time for the rebuild of the cable system. Thanna Bounds seconded the motion and it carried unanimously.

VIII. PARK & RECREATION.

A. David Shersen reported on that he will have a packet with information concerning the proposed Community Center Park ready by the meeting between the Park Board and City Council on March 22, 1993. He informed the Council that the Park Board is sponsoring a circus on May 5,6,7,8 and 9, 1993 and intends to do this annually to celebrate Cinco de Mayo.

B. Matt Flanagan moved to appoint Anna Benham to the Park Board. Jerry McCutcheon seconded the motion and it carried unanimously.

Jerry McCutcheon moved to appoint Ruthanne Dencklau to the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

IX. PLANNING & ZONING COMMISSION.

Matt Flanagan reported that the Planning and Zoning Commission had denied the replat of the Borchardt Estates and the closure of a portion of Scott Avenue as requested by Ray Weikum.

X. FIRE DEPARTMENT.

There were not any reports received from the Fire Department.

XI. STREET DEPARTMENT.

The Daily Activity Reports were received.

XII. POLICE DEPARTMENT.

The monthly Police Report was not received. Chief Ristagno reported that AT & T was experiencing problems installing the PSAP.

XIII. CODE ENFORCEMENT REPORT.

Richard Getts reported on code enforcement activities.

XIV. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.
B. Jerry McCutcheon moved to approve for the City Secretary to pay all accounts due for the month of March. Matt Flanagan seconded the motion and it carried unanimously.
C . The Municipal Court Report was reviewed.
D. The Tax Collection Report was received.

XV. OLD BUSINESS.

A. Municipal building - to discuss possible renovations to the current building.
B. Personnel Manual - a workshop is set for March 30, 1993 at 6:00 P.M.
C. Lewisville Lake Bridge.
D. Imminent Domain Procedures - City Attorney researching this matter..
E. Certification Pay - will be addressed when Council reviews the budget at mid-year.

XVI. NEW BUSINESS.

A. Inventory Report
B. Purchase Order System
C. Security at City Hall.

XVII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thana Bounds seconded the motion and it carried unanimously.

GARRY BILLS, MAYOR PROTEM

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 22, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council met with the Park and Recreation Board to discuss future plans for the Community Center Park. Jerry McCutcheon will locate and mark the property lines so that David Shershen can plant donated trees on Sunday, March 28, 1993. The Park Board also plans to paint the playground equipment the same weekend.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 30, 1993

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted.

II. WORKSHOP.

The City Council discussed revisions to the personnel manual, but took no official action. Donna Hamilton will retype all the revisions and give to Council by the next regular meeting.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
APRIL 8, 1993

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thana Bounds, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. EXECUTIVE SESSION.

Mayor ProTem Garry Bills announced that the City Council would enter into executive session for private consultation with the City Attorney.

The City Council reconvened into open session at 7:30 p.m.

III. ACTION FROM EXECUTIVE SESSION.

There was not any action taken from the Executive Session.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
APRIL 8, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Thanna Bounds, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland..

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in March, 1993. Thanna Bounds seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Carolyn Green has been talking to business men on Main Street and has set up on tentative beautification organizational luncheon for April 14, 1993. The Arbor Club has donated some red bud trees for the beautification program.

B. Robbie Robertson expressed concern that the City was considering eliminating controlled burning.

C. Gerald Briggs, representing his mother Selba Briggs, would like to see wider utility easements in the proposed replat request by Don Schnieder. He further expressed concern that he had not been able to get a burning permit for two months because the method for issuance is based on the weather twelve hours in advance.

V. REPLAT OF TRACT 14, LOWERY COBB SURVEY.

Don Schneider presented his request for a replat of that portion of Tract 14 of the

Lowery Cobb Survey which lies within the City of Lake Dallas. Matt Flanagan moved to approve the replat. Linwood Gilliland seconded the motion and it carried unanimously.

VI. CONFIRM APPOINTMENT OF JOHNNY WEBBER AS STREET DEPARTMENT DIRECTOR.

Matt Flanagan moved to confirm the appointment of Johnny Webber as Street Department Director. Linwood Gilliland seconded the motion and it carried unanimously.

VII. DISCUSSION OF STREET PAVING BIDS.

Johnny Webber informed the Council of plans to overlay Lakeland Drive, Lakeland Court, Glenn Rhea and possibly Main Street. Because of the costs of this project, sealed bids must be taken.

VIII. ELIMINATION OF CONTROLLED BURNING.

Fire Chief Robby Robertson suggested that he might be able to schedule another burn day besides Saturday until the Council could come up with a way to take care of limbs and brush. Linwood Gilliland moved to table a decision to eliminate controlled burning until the Fire Chief reports back to the Council. Matt Flanagan seconded the motion and it carried unanimously.

IX. KINGSWOOD MOBILE HOME PARK CLUBHOUSE AND SWIMMING POOL.

Rod Courtney who lives in Kingswood Estates is concerned about the condition of the swimming pool located there and the lack of management. He suggested that the City might want to consider asking the Kingswood Homeowners Association to donate the pool and building to the City. He also informed the Council that the Homeowners Association owes back property taxes on this property.

X. AMENDMENT TO CHAPTER 6, LAKE DALLAS MUNICIPAL CODE PERTAINING TO ANIMALS.

After discussion of the proposed amendments to the Chapter 6 of the Municipal Code, Linwood Gilliland moved to table a decision on this matter until changes have been made to Section IV. Thanna Bounds seconded the motion and it carried unanimously.

XI. PARK & RECREATION.

A. David Shershen reported on that Tim Mays is designing a park lay-out for the Community Center Park and that the circus is still scheduled for May 5 - 9, 1993.

XII. PLANNING & ZONING COMMISSION.

The Planning and Zoning Commission minutes were received.

XIII. FIRE DEPARTMENT.

Chief Robertson gave a report on the activities of the Fire Department.

XIV. STREET DEPARTMENT.

Johnny Webber reported on the activities of the Street Department.

XV. POLICE DEPARTMENT.

The monthly Police Report was received. Chief Ristagno reported that the 9-1-1 P.S.A.P. was on line.

XVI. CODE ENFORCEMENT REPORT.

Richard Getts reported on code enforcement activities.

XVII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of April. Linwood Gilliland seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XVIII. OLD BUSINESS.

A. Municipal building - to discuss possible renovations to the current building.

B. Personnel Manual - the final draft will be reviewed at the meeting on May 6th.

C. Lewisville Lake Bridge.

D. Imminent Domain Procedures - drop from agenda.

E. Certification Pay - will be addressed when Council reviews the budget at mid-year.

F. Inventory Report - to be discussed at a later workshop.

G. Purchase Order System - to be discussed at a later workshop.

XVI. NEW BUSINESS.

A. Matt Flanagan would like to see liaisons become less involved in daily departmental business.

XVII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Jerry McCutcheon seconded the motion and it carried unanimously.

GARRY BILLS, MAYOR PROTEM

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 4, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Pro Tem Garry Bills with the following persons present:

Garry Bills, Mayor Pro Tem
Jerry McCutcheon, Council Member
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With Council Member Linwood Gilliland absent, the following business was transacted.

II. CITY OFFICERS ELECTION HELD MAY 1, 1993.

A. The Mayor ProTem and Council canvassed the votes and determined that a total of 1334 votes were cast as follows:

FOR MAYOR:

Jerry McCutcheon	189
Winston Harper	173
Garry Bills	146

FOR COUNCIL:

Bruce Robert Martin	143
Mike Nash	141
Linwood Gilliland	246
Thanna Bounds	297

B. It was moved by Matt Flanagan, seconded by Thanna Bounds and carried unanimously to pass a resolution accepting said election returns and declaring Jerry McCutcheon as Mayor and Bruce Martin, Linwood Gilliland and Thanna Bounds as Council Members.

III. WORKSHOP.

The Council continued its discussion of the proposed new personnel policy. After some changes, it was decided that the policy should be placed on the May 13, 1993 Council Agenda.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 13, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Pro Tem Garry Bills with the following persons present:

Garry Bills, Mayor Pro Tem
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Linwood Gilliland Council Member
Donna Hamilton, City Secretary

With Council Member Jerry McCutcheon absent, the following business was transacted.

II. JOINT WORKSHOP WITH THE PARK AND RECREATION BOARD.

A. Members of the Park Board reported on the results of the circus that was held May 5 - 9, 1993. They had problems with the manager of the circus. It was discussed how to avoid such problems with future events.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Garry D Bills
Garry Bills, Mayor Pro Tem

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MAY 13, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Thanna Bounds, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland..

III. MINUTES.

Jerry McCutcheon moved to approve the minutes of meetings held in April, 1993. Thanna Bounds seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Jackie Kovsky complained that enough was not being done to clean up the city and she would like to see more enforcement.

B. A citizen that lives next door to 5301 Prince Drive complained about the unsanitary conditions at that address. She requested that something be done to alleviate the problem as she could not even allow her children to play in their own yard next to this residence.

C. Carolyn Green informed Council that she hopes to have at least five members for the Beautification Committee. She also related that she has been inquiring about possible grants for beautification.

Lake Dallas Cleanup Day will be on June 5, 1993 starting at 8:00 a.m. in the Food Fare parking lot.

D. Bonnie Holder stated that the Kingswood Homeowner's Association had met and elected new officers. She then introduced the new president, Donna Slaughter. Ms.

Slaughter informed the Council that they were collecting Association dues to pay property taxes and bring the swimming pool up to code.

E. Bruce Martin expressed concern that under the proposed amendment to the animal control ordinance that livestock can not be closer than 100 feet from any persons living quarters which could possibly leave a dead space on some properties.

V. PROPOSED ORDINANCE AMENDING SECTIONS 6.16.020, 6.32.010, 6.44.030 AND 6.48.030 OF THE MUNICIPAL CODE RELATING TO ANIMALS.

After extended discussion of the proposed amendments, Jerry McCutcheon moved to table this item pending further research. Matt Flanagan seconded the motion and it carried unanimously.

V(A). QUIT CLAIM DEED ON A PORTION OF SCOTT AVENUE AS REQUESTED BY RAY WEIKUM.

Matt Flanagan moved to table this item pending further research. Linwood Gilliland seconded the motion and it carried unanimously.

VI. ADOPTION OF CITY EMPLOYEE PERSONNEL POLICY.

Matt Flanagan moved to adopt the Employee Personnel Policy. Jerry McCutcheon seconded the motion and it carried unanimously.

VII. RESIGNATION OF JERRY MCCUTCHEON AS A COUNCIL MEMBER.

Matt Flanagan moved to accept the resignation of Jerry McCutcheon as a Council Member. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. OATHS OF OFFICE.

Donna Hamilton administered the Oath of Office to Jerry McCutcheon, newly elected Mayor.
Donna Hamilton then administered Oaths of Office to Thanna Bounds, Linwood Gilliland and Bruce Martin, newly elected Council Members.

IX. APPOINTMENT OF COUNCIL MEMBER TO FILL VACANCY.

Linwood Gilliland moved to appoint Garry Bills to serve the unexpired term created by Jerry McCutcheon's election to Mayor. Matt Flanagan seconded the motion and it carried unanimously.

X. APPOINTMENT OF MAYOR PRO TEM.

Thanna Bounds moved to appoint Garry Bills as Mayor Pro Tem. Linwood Gilliland seconded the motion and it carried unanimously.

XI. PARK & RECREATION.

A. David Shershen reported that Tim Mays is still working on a design for the park layout for the Community Center Park, but still needs the location of the south boundary. The Second Annual Miss Garza Senior Pageant will be held this Saturday, May 15th. The Miss Garza Pageant Committee will award a college scholarship for community service to a Lake Dallas High School senior.

XII. PLANNING & ZONING COMMISSION.

The Planning and Zoning Commission minutes were received and Matt Flanagan gave a brief report.

XIII. FIRE DEPARTMENT.

Robert Sutton gave an overview of preliminary rules for the issuance of burning permits. Further information will be conveyed at a later date.

XIV. STREET DEPARTMENT.

Johnny Webber reported on the activities of the Street Department. The Street Department has been conducting traffic counts to determine which streets should receive asphalt overlays. He informed Council that a traffic count shows that traffic is heavier on Swisher Road than on Lakeview Drive and that it would costs less to overlay Swisher.

XV. POLICE DEPARTMENT.

The monthly Police Report was received.

XVI. CODE ENFORCEMENT REPORT.

Richard Getts reported on code enforcement activities. The Council will meet at 6:30 p.m. on June 10, 1993 to discuss with Mr. Getts their expectations in the area of code enforcement.

XVII. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of May. Bruce Martin seconded the motion and it carried unanimously.

C . The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XVIII. OLD BUSINESS.

A. Municipal building - this will be changed to read: "Remodeling of Municipal Building."

B. Lewisville Lake Bridge.

C. Certification Pay - will be addressed when Council reviews the budget at midyear. Department Directors were requested to have job descriptions for their personnel submitted by June 15, 1993.

D. Inventory Report - to be completed by each Department by July 1, 1993.

E. Purchase Order System - to be discussed at a later workshop.

XIX. NEW BUSINESS.

A. Mayor McCutcheon informed the Council that Eddie Klump of the Lake Cities Baseball Association has requested that the City allow them to charge their field lights on the City's electrical account in order to receive reduced rates. They would then reimburse the City. This will appear as an action item on the next agenda.

B. Lake Cities Municipal Utility Authority will have an Open House on Sunday, May 23, 1993 from 2 - 4 p.m.

XX. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JUNE 10, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Jerry McCutcheon, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary
BRUCE MARTIN, COUNCIL MEMBER

With ~~all~~ Linwood Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Mayor McCutcheon.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in May, 1993. Bruce Martin seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Robert Capewell, Corinth Council Member, requested that the City of Lake Dallas pass a resolution in support of the Coast Guard Auxiliary volunteer boat safety inspections.

B. Royce "Ugly" Hobbs, representing the American Legion Post 88, thanked the City for participating in the Memorial Day Ceremonies. He further informed the Council that the American Legion Color Guard has been invited be the Honor Color Guard at the City of Schertz Fourth of July Parade. He suggested that the City send a proclamation to the City of Schertz thanking them for their participation in Garza Days. He also suggested that the two cities might want to become sister cities.

C. Steve Smith showed the Council a sketch of a proposed sign for the Lake Dallas Community Park.

D. Sandy Payne spoke in reference to "Clean Up Day" stating that it should be advertised earlier. She also suggested that the City put up more "No Littering" signs.

E. David Shershen stated that there was a need to develop community pride.

F. Donna Slaughter related that Kingswood Mobile Home Park is going to have a clean up day.

G. Carolyn Green thanked everyone who came to help on Clean Up Day.

V. FIRE DEPARTMENT.

The Lake Cities Fire Department report was received.

VI. PARK & RECREATION.

The following events were announced by David Shershen:

1. 4th of July Parade - July 4, 1993, 5:00 p.m.
2. Fund raising breakfast for Miss Lake Dallas USA, Julie Peoples - June 26, 1993, 8:00 a.m.- Lake Dallas Community Center.

VII. STREET DEPARTMENT.

Johnny Webber informed the Council that he had made a five day traffic count on the following streets:

North Shady Shores Road:	30,897.
Main:	25,578.
Hundley Drive:	18,079.
Carlisle	13,633.

VIII. CODE ENFORCEMENT REPORT.

Richard Getts reported on his activities.

IX. POLICE DEPARTMENT.

Chief Ristagno gave a report on the activities of the Police Department.

X. ADMINISTRATIVE DEPARTMENT.

A. The financial reports were reviewed.

B. Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of June. Bruce Martin seconded the motion and it carried unanimously.

C. The Municipal Court Report was reviewed.

D. The Tax Collection Report was received.

XI. PROPOSED ORDINANCE AMENDING THE EXISTING FRANCHISE BETWEEN THE CITY AND TEXAS UTILITIES ELECTRIC COMPANY.

James Loveday, Manager of TU Electric, explained the proposed ordinance and the fact that the franchise fee would go from 3% to 4%. Garry Bills moved to adopt the ordinance as presented by Texas Utilities Company. Matt Flanagan seconded th motion and it carried unanimously.

XII. ORDINANCE AMENDING THE ANIMAL CONTROL ORDINANCE.

Matt Flanagan moved to postpone this ordinance pending changes. Bruce Martin seconded the motion and it carried.

XIII. QUIT CLAIM DEED AS REQUESTED BY RAY WEIKUM.

Matt Flanagan moved to deny the request for a Quit Claim Deed for the east portion of Scott Avenue located between Lots 31 & 32 of Block 2 and Lots 15 & 16 of Block 5. Bruce Martin seconded the motion and it carried unanimously.

XIV. CONTRACT WITH LAKE CITIES BASEBALL ASSOCIATION FOR BASEBALL FIELD LIGHTS.

Mayor McCutcheon explained the proposed contract which would allow the baseball field lights to be billed to the City with the Lake Cities Baseball Association reimbursing the City. This will be an action item on next month's agenda.

XV. USE OF PARK FUNDS TO HAVE COMMUNITY CENTER PARK SURVEYED.

Matt Flanagan moved to approve the survey of the Community Center Park using the Park Expense funds. Bruce Martin seconded the motion and it carried unanimously.

XVI. BEAUTIFICATION COMMITTEE.

Carolyn Green presented a list of persons to be considered as members of the Beautification Committee.

Garry Bills moved to appoint the following persons to the Beautification: Linda Hammack, George Hoff, Nancy Hoff, Robert Johnson, Mrs. Robert Johnson, Ruthanne Dane and Judy Yancey. Thanna Bounds seconded the motion and it carried unanimously.

XVII. PLANNING & ZONING COMMISSION.

A. The Planning and Zoning Commission minutes were received.

B. Mayor McCutcheon explained that the developers of Thousand had asked to be allowed to pay out the $40,000. drainage improvement fees due to the City. All members of the Council expressed negative feelings toward this idea and insisted that the full $40,000. be paid before building permits were issued.

XVIII. OLD BUSINESS.

A. Remodel of Municipal building - Police Department is complete and work is in the process in Administrative Department.

B. Lewisville Lake Bridge - this item will be removed from the agenda.

C. Certification Pay - will be addressed when Council reviews the budget. Remove from agenda.

D. Inventory Report - completed by each Department and available for review.

E. Purchase Order System - to be discussed at a later workshop.

F. Job Descriptions - completed by departments and Council will review.

XIX. NEW BUSINESS.

A. Matt Flanagan suggested that Department Head reports be eliminated from the agenda. Mayor McCutcheon will consider this.

XX, ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JULY 8, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in June, 1993 with the addition of Bruce Martin's name to those present and the deletion of the word "all" from the second sentence of Section I. Bruce Martin seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Terry Lovett of Hickory Creek requested that the City build sidewalks on Main Street from Carlisle Dr. to Oak Lakes Blvd.

B. Bob Roberts of Little Elm wants the City Council to support the Old Dam route for the proposed Lewisville Lake Bridge.

C. Brian Cogbill, 720 Lakeland Rd., requested the City to place culvert at the rear of his property for drainage purposes as Mayor Honse had previously promised to do. The City will further inquire on the legal aspects of this matter. Mr. Cogbill further related that the ditch in front of his residence needed repairs.

D. Sheila Daniel, 620 Beck, requested that the City cut down a cottonwood tree at 613 Wildwood. She also told of potholes on Beck that needed to be filled.

V. ACCOUNTS PAYABLE FOR JULY.

Bruce Martin moved to approve for the City Secretary to pay all accounts due for the month of July. Garry Bills seconded the motion and it carried unanimously.

VI. CONTRACT WITH LAKE CITIES BASEBALL ASSOCIATION.

Matt Flanagan moved to approve a contract with Lake Cities Baseball Association which will allow lighting at the ball fields to be charged to the City with the Baseball Association reimbursing the City. Linwood Gilliland seconded the motion and it carried unanimously.

VII. RESIGNATION OF CYNTHIA HENRY AS CITY ATTORNEY.

Bruce Martin moved to accept the resignation of Cynthia Henry as City Attorney. Garry Bills seconded the motion and it carried unanimously.

VIII. RESOLUTION APPOINTING ONE MEMBER TO THE DENCO 9-1-1 BOARD OF MANAGERS.

Matt Flanagan moved to appoint Olive Stephens to the DenCo Area 9-1-1 Board of Managers. Bruce Martin seconded the motion and it carried unanimously.

IX. ORDINANCE AMENDING SECTION 15.28.110 OF THE MUNICIPAL CODE PERTAINING TO FENCING.

Linwood Gilliland moved to amend Section 15.28.110 of the Municipal Code to allow for PVC fencing. Thanna Bounds seconded the motion and it carried unanimously.

X. OLD BUSINESS.

]

A. Municipal Building - remodeling is currently going on.

B. Purchase Order System - action item on next agenda.

C. Amendment to Animal Control Ordinance - Chief Ristagno told of his idea of issuing permits for horses.

XI. NEW BUSINESS.

A. Mayor McCutcheon called a Special Council Session for July 20, 1993 at 6:30 p.m. to discuss code enforcement with Richard Getts and to review the TML Handbood for Mayors and Councilmembers.

B. Linwood Gilliland suggested that the City present yard of the month awards.

C. Bruce Martin related that he was very disturbed by the fires caused by illegal fireworks on the 4th of July.

D. Mayor McCutcheon informed Council that Texas Waste Management will start using single axle trucks and picking up residential garbage on Tuesdays instead of Thursdays.

E. Mayor McCutcheon related that one of the air conditioning units was broken at the Community Center. A contract for replacement of the unit will be let to the company with the lowest proposal.

F. Mayor McCutcheon informed Council of a cooperative purchasing contract with Denton County that he will sign which will save the City money.

G. The Mayor announced that the City of Denton is going to increase the ambulance service contract rate by at least $.75 per capita.

XII. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JULY 20, 1993

I. ROLL CALL.

The meeting was called to order at 6:35 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. GOALS AND OBJECTIVES OF THE CODE ENFORCEMENT OFFICER.

The City Council discussed with Richard Getts, Code Enforcement Officer, discussed goals and objectives for his position.

III. TML HANDBOOK FOR MAYORS AND COUNCIL MEMBERS.

This item will be discussed at a future meeting.

IV. REC-ED PROGRAM.

Sandy Payne, a Lake Dallas representative on the Lake Cities Recreational Committee, explained that they were using the Community Center for those programs, such as aerobics and the teen dances, that require a lot of space. Other programs will be held in Corinth and Hickory Creek. The Council agreed that the Community Center could be used for these purposes. Ms. Payne reminded that Council that each of the cities had promised to fund the Rec-Ed Program with $200. but had not so yet. The Council agreed to write a check for this amount and to encourage the other cities to do likewise.

V. OAK LAKES SUBDIVISION.

Mayor McCutcheon informed the Council that there was an area in the Oak Lakes Subdivision that did not have all weather roads or utilities. The Council expressed concern that the City could not afford to develop this area.

VI. EXECUTIVE SESSION.

Mayor Jerry McCutcheon announced that the City Council would enter into executive session to discuss personnel under Article 6252-17, Section 2(g), Vernon's Texas Civil Statues. The Council went into Executive Session at 9:18 p.m. and reconvened in open session at 9:35 p.m.

VII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 5, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following persons present:

Garry Bills, Mayor Pro Tem
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. EXECUTIVE SESSION:

A. The Council entered into Executive Session at 6:31 p.m. to evaluate Donna Hamilton, City Secretary, pursuant to Article 6252-17, Section 2(g). Garry Bills moved to adjourn the Executive Session. Linwood Gilliland seconded the motion and it carried unanimously.

The Council convened in open session at 6:35 p.m. to evaluate Donna Hamilton, City Secretary. Each individual Council Member expressed their opinion of Ms. Hamilton's job performance.

Matt Flanagan moved to place a resolution on the next Council Agenda terminating Donna Hamilton as City Secretary due to her lack of ability to perform her job. Linwood Gilliland seconded the motion. The motion failed with the following votes: Ayes: Matt Flanagan, Linwood Gilliland; Nays: Garry Bills, Thanna Bounds, Bruce Martin.

Garry Bills moved to place a resolution on the next Council Agenda terminating Donna Hamilton as City Secretary for lack of confidence. Bruce Martin seconded the motion and it carried with the following votes: Ayes: Garry Bills, Bruce Martin, Linwood Gilliland, Matt Flanagan; Nays: Thanna Bounds.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 10, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor Pro Tem
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. RESOLUTION TO TERMINATE DONNA HAMILTON, CITY SECRETARY, FOR LACK OF CONFIDENCE.

After Mayor McCutcheon, each Council Member and Donna Hamilton expressed their feelings on the subject, the following motion was made:

Thanna Bounds moved to deny the resolution to terminate Donna Hamilton, City Secretary, for lack of confidence. Garry Bills seconded the motion and it carried with the following votes: Ayes: Thanna Bounds, Garry Bills and Bruce Martin; Nays: Linwood Gilliland and Matt Flanagan.

III. REVIEW OF APPLICANTS FOR THE POSITION OF CITY ATTORNEY.

Bruce Martin gave a written and oral report on two law firms and one individual as candidates for the City Attorney's position.

IV. WORKSHOP:

A. The Council reviewed the proposed 1993-94 Fiscal Year Budget. They will meet again on August 19, 1993 at 6:30 p.m. to continue budget discussions.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 12, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor Pro Tem
Linwood Gilliland, Council Member
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all Bruce Martin absent, the following business was transacted.

II. DISCUSSION WITH PARK BOARD CHAIRMAN, DAVID SHERSHEN ABOUT BOARD ACTIONS; CITY ORDINANCES PERTAINING TO PARK AND RECREATION; AND GUIDELINES AND PROCEDURES GOVERNING THE PARKS AND RECREATION BOARD.

Mayor McCutcheon stated that there was a lack of communications between the Park Board and City Council and the purpose of the meeting was to get a few things clarified. There were several items in the July 26, 1993 Park Board minutes that concerned the Council.

1. Mayor McCutcheon advised David Shershen that he did not tell him to not associate with the Happy Hearts, but to leave their monies and supplies alone. David Shershen assured the Mayor that he had not taken any of their belongings.

2. Another statement in the Park Board minutes was that Council only approved things at the Council meetings because there were citizens present. This was denied by Council, but the Council did request that all proposed programs should be presented well in advance in order that the Council can study them before they are voted on.

3. In the Park Board minutes it said that Thanna Bounds stated "in the Council Executive Session it was stated that David Shershen was over stepping his bounds". David Shershen and Thanna Bounds have each denied such a statement being made and it was pointed out that these Boards minutes were a rough draft that had not received Board approval.

4. Mayor McCutcheon requested that the Park Board prepare a rough draft of the Park and Recreation Board Policy and Procedure Guide by October 1, 1993.

5. Mayor McCutcheon informed David Shershen that he had heard rumors that the City Council was out to fire David, but this is not true. The Council only wants to

clarify things.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
AUGUST 12, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Bruce Martin absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in July, 1993. Linwood seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Brian Cogbill, 720 Lakeland Rd., again requested the City to place culvert at the rear of his property for drainage purposes as Mayor Honse had previously promised to do. Mayor McCutcheon advised the Council that if the City does this work then others in this area will probably request same. Each Council Member will personally look at the property and formal action will be taken on August 19, 1993.

V. BEAUTIFICATION COMMITTEE REPORT.

Carolyn Green reported that the Beautification Committee will meet on the 4th Monday of each month at 7:00 p.m. at Lake Haven Estates Clubhouse. Their objectives will be: 1. Litter-free city; 2. Clean up Main Street; 3. Clean up Denton Drive.

VI. ACCOUNTS PAYABLE FOR JULY.

Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of August. Linwood Gilliland seconded the motion and it carried unanimously.

VII. ADOPTION OF PURCHASE ORDER SYSTEM.

Linwood Gilliland moved to table this item and place it the August 24, 1993 agenda as a workshop item. Matt Flanagan seconded the motion and it carried unanimously.

VIII. CONTRACT WITH THE CITY OF CORINTH TO PROVIDE EMERGENCY DISPATCH SERVICES.

Linwood Gilliland moved to approve the contract for Emergency Dispatch Services with the City of Corinth. Matt Flanagan seconded the motion and it carried unanimously.

IX. CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE EMERGENCY DISPATCH SERVICES.

Matt Flanagan moved to approve the contract for Emergency Dispatch Services with the Town of Hickory Creek. Garry Bills seconded the motion and it carried unanimously.

X. RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES TO TRANSMIT FUNDS BETWEEN LOCAL FUNDS AND TEXPOOL.

Linwood Gilliland moved to pass a resolution amending authorized representatives to transmit funds between local funds and TexPool, these persons being Mayor Jerry McCutcheon and Mayor ProTem Garry Bills. Thanna Bounds seconded the motion and it carried unanimously.

XI. LIAISON APPOINTMENTS.

The following City Council liaison appointments were made by Mayor McCutcheon: Parks & Recreation Board - Thanna Bounds; Planning and Zoning Commission - Linwood Gilliland; Lake Cities Fire Department - Garry Bills.

XII. PARK & RECREATION.

Matt Flanagan moved to deny the Lake Cities Voters League as a sub-committee of the Lake Dallas Parks and Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. DOLPHIN STREET SURVEY.

Garry Bills moved to deny approval for the second survey of Dolphin Street. Matt Flanagan seconded the motion and it carried unanimously.

XIV. OLD BUSINESS.

]

A. Municipal Building - remodeling is currently going on.

B. Amendment to Animal Control Ordinance - this ordinance will be reviewed by the newly appointed City Attorney.

XV. NEW BUSINESS.

A. Consider appointment of City Attorney.

Garry Bills moved to appoint the law firm of Nichols, Jackson, Kirk & Dillard as City Attorneys and have this firm to draw up a contract accordingly. Linwood Gilliland seconded the motion and it carried unanimously.

B. Consider final contract payment to Cindy Henry.

No action was necessary on this item as Ms. Henry has been paid in full.

XVI. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Jerry McCutcheon

JERRY MCCUTCHEON, MAYOR

ATTEST:

Donna Hamilton

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 19, 1993

I. ROLL CALL.

The meeting was called to order at 6:35 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. CONSTRUCTION OF DRAINAGE IMPROVEMENTS AT 720 LAKELAND DRIVE.

After much discussion on the fact that the City did not have an easement behind Brian Cogbill's house at 720 Lakeland Drive, it was determined that the City Attorney should be contacted about drawing up an easement for Mr. Cogbill to dedicate and also the legalities of using utility easements.

III. CONTRACT APPOINTING CITY ATTORNEY.

Matt Flanagan moved to authorize the Mayor to sign a contract for services with Nichols, Jackson, Kirk & Dillard. Linwood Gilliland seconded the motion and it carried unanimously.

IV. APPROVAL OF BEAUTY PAGEANT PROGRAM.

Tammy Hite, Director of the Miss Lake Dallas Pageants, explained they wanted approval to have a raffle for a rifle. Linwood Gilliland moved to approve this program and Matt Flanagan seconded the motion. It carried unanimously.

V. WORKSHOP.

The Council met in workshop to discuss the Park Board Budget and the Police Department Budget.

VI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 24, 1993

I. ROLL CALL.

The meeting was called to order at 6:35 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. WORKSHOP.

A. The City Council met in workshop to discuss the Fire Department Budget and the Street Department Budget.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 2, 1993

I. ROLL CALL.

The meeting was called to order at 5:30 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. CONSTRUCTION OF DRAINAGE IMPROVEMENTS AT 720 LAKELAND DRIVE.

After considerable discussion, Matt Flanagan moved to deny the request for drainage improvements at 720 Lakeland Drive. Linwood Gilliland seconded the motion and it carried with the following votes: Ayes: Matt Flanagan, Linwood Gilliland, Garry Bills, Bruce Martin; Noes: none; Abstentions: Thanna Bounds.

III. WORKSHOP.

The Council reviewed the entire proposed 1993-94 Fiscal Year Budget.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 9, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

The City Council met in Executive Session to evaluate Donna Hamilton, City Secretary and Nick Ristagno, Police Chief for merit increases for Fiscal Year 1993-94.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
SEPTEMBER 9, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Linwood Gilliland, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Jerry McCutcheon.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meetings held in August, 1993. Bruce Martin seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Aldena Stowe-Gregory introduced Vickie Carrussi who lives at 224 Pembrook as a candidate to the Lake Cities Library Board. She also reported on the Lake Cities Library Budget. She requested the Council Members to talk to the County Commissioners about future County funding of the library.

B. Chief Ristagno thanked Carolyn Green for the megaphone donation to the Police Department.

V. ACCOUNTS PAYABLE FOR SEPTEMBER.

Bruce Martin moved to approve for the City Secretary to pay all accounts due for the month of September. Garry Bills seconded the motion and it carried unanimously.

VI. AMENDMENT TO CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE EMERGENCY DISPATCH SERVICES..

Linwood Gilliland moved to approve the amendment to the contract for emergency dispatch services with the Town of Hickory Creek. Bruce Martin seconded the motion and it carried unanimously.

VII. PARK & RECREATION.

A. Matt Flanagan moved to deny the sale of non-alcoholic beer at Garza Days. Linwood Gilliland seconded the motion and it carried unanimously.

B. Linwood Gilliland moved to accept the resignations of Marge Woodard and Barbara Green from the Park and Recreation Board. Matt Flanagan seconded the motion and it carried unanimously.

C. David Shershen introduced Donna Slaughter and Steven Blake as recommended candidates to the Park Board. Matt Flanagan moved to appoint Donna Slaughter, Linda Blake and Steven Blake to the Park and Recreation Board.

VIII. RESOLUTION APPROVING THE DENCO 9-1-1 DISTRICT 1994 FISCAL YEAR BUDGET.

Linwood Gilliland moved to approve the DenCo 9-1-1 District 1994 Fiscal Year Budget. Bruce Martin seconded the motion and it carried unanimously.

IX. ORDINANCE AMENDING THE PARK BOARD ORDINANCE.

93-05

Matt Flanagan moved to amend Section 4 of ORdinance 185 and Section 2.32.040 of the Municipal Code to require Council approval of the Park Board Chairman and Vice Chairman after the Park Board appoints them. Linwood Gilliland seconded the motion and it carried unanimously.

X. DENTON CENTRAL APPRAISAL DISTRICT BAD CHECK FEE POLICY.

Bruce Martin moved to approve Denton Central Appraisal Districts Bad Check Fee Policy. Garry Bills seconded the motion and it carried unanimously.

XI. OLD BUSINESS.

]

A. Municipal Building - remodeling is currently going on.

B. Amendment to Animal Control Ordinance - this ordinance will be reviewed in a workshop.

C. Purchase Order System - will consider at a workshop.

XII. NEW BUSINESS.

A. Garry Bills expressed concern that children are being ran over chasing candy thrown out vehicles in parades. The Park Board has already discussed this problem and will discourage participates from throwing candy at the Garza Days Parade unless they are walking.

B. Bruce Martin asked that the Police Department to study the times of the School Zones for a possible cut back in the hours.

XIII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 14, 1993

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, ARTICLE 6252-17, SECTION 2(g), V.T.C.S.

The City Council met in Executive Session to evaluate Richard Getts, Code Enforcement Officer and Johnny Webber, Street Department Director for merit increases for Fiscal Year 1993-94.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 14, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With Linwood Gilliland absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Jerry McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in September, 1993. Thanna Bounds seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Carolyn Green requested that stripes be painted in the major streets.

V. ACCOUNTS PAYABLE FOR OCTOBER.

Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of October. Bruce Martin seconded the motion and it carried unanimously.

VI. GLENN BAILEY, 611 LAKE, CODE VIOLATIONS.

Garry Bills moved to give Mr. Bailey ten days extension on his code violations. During this period Mr. Bailey is to either request a variance on metal fencing, request the City to change the fencing ordinance to allow metal fencing or apply for a building permit for a wooden fence. Matt Flanagan seconded the motion and it carried unanimously.

VII. PARK & RECREATION.

A. Bruce Martin moved to accept the resignation of David Shershen from the Parks and Recreation Board. Matt Flanagan seconded the motion and it carried unanimously.

B. Mayor McCutcheon presented Certificates of Appreciation for Barbara Green and Marge Woodard.

C. Mayor McCutcheon presented an Appreciation Plaque to David Shershen for his service as the Chairman of the Park and Recreation Board.

VIII. CERTIFICATE OF APPRECIATION TO CLEO MURRAY.

Mayor McCutcheon presented a Certificate of Appreciation for Cleo Murray for her service on the Library Board.

IX. APPOINTMENT OF LIBRARY BOARD MEMBER.

Matt Flanagan moved to appoint Vickie Carrussi to the Lake Cities Library Board. Thana Bounds seconded the motion and it carried unanimously.

X. NOMINATION OF CANDIDATES FOR DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

Bruce Martin moved to abstain from nominating a candidate for the Denton Central Appraisal District Board of Directors. Matt Flanagan seconded the motion and it carried unanimously.

XI. RESOLUTION SUPPORTING RETURN OF PRAYER TO PUBLIC SCHOOLS.

Garry Bills moved to pass a resolution supporting return of prayer in public schools. Bruce Martin seconded the motion and it carried unanimously.

XII. RESOLUTION AUTHORIZING THE MAYOR AND CITY SECRETARY TO SIGN AMBULANCE SERVICE CONTRACT.

Bruce Martin moved to pass a resolution authorizing the Mayor and City Secretary to sign a contract with the City of Denton for ambulance service.

XIII. ORDINANCE AMENDING MUNICIPAL CODE 18.46 PERTAINING TO THE BOARD OF ADJUSTMENT.

Garry Bills moved to pass an ordinance amending Chapter 18.46 of the Municipal Code pertaining to the Board of Adjustment by providing that members of the Board will be appointed by City Council. Bruce Martin seconded the motion and it carried unanimously.

XIV. ORDINANCE PROVIDING FOR AN AGREEMENT WITH THE STATE OF TEXAS FOR INSTALLATION, CONSTRUCTION EXISTENCE, USE, OPERATION AND MAINTENANCE OF HIGHWAY TRAFFIC SIGNALS.

Bruce Martin moved to pass an ordinance providing for the agreement between the City of Lake Dallas and the State of Texas for the installation, construction, existence, use, operation, and maintenance of highway traffic signals/illumination at exhibited locations. Matt Flanagan seconded the motion and it carried unanimously.

XV. OLD BUSINESS.

A. Municipal Building - remodeling is currently going on.
B. Amendment to Animal Control Ordinance - this ordinance will be reviewed in a workshop on October 20, 1993 at 6:00 p.m..
C. Purchase Order System - will consider at a workshop on October 20, 1993.
D. School Zone Speed Limits Ordinance - an action item on November agenda.

XVI. NEW BUSINESS.

A. Mayor McCutcheon informed the Council that the VFW & American Legion have agreed to assist the City in being dedicated as a WW II Commemorative City.

XVIII. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
OCTOBER 20, 1993

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. WORKSHOP.

A. The Council discussed the proposed Purchasing Procedures Manual and made minor changes. This City Council will take formal action at their November 11, 1993 meeting.

B. The Council discussed proposed changes to the Animal ordinance. This ordinance will be an action item at the November 11,1993 meeting.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 11, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all present, the following business was transacted.

II. EXECUTIVE SESSION: CONSULT WITH ATTORNEY.

Mayor McCutcheon announced that the City Council would convene in Executive Session to consult with the City Attorney under Section 555.071 of the Local Government Code. The subject of discussion is Garcia vs. City of Lake Dallas. The Executive Session commenced at 6:33 p.m.

The Council reconvened in Open Session at 7:31

III. ACTION RESULTING FROM EXECUTIVE SESSION.

None.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

~~Jerry~~ McCutcheon, Mayor

ATTEST:

Donna Hamilton

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 11, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Jerry McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in October, 1993. Garry Bills seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Rod Courtney, representing Mr. Kerkoska, asked for assistance in helping Mr. Kerkoska place his mobile home, which does not meet the minimum dwelling size, on his lot in Kingswood Estates.

V. ACCOUNTS PAYABLE FOR NOVEMBER, 1993.

Matt Flanagan moved to approve for the City Secretary to pay all accounts due for the month of November. Bruce Martin seconded the motion and it carried unanimously.

VI. POLICE AWARDS.

Chief Ristagno awarded a Life Saving Bar to Tracy Shelburg for her assistance in

saving a young child's life by relaying life saving techniques to the mother through a five year old sister. The five year sister was also given an award. He award Nelda Oglesbee a Medal of Valor and for putting her own life in jeopardy to save a potential suicide victim. Hugh Anderson of the Hickory Creek Police Department received a Life Saving Bar.

VII. MARY HORN, CANDIDATE FOR D.C.A.D. BOARD.

Mary Horn asked that the City of Lake Dallas cast their allotted votes for the Denton Central Appraisal District Board of Directors to her.

VIII. PARK & RECREATION.

A. Matt Flanagan moved to accept the resignation of Donna Slaughter from the Parks and Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

B. Matt Flanagan moved to allot $125.00 from the Park Board Budget to be spent on the Christmas Bazzar on December 4, 1995. Bruce Martin seconded the motion and it carried unanimously.

C. Linwood Gilliland moved to approve that the Park Board participate in the Dream Share Program on November 21, 1993. Thanna Bounds seconded the motion and it carried unanimously.

D. Linwood Gilliland moved to schedule a workshop meeting with the Park and Recreation Board on November 15, 1993 at 6:30 p.m. Matt Flanagan seconded the motion and it carried unanimously.

IX. PUBLIC HEARING: AMENDMENT TO THE LAKE DALLAS ZONING CODE.

There were no public questions or comments.

X. AMENDMENTS TO THE LAKE DALLAS ZONING CODE.

Bruce Martin moved to adopt an ordinance amending Sections 18.12.050(A), 18.20.030 and 18.42.130 and repealing Sections 18.22.080 and 18.42.110(B) of the Lake Dallas Zoning Code. Garry Bills seconded the motion and it carried unanimously.

XI. AMENDMENT TO THE ANIMAL CONTROL ORDINANCE.

Garry Bills moved to amend Sections 6.16.020, 6.32.010, 6.44.030 and 6.48.030 of the Lake Dallas Municipal Code pertaining to Animal Control. Bruce Martin seconded the motion and it carried unanimously.

XII. AMENDMENT TO THE TRAFFIC CONTROL ORDINANCE.

Linwood Gilliland moved to adopt an Ordinance No. 93-13 amending the Traffic Control Ordinance. Bruce Martin seconded the motion and it carried unanimously.

XIII. CASTING OF VOTES FOR DCAD BOARD OF DIRECTORS.

Matt Flanagan moved to cast all twenty of the City's votes for Mary Horn. Linwood Gilliland seconded the motion and it carried unanimously.

XIV. PURCHASING PROCEDURES MANUAL.

Matt Flanagan moved to adopt the Purchasing Procedures Manual. Linwood Gilliland seconded the motion and it carried unanimously.

XV. APPOINTMENTS TO THE BOARD OF ADJUSTMENT.

Bruce Martin moved to table appointments to the Board of Adjustment pending interviews with the applicants. Garry Bills seconded the motion and it carried unanimously.

XVI. APPROVAL OF EXPENDITURES TO STRIPE STREETS.

Bruce Martin moved to approve funding to stripe Swisher Road. Garry Bills seconded the motion and it carried unanimously.

XVII. DEFERRED COMPENSATION PLAN.

Deb Wilson, representative from PebsCo, explain the deferred compensation plan to the Council. The Council will vote on a resolution in December which allow employees the option to have these investment funds deducted from their checks.

XVIII. INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY.

Bruce Martin moved to authorize the Mayor to sign an interlocal agreement with the Texas Department of Public Safety to purchase supplies. Thanna Bounds seconded the motion and it carried unanimously.

XIX. ORDINANCE AMENDING ORDINANCES AND GRANTING TO TEXAS WASTE MANAGEMENT A FRANCHISE FOR TRASH COLLECTION.

Garry Bills moved to adopt an ordinance amending all current ordinances dealing with trash collection and granting to Texas Waste Management the right and franchise for

trash collection, and setting a rate schedule. Matt Flanagan seconded the motion and it carried unanimously.

XX. RESOLUTION DESIGNATING THE CITY OF LAKE DALLAS AS A WORLD WAR II COMMEMORATIVE COMMUNITY.

Linwood Gilliland moved to pass a resolution designating the City of Lake Dallas as a World War II Commemorative Community. Matt Flanagan seconded the motion and it carried unanimously.

XXI. OLD BUSINESS.

A. Municipal Building - remodeling is currently going on.

XXII. NEW BUSINESS.

XXIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 15, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Thana Bounds, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted.

II. WORKSHOP.

The City Council met with the Park and Recreation Board to discuss the Board's organizational structure. It was determined by Council that all committees under the Park and Recreation Board should be chaired by a member of the Park Board. The Park Board will determine which programs that each committee will oversee. The Board is to present Park Board and committee by-laws along with committee financial reports by the January 13, 1994 Council meeting.

III. ADOPTION OF PARK AND RECREATION BOARD ORGANIZATION STRUCTURE.

Matt Flanagan moved to table any decision until further information is received. Bruce Martin seconded the motion and it carried unanimously.

IV. REVIEW OF BOARD OF ADJUSTMENT APPLICANTS.

The Council briefly reviewed the applications for Board of Adjustment.

V. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 19, 1993

I. ROLL CALL.

The meeting was called to order at 6:15 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Mayor McCutcheon, Thanna Bounds and Matt Flanagan absent, the following business was transacted.

II. INTERVIEW PROSPECTIVE BOARD OF ADJUSTMENT MEMBERS.

The City Council interviewed eight candidates for the Board of Adjustment.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
DECEMBER 8, 1993

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Garry Bills and Bruce Martin absent, the following business was transacted.

II. INTERVIEW PROSPECTIVE BOARD OF ADJUSTMENT MEMBERS.

The City Council interviewed one candidate for the Board of Adjustment.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
DECEMBER 9, 1993

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in November, 1993. Garry Bills seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Carolyn Green wished everyone a Merry Christmas.

V. PRESENTATION BY GIRL SCOUT TROOP.

Members of Girl Scout Troop, Unit 1A, presented the City with throw pillows that they had made for presentation to the senior citizens at the Senior Citizen Christmas Dinner.

VI. ACCOUNTS PAYABLE FOR DECEMBER, 1993.

Bruce Martin moved to approve for the City Secretary to pay all accounts due for the month of December. Matt Flanagan seconded the motion carried unanimously.

VII. APPOINTMENTS TO BOARD OF ADJUSTMENT.

Linwood Gilliland moved to appoint Rodney Courtney, Clyde Edwards, Gary Johnson, Robert (Rusty) Meadows and Darla Sams to the Board of Adjustment and Frances Grammer and Frances Poteet as alternates. Matt Flanagan seconded the motion and it carried unanimously.

VIII. INTERLOCAL AGREEMENT WITH HOUSTON/GALVESTION COG.

Bruce Martin moved to approve an interlocal agreement with Houston/ Galveston COG for cooperative purchasing. Linwood Gilliland seconded the motion and it carried unanimously.

IX. RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN FOR EMPLOYEES.

Linwood Gilliland moved to pass a resolution establishing an employee deferred compensation plan. Bruce Martin seconded the motion and it carried unanimously.

X. LEASE CONTRACT FOR PORTION OF WILLOW GROVE PARK.

Matt Flanagan moved to table the lease agreement with the Corps of Engineers pending further information. Bruce Martin seconded the motion and it carried unanimously.

XI. OLD BUSINESS.

A. Municipal Building - remodeling is currently going on.
B. Tammy Hite reported that the Park Board has six vacancies.

XII. NEW BUSINESS.

A. Bruce Martin discussed the possibility of certifying the City for regulating the cable television franchise.
B. Mayor McCutcheon gave an update on the proposed lake bridge.
C. Linwood Gilliland discussed the residential homes which are grandfathered in Commercial Zone Districts.

XIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 13, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: EVALUATION OF DONNA HAMILTON FOR MERIT INCREASE.

The Council entered into Executive Session at 7:02 p.m. to evaluate Donna Hamilton as permitted by Local Government Code, Section 555.074.

The Council reconvened into open session at 7:12 p.m.

III. ACTION RESULTING FROM EXECUTIVE SESSION.

Matt Flanagan moved to increase Donna Hamilton's salary an additional one percent. Garry Bills seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JANUARY 13, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Mayor McCutcheon.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in December, 1993. Linwood Gilliland seconded the motion. The motion carried unanimously.

IV. CITIZEN'S AGENDA.

None.

V. DISCUSSION OF THOUSAND OAKS SUBDIVISION AND ANY ACTION.

Bruce Martin expressed concern that the minimum dwelling size of 1400 square feet with an average of 1600 square feet would be difficult to control. David Berman, City Attorney, informed the Council that although it appeared that in 1986 there was action taken to rezone Thousand Oaks R-1-7200 with Group Housing, this action was never officially adopted. Therefore, in his opinion, the zoning still remains as R-1-7200 which requires a minimum of 1500 square feet living area. He advised that the Council has the

option of changing the minimum living area requirements for all R-1-7200 Zone Districts; or they could create a new district for the Thousand Oaks Subdivision which would increase the living area requirements.

Bruce Martin moved to place a moratorium on building permits for Thousand Oaks Subdivision for a period of sixty days allowing for review by Planning and Zoning and City Council for new zoning requirements. Garry Bills seconded the motion and it carried unanimously.

VI. WARRANT COLLECTION CONTRACT.

Matt Flanagan moved to table pending receiving other bids. Garry Bills seconded the motion and it carried unanimously.

VII. DISCUSSION OF BETCHAN STREET PAVING CONTRACT.

The City Attorney will be contacted to send a letter to JCH Paving to correct their mistakes.

VIII. LEASE OF A PORTION OF WILLOW GROVE PARK.

Linwood Gilliland moved to resubmit contract to the Corps of Engineers for amendments which clarify that only a portion of Willow Grove Park will be leased. Matt Flanagan seconded the motion and it carried unanimously.

IX. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LOAN AGREEMENT WITH LAKE CITIES STATE BANK TO PURCHASE TWO 1994 POLICE PATROL CARS.

Matt Flanagan moved to approve a resolution authorizing the Mayor to sign a loan agreement with Lake Cities State Bank to purchase two 1994 police patrol cars. Garry Bills seconded the motion and it carried unanimously.

X. DISCUSSION OF LAKE CITIES FIRE DEPARTMENT CONTRACT FOR SERVICES AND EMERGENCY SERVICES.

Bruce Martin moved that the City proceed with investigating a possible Emergency Service District. Garry Bills seconded the motion and it carried unanimously.

XI. ACCOUNTS PAYABLE FOR JANUARY, 1994.

Bruce Martin moved to approve for the City Secretary to pay all accounts due for the month of January. Garry Bills seconded the motion and it carried unanimously.

XII. PARK AND RECREATION BOARD.

A. Matt Flanagan moved to appoint Gary Johnson and Steve Smith to the Park and Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

B. Matt Flanagan moved to table the approval of appointments of Chairman and Vice Chairman of the Park Board. Linwood Gilliland seconded the motion and it carried unanimously.

C. Linwood Gilliland moved to accept the Park and Recreation Board Organization Chart. Bruce Martin seconded the motion and it carried unanimously.

D. Tammy Hite reported that the Beauty Pageant Committee has a zero balance of funds; the Community Action Committee has $166.34; and the Happy Hearts have $1,432.54.

E. Tammy Hite reported that the Policy & Procedures Manual for the Park Board has not been completed.

F. Linwood Gilliland moved to dissolve the Beauty Pageant Committee and remove it from the Organization Chart. Bruce Martin seconded the motion and it carried unanimously.

G. Linwood Gilliland moved to approve the Carolyn Green Scholarship Program. Matt Flanagan seconded the motion and it carried unanimously.

XIII. OLD BUSINESS.

A. Bruce Martin reported that the City of Denton has opted to become a Certified Cable Regulation city.

XIV. NEW BUSINESS.

A. A joint workshop with the Planning and Zoning Commission was set for January 19, 1994 at 6:00 P.M.

XV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 19, 1994

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. WORKSHOP WITH THE PLANNING AND ZONING COMMISSION TO DISCUSS THOUSAND OAKS SUBDIVISION.

The basis of this meeting was to discuss the minimum dwelling sizes in this subdivision and the possibility of increasing them. Jim Douglas, developer of Thousand Oaks, stated that he had sold thirty seven lots in the subdivision. He stated that the builders needed to be able to have homes with less than 1500 square feet available to potential customers so that they could legally advertize homes from the seventies. The developers will talk to these builders about the minimum fifteen hundred square feet requirement and get back with the Council at their meeting on Friday, January 21, 1994.

III. WORKSHOP TO DISCUSS EMPLOYEE SALARY SCALE.

The Council compared the City's salary scales to other cities and will further review the three lower categories during budget workshops.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 21, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Jody Brooks, Deputy City Secretary

With Garry Bills absent, the following business was transacted.

II. RESOLUTION FOR MORATORIUM.

Mr. Mark Murray, attorney representing the owners of the Thousand Oaks Subdivision, told the Council that the owners would agree upon the 1500 square foot minimum if a moratorium was not put on the R-1-7200 Zoning District.

The City Council adjourned into an executive session at 6:47 p.m. to confer with the City Attorney. They reconvened into open session at 7:20 p.m.

Bruce Martin made a motion to retract the moratorium approved at the January 13, 1994 meeting and to direct the Planning and Zoning Commission to modify the R-1-7200 Zoning or add a new zoning classification to ~~the~~ unplatted land ~~in Thousand Oaks~~. Matt Flanagan seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

Jody Brooks, Deputy City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JANUARY 31, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, LOCAL GOVERNMENT CODE, SECTION 555.074.

The Council went into Executive Session at 6:31 p.m. to evaluate Richard Getts.

The Council reconvened in Open Session at 7:04 p.m.

III. EVALUATION AND CONSIDERATION OF TERMINATION OF RICHARD GETTS.

Matt Flanagan moved to terminate Richard Getts based on nonfulfillment of his obligation to perform his duties as Code Enforcement Officer. Linwood Gilliland seconded the motion and it carried with the following votes:

Ayes: Matt Flanagan, Linwood Gilliland, Garry Bills, Bruce Martin.
Noes: Thana Bounds.

IV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
FEBRUARY 10, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in January, 1994 with the deletion of "in Thousand Oaks" in Section II, Paragraph three of the January 21 meeting. Linwood Gilliland seconded the motion and the motion carried unanimously.

IV. CITIZEN'S AGENDA.

Charles Yancy complained that he had received an invoice for a burglar alarm permit and he did not think that this was fair. The Council told him that they will review permits fees.

V. PUBLIC HEARING: AMENDMENT TO MUNICIPAL CODE SECTION 10.24.150 PROVIDING THAT RESIDENTIAL SHALL NOT OCCUPY MORE THAN 30% OF FRONT YARD.

There was not any response.

VI. AMENDMENT TO LAKE DALLAS MUNICIPAL CODE, SECTION 10.24.150 RELATING TO PARKING IN R-1 AND R-2 ZONE DISTRICTS.

Linwood Gilliland moved to amend Section 10.24.150 by adding Sub-section E, providing that the parking area in Single Family and Two Family Districts shall not occupy more than 50% of the required front yard. Matt Flanagan seconded the motion and it carried unanimously.

VII. REPORT ON THE COUNTY OF DENTON.

Judge Jeff Moseley failed to appear to present report.

VIII. WARRANT COLLECTION CONTRACT.

Bruce Martin moved to table pending further investigation. Matt Flanagan seconded the motion and it carried unanimously.

IX. LEASE OF A PORTION OF WILLOW GROVE PARK.

Linwood Gilliland moved to approve the contract with the Corps of Engineers for a lease on a portion of Willow Grove Park. Matt Flanagan seconded the motion and it carried unanimously.

X. APPOINTMENT OF ALTERNATE MUNICIPAL COURT JUDGE.

Matt Flanagan moved to appoint Robert Garcia as an alternate Municipal Court Judge. Bruce Martin seconded the motion and it carried unanimously.

XI. SHADY SHORES AT SWISHER CREEK DRAINAGE IMPROVEMENTS.

Linwood Gilliland moved to table having the City's engineers draw new plans for the Shady Shores bridge pending research to see if we can have one of the universities draw the plans and get an interlocal agreement with Denton County to assist in the work. Garry Bills seconded the motion and it carried unanimously.

XII. CODE ENFORCEMENT VEHICLE.

Bruce Martin moved to table this item pending receiving bids on repair of the 1982 GMC truck. Garry Bills seconded the motion and it carried unanimously.

XIII. PURCHASE OF LAWN MOWER.

Bruce Martin moved to draw specifications and to seek bids for a new riding lawn mower. Garry Bills seconded the motion and it carried unanimously.

XIV. ACCOUNTS PAYABLE FOR FEBRUARY, 1994.

Garry Bills moved to approve for the City Secretary to pay all accounts due for the month of February but withholding payment to Striping Technology. Matt Flanagan seconded the motion and it carried unanimously.

XV. PARK AND RECREATION BOARD.

A. Garry Bills moved to approve the appointment of Tammy Hite as Chairman and Gary Johnson as Vice-Chairman of the Park and Recreation Board.

B. Linwood Gilliland moved to accept the resignation of Bonnie Holder from the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

C. Linwood Gilliland moved to approve the Happy Hearts Scholarship Fund. Bruce seconded the motion and it carried unanimously.

D. Bruce Martin moved to table the approval of a date for Garza Days pending further research by the Park Board. Matt Flanagan seconded the motion and it carried unanimously.

E. Linwood Gilliland moved to approve the fireworks for the 4th of July. Matt Flanagan seconded the motion and it carried unanimously.

F. Linwood Gilliland moved to approve the Park Board Budget. Thanna Bounds seconded the motion and it carried unanimously.

G. Linwood Gilliland moved to approve the Scholarship Fund Raising Breakfast on May 14, 1994 at the Community Center. Matt Flanagan seconded the motion and it carried unanimously.

XVI. DISCUSS PURCHASE OF STORAGE BUILDING FOR COMMUNITY CENTER.

Mayor McCutcheon informed the Council that he would like to build a storage facility at the Community Center to house cleaning equipment, building supplies and the proposed lawn mower.

XVII. OCCASIONAL SALES.

The Council review a draft of an ordinance regulating occasional sales and requested ordinances from other cities on this subject.

XVIII. OLD BUSINESS.

A. Linwood Gilliland stated that he wants a more equitable method of determining each city's share of the Lake Cities Fire Department budget.

B. Linwood Gilliland requested that letters be sent to merchants requesting that they pickup trash around their businesses.

XIX. NEW BUSINESS.

A. A joint workshop with the Park and Recreation Board was discussed.

B. Mayor McCutcheon informed Council that the City of Corinth had contacted him about using the Lake Dallas Animal Shelter for housing their animals.

XX. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 11, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. CONSIDER AND ADOPT RESOLUTION EXEMPTING BUILDERS IN THOUSAND OAKS SUBDIVISION FROM BOARD OF ADJUSTMENT FILING FEES.

Bruce Martin moved to table action on this item and place on the February 17, 1994 agenda. Garry Bills seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
FEBRUARY 17, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. CONSIDER AND ADOPT RESOLUTION EXEMPTING BUILDERS IN THOUSAND OAKS SUBDIVISION FROM BOARD OF ADJUSTMENT FILING FEES.

Linwood Gilliland moved to pass a resolution that the owner of the property covered by the final plat of Thousand Oaks Addition Phase One, an addition to the City of Lake Dallas, Denton County, Texas, shall be required to pay only one Two Hundred Fifty Dollar filing fee to seek variances on the side yard setbacks for Lots 53 thru 70, Block B and to seek variances relative to the thirty foot rear yard setbacks to allow twenty foot rear yard setbacks on those lots platted ~~with less than~~ 110' in depth or less in said subdivision. Bruce Martin seconded the motion and it carried unanimously.

III. DISCUSS PERMIT FEES.

Permit fees were discussed briefly and further discussions were postponed until after the City elections.

IV. REVIEW APPLICATIONS FOR CODE ENFORCEMENT OFFICER.

Applications for the Code Enforcement position were reviewed and some were chosen for interviews on March 2, 1994 beginning at 6:30 p.m.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 2, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted.

II. CONSIDER AND ADOPT AMENDMENT TO RESOLUTION EXEMPTING BUILDERS IN THOUSAND OAKS SUBDIVISION FROM BOARD OF ADJUSTMENT FILING FEES.

Garry Bills moved to pass a resolution to waive variance filing fees for all slabs with a depth of sixty feet or less. Thana Bounds seconded the motion and it failed with the following votes: Ayes: Garry Bills and Thanna Bounds; Noes: Linwood Gilliland, Bruce Martin and Matt Flanagan.

III. EXECUTIVE SESSION.

The Mayor and City Council interviewed applicants for the Code Enforcement Officer position.

IV. APPOINTMENT OF CODE ENFORCEMENT OFFICER.

Matt Flanagan moved to appoint Michael McCary to the position of Code Enforcement Officer pending McCary passing his background check. Bruce Martin seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AND
PARK & RECREATON BOARD
MARCH 10, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor ProTem Garry Bills with following persons present:

Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Thanna Bounds, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary
Tammy Hite, Park Board Chairperson
Garry Johnson, Vice-Chairperson
Ann Benham, Park Board Secretary
Steve Smith, Park Board Member
Ruthanne Dencklau, Park Board Member

With Mayor McCutcheon absent, the following business was transacted.

II. WORKSHOP WITH THE PARK AND RECREATION BOARD.

The Park Board presented the City Council with proposed playground equipment and told them that they were going to apply for a grant from Texas Parks and Wildlife.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

Garry D. Bills
Garry Bills, Mayor ProTem

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MARCH 10, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor ProTem Garry Bills with the following members present:

Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With Mayor McCutcheon absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meetings held in February, 1994 Bruce Martin seconded the motion and the motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Ruth Canander and Mrs. John Shershen, who reside on Lake Vista Circle, stated that their street needed repairing because it floods.

B. George Buchanan who resides on Moseley asked that he be excluded from the mandatory garbage service. Mayor ProTem Bills informed Mr. Buchanan that all residents must pay to keep the service fee lower.

V. 1992-93 FISCAL YEAR AUDIT REPORT.

Monte Pipes, CPA, reviewed the written audit and reported that the City continues to grow stronger financially.

VI. REPORT ON THE COUNTY OF DENTON.

Judge Jeff Moseley failed to appear to present report.

VII. REPLAT OF THREE ACRES OUT OF THE T.W. WHITE SURVEY.

Linwood Gilliland moved to approve the replat of three acres into two lots called the Houghton Addition. Matt Flanagan seconded the motion and it carried unanimously.

VIII. WARRANT COLLECTION CONTRACT.

Bruce Martin moved to contract with Luster & Associates to collect all warrants outside a ten mile radius of Lake Dallas with a thirty day out clause and with all monies paid directly to the City by the defendant. Matt Flanagan seconded the motion and it carried unanimously.

IX. JUNK AND ABANDONED VEHICLE ORDINANCE.

Bruce Martin moved to approve the Junk and Abandoned Vehicle Ordinance as amended by the City Attorney. Linwood Gilliland seconded the motion and it carried unanimously.

X. REPORT BY THE AMERICAN RED CROSS DISASTER TEAM.

Frank Hebb reported that the American Red Cross Disaster Team teaches health and safety classes, assists families in communicating with relatives in the armed services and performs disaster relief.

XI. ORDER OF ELECTION.

Mayor ProTem Bills read the Order of Election.

XII. RESOLUTION APPOINTING ELECTION OFFICIALS.

Matt Flanagan moved to approve a resolution appointing Aldena Stowe Gregory as Election Judge and Anne Kennedy as Alternate Election Judge. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. ANNOUNCEMENT TO CITY WIDE CLEAN UP DAY.

Mayor ProTem Bills announced that a city wide clean up day will be held on April 9, 1994 and that two thirty cubic yard dumpsters will be available at the City Yard for public use.

XIV. ACCOUNTS PAYABLE FOR MARCH, 1994.

Bruce Martin moved to approve for the City Secretary to pay all accounts due for the month of March. Matt Flanagan seconded the motion and it carried unanimously.

XV. PARK AND RECREATION BOARD.

A. Bruce Martin moved to approve the purchase of the playground equipment package pending disposition of installation fees and possible matching State funds.

B. There was not a carnival contract to approve.

XVI. OLD BUSINESS.

A. Occasional Sales will be discussed at a workshop on April 4, 1994..

B. City funding of Lake Cities Fire Department budget will be discussed at the workshop on April 4, 1994..

XVII. NEW BUSINESS.

A. Matt Flanagan stated that the Street Department reports were not very clear. The Street Department will be discussed at the workshop on April 4, 1994.

XVIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 23, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member

With Thanna Bounds absent the following business was transacted.

II. WORKSHOP TO DISCUSSS THE PROPOSED REVISED FIRE DEPARTMENT CONTRACT.

The City Council met with Robbie Robertson, Fire Chief and discussed a proposed revised Fire Department Contract.

III. ADJOURNMENT.

BRUCE MARTIN
~~Matt Flanagan~~ moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 26, 1994

I. ROLL CALL.

The meeting was called to order at 9:00 a.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member

With Thanna Bounds absent the following business was transacted.

II. WORKSHOP MEETING WITH LAKE DALLAS BUSINESS OWNERS AND MANAGERS.

The City Council met with local business owners and managers to inform and discuss with them of the following:

1. City clean-up and renovation.
2. Parking lots.
3. Alarm systems.
4. Street Department.
5. Police Department.
6. Inspection Department.
7. Administrative Department.
8. Fire Department.
9. Lewisville Lake Bridge.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
APRIL 4, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With ~~Thanna Bounds absent~~ All members present the following business was transacted.

II. WORKSHOP.

A: OCCASIONAL SALES.

The Council drew up a proposed ordinance which will regulate garage sales and this ordinance will be placed on the next regular agenda.

B. FIRE DEPARTMENT BUDGET.

There was some discussion of how the Lake Cities Fire Department should be funded by each participating city with our Council in favor of property valuation funding.

C. STREET DEPARTMENT GUIDELINES.

City Council talked with Johnny Webber, Street Department Director, about some of their concerns.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Thanna Bounds seconded the motion and the motion carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL AND
THE BOARD OF ADJUSTMENT
APRIL 14, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary
Rod Courtney, BOA Chairman
Clyde Edwards, BOA Vice Chairman
Gary Johnson, BOA Member
Darla Sims, BOA Member
Robert Meadows, Jr., BOA Member
Frances Poteet, BOA Member

With all members present the following business was transacted.

II. WORKSHOP.

The City Council and the Board of Adjustment discussed what should be considered when the BOA makes decisions regarding variances from the Municipal Codes.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and the motion carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
APRIL 14, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Matt Flanagan, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in March, 1994 with the following corrections: March 10, 1994, Section XV (A) add to end of sentence "matching state funds"; March 23, 1994, Section III, motion was made by Bruce Martin instead of Matt Flanagan. Garry Bills seconded the motion and the motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Wes Rapp: Mr. Rapp stated that he has a petition from the residents in Kingswood Mobile Home Park requesting that the speed limit be reduced and that the homeowners were willing to pay for the signs if the City would reimburse them next budget year. Mayor McCutcheon informed Mr. Rapp that the City has been looking into this matter. This matter will be placed on the May agenda.

B. Tammy Hite: Ms. Hite inquired who is responsible for mowing the alleys in the Kings Manor Addition. Mayor McCutcheon informed her that the citizens were responsible for mowing ten feet beyond their property line. She asked that letters be sent to

property owners.

V. PRESENTATION OF APPRECIATION AWARD.

Mayor McCutcheon presented an appreciation plaque to Carolyn Green for her donations to the Police Department in memory of her brother, Homer Barnes.

VI. PROCLAMATION DESIGNATING APRIL 9 - 16, 1994 AS TEXAS ARCHEOLOGY WEEK.

Mayor McCutcheon read a proclamation designating April 9th - 16th as Texas Archeology Week.

VII RECYCLING PRESENTATION BY TEXAS WASTE MANAGEMENT.

Allen Judkiewicz, Texas Waste Management, talked about different methods of recycling and showed a film on a recycling plant.

VIII. PROPERTY TAX COLLECTION CONTRACT.

Mary Horn, Denton County Tax Assessor/Collector presented a proposed contract to collect property taxes for the City at $ .55 per statement. This item will be placed on the May, 1994 agenda as an action item.

IX. ORDINANCE AMENDING THE MINIMUM HOUSING CODE.

Linwood Gilliland moved to approve an ordinance amending the Minimum Housing Ordinance with a correction in the caption to read $2,000.00 instead of $200.00. Matt Flanagan seconded the motion and it carried unanimously.

X. PUBLIC HEARING: PROPOSED ORDINANCE REGULATING "OCCASIONAL SALES."

There was not any public response.

XI. ORDINANCE REGULATING "OCCASIONAL SALES".

Matt Flanagan moved to adopt an ordinance regulating Occasional Sales. Garry Bills seconded the motion and it carried unanimously.

XII. RESOLUTION AUTHORIZING PARTICIPATION IN THE NORTH CENTRAL TEXAS COG ELECTRICAL EXAMINATION PROGRAM.

Linwood Gilliland moved to adopt a resolution authorizing participation in the North Central Texas COG Electrical Examination Program. Garry Bills seconded the motion and it carried unanimously.

XIII. PARK AND RECREATION BOARD.

Matt Flanagan moved to approve the following items except the carnival contract. Bruce Martin seconded the motion and it carried unanimously:

A. Approval of May 7, 1994 as date for Scholarship Breakfast.
B. Garza Days:
   (1) There was not a carnival contract to approve.
   (2) Approval to order sports coolers and balloons.
   (3) Approval to order Port-a-potty.
   (4) Approval of advertising.
C. Approval of Community Center Park sign.
D. Approval of fireworks package from Kaleidoscope.
E. Appointment of Harriet Hart to Park Board.
F. Chairman Hite informed Council that she had received the instructions on assembly of proposed playground equipment.

XIV. RECOGNITION OF NATION CLEANUP MONTH.

Mayor McCutcheon announced that April is National Cleanup Month. The city wide clean day went very well and community service personnel are continuing to pick up trash on City streets. Another city wide clean up day will be scheduled before Garza Days on June 4th.

XV. SPECIFICATIONS FOR COMMERCIAL PARKING LOTS.

Staff will obtain concrete parking lot specifications and this item will be placed on the May agenda as an action item.

XVI. CLEANING CONTRACT FOR COMMUNITY CENTER.

Staff will draw specifications for cleaning the Community Center, and hire someone to perform the work.

XVII. CONTRACT FOR AUCTION OF OUT OF SERVICE VEHICLES AND EQUIPMENT.

Linwood Gilliland moved to approve the contract with Nationwide Companies. Garry Bills seconded the motion and it carried unanimously.

XVIII. OLD BUSINESS.

A. City funding of Lake Cities Fire Department budget was discussed.

B. Mayor McCutcheon related that the Street Department has counters out on different streets to get a traffic count for budget purposes.

C. Linwood Gilliland would like for the Planning and Zoning Commission to review the code that allows mobile homes to be replaced with mobile homes in R1-6000 and R1-7200 zone districts.

XIX. NEW BUSINESS.

XX. ADJOURNMENT.

Bruce Martin made a motion to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
APRIL 27, 1994

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Donna Hamilton, City Secretary

With Thanna Bounds absent the following business was transacted.

II. WORKSHOP.

A. Each one of the council members expressed that they thought that the Mayor should not receive a flat Two Hundred Fifty Dollars per month. Matt Flanagan moved to pay the Mayor Eight Dollars per regular meeting and Five Dollars per special meeting in addition to all City related travel expenses. Garry Bills seconded the motion and it carried unanimously.

B. The forms used for appraising employees was discussed and the city secretary was instructed to get example forms from North Texas COG or other cities.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and the motion carried unanimously.

ATTEST:

Donna Hamilton, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 12, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, Mayor ProTem
Bruce Martin, Council Member
Matt Flanagan, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. EXECUTIVE SESSION: LITIGATION, LOCAL GOVERNMENT CODE, SECTION 551.071.

A. The Council entered into executive session to discuss possible litigation against Jimmy C. Jones d/b/a JCH.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and the motion carried unanimously.

ATTEST:

Donna Hamilton, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MAY 12, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, ~~Mayor ProTem~~ COUNCIL MEMBER
Matt Flanagan, ~~Council Member~~ MAYR PROTEM
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in April, 1994 with the following corrections: April 4, 1994, Section I, remove "With Thanna Bounds absent and Section II(B) change the word "or" to "of". April 14, 1994, Section V, add "Green" after Carolyn. Matt Flanagan seconded the motion and the motion carried unanimously.

IV. CITIZEN'S AGENDA.

A. Don Glockel, Lake Dallas Telephone Co., explained some of the problems that occurred during a recent storm when the entire phone system, including the 9-1-1 Emergency System failed due to a direct lightening hit.

B. Mike Fahey, 144 Kingswood, thanked the Council for acting quickly on reducing the speed limits in Kingswood Mobile Home Park.

V. CITY OFFICIALS ELECTION HELD MAY 7, 1994.

A. The Mayor and City Council canvassed the votes and determined that the following votes were cast:

FOR MAYOR:

Jerry McCutcheon	241
David J. Shershen	159

FOR COUNCIL:

Matt Flanagan	157
Garry D. Bills	169
Ronnie W. Pair	108
Gary Koger	148

B. Linwood Gilliland moved to approve a resolution accepting said election returns and declaring Jerry McCutcheon as Mayor and Garry Bills and Matt Flanagan as Council Members. Bruce Martin seconded the motion and it carried unanimously.

VI. OATHS OF OFFICE.

Donna Hamilton administered the Oath of Office to Jerry McCutcheon as Mayor and Garry Bills and Matt Flanagan as Council Members.

VII. APPOINTMENT OF MAYOR PROTEM.

Linwood Gilliland moved to appoint Matt Flanagan as Mayor ProTem. Bruce Martin seconded the motion and it carried unanimously.

VIII. REPLAT OF HICKORY ACRE ESTATES.

Bruce Martin moved to approve the final plat for Hickory Acre Estates. Matt Flanagan seconded the motion and it carried unanimously.

IX. PROPERTY TAX COLLECTION CONTRACT.

Bruce Martin moved to approve an Interlocal Agreement with Denton County for the collection property taxes for the City at $ .55 per statement. Matt Flanagan seconded the motion and it carried unanimously.

X. PARK & RECREATION BOARD.

A. Approval of Carnival Contract.
B. Approval of Happy Hearts Raffle.
C. Approval of Food Booth at Garza Days.

Linwood Gilliland moved to approve the above items. Thanna Bounds seconded the motion and it carried unanimously.

XI. ORDINANCE AMENDING THE TRAFFIC CODE CHANGING THE SPEED LIMITS IN KINGSWOOD ESTATES.

Linwood Gilliland moved to pass an ordinance amending the speed limits in Kingswood Estates to twenty miles per hour. Matt Flanagan seconded the motion and it carried unanimously.

XI (a). AMENDMENT TO ORDINANCE 93-14 SETTING A FRANCHISE FEE WITH TEXAS WASTE MANAGEMENT.

Linwood Gilliland moved amend Ordinance 93-14, setting a franchise fee of seven (7%) percent with Texas Waste Management. Matt Flanagan seconded the motion and it carried unanimously.

XII. CONFIRM BOARD OF ADJUSTMENT APPOINTMENTS.

Linwood Gilliland moved to accept Frances Poteet as a regular member of the Board of Adjustment and Terry Farmer as an alternate. Bruce Martin seconded the motion and it carried unanimously.

XIII. RESOLUTION AUTHORIZING APPLICATION FOR PARK BOARD GRANT FROM TEXAS PARKS & WILDLIFE DEPARTMENT.

Linwood Gilliland moved to adopt a resolution authorizing application for a Park Board Grant from Texas Parks & Wildlife Department. Bruce Martin seconded the motion and it carried unanimously.

XIV. COMMUNITY CENTER RULES.

Bruce Martin moved to table action on this item pending a workshop. Thanna Bounds seconded this motion and it carried unanimously.

XV. ACCOUNTS PAYABLE.

Bruce Martin moved to direct the City Secretary to pay all accounts due for the month of May, 1994. Garry Bills seconded the motion and it carried unanimously.

XVI. OLD BUSINESS.

A. City funding of Lake Cities Fire Department: A workshop with the other Lake Cities will be set up by Mayor McCutcheon.

B. Parking lot specifications: A workshop will be held by Council on May 19, 1994.

C. Revision of Zoning Code to add new residential zone: A workshop will be held by Council on May 19, 1994.

XVII. NEW BUSINESS.

A. Mayor McCutcheon informed Council that Boy Scout Troop 191 will hand out pamphlets informing the public of our City Codes.

B. The City received a certificate and a flag recognizing it as a War World II Commemorative city. Mayor McCutcheon announced that there would be dance at the VFW Post 10460 on June 4, 1994 celebrating "D" Day.

C. City wide clean up day will be on May 21, 1994.

D. Thanna Bounds informed Council that the Rec-Ed Committee has disbanded.

XVIII. ADJOURNMENT.

Bruce Martin made a motion to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 19, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, ~~Mayor Pro Tem~~ COUNCIL MEMBER
Bruce Martin, ~~Council Mem~~ber
Matt Flanagan, ~~Council Mem~~ber MAYOR PRO TEM
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. WORKSHOP.

A. Park Grant:

The Council and the members of the Park and Recreation Board discussed what will be installed in the Community Center Park. Cost estimates will be researched in order to apply for a grant from Texas Parks and Wildlife by July 31, 1994.

B. Community Center Rules:

The Council made the following changes to the Community Center Reservation Policy and this will be voted upon at the June, 1994 meeting:

1. Twenty Five ($25.00) Dollars will be retained from each deposit for cleaning.
2. Rental hours will end at 12:00 a.m. on Friday and Saturday and 1:00 a.m. on New Year's Eve.
3. Only Lake Dallas residents will pay $20.00 per hour rental and all others will pay $40.00 per hour.

C. Commercial Parking Lot Specifications:

Staff will contact the City' engineer for specifications and this item will be placed on the June agenda for a public hearing.

D. Proposed R1-10,000 Zoning District.

Council made changes to a proposed new zoning district. This item will go back to the Planning and Zoning Commission for a public hearing and recommendation.

III. LEGAL ACTION AGAINST JIMMY C. JONES, D/B/A JCH.

Bruce Martin moved to bring a lawsuit and any legal action necessary against Jimmy C. Jones, d/b/a JCH, Inc. Garry Bills seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Linwood Gilliland seconded the motion and the motion carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JUNE 9, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, ~~Mayor Pro Tem~~ COUNCIL MEMBER
Matt Flanagan, ~~Council Member~~ MAYOR PROTEM
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Jody Brooks, Deputy City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Matt Flanagan.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in May, 1994. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Doris Ezzell said she has no problem paving the commercial parking lots if the City would correct the drainage problems. Mayor McCutcheon will check this problem out.

B. Lyle Shelton showed concerned of one citizen complaining to the Code Enforcement Officer.

C. Anne Kennedy said she was on City Council for thirteen years and thought that the Mayor should get a monthly salary.

D. Aldena Stowe agreed with Ms. Kennedy and was unhappy because she thought the Street Department could not set up tables for the Happy Hearts.

E. Cleo Murray said she agreed with the above two persons.

F. Carolyn Green related that she was only trying to inform the citizens with her letter to the Lake Cities Sun editor.

G. Jody Peoples ask if she could use the Community Center for a breakfast Saturday morning to benefit Julie Peoples, Miss Lake Cities.

V. PARK & RECREATION BOARD.

A. Matt Flanagan move to approve Kathy Osborne as Vice Chairperson. Garry Bills seconded the motion and it carried unanimously.

B. Garry Bills moved to accept the resignation of Steve Blake and Linda Blake from the Park and Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: COMMERCIAL PARKING LOT SPECIFICATIONS.

Gary Koger stated that the City should take the first step to pave the streets properly not commercial property only.

Doris Ezzell, property owner at 326 Main, asked that the City correct drainage problems before commercial property owners are required to pave parking lots.

VII. ADOPTION OF COMMERCIAL PARKING LOT SPECIFICATIONS.

Linwood Gilliland moved to table this item pending receipt of additional specifications. Matt Flanagan seconded the motion and it carried unanimously.

VIII. COMMUNITY CENTER RULES.

The Council made additional revisions to the Community Center Rental Rules. Bruce Martin moved to adopt the Community Center Rental Rules as amended. Matt Flanagan seconded this motion and it carried unanimously.

IX. ACCOUNTS PAYABLE.

Matt Flanagan moved to direct the City Secretary to pay all accounts due for the month of June, 1994. Bruce Martin seconded the motion and it carried unanimously.

X. AMENDMENT TO 1993-94 FISCAL YEAR BUDGET.

Council will consider amendments to the 1993-94 Fiscal Year Budget at a workshop on July 12, 1994.

XI. WARRANT COLLECTION CONTRACT.

The collection that previously was awarded the warrant collection contract has gone out of business.

Matt Flanagan moved to solicit bids for a new contract. Linwood Gilliland seconded the motion and it carried unanimously.

XII. SET BUDGET WORKSHOP DATES.

Matt Flanagan moved to hold a budget workshop on July 12, 1994 at 6:30 p.m. Garry Bills seconded the motion and it carried unanimously.

XIII. OLD BUSINESS.

A. City funding of Lake Cities Fire Department: A workshop with the other Lake Cities will be set up by Mayor McCutcheon.

B. Bruce Martin stated that Sammons Cable will air 9-1-1 information and meeting schedules on television, Channel 25.

C. Board of Adjustment meeting date should be changed due to conflict with Park and Recreation Board meeting.

D. The Chamber of Commerce has requested to change their Community Center lease and this item will be placed on the July 14th agenda.

XIV. NEW BUSINESS.

A. Tammy Hite, Park Board Chairman, announced plans for the 4th of July celebration.

B. The Street Department used an employees personal trailer and Council will consider buying another one.

XV. ADJOURNMENT.

Matt Flanagan made a motion to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JULY 12, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, ~~Mayor Pro Tem~~ COUNCIL MEMBER
Bruce Martin, Council Member
Matt Flanagan, ~~Council Member~~ MAYOR PRO TEM
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, LOCAL GOVERNMENT CODE, SECTION 555.074.

The City Council entered into Executive Session at 6:31 p.m. to discuss code enforcement with Mike McCary, Code Enforcement Officer. They reconvened into open session at 7:00 p.m.

III. ACTION RESULTING FROM EXECUTIVE SESSION.

There was not any action taken.

IV. WORKSHOP:

A. DISCUSSION TO CONSIDER AMENDING THE 1993-94 BUDGET.

Council review several budget items that should be amended and this will be placed on the regular agenda for the July 14, 1994 meeting for action.

B. 1994-95 BUDGET.

Council reviewed the 1994-95 proposed Administrative Department Budget.

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JULY 12, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in June, 1994. Garry Bills seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Bobby Shikle, 712 Thompson, requested that Council consider requiring six foot fences around two story townhouses balconies to provide privacy to neighbors.

B. Debbie Pierce, 512 Atchison Drive, requested speed bumps or lower speed limits on Atchison Drive. She suggested that the City contact Texas Parks and Wildlife about a grant for a swimming pool.

V. PUBLIC HEARING: AMENDMENT TO CHAPTER 6.44 AND CHAPTER 18.12 OF THE LAKE DALLAS MUNICIPAL CODE RELATING TO SWINE.

There were no public comments.

VI. PUBLIC HEARING: ADDING CHAPTER 18.11 TO THE LAKE DALLAS ZONING CODE CREATING ZONING CLASSIFICATION R-1-10,000.

There was citizen concern that current houses would have to meet the requirements of R-1-10,000 Zoning Classification. It was explained that the only property that would be zoned with this classification would be undeveloped properties.

VII. AMENDMENT TO LAKE DALLAS MUNICIPAL CODE, CHAPTER 6.44 AND CHAPTER 18.12 RELATING TO THE KEEPING OF SWINE.

Matt Flanagan moved to not amend Chapter 6.44 and Chapter 18.12 of the Municipal Code relating to the keeping of swine. Bruce Martin seconded the motion and it carried with the following vote: Ayes: Matt Flanagan, Bruce Martin, Linwood Gilliland; Noes: Garry Bills, Thanna Bounds.

VIII. AMENDMENT TO LAKE DALLAS MUNICIPAL CODE BY ADDING CHAPTER 18.11 THEREBY CREATING A NEW ZONING DISTRICT.

Linwood Gilliland moved to amend the Lake Dallas Municipal Code by adding Chapter 18.11 creating a R-1-10,000 Zoning District. Garry Bills seconded the motion and it carried unanimously.

IX. TAX ATTORNEY CONTRACT.

Matt Flanagan moved to approve a contract with Mark Burroughs for the collection of delinquent property taxes. Bruce Martin seconded the motion and it carried unanimously.

X. AMENDMENT TO 1993-94 FISCAL YEAR BUDGET.

Bruce Martin moved to amend the 1993-94 budget. Linwood Gilliland seconded the motion and it carried unanimously.

XI. RESOLUTION SUPPORTING ECONOMIC DEVELOPMENT RATE STRUCTURE.

James Loveday of TU Electric explained the purpose of the Economic Development Rate Structure. Matt Flanagan moved to adopting a resolution in support of the Economic Development Rate Structure. Linwood Gilliland seconded the motion and it carried unanimously.

XII. RESOLUTION APPOINTING ONE MEMBER TO THE DENCO 9-1-1 DISTRICT BOARD.

Matt Flanagan moved to appoint Don Franklin to serve on the DenCo 9-1-1 District Board. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. RECOGNITION OF BOY SCOUTS.

Mayor McCutcheon present certificates to members of Boy Scout Troop 191 in recognition of their service to the City of Lake Dallas by handing out information flyers.

XIII(A). REVIEW AND DISCUSS CONDEMNED PROPERTY LOCATED AT 5301 PRINCE DRIVE.

Bruce Martin moved to table any action on the above agenda item. Garry Bills seconded the motion and it carried unanimously.

XIV. RESOLUTION SUPPORTING DENTON COUNTY'S EFFORTS TO FIND SOLUTIONS TO AREA TRANSPORTATION NEEDS.

Bruce Martin moved to approve a resolution supporting Denton County's efforts to find solutions to area transportation needs. Garry Bills seconded the motion and it carried unanimously.

XV. CHAMBER OF COMMERCE LEASE.

James Loveday, representing the Lake Cities Chamber of Commerce, discussed the possibility of the Chamber of Commerce sub-leasing the Chamber Room at the Community Center.

XVI. PARK & RECREATION BOARD.

A. Tammy Hite reported that there was $3,895.65 raised at the 4th of July.
B. Mayor McCutcheon presented a service award plague to Frank Moore.

XVII. ACCOUNTS PAYABLE.

Bruce Martin moved to approve the City Secretary to pay all accounts due in the month of July, 1994. Garry Bills seconded the motion and it carried unanimously.

XVIII. OLD BUSINESS.

A. Bruce Martin thanked Sammons Cable for airing a 9-1-1 message.

XIX. NEW BUSINESS.

A. Linwood Gilliland expressed concern about eighteen wheel trucks parking on commercial parking lots.

XX. ADJOURNMENT.

Linwood Gilliland made a motion to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
JULY 27, 1994

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Garry Bills, ~~Mayor ProTem~~ COUNCIL MEMBER
Bruce Martin, Council Member
Matt Flanagan, ~~Council Member~~ MAYOR PRO TEM
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. WORKSHOP:

A. 1994-95 Budget.

City Council reviewed the 1994-95 proposed Police Department Budget.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and the motion carried unanimously.

Jerry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
AUGUST 11, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Thanna Bounds.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in July, 1994. Matt Flanagan seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Bobby Shikle, 712 Thompson, inquired if Council had researched requiring six foot fences around two story townhouse balconies to provide privacy to neighbors. Mayor McCutcheon related that they had not but would look into the matter.

B. George Buchanan, 604 Moseley, stated that he had received a letter from the City telling him to remove his commercial truck from his residence. He asked Council to make an exception for him. Mayor McCutcheon informed Mr. Buchanan that the Council could not make exceptions for individuals.

C. Rod Courtney, 162 Kingswood, said that he and fellow Board of Adjustment member Frances Poteet had attended a Board of Adjustment seminar at North Central Texas Council of Governments and thanked the City for sending them.

V. PARK AND RECREATION BOARD.

A. Matt Flanagan moved to place a monthly advertisement for the Christmas Bazaar in the Lake Cities Sun. Garry Bills seconded the motion and it carried unanimously.

B. Matt Flanagan moved to approve holding the Annual Awards Program in February, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

C. A workshop between City Council and the Park Board will be held on September 6, 1994 at 6:45 p.m.

VI. RESOLUTION APPROVING THE 1995 FINANCIAL PLAN OF THE DENCO AREA 9-1-1 DISTRICT.

Bruce Martin moved to adopt a resolution approving the 1995 Financial Plan of the Denco Area 9-1-1 District. Linwood Gilliland seconded the motion and it carried unanimously.

VII. APPROVAL OF WARRANT COLLECTION CONTRACT.

Bruce Martin moved to authorize the Mayor to sign a contract with Network Collection Systems for the collection of municipal court warrants. Garry Bills seconded the motion and it carried unanimously.

VIII. CONSIDER INCURRING THE COST OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Matt Flanagan moved to table any decision concerning absorbing the cost of demolition of the single family home at 5301 Prince Drive. Bruce Martin seconded the motion and it carried unanimously.

IX. ACCOUNTS PAYABLE.

Matt Flanagan moved to approve the City Secretary to pay all accounts due in the month of August, 1994. Garry Bills seconded the motion and it carried unanimously.

X. OLD BUSINESS.

A. Commercial parking lot specifications - this matter will be placed on the September agenda for action.

B. Residential driveways and parking areas - this matter will be placed on the September agenda for action.

XI. NEW BUSINESS.

A. Mayor McCutcheon informed the Council that TU Electric had informed him that they could start replacing street lights with sodium vapor bulbs at a cost of $8.32 per month instead of using mercury vapor bulbs at a cost of $9.75. The Council thought this was a good idea. Mayor McCutcheon will send a letter to TU Electric approving this change.

B. There was discussion of the problems of funding the 1994-95 Lake Cities Department budget.

XII. ADJOURNMENT.

Matt Flanagan made a motion to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 17, 1994

I. ROLL CALL.

The meeting was called to order at 6:45 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. WORKSHOP:

A. 1994-95 Budget.

City Council reviewed the 1994-95 proposed Street Department Budget.

III. AMENDMENT TO THE 1993-94 BUDGET.

Matt Flanagan moved to amend the 1993-94 Budget to purchase a 1994 Ford Crown Victoria for the Police Department at a cost of $16,574.61. Linwood Gilliland seconded the motion and it carried unanimously.

IV. DISCUSSION OF COMPLAINT PROCEDURES WITH DEPARTMENT HEADS.

The conversation centered around how complaints were processed and notifying the complainant. Council Member Gilliland and Mike McCary will develop new ordinance dealing with nuisances and submit to Council at the September 8, 1994 meeting.

V. 1994 PROPERTY TAX RATE.

Bruce Martin moved to increase the effective tax rate by 7.99%. Garry Bills seconded the motion and it failed with the following vote: Ayes: Bruce Martin & Garry Bills; Noes: Matt Flanagan, Linwood Gilliland & Thanna Bounds.

Thanna Bounds moved to not increase the effective tax rate. Linwood Gilliland seconded the motion and it carried with the following vote: Ayes: Thanna Bounds, Linwood Gilliland & Matt Flanagan; Noes: Bruce Martin & Garry Bills.

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
AUGUST 25, 1994

I. ROLL CALL.

The meeting was called to order at 6:45 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. WORKSHOP:

A. 1994-95 Budget.

The Council reviewed the entire 1994-95 budget. They asked that each Department Head make additional cuts in their budgets and resubmit to the Council for their review on September 6, 1994.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and the motion carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 6, 1994

I. ROLL CALL.

The meeting was called to order at 6:45 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With Bruce Martin absent the following business was transacted.

II. WORKSHOP:

A. Joint workshop with the Park and Recreation Board.

The Council met with members of the Park Board to discuss the funds left from the Fourth of July fireworks display. Council agreed that the monies should remain in the Lake Cities Community Action Committee's funds. but designated for 4th of July fireworks JM

B. Payoff of long term debts.

Garry Bills moved to pay off all of the long term debts. Linwood Gilliland seconded the motion and it carried unanimously.

C. 1994-95 Budget.

The Council continued work on the 1994-95 Budget.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and the motion carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
SEPTEMBER 8, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Margaret Coulter, Deputy City Secretary

With Bruce Martin absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Mayor McCutcheon.

III. MINUTES.

Linwood Gilliland moved to approve the minutes of meetings held in August, 1994. Garry Bills seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Bobby Shikle, 712 Thompson, inquired if Council had researched requiring six foot fences around two story townhouse balconies to provide privacy to neighbors. Mayor McCutcheon related that the building inspector is researching this matter.

B. Jackie Kovsky, 311 Surf, complained that the code enforcement officer is spending too much time in the Thousand Oaks Subdivision and not enough time in other parts of town.

C. Aldena Stowe Gregory, 603 E. Hundley, protested about the building at 305-307 Main.

D. Carolyn Green, 201 N. Shady Shores, stated that the zoning ordinance needs to be changed so that buildings like the one at 305-307 Main can not be moved into the city.

V. BID AWARD FOR STREET IMPROVEMENTS.

Matt Flanagan moved to table accepting bids for street improvements pending clarification. Linwood Gilliland seconded the motion and it carried unanimously.

VI. PARK AND RECREATION BOARD.

There was not any business.

VII. PUBLIC HEARING: ORDINANCE AMENDING MAYOR'S SALARY.

No negative or positive comments were made.

VIII. AMENDMENT TO CHAPTER 2.04 CHANGING THE MAYOR'S SALARY.

Matt Flanagan moved to amend Chapter 2.04 to reimburse the Mayor for expenses instead of a flat $250.00 per month. Linwood Gilliland seconded the motion and it carried unanimously.

IX. PUBLIC HEARING: RESIDENTIAL PARKING REQUIREMENTS.

Matt Flanagan moved to table amending the residential parking requirements pending further research. Linwood Gilliland seconded the motion and it carried unanimously.

X. ADOPTION OF COMMERCIAL PARKING SPECIFICATIONS.

Linwood Gilliland moved to adopt the commercial parking specifications submitted by the city engineer. Gary Bills seconded the motion and it carried unanimously.

XI. RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL PURCHASING AGREEMENT WITH DENTON COUNTY.

Linwood Gilliland moved to pass a resolution authorizing the Mayor to sign an interlocal purchasing agreement with Denton County. Thana Bounds seconded the motion and it carried unanimously.

XII. ELECTION OF TEXAS MUNICIPAL LEAGUE RISK POOL TRUSTEE.

Matt Flanagan moved to vote for Greg Ingram for Place 11 TML Risk Pool trustee. Thanna Bounds seconded the motion and it carried unanimously.

XIII. CONSIDER INCURRING COST OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Linwood Gilliland moved to table any decision to incurred demolition costs at 5301 Prince Drive. Matt Flanagan seconded the motion and it carried unanimously.

XIV. CONTRACT TO PROVIDE COMMUNICATION SERVICES TO THE TOWN OF HICKORY CREEK.

Linwood Gilliland moved to approve a contract with the Town of Hickory Creek to provide communication services. Garry Bills seconded the motion and it carried unanimously.

XV. APPOINTMENT OF MEMBER TO PLANNING AND ZONING BOARD.

Linwood Gilliland moved to table this item pending the Planning and Zoning Board's recommendations. Matt Flanagan seconded the motion and it carried unanimously.

XVI. ACCOUNTS PAYABLE.

Linwood Gilliland moved to give approval to the City Secretary to pay all accounts due in the month of September. Garry Bills seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

A. Alarm Permits - no discussion.

XVIII. NEW BUSINESS.

A. Term limitations for council members and the mayor were discussed.
B. Pay per meeting for council members ~~and may~~ - this matter will be voted on at the October meeting.

XIX. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
SEPTEMBER 27, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Bruce Martin, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. PUBLIC HEARING ON THE 1994-95 FISCAL YEAR BUDGET.

The only public comment was from Carolyn Green who stated that she thought that the City Council had done an excellent job on this budget.

III. ORDINANCE ADOPTING THE 1994-95 FISCAL YEAR BUDGET.

Bruce Martin moved to adopt the 1994-95 Fiscal Year Budget with expenditures of $1,004,526.00 and contingency reserve funds of $262,991.00. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ORDINANCE APPROVING THE 1994 APPRAISAL ROLLS AS CERTIFIED BY THE DENTON CENTRAL APPRAISAL DISTRICT AND LEVYING AN AD VOLOREM TAX ON SAID PROPERTIES.

Linwood Gilliland moved to pass an ordinance approving the 1994 Appraisal Rolls as certified by the Denton Central Appraisal District and to levy a tax rate of $ .513 per $100.00 valuation on said properties. Thanna Bounds seconded the motion and it carried unanimously.

V. AWARD BID FOR STREET IMPROVEMENTS.

Matt Flanagan moved to award the bid for paving Lakeview Drive, Howard Drive, Prince Drive and Kings Manor Drive to Reynolds Asphalt and Construction Company in the amount of $145,153.00 and to approve an additional two percent of the bid for a performance bond with a one year guarantee on the work. Linwood Gilliland seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting and Linwood Gilliland seconded the motion which carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 13, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With Garry Bills absent until the Executive Session, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Mayor McCutcheon.

III. MINUTES.

Matt Flanagan moved to approve the minutes of meetings held in September, 1994 with the following corrections: September 6, 1994, Item II (A) add "but designated for 4th of July fireworks" at the end of the sentence; September 8, 1994, Item IV (A) add "Building Inspector" between the and is; September 8, 1994 the second adjournment should be removed. Thanna Bounds seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

There were no citizens that wished to speak.

V. PARK AND RECREATION BOARD.

Tammy Hite reported that eleven spaces have been reserved for the Christmas Bazaar which will be held at the elementary school gym.

VI. PUBLIC HEARING: ORDINANCE REGULATING THE PARKING OF COMMERCIAL MOTOR VEHICLES ON PUBLIC AND PRIVATE PROPERTY.

A. Robert Bartts, 624 Beck Street, was concerned that this would affect his parking of his motor home at his residence.

B. Don Smith, 5308 Princess Ct, asked about business trucks parked in residential zones.

C. Gene Tyree, 504 Howard, wanted to know about parking one ton trucks at his home.

VII. AMENDMENT TO CHAPTER 10 OF THE MUNICIPAL CODE REGULATING THE PARKING OF COMMERCIAL VEHICLES ON PUBLIC AND PRIVATE PROPERTY.

Bruce Martin moved to adopt an ordinance amending Chapter 10 of the Lake Dallas Municipal Code, regulating the parking of commercial vehicles on public and private property. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. PUBLIC HEARING: RESIDENTIAL PARKING REQUIREMENTS.

There were no public comments.

IX. ORDINANCE AMENDING CHAPTER 10 OF THE MUNICIPAL CODE REGULATING THE PARKING OF MOTOR VEHICLES ON HARD SURFACES.

Bruce Martin moved to adopt an ordinance amending Chapter 10 of the Municipal Code regulating the parking of motor vehicle on hard surfaces and requiring that gravel drives be maintained free of vegetation. Matt Flanagan seconded the motion and it carried unanimously.

X. RESOLUTION SETTING OUT TRAVEL EXPENSE REIMBURSEMENT FOR CITY COUNCIL MEMBERS IN LIEU OF PAY PER MEETING.

Matt Flanagan moved to pass a resolution authorizing the reimbursement of travel expenses for Council Members in lieu of pay per meeting. Linwood Gilliland seconded the motion and it carried unanimously.

XI. CONSIDER INCURRING COST OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Bruce Martin moved to table any decision to incurred demolition costs at 5301 Prince Drive. Matt Flanagan seconded the motion and it carried unanimously.

XII. ACCOUNTS PAYABLE.

Bruce Martin moved to give approval to the City Secretary to pay all accounts due in the month of October. Linwood Gilliland seconded the motion and it carried unanimously.

XIII. OLD BUSINESS.

None.

XIV. NEW BUSINESS.

A. Matt Flanagan would like to research what we are going to require Jim Douglas to do with the park in the Thousand Oaks Addition.

B. Bruce Martin wants some information on the polo field next to Thousand Oaks. Matt Flanagan will research this.

C. Mayor McCutcheon related that the street department has made repairs on the alley between Julian and Marina Drive and placed a gate at that location.

XV. EXECUTIVE SESSION: PERSONNEL, TEXAS GOVERNMENT CODE, SECTION 551.074.

The Council convened into Executive Session to evaluate department directors for merit increases.

XVI. ACTION FOR EXECUTIVE SESSION.

There was no official action taken.

XVII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

SPECIAL MEETING OF THE CITY COUNCIL AND
PLANNING AND ZONING COMMISSION
OCTOBER 18, 1994

I. ROLL CALL:

City Council Members Present:

Matt Flanagan, Mayor ProTem
Thanna Bounds, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member

Planning & Zoning Members Present:

Bruce Cox, Chairman
Aldena Stowe, Vice-Chairman
Bob Geisinger
Mike Fahey
Donna Hamilton, City Secretary

Members Absent:

Jerry McCutcheon, Mayor
Bruce Martin, Council Member
Rita Harvell, Planning & Zoning Member

II. WORKSHOP TO DISCUSS POSSIBLE POLO FIELD IN THE T. WHITE SURVEY.

Matt Flanagan and Mike McCary will research this matter.

III. WORKSHOP TO DISCUSS PRELIMINARY PLAT FOR PHASE II, THOUSAND OAKS ADDITION.

The City Council and the Planning and Zoning Commission discussed several areas of concern in the preliminary subdivision plat of Thousand Oaks, Phase II. Jim Douglas said that he would widen some of the lots and remove a street and put in cul de sacs. He also agreed to assist the City in park development and improvements to Shady Shores Road.

IV. PLANNING AND ZONING ONLY: CONSIDER APPROVAL OF PRELIMINARY PLAT FOR THOUSAND OAKS, PHASE II.

Aldena Stowe moved to approve the preliminary plat with the revisions discussed in the workshop. Bob Geisinger seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Mike Fahey moved to adjourn the meeting. Bob Geisinger seconded the motion and it carried unanimously

_____
Matt Flanagan, Mayor ProTem

ATTEST:

_____
Bruce Cox, Chairman

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 3, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member

With all members present the following business was transacted.

II. EXECUTIVE SESSION: PERSONNEL, TEXAS LOCAL GOVERNMENT CODE, SECTION 551.074.

The City Council met in Executive Session to discuss job duties for all Administrative positions.

The City Council reconvened into open session.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting and Garry Bills seconded the motion which carried unanimously.

ATTEST:

Donna Hamilton, City Secretary

Jerry McCutcheon, Mayor

278

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 9, 1994

I. ROLL CALL.

The meeting was called to order at 6:45 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all Bruce Martin absent the following business was transacted.

II. DISCUSSION OF COMPENSATION TIME FOR EXEMPT EMPLOYEES.

This item will be discussed at a later date.

III. EXECUTIVE SESSION: PERSONNEL, TEXAS LOCAL GOVERNMENT CODE, SECTION 551.074.

The City Council met in Executive Session to interview applicants for the Administrative Assistant position.

The City Council reconvened into open session.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting and Garry Bills seconded the motion which carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 10, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in October, 1994. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Lorraine Brown, Adolphus Ave., suggested that the City start an "Adopt a Street Program".

B. Bobby Shikle, 712 Thompson, inquired if the City had made any progress regarding privacy from two story balconies. He also stated that parking on grass should be allowed if the grass is kept mowed.

C. Harriet Hart, Sargent Street, needs the bar ditches in front of her house cleaned to prevent erosion of her property.

D. Jerry McCutcheon, 317 Carlisle, announced that the Senior Citizen Xmas Dinner will be held on December 14, 1994. He also announced that the American Legion would be having their Grand Opening on November 12, 1994.

V. PARK AND RECREATION BOARD.

Tammy Hite reported that twenty five spaces have been reserved for the Christmas Bazaar which will be held on December 3rd at the elementary school gym.

VI. PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 10.20 OF THE MUNICIPAL CODE PROVIDING THAT ALL NEWLY CONSTRUCTED COMMERCIAL BUILDINGS SHALL CONSIST OF EIGHTY PERCENT MASONRY ON EXTERIOR SURFACE.

There were no public comments.

VII. AMENDMENT TO CHAPTER 10 OF THE MUNICIPAL CODE REGULATING RELATING TO EXTERIOR SURFACES OF COMMERCIAL BUILDINGS.

Bruce Martin moved to adopt an ordinance amending Chapter 10.20 of the Lake Dallas Municipal Code, providing that all newly constructed commercial buildings shall consist of eighty percent masonry on exterior surfaces. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. ORDINANCE PRESCRIBING REGULATIONS PERTAINING TO THE DRILLING OF WATER WELLS FOR PRIVATE USE.

Linwood Gilliland moved to table an ordinance prescribing regulations pertaining to the drilling of private water wells pending further review. Bruce Martin seconded the motion and it carried unanimously.

IX. FINAL PLAT APPROVAL OF THOUSAND OAKS ADDITION, PHASE II.

Thanna Bounds moved to approve the final plat of Thousand Oaks, Phase II, as submitted. The motion died for a lack of a second.

Matt Flanagan moved to table the final plat of Thousand Oaks, Phase II, pending a workshop on November 17, 1994. Garry Bills seconded the motion and it carried unanimously.

X. RATE INCREASE TO TEXAS WASTE MANAGEMENT FOR SOLID WASTE DISPOSAL.

Garry Bills moved to grant Texas Waste Management a 7.695% rate increase. Linwood Gilliland seconded the motion and it carried unanimously.

XI. CONSIDER INCURRING THE COSTS OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Bruce Martin moved to table a decision on this matter pending information from Weyerhauser Mortgage. Matt Flanagan seconded the motion and it carried unanimously.

XII. CONTRACT AGREEMENT WITH AUTOMATIC DATA PROCESSING FOR PAYROLL PROCESSING.

Garry Bills moved to deny a contract agreement for payroll processing. Bruce Martin seconded the motion and it carried unanimously.

XIII. TRAVEL TRAILERS IN MOBILE HOME PARKS.

The City will research ordinances and look at the all mobile home parks in the City to consider allowing travel travels.

XIV. ANIMAL CONTROL SHELTER.

Mayor McCutcheon related that he had contacted Bill Squier about selling the property at the animal shelter but Mr. Squier is not interested.

XV. EAST CARLISLE STREET REPAIR.

Mayor McCutcheon told Council that the lowest bid he has received to repair the bridge on East Carlisle is $7,500.00.

XVI. STREET REPAVING PROJECT.

Mayor McCutcheon informed Council that all the streets had been completed except some areas on Lakeview Drive.

XVII. APPRECIATION CERTIFICATES.

Mayor McCutcheon announced that he will issue appreciation certificates to those people who helped with Garza Days and the Fourth of July.

XVIII. LAKE DALLAS CITY PARK.

Mayor McCutcheon announced that he had asked Allsup's for a donation to make improvements at the Community Center Park.

XIX. ACCOUNTS PAYABLE.

Bruce Martin moved to give approval to the City Secretary to pay all accounts due

in the month of October. Garry Bills seconded the motion and it carried unanimously.

XX. NOMINATION OF CANDIDATE TO APPRAISAL REVIEW BOARD.

Matt Flanagan moved not to nominate a candidate to the Appraisal Review Board. Linwood Gilliland seconded the motion and it carried unanimously.

XXI. OLD BUSINESS.

A. Park Board Chairman Tammy Hite will get with the Mayor to purchase a sound system.

B. Matt Flanagan asked that the Planning and Zoning Commission begin work to change R1-10,000 Zoning to 2,000 square feet of living area instead of 2,500.

C. Matt Flanagan is researching information on the polo field off Dobbs Road.

XXII. NEW BUSINESS.

A. Bruce Martin requested that consideration of hiring a consulting firm to develop job descriptions and evaluations be placed on the December agenda.

B. Mayor McCutcheon announced that the City has contracted for removal of the fuel tanks at a cost of $6,200.00 barring that there is no soil contamination.

XXIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 17, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Bruce Martin, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, SECTION 551.071.

The City Council entered into Executive Session at 7:35 p.m. to consult with the City Attorney.

The Council reconvened in to open session at 7:55 p.m.

III. CONSIDER FINAL PLAT APPROVAL OF THOUSAND OAKS ADDITION, PHASE II.

After a considerable amount of discussion the following motion was made. Matt Flanagan moved to approve the final plat of Thousand Oaks Addition, Phase II with the following stipulations: four lots in Blocks "A" and "B" will be enlarged to a minimum of seventy feet wide, front yard setbacks will be a minimum of twenty five feet, sidewalks will be place along the street in the greenbelt areas, assistance will be given by the developer to the City to develop the greenbelt area into a park, and assistance will be given to the City by the developer in the reconstruction of the bridge and roadway at Shady Shores Road and Swisher Creek. Bruce Martin seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting and Bruce Martin seconded the motion which carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
NOVEMBER 21, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. CONSIDER FINAL PLAT APPROVAL OF THOUSAND OAKS, PHASE II.

Bruce Martin moved to approve the final plat of Thousand Oaks, Phase II, as presented by Jim Douglas. Matt Flanagan seconded the motion and it carried unanimously.

III. DISCUSSION OF LAKE CITIES FIRE DEPARTMENT BUDGET.

The Council reviewed and discussed a proposed funding plan presented by Councilman Martin and agreed that they would support it.

ADJOURNMENT.

Garry Bills moved to adjourn the meeting and Linwood Gilliland seconded the motion which carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
DECEMBER 8, 1994

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was led by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in November, 1994. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Bobby Shikle, 712 Thompson, inquired if the City had made any progress regarding privacy from two story balconies. He also stated that parking on grass should be allowed if the grass is kept mowed. Mayor McCutcheon stated that the Building Inspector will be submitting an ordinance concerning two story balconies to the Planning Commission. He also informed Mr. Shikle that most council members and himself support the "no parking on the grass" ordinance.

V. PARK AND RECREATION BOARD.

A. The Christmas Bazaar netted $705.00.

B. Matt Flanagan moved to accept Gary Johnson's resignation. Garry Bills seconded the motion and it carried unanimously.

VI. ORDINANCE PRESCRIBING REGULATIONS PERTAINING TO THE DRILLING OF WATER WELLS FOR PRIVATE USE.

Johnny Harris, manager of Lake Cities Municipal Utility Authority, explained the proposed ordinance. Matt Flanagan moved to table an ordinance prescribing regulations pertaining to the drilling of private water wells pending a workshop to be held prior to the regular January meeting. Bruce Martin seconded the motion and it carried unanimously.

VII. CONSIDER INCURRING THE COSTS OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Bruce Martin moved to table a decision on this matter. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. CONSIDER ORDINANCE PROVIDING FOR THE MAINTENANCE OF CERTAIN STATE HIGHWAYS BY THE TEXAS HIGHWAY DEPARTMENT.

Linwood Gilliland moved to authorize the Mayor to sign an interlocal agreement with the Texas Highway Department for maintenance by same for all state highways within the city limits. Matt Flanagan seconded the motion and it carried unanimously.

IX. INTERLOCAL AGREEMENT WITH DENTON COUNTY FOR COLLECTION OF USED OIL.

Matt Flanagan moved to authorize the Mayor to sign an interlocal agreement with Denton County for the collection of used oil. Bruce Martin seconded the motion and it carried unanimously.

X. CONSIDER HIRING A CONSULTANT TO WRITE JOB DESCRIPTIONS AND EVALUATIONS.

Bruce Martin moved to hire a consulting firm to evaluate jobs and write descriptions. Garry Bills seconded the motion and it carried unanimously.

XI. ACCOUNTS PAYABLE.

Garry Bills moved to give approval to the City Secretary to pay all accounts due in the month of December. Bruce Martin seconded the motion and it carried unanimously.

XII. APPOINTMENTS TO PLANNING AND ZONING COMMISSION.

Linwood Gilliland moved to appoint Sherrel James and Charles Dalton to the Planning and Zoning Commission. Matt Flanagan seconded the motion and it carried unanimously.

XIII. OLD BUSINESS.

A. There was a lengthy discussion regarding Lake Cities Fire Department funding by each city.

B. Mayor McCutcheon told City Council that he planned to buy dirt from Bob Ealey to stockpile for the Shady Shores Road improvements.

XIV. NEW BUSINESS.

A. Mayor McCutcheon presented a proclamation declaring December as Drunk and Druggedness Prevention Month..

B. Mayor McCutcheon read a letter from Highland Village asking support for a racetrack at Alliance Industrial park.

XV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
JANUARY 12, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. DISCUSSION OF REGULAR AGENDA ITEMS.

There was a discussion with Johnny Harris and Mike Saunders, representatives of Lake Cities Municipal Utility Authority, concerning the need for an ordinance regulating the drilling of water wells.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting and Linwood Gilliland seconded the motion which carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JANUARY 12, 1995

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Garry Bills, Council Member
Linwood Gilliland , Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in December,1994. Matt Flanagan seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Bobby Shikle, 712 Thompson, asked that each member of the Council state their reason for wanting to terminate Donna Hamilton. Mayor McCutcheon stated that the Council would discuss this matter under that agenda item. Mr. Shikle further stated that not knowing both sides of this issue, he would be in favor of Donna at this time.

B. Aurel Shahan, 5307 Princess, wanted to know why people in other towns know what is going on when Lake Dallas citizens don't. She said that a person informed her that they knew why Donna Hamilton is being terminated and that had seen why. Mayor McCutcheon stated that he was not aware of anything that a person may have seen and that it was probably a rumor.

C. Julius Roberts, 720 Wildwood, stated that he could see no reason to terminate Donna Hamilton since she is a long time employee and go to the expense of training someone else unless she has been gross in not doing her job.

D. John Smith, 110 Church Street, said that he agreed with what has been said. He reminded the Council that Cities can be sued for wrongful termination and suggested that the City do what they can to reconstruct this person.

E. Carolyn Green, Lake Haven Estates, said that she had heard that one of the reasons that Donna was being considered for terminination was that she had made mistakes and that if the Council had not made mistakes then that proves they were not doing their jobs and didn't deserve our votes next time.

F. Bob Garris, 716 Wildwood, stated that he wanted the Council to see how the people in the audience felt and he asked that all for Donna Hamilton to please stand.

V. PARK AND RECREATION BOARD.

A. Park Board Chairman Tammy Hite informed the Council that their next project would be the Carolyn Green Scholarship Brunch which they hoped to have in early May. She also related that there were five vacancies on the Board .

B. Matt Flanagan moved to accept the following Park and Recreation Board officers: Tammy Hite - Chairman, Harriet Hart - Vice Chairman, and Anna Benham - Secretary. Thanna Bounds seconded the motion and it carried unanimously.

B. Linwood Gilliland moved to hold Garza Day on the first Saturday in June. Bruce Martin seconded the motion and it carried unanimously.

C. Thanna Bounds moved to accept the resignation of Kathy Osborn from the Park Board. Linwood Gilliland seconded the motion and it carried unanimously.

D. Thanna Bounds reported that the Happy Hearts, along with others, have raised $1,795. for the Sue Rucker Scholarship Fund.

E. Mayor McCutcheon reported that Allsup's has agreed to donate one cent per gallon of gas to the development of the Community Center Park. Chairman Hite said that the Park Board still wants to pursue a grant from Texas Parks and Wildlife. This matter will be discussed at the February Council meeting.

VI. ORDINANCE PRESCRIBING REGULATIONS PERTAINING TO THE DRILLING OF WATER WELLS FOR PRIVATE USE.

Bruce Martin moved to adopt the ordinance regulating the drilling of water wells with the following changes: removal of Section 1.2., modifying Section 1.8. to a $25.00 application fee; and changing the language to City Secretary or Health Inspector or appointed designee. Garry Bills seconded the motion and it carried unanimously.

VII. CONSIDER INCURRING THE COSTS OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Matt Flanagan moved to table a final decision on this matter and to have the Building Inspector to solicit bids on the removal of the structure. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. DISCUSSION OF LIBRARY EXPANSION.

Johnny Fondren, Library Board Member, informed the Council that the Lake Cities Library has outgrown their space at the Community Center and would like to expand the library into the hallway and the Chamber of Commerce room. A workshop with the Library Board was set for February 15, 1995 at 7:00 p. m.

IX. TEXPOOL INVESTMENTS.

Randall Corwin, representative from TexPool explained the investments and financial condition of TexPool investments. There were no Council actions.

X. INTERLOCAL AGREEMENT WITH CITY OF DENTON FOR AMBULANCE SERVICE.

Matt Flanagan moved to authorize the Mayor to sign an interlocal agreement with the City of Denton to provide ambulance services to the citizens of Lake Dallas. Thanna Bounds seconded the motion and it carried unanimously.

XI. RESOLUTION DESIGNATING THE E5H MODIFIED ROUTE AS THE PREFERRED ALIGNMENT FOR THE LAKE LEWISVILLE BRIDGE CROSSING.

Thanna Bounds moved to disapprove the resolution designating the E5H Modified Route as the preferred alignment for the Lake Lewisville Bridge. Linwood Gilliland seconded the motion and it carried unanimously.

XII. ALLSUP'S DONATION.

The Mayor had explained this under the Park Board agenda item.

XIII. ACCOUNTS PAYABLE.

Thanna Bounds moved to give approval to the City Secretary to pay all accounts due in the month of January. Bruce Martin seconded the motion and it carried unanimously.

XIV. OLD BUSINESS.

A. Matt Flanagan will get the information on employee evaluation forms.
B. Matt Flanagan is attempting to make contact with the gentleman about the polo field next to the Thousand Oaks Subdivision and will pass along any information he receives to the Council.

XV. NEW BUSINESS.

A. Mayor McCutcheon presented a proclamation declaring February 5-11, 1995 as Scouting Anniversary Week for the Boy Scouts of America

B. Mayor McCutcheon informed Council that the underground gas tanks have been removed.

C. Mayor McCutcheon said that Reynolds Asphalt is continuing to research the problems associated with the failure of the repaving project of Prince Drive.

D. Mayor McCutcheon related that he will be holding an emergency response training session sometime in February. Police Chief Ristagno will be the emergency management coordinator.

E. City-wide clean-up day will be February 4, 1995.

XVI. EXECUTIVE SESSION, CHAPTER 551.074, PERSONNEL.

A. The Mayor announced that the Council would enter into executive session for private consultation between the City Council and City Secretary Donna Hamilton with respect to the employee's job performance and to consider termination. Donna Hamilton requested that the meeting remain open to the public so the Council did not enter into executive session.

The Mayor and City Council discussed the pros and cons of terminating City Secretary Donna Hamilton, with each member stating their opinion and Ms. Hamilton responding to some of the remarks.

XVII. ANY APPROPRIATE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

Garry Bills moved that under the circumstance that Donna Hamilton not be terminated but that the Council meet with her and set down guidelines instead of filtering them through the Mayor and that after a ninety day period she should be re-evaluated. Bruce Martin seconded the motion and it carried unanimously.

XVIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

DONNA HAMILTON, CITY SECRETARY

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
JANUARY 20, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following persons present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor ProTem
Bruce Martin, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Donna Hamilton, City Secretary

With all members present the following business was transacted.

II. WORKSHOP.

A. DISCUSS WITH AND SET GOALS, OBJECTIVES AND GUIDELINES FOR THE CITY SECRETARY.

Some members of the City Council expressed their views of the problems they were having with Donna Hamilton's job performance. Garry Bills presented the Council with a list of five goals and objectives for the City Secretary.

The Mayor and City Council agreed to consider termination of Donna Hamilton at the regular City Council meeting on February 9, 1995.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
FEBRUARY 09, 1995

I. ROLL CALL.

The meeting was called to order at 7:48 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Donna Hamilton, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in January, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Carol Henson, 5416 Prince Drive would like to know if the traffic can be limited on Prince Drive. Mayor McCutcheon informed her that the police department and street department would look into putting up some barricades tomorrow.

B. Mrs. Keller, Prince Drive would like large pieces of asphalt removed from Prince Drive. Mayor McCutcheon informed her the street department will remove large pieces of asphalt tomorrow. Mayor McCutcheon informed her that the contractor was required to post a performance bond to guarantee his work and a workshop has been scheduled with the paving contractor for February 15, 1995.

C. Lyle Shelton, Moseley Street would like a stop sign at Lakeview and Moseley because of the large trees blocking the view from the north. Mayor McCutcheon informed him that the police chief will study the need for a stop sign at that corner and make a recommendation.

D. Bobby Shickle, 712 Thompson Drive requested permission to address the Mayor and the council to thank Donna Hamilton for the job she has done for the City of Lake Dallas.

E. Bill Camp, Prince Drive would like to know if the city is going to repair damage to vehicles from Prince Drive. Mayor McCutcheon informed him as to the procedure to file a claim as set by

city ordinance. Can the police patrol Prince Drive more heavily in order to slow down the traffic?

F. Jon Holbrook, President of Lake Cities Soccer wants to know why the city is planning to purchase the property at Hundley and Shady Shores. Mayor McCutcheon informed him the property was recently listed for sale and that he would like the council to consider purchasing the property to insure that the Soccer Association does not loose the use of the land.

G. Mike Fahey, Kingswood in reference to agenda Item VII. removal of Rodney Courtney from the Board of Adjustment, thinks the council should let persons appointed to commissions and boards do their job.

V. CONSIDER ACTIONS REGARDING EMPLOYMENT OF CITY SECRETARY DONNA HAMILTON.

A. Matt Flanagan moved to rescind the action of the council on January 12, 1995, Article XVII. Bruce Martin seconded the motion and it carried with Thanna Bounds opposed.

B. Matt Flanagan moved to terminate Donna Hamilton effective today for lack of confidence. Garry Bills seconded the motion and it carried with Thanna Bounds opposed. For the record, strictly for the record Mayor McCutcheon was also opposed.

C. Bruce Martin moved to pay Donna Hamilton a consulting fee not to exceed $1,200.00 at 40 hours of time during the next 30 days, for $30.00 per hour. Garry Bills seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: REMOVAL OF RODNEY COURTNEY FROM THE BOARD OF ADJUSTMENT.

A. Rodney Courtney requests Mayor McCutcheon read a letter sent to him from the mayor in January 1995, in which Mayor McCutcheon wrote him in reference to the Board of Adjustment meeting on December 29, 1994, after reviewing the tape of the meeting he felt Mr. Courtney was out of line in his actions demanding fines and reprimands and asked for Rodney Courtney's resignation from the Board of Adjustment.

B. Carolyn Green, she has listened to the tape of the Board of Adjustment meeting from December 29, 1994 and does not agree that Mr. Courtney was disrespectful, perhaps his comments were in poor taste. She is also concerned with our right of Freedom of Speech.

C. Lyle Shelton, can not see why you would get rid of a man for doing his job.

D. David Shershan, has also listen to the tape and can not believe that anyone would be chastised or reprimanded for asking that the ordinances, the laws, the codes, the policies and procedures be followed at all times by all parties, and that Mr. Courtney was singled out. The tape ends with Mr. Courtney and the Board of Adjustment requesting guidance and co-operation from the council.

E. Rod Courtney, he was appointed by the council and elected by the members of the Board of Adjustment as their chairman and have tried to serve as best as he could.

F. Cathy Osborne, it takes a lot of volunteer effort to make

a city run and people will always have differences of opinions.

VII. ACTION RESULTING FROM PUBLIC HEARING: REMOVAL OF RODNEY COURTNEY FROM THE BOARD OF ADJUSTMENT.

A. Thanna Bounds, after listening to the tape, all she can see is a different interpretation of the ordinance. Suggest anytime council has a workshop with a builder that they invite the Board of Adjustment. In favor of retaining Mr. Courtney on the Board of Adjustment.

B. Bruce Martin, after listening to the tape, he could tell Mr. Courtney was expressing some frustrations, he understands his frustrations and is not in favor of his removal. The City Council and Board of Adjustment will have a workshop on February 28, 1995.

C. Matt Flanagan, after listening to the tape feels that the problem comes down to miscommunication on many peoples' part. Not in favor of Mr. Courtney's removal.

D. Garry Bills, has not heard the tape, and does not want to chastise someone for doing a job that they feel is in the best interest of the city. Not in favor of Mr. Courtney's removal.

E. Linwood Gilliland, understands frustration and has respect for Mr. Courtney. He thinks more communication with builder and Board of Adjustment is necessary. Not in favor of Mr. Courtney's removal.

Linwood Gilliland moved not to remove Rodney Courtney from the Board of Adjustment. Bruce Martin seconded the motion and it carried unanimously.

VIII. PARK AND RECREATION BOARD.

A. Report from Park Board Chairman.

1. Tammy Hite reports the board has selected five members and one associate member.

2. Carolyn Green Scholarship brunch tentative date is April 29, 1995 at 10:00 A.M. at the middle school cafeteria. Would like each council member to sponsor a table at $75.00 per table. All money raised will be matched by Carolyn Green and go toward the Carolyn Green Scholarship fund. Scholarship is based on community service.

3. Happy Hearts has raised $1,750.00 for the Sue Rucker Art Scholarship.

4. Community Action awards ceremony will be on April 2, 1995, at 2:00 P.M. at the American Legion.

B. Discussion of Park Grant.

1. Mark Allsups has agreed to donate $5,000 now and do a fund raiser to raise an additional $10,000 supported by gasoline sales from his store.

2. Aldena Stowe, does not think the City Council should support one business over another.

3. Mrs. Woosley, wants to proceed with requesting a grant and also accept donations from any one that wishes to donate.

4. Aldena Stowe, Allsups is getting a lot of publicity.

5. Carolyn Green, "for free take, for buy waste time", take all you can get.

6. Tammy Hite reports that Tim is still working on the park plans. These plans are needed to apply for the grant.

7. Douglas Properties and Pulte are clearing scrub in park/greenbelt area at Thousand Oaks now.

8. Tammy Hite would like to recognize Cathy Osborne for her four years of service on the Park Board.

IX. CONSIDER GRANTING PERMISSION TO PLACE A MOBILE HOME AT 709 NICK STREET FOR A TEMPORARY RESIDENCE DURING CONSTRUCTION OF A NEW HOME.

Withdrawn.

X. PRESENTATION OF APPRECIATION CERTIFICATES TO FORMER PLANNING AND ZONING BOARD MEMBERS RITA HARVELL AND ROBERT GEISINGER.

Presentations made.

XI. CONSIDER INCURRING THE COSTS OF DEMOLITION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE.

Bruce Martin moved to have the city incur the cost of demolition of residential building at 5301 Prince with necessary paper work to be filed with the city attorney for a lien against said property and to insure that the liability insurance is in place, and authorize the contract to be given to Boyd Excavation at a price of $4,540.00. Linwood Gilliland seconded the motion and it carried unanimously.

XII. DISCUSSION OF POSSIBLE LAND ACQUISITIONS.

A. Seventeen acres located at the northeast corner of Shady Shores and Hundley has recently been listed for sale. Mayor to contact realtor for additional information and confirm purchase price, then schedule workshop with city attorney after information has been obtained.

B. Property located in the 100 block of Market St., also check with owner of property and see if purchase is possible and price.

XIII. BUSINESS AND RESIDENTIAL ALARM PERMIT FEES.

Bruce Martin moved to maintain the business and residential alarm permit fees for this calendar year with a review of the procedures necessary for budget for calendar year 1996 and to re-evaluate at budget time. Linwood Gilliland seconded the motion and it carried unanimously.

XIV. CONSIDER ORDINANCE PROHIBITING THE POSSESSION OR PURCHASE OF TOBACCO PRODUCTS BY MINORS.

Matt Flanagan moved to deny an ordinance prohibiting the possession or purchase of tobacco products by minors. Thanna Bounds seconded the motion and it carried with Bruce Martin opposed.

XV. CONSIDER ORDINANCE PROHIBITING CERTAIN ACTS IN CITY PARKS AND ATHLETIC FIELDS.

Linwood Gilliland moved to table the ordinance until the Park Board can review and give recommendation. Thanna Bounds seconded the motion and it carried unanimously.

XVI. CONSIDER AUTHORIZING MAYOR MCCUTCHEON TO SIGN A LETTER OF APPROVAL FOR LAKE CITIES MUNICIPAL UTILITY AUTHORITY TO EXPAND IT'S WATER AND SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY SERVICE AREA.

Linwood Gilliland moved to authorize Mayor McCutcheon to sign a letter of approval for Lake Cities Municipal Utility Authority to expand it's water and sewer Certificate of Convenience and Necessity service area. Thanna Bounds seconded the motion and it carried unanimously.

XVII. CONSIDER LEASE FEES TO BE CHARGED TO NON-PROFIT ORGANIZATIONS FOR USE OF THE COMMUNITY CENTER.

Bruce Martin moved that lease fees be maintained at $20.00 for residents and $40.00 for non-residents on a per hourly basis for the community center. Linwood Gilliland seconded the motion and it carried unanimously.

XVIII. ACCOUNTS PAYABLE.

Matt Flanagan moved to give approval to the City Secretary to pay all accounts due in the month of February. Bruce Martin seconded the motion and it carried unanimously.

XIX. OLD BUSINESS.

A. Matt Flanagan is working on getting employee evaluation forms and will have later.

B. Matt Flanagan reported that the polo field will be for the owners personal use only. The polo season runs from August to October and that he will begin using the field the summer of 1996.

C. Garry Bills has volunteered to serve on the Steering Committee for the Fire Department Budget Board and Matt Flanagan will contact Kevin Spraggins to see if he is interested in serving.

XX. NEW BUSINESS.

A. Mayor McCutcheon will schedule a workshop with Reynolds Asphalt and Metroplex Engineering.

B. Fill dirt for Shady Shores bridge improvement project was used by builder Jim Douglas. Jim Douglas has failed to return any telephone calls.

C. In support of Earth Day the boy scouts will paint fire hydrants.

D. Fuel tank removal area at city yard has failed E.P.A. test standards. The clean up on this project will run over budget.

Will try and re coup some of the cost from the E.P.A. TU Electric power pole in the contaminated area must be moved. TU Electric estimates the cost at $800.00 to $1,000.00.

XXI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, SECRETARY

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
FEBRUARY 15, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With all members present, the following business was transacted:

II. WORKSHOP.

A. REQUEST FROM THE LIBRARY BOARD FOR EXPANSION OF THE LIBRARY.

The library currently occupies 1457 square feet of space and would like to expand into the hallway and conference room, adding an additional 478 square feet of space. The library board feels the requested expansion space would be sufficient for our community, because of the availability of larger libraries in the surrounding communities. The Chamber of Commerce currently has a lease for the conference room and has had a lease for many years. The City Council will arrange a meeting with the Chamber of Commerce for their input into the Library Board's request.

B. REVIEW PRINCE DRIVE REPAVING CONTRACT.

Reynolds Asphalt reviewed with the City Council their test results report. The Mayor will forward these results to Metroplex Engineering for their review.

III. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551.074, PERSONNEL.

Executive session was not held as building inspector was not present.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, Secretary

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
FEBRUARY 28, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:05 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With all members present, the following business was transacted:

II. WORKSHOP.

A. REVIEW SHADY SHORES ROAD IMPROVEMENT PROJECT WITH METROPLEX ENGINEERING.

Metroplex engineering will draw up plans for the channel rerouting. The Mayor will try and obtain previous Shady Shores drawings from Tipton Engineering. The Mayor will arrange a meeting with Dick Army and the Corps of Engineers in an effort to obtain financial help.

B. DISCUSSION WITH BOARD OF ADJUSTMENT AND CITY ATTORNEY ON LEGAL RESPONSIBILITIES AND CITY GOALS.

City Attorney informed Board of Adjustment that their duties are governed by section 211.009 of the Local Government Code of Vernon's Civil Statutes.

III. EXECUTIVE SESSION: GOVERNMENT CODE, SECTION 551.045, VERNON'S TEXAS CODES ANNOTATED.

The City Council entered into Executive Session at 8:05 p.m. to discuss possible litigation with city attorney. They reconvened into open session at 9:00 p.m.

IV. ACTION ON DISCUSSION IN EXECUTIVE SESSION.

Matt Flanagan moved to have the city attorney draft a letter notifying bonding company of the road conditions and problems in regard to Reynolds Asphalt's performance in their repaving work of Prince Dr. Garry Bills seconded the motion and it carried unanimously.

Matt Flanagan moved to have the mayor or a city representative notify Reynolds Asphalt to begin repairing Prince Dr. and let Reynolds know that a claim has been filed with the bonding company. Garry Bills seconded the motion and it carried unanimously.

Matt Flanagan moved to address the issue of who will incur the expense of repairing Prince Dr. at the March 9, 1995 City Council meeting. Garry Bills seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, Secretary

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
MARCH 7, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted:

II. WORKSHOP.

A. GENERAL DISCUSSION IN REGARD TO THOUSAND OAKS PHASE I AND PHASE II.

With developer Jim Douglas present the council expressed several concerns in reference to the development of Thousand Oaks Phase I and Phase II. Jim Douglas assured the council that everything is being done in accordance with the plotting plans. The council requested the developer communicate better with the building inspector as they proceed with the project.

B. CONSIDER AMENDING BUDGET FOR UPGRADE TO COURT COMPUTER.

Bruce Martin moved to amend the budget not to exceed $1,700.00 for the upgrade of the tower unit to, the 1 gig bit drive with controller, 250 meg tape drive, 4 meg upgrade and labor necessary, and moving the drive from the tower to the court clerks computer. Linwood Gilliland seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey, Secretary

Matt Flanagan, Mayor Pro Tem

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
MARCH 9, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With all members present, the following business was transacted:

II. WORKSHOP.

DISCUSSION WITH CHAMBER OF COMMERCE IN REGARD TO LAKE CITIES LIBRARY EXPANSION.

James Loveday, representing the Chamber of Commerce feels that an agreement on the amount of space the Chamber of Commerce leases at the Community Center could be work out that would allow for the library expansion. James Loveday would like the Mayor to draw up a contract for him to present to the Chamber Board for approval.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey
Barbara Starkey, Secretary

Jerry McCutcheon
Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MARCH 09, 1995

I. ROLL CALL.

The meeting was called to order at 7:35 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in February, 1995 with the following correction: February 9, 1995, Section VII(D) change the word "what" to "want". Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Linda Gentilo, Prince Drive thanked the mayor for requesting she contact the contractor's insurance company in reference to damage done to her car from Prince Drive. Reynolds insurance company did look at her car.

B. Thanna Bounds, on March 20, 1995 from 5:30 to 8:00 at the VFW there will be a benefit spaghetti dinner to raise money for the restoration of the cemetery. Gainsville Monument Company will begin repair to the cemetery as weather permits. The Birthday Club is offering a $600.00 reward for the arrest and prosecution of the vandals.

V. BOYS AND GIRLS CLUB OF DENTON COUNTY.

Mark Banky with the Boys and Girls Club of Denton County addressed the council about the need for quality after school programs for the children of Lake Dallas. He would look at sometime in the summer as a target date for establishing the program. He also is looking for funding, support from the

community and schools, and meeting space for the program. The Mayor informed him that any funding from the city would have to be addressed at budget time.

VI. COMMUNITIES IN SCHOOLS (C.I.S.).

Ursula Jacobs with Communities in Schools (a dropout prevention program) addressed the council about establishing a program for the children of Lake Dallas. The Mayor informed her that any funding from the city would have to be addressed at budget time.

VII. AMERICAN WASTE COMPANY, FUEL TANK REMOVAL-ACTION.

Matt Flanagan moved to grant approval for American Waste Company for amount not to exceed $13,000.00 to continue with testing and removal of contaminated soil in connection with the fuel tank removal. Linwood Gilliland seconded the motion and it carried unanimously.

VIII. PARK AND RECREATION BOARD.

A. APPROVAL OF APPLICATIONS-ACTION.

Bruce Martin moved to approve new members, Leslie Spraggins, Jenny Reeves, Randy Bell, Catherine Rice, and Jeff London to the Park and Recreation Board. Linwood Gilliland seconded the motion and it carried unanimously.

B. CAROLYN GREEN SCHOLARSHIP BRUNCH.

Bruce Martin moved to approve the Carolyn Green Scholarship Brunch to be held on Saturday, April 29, 1995, at 10:00 A.M. at the Middle School. Linwood Gilliland seconded the motion and it carried unanimously.

C. PARK PLANS FOR LAKE DALLAS PARK BEHIND THE COMMUNITY CENTER-ACTION.

Matt Flanagan moved to table plans for the Lake Dallas Park behind the Community Center. Garry Bills seconded the motion and it carried unanimously.

D. ORDINANCE REGARDING RULES AND REGULATIONS FOR CITY PARKS-ACTION.

Matt Flanagan moved to table an ordinance regarding rules and regulations for city parks pending a workshop. Linwood Gilliland seconded the motion and it carried unanimously.

F. REQUEST TO ATTEND PROPOSAL WRITING AND GRANTSMANSHIP WORKSHOP-ACTION.

Matt Flanagan moved to approve sending Tammy Hite and Barbara

Starkey to the Proposal Writing and Grantsmanship Workshop in Dallas on April 25, 1995. Garry Bills seconded the motion and it carried unanimously.

IX. PLANNING AND ZONING COMMISSION, REQUEST FOR WORKSHOP WITH BUD ARCHER AND KIM JACKSON-ACTION.

Matt Flanagan moved to accept the request from the Planning and Zoning Commission for a workshop with Bud Archer and Kim Jackson.
Garry Bills seconded the motion and it carried unanimously.

X. RECOGNITION OF OUTSTANDING HIGH SCHOOL SENIORS-ACTION.

Mayor McCutcheon recognized outstanding high school seniors, Mikki Bean, Deanna Brown, Joe Bryant, Randy Bryant, Aaron Graham, Brandon Hamby, Melinda Maeckle, Linda Ryan, Vickie Sweeden, and Brad Valasek.

XI. CONSIDER RESOLUTIONS RECOGNIZING THE EFFORTS OF STATE SENATOR JANE NELSON, STATE SENATOR DAVID SIBLEY, STATE SENATOR TOM HAYWOOD, STATE REPRESENTATIVE BURT R. SOLOMONS, STATE REPRESENTATIVE JIM HORN, AND STATE REPRESENTATIVE MARY DENNY-ACTION.

Matt Flanagan moved to accept the resolutions recognizing the efforts of State Senator Jane Nelson, State Senator David Sibley, State Senator Tom Haywood, State Representative Burt R. Solomons, State Representative Jim Horn, and State Representative Mary Denny. Garry Bills seconded the motion and it carried unanimously.

XII. AMENDMENT TO LAKE DALLAS MUNICIPAL CODE, SECTION 6.28.

Thanna Bounds moved to accept an amendment to Lake Dallas Municipal Code, Section 6.28, Dangerous Animals. Bruce Martin seconded the motion and it carried unanimously.

XIII. ORDER OF ELECTION.

Mayor McCutcheon read the Order of Election.

XIV. RESOLUTION APPOINTING ELECTION OFFICIALS-ACTION.

Garry Bills moved to approve a resolution appointing Aldena Stowe Gregory as Election Judge, Anne Kennedy as Alternate Election Judge, and Barbara Starkey as Absentee Voting Clerk. Bruce Martin seconded the motion and it carried unanimously.

XV. PROCLAMATION PRESENTED BY MAYOR MCCUTCHEON DECLARING APRIL 1995, SEXUAL ASSAULT AWARENESS MONTH IN TEXAS-ACTION.

Bruce Martin moved to approve the proclamation declaring April 1995, Sexual Assault Awareness month in Texas. Garry Bills seconded the motion and it carried unanimously.

XVI. ACCOUNTS PAYABLE-ACTION.

Bruce Martin moved to give approval to the City Secretary to pay all accounts due in the month of March. Linwood Gilliland seconded the motion and it carried unanimously.

XVII. PRINCE DRIVE REPAIR EXPENSES-ACTION.

Matt Flanagan moved to approve Reynolds Asphalt option #1 for $21,670.94 repair cost for Prince Drive pending a call to city engineer and city attorney, and obtain from city engineer in explicit terms will six inch base concrete stabilization take care of the street repaving project, if the city engineer comes back with a favorable position on the concrete stabilization then accept option #1 without the underdrain materials, concrete, or sawcutting. Prior to accepting this position talk with city attorney to see what position we will be in reference liability on our performance bond. If city engineer deems the underdrain is necessary then approve option #1 as stated. Garry Bills seconded the motion and it carried unanimously.

XVIII. OLD BUSINESS.

A. LAND AT SHADY SHORES AND HUNDLEY.

Mayor McCutcheon and Tom Davenport met with the Vanderhoofs who gave them first option at purchasing the land. The land is currently in trust and it will be 60 days before they will accept bids. The Vanderhoofs have listed the property with a real estate agent for over $400,000.00, and the real estate agent will accept all offers, but will allow the city a chance to beat any offer. The land was left to the sister and she does not want to donate it to the city.

B. EMPLOYEE EVALUATION FORMS.

Matt Flanagan is working on forms and will have copies for next council meeting.

XIX. NEW BUSINESS.

A. LIBRARY EXPANSION.

Bruce Martin has obtained a verbal quote of $2,700.00 for the library expansion project.

XX. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL.

A. DISCUSS AND DELEBERATE THE APPOINTMENT, EMPLOYMENT AND DUTIES OF A CODE ENFORCEMENT ASSISTANT.

The City Council entered into Executive Session to discuss the employment of a Code Enforcement Assistant.

B. WORK PERFORMANCE EVALUATION FOR MIKE MCCARY.

The City Council entered into Executive Session to evaluate Mike McCary, Code Enforcement Officer.

The City Council reconvened into open session at 12:25 a.m.

XXI. ACTION ON EXECUTIVE SESSION.

A. Bruce Martin moved to have the Mayor look into hiring a part time, contract labor Code Enforcement Assistant at $6.00 per hour for 20 hours per week. Garry Bills seconded the motion and it carried unanimously.

B. No Action.

XXII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MARCH 27, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551.074, PERSONNEL.

A. CONSULTATION WITH CITY ATTORNEY IN REGARD TO POSSIBLE LITIGATION.

The City Council entered into Executive Session to discuss possible litigation with city attorney.

B. INTERVIEW APPLICANTS FOR THE CITY SECRETARY POSITION.

The City Council entered into Executive Session to interview applicants for the City Secretary position.

The City Council reconvened into open session at 9:35 p.m.

III. ACTION ON EXECUTIVE SESSION.

A. No Action.

B. Bruce Martin moved the position of City Secretary be offered to Barbara Starkey. Thanna Bounds seconded the motion and it carried unanimously.

IV. WORKSHOP.

A. GENERAL DISCUSSION IN REGARD TO HOME BUSINESSES.

The language in the current ordinance needs to be clarified and made to apply to all residential districts. Mayor and Barbara Starkey will work with city attorney to clarify the language.

B. DISCUSSION IN REGARD TO FIRE DEPARTMENT BUDGET.

The City Council met to discuss fire department budget. The City Council will schedule an Executive Session with Fire Department Board of Directors and Fire Chief on April 13, 1995.

V. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey

Barbara Starkey, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
APRIL 06, 1995, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, City Secretary

With Mayor McCutcheon absent, the following business was transacted:

II. DISCUSSION OF LAND ACQUISITION OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF SHADY SHORES AND HUNDLEY DRIVE-ACTION.

Bruce Martin moved to table the discussion of acquisition of the property located at the northeast corner of Shady Shores and Hundley, pending an executive session with the city attorney on April 13, 1995 to discuss options for financing the purchase. Garry Bills seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey
Barbara Starkey, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
APRIL 11, 1995, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. RESOLUTION SUPPORTING THE CITY OF LITTLE ELM.

Bruce Martin moved to approve the resolution with the following changes, in the third paragraph Whereas, the City of Lake Dallas recognizes the prime location Little Elm represents to the economic growth of Denton County, the forth paragraph Whereas, the City of Lake Dallas recognizes the importance of future growth of the Little Elm area and the transportation infrastructure afforded by U.S. 380, S.H. 121, The North Dallas Tollway, F.M. 423, and F.M. 720 to Little Elm, and the fifth paragraph Now, Therefore, Be It Resolved; that the City of Lake Dallas supports the efforts of Denton County to use funds derived from the 1991 bond election to improve the aforementioned roadways for the benefit of the citizens of Little Elm. Linwood Gilliland seconded the motion and it carried unanimously.

III. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL:
INTERVIEW APPLICANTS FOR THE CODE ENFORCEMENT POSITION.

The City Council entered into Executive Session to interview applicants for the Code Enforcement position.

The City Council reconvened into open session at 9:25 p.m.

IV. ACTION ON EXECUTIVE SESSION.

Matt Flanagan moved to appoint Robert Willis to the position of Code Enforcement Officer effective immediately. Garry Bills seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
APRIL 13, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.072:
TO DELIBERATE THE PURCHASE OF REAL PROPERTY.

The City Council entered into Executive Session to deliberate the purchase of real property.

The City Council reconvened into open session at 7:25 p.m.

III. ACTION ON EXECUTIVE SESSION.

Matt Flanagan moved to set up a workshop with a financial planner at a date and time to be determined. Linwood Gilliland seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
APRIL 13, 1995

I. ROLL CALL.

The meeting was called to order at 7:50 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Team
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in March, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Carolyn Green, 201 N. Shady Shores, Earth Day is April 22, 1995, and for the past several years the city council has expressed a need for our citizens to clean-up the community. I would like to invite all citizens to meet at Food Fare parking lot at 8:00 a.m. for clean-up day, the city will furnish trash bags. At 10:00 a.m. there will be a tree presentation ceremony at the Food Fare parking lot. The Carolyn Green scholarship brunch is scheduled for April 29, 1995.

B. Letitia deBurgos, 47 Kingswood, is concerned about the rezoning of the N. French tract of land and possible drainage problems if the land is developed. Mayor McCutcheon stated the drainage problem would be addressed at the time a developer does bring a development plan to the city.

C. Bob Shikle, 712 Thompson, concerned about the ordinance reference balconies.

V. PUBLIC HEARING.
REZONING OF N. FRENCH SURVEY, TRACT 21, AND T. WHITE

SURVEY, TRACT 1-A TO R-1-10,000.

No Comment.

VI. ACTION ON PUBLIC HEARING.

Matt Flanagan moved to rezone the N. French Survey, Tract 21, and T. White Survey, Tract 1-A to R-1-10,000. Bruce Martin seconded the motion and it carried unanimously.

VII. LEASE AGREEMENT WITH CHAMBER OF COMMERCE-ACTION.

Garry Bills moved to approve the lease agreement with the Chamber of Commerce. Matt Flanagan seconded the motion and it carried unanimously.

VIII. BUDGET AMENDMENT, AMERICAN WASTE COMPANY-ACTION.

Bruce Martin moved to amend the budget for $13,000.00 for continued clean-up of underground tanks. Garry Bills seconded the motion and it carried unanimously.

IX. PARK AND RECREATION BOARD.

A. Tammy Hite reports that the carnival that did Garza Days last year was not available on June 3, but the carnival was available on June 10, and would like the city council to look at changing the date for Garza Days.

B. A lady from Lewisville has contacted Tammy about bringing her mule team to Lake Dallas for Garza Days to give hay rides. She only carries a $300,000.00 insurance policy.

C. Parks and Rec. will participate on Earth Day.

D. Carolyn Green Scholarship Brunch will be held on Saturday, April 29, 1995 at 10:00 a.m. at the Middle School cafeteria. The scholarship will be awarded to a Lake Dallas senior.

X. PLANNING AND ZONING COMMISSION.
APPOINTMENT OF BRUCE COX AND ALDENA STOWE GREGORY TO PLANNING AND ZONING COMMISSION-ACTION.

Bruce Martin moved to appoint Bruce Cox, for a period of one year, and Kevin Spraggins to the Planning and Zoning Commission, and remove Kevin Spraggins as an alternate from the Park and Recreation Board. Garry Bills seconded the motion and it carried unanimously.

XI. INSPECTION FEES-ACTION.

Bruce Martin moved to table inspection fees until the Planning and Zoning Commission can review the fees. Matt Flanagan seconded the motion and it carried unanimously.

XII. NORSTAR TELEPHONE SYSTEM-ACTION.

Bruce Martin moved to table the Norstar system until budget time and also obtain other bids. Matt Flanagan seconded the motion and it carried unanimously.

XIII. ACCOUNTS PAYABLE-ACTION.

Thanna Bounds moved to give approval to the City Secretary to pay all accounts due in the month of April. Matt Flanagan seconded the motion and it carried unanimously.

XIV. PRESENTATION OF AUDITOR'S REPORT.

Monte Pipes, CPA, reviewed the written audit report and noted that the city paid off all long term debits and still remained in a very favorable position.

XV. OLD BUSINESS.

A. EMPLOYEE EVALUATION FORMS.

Matt Flanagan is working on forms and will have copies for next council meeting.

B. RULES AND REGULATIONS FOR CITY PARKS.

The City Council will hold a workshop with the Park and Recreation Board in June, 1995.

C. LIBRARY EXPANSION.

The library board wants to have more work done than previous thought. The city will contact Jean Fields, President of the Library Board to get exact specifications for the work they want done, also to let them know that the city will obtain bids for their review.

D. Several workshops need to be scheduled on the following topics: 1) TMRS, 2) Fire Department, 3) Communications System, 4) Library Board, and 5) Park and Recreation.

E. The Mayor has contacted several citizens in regard to a Historical Committee.

F. The Planning and Zoning Commission is beginning work on a beautification program for the city.

XVI. NEW BUSINESS.

A. The Planning and Zoning Commission has been requested to review the pre plat requirements, to include an aerial photo.

B. Our Code Enforcement Officer needs to contact Jim Douglas about cleaning up the park area in the Thousand Oaks Addition.

XVII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MAY 11, 1995

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Team
Garry Bills, Council Member
Linwood Gilliland, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in April, 1995. Matt Flanagan seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Rod Courtney, expressed his thanks to Linwood Gilliland for the time he has spent working on the City Council.

B. Linda Hammett, expressed her concerns about the rise in child molester cases. Mayor McCutcheon replied that the City Council is very concerned with the rise and the police department has been working and will continue to work very hard on these cases.

C. Carol Boulet, does not agree with the tickets that the animal control officer has left in her mail box in reference to her pot belly pig. She presented a petition signed by many of her neighbors requesting the City Council allow her to keep her pot belly pig. Mayor McCutcheon replied that she was in violation of a city ordinance. The City Council reviewed the ordinance several months ago and at that time did not feel any action was necessary.

D. Scotty Steen, does not understand why the City Council has a problem with the pot belly pig.

E. Steven Ward, commends the Mayor and City Council for a job well done. He does have a complaint with the way tickets and the municipal court are use to handle some problems, that he feels could be dealt with on a more civil instead of criminal level.

F. Aldena Stowe Gregory, she was on the Planning and Zoning Commission during the time when the ordinance relating to pot belly pigs was reviewed. A public hearing was held in reference to the ordinance and no citizens came to the hearing to speak for or against pot belly pigs.

G. Nancy Hall, Lake Haven Mobile Home Park, she enjoys living in Lake Dallas, but has a problem with stray cats and dogs tearing up her yard and flower beds. She feels the Chief and police department are doing a great job, and she feels the fines for stray animals should be higher. Mayor McCutcheon replied that the city tries to work with our citizens before issuing a ticket. The current fee schedule starts out small for the first offense and then gradually increases.

H. Carolyn Green wanted to thank the City Council and the Park and Recreation Board for the fantastic job they did on the Carolyn Green Scholarship Brunch. The brunch raised $1,100.00 and Carolyn matched that amount for a total scholarship of $2,200.00.

I. Bill Boulet, he did not receive notice of a public hearing in regard to pot belly pigs. He knows of several other citizens that own pot belly pigs, but they will not come forward in support because they fear the animal control officer will issue them tickets. He would like the council to review the ordinance again.

J. Bobby Shikle would like to congratulate Thanna Bounds, Bruce Martin, and David Shershen on the election. He also would like to thank Linwood Gilliland for the job he has done on the council. He would like to know if there could be different zoning areas for pot belly pigs. Mayor McCutcheon replied that it would be considered spot zoning.

V. CITY OFFICIALS ELECTION HELD MAY 6, 1995.

A. OFFICIAL CANVASS OF VOTES.

The Mayor and City Council canvassed the votes and determined that a total of 588 votes were cast as follows:

FOR COUNCIL MEMBER:	
Linwood Gilliland	113
Bruce Martin	114
Bobby Shikle	105
David Shershen	120
Thanna Bounds	132

WRITE IN VOTES FOR COUNCIL MEMBER:	
Donald Robertson	1
Rod Courtney	1
Anne Kennedy	1
Debra Knight	1

B. RESOLUTION DECLARING RESULTS OF ELECTION-ACTION.

Linwood Gilliland moved to approve a resolution accepting said election returns declaring Bruce Martin, David Shershen, and Thanna Bounds as Council Members. Matt Flanagan seconded the motion and it carried unanimously.

VI. OATHS OF OFFICE.

Mayor McCutcheon administered the Oath of Office to Bruce Martin, David Shershen, and Thanna Bounds, newly elected Council Members.

VI(A). APPOINTMENT OF MAYOR PRO-TEM-ACTION.

Garry Bills moved to appoint Matt Flanagan as Mayor Pro-Tem. Bruce Martin seconded the motion and it carried unanimously.

VI(B). APPOINTMENT OF LIAISON TO PLANNING AND ZONING COMMISSION-ACTION.

Mayor McCutcheon appointed Matt Flanagan as Liaison to the Planning and Zoning Commission.

VII. PRESENTATION OF CERTIFICATE OF APPRECIATION FOR ALDENA STOWE GREGORY.

Presentation made by Mayor McCutcheon.

VII(A). PRESENTATION OF CERTIFICATE OF APPRECIATION FOR LINWOOD GILLILAND.

Presentation made by Mayor McCutcheon.

VIII. SHADY SHORES ROAD IMPROVEMENT PROJECT PRESENTATION BY METROPLEX ENGINEERS-ACTION.

Bruce Martin moved to allocate $3,530.00 from Professional Services for the Geotechnical Investigation and the fee to Tipton for the mylar over lays. Thanna Bounds seconded the motion and it carried unanimously.

IX. DISCUSSION WITH FIRST SOUTHWEST FINANCIAL: FINANCIAL OPTIONS FOR LAND ACQUISITION.

David Medanich and Jason Wilcox with First Southwest Company presented the council with several different options available to the city for financing land.

X. APPOINTMENT OF ALTERNATE MEMBERS TO THE BOARD OF ADJUSTMENT-ACTION.

Matt Flanagan moved to appoint Kurt Abbrat and Celesta Douglas as alternate members to the Board of Adjustment. Garry Bills seconded the motion and it carried unanimously.

XI. PROCLAMATION PRESENTED BY MAYOR MCCUTCHEON DECLARING THE WEEK OF MAY 20, 1995, THROUGH MAY 26, 1995, AS NATIONAL SAFE BOATING WEEK.

Proclamation read by Mayor McCutcheon.

XI(A). PROCLAMATION PRESENTED BY MAYOR MCCUTCHEON DECLARING THE MONTH OF MAY AS OLDER AMERICAN MONTH.

Proclamation read by Mayor McCutcheon.

XII. PARK AND RECREATION BOARD.

A. GARZA DAY DATE CHANGED FROM JUNE 3, 1995 TO JUNE 10, 1995, FROM 10:00 A.M. TO 6:00 P.M.-ACTION.

Bruce Martin moved approve changing the date for Garza Day from June 3, 1995 to June 10, 1995. Garry Bills seconded the motion and it carried unanimously.

B. GARZA DAY AGENDA-ACTION.

(1) APPROVAL TO ORDER ADVERTISING BANNERS AND FLYERS-ACTION.

Bruce Martin moved to approve ordering advertising banners and flyers. David Shershen seconded the motion and it carried unanimously.

(2) APPROVAL OF VENDOR BOOTH SPACE RENTAL-ACTION.

Bruce Martin moved to approve the rental of vendor booth space. David Shershen seconded the motion and it carried unanimously.

(3) APPROVAL OF CARNIVAL CONTRACT-ACTION.

Bruce Martin moved to give the Mayor approval to sign the carnival contract after it is received and reviewed by city attorney. David Shershen seconded the motion and it carried unanimously.

(4) APPROVAL TO ORDER SPORTS CUPS-ACTION.

Bruce Martin moved to approve ordering sports cups. David Shershen seconded the motion and it carried unanimously.

(5) APPROVAL TO ORDER DUNKING BOOTH-ACTION.

Bruce Martin moved to approve ordering dunking booth pending confirmation of insurance coverage. David Shershen seconded the motion and it carried unanimously.

(6) APPROVAL OF BAND CONTRACT FOR STREET DANCE-ACTION.

Bruce Martin moved to approve band contract for the street dance. David Shershen seconded the motion and it carried unanimously.

C. 4TH OF JULY PLANS-ACTION.

(1) SPAGHETTI SUPPER FUND RAISER, JUNE 5, 1995, AT THE VFW HALL, FROM 6:00 P.M. TO 8:00 P.M., $5.00 PER PERSON-ACTION.

Garry Bills moved to approve the spaghetti supper fund raiser. Matt Flanagan seconded the motion and it carried unanimously.

(2) APPROVAL OF KALEIDOSCOPE FIREWORKS PACKAGE-ACTION.

Garry Bills moved to approve the Kaleidoscope fireworks package at a price of $4,500.00. Matt Flanagan seconded the motion and it carried unanimously.

(3) PARADE-ACTION.

Garry Bills moved to approve the parade starting at 7:00 P.M. Matt Flanagan seconded the motion and it carried unanimously.

D. HAPPY HEARTS SUE RUCKER ART SCHOLARSHIP-ACTION.

Matt Flanagan moved to approve the Sue Rucker Art Scholarship. David Shershen seconded the motion and it carried unanimously.

XIII. ACCOUNTS PAYABLE-ACTION.

Thanna Bounds moved to give approval to the City Secretary to pay all accounts due in the month of May. David Shershen seconded the motion and it carried unanimously.

XIV. OLD BUSINESS.

A. EMPLOYEE EVALUATION FORMS.

Matt Flanagan has passed copies of Lewisville's evaluation forms to the City Secretary for distribution to the department heads to review for a workshop to be scheduled next month.

B. RULES AND REGULATIONS FOR CITY PARKS; SCHEDULE WORKSHOP-ACTION.

Matt Flanagan moved to table scheduling a workshop for rules and regulations for city parks. David Shershen seconded the motion and it carried unanimously.

C. LIBRARY EXPANSION.

The Library Board has asked for the planned expansion start date to be moved from June 1st to August 1st, 1995, the shelves needed for the expansion will not be in for six weeks. They have also requested that two more bids be obtained preferably from Denton County contractors.

D. SCHEDULE WORKSHOPS, 1) TMRS, 2) FIRE DEPARTMENT, 3) COMMUNICATIONS SYSTEM, AND 4) LIBRARY BOARD-ACTION.

1) TMRS workshop scheduled for July 13, 1995.
2) Fire Department workshop scheduled for May 22, 1995.
3) Communications System workshop scheduled for May 22, 1995.
4) Library Board workshop will be scheduled at a later date.

E. DISCUSSION ORDINANCE RELATING TO PRIVACY OF ADJACENT PROPERTY.

The City Council will asked the Planning and Zoning Commission to review the ordinance.

F. HISTORICAL COMMITTEE.

The Historical Committee is looking at the Swisher Cemetery and the Old Town Square of Garza as sites that would qualify for Historical Markers.

G. BEAUTIFICATION PROGRAM.

The Planning and Zoning Commission is working on getting an application from the state to become a part of the Keep Texas Beautiful Program.

H. PLANNING AND ZONING COMMISSION; PRE PLAT REQUIREMENTS.

The Planning and Zoning Commission is reviewing the pre plat requirements.

I. THOUSAND OAKS ADDITION PARK AREA.

The Code Enforcement Officer gave Jim Douglas a list of items that need to be cleaned up in the park area. Jim Douglas was also asked to produce an aerial photo of the area. City employees are still waiting for Jim Douglas to complete these requests.

J. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.072:
TO DELIBERATE THE PURCHASE OF REAL PROPERTY.

The City Council enter into Executive Session at 11:25 P.M.

The City Council reconvened into open session at 11:48 P.M.

K. ACTION ON EXECUTIVE SESSION.

Garry Bills moved to approve the purchase of the property located on the northeast corner of Hundley and Shady Shores for a purchase price of $275,000.00. David Shershen seconded the motion and it carried unanimously.

Bruce Martin moved to fiance the purchase of the property with anticipation notes in the amount of $275,000.00 plus any cost associated with acquiring the anticipation notes for a period of seven years. David Shershen seconded the motion and it carried unanimously.

XV. NEW BUSINESS.

A. Matt Flanagan asked if the council would look at a place type of election. Also if a person is a member of the City Council and that person decides to run for Mayor they must give up their seat to run.

B. David Shershen reported to the City Council that Commissioner Hill is taking a phone survey in reference to how citizens feel budgeted funds for road improvements should be spent. David Shershen requested that if anyone if available to attend the Commissioners Court meeting on Tuesday that they be there to show support for the Commissioners Court to use budgeted funds for our Shady Shores Road project.

C. Bruce Martin suggested that we look into a new sound system.

D. Mayor McCutcheon reported that a company called Overland Express is looking into purchasing some land at I-35 and Swisher Road. They would like to know before purchasing the property what the chances are of changing the zoning for the sell of alcoholic beverages. The owner of the company has been requested to submit his plans for review.

E. Mayor McCutcheon reported that a gentleman has inquired about purchasing seven to ten acres for a lawn and garden type distribution warehouse.

XVI. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
MAY 22, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. WORKSHOP.

A. DISCUSS COMMUNICATIONS SYSTEM.

The Police Chief presented several options along with approximate cost for each option. The City Council is in favor of maintaining our own communications system. The Chief will obtain cost estimates for upgrading our current communications system.

B. DISCUSS FIRE DEPARTMENT FUNDING.

The City Council discussed how the Lake Cities Fire Department should be funded by each participating city.

III. RENEWAL CONTRACT FOR AETNA, SOUTHWEST HEALTH INSURANCE-ACTION.

Garry Bills moved to approve renewal of the Aetna, Southwest health insurance contract. David Shershen seconded the motion and it carried unanimously.

IV. PARK AND RECREATION BOARD GARZA DAY AGENDA.

A. APPROVAL OF CARNIVAL CONTRACT-ACTION.

Matt Flanagan moved to approve the Kaiser Rides carnival contract. Bruce Martin seconded the motion and it carried unanimously.

B. APPROVAL OF DUNKING BOOTH-ACTION.

Matt Flanagan moved to approve the dunking booth. David Shershen seconded the motion and it carried unanimously.

C. APPROVAL OF PORT-A-POT-ACTION.

David Shershen moved to approve obtaining three port-a-pots from Texas Waste Management at a cost of $323.00 delivered. Bruce Martin seconded the motion and it carried unanimously.

D. APPROVAL OF PARK & REC FOOD BOOTH-ACTION.

David Shershen moved to approve the Park & Rec food booth. Garry Bills seconded the motion and it carried unanimously.

E. APPROVAL OF PARADE ROUTE-ACTION.

David Shershen moved to approve the parade route. Thanna Bounds seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JUNE 08, 1995

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Team
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Bruce Martin absent, the following business was transacted:

II. EXECUTIVE SESSION: IN ACCORDANCE WITH CHAPTER 551.074, PERSONNEL.
CONSULTATION WITH CITY ATTORNEY IN REGARD TO POSSIBLE LITIGATION.

The City Council entered into Executive Session at 7:00 P.M.

The City Council reconvened into open session at 7:30 P.M.

III. ACTION ON EXECUTIVE SESSION.

Matt Flanagan moved not to supply the information requested by the Attorney General, and refer it to the city attorney for him to handle, at the next step. David Shershen seconded the motion and it carried unanimously.

Garry Bills moved to table any action in regard to the investigative audit. Matt Flanagan seconded the motion and it carried unanimously.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

Garry Bills moved to approve the minutes of meetings held in May, 1995 with the following correction: May 11, 1995, Section XV(B) change the word "Hale" to "Hill". David Shershen seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

A. Carolyn Green, Lake Haven Estates, does not understand why the city is charging a 10% park fee on a mobile home permit. Mayor McCutcheon responded that the city will research the issue.

B. Linwood Gilliland, reference the park fee, if you build a home in the city, a builder is charged a 10% fee for park improvement.

C. Bobby Shikle, 712 Thompson Dr., for the past year I have tried to get something done about an ordinance for a privacy fence. In July 1994, after speaking with Mike McCary, I came to the City Council for help with this ordinance. After three months Mike wrote an ordinance with the assistance of David Berman. The ordinance was written on 10-15-94. I was then asked to get approval from the P & Z. On March 2, 1995, the P & Z approved the ordinance, on that night Mike told me that he would have to send letters to all parties involved so it would be the next month before it would come before the city council. Mike quit on March 31, 1995. The City Council did discuss an ordinance on May 11, 1995, but the discussion was more on the lines of putting curtains up for privacy. On May 12, I asked Barbara about the letters and she said that letters did not have to be written only a public notice was required. I had asked for help before the water department and they have already received help. Someone told me that if there is trash in your backyard go to the police, but the law has their hands tied.

D. Carol Boulet, 707 Lakeland, is the pig ordinance on the agenda? Mayor McCutcheon responded that the ordinance was on the agenda.

VII. RESOLUTION OF PREFERENCE OF LOCATION FOR JUSTICE SERVICE CENTER-ACTION.

David Shershen moved to choose Denton as a Justice Service Center. Garry Bills seconded the motion and it carried unanimously.

VIII. RESOLUTION OF AUTHORIZING THE TRANSFER OF CABLE TELEVISION FRANCHISE AND THE ASSIGNMENT OF THE ASSETS AND THE FRANCHISE AS COLLATERAL-ACTION.

Matt Flanagan moved to approve the resolution authorizing the transfer of cable television franchise and the assignment of the assets and the franchise as collateral. David Shershen seconded the motion and it carried unanimously.

IX. PARK AND RECREATION.

A. CONSIDER REQUEST TO OPEN A SAVINGS ACCOUNT FOR THE CAROLYN GREEN SCHOLARSHIP-ACTION.

David Shershen moved to approve opening a savings account for the Carolyn Green Scholarship Fund. Thanna Bounds seconded the motion and it carried unanimously.

The Park and Recreation Board are working on the Garza Days events and setup. There will be a street dance tomorrow night from 8:00 P.M. to midnight and there will be a live band. Saturday is filled with a whole day of events with a parade starting at 10:00 A.M.

The spaghetti dinner was Monday night and we raised $417.50, with expenses of just over $100.00, so we cleared a little over $300.00.

X. PLANNING AND ZONING COMMISSION.

A. APPROVAL OF FINAL PLAT OF LOTS 1 & 2, BLOCK A OF THE HONSE ADDITION IN THE M.E.P. & P.R.R. SURVEY A-924-ACTION.

Matt Flanagan moved to approve the final plat of lots 1 & 2, block A of the Honse Addition in the M.E.P. & P.R.R. Survey A-924. David Shershen seconded the motion and it carried unanimously.

B. ORDINANCE RELATING TO PRIVACY OF ADJACENT PROPERTY-ACTION.

Matt Flanagan moved to send the ordinance presented by the city attorney, amending Chapter 18.54 of the Lake Dallas Municipal Code to the Planning and Zoning Commission for a public hearing. David Shershen seconded the motion and it carried unanimously.

C. BEAUTIFICATION PROGRAM.

Matt Flanagan reported that the Planning and Zoning Commission is in the process of developing a program.

D. PRE PLAT REQUIREMENTS.

Matt Flanagan reported that the Planning and Zoning Commission tabled any discussion and action on the pre plat requirements until the next meeting.

E. APPOINTMENT OF ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT-ACTION.

Matt Flanagan moved to approve the appointment of Frank Barnard as an alternate to the Board of Adjustment. David Shershen seconded the motion and it carried unanimously.

XI. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of June. Garry Bills seconded the motion and it carried unanimously.

XII. OLD BUSINESS.

A. EMPLOYEE EVALUATION FORMS.

Matt Flanagan will meet with the department heads in the next two weeks to discuss the evaluation forms.

B. THOUSAND OAKS ADDITION PARK AREA, MEETING WITH DEVELOPER JIM DOUGLAS.

The council had discussed not issuing any building permits for Phase II until the developer had addressed some of the issues of concern in Phase I. The developer has addressed and corrected most of the issues with the exception of the trees that were removed.

Pat Atkins with Tipton Engineering representing Jim Douglas and Pulte Homes, during the pre plat and final plat of Thousand Oaks we had made a strong commitment to fulfill the wishes of the council, we all knew the vegetation was there, but no one ever focused on discussion of it. When we submitted our grade plan that represented the tremendous amount of cuts and fills that would be necessary, we knew that a large amount would have to be eliminated. There may have been some procedural process that we did not properly handle. There was no intent to ignore the ordinance related to the vegetation. We would like to make a commitment to the city council to put in two, three inch trees on each lot in an effort to replace some of the trees that were removed. This would be over and above Pulte Homes requirements.

Mayor McCutcheon requested that the trees be Red Oaks. Pat Atkins agreed with the Red Oak replacement, with the measurement of the three inch diameter to be 18" above the base of the tree.

C. LIBRARY EXPANSION.

Jean Fields, President of the Library Board reports that the board has voted to accept the Technacraft bid for the remodel project of the library. The Library Board also request the planned expansion start date to be moved from June 1st to August 1st, 1995. The shelves needed for the expansion will not be in for six weeks. The board would like the bid to reflect their tax exempt status, and, to add the 26 oz. carpet and the track lighting to the bid. Also Technacraft had left the fire door off his bid and they would like it added. The present door is a fire door, only the bar needs to be added and lock needs to be changed.

D. HISTORICAL COMMITTEE.

Mayor McCutcheon reports that the committee has not had any meetings recently. The Park Board is doing research on Swisher Cemetery.

E. ORDINANCE RELATING TO PLACE ELECTION OF COUNCIL MEMBERS.

Ordinance relating to place election of council members will be placed on the agenda as an action item for the next city council meeting.

David Shershen, why go to this system as opposed to the system we currently have?

Matt Flanagan, it was my request and what I would like to see is someone to run against someone else's ideas.

David Shershen, how would the districts be set up?

Matt Flanagan, no districts, just place one through five and each council member is assigned a number and when it comes time for re-election you say I want to run for place four and who ever is in that spot is who you go up against. Every place is still at large.

David Shershen, so the whole community would vote for each place.

Matt Flanagan, that is correct.

F. SOUND SYSTEM.

Matt Flanagan is working with a gentleman that Bruce Martin had suggested and he is having a problem finding anyone in the area representing the system the Chief has suggested. He is working on getting a price on retrofitting the back of the amp to accept any plug, because someone cut the mic and we never got the mic.

G. REVIEW OF LAKE DALLAS MUNICIPAL CODE, SECTION 6.44.030(B)-ACTION.

Garry Bills, stated the problem with ordinances presented to the council in the past was the weight stipulation. I would have hated to tell someone you can have a pig as a pet, then all of a sudden that pig grew to 150 to 200 pounds, and having to tell that person, I am sorry that pig is your pet, but you have to get rid of it. That would be like telling someone you have to get rid of your dog because it is the wrong color or breed. I do not know how to get around it other than striking and size or weight limitation in an ordinance. We would also have to define a pot bellied pig as not being swine.

Thanna Bounds, how large do pot bellied pigs grow?

Matt Flanagan, they will grow as big as you want to feed them.

Mayor McCutcheon, I understand it depends on how much they are inbred and how much you feed them. The original Vietnamese

pot bellied pig is normally under 100 pounds.

David Shershen, if I am not mistaken isn't it under 125 pounds.

Mayor McCutcheon asked for council input as to whether or not they would like to review the swine ordinance again.

Matt Flanagan, I am for letting the ordinance stand as written. I feel a pot bellied pig is basically a barnyard animal and not domesticated, like Garry I grew up around them and I do not feel I want a swine living next to me.

Thanna Bounds, I disagree with Matt, I don't think pot bellied pigs are swine. I grew up on a farm, hogs are nasty creatures and from what I know about pot bellied pigs they are clean and a good pet. I have no objections to rewriting the ordinance and defining what a pot bellied pig is.

David Shershen, I was not here when the issue came up before. I personally do not have a problem with pot bellied pigs. I do not own one and never have, but I have met people who have. There are 34 signatures on this petition and that's enough to get my attention, actual one voice would get my attention. I would not want the raising of pigs, swine, hogs, boars, or what ever you want to call them, to go on in Lake Dallas. I have some questions about the size limitations on pot bellied pigs. I would be in favor of bring the issue up and discussing it.

Garry Bills, I think probably the intent in 1987 when this was rewritten was that there were people keeping livestock in their yards. We do have restrictions on the number of chickens and other animals. I would be open to reevaluating the ordinance, if someone could convince me that a pot bellied pig is not a swine. Maybe we could put restrictions on how many pot bellied pigs someone could have, just like we have done for dogs and cats.

Mayor McCutcheon, I contend maybe the way to handle it would be to classify a pot bellied pig as an exotic animal. The pot bellied pig would have to be permitted and have any necessary shots on an annual bases. The Animal Control Officer could then keep a list of all pot bellied pigs, so they could be regulated by the city. Mayor McCutcheon request the Animal Control Officer obtain information on defining what a pot bellied pig is.

David Shershen moved to study, discussion and possibly take action for revision of Lake Dallas Municipal Code, Section 6.44.030(B) at the next council meeting. Thanna Bounds seconded the motion and it carried with Matt Flanagan opposed.

H. SHADY SHORES ROAD PROJECT.

Mayor McCutcheon reports that a letter has been submitted to Commissioner Kirk Wilson asking for county participation. We have given them a bid amount of $550,000.00 for the entire project. We

met with the corp at the project site and they informed us that we can not use existing dirt, it would have to come from below their 537 line so that we do not disturb the hydraulics of the lake. They will provide us a location to get the dirt, but it has to come out of a bowl of the lake so we do not change the gallonage of the lake. The trees that we remove along the right of way on their side of the road may have to be replaced. We have sent a letter to the corp office addressing these issues.

XIII. NEW BUSINESS.

Garry Bills, I was reviewing our budget against expenditures to date, and it appears all the work we did on the streets, Overly, Howard, Prince, and Kings Manor the entire amount was applied against the street department budget for this year. We specifically used $92,000.00 from last years budget. That is why a purchase order was to be cut against last years budget. We did not put those funds in the street department budget for this year, it was in the street department budget for last year. That needs to be fixed.

Mayor McCutcheon reports that the street department has been doing a tremendous amount of work repairing the streets and continuing to mow. The building inspection department is doing a lot of high grass and weed inspections.

Matt Flanagan reports that Mike Conway would like to purchase Bud Archer's property at I-35 and Swisher for a convenience store with beer and wine sales. Matt Flanagan presented pictures from Mike Conway showing his proposed grocery store for the location.

Mayor McCutcheon, what were the comments and issues addressed by the Planning and Zoning Commission? Mike Conway was wanting a right to sell beer and wine at the location, if he purchased the property.

Matt Flanagan, Mike Conway is a seller of petroleum products, but if he can not get C-3, and someone builds on the corner in Corinth he would not be able to compete because he does not sell beer. Mike Conway reported to Matt Flanagan that he would start the application process for the change in zoning.

XIV. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JULY 13, 1995

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Team
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

David Shershen moved to approve the minutes of meetings held in June, 1995. Garry Bills seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Aldena Stowe Gregory, states that the library board would like permission to put up a sign showing "Lake Cities Library" removing "and Library" from the current sign which reads "Lake Dallas Community Center and Library. The sign would be at the library's expense. She also delivers for Meals on Wheels and has noticed the homes in Kingswood do not have numbers on them. Also has a problem with the way the homes are numbered. The Mayor states that the Code Enforcement Officer will address the problem.

B. Rosalee Johnson, 719 Cain Street, understands that the family at 712 Thompson St. has requested that the residents of the townhomes be required to enclose their balconies. The resident has also moved in a trailer in his backyard and has someone living in it. In the easement area he has installed two gates one at each end, that are locked and she does not know how TU Electric is able to get in to read the meters. She would like this to be taken care of. Mrs. Johnson presented pictures of the trailer in the backyard at 712 Thompson.

Matt Flanagan reports that he also has received a complaint from another citizen regarding a TU Electric meter that is being averaged instead of read each month.

C. Bobby Shikle, 712 Thompson Dr., he believes that it is legal to have the trailer in his backyard and that no one is living in it. He stated that Mike McCary, the previous Code Enforcement Officer had suggested that he put up the fences due to the problems he was having. He was told that he would have to take care of a portion of the easement and TU Electric knows that he has the fences up.

V. PUBLIC HEARING.
PETITION OF LAKE CITIES MUNICIPAL UTILITY AUTHORITY REQUESTING A ZONING CHANGE OF 102 HILLCREST, AND 504 MEADOWBROOK, FROM R-1-7200 TO C-1.

No public comment.

VI. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to approve the zoning change of 102 Hillcrest and 504 Meadowbrook, from R-1-7200 to C-1. David Shershen seconded the motion and it carried unanimously.

VII. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.44, NEWLY ANNEXED AREAS, FROM R-1-7200 TO R-1-10,000.

Mayor McCutcheon, asked to be briefed on this request.

Barbara Starkey replied that currently any new areas annexed by the city receive a zoning of R-1-7200. The Planning and Zoning Commission would like newly annexed areas to receive a R-1-10,000 zoning.

Mike Fahey replied that the current ordinance requires that new areas be zoned R-1-7200. If you allow for an owner to pick his own zoning he could put whatever he wanted on the property. So if you have it zoned R-1-10,000 they start with that and if they want a zoning change they could go through the process. This would allow the Planning and Zoning Commission and the City Council to decide what a property is going to be zoned.

Linwood Gilliland, this request from the Planning and Zoning Commission was done to allow for some control over newly annexed areas. The zoning could always be changed as needed.

VIII. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the zoning change of Lake Dallas Municipal Code, Chapter 18.44, Newly Annexed Areas, from R-1-7200 to R-1-10,000. Bruce Martin seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
CONSIDER AN ORDINANCE AMENDING THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 2.08, ALDERMEN, BY ADDING SECTION 2.08.040 CREATING A PLACE SYSTEM; PROVIDING FOR THE ASSIGNMENT OF PLACE NUMBERS TO EACH ALDERMAN'S OFFICE; AND PROVIDING AN EFFECTIVE DATE.

Aldena Stowe Gregory, stated that Carolyn Green wanted her to let the council know that she was against this ordinance.

X. ACTION FROM PUBLIC HEARING.

David Shershen has a problem with the ordinance and feels it could discriminate against new candidates. A new candidate would run against a particular incumbent and it would not allow for incumbents to run against each other. He fears that new candidates may have less of a chance of getting elected, new candidates would have less of an inclination to run, and unless there are term limitations he could see people staying in office for a very long time. He could see that running against someone else's ideas is good, but he would like to see that the new candidate is protected and that the incumbent is challenged.

Matt Flanagan feels that Councilman Shershen's fears are unfounded, if someone has a problem with how a council member preforms then there will be people out there to run against them. Term limitations, the citizens decide your term limitations.

Bruce Martin moved to approve the ordinance amending the Lake Dallas Municipal Code, Chapter 2.08, Aldermen, by adding section 2.08.040. Garry Bills seconded the motion and it carried unanimously.

XI. PRESENTATION BY TMRS REPRESENTATIVE, ERIC DAVIS ON TMRS FUNDS AND INVESTMENTS.

Eric Davis spoke on the status of TMRS funds and investments.

Bruce Martin expressed concerns about the city's long term obligations.

Eric Davis reported that the city is in very good shape with a relatively small unfunded actuarial liability of $67,000 paid off over a 25 year period. The law requires that TMRS does an actuarial experience study every five years to measure what has happened with all the actuarial assumptions.

XII. REVIEW AND APPROVAL OF CONTRACT FOR LAND ACQUISITION OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF SHADY SHORES AND HUNDLEY DRIVE-ACTION.

Bruce Martin moved to approve the contract for land acquisition of property located at the northeast corner of Shady Shores and Hundley Drive. David Shershen seconded the motion and it carried unanimously.

XIII. CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF LAKE DALLAS, TEXAS, TAX NOTES, SERIES 1995, PRESCRIBING THE TERMS AND PROVISIONS OF SAID NOTES; AWARDING THE SALE THEREOF; APPROVING THE OFFICIAL STATEMENT; LEVYING A TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID NOTES; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT-ACTION.

Garry Bills moved to approve the adoption of an ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Tax Notes, Series 1995, prescribing the terms and provisions of said notes; awarding the sale thereof; approving the official statement; levying a tax and providing for the security for and payment of said notes; and enacting other provisions relating to the subject. Bruce Martin seconded the motion and it carried unanimously.

XIV. DISCUSSION AND CONSIDERATION OF RENEWAL OF TAX COLLECTION CONTRACT-ACTION.

Matt Flanagan moved to approve renewal of the tax collection contract. Thanna Bounds seconded the motion and it carried unanimously.

XV. CONSIDER APPROVAL OF CONTRACT WITH THE TOWN OF HICKORY CREEK TO PROVIDE EMERGENCY DISPATCH SERVICES-ACTION.

David Shershen moved to approve the contract with the Town of Hickory Creek to provide emergency dispatch services with a 9.1% increase for a total contract amount of $29,500.00. Matt Flanagan seconded the motion and it carried unanimously.

XVI. PARK AND RECREATION.

Tammy Hite reports that she has not compiled all the figures for Garza Day or the Fourth of July and will have them next month.

David Shershen reports that the Fourth of July fireworks show has an outstanding debt of $200.00 and there is a spaghetti supper scheduled for Tuesday, July 25, 1995 from 5:00 p.m. to 8:30 p.m. at the American Legion. The Community Action Committee would like to raise enough money to repair Frank and Rose Moore's speakers that were damaged at the Fourth of July fireworks show.

XVII. PLANNING AND ZONING COMMISSION.

A. DISCUSSION AND CONSIDERATION OF ORDINANCE RELATING TO PRIVACY OF ADJACENT PROPERTY-ACTION.

Bruce Martin moved not to approve an ordinance relating to privacy of adjacent property. Matt Flanagan seconded the motion and it carried unanimously.

B. PRE PLAT REQUIREMENTS.

Garry Bills reported that the Planning and Zoning Commission did not discuss pre plat requirements at their last meeting.

C. DISCUSSION AND CONSIDERATION OF AN ADDITIONAL TEN PERCENT OF THE PERMIT FEE TO BE USED FOR PARK DEVELOPMENT AND MAINTENANCE TO BE APPLIED TO MOBILE HOME PERMITS-ACTION.

David Shershen moved to table the consideration of an additional ten percent of the permit fee to be used for park development and maintenance to be applied to mobile home permits pending a committee review of the Mobile Home Ordinance. Garry Bills seconded the motion and it carried unanimously.

D. CONSIDER APPOINTMENT OF ALTERNATE MEMBERS TO THE PLANNING AND ZONING COMMISSION-ACTION.

Bruce Martin moved to table appointment of alternate members to the Planning and Zoning Commission pending amendment of the ordinance. David Shershen seconded the motion and it carried unanimously.

XVIII. FIRE DEPARTMENT.

A. DISCUSSION AND CONSIDERATION OF HIRING AN OUTSIDE CONSULTANT TO STUDY PROJECTED NEEDS FOR FIRE DEPARTMENT EXPANSION: EQUIPMENT AND SERVICES-ACTION.

The council discussed the pros and cons of hiring a consultant.

Matt Flanagan moved to deny the hiring of an outside consultant to study projected needs for Fire Department expansion. David Shershen seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION OF OPTIONS FOR FINANCING STUDY IF DEEMED APPROPRIATE-ACTION.

No action needed.

C. DISCUSSION AND CONSIDERATION ON OPTIONS FOR FINANCING THE FIRE DEPARTMENT-ACTION.

Matt Flanagan moved to approve a Fire Department Budget up to $225,080.00, also to schedule a workshop with the State Insurance Board prior to finalizing our budget. David Shershen seconded the motion and it carried unanimously.

XIX. DISCUSSION AND CONSIDERATION OF REPAIR OR PURCHASE OF A TRACTOR FOR STREET DEPARTMENT-ACTION.

Matt Flanagan moved to approve the purchase of one Kubota tractor with the brush hog, and check on the purchase price of two tractors with necessary equipment, with the ability to push the purchase out to an undetermined time. Thanna Bounds seconded the motion and it carried unanimously.

XX. ACCOUNTS PAYABLE-ACTION.

Matt Flanagan moved to give approval to the City Secretary to pay all accounts due in the month of July. David Shershen seconded the motion and it carried unanimously.

XXI. SCHEDULE BUDGET WORKSHOP DATES-ACTION.

The city council scheduled a workshop for July 19, 1995 at 7:00 p.m. for review of the 1994-1995 fiscal year budget and proposed 1995-1996 fiscal year budget.

XXII. OLD BUSINESS.

A. EMPLOYEE EVALUATION FORMS.

Matt Flanagan presented the council copies of the evaluation forms that he and the department heads have reviewed and revised.

B. DISCUSSION AND CONSIDERATION OF BID PROPOSAL FROM TECHNACRAFT FOR THE LIBRARY RENOVATION PROJECT-ACTION.

Bruce Martin moved to approve the bid from Technacraft for the library renovation project to be paid for by the library board as per their agreement with the city. Garry Bills seconded the motion and it carried unanimously.

C. SOUND SYSTEM.

Matt Flanagan is working with Padgitt's Communication Specialists on obtaining parts to fix the mikes. The total price of the project will be about $600.00.

XXIII. NEW BUSINESS.

Mayor McCutcheon reports the owners of the William's property has allowed the city to dig on the property with some stipulations. The Chief is drawing up an agreement that will outline the property owners stipulations.

Bruce Martin would like the city to look at remodeling the restrooms at the Community Center to bring them up to A.D.A. standards.

XXIV. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JULY 19, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION.

A. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: DISCUSSION AND DELIBERATION REGARDING DUTIES OF THE OFFICE OF MAYOR.

B. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING SETTLEMENT OFFER OF CITY OF LAKE DALLAS VS JIMMY C. JONES, JR., CASE 94-50415-367.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 7:30 p.m.

III. ACTION ON EXECUTIVE SESSION.

A. No action taken.

B. Bruce Martin move to give authority to the city attorney to settle with Jimmy C. Jones, Jr. for the $6,000.00 settlement offer, with settlement to be made within 30 days. David Shershen seconded the motion and it carried unanimously.

IV. WORKSHOP

A. REVIEW 1994-1995 FISCAL YEAR BUDGET.

The Mayor and City Council reviewed the 1994-1995 fiscal year budget.

B. DISCUSS 1995-1996 FISCAL YEAR BUDGET.

The Mayor and City Council discussed the proposed 1995-1996 fiscal year budget. The council scheduled the next workshop for August 3, 1995 at 7:00 p.m. at the Community Center.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JULY 27, 1995, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Bruce Martin absent, the following business was transacted:

II. EXECUTIVE SESSION.

A. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: TO CONSIDER A RECOMMENDATION BY DENTON COUNTY COURT PRETRIAL SERVICES IN REGARD TO FORMER PUBLIC OFFICIAL.

B. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: REGARDING PERMIT FEES.

The City Council entered into Executive Session at 7:38 p.m.

The City Council reconvened into open session at 7:55 p.m.

III. ACTION ON EXECUTIVE SESSION.

A. David Shershen moved to approve the recommendation of Denton County Pretrial Services. Garry Bills seconded the motion and it carried unanimously.

B. Matt Flanagan move to take no action regarding permit fees at this time. David Shershen seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 03, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Pro Tem Matt Flanagan and Council Member Bruce Martin absent, the following business was transacted:

II. WORKSHOP.

DISCUSS PROPOSED 1995-1996 FISCAL YEAR BUDGET.

The Mayor and City Council discussed the proposed 1995-1996 fiscal year budget. The council scheduled the next workshop for August 17, 1995 at 7:00 p.m.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
AUGUST 10, 1995

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Team
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Councilman Garry Bills.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in July, 1995, with the following correction: July 13, 1995, Section XVI change the word "complied" to "compiled". David Shershen seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

A. Robbie Robertson, Fire Chief, Lake Cities Volunteer Fire Department, requested to move the payroll for his one and one half paid personal to the City of Lake Dallas. They would then be carried as City of Lake Dallas employees, this would allow for the Fire Commission and the Fire Protection Commission to then recognize them as firemen.

B. Carolyn Green, Lake Haven Mobile Home Park, presented a thank you letter from Texas A&M University in reference to the Carolyn Green Scholarship.

C. Rita Newton, 205 Pembrook Drive, would like the city to look into the drainage problems she is having associated with the creek by her house.

D. Harriet Hart, after attending the last Planning and Zoning Commission meeting, it has come to my attention that the property at Main Street, Sargent and Betchan has been targeted for some warehouses and a garage. She is concerned about the impact of this on the surrounding residential area.

V. PUBLIC HEARING.
PETITION OF A. L. GOODHART REQUESTING A ZONING CHANGE OF TRACT 4, OF THE J. W. SIMMONS SURVEY, A-1163 FROM C-2 TO C-3.

Mike Conway was present to address any questions the council may have.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the zoning change of Tract 4, of the J. W. Simmons Survey, A-1163 from C-2 to C-3. Garry Bills seconded the motion and it carried unanimously.

VII. PUBLIC HEARING.
CONSIDER A REPLAT OF A SECTION OF LOT 20, BLOCK H OF THE OAK LAKE SUBDIVISION INTO LOT 3, BLOCK H OF THE OAK LAKE SUBDIVISION.

No public comment.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the replat of a section of Lot 20, Block H of the Oak Lake Subdivision into Lot 3, Block H of the Oak Lake Subdivision. Thanna Bounds seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
CONSIDER A PLAT FOR 0.66 ACRES OF THE H. H. SWISHER SURVEY, A-1220.

Tom Pralle stated that he has gone before the Planning and Zoning Commission, the only concern was that there is a requirement for a seventy foot lot width, which he was never told about from Mike McCary the previous Code Enforcement Officer or from Bob Willis the current Code Enforcement Officer. Mr. Pralle stated that the lots are 7200 square feet, but the width of the lots are sixty feet. He did not know until he went to the Planning and Zoning Commission that the lots had to be seventy feet wide.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the plat for 0.66 acres of the H. H. Swisher Survey, A-1220. Thanna Bounds seconded the motion and it carried unanimously.

XI. CONSIDER APPROVAL OF A RESOLUTION APPROVING THE FISCAL YEAR 1996 FINANCIAL PLAN OF THE DENCO AREA 9-1-1 DISTRICT, PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 772, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

Bruce Martin moved to table, pending review of the fiscal year 1996 financial plan of the Denco Area 9-1-1 District. Thanna Bounds seconded the motion and it carried unanimously.

XII. CONSIDER APPROVAL OF A RESOLUTION APPOINTING ONE MEMBER TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT.

David Shershen moved to approve the resolution appointing Mayor Olive Stephens to the Board of Managers of the Denco Area 9-1-1 District. Bruce Martin seconded the motion and it carried unanimously.

XIII. CONSIDER APPROVAL OF A RESOLUTION SUPPORTING DENTON COUNTY'S BOND ELECTION FOR PROPOSED NEW COURTS BUILDING AND JUVENILE JUSTICE FACILITY EXPANSION PROJECTS.

David Shershen moved to approve the resolution supporting Denton County's bond election for proposed new courts building and juvenile justice facility expansion projects. Thanna Bounds seconded the motion and it carried unanimously.

XIV. PARK AND RECREATION.

No business.

XV. DISCUSSION AND CONSIDERATION OF A SEPARATE TELEPHONE LINE WITH VOICE MAIL FOR THE CODE ENFORCEMENT OFFICER-ACTION.

Bruce Martin moved to approve a voice mail system not to exceed $40.00 per month. David Shershen seconded the motion and it carried unanimously.

XVI. DISCUSSION AND CONSIDERATION OF A PROPOSAL FROM THE LAKE CITIES LIBRARY BOARD REQUESTING A CHANGE OF THE SIGN AT THE LAKE DALLAS COMMUNITY CENTER AND LIBRARY-ACTION.

Elizabeth Musick representing the Lake Cities Library Board presented a graphic map of the front of the Library/Community Center showing the proposed signs for the building.

David Shershen moved to approve the sign changes presented by the Lake Cities Library Board. Thanna Bounds seconded the motion and it carried unanimously.

XVII. ACCOUNTS PAYABLE-ACTION.

Garry Bills moved to give approval to the City Secretary to pay all accounts due in the month of August. David Shershen seconded the motion and it carried unanimously.

XVIII. OLD BUSINESS.

A. REVIEW AND APPROVAL OF EMPLOYEE EVALUATION FORMS-ACTION.

David Shershen moved to approve the revised employee evaluation forms. Bruce Martin seconded the motion and it carried unanimously.

XIX. NEW BUSINESS.

A. Garry Bills requested that Robbie Robertson's request in regard to his paid personal be placed on the agenda for the next city council meeting as a discussion item.

B. Garry Bills requested that the city council investigate and place on the agenda for the next city council meeting a discussion item regarding the pros and cons of a city manager form of government.

C. Garry Bills reported that the advisory board or a company hired by the Commissioners Court, Innovative Traffic is now advising the Commissioner Court to start buying right of way along the Swisher Road route for the Lake Lewisville Bridge project. Garry Bills would like for the City Council to look at drafting a resolution that requires city council approval before any condemnation procedures by any other municipality or taxing authority can take place on property in our city.

D. Bruce Martin requested that the city look at fencing requirements on the property the city is purchasing at the corner of Hundley and Shady Shores.

E. David Shershen requested that the city look at creating a system to make sure all the animals in the city are registered and vaccinated.

XX. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

MATT FLANAGAN, MAYOR PRO TEM

ATTEST:

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 17, 1995, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. CONSIDER APPROVAL OF A RESOLUTION REGARDING THE DENTON COUNTY LAKE LEWISVILLE BRIDGE PROJECT-ACTION.

Matt Flanagan moved to approve the resolution regarding the Denton County Lake Lewisville Bridge Project. David Shershen seconded the motion and it carried unanimously.

III. CONSIDER AMENDMENT OF STREET DEPARTMENT BUDGET FOR PURCHASE OF TRACTOR AND MOWERS-ACTION.

Matt Flanagan moved to approve amending the Street Department budget in the amount of $16,185.40 for the purchase of a tractor and mower. Garry Bills seconded the motion and it carried unanimously.

IV. DISCUSSION AND CONSIDERATION REGARDING FIRE DEPARTMENT PERSONNEL-ACTION.

David Shershen moved to approve carrying two Fire Fighters from the Lake Cities Volunteer Fire Department as City of Lake Dallas employees for an administrative fee of $150.00 per year. Thanna Bounds seconded the motion and it carried unanimously.

V. DISCUSSION REGARDING CITY MANAGER FORM OF GOVERNMENT.

City employees will contact TML as to the requirements for a City Manager form of government.

VI. DISCUSS PROPOSED 1995-1996 FISCAL YEAR BUDGET.

The Mayor and City Council discussed the proposed 1995-1996 fiscal year budget. The council scheduled the next workshop for September 7, 1995 at 7:00 p.m., at the Community Center.

VII. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 31, 1995, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:38 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING PROSPECTIVE LITIGATION PERTAINING TO ZONING MATTERS.

The City Council entered into Executive Session at 7:41 p.m.

III. ACTION ON EXECUTIVE SESSION.

Bruce Martin moved to adjourn Executive Session at 8:30 p.m. David Shershen seconded the motion and it carried unanimously.

The City Council reconvened into open session at 8:30 p.m.

IV. RESOLUTION TO IMPOSE A MORATORIUM ON THE FILING AND CONSIDERATION OF APPLICATIONS FOR PRELIMINARY PLANS, AND RELATED SUBDIVISION PLATS, SIGHT PLANS, BUILDING PERMITS, AND ALL OTHER DEVELOPMENT PERMITS FOR LAND FOR ALL PROPOSED R-1-10,000 PROPERTY.

Garry Bills moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 districts; providing that such moratorium shall expire after sixty (60) days or disposition of a zoning change proceeding with regard to such district, whichever comes first; providing for special exceptions in the event of hardship; and providing an effective date. Bruce Martin seconded the motion and it carried unanimously.

V. RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES TO TEXPOOL.

David Shershen moved to approve the resolution amending the authorized representatives to Texpool. Garry Bills seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Matt Flanagan, Mayor Pro Tem

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 07, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member

With Mayor Pro Tem Matt Flanagan and Council Member Bruce Martin absent, the following business was transacted:

II. WORKSHOP.
DISCUSS PROPOSED 1995-1996 FISCAL YEAR BUDGET.

The Mayor and City Council discussed the proposed 1995-1996 fiscal year budget. The council scheduled the next workshop for September 19, 1995 at 7:00 p.m.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Garry Bills seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
SEPTEMBER 14, 1995

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. EXECUTIVE SESSION.

A. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING HILLS ON THE LAKE JOINT VENTURE VS CITY OF LAKE DALLAS, CASE 95-10565-16.

B. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING NELDA OGLESBEE VS CITY OF LAKE DALLAS AND N.C. RISTAGNO, CASE CV-95-00624-C.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 7:55 p.m.

III. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor Jerry McCutcheon.

IV. MINUTES.

David Shershen moved to approve the minutes of meetings held in August, 1995. Thanna Bounds seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

A. Debbie Pierce, Atchison Dr., requested the city look into repaving Falcon Drive, Hundley and Main Street. She also requested that the speed on Atchison Dr. be reduced to a school zone speed, and she would like to know if the city could look at building a city swimming pool.

B. Dennis Morales with Flamingo Homes has built several homes in the Oak Lakes Subdivision. He presented the City Council with a registered engineer report addressing the storm drainage system in the Oak Lakes Subdivision. Mr. Morales reported that the storm drainage system was designed to make use of the paved streets with graded drainage ditches on each side to transport storm waters to a creek on the east side of the subdivision, since the drainage ditches have not been maintained they have built up with silt so they no longer function as a storm drainage system. He reported that his engineer recommends that a complete hydrology analysis be done.

C. Terry McKool, Oak Lake Subdivision presented the City Council with pictures and an engineer report addressing the drainage problems in the Oak Lake Subdivision.

Mayor McCutcheon reported that the City Council has discussed the possibility of doing a drainage study for the entire city.

D. Liz Darow, Thousand Oaks Subdivision, is interested in a recycling program. She also would like to know if the city would look at city wide bug spraying.

Mayor McCutcheon reported the City does not own the garbage system, it is contracted through Texas Waste Management and their curbside recycling is extremely expensive. Also the City does not own any equipment to provide city wide bug spraying.

Garry Bills reported that about six years ago the city did have a recycling program located at Allsups. It was set up for paper, bottles and plastic, but people would not separate their trash from the recyclable.

E. Sue Ball, Swisher Road, has heard that Swisher Road is going to be part of the road for the bridge across the lake.

Mayor McCutcheon reported that the Commissioners Court is possibly trying to obtain right of way for the project, but the City Council is fighting against this project.

Close Citizen's Agenda.

VI. PUBLIC HEARING.
CONSIDER REZONING OF H. H. SWISHER SURVEY, TRACT 3 CURRENTLY R-3 TO R-1-10,000.

Sue Ball, stated that several years ago when the City Council changed the zoning from agricultural to R-3 she and her husband were against the zoning change and are still against the R-3 zoning on this property.

Barry Knight, Attorney representing Charles Jackson the owner of the Jackson Ranch. Mr. Knight stated that the property is surrounded by commercially used property and that because of the usage of the property surrounding Jackson Ranch he feels the R-3

zoning is appropriate. He also reported that there is flood plan on the property and that the R-3 zoning would be more appropriate for the property. The Jackson Ranch is 300 feet from I-35, and I-35 is a proposed NAFTA highway, this along with the proposed lake bridge route down Swisher Road would make the Jackson Ranch property use more appropriate for apartments. Mr. Knight stated that he is very concerned with the way Mr. Jackson has been treated by the City. The Planning and Zoning Commission gave Kim Jackson one days notice of a date when a vote was to be taken on the rezoning. There was a public hearing, but there was a long stretch of time after the public hearing and a workshop before the vote was taken. Mr. Jackson's son attempted to submit preliminary plans, but city staff refused to accept them and then he heard the City Council passed a moratorium on the acceptance of any plans on the property. He feels the plans were submitted before the moratorium was past and he believes that they have a right to develop the property. Mr. Jackson has submitted a letter of opposition to the rezoning.

Charles Jackson, stated he has owned the property since the late 70's and feels the property is zoned properly.

Ken Stapleton, 511 Ridgewood, what is the total size of the property?

Kim Jackson responded that the property covers approximately 48 acres in Lake Dallas.

Matt Flanagan moved to adjourn the public hearing, with the public hearing to be continued on October 12, 1995 at 7:00 p.m. Garry Bills seconded the motion and it carried unanimously.

VII. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to adjourn the public hearing, with the public hearing to be continued on October 12, 1995 at 7:00 p.m. Garry Bills seconded the motion and it carried unanimously.

VIII. PUBLIC HEARING.
CONSIDER REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62 CURRENTLY R-3 TO R-1-10,000.

Art Anderson, Attorney representing the owners of the property. Mr. Anderson stated that the City has yet to convince him that down zoning this property is the proper use for this tract of land. This tract of land is currently surrounded by multi-family property.

Liz Holland, 604 Main Street, stated that there is already too much traffic on Main Street now and feels that apartments would only increase the traffic problems. Ms. Holland is opposed to apartments on the property.

James Stanford stated that he is opposed to apartments on the property, because of traffic and drainage problems in the area.

Cylde Fisher stated that he is opposed to apartments on the property, because of the impact on city services.

Larry Gill, Planner for Bud Archer, was hired to establish the highest and best use for this particular tract of land. Mr. Gill feels the problems with access to the property can be worked out. Based on the physical characteristics and location of the property he feels the best use of the property would be multi-family. He feels that it would be very difficult to find someone willing to develop this tract of land for larger single family homes.

Bobby Shikle stated that he is opposed to the R-3 zoning, because of the problems he has encountered with the existing Harbor Town apartments.

Art Anderson, stated the City has no substantial evidence that there has been a change in conditions to justify the rezoning of this property. He stated that he has not seen a traffic study, and any development on the property would have to meet any city requirements.

Bud Archer stated that he stands to lose one million dollars if his property is rezoned and he will try to recover the money if the zoning change takes place through a lawsuit. Mr. Archer stated that there is no justice in the fact that the City is planning to take his property that has been zoned for apartments and change the zoning on his property replacing the zoning with the most difficult zoning to develop. Mr. Archer suggested he and the City jointly hire and pay for a municipal consultant and try to arbitrate something in a modified density that would work on the property.

Matt Flanagan moved to adjourn the public hearing, with the public hearing to be continued on October 12, 1995 at 7:00 p.m. Garry Bills seconded the motion and it carried unanimously.

IX. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to adjourn the public hearing, with the public hearing to be continued on October 12, 1995 at 7:00 p.m. Garry Bills seconded the motion and it carried unanimously.

X. PUBLIC HEARING.
CONSIDER A PLAT FOR 1.262 ACRES OF THE H. H. SWISHER SURVEY, A-1220, AND CONSIDER A REPLAT OF BLOCK K, LOTS 23 & 24 OF THE OAK LAKES SUBDIVISION, TO BLOCK A, LOTS 1, 2, 3, 4, 5, & 6 OF THE BIRDSONG ADDITION.

No Public Comment.

Close Public Hearing.

XI. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the plat for 1.262 acres of the H. H. Swisher Survey, A-1220, and approve the replat of Block K, Lots 23 & 24 of the Oak Lakes Subdivision, to Block A, Lots 1, 2, 3, 4, 5, & 6 of the Birdsong Addition. Garry Bills seconded the motion and it carried unanimously.

XII. CONSIDER APPROVAL OF A RESOLUTION APPROVING THE FISCAL YEAR 1996 FINANCIAL PLAN OF THE DENCO AREA 9-1-1 DISTRICT, PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE, CHAPTER 772, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

David Shershen moved to approve a resolution approving the Fiscal Year 1996 Financial Plan of the Denco Area 9-1-1 District, pursuant to the Texas Health and Safety Code, Chapter 772, as amended; and providing an effective date. Garry Bills seconded the motion and it carried unanimously.

XIII. UPPER TRINITY REGIONAL WATER DISTRICT.

A. RECEIVE BRIEFING FROM UPPER TRINITY REGIONAL WATER DISTRICT CONCERNING REGIONAL WASTEWATER TREATMENT PROGRAM.

Tom Taylor, Executive Director of the Upper Trinity Regional Water District presented the proposed route for Phase I of the proposed sewer line project. The project includes upgrading and expanding the existing wastewater treatment plant on Lakeview. Projected start date will be April or May, 1996.

Mayor McCutcheon requested that the Upper Trinity Regional Water District post a notice of the construction at both ends of Swisher Road several weeks before they start construction.

The City Council noted that the proposed sewer line down the easement on the west side of Lakeview would require removing numerous large oak trees. The City Council requested placing the sewer line down the middle of street on Lakeview to avoid removing or damaging the oak trees located on the west side of the street.

B. CONSIDER APPROVAL OF A RESOLUTION CONSENTING TO THE EXERCISE OF THE POWER OF EMINENT DOMAIN AND GRANTING PERMISSION FOR THE INSTALLATION OF CERTAIN UTILITIES WITHIN PUBLIC RIGHTS OF WAY BY THE UPPER TRINITY REGIONAL WATER DISTRICT FOR THE LAKEVIEW REGIONAL WATER RECLAMATION PROJECT-ACTION.

Garry Bills moved to approve the resolution as amended consenting to the exercise of the power of eminent domain and granting permission for the installation of certain utilities within public rights of way by the Upper Trinity Regional Water District for the Lakeview Regional Water Reclamation Project. David Shershen seconded the motion and it carried unanimously.

XIV. DISCUSSION REGARDING DENTON COUNTY LAKE LEWISVILLE INTERLOCAL AGREEMENT FOR LAKE SAFETY TASK FORCE AND LAW ENFORCEMENT.

The City Council and Chief Ristagno discussed the interlocal agreement and recognized the need for increasing the level of safety on Lake Lewisville, but have several concerns regarding the interlocal agreement. The City Council would also like to know what the long term plans are for the interlocal agreement. Mayor McCutcheon will send a letter to the Denton County Commissioners Court addressing the council's concerns.

XV. PARK AND RECREATION.

No business.

XVI. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of September. Garry Bills seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

No Old Business.

XVIII. NEW BUSINESS.

A. Matt Flanagan reported that several citizens of the Oak Lake Subdivision have requested that the City look at placing the utilities underground.

XIX. THE DENTON COUNTY SESQUICENTENNIAL CELEBRATION.

The City Council discussed ways in which the city could participate in the Denton County Sesquicentennial Celebration.

XX. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 19, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Barbara Starkey, City Secretary

With Council Members Bruce Martin and David Shershen absent, the following business was transacted:

II. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE FILING AND CONSIDERATION OF APPLICATIONS FOR PRELIMINARY PLANS, AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND IN ALL R-2 AND R-3 ZONING DISTRICTS-ACTION.

Garry Bills moved to approve the resolution to impose a moratorium on the filing and consideration of applications for preliminary plans, and related subdivision plats, and the issuance of building permits and all other development permits for land in all R-2 and R-3 zoning districts. Matt Flanagan seconded the motion and it carried unanimously.

III. WORKSHOP.
DISCUSS PROPOSED 1995-1996 FISCAL YEAR BUDGET.

The Mayor and City Council discussed the proposed 1995-1996 fiscal year budget. The council scheduled a public hearing for the budget for September 29, 1995 at 7:00 p.m.

IV. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 29, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:25 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

Council Member Bruce Martin arrived at 8:15 p.m.

With Council Member Thanna Bounds absent, the following business was transacted:

II. PUBLIC HEARING ON A PROPOSAL TO SET A PROPERTY TAX RATE FOR MAINTENANCE AND OPERATIONS AND DEBT SERVICE.

Several citizens questioned the council about the tax rate increase.

Mayor McCutcheon explained the increase in the tax rate was due largely to the purchase of the park at Hundley and Shady Shores.

Close Public Hearing.

III. PUBLIC HEARING ON THE 1995-1996 FISCAL YEAR BUDGET.

No citizen comment.

Close Public Hearing.

IV. CONSIDER APPROVAL OF AN ORDINANCE ADOPTING THE 1995-1996 FISCAL YEAR BUDGET-ACTION.

Matt Flanagan moved to approve an ordinance adopting the 1995-1996 Fiscal Year Budget. David Shershen seconded the motion and it carried unanimously.

V. CONSIDER APPROVAL OF AN ORDINANCE APPROVING THE 1995 APPRAISAL ROLLS AS CERTIFIED BY THE DENTON CENTRAL APPRAISAL DISTRICT AND LEVYING AN AD VALOREM TAX ON SAID PROPERTIES-ACTION.

Matt Flanagan moved to approve an ordinance approving the 1995 appraisal rolls as certified by the Denton Central Appraisal District and levying an ad valorem tax on said properties. David Shershen seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
OCTOBER 10, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
Barbara Starkey, City Secretary

With David Shershen arriving at 8:30 p.m., the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH ATTORNEY AND SETTLEMENT CONFERENCE REGARDING PENDING LITIGATION; HILLS ON THE LAKE JOINT VENTURE V. CITY OF LAKE DALLAS.

The City Council entered into Executive Session at 7:05 p.m.

The City Council reconvened into open session at 8:15 p.m.

III. ACTION FROM EXECUTIVE SESSION.

Matt Flanagan moved to continue the moratorium and take no action in regard to Bud Archer or Hills on the Lake Joint Venture until further notice or until a date that Mr. Archer specifies. Garry Bills seconded the motion and it carried unanimously.

IV. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: DEPARTMENT HEAD PERFORMANCE EVALUATIONS FOR MERIT INCREASES FOR FISCAL YEAR 1995-1996.

The City Council entered into Executive Session at 8:20 p.m.

The City Council reconvened into open session at 9:00 p.m.

V. ACTION FROM EXECUTIVE SESSION.

David Shershen moved to approve a five percent merit raise for all department heads. Matt Flanagan seconded the motion and it carried unanimously.

VI. DISCUSSION AND CONSIDERATION OF ADDITIONAL OFFICE SPACE-ACTION.

Matt Flanagan moved to approve any funds necessary for creating additional office space for Code Enforcement Assistant. David Shershen seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 12, 1995

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Pro Tem Matt Flanagan absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor Jerry McCutcheon.

III. MINUTES.

Garry Bills moved to approve the minutes of meetings held in September, 1995 with the following correction: September 14, 1995, Section V(B) correct the word "silk" to "silt". David Shershen seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Aldena Stowe Gregory with the Lake Cities Library Board requested permission from the council for the Library Board to change the sign at the Library/Community Center to include a directional arrow.

Close Citizen's Agenda.

V. PUBLIC HEARING.
CONSIDER REZONING OF H. H. SWISHER SURVEY, TRACT 3 CURRENTLY R-3 TO R-1-10,000.

Barry Knight, Attorney representing Charles Jackson the owner of the Jackson Ranch. Mr. Knight again stated that the property is surrounded by commercially used property and that because of the usage of the property surrounding Jackson Ranch he feels the R-3 zoning is appropriate. Mr. Knight and the Jackson family would like to talk with the City Council about some multi-family use regulations for the property.

Rick Horn, Planner for the Jackson Ranch has developed some preliminary plans for the Jackson Ranch. Mr. Horn discussed ways to make multi-family use work on the property.

Barry Knight stated that he and the Jacksons would like to work with the city to find a solution that would be agreeable to both parties, however Mr. Jackson does feel that multi-family use is the proper use for the property.

The City Council scheduled a workshop with the Jacksons for Monday, October 16, 1995 at 7:30 p.m.

Adjourn public hearing until November 9, 1995 at 7:30 p.m.

VI. ACTION FROM PUBLIC HEARING.

The public hearing was adjourned until November 9, 1995 at 7:30 p.m.

VII. PUBLIC HEARING.
CONSIDER REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62 CURRENTLY R-3 TO R-1-10,000.

Laird Lind feels that the regulations for apartments are very open and is in favor of rezoning the property to R-1-10,000. Mr. Lind feels that the impact of multi-family use on the property would create many problems for the city.

Jackie Kovsky is in favor of rezoning the property to R-1-10,000. Ms. Kovsky's property backs up to the property and the property is not being maintained now and questions what would happen if the property was developed. She feels the existing condos were built before the city had the Planning and Zoning Commission and the two story condos have caused problems for the single family home owner. She also stated that there is no access to the property.

Laird Lind stated that the citizens will not be dealing with Mr. Archer in the future, because he will not be the developer if apartments are built. He asked the council to look toward long term problems and owners.

James Stanford, 311 Dolphin is opposed to apartments on the property. He is concerned about how they would look in twenty-five years. Mr. Stanford is also concerned about the impact on the streets and city services.

Ken Stapleton, 511 Ridgewood is opposed to any apartments being built in Lake Dallas.

Linwood Gilliland, 703 Payton stated that the Planning and Zoning Commission is working on revising the apartment ordinance.

Adjourn public hearing until November 9, 1995 at 7:30 p.m.

VIII. ACTION FROM PUBLIC HEARING.

The public hearing was adjourned until November 9, 1995 at 7:30 p.m.

IX. PUBLIC HEARING.
CONSIDER A PLAT FOR 6.575 ACRES IN THE J. W. SIMMONS SURVEY, A-1163.

Von Beougher, G & A Consultants stated that his client plans to construct a commercial building on the property and in order to obtain a building permit the property must be platted.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

Garry Bills questioned if the existing pond is filled what is going to happen to all the runoff from the property and surrounding property.

Von Beougher stated that the pond happened when the apartments were built. The apartments basically dammed off the runoff that was coming from the west. Mr. Beougher stated that he has made arrangements to go along the apartment's north line to get into the swell.

Bob Willis stated that he feels that it is in the best interest of the city for the pond to be filled and allow the water to runoff the way G & A is proposing.

Thanna Bounds moved to approve the plat for 6.575 acres in the J. W. Simmons Survey, A-1163. Garry Bills seconded the motion and it carried unanimously.

XI. PUBLIC HEARING.
CONSIDER AN AMENDMENT TO CHAPTER 18, SECTION 18.12.050(B), AND SECTION 18.11.050(B) AND CHAPTER 6, SECTION 6.44.030(B) OF THE LAKE DALLAS MUNICIPAL CODE, RELATIVE TO SWINE.

Mayor McCutcheon stated that at the request of several citizens, the city has done some extensive research into revising the Municipal Code. The ordinance presented by the city attorney amending the current ordinance will set numerous restrictions on potbellied pigs, if approved.

Linwood Gilliland, how would the city handle a situation where a potbellied pig's weight goes up over the requirement of the ordinance?

Jackie Kovsky, what are the room or area requirements for a potbellied pig and how is the city going to control them?

Bruce Martin replied that the area requirements are one per household with adequate fence or enclosure within a house, garage, or other building.

Laird Lind, what is the registration fee for a potbellied pig and what are the penalties for not registering a potbellied pig?

Mayor McCutcheon replied that the registration fee is $30.00 annually, with penalties set by the judge of up to $200.00 per day for non compliance.

Aldena Stowe Gregory, what are the regulations for cleanliness?

Mayor McCutcheon replied the presented ordinance and current city codes will address cleanliness.

Close Public Hearing.

XII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to deny the ordinance amending Chapter 18, Section 18.12.050(B), and Section 18.11.050(B) and Chapter 6, Section 6.44.030(B) of the Lake Dallas Municipal Code. Garry Bills seconded the motion and it carried unanimously.

XIII. PRESENTATION OF CERTIFICATE OF APPRECIATION FOR BRUCE COX.

Mayor McCutcheon expressed his appreciation to Bruce Cox for five years of service on the Planning and Zoning Commission.

XIV. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE PROPOSED R-1-10,000 DISTRICTS-ACTION.

Garry Bills moved to approve a resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 districts. Bruce Martin seconded the motion and it carried unanimously.

XV. CONSIDER NOMINATION OF CANDIDATES TO THE DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS-ACTION.

David Shershen moved to decline nominating a candidate to the Denton Central Appraisal District Board of Directors due to the lack of candidates. Garry Bills seconded the motion and it carried unanimously.

XVI. CONSIDER NOMINATION OF A CANDIDATE FOR POSSIBLE APPOINTMENT TO THE DENTON CENTRAL APPRAISAL DISTRICT APPRAISAL REVIEW BOARD-ACTION.

David Shershen moved to decline nominating a candidate for possible appointment to the Denton Central Appraisal District Appraisal Review Board due to the lack of candidates. Bruce Martin seconded the motion and it carried unanimously. Motion retracted.

David Shershen moved to nominate Linwood Gilliland for possible appointment to the Denton Central Appraisal District Appraisal Review Board. Bruce Martin seconded the motion and it carried unanimously.

XVII. PARK AND RECREATION.

Mayor McCutcheon requested a meeting with the Park and Recreation Board in regard to the park at Hundley and Shady Shores. A workshop was scheduled for Monday, October 16, at 9:00 p.m.

Tammy Hite reported that the Park and Recreation Board is working on the Christmas Bazaar, scheduled for the first Saturday in December at the middle school gym. They have also obtained the high school band and choir to preform at the tree lighting ceremony. On November 12, the Park and Recreation Board along with students, girl scouts and boy scouts are going to place flyers door to door in order to notify citizens of the Christmas Bazaar, the Fun Run and the Tree Lighting Ceremony scheduled for December 2, 1995. Harriet Hart is working on a park grant.

XVIII. PLANNING AND ZONING.

A. CONSIDER APPOINTMENT OF MEMBER TO PLANNING AND ZONING COMMISSION-ACTION.

David Shershen moved to appoint Linwood Gilliland to the Planning and Zoning Commission. Garry Bills seconded the motion and it carried unanimously.

B. CONSIDER AN ORDINANCE AMENDING CHAPTER 15.04 AND CHAPTER 18.48.050 OF THE LAKE DALLAS MUNICIPAL CODE RELATIVE TO BUILDING CODE AND BUILDING PERMIT APPLICATION FEES-ACTION.

Garry Bills moved to approve an ordinance amending Chapter 15.04 and Chapter 18.48.050 of the Lake Dallas Municipal Code relative to building code and building permit application fees. David Shershen seconded the motion and it carried unanimously.

XIX. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of October. Garry Bills seconded the motion and it carried unanimously.

XX. OLD BUSINESS.

Garry Bills, did the city receive any response to the Mayor's letter in reference to the Interlocal Agreement for Lake Safety?

Mayor McCutcheon reported that there has been no response to his letter. Mayor McCutcheon also reported that Commissioners Court will vote on Tuesday regarding obtaining right of way for the lake bridge project.

XXI. NEW BUSINESS.

A. Bruce Martin, in regard to health inspections of local restaurants he would like the city to publish a list of the restaurants that passed or failed their health inspections.

XXII. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
OCTOBER 16, 1995, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:50 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH ATTORNEY AND CHARLES JACKSON REGARDING POSSIBLE LITIGATION.

The City Council entered into Executive Session at 7:50 p.m.

The City Council reconvened into open session at 8:58 p.m.

III. ACTION FROM EXECUTIVE SESSION.

Matt Flanagan moved to table any action and to continue with the public hearing scheduled for November 9, 1995 at 7:30 p.m. Garry Bills seconded the motion and it carried unanimously.

IV. WORKSHOP.
DISCUSSION WITH PARK AND RECREATION BOARD REGARDING CITY PARK AT HUNDLEY AND SHADY SHORES.

The City Council and the Park and Recreation Board discussed uses for the park to meet the needs of the entire community. Tammy Hite will obtain the projected needs of the football, soccer and baseball associations. The City Council would like to hire a municipal planner to determine the best use of the park to meets the needs of the entire community.

V. CONSIDER APPROVAL OF AN ART SELL BY THE HAPPY HEARTS TO RAISE MONEY FOR THE SUE RUCKER SCHOLARSHIP-ACTION.

David Shershen moved to approve an annual auction and scholarship fund for the Sue Rucker Scholarship. Thanna Bounds seconded the motion and it carried unanimously.

VI. CONSIDER APPROVAL FOR LAKE CITIES COMMUNITY ACTION COMMITTEE TO HEAD FOURTH OF JULY CELEBRATION AND AWARDS BANQUET-ACTION.

David Shershen moved to approve allowing Lake Cities Community Action Committee to head the 1996 Fourth of July Celebration and Awards Reception. Thanna Bounds seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Barbara Starkey, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 9, 1995

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Kelly D'Amato, Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION.

A. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: DISCUSSION REGARDING DEPARTMENT HEAD STATUS AND MERIT RAISE FOR COURT CLERK.

B. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: DISCUSSION AND DELIBERATION REGARDING DUTIES AND RESPONSIBILITIES OF THE OFFICE OF ALDERMAN.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 7:30 p.m.

III. ACTION ON EXECUTIVE SESSION.

No action taken.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Linwood Gilliland.

V. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in October, 1995. David Shershen seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Linwood Gilliland, 702 Payton stated that he felt the city now has a good group of employees and that the employees are doing an excellent job.

Ken Stapleton, 511 Ridgewood stated that he is against allowing Slick's a zoning change that would allow for the selling of alcoholic beverages, because of it's location next to the primary school.

Close Citizen's Agenda.

VII. PUBLIC HEARING.
CONSIDER REZONING OF H. H. SWISHER SURVEY, TRACT 3 CURRENTLY R-3 TO R-1-10,000.

Mayor McCutcheon reported that Charlie Jackson called him requesting that the council table any decision on the rezoning of his property for 90 days.

Adjourn public hearing until February 8, 1996 at 7:30 p.m.

VIII. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to adjourn the public hearing until February 8, 1996 at 7:30 p.m. Bruce Martin seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
CONSIDER REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62 CURRENTLY R-3 TO R-1-10,000.

Mayor McCutcheon reported that Bud Archer has requested a delay in any decision on his property until he has done some more research on his property.

Robert Kuntz stated that he is totally against any multi-family zoning on this property.

Adjourn public hearing until December 14, 1995 at 7:30 p.m.

X. ACTION FROM PUBLIC HEARING.

Garry Bills moved to table any action until December 14, 1995 at 7:30 p.m. Bruce Martin seconded the motion and it carried unanimously.

XI. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF BLOCK K, LOTS 13, 14, & 15 OF THE OAK LAKES SUBDIVISION, FROM C-1 TO C-3.

Robert Hilliard, owner of the business at this location stated that he will lose business when Overland Express opens, since Overland Express has been given a zoning change to allow for selling of alcohol and he has not been allowed to sell alcohol. Mr. Hilliard also stated that the V.F.W. and the Duck Inn are near schools and they sell alcohol.

Tina McKenzie, East Carlisle understands parent's concerns about the selling of alcohol, but kids can not buy it, nor can alcohol be consumed on the property.

Close Public Hearing.

XII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to deny the zoning change of Block K, Lots 13, 14, & 15 of the Oak Lakes Subdivision, from C-1 to C-3. Matt Flanagan seconded the motion and it carried unanimously.

XIII. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF M.E.P. & P.R.R. SURVEY, TRACT 86, FROM R-3 AND R-1-7200 TO R-1-10,000; AND M.E.P. & P.R.R. SURVEY, TRACT 87, FROM R-1-7200 TO R-1-10,000.

Mayor McCutcheon reported that the sister of Leon Pledger, the owner of the property called him to let him know that she was against the multi-family zoning on this property.

Robert Kuntz stated that he would like the property to be zoned single family.

Tina McKenzie stated that she would like for the property to stay single family with smaller lots.

Close Public Hearing.

XIV. ACTION FROM PUBLIC HEARING.

Garry Bills moved to approve the zoning change of M.E.P. & P.R.R. Survey, Tract 86, from R-3 and R-1-7200 to R-1-10,000; and M.E.P. & P.R.R. Survey, Tract 87, from R-1-7200 to R-1-10,000. Bruce Martin seconded the motion and it carried with David Shershen abstaining.

XV. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF SUNDOWN ACRES, LOTS 1, 2, & 3, FROM R-3 TO R-1-10,000.

Laird Lind, owner of lot 2 and representing owners of lots 1 and 3 stated that they are in favor of the zoning change to R-1-10,000.

Close Public Hearing.

XVI. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to approve the zoning change of Sundown Acres, Lots 1, 2, & 3 from, R-3 to R-1-10,000. Matt Flanagan seconded the motion and it carried unanimously.

XVII. DISCUSSION AND CONSIDERATION OF AN INTERLOCAL AGREEMENT FOR DIAL-A-RIDE SERVICE BETWEEN THE CITY OF LEWISVILLE AND THE CITY OF LAKE DALLAS-ACTION.

Alan Guard, Assistant to the City Manager of the City of Lewisville informed the City Council that in 1992 the Lewisville Urban Area became eligible for Federal Financing Section 9 Funds

to provide transportation services within the Lewisville Urban Area. This area includes Lewisville, Flower Mound, Highland Village, Double Oak, Hickory Creek, Lake Dallas, and Corinth. Lewisville opted to provide only demand responsive service to senior citizens and people with disabilities. The City of Lewisville decided to be designated as the recipient and grantee of the Section 9 funds, but they did not want to operate the service, so they went out for bid. Span is now the service provider. The City of Lewisville has purchased three buses that will seat sixteen people. Federal Funding provides fifty percent of the operating cost, the state provides twenty-five percent and the remaining cost needs to come from the remaining cities. The City of Lewisville is asking the participating cities to help share in the operating cost. Each city will pay based on how many rides their citizens use per month for an amount not to exceed $2.28 per ride. The program provides transportation for people who have no other means to get around. Senior citizens ride for free and citizens with disabilities ride for $1.00 per ride.

Mayor McCutcheon asked how the City of Lewisville arrived at the number of riders from each city?

Alan Guard replied Span keeps records of everyone that rides their bus and from what city they are a resident of.

Bruce Martin asked, has Lewisville entered into Interlocal Agreements with Corinth and Hickory Creek for Dial-A-Ride service?

Alan Guard replied that there is not an Interlocal Agreement with Corinth or Hickory Creek at this time.

Garry Bills moved to table approval of an Interlocal Agreement for Dial-A-Ride service between the City of Lewisville and the City of Lake Dallas until mid-year budget review. Matt Flanagan seconded the motion and it carried unanimously.

XVIII. DISCUSSION AND CONSIDERATION OF AN INTERLOCAL AGREEMENT FOR AMBULANCE SERVICE BETWEEN THE CITY OF DENTON AND THE CITY OF LAKE DALLAS-ACTION.

Matt Flanagan moved to approve an Interlocal Agreement for ambulance service between the City of Denton and the City of Lake Dallas. David Shershen seconded the motion and it carried unanimously.

XIX. CONSIDER APPROVAL OF AN RESOLUTION SUPPORTING CANDIDATES FOR THE DENTON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS-ACTION.

Matt Flanagan moved to cast all eleven City of Lake Dallas votes for Mary Horn for Director of the Denton Central Appraisal District Board. Garry Bills seconded the motion and it carried unanimously.

XX. DISCUSSION AND CONSIDERATION REGARDING UNDERGROUND ELECTRICAL SERVICE-ACTION.

Matt Flanagan asked what the cost would be per foot to put the electrical lines underground?

James Loveday, Local Manager with TU Electric replied that there are many factors involved with placing the lines underground depending on secondary or primary service and the size of conductors. At the current time TU rates are based on overhead facilities, so anything other than overhead facilities would cost between three and ten times the cost of overhead facilities.

The City Council requested that Mr. Loveday prepare a preliminary cost estimate for placing the electrical lines underground at the park at Hundley and Shady Shores.

No action taken.

XXI. DISCUSSION AND CONSIDERATION REGARDING TEXAS WASTE MANAGEMENT CONTRACT AND RATE INCREASE-ACTION.

Allen Judkiewicz representing Texas Waste Management informed the City Council that there will be a CPI increase of two percent in the contract price for the coming year.

No action taken.

XXII. DISCUSSION AND CONSIDERATION REGARDING PUBLISHING HEALTH INSPECTION RESULTS-ACTION.

Bruce Martin moved to approve publishing health inspection results as soon as possible. David Shershen seconded the motion and it carried unanimously.

XXIII. PARK AND RECREATION.

A. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE ESTABLISHING RULES AND REGULATIONS WITHIN CITY PARKS-ACTION.

Garry Bills moved to approve the ordinance presented by Chief Ristagno establishing rules and regulations within city parks with the following changes: 1) Section V: Subsection 12.30.040(3) adding language to allow for the carrying of a firearm when in possession of a valid license as provided by State law; and Section V: Subsection 12.30.040(19) adding, except in designated areas. David Shershen seconded the motion and it carried unanimously.

XXIV. ACCOUNTS PAYABLE-ACTION.

Bruce Martin moved to give approval to the City Secretary to pay all accounts due in the month of November. Thanna Bounds seconded the motion and it carried unanimously.

XXV. OLD BUSINESS.

A. DISCUSSION REGARDING RIGHT-OF-WAY ACQUISITION FOR THE PROPOSED LAKE BRIDGE.

Mayor McCutcheon reported that Mayor Spellerburg and many of the residents on the east side of the lake are opposed to the proposed lake bridge and are willing to help the City of Lake Dallas in any way to fight against the bridge project.

The City Council agreed that they would like to contact the city attorney to see if there are any legal avenues they can pursue.

B. DISCUSSION REGARDING REVISION OF R-2 AND R-3 ORDINANCES.

The City Council will review the copies of proposed ordinance revisions and give their comments to city employees so that the final ordinances will be ready for a public hearing next month.

XXVI. NEW BUSINESS.

A. DISCUSSION REGARDING MOBILE HOMES AND MOBILE HOME PARKS.

The Mayor and City Council discussed current mobile home ordinances regarding possible revisions.

XXVII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

Barbara Starkey

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
NOVEMBER 27, 1995, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF APPLICATIONS OF PRELIMINARY PLANS, AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND IN ALL R-2 AND R-3 ZONING DISTRICTS-ACTION.

Matt Flanagan moved to approve the resolution to impose a moratorium on the acceptance for filing and consideration of applications of preliminary plans, and related subdivision plats, and the issuance of building permits and all other development permits for land in all R-2 and R-3 zoning districts. David Shershen seconded the motion and it carried unanimously.

III. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF APPLICATIONS OF PRELIMINARY PLANS, AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE PROPOSED R-1-10,000 DISTRICTS-ACTION.

Garry Bills moved to approve the resolution to impose a moratorium on the acceptance for filing and consideration of applications of preliminary plans, and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 districts. Matt Flanagan seconded the motion and it carried unanimously.

IV. CONSIDERATION AND ACTION ON FILING APPLICATION WITH THE BOARD OF ADJUSTMENT TO DISCONTINUE NONCONFORMING USE AT 121 LAKEVIEW-ACTION.

Garry Bills moved to approve filing application with the Board of Adjustment to discontinue nonconforming use at 121 Lakeview. David Shershen seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
DECEMBER 14, 1995

I. ROLL CALL.

The meeting was called to order at 7:05 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING NELDA OGLESBEE VS CITY OF LAKE DALLAS AND N.C. RISTAGNO, CASE CV-95-00624-C.

The City Council entered into Executive Session at 7:07 p.m.

The City Council reconvened into open session at 8:05 p.m.

III. ACTION ON EXECUTIVE SESSION.

No action taken.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

Thanna Bounds moved to approve the minutes of meetings held in November, 1995 with the following correction: November 9, 1995, Section XXV(A) change the word "I35" to "the lake". David Shershen seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Fred Hall, Kingswood Estates, would like some information about the notices that have been posted around the city?

Linwood Gilliland, 703 Payton, wanted to thank the council for their support as he has been appointed to the Denton Central Appraisal Board.

Randy Squire, 630 Lake View Drive, would like to know if the City has any new information about the lake bridge project? He would also like to know if the City is for or against the project?

Mayor McCutcheon replied that he could obtain information from the Commissioners Court in Denton and that the City Council is against the bridge project.

Gladys Aston, 212 Pecan Lane, stated that in August she called the gas company to come out and check her range. When the man with the gas company arrived and checked her gas appliances he informed her that she was breaking the law because she had copper tubing connecting her gas lines into her mobile home and that he was going to have to shut her gas off because this is dangerous. She received no notice from the gas company or the city about the danger of the copper tubing. She would like to know why, if this is so dangerous, are people not being notified?

Norma McAlvey, 25 Kingswood, would like to know if Kingswood is in trouble of being shut down.

Ollie Clark, 212 Shady Shores, stated that the zoning is not very consistent when there is a VFW and an American Legion that are selling alcohol around schools and churches.

Carolyn Green, 201 N. Shady Shores, would like some assurance that the residents in her mobile home park that are living in R.V.'s are not going to have to move until they have an opportunity to hold a workshop to discuss the matter. She would also like to go on record that she is against the combination of alcohol and weapons in our City parks.

Mayor McCutcheon requested that a workshop be scheduled for January 11, 1996 at 6:30 p.m. to discuss mobile homes.

Diane Byers, 699 Lakeland Court, would like to know are the R.V.'s rented out? If they are, shouldn't the owner be the one paying taxes. She also would like to know if a mobile home owner is allowed to upgrade a mobile home?

Close Citizen's Agenda.

VII. PUBLIC HEARING.
CONSIDER REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62 CURRENTLY R-3 TO R-1-10,000.

Adjourn public hearing until January 11, 1996 at 7:30 p.m.

VIII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to table and continue the public hearing until January 11, 1996 at 7:30 p.m. David Shershen seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
CONSIDER AN AMENDMENT OF THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.16, R-2 TWO-FAMILY DWELLING DISTRICT, BY REVISING SECTION 18.16.100 MINIMUM DWELLING SIZE.

Gene Tisdale stated that this would make homes less obtainable by older citizens.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to approve the amendment of the Lake Dallas Municipal Code, Chapter 18.16, R-2 Two-Family Dwelling District, by revising Section 18.16.100 Minimum Dwelling Size. Bruce Martin seconded the motion and it carried with Thanna Bounds opposed.

XI. PUBLIC HEARING.
CONSIDER AN AMENDMENT OF THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.18, R-3 APARTMENT HOUSE DISTRICT, BY REVISING THE ZONING, LANDSCAPING AND PARKING REQUIREMENTS FOR APARTMENT COMPLEXES AND MULTIFAMILY HOMES IN THE R-3 DISTRICT BY REVISING SECTIONS 18.18.010, 18.18.020, 18.18.030, 18.18.040, 18.18.050, 18.18.060, 18.18.070, 18.18.080, 18.18.090, 18.18.100, 18.18.110, AND 18.18.120; AND ADDING NEW SECTIONS 18.18.130, 18.18.140, 18.18.150, 18.18.160, 18.18.170, 18.18.180, 18.18.190, AND 18.18.200; AND BY REVISING SECTIONS 18.38.030(A) AND 18.54.090(A), (B), AND (C).

No Public Comment.

Close Public Hearing.

XII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to approve the amendment of the Lake Dallas Municipal Code, Chapter 18.18, R-3 Apartment House District, by revising the zoning, landscaping and parking requirements for apartment complexes and multifamily homes in the R-3 District by revising Sections 18.18.010, 18.18.020, 18.18.030, 18.18.040, 18.18.050, 18.18.060, 18.18.070, 18.18.080, 18.18.090, 18.18.100, 18.18.110, and 18.18.120; and adding new Sections 18.18.130, 18.18.140, 18.18.150, 18.18.160, 18.18.170, 18.18.180, 18.18.190, and 18.18.200; and by revising Sections 18.38.030(A) and 18.54.090(A), (B), and (C). Garry Bills seconded the motion and it carried unanimously.

XIII. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF BLOCK A, LOTS 2, AND 4 OF THE HANSEN ESTATES, FROM R-1-4000 TO R-1-6000.

Gene Tisdale, 524 Howard, stated that he does not agree with all the changes the council is making toward everything needing to

have more square footage and be bigger with more "niceties". He feels that a certain segment of the population does not need these things and they need to be respected. He also feels "if it works don't fix it" and there is a need for mobile homes in the city.

Ollie Clark, 212 S. Shady Shores, feels the zoning changes are trying to push the lower income families out of town.

Joyce Campbell, 64 Lakeridge Drive, stated that she has watched the council for a number of years go bigger and bigger. Bigger is not always better. Cleaner is better.

Gail Barnhill, 527 Howard Drive, has been at this address for eleven years. She feels the council is trying to move mobile home owners out of town. She feels mobile homes owners are a vital part of this community.

Ken Barnhill, 527 Howard Drive, feels the children in the mobile home park they live in are safer here than in any other area of town.

Diane Byers, 699 Lakeland, stated that her dad served on the council for many years and he would not agree with all the ordinance changes that the council is making.

Margaret Tisdale knows her brother spends a lot of time working on keeping a nice mobile home park.

Lenora Schoultz, owner of Lake Dallas Mobile Home Park on Thompson Drive, stated that this mobile home park is her retirement and she feels the city is trying to do away with mobile home parks. She feels this is her property and if the City of Lake Dallas wants her property then they should pay her what it is worth not devalue it by 75 percent, which is what would happen if the City changes the zoning. She feels the City is morally and legally wrong in the proposed zoning change.

Bonnie Brown Garcia, her family owns Brown Mobile Home Park. She stated that the mobile home park owners did not request this change and the owners should be allowed to do what they want with their property. She asked that the council respect how the mobile home park owners feel and vote accordingly.

Kathy Crawford, 521 Howard Street, stated that she is a neighbor of the mobile home park and would like the council to leave it like it is.

Close Public Hearing.

XIV. ACTION FROM PUBLIC HEARING.

Thanna Bounds stated the council does not have anything against mobile home parks and she regrets that this has gotten blown out of proportion and all the untruths that have been

written and said. She appreciates what everyone has said and that they should all pull together and not divide our community.

Mayor McCutcheon stated that cities are within their legal rights to review zoning within the city at any time.

Garry Bills stated that the proposed changes were made to address any area that was not conforming with the area around it. Nothing on the zoning map says this is a mobile home and this is a house, all it says is this is R-1-4000, this is R-1-6000, this is M-1. There is just a bunch of dots and dashes on the map. Looking at the map you see something right in the middle that is not the same as everything around it. You do not know what it is without getting something to tell you what those coordinates represent and without getting a street address and going to look at what is there. The Planning and Zoning Commission is here to review zoning issues and set zoning policies within the City of Lake Dallas so that is what they were asked to do. They were not asked to target anyone. They were not asked to target apartments, mobile homes or houses that are less than 1500 square feet. They were asked to look at zoning and legally, notice must be given to property owners and surrounding residents. Public Hearings are a vehicle used by City Councils to talk about zoning issues. That is why the notices were sent out so people could come and talk to the City Council about the proposed changes. No one was targeted and he is very sorry that people have gotten so emotional and upset by this.

David Shershen moved to deny the zoning change of Block A, Lots 2, and 4 of the Hansen Estates, from R-1-4000 to R-1-6000. Bruce Martin seconded the motion and it carried unanimously.

XV. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF BLOCK I OF THE LAKEVIEW CAMP ADDITION FROM M-1 TO R-1-6000.

Dean Drozd stated that he is the owner of the property and is in favor of the zoning change.

Close Public Hearing.

XVI. ACTION FROM PUBLIC HEARING.

Thanna Bounds moved to approve the zoning change of Block I of the Lakeview Camp Addition from, M-1 to R-1-6000. David Shershen seconded the motion and it carried unanimously.

XVII. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF LOTS 26, 27, 28, AND 29 OF THE J.V. THOMPSON SUBDIVISION FROM R-1-4000 TO R-1-6000.

Lenora Schoultz, owner of Lake Dallas Mobile Home Park, feels the proposed zoning change has been handled very poorly. We have come to both meetings and brought opposition to the zoning request as we were told to do.

Bud Schoultz, owner of Lake Dallas Mobile Home Park, stated the mobile homes are single family home dwellings and these people have the same problems we all have, and our job is to help these people, but we have not.

Randy Schoultz, Manager of Lake Dallas Mobile Home Park for eight years. His family has worked very hard to improve and update the mobile home park.

David Berman, City Attorney, stated that the zoning change does not effect the use, unless the owner changes the use of the property. Unless the Board of Adjustment deems to terminate the non-conforming use, if this occurs then just compensation must be paid.

Mike Schoultz would like the council to follow the Planning and Zoning Commission's recommendation to deny the zoning change.

Bobby Shikle, 712 Thompson, stated that he has no objections to the mobile home park.

Close Public Hearing.

XVIII. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to deny the zoning change of Lots 26, 27, 28, and 29 of the J.V. Thompson Subdivision from R-1-4000 to R-1-6000. David Shershen seconded the motion and it carried unanimously.

XIX. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF LOT 39 OF THE J.V. THOMPSON SUBDIVISION FROM R-1-4000 TO R-1-6000.

Bonnie Brown stated that the owner of the property is not present, but he was at the Planning and Zoning meeting and he did not want the zoning changed.

Close Public Hearing.

XX. ACTION FROM PUBLIC HEARING.

David Shershen moved to deny the zoning change of Lot 39 of the J.V. Thompson Subdivision from R-1-4000 to R-1-6000. Thanna Bounds seconded the motion and it carried unanimously.

XXI. PUBLIC HEARING.
CONSIDER A ZONING CHANGE OF TRACT 54, ABSTRACT 1355A OF THE WRIGHT SURVEY FROM R-3 TO R-1-6000.

Thanna Bounds, 440 Betchan Drive, stated that about thirty years ago citizens voiced their opinions that they did not want the apartments, but the City Council changed the zoning anyway. There has been no problems with the apartments now and feels they should be left alone.

Mary Ann Piepenburg, an attorney with Baylor Health Care System, stated the property is actually owned by Mr. and Mrs. Howard Enlow, but that Baylor holds the mortgage on the property. Mr. and Mrs. Enlow have informed Baylor that they are not going to be able to continue paying on the property and Baylor is going to have to proceed with foreclosure. So the property is in limbo between the Enlows and Baylor and she would request that it be tabled until the February meeting.

Close Public Hearing.

XXII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to table the zoning change of Tract 54, Abstract 1355A of the Wright Survey from R-3 to R-1-6000 until the Planning and Zoning Commission can look at it again in February. David Shershen seconded the motion and it carried unanimously.

XXIII. PROCLAMATION PRESENTED BY MAYOR MCCUTCHEON DECLARING DECEMBER, 1995 AS "NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH" AND FRIDAY, DECEMBER 15, 1995, AS "LIGHTS ON FOR LIFE DAY".

Proclamation read by Mayor McCutcheon.

XXIV. DISCUSSION AND CONSIDERATION REGARDING INSURANCE COVERAGE FOR THE CONTENTS OF LAKE CITIES LIBRARY TO BE INCLUDED IN THE PROPERTY COVERAGE FOR THE LAKE DALLAS COMMUNITY CENTER THROUGH THE TEXAS MUNICIPAL LEAGUE-ACTION.

David Shershen moved to approve additional insurance coverage for the contents of Lake Cities Library to be included in the property coverage for the Lake Dallas Community Center through the Texas Municipal League. Thanna Bounds seconded the motion and it carried unanimously.

XXV. DISCUSSION AND CONSIDERATION REGARDING ASSIGNMENT OF PLACE NUMBERS TO THE OFFICES OF THE CURRENT ALDERMEN-ACTION.

Bruce Martin moved to approve an ordinance assigning place numbers to the offices of the current aldermen. Thanna Bounds seconded the motion and it carried unanimously.

XXVI. PARK AND RECREATION.

A. CONSIDER APPROVAL OF A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST ASSISTANCE IN BASIC SITE PLANNING FOR A CITY PARK FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT-ACTION.

David Shershen moved to approve the resolution authorizing the mayor to request assistance in basic site planning for a city park from the Texas Parks and Wildlife Department. Bruce Martin seconded the motion and it carried unanimously.

XXVII. ACCOUNTS PAYABLE-ACTION.

Garry Bills moved to give approval to the City Secretary to pay all accounts due in the month of December. David Shershen seconded the motion and it carried unanimously.

XXVIII. OLD BUSINESS.

A. DISCUSSION REGARDING UNDERGROUND ELECTRICAL SERVICE.

Bruce Martin requested that the City look at placing poles 11 through 15 underground as these poles run through the middle of the property. He would like the Park and Rec to consider this in the planning.

B. DISCUSSION REGARDING REMOVAL OF CONTAMINATED SOIL IN CONNECTION WITH THE FUEL TANK REMOVAL.

Mayor McCutcheon reported that he has been contacted by a Richard Booth with Omega that will take over for American Waste to finish the cleanup of the tank removal. They will do the work and then obtain payment from the state fund for the removal of the contaminated soil. The gentleman will be in attendance at the January 11th meeting.

XXVI. NEW BUSINESS.

No New Business.

XXVII. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

JERRY MCCUTCHEON, MAYOR

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JANUARY 11, 1996, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Kelly D'Amato, Secretary

With all members present, the following business was transacted:

II. WORKSHOP.

A. DISCUSSION REGARDING R.V.'S, MOBILE HOMES, AND MOBILE HOME PARKS.

The City Council discussed the current ordinance that does not allow for the use of R.V.'s for residential purposes. The Council discussed R.V.'s in the mobile home parks in regard to the design for full time inhabitation, also the need for the R.V.'s to be tied down and under skirted.

Carolyn Green stated that a previous City Council gave them permission to put these mobile home in their current parks. Ms. Green suggested that the City look at an ordinance allowing for a commercial mobile home park. She would like the owners of the current R.V.'s to be allowed to stay in their homes.

Mayor McCutcheon stated that the current R.V.'s are not on the property tax rolls.

The City Council discussed the need of current owners of R.V.'s to apply to the Board of Adjustment for a variance from the current ordinance. Mayor McCutcheon will check with the city attorney as to the concerns discussed. Item will be placed on the February agenda as an action item.

B. DISCUSSION REGARDING PROPERTY AT 121 LAKEVIEW.

Mayor McCutcheon stated that there has been some concern that the mobile home at 121 Lakeview does not meet city ordinances.

Bob Willis stated that the Board of Adjustment found that the mobile home was placed at the location prior to the ordinance and that it is exempt from the current ordinance as long as it has

been brought up to standards. Mr. Willis stated that they now have electricity and gas, but the are still trying to bring some things up to standards.

Mayor McCutcheon requested that Bob Willis contact the city attorney as to what needs to be done for the property and mobile home to comply with city ordinances and any actions the city should take.

III. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~Barbara Starkey~~, City Secretary

PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JANUARY 11, 1996

I. ROLL CALL.

The meeting was called to order at 8:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Kelly D'Amato, Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in December, 1995. David Shershen seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Carolyn Green, 201 N. Shady Shores, would like to thank the City Council for the workshop. Ms. Green requested the Council look at striping the middle of the streets.

Tammy Hite, 5433 Kings Manor, stated that she is against alcohol in the city parks.

Ken Stapleton, 511 Ridgewood, commented on problems he is having with his house after it rains. He bought his home one year ago from Flamingo Homes and has flooding problems every time it rains. Flamingo Homes has now built a home on the corner of Oak Crest and Hillcrest. Mr. Stapleton presented an engineer's report stating that this corner is subject to overflowing. Mr. Morales' fix for the problem was to build the house up about three (3) feet. This has caused the flooding problems at his home and also at 509 and 513. He would like to ask the City for help with this problem as Mr. Morales has told him it is now his problem.

Mayor McCutcheon replied he would have the City Engineer look at the problems.

Mrs. McCool, 509 Ridgewood, stated that she received a hostile call from Mr. Morales yesterday. He told her that the deals he made with the Stapletons, the McCools or anyone else if it was not in writing then it was their problem and they would need to get an attorney. He also said the drainage problem they were having was in his eyes a City problem and the reason he would not approach the City is because the City would red tag anything he was building. Mr. Morales then instructed her that she should get with the other home owners in the Oak Lakes Subdivision and file a class action suit against the City. Mrs. McCool stated that she has been in her home for ten months and still has punch list items that Mr. Morales will not come to her home and address. She also stated that her flooding problems got worse when Mr. Morales built the home at the corner of Hillcrest and Oak Crest, not because of rain water, but because of the sprinkler system at this home. Mrs. McCool stated that when she bought her house Mr. Morales had filed a form with the title company at closing stating that he does not see any foreseen problems with inadequate surface drainage. She feels this statement is fraudulent and that he knew there was a problem.

Close Citizen's Agenda.

V. PUBLIC HEARING.
CONSIDER REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62 CURRENTLY R-3 TO R-1-10,000.

Mayor McCutcheon reported that he spoke with Allison Archer yesterday. Ms. Archer said they are still trying to find a developer to develop the property as single family residential property. Ms. Archer requested that the City Council again table any decision.

Laird Lind, 34 Lakewood, Hickory Creek, stated that he has been at all the public hearings on this item and he appreciates the Council's ideas and he would like the Council to take action on this item tonight.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to approve the rezoning of M.E.P. & P.R.R. Survey, Tract 71 & Tract 62 currently R-3 to R-1-10,000. Matt Flanagan seconded the motion and it carried with Thanna Bounds and David Shershen opposed.

Motion failed as the required three-fourths affirmative vote was not received.

VII. DISCUSSION REGARDING PETITION FROM THE PROPERTY OWNERS AND RESIDENTS OF SHORE DRIVE REQUESTING CHANGING SHORE DRIVE FROM A TWO-WAY STREET TO A ONE-WAY STREET.

Chief Ristagno stated the City did an eight (8) day traffic count on the street. There was an average of 177 vehicles per day during a 24 hour period, which equates to seven (7) vehicles per hour. Chief Ristagno also concerned with the design of the area for emergency response vehicles.

The Council discussed the concerns with emergency vehicles and in which direction the one-way should run. The Council also discussed the impact of the one-way street on the owners of the homes on the corners. The City Council determined if the residents of the street are in favor of the one-way street then it should be changed.

Chief Ristagno will research the area to determine the direction for the one-way street.

VIII. CONSIDER APPROVAL OF A RESOLUTION SUPPORTING THE VERTICAL EXPANSION OF THE DFW RECYCLING AND DISPOSAL FACILITY-ACTION.

Matt Flanagan moved to approve the resolution supporting the vertical expansion of the DFW Recycling and Disposal Facility with the following correction: fourth paragraph change the word "continues" to "continued". Thanna Bounds seconded the motion and it carried unanimously.

IX. CONSIDER APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENT-ACTION.

Matt Flanagan moved to appoint Rodney Courtney, Clyde Edwards, Robert Meadows, Frances Poteet, and Celesta Douglas to the Board of Adjustment and to accept applications for another alternate. David Shershen seconded the motion and it carried unanimously.

X. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE PROPOSED R-1-10,000 DISTRICTS-ACTION.

Matt Flanagan moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 Districts. Bruce Martin seconded the motion and it carried unanimously.

XI. DISCUSSION REGARDING PROPERTY LOCATED AT 709 MAIN STREET.

Mayor McCutcheon reported that there has been some problems at 709 Main Street with sewage leaking into the creek behind the residence. The TNRCC has been contacted and is addressing the problem. The residence is currently on a septic system and they will probably have to hook up to the sewage system. The TNRCC does not feel that the problem will be the City's responsibility.

XII. PARK AND RECREATION.

Tammy Hite reported that the City received a check from Allsups for their donation to the park fund. Sandy Payne will be resigning from the Park and Recreation Board next month. The Park Board is continuing to gather information for the city park. The City received a letter from the Texas Parks and Wildlife Department approving our request for park planning assistance.

Matt Flanagan would like to know if the Bylaws have been completed for the Park and Recreation Board and also would like for the agendas for the Park and Recreation Board meetings to be posted at City Hall.

XIII. ACCOUNTS PAYABLE-ACTION.

Thanna Bounds moved to give approval to the City Secretary to pay all accounts due in the month of January. Garry Bills seconded the motion and it carried unanimously.

XIV. OLD BUSINESS.

A. DISCUSSION REGARDING REMOVAL OF CONTAMINATED SOIL IN CONNECTION WITH THE FUEL TANK REMOVAL.

Richard Booth with Omega was not able to attend the meeting tonight. City Employees will contact Mr. Booth to see if a meeting can be set up with him before the next regular council meeting.

B. SHADY SHORES ROAD PROJECT.

Mayor McCutcheon reported that he has been contacted by Commissioner Kirk Wilson who advised him he should send a letter asking for support for the Shady Shores Road project to Commissioner Hill and Commissioner Armey.

XV. NEW BUSINESS.

A. MARCUS CABLE.

Bruce Martin requested that John Enloe with Marcus Cable be at the next council meeting to discuss the franchise agreement.

B. COMMERCIAL ORDINANCES.

Matt Flanagan requested that the Planning and Zoning Commission look at the C-1, C-2, and C-3 ordinances to review them for stand alone ordinances.

XVI. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

~~JERRY~~ MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JANUARY 18, 1996, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Garry Bills, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Pro Tem Matt Flanagan and Council Members Bruce Martin and Thanna Bounds absent, the following business was transacted:

II. DISCUSSION AND CONSIDERATION REGARDING A CONTRACT WITH OMEGA ENVIRONMENTAL SERVICES TO PERFORM CONTAMINATION ASSESSMENT AND REHABILITATION TASKS IN CONNECTION WITH THE UNDERGROUND TANK REMOVAL-ACTION.

Mayor McCutcheon inquired as to why American Waste was wanting to turn this project over to Omega Environmental?

Richard Booth with Omega Environmental Services stated that in states in which there is a viable and solvent reimbursement fund to work with Omega will participate in the fund directly. The City of Lake Dallas has two choices they can either hire a contractor to cleanup the contaminated soil, pay the contractor and then apply for reimbursement from the state; or the City can contract with Omega for the cleanup, no bills with be sent to the City. Omega will work with TNRCC for payment of the cleanup. The only financial obligation that the City of Lake Dallas will have is the deductible. Don Hunt with American Waste has called Omega about the City of Lake Dallas project and several others. Omega will use American Waste as a subcontractor and they will receive any payment for work from Omega immediately.

No action taken as a quorum was not present. The project will be discussed further at the February meeting and action taken then.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary
Patricia Chapman

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
FEBRUARY 8, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent and Council Member David Shershen arriving at 7:10 p.m., the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: PERFORMANCE EVALUATION FOR BOB WILLIS.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 7:30 p.m.

III. ACTION ON EXECUTIVE SESSION.

Matt Flanagan moved no action necessary on Executive Session. David Shershen seconded the motion and it carried unanimously.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

Thanna Bounds moved to approve the minutes of meetings held in January 1996. David Shershen seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Dan Waylon, 715 Winding Oak Bend, stated that he called 911 to report the fire on February 5, 1996 and was placed on hold, only for a few seconds, but he would like to know if this was normal. He also stated that it appeared to him that the fire department was having trouble with the water pressure.

Mayor McCutcheon reported that the water authority did a pressure test in the Thousand Oaks area and they reported that there was adequate water pressure at 70 pounds of static pressure.

Chief Robertson stated that there is more than adequate water pressure in the Thousand Oaks area.

Jim Phillips, 322 Stately Oak, stated that the city needs more experienced fire fighters and more equipment for the fire department. He would like to know why the city does not have a 24 hour a day staffed fire department.

Mayor McCutcheon stated that the City of Lake Dallas has looked at branching off to start our own fire department, but are the citizens willing to double their taxes to pay for the service.

Jim Phillips, 322 Stately Oak, stated the residents of Thousand Oaks would be willing to have a tax increase to fund the fire department.

Mayor McCutcheon stated that they are only a small percentage of the community and there are several residents of the community that can not live with the tax increase. The council is sympathetic to the need for increased fire protection services.

Matt Flanagan stated that Corinth will break off in the next couple of years and form their own fire department. They have a larger tax base than the City of Lake Dallas. The council understands the need to increase the fire department's budget, but at the same time effectively decrease the burden to our tax payers, but increase the fire department's budget by going to an equitable way of generating each cities contribution based on assessed value on each home the way all other taxes are figured, instead of contributions based on meter drops, but the other cities did not want to use assessed value method of figuring each cities contribution.

Tina King, 1800 Jason Drive, Denton, speaking on behalf of Carla and Simmon Shellis expressed thanks to the neighbors for all their help. Carla would like to stress the unfortunate lose of her eight puppies. Carla would like everyone to know that even though she is out of the country she can really feel the outreach of love and care from her neighbors, friends and family and she is really greatful that everyone has been so helpful. Simmon and Carla do not feel it would be wise to put blame on anything for the cause of their fire at this time.

Rod Courtney, 162 Kingswood Drive, would like to commend the volunteer fire department for all their efforts.

Jerry Rose, 748 Thousand Oaks, how much of a tax increase would it cost each citizen to increase the fire department services?

Chief Robertson requested each citizen attend the Lake Cities Fire Department Board of Directors meeting and let the Board know the citizens would like to see the Fire Department's budget increased in order to increase services.

Melody Dougherty, 312 Stately Oak, stated she appreciates the response the Mayor, Matt Flanagan and the Fire Department have had to the fire. She does not feel anyone has done anything wrong with what they have. She would like to work with the council to increase the fire department budget and she and her neighbors know their taxes will need to be raised for increased services and they are willing to pay the increase.

Ray Henry, 718 Thousand Oaks, stated he has been a fireman for twenty two years, at the fire on Monday the volunteers did some fundamental things really well. The house had already been searched for people, they were using lines as they were supposed to and there was not a problem with water pressure. There would have not been anything else a paid fire department, a truck on the seen or anything else that anybody could have done for that house.

Melissa Phillips, 322 Stately Oak, would like to know when we will try to get a paid permanent 24 hour a day staffed fire department? We will be willing to have our taxes raised to fund the fire department. What do we need to do to get the process started?

Mayor McCutcheon stated that the budget for this year is set, and it will have to be looked at during the budget planning time for next year. The budget process will start in June or July, and the new budget year will go into effect on October 1, 1996. You as a citizen need to get a lot of support for a tax increase to fund the fire department.

Sandy Payne, Kings Manor, stated that she is real impressed with the people of Thousand Oaks and their willingness to improve the fire department. She stated that the residents of Thousand Oaks need to go to the Fire Department Board of Directors meetings and go out and educate the rest of the town letting them know that in order to have better services then they are going to have to vote for a tax increase. She would also like to see a paid fire department.

Lisa Bordhaug, 321 Stately Oak, stated being involved with the school district, that a lot of people in town think our subdivision is separate, and a lot of them do not even know where we are. She wanted to thank the town because the community of Lake Dallas has been there for us and we really appreciate their help.

Close Citizen's Agenda.

VII. PUBLIC HEARING.
CONSIDER REZONING OF H. H. SWISHER SURVEY, TRACT 3 CURRENTLY R-3 TO R-1-10,000.

Barry Knight, Attorney representing Charlie Jackson, stated they are discussing the property with developers, but do not have any proposed use for the property at this time. He requested allowing the Jacksons more time to talk with developers.

Adjourn public hearing until April 11, 1996 at 7:30 p.m.

VIII. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to table and continue the public hearing until April 11, 1996 at 7:30 p.m. David Shershen seconded the motion and it carried unanimously.

IX. CONSIDER REZONING TRACT 54, ABSTRACT 1355A OF THE WRIGHT SURVEY FROM R-3 TO R-1-6000-ACTION.

Matt Flanagan moved to table rezoning Tract 54, Abstract 1355A of the Wright Survey from R-3 to R-1-6000. Garry Bills seconded the motion and it carried unanimously.

X. PROCLAMATION DECLARING JANUARY 19, 1996 THROUGH FEBRUARY 14, 1996 FOR CAMP FIRE CANDY SALES.

Proclamation read by Mayor McCutcheon.

XI. PROCLAMATION DECLARING THE WEEK OF FEBRUARY 4, THROUGH FEBRUARY 10, 1996 AS SCOUTING ANNIVERSARY WEEK.

Proclamation read by Mayor McCutcheon.

XII. DISCUSSION REGARDING REPORT BY METROPLEX ENGINEERING CONSULTANTS, REFERENCE THE OAK LAKES SUBDIVISION DRAINAGE, AND CONSIDER RECOMMENDATIONS-ACTION.

Roland Jary with Metroplex Engineering Consultants, stated that he has forwarded a report to the council regarding the drainage problems in the Oak Lakes Subdivision. Mr. Jary reported that there has never been a drainage study for this subdivision. Mr. Jary stated that the maintenance aspects and some minor adjustments can be made now, so that the City can let the residents know that the City is aware of the problems and are looking at ways to improve the drainage. Mr. Jary recommended the City consider having a complete drainage study done of the Oak Lake Subdivision including a topographic map and hydraulic survey.

Matt Flanagan moved to approve Metroplex Engineering to perform the hydraulic survey and topographic map at a cost between $1,500.00 to $3,000.00, including recommendations, and have Johnny Webber and the Street Department start some of the clean-up. David Shershen seconded the motion and it carried unanimously.

XIII. DISCUSSION AND CONSIDERATION REGARDING BIDS FOR CARLISLE BRIDGE IMPROVEMENT PROJECT-ACTION.

Roland Jary with Metroplex Engineering, reported that he did some research on DBR Construction. DBR Construction has 40 to 50 employees, the company was started in 1981 constructing family homes and in 1988 they began commercial work. They have worked four or five years with bonded projects, they pay their employees and their sub-contractors on time. They have no bad credit and have money in the bank. They have done some work for the City of Highland Village. Mr. Jary recommended accepting DBR Construction's bid for alternate #2 at $29,400.00, and obtaining a letter of authorization for the improvements to the owners property with a disclaimer.

Matt Flanagan moved to approve the acceptance of the DBR Construction Bid alternate #2 at a price of $29,400.00 for the Carlisle Bridge Project. David Shershen seconded the motion and it carried unanimously.

XIV. PRESENTATION OF CERTIFICATE OF APPRECIATION FOR DARLA SAMS.

Presentation made by Mayor McCutcheon.

XV. DISCUSSION REGARDING CABLE TELEVISION FRANCHISE CONTRACT.

John Enlow with Marcus Cable addressed the council in regard to the procedure for renewal of cable television franchises. A public hearing will be scheduled to obtain public comment on future needs and interest of the community and to review the performance of Marcus Cable under the existing cable television franchise agreement.

XVI. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE ADDING CHAPTER 15.09 AND SUBSECTIONS 15.09.010, 15.09.020, 15.09.030, 15.09.040, 15.09.050, AND 15.09.060 TO THE LAKE DALLAS MUNICIPAL CODE, ESTABLISHING FIRE LANES-ACTION.

David Shershen moved to approve the ordinance adding Chapter 15.09 and Subsections 15.09.010, 15.09.020, 15.09.030, 15.09.040, 15.09.050, and 15.09.060 to the Lake Dallas Municipal Code, Establishing Fire Lanes. Garry Bills seconded the motion and it carried unanimously.

XVII. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE AMENDING CHAPTER 10, VEHICLES AND TRAFFIC, OF THE LAKE DALLAS MUNICIPAL CODE BY AMENDING SUBSECTIONS 10.16.020, 10.24.170, AND ADDING SUBSECTIONS 10.24.085, 10.24.095, 10.24.175, 10.24.200, 10.24.210, AND 10.24.220-ACTION.

Garry Bills moved to approve the ordinance amending Chapter 10, Vehicles and Traffic, of the Lake Dallas Municipal Code by amending Subsections 10.16.020, 10.24.170, and adding subsections

10.24.085, 10.24.095, 10.24.175, 10.24.200, 10.24.210, and 10.24.220. David Shershen seconded the motion and it carried unanimously.

XVIII. CONSIDER APPOINTMENT OF AN ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT-ACTION.

David Shershen moved to approve the appointment of Ken Stapleton as an alternate member to the Board of Adjustment. Matt Flanagan seconded the motion and it carried unanimously.

XIX. CONSIDER APPROVAL OF A RESOLUTION SUPPORTING DENTON COUNTY SESQUICENTENNIAL-ACTION.

Garry Bills moved to approve the resolution supporting Denton County Sesquicentennial. Thanna Bounds seconded the motion and it carried unanimously.

XX. CONSIDER APPROVAL OF A RESOLUTION SUPPORTING OUR SERVICEMEN AND SERVICEWOMAN AS THEY CARRY OUT THEIR PEACEKEEPING MISSION OVERSEAS-ACTION.

Matt Flanagan moved to approve the resolution supporting our servicemen and servicewomen as they carry out their peacekeeping mission overseas. David Shershen seconded the motion and it carried unanimously.

XXI. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE PROPOSED R-1-10,000 DISTRICTS-ACTION.

Matt Flanagan moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 districts. David Shershen seconded the motion and it carried unanimously.

XXII. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

David Shershen moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3

districts. Garry Bills seconded the motion and it carried unanimously.

XXIII. CONSIDER APPROVAL OF A RESOLUTION CONDEMNING THE TOWN OF HICKORY CREEK FOR ENFORCING TRAFFIC VIOLATIONS IN THE CITY OF LAKE DALLAS-ACTION.

Matt Flanagan moved to approve the resolution condemning the Town of Hickory Creek for enforcing traffic violations in the City of Lake Dallas. Garry Bills seconded the motion and it carried unanimously.

XXIV. PARK AND RECREATION.

A. CONSIDER APPROVAL OF GARZA DAY DATE-ACTION.

Matt Flanagan moved to approve the first Saturday in June consecutively each year for Garza Day and for this year to allow the Park Board to obtain a carnival for June 1st or any other date that is acceptable to the Park Board. Thanna Bounds seconded the motion and it carried unanimously.

B. CONSIDER APPROVAL OF CAROLYN GREEN SCHOLARSHIP BRUNCH-ACTION.

David Shershen moved to approve the Carolyn Green Scholarship Brunch to be held on April 20, 1996 at a per table cost of $75.00 if table is decorated by sponsor, or $85.00 if the Park Board decorates the table for the sponsor, or $10.00 to sponsor an individual, with a matching donation cap of $500.00 from Carolyn Green. Thanna Bounds seconded the motion and it carried unanimously.

C. RAFFLE FOR PARK FUND.

(1) CONSIDER APPROVAL TO ACCEPT BOAT DONATION FROM LAKE DALLAS BOAT CO.-ACTION.

David Shershen moved to approve the acceptance of the boat donation from the Lake Dallas Boat Co. Thanna Bounds seconded the motion and it carried unanimously.

(2) CONSIDER APPROVAL TO HOLD RAFFLE FOR BOAT-ACTION.

David Shershen moved to approve the Park and Recreation Board to hold a raffle for the boat, selling the raffle tickets at a price of $1.00 each, with the raffle to be held on Garza Day. Thanna Bounds seconded the motion and it carried unanimously.

(3) CONSIDER APPROVAL TO SELL RAFFLE TICKETS AT FOUR LOCATIONS IN TOWN-ACTION.

David Shershen moved to approve allowing the Park and Recreation Board to sell the raffle tickets at four locations of

their choosing in town. Thanna Bounds seconded the motion and it carried unanimously.

(4) CONSIDER APPROVAL TO HAVE RAFFLE TICKETS PROFESSIONALLY PRINTED-ACTION.

David Shershen moved to approve having the raffle tickets professionally printed. Thanna Bounds seconded the motion and it carried unanimously.

D. MEMBERS.

(1) ACCEPT SANDY PAYNE'S RESIGNATION-ACTION.

Matt Flanagan moved to approve the acceptance of Sandy Payne's resignation. Garry Bills seconded the motion and it carried unanimously.

(2) PRESENTATION OF CERTIFICATE OF APPRECIATION-ACTION.

Presentation made by Mayor McCutcheon.

(3) CONSIDER APPOINTMENT OF TWO MEMBERS-ACTION.

David Shershen moved to table the appointment of two members to the Park and Recreation Board until the Park and Recreation Board has reviewed and approved the applications. Garry Bills seconded the motion and it carried unanimously.

E. CONSIDER APPROVAL OF PARK AND RECREATION BOARD BYLAWS-ACTION.

Matt Flanagan moved to table the approval of Park and Recreation Board Bylaws until February 26, 1996, at 7:00 p.m. in order to change the wording. David Shershen seconded the motion and it carried unanimously.

XXV. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of February. Matt Flanagan seconded the motion and it carried unanimously.

XXV(A). ORDER OF ELECTION.

Garry Bills moved to accept the Order of Election. David Shershen seconded the motion and it carried unanimously.

XXVI. OLD BUSINESS.

A. CONSIDER APPROVAL OF A CONTRACT WITH OMEGA ENVIRONMENTAL SERVICES TO PERFORM CONTAMINATION ASSESSMENT AND REHABILITATION TASKS IN CONNECTION WITH THE UNDERGROUND TANK REMOVAL-ACTION.

Matt Flanagan moved to approve the contract with Omega Environmental Services to perform contamination assessment and rehabilitation tasks in connection with the underground tank removal. Garry Bills seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING VARIANCE AND FEES FOR R.V.'S-ACTION.

Mayor McCutcheon reported that the Denton Central Appraisal District has been contacted in reference to the R.V.'s. The Denton Central Appraisal District has investigated the R.V.'s currently in city mobile home parks and reported that there is nothing the Appraisal District can do as far a taxing them. If the R.V.'s are under 320 square feet they can not be taxed. The R.V.'s are considered vehicles and pay taxes through the purchase of license tags.

The Council discussed amending the mobile home ordinance to allow for the R.V.'s currently in city mobile home parks to remain in the city. The ordinance would also allow for assessing a yearly fee that would be equitable with the lowest assessed value of a mobile home in each mobile home park. This ordinance would identify each R.V. currently in city mobile home parks, and once the R.V. has moved from it's current lot the R.V. would not be allowed to return. The ordinance would not allow for any other R.V.'s to move into the city.

Matt Flanagan moved to table any action regarding variance and fees for R.V.'s until city employees check with the city attorney on legal questions and reconsider action on February 26, 1996. Garry Bills seconded the motion and it carried unanimously.

XXVII. NEW BUSINESS.

Matt Flanagan requested that the council ask the Planning and Zoning Commission to look again at rezoning the Archer property tracts to R-1-10,000 or R-1-7200.

XXVIII. ADJOURNMENT.

Matt Flanagan moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

~~JERRY~~ MCCUTCHEON, MAYOR

ATTEST:

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
FEBRUARY 26, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin arriving at 7:10 p.m. and all members present, the following business was transacted:

II. WORKSHOP.
A. DISCUSSION REGARDING THE FIRE DEPARTMENT.

Mayor McCutcheon reported that several citizens had expressed an interest in finding out how much it would cost to staff a paid fire department.

Chief Robertson presented a proposed budget for 1997 to include a paid staff of 24 employees and fire fighters and a new fire engine at an estimated cost of 1.5 million dollars. This budget did not include full ambulance service, but did allow for first responding paramedics, that would also serve as fire fighters. The City currently uses Denton ambulance service and this budget proposes continuing to use Denton ambulance service. Chief Robertson stated that each of the four Lake Cities need to work together to make this paid fire department work.

Mayor Pro Tem, Matt Flanagan asked Chief Robertson about the feasibility of Lake Dallas hiring a fire fighter, to be paid for by the City of Lake Dallas, but he would work for the Lake Cities Fire Department, and adding one paid fire fighter a year over the next several years in order to gain experienced fire fighters.

Mayor McCutcheon will try and set up a meeting with the City of Corinth in order to determine how many more years the City of Corinth will continue to support the fire department and to discuss the possibility of each city adding one paid fire fighter a year over the next several years.

Bruce Martin asked the city attorney, if the city hires a fire fighter that works for the City, but is assigned to the fire department are there any problems with doing this?

David Berman replied there could be some administrative problems. You can not have one employee that answers to both the City and the Fire Department. The City should enter into an interlocal agreement with the fire department as a district to fund a position. The Fire Chief would do the hiring and firing, the Chief would be responsible for all the personnel decisions regarding that employee.

B. DISCUSSION AND CONSIDERATION OF CITY OF LAKE DALLAS PARK AND RECREATION BOARD POLICY AND PROCEDURE GUIDE-ACTION.

David Shershen moved to approve the City of Lake Dallas Park and Recreation Board Policy and Procedure Guide. Thanna Bounds seconded the motion and it carried unanimously.

C. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE AMENDING LAKE DALLAS MUNICIPAL CODE CHAPTER 12.30, RULES AND REGULATIONS IN CITY PARKS, BY REVISING SECTION 12.30.040 (19)-ACTION.

Thanna Bounds moved to approve the ordinance amending Lake Dallas Municipal Code Chapter 12.30, Rules and Regulations in City Parks, by revising section 12.30.040 (19). Garry Bills seconded the motion and it carried unanimously.

III. CONSIDER APPROVAL OF APPOINTMENT OF MEMBERS TO THE PARK AND RECREATION BOARD-ACTION.

Matt Flanagan moved to appoint Ray Henry and Christye Price to the Park and Recreation Board. Bruce Martin seconded the motion and it carried unanimously.

IV. DISCUSSION AND CONSIDERATION REGARDING VARIANCE AND FEES FOR CURRENT R.V.'S LOCATED IN MOBILE HOME PARKS-ACTION.

Bruce Martin moved to have Bob Willis establish an ordinance for existing R.V.'s, establishing regulations and fees. Matt Flanagan seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MARCH 14, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Council Member David Shershen arriving at 7:10 p.m., the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING POSSIBLE LITIGATION FOR REIMBURSEMENT OF UNAUTHORIZED USE OF CITY PROPERTY.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 7:30 p.m.

III. ACTION ON EXECUTIVE SESSION.

Matt Flanagan moved to continue with negotiating at $3,500.00 to reach a settlement with Jim Douglas, also giving the Mayor the latitude to negotiate as he sees fit. David Shershen seconded the motion and it carried unanimously.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

David Shershen moved to approve the minutes of meetings held in February 1996. Garry Bills seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Melissa Phillips, 322 Stately Oak, stated that she was at the Fire Department meeting a couple of weeks ago. She would like to

know if Robby Robertson has asked for the emergency funds he needed to maintain the vehicles.

Mayor McCutcheon stated that he was also at the meeting and advised him of their contract clause that gave them the authority to do so. I also encouraged him to do so if they are having a short fall. Mayor McCutcheon stated that he understood the amount to be at $8,000.00 and then each council would pay their share of the amount. As this date he has not asked for any additional money.

David Shershen stated that he spoke with Deputy Chief Joe Grabowski who stated they were in the process of developing a maintenance program that would happen monthly.

Melissa Phillips, 322 Stately Oak, would like to know if the Fire Chief does not come and ask for money to maintain vehicles that will not run during a fire, what can the citizens do to encourage the Fire Chief to ask, or how do we remove him?

Mayor McCutcheon stated that with the fire department being a private corporation the only thing the citizens should do is attend their Board of Directors meeting and ask them what they would like to do and show them what your requests are.

Melissa Phillips, 322 Stately Oak, stated that they would like a citizens open agenda meeting with the two-fers committee. We do not think the citizens of Corinth, Hickory Creek or Shady Shores are aware that some of their councilmembers are not willing to put money into the fire department.

Mayor McCutcheon replied that a meeting could be held at the community center.

Jim Freytag, Ardmore, OK, stated that he has a developer who is interested in beginning construction on the lots in Harbortown. He has a surveyor working on the re-plat and he noticed that item eight on tonights agenda is to consider placing a moratorium on R-3. That is going to put a hardship on us. We have some people ready to buy some of the units we are planning to build.

Mayor McCutcheon, replied that if the developer wanted to present the plans to the city council, the council could hold a special meeting to act on a separate piece of property individually.

Melody Dougherty, 312 Stately Oak, stated she along with many other people in the community are concerned with the lack of adequate fire protection for our community. She knows there has been a battle for many years between the four cities as to funding. She and many other citizens ask that we propose a budget that would fund a fire department that would give us adequate protection for our city, and then bring that budget to the other cities. If they are willing to pay their share, they will be in,

if they are not willing to pay their share write them out of the contract and ask them to find fire protection in another way. She knows that sounds hard, but right now what Lake Dallas and some of the other cities are going is charity work, because there is a city in our four cities that chooses not to pay for fire protection, for that city. She along with other citizens say, if we are going to do charity work let our families choose what charity we are going to do. Please don't as elected officials choose to do that charity work for us. We want to have fire protection and we have no problem with paying for it, but we want everyone to pay their share, and we ask that you help us do that.

Close Citizen's Agenda.

VII. PRESENTATION OF AUDITOR'S REPORT.

Monte Pipes, CPA, reviewed the written audit report and stated that the city had a good year and is healthy as far as finances are concerned.

VIII. REVIEW AND CONSIDER ACTION REGARDING THE OAK LAKES SUBDIVISION HYDRAULIC SURVEY AND TOPOGRAPHICAL MAP.

Report and survey not available. Metroplex Engineering should have reports and survey next month.

IX. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE AMENDING CHAPTER 2.28 OF THE LAKE DALLAS MUNICIPAL CODE BY AMENDING SECTION 2.28.010 AMENDING THE MEMBERSHIP OF THE PLANNING AND ZONING COMMISSION, AND AMENDING SECTION 2.28.060 AMENDING THE STATUTORY POWERS-ACTION.

Bruce Martin moved to approve the ordinance amending Chapter 2.28 of the Lake Dallas Municipal Code by amending Section 2.28.010 amending the membership of the Planning and Zoning Commission, and amending Section 2.28.060 amending the statutory powers. Thanna Bounds seconded the motion and it carried unanimously.

X. PROCLAMATION RECOGNIZING THE 10TH ANNIVERSARY OF THE ADOPT-A-BEACH PROGRAM.

Proclamation read by Mayor McCutcheon.

XI. CONSIDER APPROVAL OF A RESOLUTION APPOINTING OFFICERS FOR ELECTIONS HELD BY THE CITY OF LAKE DALLAS-ACTION.

David Shershen moved to approve the resolution appointing officers for elections held by the City of Lake Dallas. Bruce Martin seconded the motion and it carried unanimously.

XII. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE PROPOSED R-1-10,000 DISTRICTS-ACTION.

Matt Flanagan moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the proposed R-1-10,000 districts. David Shershen seconded the motion and it carried unanimously.

XIII. CONSIDER APPROVAL OF A RESOLUTION PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

David Shershen moved to approve the resolution placing a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts. Garry Bills seconded the motion and it carried unanimously.

XIV. STREET DEPARTMENT.

A. DISCUSSION AND CONSIDERATION REGARDING BUDGET AMENDMENT FOR THE PURCHASE OF A ROLLER-ACTION.

Mayor McCutcheon report the hydraulic pump on the roller has been repaired, but we have had a hard time finding a new pump or someone to repair the current one. Companies have told us the roller is obsolete. We were able to rebuild it this time, but we are eventually going to have to replace it.

B. DISCUSSION AND CONSIDERATION REGARDING STREET LIGHT REQUEST AT THE SOUTHEAST CORNER OF BETCHAN AND MAIN STREET AND THE SOUTHWEST CORNER OF GILBERT AND LAKEVIEW-ACTION.

No action required. Mayor McCutcheon has ordered the requested the street lights.

C. DISCUSS AND CONSIDER ACTION AGAINST DOBBS ROAD CONTRACTOR.

Mayor McCutcheon reported that when the sewer line was put in on Dobbs Road the contractor did a very poor patch job, but

unfortunately it meets all requirements. The council needs to consider some changes in our specifications in how patches are made and the requirements. We have met with the contractor and expressed our displeasure with their work. They have proposed to seal-coat Dobbs Road from Shady Shores Road up to the entrance into Thousand Oaks.

XV. PARK AND RECREATION.

A. CONSIDER APPROVAL OF CARNIVAL CONTRACT FROM KAISER RIDES FOR GARZA DAYS-ACTION.

David Shershen moved to approve the carnival contract from Kaiser Rides for Garza Days. Thanna Bounds seconded the motion and it carried unanimously.

B. CONSIDER APPROVAL OF COMMUNITY ACTION COMMITTEE AGENDA FOR THE AWARDS BANQUET-ACTION.

David Shershen moved to approve the Community Action Committee Agenda for the Awards Banquet. Matt Flanagan seconded the motion and it carried unanimously.

XVI. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of March. Thanna Bounds seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

Matt Flanagan reported that at the Planning and Zoning Commission meeting there was talk about scanning the existing ordinances so that they could be updated for stand alone ordinances. Diane has checked into having the ordinances scanned at a cost of $8,000.00. Also at the Planning and Zoning Commission meeting the decision to rezone the Archer property was tabled for thirty days.

The Carolyn Green Scholarship Brunch will be held on Saturday, April 20, 1996, at 10:00 A.M., at the Lake Dallas Middle School. The scholarship is presented to a graduating Lake Dallas High School senior based on community service.

XVIII. NEW BUSINESS.

Mayor McCutcheon reported that he is not one hundred percent please with our city engineer. We have questioned some of the bills the city has received from Metroplex Engineers. He has shopped around a little and found that engineers will not tell you their prices, unless you are under contract with them. The engineer stated that you chose engineers on qualifications.

Bruce Martin requested looking at some additional street lights being placed on Shady Shores Road from the cemetery to Thousand Oaks Addition.

XIX. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Matt Flanagan seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

~~BARBARA STARKEY~~, CITY SECRETARY
PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
MARCH 28, 1996, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted:

II. DISCUSSION AND CONSIDERATION REGARDING AN EXCEPTION TO THE MORATORIUM ON R-3 DISTRICTS IN REGARD TO A PRELIMINARY PLAN FOR A RE-PLAT OF HARBORTOWN VILLAS PHASE I, BLOCK 1, LOTS A, B, & C, BLOCK 2, LOTS A, B, & C, BLOCK 3, LOTS A, B, & C, BLOCK 4, LOTS A, B, & C, BLOCK 5 LOTS A, B, & C, BLOCK 8, LOTS A, B, & C, BLOCK 9, LOTS A, B, & C, BLOCK 13, LOTS A, B, & C, BLOCK 14, LOTS A, B, & C, AND THE ADJOINING COMMON AREAS FILED BY JIM FREYTAG-ACTION.

Frank Bourland, developer representing the property presented a copy of his preliminary plans to the city council. He is proposing to build duplexes on the lots. He has several people ready to purchase a duplex as soon as they are ready.

Bruce Martin moved to approve granting an exception to the moratorium on R-3 Districts in regard to a preliminary plan for a re-plat of Harbortown Villas Phase I, Block 1, Lots A, B, & C, Block 2, Lots A, B, & C, Block 3, Lots A, B, & C, Block 4, Lots A, B, & C, Block 5, Lots A, B, & C, Block 8, Lots A, B, & C, Block 9, Lots A, B, & C, Block 13, Lots A, B, & C, Block 14, Lots A, B, & C, and the adjoining common areas filed by Jim Freytag. Garry Bills seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary

Matt Flanagan, Mayor Pro Tem

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
APRIL 4, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

I(A). DISCUSSION WITH THE CHAIRMAN OF THE BOARD OF ADJUSTMENT REGARDING THE BOARD OF ADJUSTMENT DECISION IN REFERENCE TO 328 BETCHAN STREET.

Clyde Edwards, asked the Board of Adjustment members present to introduce themselves. Board members present were Rod Courtney, Frank Barnard, Rusty Meadows, Frances Poteet and Ken Stapleton. Mr. Edwards stated the reason the members were present was because they are a very concerned committee. We would like to see the city progress. Mr. Edwards stated that there are two types of zoning and two types of ordinances that control zoning. The two types are literal and adjustment. Adjustment meaning, the act of adjusting, regulating, reducing to just form or order, or making a fit or conformable settlement. This is basically what the Board of Adjustment does. Literal is basically what the City Council and Planning and Zoning Commission do. The Board of Adjustment basically acts as a scape goat or release valve for things that come up in zoning. Variances are exceptions from technical sight requirements. You have a use map with certain zoning, for some reason that zoning may need to be adjusted or changed, and in this case eleven years ago. Unfortunately all the people who were here eleven years ago are not here today. So you have a compliance problem. The Board of Adjustment was set up to be adjustable and make exceptions. The Board of Adjustment must determine that the piece of property involved is unique and it not the same as every other lot or tract in the area. The property did not meet the technical requirements, but that is why you have a Board of Adjustment. The granting of a variance is legal until challenged and that is why we are here tonight. The only question that may properly be raised is legality of the Board's order. A legal presumption exists in favor of the Board's order and the burden of proof to clearly establish an abuse of discretion in light of the entire

record rest upon the party attacking the Board's decision. When deciding the legality of the Board's order the trial court must not substitute it's judgment for the Board's judgment. The court should decide the legality of the Board's order based upon the materials returned in response to the Writ of Certiorari and such testimony as may be received for the purpose of correcting errors of law. If the evidence before the court as a whole is such that reasonable minds could have reached the same conclusion that the Board reached in order to justify it's action the order must be sustained.

II. DISCUSSION AND CONSIDERATION REGARDING APPEALING THE DECISION OF THE BOARD OF ADJUSTMENT IN REFERENCE TO FRANK BARNARD'S VARIANCE PETITION FROM CHAPTER 18.12.030 OF THE MUNICIPAL CODE RELATIVE TO HOME OCCUPATIONS AT 328 BETCHAN STREET-ACTION.

Matt Flanagan, stated that he brought this item to the Mayor basically because the way the people on the street were treated by the Board. The people were here in opposition. Mr. Edwards had said the business was there for eleven years. It was there for eleven year illegally. Mayor Honse did not have the authority to tell this person that he could run a business in that location. The home occupancy ordinance had been in place since 1967. Mr. Barnard has stated that he started out as a mom and pop deal and that is basically within the flavor of the ordinance. Councilman Flanagan stated that the Board's action for this one individual hurt everybody on that street.

Thanna Bounds, stated that she lives on the street with Mr. Barnard and that she does not agree with Councilman Flanagan. She does not think there is much way you could lower property value on that street. There is a city lot, an apartment building, agriculture, cows, chickens, horses and emus. She is very unhappy anytime the council wants to do away with something that some Mayor or Council allowed to happen be it legal or illegal. It has been there eleven years, and if it's not broke don't fix it.

David Shershen asked the City Attorney, if in his opinion, was the matter handled in a prescribed manner as to the actions and the behavior of the Board of Adjustment and was it legal and did they follow precedent?

David Berman, City Attorney, if the council is interested in appealing the decision the council has ten days and that tenth day is tomorrow. The basis for the appeal can not be that the Board of Adjustment made the wrong decision. You can not substitute nor can the court substitute it's judgment on the ultimate issue. The issue is whether or not there was an abusive discretion. An abusive discretion means not that they were just malisous or that their decision was so egregiously wrong that it was wrong. An abusive discretion as a matter of law boils down to little more than a failure to follow guiding rules and

principles. The basis for the appeal in the petition are: 1) that the Board of Adjustment's decision was illegal, in that it was an abusive discretion; 2) under state law in the Texas Local Government Code the Board of Adjustment is empowered to authorize variances, if they are not contrary to public interest and due to special circumstance the literal enforcement of the ordinance would result in unnecessary hardship. Mr. Berman stated that he could not substitute his opinion for that of the members of the Board of Adjustment. He did not feel there was a great deal of evidence that would have shown that there was some unnecessary hardship that Mr. Barnard experienced that would support the granting of a variance; 3) that the decision was void in that it was not really a variance in it's very nature it was not a variance. A variance is not the same thing as a special exception or a rezoning. This request was not a variance it was a special exception. Mr. Berman stated that the petition is ready to be filed if the council decides to proceed, however there is one thing that needs to be considered. Mr. Berman stated that he represents the city and he does not perceive that there would be a conflict between his representation of the city and the fact that he was at the Board of Adjustment meeting. As long as there is full disclosure and everybody knows what is going on there is no conflict of interest that would subject him to certain ethical violations. However, the Board of Adjustment is also entitled to representation, and the city will have to pay for their attorney also. In support of the Board it is unusual for a City Council to agree with everything that all of the subsidiary boards and commissions do.

David Shershen asked why did it take eleven years to bring up this issue?

Mayor McCutcheon replied that he received a complaint from a citizen.

Matt Flanagan moved to refer the decision of the Board of Adjustment to the county court and make funds available for the Board of Adjustment to be represented and make funds available to litigate the issue. Bruce Martin seconded the motion and it carried with David Shershen and Thanna Bounds opposed.

Mayor McCutcheon stated for the record he is in favor of the decision.

III. **EXECUTIVE SESSION.**
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING POSSIBLE LITIGATION FOR REIMBURSEMENT OF UNAUTHORIZED USE OF CITY PROPERTY.

The City Council entered into Executive Session at 7:40 p.m.

The City Council reconvened into open session at 7:55 p.m.

IV. ACTION ON EXECUTIVE SESSION.

Garry Bills moved to table any decision regarding the fill dirt at the present time and accept the offer from Jim Douglas to sealcoat Dobbs Road from the intersection of Texas Oak Trail and Dobbs Road east to Shady Shores Road. David Shershen seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~Barbara Starkey~~, City Secretary

PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
APRIL 11, 1996

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

David Shershen moved to approve the minutes of meetings held in March, 1996 with the following correction: March 14, 1996, Section VI. Paragraph 6 change the word "state" to "stated". Garry Bills seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Frank Barnard, 328 Betchan Street, stated that he had some information he would like to give to the council relating to a decision he and his wife had made in regard to withdrawing his petition for a variance on his property at 328 Betchan Street. Mr. Barnard stated the following reasons for their decision: 1) $20,000.00 or $30,000.00 for court costs and attorney's fees could be used for parks, recreations, EMT services, the fire department or streets, etc.; 2) time spent with the City Council and Board of Adjustment in court doing depositions could be directed to more positive city business; 3) we do not want the City Council and Board of Adjustment polarized on a single issue over a variance that the previous administration authorized; 4) if I appeal the decision of the district court that would involve naming approximately 133 citizens currently doing business in their homes. These businesses that are not listed in the city code book. This would be detrimental and a tragedy to those citizens of Lake Dallas. This is unacceptable to myself and my wife. In conclusion, I ask the City Council Members to consider my situation in the future. I believe that with the City Council

Members and the Mayor's guidance that there can be a favorable resolution to all parties concerned and we are willing to make reasonable adjustments, if possibly needed.

Bob Davis, 68 Lake Ridge, Chairperson for the We The People Coalition, stated that he feels the case involving Frank Barnard involves ordinances. The Coalition would like the city council to address two issues in regard to ordinances. The first is the ordinances themselves may not reflect the current economy, with corporations down sizing many people are forced to work out of their homes. We feel some of these people have to work out of their homes, because they can not afford a shop. Some of the kinds of employment that may deserve reconsideration would be, day-care, beauty shop, landscaping, nutritionist, roofing company, carpet layers and carpenters, these are some types of professions that may need consideration in expanding the types of businesses that can legally work out of their homes. The second issue in regard to ordinances is what We The People feel is their use as a political weapon. In February, two of the council members attended a meeting of We The People the day after the meeting the ordinance was enforced on Frank Barnard. This ordinance had never been enforced in eleven years and on the day after the meeting it was enforced, this is either a huge coincidence or it could be misuse of enforcement of ordinances. We The People feel that it was a misuse of the enforcement of ordinances. It is because of this kind of government behavior, at all levels that We The People was born. If in these elections, if We The People are successful and if the citizens of Lake Dallas elect Rod Courtney, Stephen Wohr and Bobby Shikle into council positions and if a citizen complains that Rod Courtney or any of the others use reprisal tactics or intimidation tactics, and if we can find that the charges are justified we will ask Rod or who ever the council member was to reverse his course of action on the matter and give a public apology, but if he does not the Coalition will ask him to resign, but if he does not resign we will try to form a recall election or endorse someone else at the next election. We believe elected officials should be held accountable for their actions and we believe that fear and intimidation have no place in government since 1776.

Mayor McCutcheon stated that the letter to Frank Barnard was called for prior to that meeting and it had nothing to do with the meeting.

Chris Curry, 212 Hillcrest, would like to publicly thank the council for serving this community, however, I believe that you as elected officials need to act as elected officials and not have the outbursts that I understand Councilman Flanagan had at a Board of Adjustment meeting. That is not how elected officials should act. Mr. Curry stated also that this community does not need a paid fire department. What is wrong with the volunteers? If this city would recognize their volunteers and show them more appreciation and support they can do a fine job.

Councilman Flanagan stated that Mr. Curry's statement, that he had an outburst in a Board of Adjustment meeting was incorrect. The Board meeting was over with, as an elected official for the city he came in and basically stated his views on how it went, after the meeting was over. Councilman Flanagan stated that his statements were directed to the Chairman of the Board of Adjustment, the City Attorney and Mr. Courtney were present at the time, and it was not an outburst.

Thanna Bounds, 440 Betchan, stated that she has heard a lot of rumors going around and she would like to clear one up. Regarding the rumor that Matt Flanagan and her are not getting along, that they are dividing the council and that they are causing problems, and that Councilman Flanagan had called her out of a meeting. Councilman Flanagan did call her out of a meeting to discuss an issue that was not true and the issue was cleared up, they shook hands and they are friends. Councilwoman Bounds stated, we may not agree much in the future, we have not in the past, but she respects Councilman Flanagan for his opinions and he respects hers and they are not going to divide the council. Councilwoman Bounds stated that she feels diversity in the council is very good. If we were all yes people we would not be representing but a very few citizens.

Linwood Gilliland, 703 Payton, stated he would like the council to request the Planning and Zoning Commission to look at an ordinance that looks at unique buildings before building permits are issued. He would also like to thank the council and city employees for the cleanup efforts that have been enforced.

Rod Courtney, 162 Kingswood, stated that he is represented by a special interest group. They have a very special interest, that is to have good government in Lake Dallas. I support that whole heartily.

Mayor McCutcheon, stated he has received many telephone calls and heard many rumors going around. Mayor McCutcheon stated he has lived here for thirty something years and this is the dirtiest political election he can recall. He would like to advise everybody to please get facts straight, there are so many lies circulating around. He encouraged the citizens that if somebody tells them something at least have the common sense to call both parties and get both sides of an issue and weigh it for what it is worth. Mayor McCutcheon stated that he knows things have come out on him personally that are just flat lies, from beating his wife, to him smoking dope, to all kinds of things. I do not think this is very becoming of anybody to do that. I do not think the citizens deserve it. At least stick to the issues and present the issues to the citizens you talk to and let them weigh it and leave the lies out of it. Now the latest lie is that city employees do not get any benefits. City employees get paid vacations, paid holidays, insurance, pretty much the standard benefits that almost every city does. Our employees are treated well, I will agree that their salaries are not as high as they should be, we have some outstanding employees.

Rod Courtney, 162 Kingswood, stated that he is not running against Jerry McCutcheon, I am running for the mayor's position, to represent the grass roots people of Lake Dallas. I said to you that I did not want any conflict. I have asked all the people that I know that support me to have all positive attitudes. I have not ever heard a lie about you. I never will. I am not responsible for anything that is said that is not true, to my knowledge.

Mayor McCutcheon, stated that he believed Rod Courtney.

Stephen Wohr, 715 Lakeland, stated that he would like to agree with Rod Courtney. I think that at least myself and Rod are trying to run a campaign here where we have dealt with the issues. We give our talks in a public forum. We are there on Monday nights at 7:00 p.m. at Technicians on Wheels. If people are wondering what I am saying about anybody on the City Council or anybody running against me they can come down there and listen to what I say because that is where I say it. I do not go around spreading stories about anybody else. I will say this, that I think that all of the candidates need to address the issues and they need to address them in a public forum and they need to have the opportunity to tell people what they think and let people make an informed decision.

Mayor McCutcheon stated that he did not believe that the public forum is where the problem is developing, it is on the street contact people are making. He stated he did not know who or what, just that both sides need to stick to issues and that the citizens need to use common sense to check both sides of every issue.

Close Citizen's Agenda.

V. PRESENTATION OF CERTIFICATION OF APPRECIATION FOR MARGARET COULTER.

Mayor McCutcheon presented Margaret Coulter a plaque acknowledging twenty years of dedicated service to the City of Lake Dallas.

VI. PUBLIC HEARING.
CONSIDER REZONING OF H. H. SWISHER SURVEY, TRACT 3, CURRENTLY R-3 TO R-1-10,000.

Mayor McCutcheon read a letter from Barry Knight, Attorney representing Charles Jackson owner of H. H. Swisher Survey, Tract 3 regarding a possible compromise in the rezoning of his property. Mr. Knight requested that this public hearing and any decision regarding his client's property be tabled until the city council meeting of the June 13, 1996.

VII. ACTION FROM PUBLIC HEARING.

David Shershen moved to table and continue the public hearing until June 13, 1996 at 7:30 p.m. Bruce Martin seconded the motion and it carried unanimously.

VIII. PUBLIC HEARING.
CONSIDER A RE-PLAT OF HARBORTOWN VILLAS PHASE I. THIS PROPERTY IS LOCATED AT BLOCK 1, LOTS A, B, & C, BLOCK 2, LOTS A, B, & C, BLOCK 3, LOTS A, B, & C, BLOCK 4, LOTS A, B, & C, BLOCK 5, LOTS A, B, & C, BLOCK 8, LOTS A, B, & C, BLOCK 9, LOTS A, B, & C, BLOCK 13, LOTS A, B, & C, BLOCK 14, LOTS A, B, & C, AND THE ADJOINING COMMON AREAS.

Maggie Pruitt, 707 Cain Street, stated that she understood that there would not be apartments built on this property. That there would be one and two story duplexes. She would like to know who will be responsible for the roads in this area. Ms. Pruitt had some concerns about drainage on the east side of Cain. She would like to know if the developer will provide his future home buyer with a swimming pool or park.

Mayor McCutcheon replied that the developer plans to put duplexes on this property and at the present time the city is responsible for the roads, but he hopes the developer will work with the city on the roads. Mayor McCutcheon has talked with the city building inspector about the drainage on this property and they have already shared with the builder that all lots must drain towards the streets. Mayor McCutcheon stated that there is no requirement for the developer to include a park on the property.

Jackie Kovsky, 311 Surf, stated she hopes the developer will work with her in regard to the trash and build a barrier between her and his development. She has some concerns about the elevation on some of the lots and the drainage. She would like to know if the lots would be sold or rented.

Mayor McCutcheon replied the building inspector has discussed with the builder about an eight foot privacy fence behind the property or possibly bushes.

Charles Redman, 714 Thompson, stated that he agreed with Ms. Kovsky. He would also like to know if the trees marked with blue ribbons were going to be removed. He also feels the development would be an asset if it is handled properly and taken care of.

Mayor McCutcheon replied that the trees were marked for survey purposes and that the builder will be asked to save as many trees as possible.

Chris Curry, 212 Hillcrest, requested the council ask the developer for a two year maintenance bond on all public improvements within the subdivision. Mr. Curry stated that the council could ask for a developer's agreement to include any fencing or shrubs for the subdivision.

Roland Jary, with Metroplex Engineers, stated the developer has been in to see him and he has informed him that the land is pretty flat and that all water from the property must drain into the street. Mr. Jary stated he understands that there are some concerns over property lines and suggested owners verify their property lines.

Mayor McCutcheon stated that Bob Willis and he have addressed the easement with TU Electric, they think it is an electrical easement. The city will contact TU Electric to see if their fence can be run to the fence currently there to avoid a no maintenance zone between two fences.

Jackie Kovsky, 311 Surf, stated that when she talked with TU Electric last year they informed her that they had nothing to do with the property, it is just an easement. TU Electric does not maintain the easement.

Close Public Hearing.

IX. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to approve the preliminary re-plat of Harbortown Villas Phase I, Block 1, Lots A, B, & C, Block 2, Lots A, B, & C, Block 3, Lots A, B, & C, Block 4, Lots A, B, & C, Block 5, Lots A, B, & C, Block 8, Lots A, B, & C, Block 9, Lots A, B, & C, Block 13, Lots A, B, & C, Block 14, Lots A, B, & C, and the adjoining common areas. Bruce Martin seconded the motion and it carried unanimously.

X. PUBLIC HEARING.

DISCUSSION REGARDING CABLE TELEVISION AND TO REVIEW THE PERFORMANCE OF MARCUS CABLE IN THEIR SERVICE TO THE COMMUNITY OF LAKE DALLAS.

Mayor McCutcheon stated the franchise agreement between the City of Lake Dallas and Marcus Cable will renew in 1998, but the process for renewal begins two years before that date. The public hearing is so that citizens may address any issues or problems they may have with Marcus Cable.

Jackie Kovsky, 311 Surf, would like to know why the City of Lake Dallas pays the same as the City of Denton, but we do not receive the same number of channels?

Garry Bills, replied that he asked John Enlow with Marcus Cable her question in reference to the six channels that the City does not get and he replied that the City actually pays about $1.21 or $1.31 less than the other cities. John Enlow stated that Marcus Cable, within the next six or eight months is planning to change out the equipment in the city.

Chris Curry, 212 Hillcrest, would like the city to ask the cable company to provide the city with a public access channel.

Mike Fahey, 144 Kingswood, stated that he would like the city to obtain channels 66 through 71. He would also like to see the cable company carry American League baseball.

Close Public Hearing.

XI. ACTION FROM PUBLIC HEARING.

Bruce Martin stated that this could be a long drawn out tedious process or a very simple and good process. Councilman Martin recommended that the city go ahead with discussion of these issues early and try and get them resolved. Councilman Martin stated that there are a lot of changes happening in the industry in regard to de-regulation. The citizens need to be aware that there is a possibility they may be losing channels, because of a new proviso in the law that the FCC is addressing called leased access. That basically says, if I want to come in and lease a channel I can bump a lot of people if I want to.

Matt Flanagan moved to approve allowing Councilman Martin to establish and chair a committee to began discussion with John Enlow of Marcus Cable in regard to the renewal of the cable television franchise agreement. David Shershen seconded the motion and it carried unanimously.

XII. REVIEW AND CONSIDER ACTION REGARDING THE OAK LAKES SUBDIVISION HYDRAULIC SURVEY AND TOPOGRAPHICAL MAP.

Roland Jary with Metroplex Engineering presented the council the finds of the hydraulic survey and topographical map for the Oak Lakes Subdivision. He suggested that the city install pipes to correct the water flow in this subdivision, approximate cost of the project would be $35,900, plus street repair. The City Council will review the drainage project at budget time.

XIII. DISCUSSION REGARDING FIRM MAP AND FEMA DRAINAGE STUDY IN REFERENCE TO DOBBS ROAD CULVERT.

Mayor McCutcheon reported there may be some concerns with the drainage and possible flooding on Dobbs Road from the retention pond with the possibility of Thousand Oaks Phase III

starting. This phase may put a burden on the drainage in this area and it will need to be addressed at the plating process.

XIV. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE REVISING CHAPTER 15.24, FLOOD DAMAGE PREVENTION, OF THE LAKE DALLAS MUNICIPAL CODE-ACTION.

Matt Flanagan moved to table the ordinance revising Chapter 15.24, Flood Damage Prevention, of the Lake Dallas Municipal Code. Garry Bills seconded the motion and it carried unanimously.

XV. DISCUSSION AND CONSIDERATION REGARDING AN ORDINANCE AMENDING CHAPTER 15.04 OF THE LAKE DALLAS MUNICIPAL CODE, BY AMENDING SECTION 15.04.025D, PROVIDING EXPERIENCE AND TESTING REQUIREMENTS-ACTION.

Bob Willis stated this ordinance would amend the licensing requirements for electricians working in the City of Lake Dallas. This would require all electricians working in the city to show proof of passing an electrician test for a master and journeyman license.

Bruce Martin requested changing Section 3 the word "remaining" to "remain".

David Shershen moved to approve the ordinance amending Chapter 15.04 of the Lake Dallas Municipal Code, by amending Section 15.04.025D, providing experience and testing requirements. Garry Bills seconded the motion and it carried unanimously.

XVI. CONSIDER REZONING TRACT 54, ABSTRACT 1355A OF THE WRIGHT SURVEY FROM R-3 TO R-1-6000-ACTION.

Richard Neely with Baylor Health Care Systems, stated they are the owners of the property. Baylor's intent is to continue running the property as apartments and to sell them to an investor. The property is currently being managed by Jackson Realtors out of Lewisville.

Matt Flanagan moved to deny the rezoning of Tract 54, Abstract 1355A of the Wright Survey from R-3 to R-1-6000. Thanna Bounds seconded the motion and it carried with Garry Bills and Bruce Martin against.

XVII. DISCUSSION AND CONSIDERATION REGARDING AMENDING THE FIRE DEPARTMENT BUDGET FOR UNEXPECTED MAINTENANCE EXPENSE FOR REPAIR OF TWO ENGINES-ACTION.

David Shershen moved to approve amending the fire department budget for $3,118.05 for unexpected maintenance expense for repair of two engines. Garry Bills seconded the motion and it carried unanimously.

XVIII. DISCUSSION AND CONSIDERATION REGARDING APPOINTMENT OF AN ATTORNEY TO REPRESENT THE BOARD OF ADJUSTMENT-ACTION.

Mayor McCutcheon stated that Frank Barnard has requested that the Board of Adjustment reconsider his variance request and rescind their decision on his variance request.

David Berman, City Attorney, stated that the Board of Adjustment would have to reconvene and consider Mr. Barnard's request. If the Board does, at Mr. Barnard's request, in a public meeting reconsider and reverse their decision the pending litigation becomes moot and is dismissed. If the council feels Mr. Barnard is going to make his request to the Board of Adjustment, then there would be no reason to appoint an attorney to represent the Board of Adjustment.

Clyde Edwards, 108 Dobbs Road, Chairman of the Board of Adjustment, stated that he has a couple of things that need to be addressed: 1) after speaking with four attorneys, they agreed that this pending litigation is ridiculous, he feels that maybe they should try to get together and reach a compromise. He and several of the attorneys felt there was a conflict of interest. He also stated that several attorneys informed him it would cost $20,000.00 to handle this litigation. He also stated that as Chairman of the Board of Adjustment he no longer has confidence in Mr. Berman to be of benefit in the meetings. 2) Mr. Edwards congratulated Mr. Barnard for what he has done to dismiss the pending litigation. 3) Mr. Edwards stated that at the last meeting there were some personal comments made in his direction and he does not like to be degraded publicly. He stated he did not feel this was the place for it and he has tried to maintain this above board and business like and he would appreciate it if you would talk to your councilman and that we start cleaning our own house in order to prevent negativism, law suits and lies. Mr. Edwards stated as Chair of the Board he will accept Frank Barnard's motion and he feels it is the right thing to do and that everyone should take their hats off to Mr. Barnard.

Mayor McCutcheon replied that he thinks everyone has learned some lessons out of this thing and that possibly the city should share some responsibility. This should have been a zoning issue, not a Board of Adjustment issue. Mayor McCutcheon stated that he would encourage Mr. Barnard to put his request in writing to the Board of Adjustment and then the Board could take whatever actions they deemed necessary.

Mr. Edwards stated that he has been in the heating and air conditioning business for ten years, and probably eight out of nine of his contractors work out of their homes. Mr. Edwards stated he has done a lot of research and that everyone needs a lot of schooling.

Mayor McCutcheon replied that the ordinance needs to be restructured. The ordinance could be structured so that the type of business is not listed, but by listing problems that could be created by home occupations.

David Berman, City Attorney, stated that he was personally offended by Clyde Edward's comments. Mr. Edwards is the Chairman of the Board, but any one individual is not the entire Board. Mr. Berman stated that Mr. Edwards statement that it would cost $20,000.00 to litigate this issue is flatly wrong. Mr. Berman stated that he agrees that the Board needs to get some training.

Frank Barnard stated that he will write a letter to the Board of Adjustment for them to reconsider his variance petition.

Matt Flanagan moved that pursuant to Mr. Barnard's request for the Board of Adjustment to reconvene and act on his petition, and pending the Board's actions, the appointment of an attorney for the Board of Adjustment be tabled. David Shershen seconded the motion and it carried unanimously.

XIX. PROCLAMATION DESIGNATING APRIL, 1996 AS SEXUAL ASSAULT AWARENESS MONTH.

Proclamation read by Mayor McCutcheon.

XX. PROCLAMATION DESIGNATING APRIL, 1996 AS CHILD ABUSE AWARENESS MONTH.

Proclamation read by Mayor McCutcheon.

XXI. DISCUSSION AND CONSIDERATION REGARDING APPOINTMENT OF ALTERNATE MEMBERS TO THE PLANNING AND ZONING COMMISSION-ACTION.

David Shershen moved to approve appointing Diane Byers and Teri McCool as alternate members to the Planning and Zoning Commission. Bruce Martin seconded the motion and it carried unanimously.

XXII. PARK AND RECREATION.

A. DISCUSSION AND CONSIDERATION REGARDING FENCING OF CITY PARK AT HUNDLEY AND SHADY SHORES-ACTION.

Tammy Hite stated that the soccer association came to their April meeting with a concern about the fencing on the Hundley side of the park.

Bruce Martin moved to approve replacing the section that is missing and repair any damaged portion of the fence, and continuing to inspect and repair the fence on a weekly basis. David Shershen seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING FOURTH OF JULY FIREWORKS SHOW-ACTION.

David Shershen moved to approve the request of the Lake Cities Community Action Committee to put on a Fourth of July fireworks show at a cost of $4,500.00 and to sign a contract with Kaleidoscope for the fireworks. Thanna Bounds seconded the motion and it carried unanimously.

XXIII. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of April. Thanna Bounds seconded the motion and it carried unanimously.

XXIV. OLD BUSINESS.

No Old Business.

XXV. NEW BUSINESS.

A. Bruce Martin stated that Rod Courtney contacted him in regard to the possibility of a workshop session between the Planning and Zoning Commission, the Board of Adjustment and the City Council.

Matt Flanagan stated that he had talked with Sherrel James and that he had suggested that just the Planning and Zoning Commission and the Board of Adjustment meet first.

B. Bruce Martin stated that he had an item that is addressed to another councilmember that he thinks effects the council, therefore it will be addressed in a public forum. He would like clarification from Mr. Shershen with regard to a comment that has been attributed to him. That during a public meeting Mr. Shershen has said to have made a statement regarding a person who was recently arrested. That if we had a different Mayor and Council the arrest would have never had taken place. If Mr. Shershen did not make this statement I would like to know what he said that could be construed as such. If he did make the statement, I would like an apology to this Council.

David Shershen replied to be honest I have never said that if there was another Mayor and City Council, so and so would have never been arrested. I do not know anybody that has been arrested recently. I would have never made that statement, because first of all and I am going to ask the Chief of Police to verify this, I have never gone into the police department and I have never said that was a bad arrest and should not have happened or questioned them, number one. Number two, I do not know of anybody that has been arrested recently or as of late. Number three, I would never make that public statement, I would never make it a private statement, that if we had another Mayor and City Council that person would have never been arrested. I

give you my word as a gentleman. I have never made that statement. As a matter of fact there is a number of statements that if attributed to me associated with that statement and a candidate for political office there or there I basically stay out of this situation as of late because I have been so busy working, number one. Number two, I am just tired of all the mud slinging and all the rumors and all this and the that. I give you my word. I have never made that statement. I do not know anybody that has been arrested lately, really. Secondly, and lastly, I sit on this council, and if it was part of this council then I was just as much responsible for that person being arrested and I do not think this council has anybody arrested, because the police department arrests people.

Bruce Martin replied, I am just letting you know David that I have heard it from two different sources.

David Shershen replied, I would like to know who it was in reference too and if you could call me on that I would really appreciate it, because I have never made that statement, that I know of whether conscious or unconscious.

C. Matt Flanagan requested that the R-1-6000 ordinance needs to be addressed on building material that are allowed. Also, look at rewrite the ordinance for specifications on storage buildings.

D. Barbara Starkey requested a meeting with the city council for discussion and approval for renewal of the health insurance contract. The council schedule a meeting for April 18, 1996 at 6:00 p.m.

XXVI. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

Patricia Chapman

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
APRIL 18, 1996, 6:00 P.M.

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor Pro Tem Matt Flanagan with the following members present:

Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With Mayor Jerry McCutcheon and Council Member Bruce Martin absent, the following business was transacted:

II. DISCUSSION AND CONSIDERATION REGARDING HEALTH INSURANCE BENEFITS FOR CITY EMPLOYEES-ACTION.

David Shershen moved to approve renewing health insurance coverage with Aetna HMO. Garry Bills seconded the motion and it carried unanimously.

III. ADJOURNMENT.

Garry Bills moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

Matt Flanagan, Mayor Pro Tem

ATTEST:

~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
MAY 9, 1996

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Matt Flanagan, Mayor Pro Tem
Garry Bills, Council Member
Thanna Bounds, Council Member
Bruce Martin, Council Member
David Shershen, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in April, 1996 with the following corrections: April 11, 1996, Section IV. Paragraph 4 and Paragraph 5 change the word "Perry" to "Curry", also Section IV. Paragraph 6, change the word "Bound" to "Bounds". Garry Bills seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Rod Courtney, 162 Kingswood, congratulated Mayor McCutcheon on his re-election and Bobby Shikle and Stephen Wohr on their election to the City Council. He also thanked Matt Flanagan and Garry Bills for their years of service on the City Council. He asked the council to look at trying to change the proposed bridge route from Swisher Road to Dobbs Road. Also look at acquiring Willow Grove Park for the use of the sports organizations. He also requested looking at a beautification program for the City and Main Street.

Stephen Wohr, 715 Lakeland, thanked Matt Flanagan and Garry Bills for their service and efforts to the City of Lake Dallas.

Linwood Gilliland, 703 Payton, thanked the citizens for getting out and voting. He also thanked Matt Flanagan and Garry Bills for their years of service to the City.

Bobby Shikle, 712 Thompson Drive, thanked Matt Flanagan and Garry Bills for all their efforts in the community.

Close Citizen's Agenda.

V. PUBLIC HEARING.
CONSIDER A FINAL RE-PLAT OF HARBORTOWN VILLAS PHASE I. THIS PROPERTY IS LOCATED AT BLOCK 1, LOTS A, B, & C, BLOCK 2, LOTS A, B, & C, BLOCK 3, LOTS A, B, & C, BLOCK 4, LOTS A, B, & C, BLOCK 5, LOTS A, B, & C, BLOCK 8, LOTS A, B, & C, BLOCK 9, LOTS A, B, & C, BLOCK 13, LOTS A, B, & C, BLOCK 14, LOTS A, B, & C, AND THE ADJOINING COMMON AREAS.

Dennis Miller, 711 Cain Street, stated that the common area the developer is planning on building on is currently a drainage area and he is concerned about how the drainage in the area will be changed, if this common area is developed. He is also concerned that if the common area is built on there will be no common area left and would like to see if some park area could be obtained. Could the City look at acquiring the property on Main Street that is currently in the flood plain.

Matt Flanagan stated that the prospective developer for the Archer property may be willing to dedicate some of the property in the flood plain area along Main Street as park areas.

David Brooks, 11 Greentree Drive, Bedford, Texas, representing the developer for Harbortown Villas, stated that they have plans to construct forty-three (43) single family attached homes to be sold individually. The homes will be all brick with a two car garage, and priced between $78,000.00 - $110,000.00. Mr. Brooks stated that they have had a drainage study done and they have made a provision to accommodate the water in the area to drain between two of the large lots connecting with drainage for the property and project that may be coming in behind their development.

Matt Flanagan asked Mr. Brooks if they would put Mrs. Kovsky's request for a single story home to be built on lot 13 in writing.

Mr. Brooks, stated that he gave Mrs. Kovsky his word last week that a single story home would be built on lot 13. Mr. Brooks stated that they would be putting up six foot fences along the property to provide some screening between them and the adjoining property.

Mayor McCutcheon requested that there not be two fences placed between the properties, because the area between the fences becomes a maintenance problem, also could rear gates be included in the fences.

Mr. Brooks stated that they have written a covenant for this development that covers the maintenance issues and requirements of the city ordinances in regard to the owners responsibility to maintain alleyways.

Melody Daughtery, 312 Stately Oak, stated that the City does not have adequate fire protection now, how is the City going to adequately protect additional homes.

Mayor McCutcheon replied that the City has already made a commitment to upgrade the fire department.

Stephen Wohr asked if the current common area is going to be built on, will you designate any other common area.

David Brooks replied that they will not add any other common areas for the development. They will not build any parks or a swimming pool. They are simply trying to build forty-three (43) real nice brick homes at an affordable price.

Veronica Peters, 215 Gotcher, stated they pay a $50.00 monthly maintenance fee to provide upkeep to their condominiums, tennis courts, and swimming pool. Are your residents going to help pay for this upkeep?

David Brooks replied that they will have their own home owners association and fees.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Matt Flanagan moved to approve the final re-plat of Harbortown Villas Phase I, Block 1, Lots A, B, & C, Block 2, Lots A, B, & C, Block 3, Lots A, B, & C, Block 4, Lots A, B, & C, Block 5, Lots A, B, & C, Block 8, Lots A, B, & C, Block 9, Lots A, B, & C, Block 13, Lots A, B, & C, Block 14, Lots A, B, & C, and the adjoining common areas pending final approval of the re-plat from Lake Cities Municipal Utility Authority, and granting variances for a twenty foot front setback, a ten foot rear setback, a five foot side setback, and a fifteen foot side setback on the street side of a corner lot. David Shershen seconded the motion and it carried unanimously.

VII. PUBLIC HEARING.
CONSIDER A FINAL PLAT FOR A 0.452 ACRE TRACT OF LAND IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924.

John Donahue, 203 Hickory, Hickory Creek, Texas, representing Mrs. Ashford the owner of the property. Mrs. Ashford is dividing her property and selling the corner lot. He

will be building a home on this lot that will meet all requirements of the city zoning ordinances.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Garry Bills moved to approve the final plat for a 0.452 acre tract of land in the M.E.P. & P.R.R. Survey, Abstract 924. David Shershen seconded the motion and it carried unanimously.

IX. CITY OFFICIALS ELECTION HELD ON MAY 4, 1996.

A. OFFICIAL CANVASS OF VOTES.

The Mayor and City Council canvassed the votes and determined that a total of 1857 valid and legal votes were cast as follows:

FOR MAYOR:	
Rod Courtney	308
Jerry McCutcheon	319
FOR COUNCILMEMBER PLACE 2:	
Bobby Shikle	218
Matt Flanagan	193
Winston Harper	64
Tammy Dodson-Hite	139
FOR COUNCILMEMBER PLACE 4:	
Stephen Wohr	276
Diane Byers	137
Ken Stapleton	203

B. CONSIDER APPROVAL OF A RESOLUTION DECLARING RESULTS OF GENERAL ELECTION-ACTION.

David Shershen moved to approve a resolution accepting said election returns declaring Jerry McCutcheon as Mayor, Bobby Shikle as Councilmember Place 2, and Stephen Wohr as Councilmember Place 4. Thanna Bounds seconded the motion and it carried unanimously.

X. DISCUSSION AND CONSIDERATION REGARDING AMENDING THE BUDGET FOR ENGINEERING EXPENSES IN REGARD TO DOBBS ROAD DRAINAGE STUDY-ACTION.

Mayor McCutcheon reported that Roland Jary with Metroplex Engineering has informed him that FEMA would fund the drainage study for Dobbs Road, but not his engineering fees. Currently, Mr. Jary has billed the city for about $300.00. Mayor McCutcheon reported that he and Johnny Webber had understood through Mr. Jary that FEMA would pay for all expenses associated with the study, including his engineering fees.

The council discussed several problems that the City is currently experiencing with Roland Jary in reference to his performance of unauthorized work for the City.

Matt Flanagan moved to disapprove amending the budget for engineering expenses in regard to Dobbs Road drainage study, and to not pay current unauthorized charges. David Shershen seconded the motion and it carried unanimously.

XI. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

Matt Flanagan moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts. David Shershen seconded the motion and it carried unanimously.

XII. DISCUSSION AND CONSIDERATION REGARDING PLACING A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits. Garry Bills seconded the motion and it carried unanimously.

XIII. DISCUSSION REGARDING CITY CONTRACTORS AND CONSIDER ACTION.

Mayor McCutcheon reported that several contractors that the City is currently doing business with owe back property taxes to the City.

The council discussed that tax payers money, spent by the City should not be spent with contractors that currently owe back taxes to the City.

Bruce Martin moved to have the City of Lake Dallas suspend doing business with any city contractor, subcontractor, or any business not current on city taxes effective immediately. Matt Flanagan seconded the motion and it carried unanimously.

XIV. CONSIDER RENEWAL OF LEASE AGREEMENT WITH THE LAKE CITIES CHAMBER OF COMMERCE FOR THE COMMUNITY MEETING ROOM, AT THE LAKE DALLAS COMMUNITY CENTER-ACTION.

Bruce Martin moved to approve the renewal of the lease agreement with the Lake Cities Chamber of Commerce for the community meeting room at the Lake Dallas Community Center. David Shershen seconded the motion and it carried unanimously.

XV. PROCLAMATION DESIGNATING THE WEEK OF MAY 15TH AS NATIONAL POLICE WEEK AND THE DAY OF MAY 15TH AS PEACE OFFICER'S MEMORIAL DAY.

Proclamation read by Mayor McCutcheon.

XVI. PROCLAMATION DESIGNATING THE WEEK OF MAY 18TH THROUGH MAY 24TH AS NATIONAL SAFE BOATING WEEK.

Proclamation read by Mayor McCutcheon.

XVII. PARK AND RECREATION.

A. PRESENTATION OF GARZA DAY, JUNE 10, 1995, FINANCIAL STATEMENT.

The Garza Day financial statement for June 10, 1995 was presented by Harriet Hart.

B. PRESENTATION OF CAROLYN GREEN SCHOLARSHIP BRUNCH, APRIL 20, 1996, FINANCIAL STATEMENT.

The Carolyn Green Scholarship Brunch financial statement for April 20, 1996 was presented by Harriet Hart.

C. CONSIDER PLANS FOR GARZA DAY, JUNE 1, 1996-ACTION.

Harriet Hart stated the activities planned for Garza Day include:

1. Entertainment, including a street dance on Friday, May 31st, from 8:00 p.m. to 12:00 a.m. at the School Administration Building parking lot. The carnival rides will be provided by Kaiser Rides on Thursday, Friday, and Saturday.
2. Arts and Crafts, and Food Booths at a cost of $20.00 if reserved and purchased in advance and $25.00 if purchased on June 1st.
3. Talent Show
4. Parade will start at 10:00 a.m. and the Grand Marshall will be Rod Southern, the principal of Lake Dallas Middle School.
5. The theme for this year will be "Our Children Are Our Future".

6. The Park and Recreation Board request that miscellaneous funds be used to purchase a tarp for the stage.

Thanna Bounds moved to approve all Garza Day events. David Shershen seconded the motion and it carried unanimously.

D. CONSIDER PLANS FOR JULY 4TH, 1996 CELEBRATION-ACTION.

David Shershen moved to approved for the fireworks show to be held on July 3rd at 9:30 p.m. and the parade to be held on July 4th at 10:00 a.m. Thanna Bounds seconded the motion and it carried with Matt Flanagan opposed.

XVIII. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of May. Garry Bills seconded the motion and it carried unanimously.

XIX. OLD BUSINESS.

Mayor McCutcheon reported that during the Park and Recreation Board meeting citizens had received some information that the City of Lake Dallas was going to do away with the athletic fields located at the park. The citizens were told that they had been given some wrong information. The citizens were encouraged to form committees of parents of the different sports organizations to discuss issues they might be concerned about and then report back to the Park and Recreation Board.

The council continued discussion in regard to obtaining present and future needs from the different sports organizations so that plans could continue for development of the park.

XX. NEW BUSINESS.

No New Business.

XXI. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
MAY 14, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:10 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Council Member Thanna Bounds arriving at 7:15 p.m. and all other members present, the following business was transacted:

II. OATHS OF OFFICE.

City Secretary, Barbara Starkey administered the Oath of Office to Jerry McCutcheon as newly elected Mayor. Mayor McCutcheon administered the Oath of Office to Bobby Shikle and Stephen Wohr as newly elected Council Members.

III. APPOINTMENT OF MAYOR PRO TEM-ACTION.

Thanna Bounds moved to nominate Bruce Martin as Mayor Pro Tem. Stephen Wohr seconded the motion.

Stephen Wohr moved to nominate David Shershen as Mayor Pro Tem. Bobby Shikle seconded the motion.

Mayor McCutcheon called for a vote for Bruce Martin. Bruce Martin received two votes, Thanna Bounds and Bruce Martin. Mayor McCutcheon called for a vote for David Shershen. David Shershen received three votes, Bobby Shikle, Stephen Wohr and David Shershen. David Shershen was appointed as Mayor Pro Tem.

IV. APPOINTMENT OF LIAISON TO THE PLANNING AND ZONING COMMISSION-ACTION.

Mayor McCutcheon appointed Stephen Wohr as Liaison to the Planning and Zoning Commission.

V. APPOINTMENT OF LIAISON TO THE PARK AND RECREATION BOARD-ACTION.

Mayor McCutcheon appointed Thanna Bounds as Liaison to the Park and Recreation Board.

VI. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY AND SETTLEMENT NEGOTIATIONS REGARDING PENDING LITIGATION; HILLS ON THE LAKE JOINT VENTURE V. CITY OF LAKE DALLAS.

The City Council entered into Executive Session at 7:20 p.m.

The City Council reconvened into open session at 9:00 p.m.

VII. ACTION ON EXECUTIVE SESSION.

Bruce Martin moved to continue with discussion on a preliminary plan with the developer for the property owned by Hills on the Lake Joint Venture. Stephen Wohr seconded the motion and it carried unanimously.

VIII. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~Barbara Starkey~~, City Secretary

PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AND THE PLANNING AND ZONING COMMISSION
JUNE 6, 1996, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following members present:

City Council Members:
Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member

Planning and Zoning Members:
Sherrel James, Chairman
Chuck Dalton, Vice Chairman
Mike Fahey
Linwood Gilliland
Barbara Starkey, City Secretary

With Council Member Bruce Martin and Planning and Zoning Commission Member Kevin Spraggins absent, the following business was transacted:

II. WORKSHOP.
DISCUSSION WITH DEVELOPER REGARDING A PRELIMINARY PLAN FOR M.E.P. & P.R.R. SURVEY, TRACT 71 & TRACT 62.

The City Council and the Planning and Zoning Commission discussed a conceptual plan presented by Doyle Cameron for the property. The proposed development would be for single family homes with 5000 square foot lots. Doyle Cameron will finalize the plans from the discussion and present a preliminary plan for the Planning and Zoning Commission and the City Council to review in July.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Bobby Shikle seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary

PATRICIA CHAPMAN

~~Jerry~~ McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JUNE 13, 1996

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

David Shershen moved to approve the minutes of meetings held in May, 1996. Stephen Wohr seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Carolyn Green, 201 N. Shady Shores Road, invited everyone to Swisher Cemetery to help with a clean-up of the cemetery. The clean-up will begin at 8:00 a.m. on Saturday, June 15th.

Donny Scott, 2606 Skyview, representing the Lake Cities Soccer Association, the soccer and football associations would like to work out an arrangement with the city to continue to be able to use the park and work with the Park and Recreation Board on a long term plan for the park.

Bob Davis, 68 Lake Ridge, stated that he attended the Park and Recreation Board meeting and there was not a quorum present, but it was a very productive meeting. He would encourage the council to move forward with the plans for the park. He would also like to encourage the council to review and reconsider some of the city ordinances.

Linwood Gilliland, 703 Payton, stated that the Planning and Zoning Commission is working on reviewing several of the ordinances.

Gene Tisdale, stated that he does not think that the ordinance for moving buildings should have anything to do with mobile homes.

Bonnie Brown Garcia, P.O. Box 25, stated that she would like to see the agenda be more user friendly.

Laird Lind, 34 Lakewood, Hickory Creek, stated that he would like some more information on the preliminary plan for M.E.P. & P.R.R. Survey, Tract 62 & Tract 71.

Close Citizen's Agenda.

V. STREET DEPARTMENT.

A. DISCUSSION AND CONSIDERATION REGARDING THE RENOVATION OF MEADOWBROOK AND KINGSWOOD-ACTION.

Roland Jary with Metroplex Engineers stated that he has received the Geo Technical report and is ready to proceed with plans for the bidding process and construction of Meadowbrook and Kingswood.

Bobby Shikle moved to approve Metroplex Engineers to proceed with the design plans for the street project for Meadowbrook with six to eight inches of stabilization and two inches of asphalt overlay, and a project for Kingswood with twelve inches of stabilization and two inches of asphalt overlay, with the plans to be presented to the council for review at the July 11th City Council meeting. David Shershen seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING PAYMENT TO DBR CONSTRUCTION FOR THE COMPLETION OF THE CARLISLE CULVERT PROJECT-ACTION.

Thanna Bounds moved to approve the payment of $29,400.00 to DBR Construction for the Carlisle Culvert project. Stephen Wohr seconded the motion and it carried unanimously.

VI. DISCUSSION AND CONSIDERATION REGARDING A REQUEST FROM B. L. ARCHER FOR AN EXCEPTION TO THE MORATORIUM ON R-3 DISTRICTS IN REGARD TO A PRELIMINARY PLAN FOR M.E.P. & P.R.R. SURVEY, TRACT 62 & TRACT 71-ACTION.

Stephen Wohr moved to approve the request from B. L. Archer for an exception to the moratorium on R-3 districts in regard to a preliminary plan, specifically to the conceptual plan presented by D. R. Cameron and Associates, for a modified R-1-6000, single family housing project, for M.E.P. & P.R.R. Survey, Tract 62 & Tract 71. David Shershen seconded the motion and it carried unanimously.

VI. A. DISCUSSION AND CONSIDERATION REGARDING A REQUEST FROM RANDY G. JONES FOR AN EXCEPTION TO THE MORATORIUM ON SIGN PERMITS IN REGARD TO THE OPENING OF A NEW BUSINESS AT 604 S. DENTON DRIVE-ACTION.

Bobby Shikle moved to approve the request from Randy G. Jones for an exception to the moratorium on sign permits for the business at 604 S. Denton Drive. David Shershen seconded the motion and it carried unanimously.

VII. PLANNING AND ZONING.

A. DISCUSSION AND CONSIDERATION REGARDING THE PLANNING AND ZONING COMMISSION MEMBERS TERMS AND CONSIDER APPOINTMENT OF A MEMBER TO THE PLANNING AND ZONING COMMISSION-ACTION.

David Shershen moved to approve moving Diane Byers from first alternate member to a regular member to the Planning and Zoning Commission. Stephen Wohr seconded the motion and it carried unanimously.

David Shershen moved to have the Chairman of the Planning and Zoning Commission contact Tammy Hite and Ben Gilbert in regard to an interview as an alternate member to the Planning and Zoning Commission. Thanna Bounds seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING THE APPROVAL OF AN ORDINANCE REPEALING CHAPTER 15.20, MOVING BUILDINGS, OF THE LAKE DALLAS MUNICIPAL CODE, AND CREATING A NEW CHAPTER 15.20, MOVING BUILDINGS-ACTION.

Bobby Shikle moved to table repealing Chapter 15.20, Moving Buildings of the Lake Dallas Municipal Code, and creating a new Chapter 15.20, Moving Buildings. Thanna Bounds seconded the motion and it carried with Stephen Wohr opposed.

C. DISCUSSION AND CONSIDERATION REGARDING THE APPROVAL OF AN ORDINANCE REPEALING CHAPTER 15.24, FLOOD DAMAGE PREVENTION, OF THE LAKE DALLAS MUNICIPAL CODE, AND CREATING A NEW CHAPTER 15.24, FLOOD DAMAGE PREVENTION-ACTION.

David Shershen moved to approve an ordinance repealing Chapter 15.24, Flood Damage Prevention, of the Lake Dallas Municipal Code and creating a new Chapter 15.24, Flood Damage Prevention. Bobby Shikle seconded the motion and it carried unanimously.

D. DISCUSSION REGARDING MASONRY REQUIREMENT IN ALL ZONING DISTRICTS IN THE CITY OF LAKE DALLAS.

Stephen Wohr stated that the Planning and Zoning Commission is currently reviewing the eighty percent masonry requirements.

E. DISCUSSION AND CONSIDERATION REGARDING AN AMENDMENT TO CHAPTER 5.28, TOWING SERVICES, OF THE LAKE DALLAS MUNICIPAL CODE-ACTION.

Stephen Wohr moved to amend Chapter 5.28, Towing Services, Section 5.28.020(B) as follows: Towing services which are in compliance with all laws regulating the towing and storage of vehicles, which comply with the requirements of this chapter, and which operated and whose principle place of business and vehicle storage facility is located within the city limits of the City of Lake Dallas shall be considered preferred towing services and shall be the primary towing service requested by police officers on a rotational basis. In the event any preferred towing service cannot provide the service requested, the police department is authorized to contact the next available non-preferred rotational towing service that can provide the requested service. If no towing service on rotation can provide a requested service, the police department may contact any towing service that can provide the service requested. David Shershen seconded the motion and it carried unanimously.

VIII. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts. Stephen Wohr seconded the motion and it carried unanimously.

IX. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits. Thanna Bounds seconded the motion and it carried unanimously.

X. CONSIDER APPROVAL OF A RESOLUTION NOMINATING ONE MEMBER TO THE BOARD OF MANAGERS OF THE DENCO AREA 9-1-1 DISTRICT-ACTION.

David Shershen moved to approve a resolution nominating Don Franklin to the Board of Managers of the DENCO Area 9-1-1. Thanna Bounds seconded the motion and it carried unanimously.

XI. DISCUSSION AND CONSIDERATION REGARDING APPROVAL OF BIDS FOR PAINTING THE LAKE DALLAS COMMUNITY CENTER-ACTION.

Stephen Wohr moved to approve acceptance of the bid from Lyle Shelton at a cost of $2,391.50 for painting the Lake Dallas Community Center. David Shershen seconded the motion and it carried unanimously.

XII. DISCUSSION AND CONSIDERATION REGARDING A COOPERATIVE PURCHASING AGREEMENT-ACTION.

David Shershen moved to approve the cooperative purchasing agreement with Denton County. Thanna Bounds seconded the motion and it carried unanimously.

XIII. PROCLAMATION DESIGNATING THE WEEK OF EACH YEAR THAT BEGINS WITH FATHER'S DAY AS TEXAS PROSTATE CANCER AWARENESS WEEK.

Proclamation read by Mayor McCutcheon.

XIV. DISCUSSION AND CONSIDERATION OF CHANGING CITY EMPLOYEES PAY PERIODS-ACTION.

David Shershen moved to approve changing city employees pay periods to a fourteen day pay period beginning July 1, 1996, creating twenty-six pay periods per year. Bobby Shikle seconded the motion and it carried unanimously.

XIV. B. PRESENTATION OF CERTIFICATES OF APPRECIATION TO MATT FLANAGAN AND GARRY BILLS.

Presentation to Garry Bills made by Mayor McCutcheon. Presentation to Matt Flanagan will be made at the July 11th city council meeting.

XV. DISCUSSION AND CONSIDERATION REGARDING ESTABLISHING A COMMITTEE TO STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK-ACTION.

Mayor McCutcheon stated that in the past the city did have the park leased from the Corp of Engineers, but the citizens of Lake Dallas did not use the park. The City also had problems with the Corp interrupting any plans or development the city had for the park. Mayor McCutcheon feels city funds should be used to develop the seventeen acre park at Hundley and Shady Shores.

Mayor Pro Tem David Shershen stated that he would like to see a committee formed by citizens of Lake Dallas to do a feasibility study in regard to re-opening Willow Grove Park.

David Shershen moved to establish an Ad-Hoc Committee for the purpose of studying the possibility of re-opening Willow Grove Park. Thanna Bound seconded the motion and it carried unanimously.

XVI. PARK AND RECREATION.

A. DISCUSSION AND CONSIDERATION REGARDING APPROVAL OF A FACILITY USE AGREEMENT-ACTION.

David Shershen moved to approve a facility use agreement adding geographical location for each sports association, effective for one year beginning July 1st and all parties are in agreement to the thirty day termination notice, and giving approval for the Mayor to sign the Facility Use Agreement. Thanna Bounds seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION OF ADDING ALTERNATE MEMBERS-ACTION.

Tammy Hite requested that the council revised the Park and Recreation Board ordinance to allow for alternate members, because of the problems with attendance and being able to have a quorum present.

Stephen Wohr moved to table adding alternate members to the Park and Recreation Board pending review of the ordinance. David Shershen seconded the motion and it carried unanimously.

C. DISCUSSION AND CONSIDERATION REGARDING CITY PERSONNEL ATTENDANCE AS SECRETARY TO PARK AND RECREATION BOARD MEETINGS-ACTION.

Tammy Hite requested that the council appoint a secretary from the city administrative office to attend their meetings.

Stephen Wohr moved to have the City Secretary look into the cost and availability of hiring a temporary person or for a person in the administrative department to attend and take the minutes at the Park and Recreation Board meetings, and also look at solving the problem of opening the front door at City Hall. Thanna Bounds seconded the motion and it carried unanimously.

D. PRESENTATION OF GARZA DAY, JUNE 1, 1996, FINANCIAL STATEMENT.

The Garza Day financial statement for June 1, 1996 was not available.

E. DISCUSSION AND REVIEW OF THE LAKE CITIES COMMUNITY ACTION COMMITTEE.

Mayor McCutcheon stated that he has received some calls about the meeting location of the Lake Cities Community Action Committee, concerning the committee meeting at locations that are serving alcohol. Possibly the committee could look at changing their meeting location to the Lake Dallas Community Center.

XVII. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of June. Thanna Bounds seconded the motion and it carried unanimously.

XVIII. OLD BUSINESS.

A. DISCUSSION AND CONSIDERATION REGARDING ESTABLISHING A COMMITTEE FOR A REVITALIZATION PROGRAM FOR MAIN STREET-ACTION.

Mayor Pro Tem David Shershen stated that he would like to see a committee formed by citizens of Lake Dallas to study what can be done to revitalize Main Street and then report back to the council.

Stephen Wohr moved to establish an Ad-Hoc Committee, including one member from the city council and each of the city boards and commissions, for the purpose of a possible revitalization program for Main Street. David Shershen seconded the motion and it carried unanimously.

XIX. NEW BUSINESS.

Mayor McCutcheon stated that the city may need to hire a temporary building inspector, because the City of Corinth is extremely busy, and pending the hiring of a new building inspector.

Bobby Shikle stated that he would like the council to review the ordinance regarding concrete parking lots.

XX. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

JERRY MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JUNE 27, 1996, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Stephen Wohr arriving at 6:45 p.m. and all other members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: INTERVIEW APPLICANTS FOR THE POSITION OF BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER.

The City Council entered into Executive Session at 6:30 p.m.

The City Council reconvened into open session at 8:25 p.m.

III. ACTION ON EXECUTIVE SESSION.

Bruce Martin moved to approve hiring candidate number one based on the city attorney's decision regarding the job posting of the position being open until July 3rd, at a salary at the top of the scale. David Shershen seconded the motion and it carried unanimously.

IV. WORKSHOP.

A. DISCUSSION REGARDING CHAPTER 15.16 OF THE LAKE DALLAS MUNICIPAL CODE IN REFERENCE TO THE SIGN CODE.

The City Council discussed revising the sign code in regard to sign design, billboards, political signs, garage sale signs and redefining a temporary sign. City employees will obtain copies of sign ordinances from other cities for a workshop to be held on July 10, 1996.

B. DISCUSSION REGARDING HOME OCCUPATIONS.

The City Council discussed defining home occupations based on impact to the surrounding neighborhood. The City Council will continue with research and hold a workshop on July 10, 1996.

V. PARK AND RECREATION BOARD.

A. ACCEPT RESIGNATION FROM TAMMY HITE AS CHAIRPERSON OF THE PARK AND RECREATION BOARD.

Bruce Martin moved to approve accepting Tammy Hite's resignation as chairperson of the Park and Recreation Board. David Shershen seconded the motion and it carried unanimously.

B. CONSIDER APPOINTMENT OF A CHAIRPERSON FOR THE PARK AND RECREATION BOARD-ACTION.

Stephen Wohr moved to approve appointing Harriet Hart as chairperson for the Park and Recreation Board. Bruce Martin seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~Barbara Starkey,~~ City Secretary

PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JULY 10, 1996, 6:30 P.M.

I. ROLL CALL.

The meeting was called to order at 6:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With David Shershen arriving at 6:35 p.m. and all other members present, the following business was transacted:

II. WORKSHOP.

A. DISCUSSION REGARDING CHAPTER 15.16 OF THE LAKE DALLAS MUNICIPAL CODE IN REFERENCE TO THE SIGN CODE.

The City Council discussed possible revisions to Chapter 15.16 of the Municipal Code, Sign Code in regard to off site commercial advertising, temporary signs and political signs.

B. DISCUSSION REGARDING HOME OCCUPATIONS.

The City Council discussed possible revisions to Chapter 18.12.030 of the Municipal Code regarding redefining home occupation.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey,~~ City Secretary
Patricia Chapman

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
JULY 11, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Barbara Starkey, City Secretary

With Council Member Stephen Wohr arriving at 7:25 p.m. and all other members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: DISCUSSION REGARDING THE OPEN MEETINGS ACT.

The City Council entered into Executive Session at 7:00 p.m.

Council Member Stephen Wohr arrived at 7:25 p.m.

The City Council reconvened into open session at 7:50 p.m.

III. ACTION ON EXECUTIVE SESSION.

No action taken.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in June, 1996. David Shershen seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Victoria Burleson, 601 Carlisle, stated she has some concerns about an increase in traffic on Carlisle because of the billboard directing traffic to the new Harbortown Subdivision using Carlisle.

Bob Davis, 68 Lake Ridge, stated he would like the council to look at moving items around on the agenda to accommodate the citizens in attendance, he also would like to see a citizen's committee to work on revising current ordinances, and he feels that signs should not be restricted during elections.

Carolyn Green, 201 N. Shady Shores Road, invited the City Council to a volunteer appreciation day for the Lake Cities Volunteer fire fighters on July 27th at Lake Haven at 11:00 a.m. Ms. Green also feels the budget should concentrate on the health and well-being of the community, including streets, the police department and the fire department.

Margaret Tisdale, 509 Howard Drive, thanked the city for cleaning out the alley between Prince Drive and Kings Manor.

Ernie Barrett representing the Lake Cities Community Action Committee thanked the City for their participation and support in the Fourth of July Celebration.

Close Citizen's Agenda.

VII. PUBLIC HEARING.
CONSIDER APPROVAL OF A PRELIMINARY PLAN FOR TRACT 62, TRACT 71 AND 2.9 ACRES OF TRACT 86 IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924.

Doyle R. Cameron, 2300 Highland Village Road, stated he has reviewed the items on the letter dated June 26, 1996 from the city engineer concerning the preliminary plan for Lakebridge Estates. All of the items will be addressed before filing the final plat.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Bruce Martin moved to approve the preliminary plan for Tract 62, Tract 71 and 2.9 acres of Tract 86 in the M.E.P. & P.R.R. Survey, Abstract 924. Thanna Bounds seconded the motion and it carried unanimously.

IX. PRESENTATION OF CERTIFICATE OF APPRECIATION TO MATT FLANAGAN.

Presentation made by Mayor McCutcheon.

X. STREET DEPARTMENT.
A. DISCUSSION AND CONSIDERATION REGARDING THE DESIGN PLANS FOR THE RENOVATION OF MEADOWBROOK AND KINGSWOOD-ACTION.

Bruce Martin moved to approve Metroplex Engineers to proceed with the documents for the bid process, including survey expenses, for the renovation of Meadowbrook and Kingswood. David Shershen seconded the motion and it carried unanimously.

XI. PLANNING AND ZONING.

A. CONSIDER APPOINTMENT OF AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION-ACTION.

Stephen Wohr moved to approve appointing Ben Gilbert as an alternate member to the Planning and Zoning Commission. Bruce Martin seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING A REQUEST FROM FRANK BOURLAND FOR AN EXCEPTION TO THE MORATORIUM ON SIGN PERMITS IN REGARD TO THE OPENING OF VILLAS OF HARBOURVIEW-ACTION.

Stephen Wohr moved to grant an exception to the sign moratorium for Frank Bourland to apply for a sign permit for a sign at the entrance to Villas of Harbourview. David Shershen seconded the motion and it carried unanimously.

XII. ADMINISTRATION DEPARTMENT.

A. DISCUSSION AND CONSIDERATION REGARDING APPROVAL OF AN INTERLOCAL AGREEMENT WITH DENTON COUNTY FOR PROPERTY TAX COLLECTION-ACTION.

Bruce Martin moved to approve the interlocal agreement with Denton County for property tax collection. Thanna Bounds seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING APPROVAL OF A CONTRACT FOR THE COLLECTION OF DELINQUENT TAXES-ACTION.

David Shershen moved to approve the contract with Mark Burroughs for the collection of delinquent taxes. Stephen Wohr seconded the motion and it carried unanimously.

C. DISCUSSION AND CONSIDERATION REGARDING AMENDING THE BUDGET FOR A COMPREHENSIVE ASBESTOS INSPECTION OF CITY HALL-ACTION.

David Shershen moved to approve amending the budget for a comprehensive asbestos inspection of City Hall to be preformed by Lambert and Associates, at a cost of $1,250.00, after checking with the city franchise utility companies to see if they preform asbestos inspections. Thanna Bounds seconded the motion and it carried unanimously.

D. DISCUSSION AND CONSIDERATION REGARDING AMENDING THE BUDGET FOR AIR CONDITIONER FOR CITY HALL AND CHAIRS FOR COUNCIL CHAMBERS-ACTION.

Bruce Martin moved to approve amending the budget for $2,700.00 for the air conditioner for City Hall and the chairs for the Council Chambers.

XIII. POLICE DEPARTMENT.

A. DISCUSSION AND CONSIDERATION REGARDING AMENDING THE BUDGET FOR ATTORNEY'S FEES-ACTION.

During the budget process attorney's fees for the police department were not budgeted in the police department budget. Chief Ristagno assumed that all attorney's fees for any department within the city would come out of the administrative department. The administrative department was not aware of this during the budget process, therefore no attorney's fees for the police department were budgeted.

Stephen Wohr moved to table amending the budget for attorney's fees until city employees can determine the total amount of attorney's fees that have been paid for this fiscal year. David Shershen seconded the motion and it carried unanimously.

XIV. FIRE DEPARTMENT.

A. DISCUSSION REGARDING FISCAL YEAR 1996-1997 BUDGET.

Mayor McCutcheon reported that the "Two-Fer" Committee has asked for additional personnel, adding two (2) fire fighters a year until the fire department has ten (10) to twelve (12) paid fire fighters. Also to establish a replacement program for fire trucks and equipment. The fire department would like to replace a fire truck every five (5) years. City Officials also agreed that they would like a voting member on the Lake Cities Volunteer Fire Department Board of Directors. The "Two-Fer" committee would also like the fire department to hire a full-time, paid fire chief.

XV. PARK AND RECREATION.

A. DISCUSSION AND CONSIDERATION REGARDING SECRETARY FOR THE PARK AND RECREATION BOARD MEETINGS-ACTION.

Thanna Bounds moved to approve the purchase of a tape recorder, providing tapes and hiring a contract labor person to transcribe the minutes of the Park and Recreation Board meetings. Stephen Wohr seconded the motion and it carried unanimously.

B. PRESENTATION OF GARZA DAY, JUNE 1, 1996, FINANCIAL STATEMENT.

The Garza Day financial statement for June 1, 1996 was not available.

XVI. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of July. Thanna Bounds seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

A. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Stephen Wohr reported plans for the committee include: establishing a theme, setting up a committee to include, Rod Courtney from the Board of Adjustment and Linwood Gilliland from the Planning and Zoning Commission. He would like to find two (2) additional members, with one (1) possibly from the Chamber of Commerce. He would also like to have business get involved in the project.

B. DISCUSSION REGARDING AD-HOC COMMITTEE FEASIBILITY STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK-ACTION.

David Shershen reported that he will contact the Corp of Engineers before proceeding with any plans.

XVIII. NEW BUSINESS.

David Shershen welcomed the new Code Enforcement Officer to the City.

Bruce Martin stated that the fence at the city park needs to be repaired. He would like to know the status of repaving Swisher Road, also he would like the city to look at striping Shady Shores Road.

David Shershen would like to see if an Ad-Hoc Committee could be formed on youth activities.

Bobby Shikle stated that he would like the council to review ordinances regarding parking on grass.

XIX. ADJOURNMENT.

Stephen Wohr moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

JERRY MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
JULY 25, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Secretary

With Mayor Pro Tem David Shershen and Council Member Bruce Martin absent, the following business was transacted:

II. DISCUSSION AND CONSIDER APPROVAL OF 1996-1997 FISCAL YEAR BUDGET FOR THE LAKE CITIES VOLUNTEER FIRE DEPARTMENT-ACTION.

Mayor McCutcheon reported that the "Two-Fer" Committee would like to increase the maintenance and operation budget by 15% a year, adding two (2) additional fire fighters a year and purchasing a fire truck over the next five (5) years.

Stephen Wohr moved to approve the 1996-1997 fiscal year budget presented by the Lake Cities Volunteer Fire Department "Two-Fer" Committee subject to the approval of the 1996-1997 fiscal year budget for the City of Lake Dallas, also subject to the appointment of a voting member to the Lake Cities Volunteer Fire Department Board representing the City of Lake Dallas. Thanna Bounds seconded the motion and it carried unanimously.

III. DISCUSS PROPOSED 1996-1997 FISCAL YEAR BUDGET.

The City Council discussed the 1996-1997 fiscal year budget, the next budget workshop was scheduled for August 14, 1996 at 7:00 p.m.

IV. ADJOURNMENT.

Stephen Wohr moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
AUGUST 8, 1996

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

David Shershen moved to approve the minutes of meetings held in July, 1996, with the following correction: July 11, 1996, Section XVIII, paragraph 2, change the word "stripping" to "striping". Bruce Martin seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Ann Fitts, principal at Lake Dallas Elementary, and Tim May representing the Lake Dallas School Board, presented a five year community beautification project for Falcon Drive that she would like the council's support with.

Matt Flanagan, 722 Thousand Oaks Drive, stated that he is opposed to any zoning change from R-1-10,000 on the polo field. He also would like the council to look at the Shady Shores Road improvement project during the next budget year.

Marci Duncan, 336 Stately Oak, stated that she is opposed to the zoning change of the polo field.

Judy Betterton, 322 Thousand Oaks Court, stated she has several concerns in regard to the possible rezoning. She feels the development would place too much demands on city services.

Melody Daugherty, 312 Stately Oak, stated she has several concerns regarding rezoning of the polo field. She understood that when the city rezoned the property it was to be for larger homes so that families who wanted to move up, would have a home in this town to move to and not have to move to another city. Also, the strain on city services smaller lots would cause. If the city needs more money to increase city services, ask the citizens for a tax increase.

Paula Roberts, 332 Stately Oak, stated she is opposed to the zoning change.

Janis Woodbury, 321 Georgian Oak Court, stated she is opposed to the zoning change. She is also concerned about overloading the schools and the city currently lacks playgrounds for our children to play at.

Dave Updike, 737 Black Walnut, stated that he is opposed to the zoning change and that currently there are only two outlets to the subdivision and no matter what the zoning is the outlets to the subdivision need to be increased.

Richard Fink, 326 Georgian Oak Court, stated that he is opposed to the zoning change and feels Lake Dallas at this time does not have the facilities to keep up with the expanding community.

Mark Rudder, 739 Black Walnut, stated he is opposed to the zoning change. He is also concerned about fire safety, access to the subdivision and the rapid growth.

Bruce Adams, 728 Winding Oak Bend, stated that he is opposed to the zoning change.

Jim Phillips, 322 Stately Oak, stated he is also opposed to the zoning change.

Close Citizen's Agenda.

V. PUBLIC HEARING.
CONSIDER A ZONING CHANGE FOR TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375A, FROM R-1-10,000 TO R-1-6000, AND TRACT 7 AND TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376A, FROM C-1 TO R-1-6000.

Mayor McCutcheon reported that there was an error made by the developer's engineers, they are not asking for a R-1-6000 zoning, their intent was to ask for a R-1-7200 zoning. The developer has asked that the zoning change be denied so they can reapply for a R-1-7200.

Paul McCracken with Carter and Burgess Engineers, stated that they had requested R-1-6000 with stipulations, and the fact that it was advertised as R-1-6000 really does not cause any harm to the application as long as he does not propose, or the council does not attempt, to approve something less restrictive than what was advertised; then what was advertised is perfectly okay regardless of our proposal, in fact, it more than likely brought out more citizen input because it is a worse case advertisement so there is an option not to deny it and cause more advertisement and more applications, but merely to leave the public hearing open and table it for further consideration if that is what it comes to.

Mayor McCutcheon, replied are you telling us that you did intend to ask for R-1-6000 zoning.

Paul McCracken, stated no, our application read R-1-6000 with stipulations; please see attachment. The attachment read R-1-7200 with stipulations as listed. Mr. McCracken stated he wanted to mention what the stipulations were. Basically we are asking for a minimum lot area of 6600 square feet. We said in our stipulations that the average lot size in the development would be 8500 square feet. I am here to tell you tonight that we will increase that to 10,000. Our plat that we proposed has an average lot size of just over 10,000 square feet. We will put that in writing, offer that as a stipulation that forces us to keep our overall average above 10,000. We have asked that side yards not adjacent to the street be five feet which actually matches the 6000, and the side yards adjacent to the street be ten feet which would also match the 6000. We ask that the rear yards be twenty feet as opposed to thirty and ask that the minimum lot width be a minimum of sixty-two feet.

Bobby Shikle asked Mr. McCracken if he was agreeing that this property be R-1-10,000.

Mr. McCracken replied no, I am saying we are asking that our minimum lot meet the restriction I just read, but the overall average on the subdivision average lot size be 10,000 square feet. The reason we do not want to keep it 10,000 is that the property is right next to a 5000 square foot zoned piece of property surrounded by an existing 7200 square foot and bordered on the bottom by apartments, so who would come in and spend the money on a perceived house to go on a 10,000 square foot lot when they are surrounded by all these smaller lots. Mr. McCracken stated this property is not marketable for homes over the 200,000 or what would be perceived that would automatically go on a 10,000 square foot lot, that would not happen here.

Bruce Martin asked Paul McCracken if he ever plated the property looking at a R-1-10,000 zoning, because that is what it is.

Paul McCracken replied, no that they had not.

Bruce Martin asked Mr. McCracken to come back with a R-1-1,0000. He feels that is what the citizens expect and that is what the council expected from the rezoning of this property to R-1-10,000.

Matt Flanagan, 722 Thousand Oaks Dr., stated that he has a 14,500 square foot lot and there is a block of five of us in that area that have no less than 10,000 square foot and it is a very nice looking part of the neighborhood. The area is open, it is not dense. I have a 2,000 square foot home with a 3,000 square foot home next to me and a 1,800 square foot home next and then there are two 3,000 square foot homes on the other side of them and that is affordable. As far as I am concerned, we do not need him; we can find another developer that will come along and develop the property with a R-1-10,000.

Lisa Borhaug, 321 Stately Oak, stated that larger homes on this property will sell with a R-1-10,000 lot. There also needs to be an additional access to the subdivision. The property needs to stay R-1-10,000.

Garry Bills, 605 Lake Drive, stated he was on the council when the property was zoned R-1-10,000 and does not feel the property should be rezoned. Also part of the property is zoned C-1 and should stay commercial.

Carolyn Green, 201 N. Shady Shores Road, stated the former council fought hard to get the zoning change to R-1-10,000 and it should stay zoned R-1-10,000.

Dave Updike, 737 Black Walnut, stated his home is directly behind the polo field and that the back of his home is twenty-one feet from the property line. He stated he can not imagine a home being twenty feet from his property line.

Bruce Adams, 728 Winding Oak Bend, stated that just down the road a few miles the development is almost sold out and the homes are much larger and the price is much higher than our homes. There is no reason why the property could not be developed with larger lots and homes. He is opposed to the commercial zoning.

Richard Fink, 326 Georgian Oak Ct., stated his home backs up to the polo field and that is why he bought his home on the polo field.

Matt Flanagan, 722 Thousand Oaks, stated that the developer Jim Douglas and Pulte are in this project together. Jim Douglas has done a good job with Thousand Oaks Phase I and Phase II and he feels they can do R-1-10,000 square foot lots on the property.

Mike Fahey, 144 Kingswood, stated he was on Planning and Zoning when the Thousand Oaks development and he remembers that part of the zoning change was that the polo field would not be built on for five years. The Corinth part of Jackson Ranch is

zoned single family two, this only allows two lots per acre and just west of the polo field in Corinth, the property is zoned 5,000 square foot lots and the property north of the polo field in Corinth is single family two. Mr. Fahey feels the zoning change needs to be denied.

Marcia Duncan, 336 Stately Oak, stated that when they bought their home they were told by General Homes that the property would be a polo field for five years. When was the property sold?

Stephen Wohr, replied that we as a city council can not change what has been done by the sale of this property from being a polo field or something else. The property is currently zoned R-1-10,000 and that we can control.

Judy Betterton, 322 Thousand Oaks Court, stated that she would like this request to be brought to a vote now instead of tabling it.

Jim Phillips, 322 Stately Oak, asked how long has the polo field been zoned R-1-10,000 if it was supposed to be a polo field for five years why was it already zoned for homes if it was supposed to be a polo field.

Mayor McCutcheon, replied that originally it was zoned R-1-7200 and the city council looked at several parcels of land around the city and rezoned some and attempted to rezoned several others. The property was rezoned approximately one and a half years ago.

Bruce Martin, replied the property was zoned residential originally and the gentleman that bought it was going to make it a polo field for his personal use.

Melissa Phillips, 322 Stately Oak, stated that on the map they only show one entrance to the area; are they going to put 110 more homes in the area with no more entrances, just use the two that we have.

Lisa Borhaug, 321 Stately Oak, stated that River Oak Way is too small a street to handle all the traffic for this area and access to the property for Corinth would be through Lake Dallas

Wilma Wetherell, 757 Winding Oak Bend, stated she is concerned about the number of homes and the number of entrances into the property.

Karla Killingsworth, 759 Winding Oak Bend, stated that at the beginning he said something about 20 lots; is that just the polo field?

Paul McCracken, replied that what he was pointing out was that by going from R-1-10,000 to our proposal that we were generating 50 to 60 more homes, our proposal would only generate 20 more home.

Melody Daugherty, 312 Stately Oak, asked if there was anything the city can do to require the developer to have more entrances.

Dave Updike, 737 Black Walnut, stated that he is concerned about access to the property and also noted that the Corinth part includes a park and the Lake Dallas part does not.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

David Shershen moved to deny the zoning change for Tract 1A of the T. White Survey, Abstract 1375A, from R-1-10,000 to R-1-6000, or to R-1-7200 modified and Tract 7 and Tract 7A of the T. White Survey, Abstract 1376A, from C-1 to R-1-6000, or to R-1-7200 modified. Bruce Martin seconded the motion and it carried unanimously.

VII. PUBLIC HEARING.
CONSIDER A PRELIMINARY PLAN FOR TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375A, AND TRACT 7 AND TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376A.

No Citizen Comments.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

David Shershen moved to deny the preliminary plan for Tract 1A of the T. White Survey, Abstract 1375A, and Tract 7 and Tract 7A of the T. White Survey, Abstract 1376A. Thanna Bounds seconded the motion and it carried unanimously.

IX. DISCUSSION AND CONSIDERATION REGARDING A REQUEST FROM JIM GUAL FOR AN EXCEPTION TO THE MORATORIUM ON SIGN PERMITS FOR A REPLACEMENT SIGN AT 307 W. HUNDLEY-ACTION.

Jim Gual requested an exception from the sign moratorium so that he could replace an existing Phillips 66 sign at the Beer Barn at 307 W. Hundley.

David Shershen moved to approve the request from Jim Gual for an exception to the moratorium on sign permits for the business at 307 W. Hundley. Stephen Wohr seconded the motion and it carried unanimously.

X. DISCUSSION WITH TEXAS WASTE MANAGEMENT REGARDING A RECYCLING PROGRAM-ACTION.

Allen Judkiewicz representing Texas Waste Management presented a once a week, curbside recycling program for recycling newspapers, magazines, aluminum, plastics, glass, empty aerosol cans and empty paint cans. The cost per consumer would be an additional $2.05 per month.

Bruce Martin moved to table and schedule a public hearing for citizens input for October. David Shershen seconded the motion and it carried unanimously.

XI. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

Stephen Wohr moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts, for a period of sixty days. David Shershen seconded the motion and it carried unanimously.

XII. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits, for a period of sixty days. Stephen Wohr seconded the motion and it carried unanimously.

XIII. STREET DEPARTMENT.

A. DISCUSSION REGARDING THE RENOVATION OF MEADOWBROOK AND KINGSWOOD.

Mayor McCutcheon reported that the renovation project has been advertised for bid. The bids are due in City Hall on August 15, 1996 at 2:00 p.m. at which time the bids will be opened.

XIV. ADMINISTRATION DEPARTMENT.

A. DISCUSSION AND CONSIDERATION REGARDING BUDGET AMENDMENT FOR CONTRACT LABOR PERSONNEL-ACTION.

Bruce Martin moved to approve amending the administration budget for $1,350.00 for contract labor personnel. David Shershen seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING ASBESTOS REPORT FROM LAMBERT AND ASSOCIATES, INC.-ACTION.

David Shershen moved to table any decision regarding the asbestos report from Lambert and Associates until after the budget hearings in September and a workshop can be held to study the report. Stephen Wohr seconded the motion and it carried unanimously.

XV. PARK AND RECREATION.

A. PRESENTATION OF GARZA DAY, JUNE 1, 1996, FINANCIAL STATEMENT.

Financial statement for June 1, 1996 was presented by Harriet Hart.

XVI. ACCOUNTS PAYABLE-ACTION.

David Shershen moved to give approval to the City Secretary to pay all accounts due in the month of August. Thanna Bounds seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

A. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Stephen Wohr reported that he is working on a letter to all businesses in the community asking them for their input. He is still looking for volunteers. He also has requested some information from Lewisville, from the people who worked on their Main Street project; and information about how they completed their grant applications. He has contacted the Texas Department of Transportation in regard to Main Street programs.

B. DISCUSSION REGARDING AD-HOC COMMITTEE FEASIBILITY STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK.

David Shershen reported that he met with the Corp of Engineers and found out that Willow Grove Park goes from Hundley Drive to Hook Street, for a total of 78 acres. He met with some people from Lewisville in reference to how Lewisville manages Eagle Point, which is Corp property. Lewisville leases the property from the Corp and then subcontracts with outside vendors that put whatever business they choose on the property. Lewisville invests almost no money. The Corp requests a five year plan for the property which the council has approved.

XVIII. NEW BUSINESS.

Bobby Shikle requested some information on the high speed pursuit that our police department was involved in on Saturday, August 3, 1996.

David Shershen reported the Community Action Committee has taken on a project called Expo 96, that has gone to the Park and Recreation Board for approval. He would like it on the next council agenda. He asked if the council could look at the possibility of having two city council meetings a month.

Mayor McCutcheon reported he did a survey involving counting every home, mobile home, and apartment in the city. Based on the number of residences and using a 2.8 factor the estimated population would be 5,662. With this information we will look at the advantages of going to Home Rule as opposed to General Law.

XIX. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

Patricia Chapman

~~**BARBARA STARKEY**~~**, CITY SECRETARY**

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 14, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Mayor Pro Tem David Shershen arriving at 7:20 p.m., the following business was transacted:

II. DISCUSSION WITH TMRS REPRESENTATIVE REGARDING CITY EMPLOYEE RETIREMENT BENEFITS-ACTION.

Eric Davis presented the council some benefit options available through TMRS for city employees.

Bobby Shikle moved to table any action regarding TMRS benefits pending finalization of the 1996-1997 fiscal year budget. Stephen Wohr seconded the motion and it carried unanimously.

III. DISCUSS PROPOSED 1996-1997 FISCAL YEAR BUDGET.

The City Council discussed the 1996-1997 fiscal year budget, the next budget workshop was scheduled for August 21 1996 at 7:00 p.m.

IV. DISCUSSION REGARDING THE RENOVATION OF MEADOWBROOK AND KINGSWOOD-ACTION.

Stephen Wohr moved to table and schedule a meeting for August 21, 1996 at 7:00 p.m. to review bids received for the renovation of Meadowbrook and Kingswood. David Shershen seconded the motion and it carried unanimously.

V. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 21, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Diane Lowrimore, Secretary

With all members present, the following business was transacted:

II. DISCUSSION AND CONSIDER AWARD OF CONTRACT REGARDING THE RENOVATION OF MEADOW BROOK AND KINGSWOOD-ACTION.

Stephen Wohr moved to reject both proposals presented to the council at this time and table any further action pending further research and a workshop regarding the possibility of a bond program for a more comprehensive street repair program including not only Meadowbrook and Kingswood but several other streets in need of repair. Bobby Shikle seconded the motion and it carried unanimously.

II. B. DISCUSSION AND CONSIDERATION REGARDING APPLICATION FOR "COPS" GRANT-ACTION.

David Shershen moved to approve applying for two officer under the federal "COPS" grant program for the Police Department. Stephen Wohr seconded the motion and it carried unanimously.

III. DISCUSS PROPOSED 1996-1997 FISCAL YEAR BUDGET.

The City Council discussed the 1996-1997 fiscal year budget, the next budget workshop was scheduled for August 29, 1996 at 7:00 p.m.

IV. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
AUGUST 29, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: DISCUSSION REGARDING RESPONSIBILITIES OF THE BUILDING INSPECTOR AND INTERPRETATION OF CODES.

The City Council entered into Executive Session at 7:00 p.m.

The City Council reconvened into open session at 8:00 p.m.

III. ACTION ON EXECUTIVE SESSION.

Stephen Wohr moved that in October the council begin a systematic review of all ordinances; that all building permits be approved by the building inspector, or in his absence a person appointed by the Mayor or City Council to perform in his absence, and signed by that authorized person; review the role of the code enforcement position and have a public hearing, if the council determines it necessary to have public input on the role of the code enforcement position; review the enforcement procedure to allow a citizen an opportunity to obtain a review of a case where they may be in violation of a particular ordinance. David Shershen seconded the motion and it carried unanimously.

IV. DISCUSS PROPOSED 1996-1997 FISCAL YEAR BUDGET.

The City Council discussed the 1996-1997 fiscal year budget.

V. DISCUSSION AND CONSIDERATION REGARDING A PROPOSED TAX RATE FOR FISCAL YEAR 1996-1997 AND SCHEDULE A PUBLIC HEARING-ACTION.

Stephen Wohr moved to increase the property tax rate to .57005 per $100.00 valuation and schedule a public hearing for Thursday, September 12, 1996 at 7:00 p.m. Thanna Bounds seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously.

ATTEST:

~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 9, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. DISCUSS PROPOSED 1996-1997 FISCAL YEAR BUDGET.

The City Council discussed the 1996-1997 fiscal year budget, the next budget session was scheduled for September 16, 1996 at 6:00 p.m.

III. ADJOURNMENT.

Stephen Wohr moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Patricia Chapman
~~Barbara Starkey~~, City Secretary

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
SEPTEMBER 12, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Linwood Gilliland.

III. MINUTES.

Bruce Martin moved to approve the minutes of meetings held in August, 1996. David Shershen seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Garry Bills - 605 Lake Drive, stated he would like to know what is being done about the property at 121 Lakeview.

Mayor McCutcheon replied that someone will be sent out there tomorrow.

Melody Lane - 194 Oakwood, Kingswood Mobile Home Park, feels that the city is selective with regard to code enforcement.

Matt Flanagan - 722 Thousand Oaks, reference code enforcement that directly ties in with the tax increase, and the fact that property is not being assessed right. Tax rate directly reflects how the community looks to Denton County. He feels the city has not done a good job with code enforcement.

Mayor McCutcheon, replied "We would really like to see people at the workshops regarding these issues."

Diane Byers - 699 Lakeland Court, stated the street light on her street is being paid for on her electric bill each month and she feels that the city should pay for the street light not her.

Close Citizen's Agenda.

V. PUBLIC HEARING.
CONSIDER A PROPOSAL TO SET A PROPERTY TAX RATE AT .57005 PER ONE HUNDRED DOLLAR VALUATION.

Matt Flanagan - 722 Thousand Oaks, stated that he is opposed to a tax increase because standards have not been brought up in the community.

Bob Davis - 68 Lake Ridge, stated that he feels it is worthy that the city is setting a competitive base for the workers in this city, but the percentage is too high. He recommends that a base be set and given to police officers. He also feels that instead of giving the raises on October 1, 1996 the city should wait three to six months. In that time set up a range for each position, set a criteria for the position and then look at the individuals that occupy those positions. This lets people that are not qualified for their positions to study up or go to a school and get certified. In the mean time give them a 5% raise. Specifically supervisors must meet the criteria to receive there raises.

Chris Curry - 212 Hillcrest, stated that he supports a tax increase, but only for the right things. He wants to see something back for that tax increase. Take a hard look at the streets and the drainage because something needs to be done. The first thing people look at when they enter this city is the streets.

Bonnie Brown Garcia - 427 South Denton Drive, stated that she wants to know why the tax rate is being discussed before a budget has been set. She feels that the city is one step ahead of the process and needs to back up.

Garry Bills - 605 Lake Drive, stated that he is confused about the tax rate. He thought it was a 7% based on last years tax percentage, what would it be for this year?

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to increase the tax rate from .56634 to .57005. Motion withdrawn.

Bobby Shikle moved to not approve the new tax rate until they have a workshop and a survey on job qualifications, with salaries from the other cities. David Shershen seconded the motion. Motion failed 2 to 3 with the following vote: Ayes: Bobby Shikle and David Shershen; Noes: Stephen Wohr, Thanna Bounds and Bruce Martin.

Stephen Wohr moved to set the tax rate at .57005 per one hundred dollar valuation. Bruce Martin seconded the motion and it carried 3 to 2 with the following vote: Ayes: Stephen Wohr, Bruce Martin and Thanna Bounds; Noes: Bobby Shikle and David Shershen.

VII. PUBLIC HEARING.
CONSIDER A RE-PLAT OF LOTS 191, 192 AND E. ½ OF 193 OF THE KINGSWOOD ESTATES.

Rod Courtney - 162 Kingswood, representing Claire Quinn, stated that she meets all requirements requested by the city. He is just asking for permission to re-plat.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the re-plat of lots 191, 192, and E. ½ of 193 of the Kingswood Estates. Thanna Bounds seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
A. CONSIDER A FINAL PLAT FOR APPROXIMATELY 24.20 ACRES OF TRACT 62 AND TRACT 86 IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924 AND LOT 13B OF THE SECOND REPLAT OF HARBOURTOWN VILLAS.

Doyle Cameron - 2300 Highland Village Road, stated that the changes the Planning and Zoning Commission requested have been completed and the deed restrictions have been changed to included the Peace Corp lots be required to be single story (lots 58 & 64-67). We have given the drainage plans to the city engineer, at Metroplex in Denton. He wants Brad Meyers to explain what is going on with drainage plan. In the subdivision we will be putting in quality streets and drainage and have proper maintenance.

Laird Lind - reference the easement, stated he wants to make sure that all the property is taken care of and that no property is neglected. He wants to make sure that the water run off does not become a problem and he does not want water on the easement. He has concerns as to whether the property can be maintained. There is also concern about fences being put up and whether there should be just one fence put up or separate fences for each property. The easement should be concrete with a curb on each side.

B. CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LAKE DALLAS, AND HERETOFORE AMENDED TO GRANT A CHANGE IN ZONING FROM R-3 AND R-1-10,000 TO GROUP HOUSING FOR TRACT 62 AND TRACT 71, AND 2.9 ACRES OF TRACT 86, IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924 AND LOT 13B OF THE SECOND REPLAT OF HARBOURTOWN VILLAS.

Allison Archer - representing the owners of the property, stated she was under the impression that the deadline for the applications had not come yet and she would like more time so that she may complete the necessary paperwork for the transfer of ownership.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

A. Bruce Martin moved to approve the final plat for approximately 24.20 acres of Tract 62 and Tract 86 in the M.E.P. & P.R.R. Survey, Abstract 924 and Lot 13B of the second replat of Harbourtown Villas, subject to approval of construction plans, subject to the approval of L.C.M.U.A. and subject to the appropriate signatures and seals being placed on the final plat. David Shershen seconded the motion and it carried unanimously.

B. Bruce Martin moved to table the approval of the ordinance of the City of Lake Dallas, Texas amending the comprehensive zoning ordinance and map of the City of Lake Dallas, as heretofore amended to grant a change in zoning from R-3 and R-1-10,000 to group housing for Tract 62 and Tract 71, and 2.9 acres of Tract 86 in the M.E.P. & P.R.R. Survey, Abstract 924 and Lot 13B of the Second Replat of Harbourtown Villas, until September 16, 1996. David Shershen seconded the motion and it carried unanimously.

XI. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts, for a period of sixty days. Stephen Wohr seconded the motion and it carried unanimously.

XII. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits, for a period of sixty days. Stephen Wohr seconded the motion and it carried unanimously.

XIII. POLICE DEPARTMENT.

A. DISCUSSION REGARDING DISPATCH CONTRACT WITH THE TOWN OF HICKORY CREEK-ACTION.

David Shershen moved to approve the continuation of dispatching services for the Town of Hickory Creek on a month-to-month basis, with the following conditions: the fee for each month

is due at the beginning of that month and it shall be paid in full whether or not Hickory Creek requires the service for the entire month; the service charge is added to the base rate of $2,458.34 as negotiated in the 1995/1996 contract. The October fee of $2,704.17 is due on October 1, 1996. The November fee of $2,827.09 will be due on November 1, 1996 and the December fee of $2,950.00 will be due on December 1, 1996. If Hickory Creek must continue on a month-to-month basis past December, 1996, the fee will continue at $2,950.00 monthly, due on the first of each month. If at any time the Town of Hickory Creek decides to renew the contract, the contract fee shall revert back to the original price of $2,458.34 per month. Any new contract, regardless of its beginning shall expire September 30, 1997, commensurate with our fiscal year. Bruce Martin seconded the motion and it carried unanimously.

XIV. ADMINISTRATION DEPARTMENT.

A. CONSIDER APPROVAL OF A RESOLUTION TO SUPPORT A SENATE BILL TO BE PRESENTED IN THE 1997 LEGISLATURE THAT WOULD REQUIRE THE TEXAS LOTTERY COMMISSION TO RETURN FIVE CENTS OF EVERY LOTTERY SALES DOLLAR TO THE CITY-ACTION.

David Shershen moved to approve the resolution to support a Senate bill to be presented in the 1997 Legislature that would require the Texas Lottery Commission to return five cents of every lottery sales dollar to the city. Stephen Wohr seconded the motion and it carried unanimously.

B. CONSIDER APPROVAL OF A RESOLUTION APPROVING THE FISCAL YEAR 1997 FINANCIAL PLAN OF THE DENCO AREA 9-1-1 DISTRICT-ACTION.

David Shershen moved to approve the resolution approving the fiscal year 1997 financial plan of the Denco Area 9-1-1 District. Bruce Martin seconded the motion and it carried unanimously.

C. CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 18.44 NEWLY ANNEXED AREAS, OF THE LAKE DALLAS MUNICIPAL CODE-ACTION.

David Shershen moved to approve the ordinance amending Chapter 18.44 Newly Annexed Areas, of the Lake Dallas Municipal Code. Stephen Wohr seconded the motion and it carried unanimously.

D. DISCUSSION AND CONSIDERATION REGARDING THE CITY OF LAKE DALLAS NEWSPAPER OF RECORD-ACTION.

Bruce Martin would like to add an additional newspaper of record. He would like the Lake Cities Sun and the Denton Chronicle to be the papers of record.

David Shershen moved to take immediate action to investigate the procedure for adopting two papers of record. Bruce Martin seconded the motion and it carried unanimously.

XV. PARK AND RECREATION.

A. DISCUSS AND CONSIDER APPROVAL OF THE LAKE CITIES COMMUNITY ACTION COMMITTEE PROPOSAL REGARDING "THE LAKE CITIES EXPOSITION"-ACTION.

David Shershen moved to approve "The Lake Cities Exposition" for Saturday, October 26, 1996. Stephen Wohr seconded the motion and it carried unanimously.

B. REVIEW AND CONSIDER APPROVAL OF THE LAKE CITIES COMMUNITY ACTION COMMITTEE'S FINANCIAL REPORT-ACTION.

David Shershen moved to approve the Lake Cities Community Action Committee's financial report. Thanna Bounds seconded the motion and it carried unanimously.

C. CONSIDER APPROVAL OF THE PARK AND RECREATION BOARDS PARTICIPATION AT THE CENTURY TELEPHONE ARTS FOR THE PARKS CRAFT SHOW & FLEA MARKET-ACTION.

David Shershen moved to approve the Park and Recreation Boards participation at the Century Telephone Arts for the Parks Craft Show and Flea Market, to be held on Saturday, October 19,1996. Bobby Shikle seconded the motion and it carried unanimously.

D. CONSIDER APPROVAL FOR TWO PARK BOARD MEMBERS TO ATTEND A PROPOSAL WRITING AND GRANTSMANSHIP SEMINAR IN DALLAS ON MONDAY, SEPTEMBER 30, 1996- ACTION.

David Shershen moved to approve Christye Price & Ruth Ann Dencklau to attend the Proposal Writing and Grantsmanship seminar in Dallas on Monday, September 30, 1996. Bruce Martin seconded the motion and it carried unanimously.

E. CONSIDER APPROVAL OF A MEMBERSHIP TO THE TEXAS RECREATION AND PARK SOCIETY-ACTION.

David Shershen moved to approve a membership to the Texas Recreation and Park Society. Bruce Martin seconded the motion and it carried unanimously.

F. CONSIDER APPROVAL OF A CHANGE TO THE LAKE DALLAS PARK AND RECREATION POLICY & PROCEDURE GUIDE IN REGARD TO THE ADDITION OF TWO ALTERNATE MEMBERS-ACTION.

David Shershen moved to approve a change to the Lake Dallas Park and Recreation Policy & Procedure Guide in regard to the addition of two alternate members. Stephen Wohr seconded the motion and it carried unanimously.

G. DISCUSSION REGARDING VANDERHOFF PARK PROJECT PROGRESS.

The surveys have been approved. There will be four public forum meetings to rank park facilities.

Tuesday, October 1, 1996 from 7:30 p.m. to 8:30 p.m. at the City Hall
Friday, October 4, 1996 from 11:00 a.m. to 12:00 p.m. at the Happy Hearts Meeting
Saturday, October 5, 1996 from 10:00 a.m. to 11:00 a.m. at the Community Center
Thursday, October 17, 1996 from 7:30 p.m. to 8:30 p.m. at the Community Center

In these meetings they will discuss what the survey contains and how to utilize the survey. It also allows the citizens to rate the proper facilities about what is important to them. This is only for the residents of Lake Dallas. Surveys will be due by October 25, 1996 and announcements of the surveys will be complete by November 5, 1996.

XVI. ACCOUNTS PAYABLE-ACTION.

Stephen Wohr moved to give approval to the City Secretary to pay all accounts due in the month of September. Bruce Martin seconded the motion and it carried unanimously.

XVII. OLD BUSINESS.

A. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Stephen Wohr stated that he has been busy with the budget. He has received a lot of public comment and is continuing to work on mailers to businesses.

B. DISCUSSION REGARDING AD-HOC COMMITTEE FEASIBILITY STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK.

David Shershen is waiting for the baseball association for the plans for two baseball fields. He wants to lease from the Corp. just the area needed for the two baseball fields. There is a two year process and there is no cost to the city for the lease.

XVIII. NEW BUSINESS.

A. Mayor McCutcheon reported that he has been trying to contact Commissioner Wilson, but he will not return his calls. He wants to speak to him with regards to the Shady Shores Road project.

B. Bobby Shikle requested that he receive his council packet by Tuesday. Also he wants information on that job. He has asked for copies of applications, attendance, and job descriptions. He also stated he has a problem with the phone system.

C. Bruce Martin stated that the Century Telephone Company has a new system available in October and it may solve the city's problems.

D. David Shershen suggested that after the budget is completed and we get into ordinances, that we consider having two meetings a month.

XIX. ADJOURNMENT - ACTION.

Stephen Wohr moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 16, 1996

I. ROLL CALL.

The meeting was called to order at 6:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all members present, the following business was transacted:

II. PUBLIC HEARING.
CONSIDER PUBLIC COMMENT REGARDING THE 1996-1997 FISCAL YEAR BUDGET.

Linwood Gilliland - 703 Payton, suggested that the salary be adjusted over several years. The city has lost a few employees, except dispatchers and officers. He feels that the employees are excellent. He also has concerns about the streets, he feels that improvements need to be made.

Matt Flanagan - 722 Thousand Oaks, feels that the numbers he saw for the values and revenues were right in line with what is being paid here. The employees have received raises every single year. He did not like the answer he received at the previous meeting in regards to how these numbers were reached. He feels that the young police officers that have left, went because of the slowness of this city, not just because of the money situation. He feels that it is the same for the people in dispatch. He wants to know why none of this money is going for the Shady Shores Bridge and other roads. He also recommends for a 5% increase.

Samai Boetter - 219 Pembrook, feels that it is ridiculous that some of the cities that were looked at were big cities like Carrollton and Lewisville, the salaries should not look at large cities in the area because they have a bigger revenue. The city needs to look at the quality of the employees and set the base salaries by the position and then by the employees proven worth. Look at our population and our size and base the salaries on that. A 42% increase is ludicrous, if they were worth that much money then they would be somewhere else.

Laura Turner - 615 Lakeland, stated that she is opposed to the salary increase because it is causing tax increases and it will end up costing to much to live in Lake Dallas.

Bob Geisinger - 710 Lakeland, stated that he has lived here for 21 years and he is upset about the tax increase for salaries. He stated that the police department does deserve a raise but a 45% raise is out of the question. He suggested taking a survey of the surrounding cities and give a 4 or 5 percent raise.

Sandy Payne - 5513 Knights Court, stated that everyone in town is concerned about these raises. She feels that everyone should receive a raise every year, but the percentages are out of line. The council was elected to represent the people and they need to listen to the people because they are all here and very concerned about this problem and the council should be to if they would like to continue to represent the people.

Don Hansen - 712 Lakeland, stated all of the city employees need a raise, but not of such a proportion. They should get a 4 or 5 percent raise each year.

Garry Bills - 605 Lake, stated that he is for adjusting salaries, but the raise being asked for are too high. The salary range should be based on the merit of the employee.

Bob Davis - 68 Lake Ridge, stated that the council should listen to the people about the budget. He feels that the council made up their minds on what the salaries should be, but they need to listen to the citizens of this town if they want to be in good government.

Ruth Ann Dencklau - 521 Howard, stated that she was under the impression that the salaries were to be brought up to like communities and the cities in the survey are not like Lake Dallas. She found out that Lake Dallas is being compared to Dallas, Plano and Garland and she feels that is not right and she stated that she is definitely against the percentage being asked for.

Scotty Stein - stated that she has lived here for 50 years and when she came here there were no paved streets, this was a country town with country people. She does not believe in these raises that are proposed. The city is debt free right now, why give the money away for salaries? If the city is going to throw the money away then use it to put in sidewalks and to fix the potholes. Margaret is the only employee who deserves the high raise, no one else deserves such a high percentage. This is a crazy budget.

Rod Courtney - 162 Kingswood, stated that a one time adjustment would bring these people closer to others and after that then spread the increase over a two year period.

Ken Stapleton - 511 Ridgewood Drive, stated that it is good to have salary caps, but this is too much at once.

Samai Boetter - 219 Pembrook, stated that she has concerns because of the tax affect on fixed income people. We are not treating our elderly and veterans in the American way. We really need to think about what we are doing because we are going to cause a lot of serious problems for many of these people.

Kathy Crawford - 521 Howard, stated that she would like the salaries to be justified. She does not feel that the city can justify it when Corinth has the same type of town as ours and their numbers are nowhere near ours.

Chris Curry - 212 Hillcrest, stated he has some questions about the revenues. Where is the money coming from and where is it going?

Close Public Hearing.

III. ACTION FROM THE PUBLIC HEARING.

A. CONSIDER APPROVAL OF AN ORDINANCE ADOPTING THE 1996 - 1997 FISCAL YEAR BUDGET.

Mayor McCutcheon stated that he has received approximately five calls against this action.

Stephen Wohr stated he has received about 20 calls against this action.

Bruce Martin referred to the Corinth police chief's salary has gone from $39,060 to $44,915 effective October 1, 1996.

Bobby Shikle stated that he is for the raises, but the city needs to look at the employee's qualifications.

Stephen Wohr feels that the employees are historically underpaid and ranges need to be set and the qualifications should be looked at. There should be high and low ranges set.

Thanna Bounds stated that the higher salaries should be lowered and the lower salaries should be raised.

David Shershen stated that it is his responsibility to represent the people because they elected him to do so. He has felt uneasy about the budget all the way around. He would like to complement city staff but he has to go with the citizens and go against the raises.

Bruce Martin moved to accept the budget as proposed, to take the highest salary of the existing range and make it the range for the new low end of the range and propose new salaries for the high end of the range, in addition the salaries increases for all personnel on their anniversary dates with the exception of department heads, shall be given after an evaluation with the department heads and the pay increase to be based on the performance of the individual and the Mayor of this council give justification for each employee for all pay increases in the department. Department heads have their evaluation done by this council by October 30, 1996. Motion withdrawn.

Bruce Martin moved to approve budget setting salaries aside for a workshop and review. Stephen Wohr seconded the motion and it carried 4 to 1 with the following vote: Ayes: Stephen Wohr, Thanna Bounds, Bruce Martin and Bobby Shikle; Noes: David Shershen.

IV. CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LAKE DALLAS, AS HERETOFORE AMENDED TO GRANT A CHANGE IN ZONING FROM R-3 AND R-1-10,000 TO GROUP HOUSING FOR TRACT 62 AND TRACT 71, AND 2.9 ACRES OF TRACT 86, IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924 AND LOT 13B OF THE SECOND REPLAT OF HARBOURTOWN VILLAS-ACTION.

Stephen Wohr moved to approve the ordinance of the City of Lake Dallas, Texas, amending the comprehensive zoning ordinance and map of the City of Lake Dallas, as heretofore amended to grant a change in zoning from R-3 and R-1-10,000 to group housing for Tract 62 and Tract 71, and 2.9 acres of Tract 86, in the M.E.P. & P.R.R. Survey, Abstract 924 and Lot 13B of the Second Replat of Harbourtown Villas. Bruce Martin seconded the motion and it carried unanimously.

V. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Stephen Wohr seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
SEPTEMBER 19, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING THE 1996 APPRAISAL ROLLS AS CERTIFIED BY THE DENTON CENTRAL APPRAISAL DISTRICT AND LEVYING AN AD VALOREM TAX ON SAID PROPERTIES-ACTION.

Stephen Wohr moved to approve ordinance #96-11, approving the 1996 appraisal rolls as certified by the Denton Central Appraisal District and levying an ad valorem tax for maintenance and operation of the general government (General Fund), at $.52810 on each $100.00 valuation of property; and for the interest and sinking fund (Debt Service), at $.04195 on each $100.00 valuation of property; for a total of $.57005 on each $100.00 valuation of property. Thanna Bounds seconded the motion, vote resulted in a tie with Thanna Bounds and Stephen Wohr in favor, and David Shershen and Bobby Shikle opposed. Mayor McCutcheon, in order to break the tie voted in favor of approving the ordinance resulting in the motion carrying with Mayor McCutcheon, Thanna Bounds and Stephen Wohr in favor and David Shershen and Bobby Shikle opposed.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Stephen Wohr seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara~~ Starkey, City Secretary

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
OCTOBER 1, 1996, 7:30 P.M.

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all council members present, the following business was transacted:

II. DISCUSS AND CONSIDER ACTION REGARDING CITY PERSONNEL JOB DESCRIPTIONS.

Thanna Bounds moved to table any action regarding city personnel job descriptions. Bruce Martin seconded the motion and it carried unanimously.

III. DISCUSS AND CONSIDER ACTION REGARDING MARKET ADJUSTMENT FOR SALARIES FOR CITY PERSONNEL.

David Shershen moved to table any action regarding a market adjustment for salaries for city personnel and continue discussion at another workshop after review of job descriptions and personnel records. Stephen Wohr seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Stephen Wohr moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
OCTOBER 7, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all council members present, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: YEARLY REVIEW FOR DEPARTMENT SUPERVISORS.

The Council entered into Executive Session at 7:00 p.m.

The Council reconvened into open session at 12:45 a.m.

III. ACTION ON EXECUTIVE SESSION.

David Shershen moved to table any action regarding the yearly review for department supervisors until the regular City Council meeting on October 10, 1996. Stephen Wohr seconded the motion and it carried unanimously.

IV. DISCUSS AND CONSIDER ACTION REGARDING JOB DESCRIPTIONS AND QUALIFICATIONS.

The council requested the department supervisors review job descriptions for each employee and bring any recommendations to the council for approval.

V. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman
~~Barbara Starkey~~, City Secretary
PATRICIA CHAPMAN

Jerry McCutcheon, Mayor

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
OCTOBER 10, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Council Member Thanna Bounds absent, the following business was transacted:

II. EXECUTIVE SESSION.
IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY REGARDING BOARD OF ADJUSTMENT AND PENDING LITIGATION.

The City Council entered into Executive Session at 7:06 p.m.

Councilman Bruce Martin exited Executive Session at 7:40 p.m.

Board of Adjustment members Clyde Edwards, Rod Courtney and Frances Poteet entered the Executive Session with the City Council at 8:30 p.m.

The City Council reconvened into open session at 9:04 p.m.

III. ACTION ON EXECUTIVE SESSION.

David Shershen moved to appoint the city attorney to represent the City of Lake Dallas and the Board of Adjustment in the law suit Martin vs the City of Lake Dallas. Stephen Wohr seconded the motion and it carried with Bruce Martin abstaining.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

David Shershen moved to approve the minutes of meetings held in September, 1996. Bruce Martin seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Aldena Stowe, 603 E. Hundley Drive, stated that she is resigning from the Library Board and recommends that Matt Flanagan be appointed to fill her position on the Library Board. She also thanked the council and all previous councils for all the support and help they have given to the Lake Cities Library over the years.

Carl David Snider, 19 Ridge Drive, Hickory Creek, owner of Technician on Wheels, 718 E. Hundley Drive, thanked the City of Lake Dallas and the City Council for their help with the Hickory Creek Hoedown; also for allowing Hickory Creek to use the City of Lake Dallas stage. Mr. Snider invited the Mayor and City Council Members to participate in the first semi-annual Lake Dallas Town Hall Forum to be held on Tuesday, October 29, 1996 at 7:00 p.m. at the Lake Dallas Middle School cafeteria. The forum is provided to allow the citizens of Lake Dallas and the City Council Members an opportunity to discuss items of concern within the community.

Norma McAlvey, 25 Kingswood, stated she feels the Planning and Zoning Commission made a mistake when they approved the replat of lots 191 and 192 of Kingswood Mobile Home Park. She feels the mobile home that was placed on the replated lot does not meet all city ordinances.

Mayor McCutcheon replied he asked the Building Inspector to make sure the mobile home meets all city ordinances. The Building Inspector has informed him that the mobile home does meet all city ordinances.

John Daugherty, 312 Stately Oak, requested the support of the City Council for implementation of a drug task force that is being sponsored by the school district. His plan is to structure the task force using committees from different segments of our community. He would like to have representation from the City Council and the police department.

Frank Branscome, 173 Kingswood, asked the Mayor if he could find the time to inspect the property in Kingswood.

Mayor McCutcheon, replied that he does not have any expertise in building inspection and that is why the City hires a Building Inspector and that is his responsibility.

Close Citizen's Agenda.

VII. PUBLIC HEARING.
CONSIDER AN APPLICATION FOR A SPECIAL USE PERMIT FOR THE EXPANSION OF THE CHILDREN'S LEARNING STATION AT 315 CARLISLE.

Toni Smith, owner of the Children's Learning Station, stated she has owned the business for eleven (11) years and that the building would be used for special programs.

Linwood Gilliland, 703 Payton, stated that Ms. Smith is a neighbor of his and has maintained her home exceptionally and he recommends approving this permit.

Stephen Wohr reported that the Planning and Zoning Commission has recommended the approval of this special use permit.

David Shershen asked if all residences of Carlisle were notified.

Mayor McCutcheon replied that all legal notifications were mailed out to property owners within 200 feet of the property; which meets the legal requirement.

Bobby Shikle asked how old is the building. As the city has just performed an asbestos inspection of the City Hall building, does the same inspection have to be performed on this building?

Toni Smith replied that she has had the building inspected and the building does not contain any asbestos.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to approve the special use permit for the expansion of the Children's Learning Station at 315 Carlisle. Bruce Martin seconded the motion and it carried unanimously.

IX. PUBLIC HEARING.
CONSIDER A ZONING CHANGE FOR APPROXIMATELY 5 ACRES LOCATED ALONG THE EAST AND SOUTHEAST OF TRACT 7 OF THE T. WHITE SURVEY, ABSTRACT 1376 FROM C-1 TO R-1-7200, WITH STIPULATIONS ON LOT WIDTH AND REAR SETBACKS.

Mayor McCutcheon reported that he has a petition containing 182 signatures requesting that the R-1-6000 zoning not be considered. Mayor McCutcheon also reported that he had heard concerns that this property should go before the Board of Adjustment because of the stipulations. The City of Lake Dallas Municipal Code, Section 17.36.010 does allow for the City Council to grant stipulations during the platting process.

Jim Douglas, with Douglas Properties, developer of the property, stated that there is an eleven (11) acre tract of land along Dobbs Road that is currently zoned commercial. To allow for additional access to the property, he is proposing to build a road through there. The people who currently own homes backing up to the property would have a row of homes behind their property instead of a road, which they had not expected. He is proposing moving the road over to allow for an additional row of homes that would face the proposed road. He is asking for the R-1-7200 zoning, which is the current zoning on the existing homes. He is asking for a variance on six (6) or seven (7) lots on the rear setbacks which is similar to what they will back up to.

Olive Stephens, Mayor of the Town of Shady Shores, stated she is concerned about the drainage on this property and how it will affect the homes on Berry, in the Town of Shady Shores.

Jim Douglas stated that during the final platting stage he will submit a drainage study to the city engineers for Lake Dallas, Corinth and Shady Shores.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

Mayor McCutcheon stated that he is concerned about all the Corinth residents using Lake Dallas streets. What has been done to research another exit out of the property, so that Lake Dallas is not impacted by Corinth residents.

Jim Douglas replied that he has talked with the broker who has the property to the north of the Corinth property. He has asked that when the property is developed he would like to talk with the developer about tying in a street, and he has allowed for an access point in the Corinth plat to allow for tying in a roadway. He has asked Ken Seal at Corinth to have any developer, on the property to the north, contact him so this could be worked out at the time of development.

Stephen Wohr stated he has a concern about the 50-foot right of way on the northern part of the road with the amount of traffic on River Oak Way. He asked Mr. Douglas if he would consider making the northern part of River Oak Way wider or possibly a boulevard style road.

Bruce Martin stated that several residents of the Thousand Oaks area are concerned about River Oak Way being a prime access point to the property and allowing for fire equipment to access the area. Bruce Martin asked for a commitment for a 60-foot width on River Oak Way to allow for additional road width because of cars that could be parked on the road, this would allow for easier traffic flow.

Jim Douglas replied that he will commit to a 60-foot width on River Oak Way.

Mayor McCutcheon asked Jim Douglas, is Corinth prohibiting construction trucks from coming down Dobbs Road to the development?

Clyde Edwards, 108 Dobbs Road, stated that Corinth does have signs on Dobbs Road prohibiting trucks on Dobbs Road.

Mayor McCutcheon will contact Corinth in reference to their prohibited truck traffic on Dobbs Road.

Truman Harp stated that he has had discussion with a developer in reference to Jackson Ranch property and possibly all development projects to plan additional access to all properties.

Bruce Martin moved to approve the zoning change for approximately 5 acres located along the east and southeast of Tract 7 of the T. White Survey, Abstract 1376, from C-1 to R-1-7200, with stipulations on lot width of Lots 1-13, Block 1 shall have a lot width of 65 feet and rear setbacks on Lots 5-11, Block 1 shall have a rear setback of 20 feet and with the proviso as Mr. Douglas has granted that the additional section of River Oak Way on the plat would be a minimum of 60 feet wide. Bobby Shikle seconded the motion and it carried unanimously.

XI. PUBLIC HEARING.
CONSIDER A ZONING CHANGE FOR 19.588 ACRES OF TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376, FROM R-10,000 TO R-1-10,000, WITH EXCEPTIONS ON LOT AREA ON 15 LOTS, REAR SETBACKS AND MINIMUM SQUARE FOOTAGE OF HOME.

Jim Douglas stated that he is proposing to donate Lot 1, Block 3, as a city park, and requesting that 15 lots along the west side of the property that adjoins the Corinth property and several lots in the interior of the development be less than 10,000 square feet, with the smallest lot being lot 24 with an area of 8043 square feet. These 15 lots would include 5 lots with less than 9000 square feet and the other 10 lots would be between 9000 and 10,000 square feet.

Mayor McCutcheon asked Mr. Douglas, what would you do to help develop the park?

Jim Douglas replied that he would grade, seed and include a sidewalk during the development of the subdivision.

Ruth Ann Dencklau, 521 Howard, asked if the value of the land could be used for matching grant funds for the park.

Clyde Edwards, 108 Dobbs Road, asked Jim Douglas why the street could not be run down the west side of the commercial property.

Jim Douglas stated that in order to do this all the trees would have to be removed.

David Updike, 737 Black Walnut, asked why Shady Shores Road and Dobbs Road are in such bad shape. He also would like to know if he is going to have to watch the newspaper for notices for any other variance requests.

Mark Ruder, 739 Black Walnut, stated that he is concerned about any drainage problems that might occur with the development of this property.

Close Public Hearing.

XII. ACTION FROM PUBLIC HEARING.

Bruce Martin asked Mr. Douglas as to what changes he is proposing in regard to the exception on the minimum square footage of a home.

Jim Douglas replied that he understood that the minimum square footage in a R-1-10,000 zoning district was 2000 square feet, but after obtaining a copy of the ordinance he found that the minimum square footage was 2500 square feet. He is asking for a minimum square footage on the homes in the development be 2000, the minimum front setback be 25 feet, and the minimum rear setback be 20 feet.

Stephen Wohr moved to approve the zoning change for 19.588 acres of Tract 1A of the T. White Survey, Abstract 1375, and 0.4098 acres of Tract 7A of the T. White Survey, Abstract 1376, from R-1-10,000 to R-1-10,000, with exceptions on lot area on 15 lots, specifically Block 3, Lots 2, 3, 4, 5, 6 & 7 that boarder on the Lake Dallas, Corinth city line, Block 4, Lots 24, 25, 26, 29 & 30 and Block 5, Lots 1, 2, 7 & 8, and that the minimum front setback be 25 feet, the minimum rear setback be 20 feet and minimum square footage of home be 2000, on the condition that Block 3, Lot 1 be dedicated as a city park and that the park be graded, seeded and include a sidewalk, also the value of the park will be used to obtain matching grant funds and that provisions be made for an access road south from the property on Block 4, Lot 18 and that no lot area be less than 8043 square feet. Bobby Shikle seconded the motion and it carried unanimously.

XIII. PUBLIC HEARING.
CONSIDER A PRELIMINARY PLAT FOR 19.588 ACRES OF TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF AND TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376.

David Updike, 737 Black Walnut, stated that the high pressure gas line runs under the lot that has been dedicated as a park, would there be a safety issue with this.

Stephen Wohr replied that it is perfectly safe, that it is a Lone Star Gas right of way, and no permanent structure can be built on the property.

Close Public Hearing.

XIV. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to approve the preliminary plat for 19.588 acres of Tract 1A of the T. White Survey, Abstract 1375, and 0.4098 acres of Tract 7A of the T. White Survey, Abstract 1376, and approximately 5 acres of Tract 7 of the T. White Survey, Abstract 1376 with the provisions that Block 3, Lot 1 be dedicated as a city park and that there be provided an access point at Block 4, Lot 18 for an access road to the south, and that the minimum street width for the extension of River Oak Way be 60 feet. David Shershen seconded the motion and it carried unanimously.

XV. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R-3 DISTRICTS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts, for a period of sixty (60) days. Bruce Martin seconded the motion and it carried unanimously.

XVI. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits, for a period of sixty (60) days. Stephen Wohr seconded the motion and it carried unanimously.

XVII. REVIEW AND CONSIDER THE FORMATION OF AN AD-HOC COMMITTEE ON YOUTH AND RECREATIONAL ACTIVITIES AND DISCUSS AS TO HOW THIS COMMITTEE WOULD FUNCTION IN RELATIONSHIP TO THE PARK AND RECREATION BOARD-ACTION.

David Shershen stated that he and several citizens would like to see some activities sponsored by the city for the youth of the community to become involved with. Although these activities would fall under the Park and Recreation Board, he feels the Board is already heavily involved in the plans for the park and the grant application. In order to relieve some of the burden on the Park and Recreation Board, he feels an Ad-Hoc Committee on Youth and Recreational Activities should be formed and that committee would work with the Park and Recreation Board.

Stephen Wohr moved to table the formation of an Ad-Hoc Committee on Youth and Recreational Activities until the Park and Recreation Board has a chance to determine how the committee would function. Bruce Martin seconded the motion and it carried unanimously.

XVIII. ADMINISTRATION DEPARTMENT.

A. DISCUSSION AND CONSIDER APPROVAL OF A RESOLUTION ADOPTING AN INVESTMENT POLICY FOR THE CITY OF LAKE DALLAS-ACTION.

David Shershen moved to table the approval of a resolution adopting an investment policy for the City of Lake Dallas until the city attorney has reviewed the investment policy. Bruce Martin seconded the motion and it carried unanimously.

B. DISCUSSION REGARDING HOME-RULE MUNICIPALITY.

The Council discussed the benefits and the process that would be required to determine if the city should establish a committee that would write a charter for a home-rule municipality. The City Secretary will make copies of information the city received from TML on Texas Home Rule Charters for the City Council members.

XIX. PARK AND RECREATION.

A. DISCUSS AND CONSIDER APPROVAL OF PARK AND RECREATION BOARD OFFICERS FOR FISCAL YEAR 1996-1997-ACTION.

Bruce Martin moved to table the approval of the Park and Recreation Board Officers for Fiscal Year 1996-1997 pending recommendations from the Park and Recreation Board. Stephen Wohr seconded the motion and it carried unanimously.

B. DISCUSS AND CONSIDER APPROVAL OF SELECTION PROCESS FOR NAME FOR THE CITY PARK AT HUNDLEY AND SHADY SHORES-ACTION.

Harriet Hart stated that the Park and Recreation Board would like to conduct a 50/50 contest for naming the city park. With 50 percent going to the person who submitted the name chosen for the park and 50 percent going to the park fund. The contest would be at a cost of $1.00 per park name submitted. The Park and Recreation Board members would review the park names submitted and then bring their recommendation to the City Council for their approval.

David Shershen moved to allow the Park and Recreation Board to conduct a search for the park name for a $1.00 donation for each park name submitted for a prize to be determined. Stephen Wohr seconded the motion and it carried unanimously.

C. DISCUSS PARK AND RECREATION POSITIONS AVAILABLE.

Harriet Hart reported that they have one member resigning and that they need one alternate member, which they will discuss at their next meeting and bring recommendations to the City Council in November for their approval.

D. NEW BUSINESS.

Harriet Hart reported that the Park and Recreation Board will have a booth at the Century Telephone Arts for the Parks Craft Show to be held on October 19th and a booth at the Expo 96 to be held on October 26th. Ms. Hart also reported that the Park Board has asked the Lake Cities Community Action Committee to help with the Christmas Bazaar.

XX. ACCOUNTS PAYABLE-ACTION.

Bruce Martin moved to give approval to the City Secretary to pay all accounts due in the month of October. David Shershen seconded the motion and it carried unanimously.

XXI. OLD BUSINESS.

A. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Stephen Wohr reported that he has been busy working on the city budget and is still trying to find volunteers for the committee that are not already involved in other committees.

B. DISCUSSION REGARDING AD-HOC COMMITTEE FEASIBILITY STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK.

David Shershen reported that he is waiting on plans from the baseball association so that long term plans could be formulated.

XXII. NEW BUSINESS.

A. DISCUSSION REGARDING VIDEO EQUIPMENT AT OPEN MEETINGS OF THE CITY COUNCIL, BOARDS AND COMMISSIONS.

The City Council discussed adopting a policy in regard to allowing video equipment at open meetings. Mayor McCutcheon will check with the city attorney on legal issues involved with the video taping of open meetings of Boards and Commissions.

B. ECONOMIC DEVELOPMENT COMMITTEE.

Bruce Martin recommended establishment of an Economic Development Committee.

C. BUDGET REVIEW.

David Shershen asked if the council would consider a line item review of the budget or a specific item review.

XXIII. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Stephen Wohr seconded the motion and it carried unanimously.

JERRY MCCUTCHEON, MAYOR

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY

PATRICIA CHAPMAN

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
OCTOBER 11, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro Tem
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With Council Member Thanna Bounds absent, the following business was transacted:

II. DISCUSS AND CONSIDER ACTION REGARDING APPROVAL OF SUPERVISOR PAY RAISES.

David Shershen moved to approve the following monthly salary raises for supervisors; the City Secretary $2400.00, the Building Inspector $2550.00, the Police Chief $3550.00, and the Street Supervisor $2450.00. Bruce Martin seconded the motion and it carried unanimously.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Bobby Shikle seconded the motion and it carried unanimously.

ATTEST:

Jerry McCutcheon, Mayor

Barbara Starkey, City Secretary
Patricia Chapman

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 14, 1996

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Barbara Starkey, City Secretary

With all council members present, the following business was transacted:

II. EXECUTIVE SESSION.

A. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION, BRUCE R. MARTIN VS THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, CAUSE NUMBER 96-10658-16.

B. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY REGARDING INVESTIGATION OF BOARD OF ADJUSTMENT MEETING ON OCTOBER21, 1996.

C. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.071 CONSULTATION WITH CITY ATTORNEY: CONSIDERATION OF SEPARATE LEGAL COUNSEL FOR THE BOARD OF ADJUSTMENT.

D. IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: EVALUATION OF CITY SECRETARY POSITION AND CONSIDER PAY INCREASE.

The City Council entered into Executive Session at 7:05 p.m.

The Council reconvened into open session at 9:00 p.m.

III. ACTION ON EXECUTIVE SESSION.

C.. Stephen Wohr moved to not have separate legal counsel for the Board of Adjustment on the presently pending issue. Bruce Martin seconded the motion and it carried unanimously.

D. Bruce Martin moved to accept Barbara Starkey's letter of resignation as of December 1, 1996. Bobby Shikle seconded the motion and it carried with Thanna Bounds and Stephen Wohr opposed.

IV. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

V. MINUTES.

David Shershen moved to approve the minutes of the meetings held in October, 1996. Thanna Bounds seconded the motion and it carried unanimously.

VI. CITIZEN'S AGENDA.

Gary Byrd with the Lake Cities Chamber of Commerce stated that the Board of Directors for the Chamber of Commerce have been unaware that amendment proceedings to the sign ordinance have been taking place. This ordinance will have a direct impact on a majority of the Lake Dallas membership of the Chamber of Commerce, as well as every business in this city. Due to a lack of notification of a hearing regarding this ordinance, there is speculation that there was little or no input from the business community at large and nothing official by the Chamber of Commerce. Considering the implications of this ordinance and the fact that there will be opposition to its contents as written, the Board of Directors of the Lake Cities Chamber of Commerce respectfully request this matter be tabled at this time. Additionally, it is requested that the membership of the Chamber of Commerce have a chance to review this ordinance as written and its proposed amendments. Then the Chamber of Commerce will have an opportunity to draft a position statement, and would like to reopen discussion of this ordinance in some type open forum. I hope you honor this request.

David Shershen, 166 Kingswood Dr., Lake Dallas stated that often times in a case of human endeavor, we come across a superstar and I would like to take this opportunity tonight to introduce to the council and to this audience a person who became a superstar in my mind. The Lake Cities Expo which changed from Sunday to Saturday because of the fact that it was a Dallas Cowboy-Miami football game, we knew that would impart blow our attendance and participation, nevertheless even with out the full attendance that we expected, the project director for this particular project from the Lake Cities Community Action Committee proved herself to be an extreme optimist and ran ahead

of the pack. I would like to introduce at this time Barbara Arnold. She put the project on and made it successful and because of it, the Lake Cities Community Action Committee was able to net over $1,350.00 dollars.

Bob Davis, 68 Lakeridge, stated that the agenda is too long. I would like to encourage the City Council to do something about the agenda. More meetings, put a time limit on it. It is ridiculous. We have to do something. We have signs, we got people who need to run a business. We do not need decisive issues. We need to get action out of this council.

Close Citizen's agenda.

VII. PRESENTATION OF CERTIFICATE OF APPRECIATION TO ALDENA STOWE.

Presentation to Aldena Stowe made by Mayor McCutcheon.

VIII. PUBLIC HEARING.
CONSIDER THE PETITION OF LAIRD LIND REQUESTING A ZONING CHANGE FOR LOT 2 OF SUNDOWN ACRES FROM R-1-10,000 TO R-1-7,200.

Laird Lind, 731 Carlisle, Lake Dallas, stated that when we re-zoned it to R-1-10,000, I was under the impression, as was the majority of the people, that we had a square foot minimum of 2,000 feet in the R-1-10,000 zone areas. That turned out to be not true, it was 2,500 square feet. The home that I am building is going to be 2,200 square feet. The sole reason that I want to down zone it to R-1-7,200 is so that I can put the house on it that I want to build.

Close public hearing.

IX. ACTION FROM PUBLIC HEARING.

David Shershen moved to approve the zoning change from R-1-10,000 to R-1-7,200. Bruce Martin seconded the motion and it carried unanimously.

X. PUBLIC HEARING.
CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 18, SECTION 18.02 OF THE LAKE DALLAS MUNICIPAL CODE IN REGARD TO DEFINITIONS.

Linwood Gilliland, 703 Peyton St, Lake Dallas, stated that in the past we have adopted the Uniform Building Code, that definition is part of the Uniform Building Code.

Bob Davis, 68 Lakeridge, Lake Dallas if a building has to be fully enclosed by that definition, you are saying that you can come back later, what would you do?

Carolyn Green, 201 N. Shady Shores Road asked if this definition was just on buildings?

Bonnie Brown Garcia asked if this was the same ordinance that the Planning and Zoning had discussed and what did they do about it?

Matt Flanangan, 722 Thousand Oaks Dr., stated that in the ordinance and in the building code that there is a word called a structure and it would seem that a building is just as you stated a enclosed building. A structure is something other than totally enclosed.

Close Public hearing.

XI. ACTION FROM PUBLIC HEARING.

Thanna Bound moved to table amending Chapter 18, Section 18.02 of the Lake Dallas Municipal Code in regard to definitions. Bobby Shikle seconded the motion and it carried with Bruce Martin abstaining.

XII. PUBLIC HEARING.
CONSIDER REMOVAL OF CHAIRMAN CLYDE EDWARDS FROM THE BOARD OF ADJUSTMENT.

Ken Stapleton, stated that this is an awkward position for the audience, you are asking us to choose to hold our input possibly until another time without knowing how the council will vote before we do that. Are you assuring me that it will be tabled until another time?

Bob Davis, has it been clearly determined, and has the appropriate party been clearly advised to the use of cameras?

Close public hearing

XIII. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to table any action on that motion and that we re-open with a new public hearing on Thursday December 21, 1996 at 7:00 p.m. Bruce Martin seconded the motion and it carried unanimously.

XIV. DISCUSSION AND CONSIDERATION REGARDING A REQUEST FROM JOE AND MARGARET TISDALE FOR AN EXCEPTION TO THE MORATORIUM ON SIGN PERMITS IN REGARD TO THE SELF-STORAGE BUILDINGS AT 509-511 SHADY SHORES ROAD-ACTION.

David Shershen moved to accept the application for a sign permit for Joe and Margaret Tisdale. Bruce Martin seconded the motion and it carried unanimously.

XV. DISCUSSION REGARDING ESTABLISHMENT OF A DRUG TASK FORCE AND CONSIDER THE APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE-ACTION.

David Shershen moved that Councilman Shikle be chosen as the official designated Lake Dallas city councilman to the Lake Cities Drug Task Force and that David Shershen sit in as alternate in the event that Councilman Shikle cannot make all the meetings. I would also ask that the Police Chief be responsible for appointing a designate out of the police department. Thanna Bounds seconded the motion and it carried unanimously.

XVI. DISCUSS AND CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT FOR AMBULANCE SERVICE BETWEEN THE CITY OF DENTON AND THE CITY OF LAKE DALLAS-ACTION.

David Shershen moved to accept the contract agreement with Denton. Stephen Wohr seconded the motion and it carried unanimously.

XVII. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPT6ANCE FOR FILING AND CONSIDERATION OF PRELIMINARY PLANS AND RELATED SUBDIVISION PLATS, AND THE ISSUANCE OF BUILDING PERMITS AND ALL OTHER DEVELOPMENT PERMITS FOR LAND COVERED BY SUCH PRELIMINARY PLANS OR SUBDIVISION PLATS IN THE R- 3 DISTRICTS-ACTION.

David Shershen moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of preliminary plans and related subdivision plats, and the issuance of building permits and all other development permits for land covered by such preliminary plans or subdivision plats in the R-3 districts. Stephen Wohr seconded the motion and it carried unanimously.

XVIII. CONSIDER APPROVAL OF A RESOLUTION TO IMPOSE A MORATORIUM ON THE ACCEPTANCE FOR FILING AND

CONSIDERATION OF AN APPLICATION FOR A SIGN PERMIT, AND THE ISSUANCE OF SIGN PERMITS-ACTION.

Stephen Wohr moved to approve a resolution to impose a moratorium on the acceptance for filing and consideration of an application for a sign permit, and the issuance of sign permits. Bruce Martin seconded the motion and it carried unanimously.

XIX. DISCUSS AND CONSIDER APPOINTMENT OF A CANDIDATE FOR POSSIBLE APPOINTMENT TO THE APPRAISAL REVIEW BOARD-ACTION.

David Shershen moved to nominate Ruthanne Dencklau to represent the City of Lake Dallas to the appraisal review board. Stephen Wohr seconded the motion and it carried unanimously.

XX. ADMINISTRATION DEPARTMENT.

A. DISCUSSION AND CONSIDER APPROVAL OF A RESOLUTION ADOPTING AN INVESTMENT POLICY FOR THE CITY OF LAKE DALLAS-ACTION.

David Shershen moved to approve resolution 96-11-03. Bobby Shikle seconded the motion and it carried unanimously.

B. DISCUSSION AND CONSIDERATION REGARDING TEXAS WASTE MANAGEMENT CONTRACT AND RATE INCREASE-ACTION.

Bruce Martin moved to approve the contract and rate increase regarding Texas Waste Management. Stephen Wohr seconded the motion and it carried unanimously.

C. DISCUSSION REGARDING HOME-RULE MUNICIPALITY.

The City Council would like to continue discussing home-rule municipality further at a workshop meeting.

XXI. PARK AND RECREATION.

A. DISCUSS AND CONSIDER APPROVAL OF PARK AND RECREATION BOARD OFFICERS FOR FISCAL YEAR 1996-1997-ACTION.

Stephen Wohr moved to accept the recommendations of the Park and Recreation Board as to the appointment of their officers. David Shershen seconded the motion and it carried unanimously.

B. DISCUSS AND CONSIDER APPROVAL OF THE "NAME THE

PARK CONTEST" PRIZE-ACTION.

David Shershen moved to approve the "Name the Park Contest" as submitted by the Park and Recreation Board. Bruce Martin seconded the motion and it carried unanimously.

C. ACCEPT KATHRYN RICE'S RESIGNATION FROM THE PARK AND RECREATION BOARD-ACTION.

David Shershen moved to accept Kathryn Rice's resignation from the Park and Recreation Board. Bobby Shikle seconded the motion and it carried unanimously.

D. PRESENTATION OF THE LAKE CITIES COMMUNITY ACTION COMMITTEE FINANCIAL REPORT FOR EXPO '96.

Gary Byrd stated that the expenses for the event was $335.06. We had an income of $822.48. We still have outstanding to the best of my knowledge short of what is in the post office box, a check for $500.00 from Century Telephone. We have still on deposit from the school, a check for $100.00, which will leave us $1,315.92 in the good.

XXII. ACCOUNTS PAYABLE-ACTION.

Thanna Bounds moved to give approval to the City Secretary to pay all accounts due in the month of November. Bruce Martin seconded the motion and it carried unanimously.

XXIII. OLD BUSINESS.

A. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Stephen Wohr reported that twelve people have committed themselves to getting this program off the ground. Our basic outline for the first meeting is to get with the Chamber of Commerce, to get a letter that will go to every business that is effected by this and will tell them what we are trying to do and to also set up for regular meetings.

B. DISCUSSION REGARDING AD-HOC COMMITTEE FEASIBILITY STUDY FOR A PROGRAM TO RE-OPEN WILLOW GROVE PARK.

David Shershen reported that the Ad-Hoc Committee is still waiting on the sports association

to submit their plan for a softball field. We are projecting to have a meeting the first week in December. We will also be discussing an overall view of what is possible and what is not possible.

C. DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 15.16 OF THE LAKE DALLAS MUNICIPAL CODE IN REGARD TO THE SIGN CODE-ACTION.

Stephen Wohr moved to table the approval of an ordinance amending Chapter 15.16 of the Lake Dallas Municipal Code in regards to the sign code pending a workshop and review that is open to the public and particularly the chamber of commerce and if all possible schedule that workshop before the end of November. David Shershen seconded the motion and it carried unanimously.

D. DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 18.12 OF THE LAKE DALLAS MUNICIPAL CODE IN REGARD TO HOME OCCUPATIONS-ACTION.

David Shershen moved to table the approval of an ordinance amending Chapter 18.12 of the Lake Dallas Municipal Code in regard to home occupations and request that the Planning and Zoning Commission put it on their December agenda and that the ordinance be set up for a public hearing and action item at the December 1996 Lake Dallas City Council meeting and that council members make any suggestions prior to the Planning and Zoning meeting in December in writing. Stephen Wohr seconded the motion and it carried unanimously.

E. DISCUSSION REGARDING PARKING ORDINANCES.

The City Council would like to set up a workshop on November 21, 1996 at 7:00 p.m. to discuss parking ordinances.

XXIV. NEW BUSINESS.

A. DISCUSSION REGARDING ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE-ACTION.

David Shershen moved to establish an economic development committee. Thanna Bounds seconded the motion and it carried unanimously.

B. DISCUSSION REGARDING ESTABLISHING AN EXIT INTERVIEW POLICY-ACTION.

Stephen Wohr moved to table establishing an exit interview policy until the next City Council meeting so we can prepare at least a draft of a policy for an exit interview and I would also like to

extend that exit interview, not only to employees but to any person who serves for the city. Bruce Martin seconded the motion and it carried unanimously.

XXV. ADJOURNMENT-ACTION.

Stephen Wohr moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously.

ATTEST:

Patricia Chapman

~~BARBARA STARKEY~~, CITY SECRETARY
PATRICIA CHAPMAN

JERRY MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
NOVEMBER 21, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Secretary

With all council members present, the following business was transacted:

II. CONSIDER APPOINTMENT OF MATT FLANAGAN TO THE LAKE CITIES LIBRARY BOARD - ACTION.

David Shershen moved to appoint Matt Flanagan to serve as a representative of Lake Dallas on the Lake Cities Library Board. Stephen Wohr seconded the motion and it carried unanimously.

III. PUBLIC HEARING: CONSIDER REMOVAL OF CHAIRMAN CLYDE EDWARDS FROM THE BOARD OF ADJUSTMENT.

Mayor McCutcheon read charges against Chairman Clyde Edwards. (See attached). Mayor McCutcheon stated that he has two letters from different people asking for Mr. Edward's removal and one petition with 28 signatures asking for his removal.

Ken Stapleton, 511 Ridgewood, stated that I would like to read a letter that I mailed to the Mayor on October 31, 1996. On October 21, 1996, the Lake Dallas Board of Adjustment held a regular open meeting. During this meeting the Chairman placed an item before the board that was not on the agenda. The item in question was discussed by the board and the chairman called for a motion. The board members presented a motion and the chair called for a vote. I then informed the chair that I felt he was in violation of the Open Meetings Act. At that point the chairman resumed the meeting. The Mayor Pro-Tem arrived later that evening and was made aware of what had transpired. A recess was asked for by the Mayor Pro-Tem to confer with the chair. When the meeting resumed, the chair had asked for a motion for adjournment. When I called your office the following morning asking that you look into this matter, you assured me that the chairman would be removed from the board. On October 30, 1996, you called and informed me that it may not be possible to have the chairman removed from the board, at this point your advice was to write a letter of complaint. I feel that the chairman of this board has not only violated the Open Meetings Act but

has violated the public trust of the citizens of Lake Dallas. It is my request that you call the City Council into a session immediately and begin investigation and prosecution of any violation of the Open Meetings Act concerning this issue. Respectfully, Kenneth E. Stapleton. Furthermore, as an alternate member of the Board of the Adjustment, I can no longer stand by as our professionalism falls by the way side. Chairman Edwards has not only violated Texas laws. He has violated the public trust. When Chairman Edwards decided to place an unposted item on the agenda, he did so why being videotaped, audio taped, and in the presence of all those in attendance in the audience. If there are any council members here tonight that feel they need to violate their oaths of office by not voting to remove Chairman Edwards, then they to have violated the public trust and should be dealt with accordingly in a court of public opinion.

Matt Flanagan, 722 Thousand Oaks, stated that Mr. Edwards has given his time to the city to take this post. I have known Clyde for a long time and I thought he would do the city a really good job and I think he did for a while. The biggest problem that I have with this and I think you should also is during that meeting, he said that you all said it was okay to act on this issue. Clyde Edwards in that position is basically working as an employee for you. He lied about your intentions. He said it was okay from the council to go ahead, and they can discuss and decide on that issue themselves. I have talked to a few of you and that was not the case. He also said the city attorney said that they could discuss it. You cannot have people violating the public trust and lying to us out in the audience. We tried to get him to stop and continue with the video recorder on but he was not going to listen. I think that he did violate our trust and I think that he should be removed. He has given his time to the city and these proceedings are very tough. But it is our city, you are here to up hold our public trust, your public trust individually has been violated by him and if you do not feel that way, I do not know how you can honestly keep sitting up there. It was violation of state law and we should go forward from there. We have got to become more professional.

Bob Davis, 68 Lakeridge, stated that at some point during the Board of Adjustment meeting the chairman said to the group, hey guys do you want a camera in here or not. What do you think? They decided that they did not want a camera. The thing that concerns me about this whole deal here is that if you take that to this meeting here and you have a long meeting and the next thing you know, when Mayor McCutcheon says well guys do you want to take a potty break. All of a sudden we are going to see Matt Flanagan and Ken Stapleton standing in the door waving state regulations and saying you have violated the state law. This is how ridiculous it could be. Ken Stapleton talks about the citizen's concerns. Do you think that the citizens are concerned about this issue or about the roads? This is the concern of two guys who got defeated in the last election, Ken Stapleton and Matt Flanagan. Their biggest concern should be the issues that this council needs to be applying its attention to the critical issues involving this community and how it is going to survive in the next five to ten years. My recommendation is to put this to rest.

Chris Curry, 212 Hillcrest, stated that we need to backup a little bit. There have been two lawsuits basically since Clyde Edwards has been Chairman. But I ask this council have you provided him with the formal training that he has needed to be a chairman of the board? Have you provided the same training to other board members or commissions on Planning and Zoning? To my knowledge this city has not had any formal training until after this incident, in which the city attorney had a training session. When you take and deliberate and make your decision tonight, remember that if we have not provided him the training and the tools he needed to do his job, then we are just as guilty as he is.

Frank Barnard, 328 Betchan, stated that I would like to thank the City Council for having this recent workshop, the guidance, the do's and don'ts of the Board of Adjustment and Planning and Zoning. This helps me and other board members make better decisions when voting on special issues and procedures. I would also like to see an attorney more accessible to the Board of Adjustment for legal technical support through the chairman. This has been a problem. Only after education and technical legal support to be provided to the Board of Adjustment should we condemn a volunteer for their actions. I am sure even the elected officials of Lake Dallas have made mistakes in their elected duties but we must all learn to work together, hopefully someone will take the lead. As an alternate to the Board of Adjustment, I would like to show my support for Chairman Clyde Edwards. Clyde Edwards and the board members need technical and legal support to do the best job possible, let's seize this opportunity and continue that technical support.

Rod Courtney, 162 Kingswood, stated that I have served with the Clyde Edwards on the Board of Adjustment since December 9, 1993 which was the inception of our board here in the city. I have worked closely with him in researching and studying the manuals, the codes, the ordinances and the laws of Texas. Apparently we missed one or did not follow through exactly on the Open Meetings Act. With what we had before us and the training we had and the information that was given us, I think that we always tried to make the decision in the best interest of the city. I again, along with others say thank you for the late training session that we had. I wish that had happened back in 1993. I know that we are all learning as we go along. I do know that the training session included the Planning and Zoning Commission, also the City Council and the Board of Adjustment. I think from that we will all be able to work much closer together and in the right direction. I think Clyde has given his time, and honestly done what he thinks is right. I would like you very much to consider that Clyde be retained as Chairman of the Board of Adjustment.

Clyde Edwards, 108 Dobbs Rd, stated that I have a prepared statement. (See attached statement).

Herman McAlvey, 25 Kingswood, asked if the petition is going to be addressed?

Norman McAlvey, 25 Kingswood, stated that I agree that the City Council needs to come together. A lot of us are unhappy. We would like everyone to get behind you and unite and put forth something to build this city on, instead of the dissention that we are having.

Diane Byers, 699 Lakeland, stated that I have listened to both sides. Texas does have an Open Meetings Act. It is a law, whether you intend to break the law or not, and you do, you have to be judged on that and not on your intent. I think that action should be taken on the facts and not on personal feelings.

Frank Barnard stated that I agree with her but the only thing, I do not agree with is that the Texas state law also states that if it is intentional. If you intentionally do it, it is criminal.

Ken Stapleton, stated that there is nothing political about this.

Matt Flanagan, stated that we have had over the years, many people serve on boards. It is a volunteer position. It is up to the volunteer to educate their selves. It is up to you individually. You do it yourself and you take the hits when you do it wrong.

Bob Davis, stated that it is up to the District Attorney to decide whether it is a violation of the state law.

Carolyn Green, 201 N. Shady Shores Rd., stated that I am mad. We are arguing amongst ourselves. My problem with this is a city divided cannot stand. Whatever your decision tonight is, I feel like it will be based on whatever is discussed here and I feel it will be a fair decision. We have a city to run. Get the decisiveness on of the way. Run the city.

Chris Curry stated that I caution you all about the Texas Open Meetings Act. Stick to the agenda and only allow the comments addressed on the agenda.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Bobby Shikle moved for Clyde Edwards to remain as Chairman of the Board of Adjustment and that any action that be taken, that needs to be taken upon the allegations made here be handled through the DA. Stephen Wohr seconded the motion and it carried with Bruce Martin opposed.

V. WORKSHOP.

A. DISCUSSION REGARDING AMENDING CHAPTER 15.12 AND CHAPTER 18.02 OF THE LAKE DALLAS MUNICIPAL CODE IN REGARD TO DEFINITION - ACTION.

Stephen Wohr moved to amend Section 15.12.0407 of the Lake Dallas Municipal Code in regard to definition of a building and Chapter 18.02 of the Lake Dallas Municipal Code and use the definition as found in the uniform building code. Thanna Bounds seconded the motion and it carried unanimously.

B. DISCUSSION REGARDING PARKING ORDINANCES.

The City Council would like to have a workshop on December 2, 1996 to discuss parking ordinances with the Police Department and the Code Enforcement Department.

C. DISCUSS TOPICS FOR ADDITIONAL WORKSHOPS AND SCHEDULE DATES - ACTION.

The City Council would like to have a workshop with the Chamber of Commerce on December 2, 1996 to discuss the sign ordinance. On December 2, 1996 at 7:00 p.m., the City Council would also like to discuss an Economic Development Committee, the moratorium on signs, parking ordinances, and review the applicants for City Secretary.

The City Council would like to have a workshop on December 9, 1996 to discuss City Administrator/ City Manager qualifications at 6:30 p.m.

The City Council would like to discuss the sign ordinance at the regular city council meeting on December 12, 1996.

The City Council would like to have a workshop on December 18, 1996 to discuss a bond program and the possible land swap with the City of Corinth.

VI. ADJOURNMENT.

Thanna Bounds moved to adjourn the meeting. David Shershen seconded the motion and it carried unanimously. The meeting adjourned at 9:27 p.m.

ATTEST:

Patricia Chapman
PATRICIA CHAPMAN, CITY SECRETARY

JERRY MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
DECEMBER 2, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Pro-Tem David Shershen with the following members present:

David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Secretary

With Mayor Jerry McCutcheon absent, the following business was transacted:

II. DISCUSSION WITH THE LAKE CITIES CHAMBER OF COMMERCE REGARDING CHAPTER 15.16 OF THE LAKE DALLAS MUNICIPAL CODE RELATING TO SIGNS.

The City Council discussed the sign ordinance with the Lake Cities Chamber of Commerce. The Lake Cities Chamber of Commerce submitted a report and a position statement to the City Council regarding the sign ordinance.

III. REVIEW AND DISCUSS RE-INSTATEMENT OR MODIFICATION OF THE MORATORIUM ON CHAPTER 15.16 REGARDING SIGNS - ACTION.

Stephen Wohr moved to modify the present moratorium on Chapter 15.16 to specify that, that moratorium applies to permanent signs and off premise advertising signs and does not specifically apply to temporary or portable signs. Bruce Martin seconded the motion and it carried unanimously.

IV. DISCUSSION REGARDING ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE - ACTION.

Bruce Martin moved to table establishment of an economic committee for a future workshop. Stephen Wohr seconded the motion and it carried unanimously.

V. DISCUSSION REGARDING PARKING ORDINANCES - ACTION.

Bobby Shikle moved to eliminate the parking on the grass ordinance. Thanna Bounds seconded the motion. The motion carried with the following votes: Ayes: Bobby Shikle, Thanna Bounds, David Shershen. Nays: Stephen Wohr, Bruce Martin.

VI. REVIEW APPLICANTS FOR CITY SECRETARY - ACTION.

Bruce Martin moved to schedule the interview process at a date to be determined. Thanna Bounds seconded the motion and it carried unanimously.

VII. DISCUSS TOPICS FOR ADDITIONAL WORKSHOPS AND SCHEDULE DATES-ACTION.

Stephen Wohr moved to re-schedule the parking ordinances for a public hearing at the regular City Council meeting on December 12, 1996. Thanna Bounds seconded the motion and it carried unanimously.

Stephen Wohr moved to take the list of applicants that we worked up at the workshop and contact those applicants and set up the first interview of those applicants on December 9, 1996 beginning at 7:00 p.m. Thana Bounds seconded the motion and it carried unanimously.

VIII. ADJOURNMENT.

Bruce Martin moved to adjourn the meeting. Stephen Wohr seconded the motion and it carried unanimously. The meeting adjourned at 11:45 p.m.

DAVID SHERSHEN, MAYOR PRO-TEM

ATTEST:

Patricia Chapman

~~KELLY D'AMATO, SECRETARY~~
PATRICIA CHAPMAN, CITY SECRETARY

CITY OF LAKE DALLAS
SPECIAL SESSION OF THE CITY COUNCIL
DECEMBER 9, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Secretary

With Councilman Bruce Martin absent, the following business was transacted:

II. EXECUTIVE SESSION.

IN ACCORDANCE WITH CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, SECTION 551.074 PERSONNEL: INTERVIEW APPLICANTS FOR THE POSITION OF CITY SECRETARY.

The City Council entered into Executive Session to interview applicants for the City Secretary position.

The City Council reconvened into open session at 11:25 p.m.

III. ACTION ON EXECUTIVE SESSION.

Stephen Wohr moved that we would accept Patricia Chapman subject to a personal check to determine her history with the City of Corinth and because she is presently certified that we consider a pay range of $2,700.00 as her salary. I would also ask for part of that motion that we consider the second choice for City Secretary, in the event that there is a difficulty with Patricia Chapman that we would consider Frances Hatzenbuhler as our second choice and that we consider as a pay range of $2,500.00 in the light of the fact that she does not presently have her certification. We will of course have the opportunity to review that at the time she pertains that. Thanna Bounds seconded the motion and it carried unanimously.

IV. WORKSHOP.

A. DISCUSSION REGARDING CITY ADMINISTRATOR/CITY MANAGER QUALIFICATIONS.

The City Council discussed the qualifications for a City Administrator/ City Manager.

V. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously. The meeting adjourned at 11:35 p.m.

ATTEST:

JERRY MCCUTCHEON, MAYOR

~~KELLY D'AMATO, SECRETARY~~
PATRICIA CHAPMAN, CITY SECRETARY

CITY OF LAKE DALLAS
REGULAR MEETING OF THE CITY COUNCIL
DECEMBER 12, 1996

I. ROLL CALL.

The meeting was called to order at 7:30 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Secretary

With Council Member Bruce Martin absent, the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION.

The Pledge of Allegiance to the flag was given and invocation was given by Mayor McCutcheon.

III. MINUTES.

David Shershen moved to approve the minutes of the meetings held in November, 1996. Stephen Wohr seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

Clyde Edwards, 108 Dobbs Rd., stated that on the citizen's agenda in the newspaper this week, there is an article about Mr. Martin dropping the lawsuit because the council had amended the definition of a building. I am just here to remind the council as the Board of Adjustment Chairman that the only one that can over rule a change in the decision of the Board of Adjustment is the county court. A definition change does not constitute a change in the decision that the Board of Adjustment has made. I think that you need to address that and look into it seriously.

Matt Flanagan, 722 Thousand Oaks, stated that the Lake Cities Baseball Association had a meeting the other night and discussed Willow Grove Park. What we are finding out is that the City of Denton is looking really hard at not allowing anyone outside the city limits to join their baseball association. We are looking at a large influx of children coming back to the Lake Cities to enjoy those sports. I remember a couple of years back when we gave over the corp property, I seem to remember that we kept the fields as part of the lease, and then allowed the baseball association to use them and try to maintain them. If we could possibly locate that paper work, and then see if we could coordinate with the baseball association.

Gary Byrd, 2215 Lake Sharon Dr., Corinth, with the Lake Cities Chamber of Commerce stated that each meeting of the legislator, they have a Denton County Day. Denton County takes a group of politically inclined to Austin to really make Denton County known. It is the first week of April. The week before they do this they hold a kickoff dinner and it will be held at the Texas Motor Speedway. This is the opportunity for each of the cities too showcase their city.

Chris Curry, 212 Hillcrest, stated that the council needs to look at the ordinances. In reviewing the ordinances, I do not see where the City Council can grant a variance. Do not violate our own ordinances.

Close Citizen's agenda.

V. PUBLIC HEARING.
CONSIDER A FINAL PLAT FOR 19.588 ACRES OF TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376 AND APPROXIMATELY 5 ACRES OF TRACT 7 OF THE T. WHITE SURVEY, ABSTRACT 1376. THIS PROPERTY IS LOCATED SOUTH OF DOBBS ROAD AND SOUTH OF STATELY OAK LANE IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Jim Douglas with Douglas Properties stated that I believe we have addressed all the concerns that the City Council and Planning and Zoning had on the preliminary plat. We have made all the corrections to that. We have the access easement. This lot one (1) will be deeded to the city for the park. There will be a 60 foot right of way going up to Dobbs Rd. All the lots meet the minimum square footage that we discussed. Metroplex Engineering, City of Corinth's and Shady Shores Engineers have all reviewed the plans and okayed them. Mike Saunders with the Lake Cities Municipal Utility Authority also okayed them.

Chris Curry, 212 Hillcrest, stated that this council needs to instruct the developer to do a better job repairing the road than they did the last time. Work with the developer to decrease the runoffs. I also ask that you review the subdivision ordinances.

Robert Hansen, 337 Stately Rd., asked if Texas Oak will be rebuilt?

Clyde Edwards, 108 Dobbs Rd., stated that lot 18, the access to Jackson Ranch is suppose to be stubbed out, not an access. I think we need a street here with a stub out that we can tie into, not an access. Corinth will be using our streets. There is going to be lots of traffic. I would hate to be an investor with 10,000 square foot lots, next to 5,000 square foot lots. I would not recommend this final plat. I think we ought to meet with the City of Corinth. I feel they are putting trash next to us.

Chris Curry, 212 Hillcrest, stated that I would like to encourage the council to look into doing a road impact fee. As a taxpayer, I do not want to pay for a new development. I believe a new development should pay for itself. The same with the parks. You can put in the ordinance to collect a fee for the parks.

Matt Flanagan, 722 Thousand Oaks stated that there has been a preliminary plat done. He has gone before you and the Planning and Zoning Commission. He has a business to run. I live in one of the homes that he helped developed. It is a fantastic neighborhood. This will be a fantastic neighborhood. Things about developing parks, those should have been done, when it first came before you. If you do not do your homework, it is not his fault. If these people that are down here complaining tonight did not come down and complain then and you did not listen to them then, that is a problem. People need to make a living. He put a lot of money into what you see before you. I want to see him develop it. I would like to see it passed the way it is.

Chris Curry, 212 Hillcrest, stated that if you are going to follow along and not let us come to the final plat, then why hold a public hearing. It is an opportunity that if you missed the preliminary plat, you can come back at the final plat. Two wrongs certainly do not make a right.

Linwood Gilliland, 703 Peyton, stated that until just recently we had 10% fee on all building permits for parks.

Clyde Edwards, 108 Dobbs Rd., stated I agree with what Matt said but if you go back to your minutes, you will remember me bringing this issue up at each meeting. The road is not as big issue as the quality of the roads.

Mark Ruder, 739 Black Walnut, stated that he is concerned about the drainage on his lot.

Robert Hansen, 337 Stately Oak, asked when the Jackson Ranch would be developed? Can you barricade the stub out?

Mayor Stephens, Shady Shores, stated that if your figures are what they say, it will be okay. I tried to talk to the engineer today, but he was out of town, so I did not get his comment. I understand that there is a drainage study from the Corp of Engineers, hopefully they will give us some figures on this and will give us some more input on the drainage. Hopefully it will work.

Close public hearing.

VI. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to approve the final plat plan as prepared here with the only exception being that the road be actually stubbed and paved out. Thanna Bounds seconded the motion and it carried unanimously.

VII. PUBLIC HEARING.
CONSIDER AMENDING CHAPTER 10, SECTION 10.24.150 OF THE LAKE DALLAS MUNICIPAL CODE REGARDING FRONT OR SIDE YARD PARKING IN R-1 AND R-2 ZONES.

Aldena Stowe Gregory, 603 Hundley Dr., stated that she was on the Planning and Zoning Commission and we really studied this ordinance. We allowed each home a 40% parking area. I do not want to see my end of town become a slum area again. There were cars parked everywhere. We don't want to see that again, not on a daily basis. This ordinance has helped. Do not punish 5,000 people. Leave the ordinance as it is.

Norma McAlavy, 25 Kingswood, commented why do we take our city ordinances and go backwards. They are for our benefit. Be considerate of neighbors. Let's keep things like they are. This could not work for mobile home parks. It would not be safe or benefit the people. Let's go forward.

Matt Flanagan, 722 Thousand Oaks, stated that the parking ordinances are now gone. This will affect our property value. My home is an investment to me. I have a purpose for those dollars. I am really sad that it was passed.

Linwood Gilliland, 703 Peyton St., stated that we will never be able to have ordinances that will work well in Thousand Oaks, down by Thompson street because they are not uniformly the same because of the size of the lots. The employees need to knock on the door and check out the situation and not send nasty letters.

Brad Cox, 80 Kingswood, stated that it is a fire hazard. When I moved there you made me put gravel down. I think you need to let the ordinance stay like it is.

Clyde Edwards, 108 Dobbs Rd., stated I am upset. These are citizens, I am a citizen.

Bob Davis, 68 Lakeridge, stated there are differences in this town. There are mobile home parks. We have Oak Lakes and Thousand Oaks with large lots and wide streets. There is a lot of diversity. Structure it in some way where the community can decide for themselves. Have some flexibility.

Aldena Stowe Gregory, stated that is why we worked on the 40% of the front yard, to take the people in consideration who did not have a wide street. We were very considerate of that.

Chris Curry, 212 Hillcrest, stated you can structure an ordinance to deal with different areas,

if it deals with Health and Safety.

Linwood Gilliland, 703 Peyton St., stated that I understand Mr. Wohrs situation. Even if they parked on the grass, they would still have to park in the streets. There is some exaggeration on the problem we got. Code Enforcement employees are gone holidays and on weekends. We need to have the employees knock on the doors to see what the problem is. The ordinances are not bad.

Robert Hansen, 337 Stately Oak, stated that my only suggestion would be to make parking on one side of the street only.

Bob Davis, 68 Lakeridge, asked how does the 40% situation work on a circular drive?

Linwood Gilliland, 703 Peyton St., stated that we do have an ordinance regarding parking on the street. Maybe we need a clause that says this does not apply if you are building a house. It takes a little initiative on our own.

Carolyn Green, 201 N. Shady Shores Rd., stated it all boils down to this, we do not have an ordinance for parking right now. You have heard all the input, what are you going to do?

Close Public hearing.

VIII. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved that the only action that we take on agenda itemVII is to place this on the agenda for the 18th, that it be listed as a public hearing and it be listed as consider amending Chapter 10 of the Lake Dallas Municipal Code to add a parking ordinance for front or side yard parking in R-1 and R-2 zones. David Shershen seconded the motion and it carried unanimously.

IX. CONSIDER RECOMMENDATION OF FRANK BARNARD AS A PERMANENT MEMBER OF THE BOARD OF ADJUSTMENT-ACTION.

David Shershen moved to recommend Frank Barnard as a permanent member of the Lake Dallas Board of Adjustment. Stephen Wohr seconded the motion and it carried unanimously.

X. CONSIDER RECOMMENDATION OF A NEW ALTERNATE MEMBER FOR THE BOARD OF ADJUSTMENT-ACTION.

David Shershen moved to recommend Chris curry, 212 Hillcrest, Lake Dallas to serve as an alternate on the Lake Dallas Board of Adjustment. Thanna Bounds seconded to the motion and it carried unanimously.

XI. DISCUSSION REGARDING A BUILDING PERMIT FOR 103 MARKET

STREET.

The City Council discussed with Terry Lantrip owner of the property at 103 Market Street about a building permit. The City Council decided to have the City Attorney meet with Building Inspector Truman Harp and Terry Lantrip to discuss this further.

XII. CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL SELECTING OFFICIAL NEWSPAPERS AND PROVIDING AN EFFECTIVE DATE-ACTION.

David Shershen moved to approve the resolution designating the Denton Record Chronicle and the Lake Cities Sun as the official newspapers of the City of Lake Dallas. Thanna Bounds seconded the motion and it carried unanimously.

XIII. DISCUSSION OF CITY AUCTIONS RELATING TO PARTICIPATION BY CITY OFFICIALS AND CITY EMPLOYEES.

The City Council would like to have Chief Nick Ristagno draft an ordinance prohibiting city, employees and city officials from participating in city auctions for the January agenda.

XIV. PARK AND RECREATION.

A. DISCUSS PARK AND RECREATION BUSINESS.

Harriet Hart, Chairman of the Park and Recreation discussed the Christmas Bazaar, which made a net profit of $116.51. She stated this was an interim. She also requested to be moved up on the agenda, possibly after the citizens agenda.

B. SET UP WORKSHOP WITH CITY COUNCIL-ACTION.

The City Council will have a workshop with the Park and Recreation on Wednesday, January 15, 1997 at 7:00 p.m.

XV. ACCOUNTS PAYABLE-ACTION.

Thanna Bounds moved to give approval to the Secretary to pay all accounts due in the month of December. David Shershen seconded the motion and it carried unanimously.

XVI. OLD BUSINESS.

A. DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 15.16 OF THE LAKE DALLAS MUNICIPAL

CODE IN REGARD TO THE SIGN CODE-ACTION.

David Shershen moved to table amending Chapter 15.16 of the Lake Dallas Municipal Code until the January 15 workshop. Stephen Wohr seconded the motion and it carried unanimously.

B. DISCUSSION REGARDING HOME-RULE MUNICIPALITY.

The City Council would like to discuss home-rule further at the January meeting.

C. DISCUSSION REGARDING AD-HOC COMMITTEE REVITALIZATION PROGRAM FOR MAIN STREET.

Councilman Stephen Wohr stated that the Main Street Committee have a tentative date set in January for their meeting.

D. DISCUSSION REGARDING ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE-ACTION.

David Shershen moved to table establishing an Economic Development Committee until the regular January meeting. Thanna Bounds seconded the motion and it carried unanimously.

E. DISCUSSION REGARDING ESTABLISHING AN EXIT INTERVIEW POLICY-ACTION.

David Shershen moved to table establishing an exit interview policy until the regular January meeting. Thanna Bounds seconded the motion and it carried unanimously.

XVII. NEW BUSINESS.

Councilman Stephen Wohr stated that Councilman David Shershen and I attended the Twinkle Light Parade. I would like to see if local businesses could set up somewhere on the dock.

Mayor Jerry McCutcheon stated that he wanted to remind the council that the Spirit of Christmas needs volunteers for wrapping and sorting out groceries on December 13, 1996.

XVIII. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Stephen Wohr seconded the motion and it carried unanimously. The meeting adjourned at 12:00 a.m.

City Council Meeting
December 12, 1996; Page 8

ATTEST:

Patricia Chapman
~~KELLY D'AMATO, SECRETARY~~
PATRICIA CHAPMAN, CITY SECRETARY

JERRY MCCUTCHEON, MAYOR

CITY OF LAKE DALLAS
SPECIAL MEETING OF THE CITY COUNCIL
DECEMBER 18, 1996, 7:00 P.M.

I. ROLL CALL.

The meeting was called to order at 7:00 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Deputy City Secretary

With Council Member Stephen Wohr arriving at 7:15 p.m., the following business was transacted:

II. DISCUSSION WITH FIRST SOUTHWEST COMPANY REGARDING BOND PROJECT-ACTION.

The City Council met with Boyd London with First Southwest Company regarding the street bond project.

Stephen Wohr moved to appoint a twelve (12) member committee, the names will be submitted by the council members , two (2) names for each council member and two (2) names for the Mayor. We try to get at least two (2) people from each area of the town and that the Mayor get two (2) people who are connected with businesses in the city. Those names will be presented to the Mayor by January 1, 1997 and that we schedule this for a workshop on January 3, 1997 and that we also contact the City Engineer and have an estimate for the purposes of doing an overall visibility study for different streets in the city pending recommendations of the committee as to which streets it should be. David Shershen seconded the motion and it carried unanimously.

III. PUBLIC HEARING. CONSIDER AMENDING CHAPTER 10 OF THE LAKE DALLAS MUNICIPAL CODE TO ADOPT SECTION 10.24.150 PROHIBITING FRONT OR SIDE YARD PARKING IN R-1 AND R-2 ZONES.

Gary Bills, 605 Lake Dr., asked if this was to consider putting the parking restrictions back on the books? I am all for that.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Stephen Wohr moved to reinstate section 10.24.150 of the Lake Dallas Municipal Code prohibiting front or side yard parking in R-1 and R-2 zones. Bruce Martin seconded the motion and it carried unanimously.

V. DISCUSS JACKSON RANCH LAND SWAP WITH CITY OF CORINTH.

The City Council and Building Inspector Truman Harp discussed Jackson Ranch. The property is now being considerd for re-zoning by both cities to utilize the entire section so that a land swap might not be necessary.

VI. DISCUSS AND CONSIDER APPOINTING THE ADMINISTRATIVE ASSISTANT AS DEPUTY CITY SECRETARY-ACTION.

Bruce Martin moved to appoint the administrative assistant as Deputy City Secretary. Thanna Bounds seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Thanna Bounds seconded the motion and it carried unanimously. The meeting adjourned at 8:30 p.m.

ATTEST:

JERRY MCCUTCHEON, MAYOR

Patricia Chapman

~~KELLY D'AMATO~~
~~DEPUTY CITY SECRETARY~~
PATRICIA CHAPMAN, CITY SECRETARY

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a regular monthly meeting on January 9, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

Also in attendance was Patricia Chapman, City Secretary.

Mayor McCutcheon called the meeting to order.

Following the Pledge of Allegiance to the U.S. Flag, Mayor McCutcheon gave the invocation.

Item 3 - Approval of Minutes for December

Motion made by Mayor Pro-Tem Shershen to approve the minutes as submitted. Motion seconded by Council Member Bounds.
Ayes: Council Members Bounds, Martin, Shershen, Shikle and Wohr
Noes: None

Motion Carried

Item 4 - Citizen's Agenda

No citizen spoke during the Citizen's Agenda.

Item 5 - Park & Recreation

5-A. Accept New Lake Dallas Park & Recreation Member.

Motion made by Mayor Pro-Tem Shershen to accept the Park & Recreation's nomination of Christy Burgess as a member of the Park & Recreation Board. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

5-B. Accept Two Alternate Lake Dallas Park & Recreation Members

Motion made by Mayor Pro-Tem Shershen to accept the Park & Recreation's nomination of Ron Peoples and Stephanie Everheart as Alternate Members of the Park & Recreation Board. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

5-C. Discuss Workshop with City Council

Mayor McCutcheon announced that a workshop with the Park & Recreation Board is scheduled for January 15, at 7:00 p.m.

Item 6 - Public Hearing

Consider a zoning change for 23.20 acres of Tract 3 of the H.H. Swisher Survey Abstract 1220 from R-3 and C-2 zoning to R-1-6000 zoning and 27.71 Acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220 from R-3 zoning to R-1-7200 zoning. This property is located at 401 Swisher Road in the City of Lake Dallas, Denton County, Texas.

Mayor McCutcheon called the Public Hearing to order, read the Zoning Request and asked if any citizen wished to speak on the zoning change request .

Jim Wills, HIM Development gave a presentation of their request for the zoning change.

The following citizen spoke in favor of the change in Zoning:

Linwood Gilland, on behalf of the Planning & Zoning Commission

The following citizens spoke against the change in Zoning.

Bonnie Garcia

Truman Harp, City of Lake Dallas Building Official, spoke in favor of the change in Zoning with the proposed stipulations regarding building minimums and lot sizes.

With no other citizens wishing to speak on the zoning change, Mayor McCutcheon closed the Public Hearing.

Item 7 - Action From the Public Hearing.

Motion made by Council Member Wohr that the 27.71 Acres of Tract 3, of the H.H. Swisher Survey Abstract 1220 from R-3 Zoning to R-1-7200 zoning request be granted; that the 23.20 Acres of Tract 3, of the H.H. Swisher Survey Abstract 1220; Zoning from R-3 and C-2 to R-1-6000 zoning request be denied; instead that the 23.20 Acres of Tract 3, of the H.H. Swisher Survey Abstract 1220 R-3 and C-2 Zoning be changed to R-1-7200 Zoning with the following stipulations: 1) the minimum lot requirements comply with the R-1-6000 Zoning requirements; 2) the minimum home size be 1400 square feet; 3) the minimum masonry requirement be 70 percent. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 8 - Ordinance Prohibiting Participation at City Auctions By City Officers, Agents and Employees

Motion made by Mayor Pro-Tem Shershen to adopt the ordinance prohibiting participation at city auctions by city officers, agents and employees as submitted. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 9 - Accounts Payable

Motion made by Council Member Martin to approve the Accounts Payables as presented. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 10(A) - Discussion Regarding Board of Adjustment's Request for the City Attorney to Attend Their Next Board of Adjustment Meeting.

Motion made by Council Member Shikle to approve a Workshop with the City Attorney and the Board of Adjustment for training with a maximum time limit of 2 (two) hours. Seconded by council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 10(B) - Discussion Regarding Ad-Hoc Committee Revitalization Program for Main Street.

Council Member Wohr announced that the Main Street Revitalization Committee would meet on January 23, 1997 at 7:00 p.m. in the Council Chambers.
No action required.

Item 10© - Discussion Regarding Ad-Hoc Committee Feasibility Study for a Program to Re-open Will ow Grove Park.

No Action.

Item 10(D) - Discussion Regarding Establishment of an Economic Development Committee

Motion made by Council Member Wohr to table until a January 20, 1997 at 7:30 p.m. workshop. Seconded by Mayor Pro-Tem Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 10(E) - Discus Regarding Establishing an Exit Interview

Motion made by Council Member Wohr to table until the next regular Council Meeting (February 13, 1997). Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

Item 10 (F) - Discussion Regarding City Administrator/City Manage Qualification

No Action. Will be discussed in Workshop; on February 5, 1997 at 7:00 p.m.

Item 10(G) - Discussion Regarding Home-Rule Municipality

No Action. Will be discussed in Workshop on February 5, 1997 at 7:00 p.m.

Item 11 - New Business: Oath of Office

Mayor McCutcheon gave the Oath of Office to newly appointed City Secretary, Patricia Chapman.

Item 12 - Adjournment

Motion made by Mayor Pro-Tem Shershen to adjourn the meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

The meeting did then stand adjourned.

Attest:

Patricia Chapman, City Secretary
City of Lake Dallas

Jerry McCutcheon, Mayor
City of Lake Dallas

CITY OF LAKE DALLAS
WORKSHOP MEETING OF THE CITY COUNCIL
JANUARY 3, 1997, 7:00 P.M.

I. CALL TO ORDER.

The meeting was called to order at 7:15 p.m. by Mayor Jerry McCutcheon with the following members present:

Jerry McCutcheon, Mayor
David Shershen, Mayor Pro-Tem
Thanna Bounds, Council Member
Bruce Martin, Council Member
Bobby Shikle, Council Member
Stephen Wohr, Council Member
Kelly D'Amato, Deputy City Secretary

With all Council Members present, the following business was transacted:

II. WORKSHOP.

A. COMMITTEE MEMBER MEETING REGARDING STREET BOND PROJECT.

The City Council and the Street Bond Project Committee discussed where to start in identifying the problems and which streets need to be taken care of first. They also would like to get more citizen input to see if the city is headed in the right direction. The committee set their next meeting on January 14, 1997 at 7:00 p.m.

III. ADJOURNMENT.

David Shershen moved to adjourn the meeting. Bruce Martin seconded the motion and it carried unanimously. The meeting adjourned at 8:00 p.m.

Jerry McCutcheon, Mayor

ATTEST:

Patricia Chapman, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Workshop Meeting on January 15, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2

With Council Members Bruce Martin and Stephen Wohr arriving at 7:10 p.m. and 7:25 p.m. respectively.

The following members of the Parks & Recreation Board were present:

Christie Price	Vice-Chair
Steve Smith	Board Member
Tammy Hite	Board Member
Anna Benhan	Board Member
Leslie Spraggins	Board Member
Christy Burgess	Board Member
Ron Peoples	Alternate Board Member

The minutes were corrected to include: Ray Henry, Jeff London and Ruthann Denklan as Park & Recreation Board members who were in attendance.

Also in attendance was Patricia Chapman, City Secretary.

Mayor McCutcheon called the meeting to order.

The Park & Recreation Board discussed the following items with the City Council.

B. CITY COUNCIL WORKSHOP WITH PARK & RECREATION BOARD

City's commitment to Park Development.

The Park & Recreation Board expressed a need for a full-time city employee to assist in the development of grant request, the grant must be submitted by July 31, 1997.

Guidelines for Park & Recreation Board.

The Park & Recreation Board requested guidelines in expanding the number of people on the Board, and if expenditures needed Council approval. Generally, the consensus of the Council was that the Board could appoint ad hoc committees that would only gather information and that any budget item more than $200 required quotes and spending would follow same guidelines as other city departments.

Use of Volunteers

Because of insurance, a list of employees and hours volunteered would need to be kept.
Park & Recreation Funding

Park & Recreation Funding

The mayor stated that 10 percent of all building fees collected goes into the Park Fund.
The President of the Sports Association stated that the responsibilities for the maintenance of the newly acquired park at the corner of Hundley & Shady Shores Road will be shifted from the sports association to the City. He further stated that the city consider assessing fees to nonresident participants in organized sports similar to what other cities do.

Park & Recreation Survey results.

A copy of the survey was given to the Council. The survey was necessary for the grant application.

Park & Recreation.

The Park & Recreation Board & City Council discussion funding, grants, park land, and signs.

C. CITY COUNCIL WORKSHOP:

Discussion of Ordinance Amending Chapter 15.16 of the City of Lake Dallas Municipal Code; Sign Code.

Mayor McCutcheon left the meeting at 10:30 p.m.

The consensus of the Council was to:

Request the Building Inspector to give a definition for:

1) Change the wording of the proposed ordinance in Section 6; A, C & E.
2) Chapter 15.16, Section 150 - Sign Erectors; 160 - License - Required; and 170 - Bond Required.

3) Directional signs
4) Rewrite Section 7; F & G of the proposed ordinance.

D. ADJOURN

Motion made by Council Member Wohr to adjourn the meeting. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on January 20, 1997 at 7:30 p.m. in the Community Center located at 302 South Shady Shores Road. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4 (arriving at 7:40 p.m.)

Also in attendance was Patricia Chapman, City Secretary.

Mayor Pro-Tem Shershen called the meeting to order at 7:35 p.m.

3. <u>Consideration & Action on Economic Development</u>

After lengthy discussion on the best methods to pursue the advancement of economic development in the City a **<u>motion</u>** was made by Council Member Wohr to:

- have a direct mailing to all the businesses in town
- set a date for a workshop within twenty (20) days
- to place on the workshop agenda the appointment of a steering committee for economic development
- develop an application for volunteers and a mailing list of all residents of Lake Dallas

Ayes: Council Members Bounds, Shikle, Martin, and Wohr
Noes: None

<u>Motion Carried</u>

<u>Motion</u> made by Council Member Bounds that the Council hold a workshop with the business community on February 11, at 7:30 p.m. at the Lake Dallas Community Center. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, and Wohr
Noes: None

<u>Motion Carried</u>

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Meeting on February 5, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member

With Council Member Stephen Wohr arriving at 7:10 p.m.

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order.

Business:

1. **Executive Session:**

The City Council met in Executive Session pursuant to Section 551.071(1): Consultations with Attorney (A) pending or contemplated litigation and Section 551.072: Deliberations about Real Property.

2. No action was taken from the Executive Session.

3. **Consent Agenda:**

a. Consideration and Action on Resolution adding City Secretary as an authorized representatives to the Texpool account.
b. Consideration and Action on appointment of City Secretary, Patricia Chapman as Records Management Officer for the City of Lake Dallas.

Motion made by Councilman Shershen to approve the Consent Agenda as presented. Seconded by Councilman Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

4. Consideration and Action on City Administrator.

Richard Huckaby, City Administrator for the City of Corinth, gave an overview of the City Administrator's position and qualifications.

Motion made by Councilman Wohr to table the consideration on a City Administrator until February 13, 1997. Seconded by Councilman Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

5. Consideration and Action on Home-Rule Government.

Motion made by Councilman Martin to table consideration on Home-Rule Government until March 13, 1997. Seconded by Councilman Shikle.
Ayes: Council Members Bounds, Shikle, Martin, and Wohr
Noes: Council Member Shershen

Motion Carried

Motion made by Councilman Shershen to adjourn the meeting. Seconded by Councilman Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST

Patricia Chapman, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Regular Meeting on February 13, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member
Stephen Wohr	Council Member

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order.

Certificates of Recognition

Kathleen Weaver was presented a plaque in recognition of her volunteer work establishing a computer data base for the Police Department.

Georginia Gougeon was presented with a Certificate recognizing her efforts in reducing the number of euthanized animals by establishing an adoption program which matches stray animals with senior citizens. Lt. Lowery announced that the Animal Control Department was now titled Animal Services and that Georgina's title was now Manager of Animal Services.

Sgt. Wes Frazier was presented with a certificate recognizing his loyalty to the City, Citizens and for service above and beyond the call of duty.

Officer Shane-Menz was presented with a Life Saving Award for his assistance to a heart attack victim. Citizens Randy Talley and Charles Peterman were also presented Life Savings Awards for their assistance with the victim.

Citizens Agenda:

Linwood Gilliland, recommended that the Street Department submit a monthly activity report to the Council.

Christie Houghton, reported street and drainage problems on Dobbs Road.

Bruce Martin, read a letter from Denton County District Attorney Bruce Issacks addressing the

Board of Adjustment actions. The letter stated that no criminal activities were performed, but that there were civil violations of the Open Meetings Act, where the board took action on a subject that was not included in the agenda posting.

Rod Courtney, stated that he really appreciated the positive note that the Council Meeting began with (recognition ceremony).

Business:

1. Consideration and Action on FY 1995-96 Audit.

Following Monte Pipes presentation of the FY 1995-96 Audit to the Council a **Motion** was made by Councilman Shershen to adopt the audit as presented. Seconded by Councilwoman Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Councilman Martin the City Secretary be instructed to prepare an update equipment list for the city and that we adopt a capitalization policy for equipment over $500, and that the Court Clerk be given time to balance the Court Escrow accvount through the computer software provided. Seconded by Councilman Shershen
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

2. Consideration & Action on Carolyn Green Scholarship.

Following a preliminary proposal by Harriet Hart for a fund raiser dinner with a speaker for the Carolyn Green Scholarship event to be held on April 19 or 26. **Motion** made by Councilman Shershen to request the Park and Recreation Board develop a plan for the Council to formalize the Carolyn Green Scholarship event at a later date. Seconded by Councilman Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

3. Consideration & Action on Procedures for Reservations for Park Use.

Motion made by Councilman Wohr to establish interim procecures for park use as: anyone wishing to reserve a portion of the park may reserve a portion of the park by permission of the Mayor or City Staff in areas noted as B or C, but not the sports field; that there be a cash deposit

of One Hundred Dollars ($100) required; if electricity is needed by the renting party Twenty Five Dollars ($25) of the deposit will be retained to cover the cost of the electric; the balance of the deposit will be returned if no clean-up is required; reservation requests from non-residents be considered.

4. Consent Agenda:

Items (a) (f) and (h) were removed from the Consent Agenda for individual consideration.

b. **Consideration and Action on Order of Election for the May 3, 1997 General Election.**

c. **Consideration and Action on Interlocal Cooperative Purchasing Agreement with the City of Denton**.

d. **Consideration and Action on Resolution Amending the Texpool Authorized Representatives.**

e. **Consideration and Action on Resolution Exempting the City from the Bilingual Election Publication Requirement as Provided by Title 16, Section 272.003 of the Election Code.**

g. **Consideration and Action on Acceptance of Charles Dalton's Resignation from the Planning & Zoning Commission**.

i. **Consideration and Action on Acceptance of Harriet Hart's Resignation from the Park & Recreation Board.**

j. **Consideration and Action on the following Appointment's to the Park & Recreation Board: Christye Price, Chairman; Tammy Hite, Vice-Chairman; Ron People, Member**.

Motion made by Councilman Martin to approve Items b,c,d,e,g,i, and j of the Consent Agenda as presented. Seconded by Councilman Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

a. **Consideration and Action on Approval of Minutes from January 3, January 9, January 15 and January 20, 1997 Council Meetings**

Motion made by Councilman Martin to accept the minutes with the addition of Ray Henry, Jeff London and Ruthann Denklan as Parks and Recreation Board Members in attendance at the January 15, 1997 joint meeting of the City Council and Parks and Recreation Board. Seconded by Councilman Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

f. **Consideration and Action on Ordinance Prohibiting Possession of Fireworks.**

Motion was made by Councilman Wohr to deny the Ordinance as written and to place it on the agenda for March 13, 1997, changing the wording to "confiscate fireworks when they are being discharged within the City Limits". Seconded by Councilman Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

h. **Consideration and Action on the Appointment of Ben Gilbert as Member, Robert Hanson as Alternate Member and Linwood Gilliland as Vice-Chairman to the Planning & Zoning Commission.**

Motion made by Councilman Shershen to accept the appointment of Linwood Gilliland as Vice-Chairman, Ben Gilbert as Member, and Robert Hanson as Alternate Member to the Planning & Zoning Commission.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

5. PUBLIC HEARING

Mayor McCutcheon opened the Public Hearing on an ordinance amending Chapter 18.02 of the Lake Dallas Municipal Code by Adding Section 18.02.265 Defining Home Occupation; and Repealing Sections 18.11.030 and Section 18.12.030 Home Occupations Chapter 18. of the Lake Dallas Municipal Code; Amending Section 18.11.020(B) and Section 18.12.020(B) of Chapter 18 of the Lake Dallas Municipal Code asking if any citizen wished to speak.

The following citizens spoke against the proposed ordinance amending Chapter 18.02 of the Lake Dallas Municipal Code: Linwood Gilliland and Rod Courtney.

Ms. M. Graham questioned the sign position.

No citizen in attendance spoke in favor of the proposed change.

Mayor McCutcheon closed the Public Hearing.

6. Consideration & Action on ordinance amending Chapter 18.02 of the Lake Dallas Municipal Code by Adding Section 18.02.265 Defining Home Occupation; and Repealing Sections 18.11.030 and Section 18.12.030 Home Occupations Chapter 18.

of the Lake Dallas Municipal Code; Amending Section 18.11.020(B) and Section 18.12.020(B) of Chapter 18 of the Lake Dallas Municipal Code.

Motion made by Councilmember Martin to adopt the ordinance amending Chapter 18.02 Home Occupations with the wording "Storage of materials or equipment must meet electrical and fire codes of the city. There shall be no noticeable increase in traffic nor a consistent number of vehicles not owned by an occupant parked in front of the dwelling. Sings shall be limited to one non-illuminated sign not more than one square foot in area attached to the structure." Seconded by Councilmember Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None1

Motion Carried

7. **Consideration and Action on Reports:**
   a. Financial, including Accounts Payables.
   b. Administration
   c. Street Bond Report

Motion made by Councilmember Shershen to accept the reports as presented. Seconded by Councilmember Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Reports were given by Councilmembers Shikle and Shershen on Drug Task Force and Willow Grove Park. Mayor McCutcheon reported on the Street Bond Committee. **Motion** was made by Councilmember Wohr to designate Five Thousand Dollars ($5,000) from funds designated for Shady Shores repair to the City Engineer, Metroplex Engineering, for a feasibility study to examine proposals from the Street Bond Committee. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Mayor McCutcheon called a Special Meeting for February 25, at 7:00 p.m. with the Willow Grove Park Committee, the Street Bond Committee and the City Council.

8. **Executive Session:**

The Council adjourned into Executive Session pursuant to Section 551.072: Deliberations about Real Property.

9. Action, if any from the Executive Session.

The Council reconvened into Regular Session. No action was taken from Executive Session.

10. Consideration and Action on City Administrator.

Motion made by Councilmember Shershen to hire a City Administrator at a salary not greater than $50,000 depending on qualifications, to meet the basic qualifications of the City of Corinth; that the City Secretary is authorized to start the advertising process. Seconded by Councilmember Bounds.

Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

11. Report from City Secretary

City Secretary, Patricia Chapman, reported on space problems and suggested that the City look into leasing office space.

12. Adjourn

Motion made by Councilmember Martin to adjourn the meeting. Seconded by Councilmember Shershen.

Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Joint Meeting with the Street Bond Committee and the Willow Grove Park Committee on February 25, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member
Stephen Wohr	Council Member

Members of the Street Bond Committee in attendance were:
Matt Flanagan
Ivan Bounds
Bob Davis

Members of the Willow Grove Park Committee in attendance were:
Ruth Ann Dencklau

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order.

Business:

1. Discussion of Street Bond Committee Recommendations

Mayor McCutcheon stated that a full report of the Street Bond Committee had been distributed to all members of the Council. He further stated that there was nothing else to be done until the City Engineer completed the feasibility study.

2. Discussion of Willow Grove Park Recommendations.

Councilmember Shershen discussed the Corp of Engineers requirements for leasing the Willow Grove Park property. Matt Flanagan distributed copies of the Lake Cities Baseball Association's request to lease the Willow Grove Park property from the Corp of Engineers for a period of one year.

3. Consideration and Action on Letter of Intent to Corp of Engineers on park property.

Motion made by Councilmember Martin to instruct the City Secretary to draft a letter of intent to lease to the Corp of Engineers for the Willow Grove lake park property no later than March 5, and authorizing the Mayor to sign. Seconded by Councilmember Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

4. Consideration and Action on Lease of Office Space.

Following discussion on alternative solutions to the lack of office space at City Hall a **Motion** was made by Councilmember Wohr to lease the 600 square foot office space at a cost not to exceed $425 per month, to schedule the lease to end and begin October 1, and authorize the expenditure of unencumbered funds in the amount of $3,645; to authorize the expenditure of funds not to exceed $300 for furniture and expenditure of funds not to exceed $300 for moving expenses. Seconded by Councilmember Martin.
Ayes: Council Members Bounds, Martin, Wohr and Shershen
Noes: Shikle.

Motion Carried

Motion made by Councilmember Shershen to adjourn. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Regular Meeting on March 13, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member
Stephen Wohr	Council Member (arrived at 7:42 p.m.)

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:37 p.m.

Recognition

a. Certificates of Appreciation were presented to School Crossing Guards Alice Ayers and Donna Campbell.
b. Mayor McCutcheon read a Proclamation proclaiming the month of April as Sexual Assault Awareness Month.

Citizens Agenda

Bobby Shikle, 712 Thompson addressed the Council with questions relating to the change in the agenda format.

Bruce Martin, 707 N. Shady Shores addressed the Council with questions relating to Council Members attending meetings that were not posted in accordance with Open Meetings Act and Council involvement in the Economic Development Corporation.

Matt Flanagan, reported that the lease with the Corp of Engineers for the baseball fields had been secured.

Bob Davis, 608 Lakeridge related that he would be volunteering for all boards & commissions.

Business:

1. Consent Agenda:

a. Consideration and Action on approval of Minutes from February 5, 13, and 25, 1997 Council Meetings.
b. Consideration and Action on the Resolution abandoning forever the street right-of-way within or crosses Tract 1,2 and 3 in the M.E.P. & P.R.R. Survey, Abstract 924.
c. Consideration and Action on Resolution approving the amended Fiscal Year 1997 Financial Plan of the Denco Area 9-1-1 District.
d. Consideration and Action on Appointment of Election Judge and Alternate Judges.
e. Consideration and Action on an Ordinance of the City of Lake Dallas, Texas adopting Title 16 of the Code of Ordinances of the City of Lake Dallas; Providing for a flood prevention plan; Providing a statement of statutory authorization, findings of fact, purpose and methods; Providing for the administration of the Title, including the designation of a floodplain administrator and establishing the duties of said position requiring permits and establishing variance standards and procedures; Providing for flood hazard reduction and imposing standards for subdivision, areas of shallow flooding and floodways; Providing an effective date; Providing a severability clause; and providing for a penalty not to exceed five hundred dollars ($500) for violations of the provisions of this title.
f. Consideration and Action on Ordinance prohibiting Possession of Fireworks.
g. Consideration and Action on proposal of Main Street Theme.

Items a, b, d, e, f and g were pulled from the Consent Agenda.

Motion made by Council Member Bounds to approve the Consent Agenda. Seconded by Council Member Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Wohr to approve the minutes as presented. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shikle to adopt the resolution abandoning the street right-of-way withing the M.E.P. & P.R.R. Survey, Abstract 924. Seconded by Council Member Martin.

Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shershen to accept the appointment of Aldena Stowe Gregory as Election Judge and Hazel Byers as Alternate Election Judge. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shikle to adopt the Ordinance adopting Title 16 of the Code of Ordinances of the City of Lake Dallas providing for Flood Damage Prevention. Seconded by council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shikle to adopt the Ordinance amending Chapter 8.04 of the Code of Ordinances relating to fireworks. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Wohr to adopt a nautical design for the Main Street Theme and draft a resolution to encourage developers/builders to use the theme in construction. Seconded by Council Member Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

2. Consideration and Action of a proposed Commercial Mobile Home Ordinance.

Following lengthy discussion among the Council, Planning & Zoning and the Building Official a **Motion** was made by Council Member Wohr to accept the Commercial Mobile Home Ordinance with the following changes:

Item 2(B) add $27.50 reinspection fee for each and every additional reinspection.
Item 5(B)(1) insert "square" after 120 and before feet (120 square feet)
Item 5(B)(2) add "and not exceeding 120 square feet nor constructed of concrete or asphalt".
Item 5(D) add "not less than 460 square feet".

Seconded by Council Member Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

3. Consideration and Action on salary review for city employees.

Motion made by Council Member Shershen to not review city employee's salary until Budget preparation for FY98. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

4. Consideration and Action on Reports:

a. Financial, including Accounts Payables.

Motion made by Council Member Martin to accept the financial statements with the forthcoming explanation of the TMRS payment. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

b. Departments

A workshop will be held on April 3, at the Community Center to discuss departments.

c. Boards & Commissions

Mayor McCutcheon reported on the Street Bond Committee which will be discussed on the March 18 meeting, and his meeting with County Commissioner Kruger on the roads, he also discussed planting the trees on Denton Drive.

5. Adjourn

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Council Member Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a special Meeting on March 18, 1997 at 7:00 p.m. in the Community Center located at 203 South Shady Shores Road. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member
Bobby Shikle	Council Member
Stephen Wohr	Council Member

Absent:

Jerry McCutcheon	Mayor
Bruce Martin	Council Member

City Secretary, Patricia Chapman was also in attendance.

Mayor Pro-Tem Shershen called the meeting to order.

Business:

With the consensus of Council Members Mayor Pro-Tem Shershen changed the agenda order, considering the items as listed below.

2. Public Hearing:

The City Council will hold a Public Hearing on a Variance Request by Thomas Juhn on the Jackson Ranch property. The variance is to reduce the rear yard requirement from 30 feet to 20 feet.

Mayor Pro-Tem Shershen called the Public Hearing to order, reading the variance request made by Thomas Juhn to the citizens in attendance. Mayor Pro-Tem Shershen asked Mr. Bob Wills to explain the variance request. Following Mr. Wills presentation, Mayor Pro-Tem Shershen asked for citizens wishing to speak for the variance.

No one spoke in favor of the variance.

Mayor Pro-Tem Shershen asked for citizens wishing to speak against the variance. The following citizens spoke against the variance.

Matt Flanagan, 722 Thousand Oaks Drive
JW Lively, 527 Oak Lake Drive

Ken Stapleton, 511 Ridgewood
Carolyn Green, 201 N. Shady Shores Road
Clyde Edwards, 108 Dobbs Road
Bob Davis,

The following citizens had questions regarding the variance:

Chuck Graham, 1013 Kings Manor
Bob Davis
MJ Graham, 1013 Kings Manor
Frank Barnard, 328 Betchan

Mayor Pro-Tem Shershen closed the Public Hearing at 8:07 p.m.

3. Consideration and Action on Variance Request by Thomas Juhn on the Jackson Ranch property. The variance is to reduce the rear yard requirement from 30 feet to 20 feet.

Motion made by Council Member Shikle to grant the variance with the following stipulations, the variance would require on the interior lots a 20' front yard set back and a 25' rear yard set back, the adjoining lots on the North and East sides of the development (Jackson Ranch property) would maintain 30' rear yards and 20' front yards. Seconded by Wohr.

Ayes: Council Members Shikle, and Wohr
Noes: Council Member Bounds
Abstained: Council Member Shershen
Absent: Council Member Martin

Motion Failed

1. Consideration and Action on Metroplex Engineering's Proposal on Street Bond Project.

Motion made by Council Member Shikle to allot from unencumbered funds $14,548 (Fourteen Thousand Five Hundred Forty Eight Dollars) to fund the proposal from Metroplex Engineering for the conceptual phase of the Street Bond proposal. (Total designated funds are $19,548). Seconded by Wohr.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

4. Consideration and Action on Annexation of County Portion of Shady Shores Road.

Following an explanation that the county will make immediate improvements to their portion of Shady Shores Road if the city will enter into an interlocal agreement for annexation of the county's portion of the road a **Motion** was made by Council Member Wohr to authorize the mayor to go forward with annexation of the county's portion of Shady Shores Road through an interlocal agreement with Denton County. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Wohr, and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

5. Consideration and Action on Fire Department Administration.

Motion made by Council Member Bounds to table the consideration on the fire department administration. Seconded by Shikle.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Martin **Motion Carried**

6. Consideration and Action on Nominations to the Chamber of Commerce Board of Directors.

Motion made by Council Member Bounds to table consideration of the Chamber of Commerce Board of Directors until March 27. Seconded by Wohr.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Martin

Motion Carried

7. Consideration and Action on Home Rule Government.

Motion made by Council Member Wohr to place on the regular ballot of the May 3 election that we ask the vote on Home Rule City and within 30 days set a schedule for the phases of moving toward a Home Rule City. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Martin

Motion Carried

The meeting did then stand adjourned at 10:00 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a special Meeting on March 27, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:18 p.m.

Business:

With the consensus of Council, Mayor McCutcheon changed the agenda order as listed below.

3. Consideration and Action on Resolution supporting Keep Texas Beautiful, Inc.

Following a recommendation by Bonnie Garcia, Chairman of the Main Street Revitalization Committee, that the city support the Keep Texas Beautiful, Inc. a **Motion** was made by Council Member Wohr to adopt the resolution supporting Keep Texas Beautiful, Inc. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

4. Consideration and Action on Renaming the Main Street Revitalization Committee, Keep Lake Dallas Beautiful Committee.

Following an explanation of the benefits not available for the city from the Main Street organization versus the benefits available to the city through the Keep Texas Beautiful, Inc. (Benefits included ability to apply for funding based on population and achievements; litter programs and qualifications for Governor's Award.) A **Motion** was made by Council Member Wohr to rename the ad hoc Main Street Revitalization Committee to Keep Lake Dallas Beautiful Committee and accept Carolyn Green's donation of $50 (Fifty Dollars) for the membership fee.

Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

1. Public Hearing:

To determine whether the Board of Adjustment Chairman, Clyde Edwards, should be removed from the Board of Adjustment. The reasons for this action are:

1. Failure to comply with the Open Meetings Act of the State of Texas.
2. Disobedience of Council direction not to discuss past cases heard by the Board of Adjustment during a requested training session with the City Attorney.
3. Failure to acquire a Building Permit Application for fence.
4. Falsification of the Building Permit application for fence.
5. Creating dissention among members of the Board of Adjustments and City Council.

Prior to the public hearing being opened Clyde Edward's attorney, Jerry Cobb, addressed the council with comments objecting to the Mayor calling the public hearing and the allegations were not detailed enough.

2. Consideration and Action on Removal of Board of Adjustment Chairman, Clyde Edwards.

Motion made by Council Member Shershen to table until the regular April council meeting.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: Council Member Martin

Motion Carried

5. Consideration and Action on Nominations to the Chamber of Commerce Board of Directors.

Motion made Council Member Shershen to nominate Susan Terrill, Elizabeth Straatveit and Glenda Crenshaw to the Lake Cities Chamber of Commerce Board of Directors. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

6. Consideration and Action on Fire Department Administration.

Motion made by Council Member Wohr to recommend a 4-3 Member Board (1 member from each of the four cities, Corinth, Hickory Creek, Lake Dallas & Shady Shores, and 3 members from the fire department) as originally proposed, the board would vote on all issues regarding the fire department, all cities and the fire department would be bound by the decisions the board made; and that the paid fire chief be included in those decisions. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, and Wohr
Noes: Council Members Martin and Shershen

Motion Carried

7. Consideration and Action on Method of Selecting the Charter Commission.

Motion made to table the action on selecting the charter commission until March 31, at 7:00 p.m. when the Council will hold a special meeting at City Hall. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

8. Consideration and Action on Condemnation of Dilapidated Structure on Shady Shores Road.

Motion made by Council Member Wohr to authorize the Mayor to go forward with condemnation and demolition proceedings and authorize expenditure of budgeted funds for the Deweese property located on Shady Shores Road. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned at 9:20 p.m.

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Regular Meeting on April 10, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem Place 5
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

Absent: Thana Bounds Council Member Place 1

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order.

Invocation

Mayor McCutcheon delivered the invocation then led the Council and Citizens in the Pledge of Allegiance.

Certificates of Recognition for Ralph White & Harold Clark

Mayor McCutcheon presented certificates to Ralph White & Harold Clark (Johnny Webber accepted on behalf of Ralph White) for Outstanding Service to the Community. Georgina Gourgeon related the incident in which the two employees rescued a puppy from a well.

Citizens Agenda

Kim Ford, 514 Adison; addressed the Council on the Boys & Girls Clubs.

Jennifer Delmare; 5515 Castle Court; addressed the Council on the Boys & Girls Clubs.

Mark Behinke, 4917 Stuart Rd; Denton; addressed the Council on the Boys & Girls Clubs.

Frank Barnard, 328 Betchan; Drainage ditch between Prince Dr and Kings Manor Dr., requesting Council consider fixing the problem.

Margaret Tisdale, 509 Howard Drive; presented the Council a petition on the drainage situation behind her property. (Located between Prince Dr and Kings Manor Dr.) The petition requested

the City and LCMUA clean out and bring up to 1997 specifications the drainage "ditch" located between Prince Dr. and Kings Manor Dr.

Carolyn Green, 201 N. Shady Shores Rd # 73; addressed the Carolyn Green Scholarship Dinner, explaining the scholarship is sponsored by the Park & Recreation Board, and provides a $2,000 scholarship to a graduating Lake Dallas senior each year. Carolyn asked everyone in attendance to support the program by attending the dinner. Mrs. Green also requested permission from the Council to use Aristocrat Pear Trees for the beautification efforts and to plant two of the trees on each side of Main Street in memory of her husband Mr. Green on Arbor Day.

Teresa Gladys, 5412 Kings Manor Drive; addressed the "ditch" between Prince and Kings Manor Drive. Giving the background of the ditch problems. Mrs. Gladys related to the Council that she had erected a retaining wall and that "the city came through and tore the wall down", allowing the dirt to fall. Mrs. Gladys asked when the city is going to fix the problem.

Robbie Robertson, 5308 Kings Manor; spoke on the Volunteer Fire Department addressing: $71,000 shortage because of two cities not fulfilling their commitments, reasons for moving the fire department to Corinth, announcing that the Corinth station is going to become Denton Fire Station # 7.

Joe Grobrowski, Corinth resident and Assistant LCV Fire Chief ; spoke on the Volunteer Fire Department, willing to consider the 4-1 option if Corinth would agree and not go to Corinth for Fire Services and provide for growth for the department, stating that the VFD will work with and do what is necessary to keep the fd in the

Steve Smith, 201 Shady Shores Rd, Ashley Village; stated there was a fence broken at the park.

Business:

1. **Consent Agenda:**

   a. Consideration and Action on Approval of Minutes from March 13, 18, 27 & 31, 1997 Council Meetings.
   b. Consideration and Action on Resignation of Park & Recreation Member Steve Smith.
   c. Consideration and Action on Appointment of Neal Malone as Alternate Member to the Park & Recreation.
   d. Consideration and Action on Final Plans for the Carolyn Green Scholarship Dinner
   e. Consideration and Action on Resignation of Sherrel James from the Planning & Zoning Commission

f. Consideration and Action on Appointment of Robert Hanson to the Planning & Zoning Commission.

Items b, a, e & f were removed from the Consent Agenda for individual consideration.

2. <u>Consideration and Action on Appointment of 15 Member Home Rule Charter Commission.</u>

<u>Motion</u> made by Council Member Martin to approve the appointment of the following citizens to the Home Rule Charter Commission.

Members: Anna Benham
JW Lively
Bob Davis
Christy Houghton
Garry Bills
Mark Wetherell
Carolyn Green
Dan Joseph
Don Hansen
Shannon Wollaver
Frank Barnard
Nancy White
Mike Minnis
Paul Dawes
David Shershen

Alternates: M.J. Graham
Ray Henry

Seconded by Council Member Wohr.

Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

<u>Motion Carried</u>

3. <u>Consideration and Action on Willow Grove Park, 5 Year Plan & Budget Review</u>

<u>Motion</u> made by Council Member Shershen to table until Willow Grove Park Committee has had the opportunity to review the lease with the Corp or Engineer and to meet with the Park & Rec Committee. Seconded by Council Member Shikle.

Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None

Absent: Council Member Bounds

Motion Carried

4. Consideration And Action on Mission Statement for Keep Lake Dallas Beautiful Committee.

Motion made by Council Member Wohr to accept the Mission Statement for Keep Lake Dallas beautiful Seconded by Council Member Shershen.

Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

5. Consideration and Action on Denton Drive Memorial Tree Project.

Motion made by Council Member Wohr to accept the recommendation from Keep Lake Dallas beautiful memorial tree project, subject to approval of the land owners. Seconded by Council Member Shershen.

Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

6. Consideration and Action on City Limit Signage.

Motion made by Council Member Martin to table the consideration on City Limit Signage until the report is back from the committee. Seconded by Council Member Shershen.

Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

7. Consideration and Action on Award of Group Health Insurance Bid.

Motion made by Council Member Martin to award the insurance bid for the employees group health insurance to AETNA HMO with Higginbotham & Associates and to allow employees the option to pay the difference between HMO & PPO coverage. Seconded by Council Member Shershen.

Ayes: Council Members Shikle, Martin, Wohr and Shershen

Noes: None
Absent: Council Member Bounds

Motion Carried

8. Consideration and Action on Clarification of Overtime Policy for City Employees.

Motion made by Council Member Shikle that the overtime policy for the city employees will be overtime will be paid on a 40 hour work week, which would include sick or vacation time taken. Seconded by Council Member Wohr.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

9. Consideration and Action on Determination of Amount of Vanderhoof Property to Dedicate as Park Land.

Motion made by Council Member Martin to dedicate 100 percent of the 17 plus or minus acres of the Vanderhoof property as park land. Seconded by Council Member Wohr.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

10. Consideration and Action on Requesting P&Z Commission to Review Commercial Masonry Requirements for Commercial Buildings.

Motion made by Council Member Shershen to request the Planning & Zoning Commission review the Commercial Masonry requirements for Commercial Buildings and report back to the Council. Seconded by Council Member Shikle.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

11. Consideration and Action on Holding a Public Hearing for the Removal of Clyde Edwards as the Board of Adjustment Chairman.

Motion made by Council Member Shikle to hold a public hearing to consider the removal of Clyde Edwards as the Board of Adjustment Chairman at the earliest possible date, which was

April 29 at 7:00 p.m. Seconded by Council Member Wohr.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

12. Consideration and Action on Reports From:

a. Departments, including Accounts Payables

Motion made by Council Member Shershen to pay the Accounts Payables as presented. Seconded by Council Member Martin.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

b. Boards & Commissions

Council Member Shikle reported from the Drug Task Committee. No action necessary from the Boards & Commission reports.

c. Liaison Reports

Council Member Wohr reported from the Planning & Zoning Commission. Mayor McCutcheon reported on the development on Carlisle Street. No action necessary form the liaison reports.

13. Executive Session:

The City Council adjourned into Executive Session pursuant to Section 551.074, Deliberations on the Appointment of a City Administrator; and Section 551.072, deliberations on Real Property.

14. Action, if any from Executive Session

The City Council reconvened into Regular Session.

Motion was made by Council Member Shershen to table the appointment of the City Administrator until all applications are reviewed and narrowed to the top four candidates by Sarah E. Kennedy. Seconded by Council Member Wohr.
Ayes: Council Members Shikle, Martin, Wohr and Shershen

Noes: None
Absent: Council Member Bounds

Motion Carried

Motion made by Council Member Shershen to adjourn the meeting. Seconded by Council Member Martin.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None
Absent: Council Member Bounds

Motion Carried

The meeting stood adjourned at 11:10 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a special Meeting on March 31, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

City Secretary, Patricia Chapman was also in attendance.

Absent: Jerry McCutcheon Mayor

Mayor Pro-Tem Shershen called the meeting to order at 7:08 p.m.

Business:

1. **Consideration and Action on the Method of Pursuing Home Rule Government**

   a. **Adoption of Ordinance Calling for an Election on the Question "Shall a Commission Be Chosen to Frame a New Charter.**

   b. **Appointment of a Charter Commission.**

Following discussion on the merits of the two methods a **Motion** was made by Council Member Wohr to authorize the Mayor to appoint a Home Rule Charter Commission for the purpose of developing a charter for home rule government; and that the Mayor would accept the number of recommendations from each Council Member as follows:

Council Member Wohr	2
Council Member Shikle	2
Council Member Bounds	2
Council Member Martin	3
Council Member Shershen	3
Mayor McCutcheon	3

each Council Member and Mayor would also submit 1 alternative; all submissions should include addresses and telephone numbers; the recommendations will be given to the Mayor by April 9, 1997 and placed on the April 10 agenda. Seconded by Council Member Martin.

Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Bounds to adjourn. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned at 7:24 p.m.

ATTEST:

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on April 17, 1997 at 7:00 p.m. in the Lake Dallas Community Center located at 302 S. Shady Shores Road. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member

City Secretary, Patricia Chapman was also in attendance.

Absent: Stephen Wohr Council Member

Mayor McCutcheon called the meeting to order at 7:00 p.m.

Mayor McCutcheon read the Proclamation for the Veterans of Foreign Wars Recognizing May 1, 1997 as Loyalty Day and the Proclamation for the United States Coast Guard Recognizing May 18-24 as National Safe Boating Week.

Business:

With the consent of the Council, Mayor McCutcheon changed the order of business as follows:

2. Discussion of City Department

Council Members responded to Council Member Shikle question what was accomplished with the salary increases granted to the employees by the Council by agreeing that the salary increases improved employee moral. Johnny Webber responded to Council Member Shikle offer of assistance by asking for additional personnel and equipment in October. Truman Harp expressed appreciation for the relocation and requested a fax and copier for the Annex.

1. Consideration & Action on a Request for the Boys & Girls Clubs, Inc.

Motion made by Council Member Martin to draft a letter in full support of the boys & Girls Club stating that the City will do everything in their power to find land to meet their needs. Seconded by Shershen.

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

3. Consideration & Action on City Administrator's Job Description.

Motion made by Council Member Martin to approve the job description for the City Administrator as presented. Seconded by Shershen.

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

4. Consideration & Action on the "Ditch" Between Prince & Kings Manor.

Following lengthy discussion on ways to improve the ditch a **Motion** was made by Council Member Shershen to request the City Engineer to develop a plan to address the ditch within 30 days, and to send copies to Lake Cities Municipal Utility Authority and Upper Trinity Regional Water District requesting assistance and to include pollution results in the letter. Seconded by Bounds.

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

5. Consideration & Action on Resolution Supporting the Keep Texas Beautiful, Inc. Community Organization in Lake Dallas and Establishing a Committee.

Following discussion on granting the committee appointive powers in Resolution No. 032797.1 approved on March 27, 1997 a **Motion** was made by Council Member Shershen to approve the Resolution as read by the Mayor. Seconded by Bounds. (The last sentence was changed to read "...shall be appointed by the City Council after receiving recommendation from the Keep Lake Dallas Beautiful Committee.")

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

6. Executive Session:

Mayor McCutcheon gave notice the Council would adjourn into Executive Session pursuant to Section 551.072 Deliberations on Real Property.

Mayor McCutcheon reconvened the meeting into open session.

7. **Action, if any from Executive Session**

Motion made by Council Member Martin to proceed with the necessary annexation and disannexation for the property known as Jackson Ranch as shown on the map. Seconded by Shershen.

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

Motion made by Council Member Shershen to adjourn the meeting. Seconded by Martin.

Ayes: **Council Members Bounds, Shikle, Martin, Wohr and Shershen**
Noes: **None**
Absent: **Council Member Wohr**

Motion Carried

The meeting stood adjourned at 9:17.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Called Meeting on April 29, 1997, at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member
Bobby Shikle	Council Member
Bruce Martin	Council Member
Stephen Wohr	Council Member

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:00 p.m.

Business:

I. <u>Public Hearing:</u>

To determine whether the Board of Adjustment Chairman, Clyde Edwards, should be removed from the Board of Adjustment. The reasons for this action are:

A. Disobedience of Council direction not to discuss past cases heard by the Board of Adjustment during a training session with City Attorney.
B. Failure to obtain the appropriate permit to erect a fence on Mr. Edwards property until after it was determined that Mr. Edwards was in violation of City ordinances and after being required to do so by the Building Inspector.
C. Falsification and misrepresentation of facts on permit application to erect fence;
   1. Application states 5 acres when the property is only 3.959 acres.
   2. Permit application misrepresented the property to be agricultural land when it had not been designated or granted an agricultural exemption.
   3. Creating dissention and disruption among the members of the Board of Adjustments and the Mayor and the City Council.

Mayor McCutcheon opened the Public Hearing by reading the notice and reasons for the Public Hearing.

Rod Courtney, 162 Kingswood; spoke on the suppression of volunteers.

Jerry Cobb, Attorney for Mr. Edwards addressed each allegation listed in Item I.

Ken Stapleton, 511 Ridgewood; spoke for the removal of Mr. Edwards.

With no other citizen wishing to speak Mayor McCutcheon closed the public hearing.

II. Consideration and Action on Removal of Board of Adjustment Chairman, Clyde Edwards.

The consensus of the Council was to listen to the January 9, 1997 portion of the tapes related to the Council Meeting, therefore, the tape recording of the meeting was stopped while the Council listened to the taped recording of January 9, from 8:15 p.m. till at 8:45 p.m.

Following discussion a **Motion** was made by Council Member Shikle not to remove Clyde Edwards from the Board of Adjustment and that each Council Member be presented with a cost summary of expenses on the effort to remove Mr. Edwards. Seconded by Shershen.
Ayes: Council Members Shikle and Shershen
Noes: Council Members Bounds, Martin and Wohr

Motion Failed

III. Consideration and Action on Removal of David Shershen from all Boards and/or Commissions of the City.

Council Member Shershen announced his resignation from all boards and commissions of the City effective immediately.

No action was taken by the Council.

IV. Discussion of meeting places for the Lake Cities Community Action Committee.

The Council discussed offering the Council Chambers or the Community Center as a meeting place for the Community Action Committee.

ATTEST

Patricia Chapman, TRMC
City Secretary

Jerry McCutcheon, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on May 8, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:30 p.m.

Mayor McCutcheon gave the invocation and led the pledge of allegiance to the flag.

Citizens Agenda:

Rod Courtney, 162 Kingswood and Clyde Edwards, 108 Dobbs Road; expressed appreciation for Mayor Pro-Tem David Shershen contributions to the citizen's and the city while a Council Member.

Shelly Christage, 298 S. Lakeview; asked about the Community Service Program.

Bruce Martin, clarified rumor that City Attorney, David Berman is not his personal attorney, company's attorney nor worked for him on any legal matters.

Frank Barnard, 328 Betchan; canvassing of votes no later than the sixth day following an election.

Margaret Tisdale, 509 Howard Dr.; thanked all involved in the recount of ballots.

Thanna Bounds, expressed appreciation for the positive campaigns ran by the candidates.

Business:

1. Public Hearing:

Preliminary Plat for Property Know as Jackson Ranch Located at 401 Swisher Road Consisting of 52.9235 Acres, Tract 3 of the H.H. Swisher Survey, Abstract 1220.

Mayor McCutcheon opened the public hearing and asking Don Plunk, Henry S. Miller Company to present the request for preliminary plat request.

The following citizens spoke during the public hearing.

Lori Bauman, 507 Oaklake; questioned how the drainage from the subdivision would affect her property. Mr. Plunk stated that all of the lots would independently drain and not interfere with the current drainage. None of the lots would drain onto other lots.

Margaret Tisdale, 509 Howard Dr.; the city should be responsible for ensuring the subdivision is developed without drainage problems.

2. **Consideration & Action on Preliminary Plat for Jackson Ranch Property, Located at 401 Swisher Road, Consisting of 52.9235 Acres, Tract 3 of H.H. Swisher Survey, Abstract 1220.**

Motion made by Council Member Wohr to approve the preliminary plat as presented with the designations of specific lots as presented.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

3. **Consideration & Action on Ordinance Abandoning Road Located within the Jackson Ranch Property.**

Motion made by Council Member Wohr to approve the abandoning the road located on Jackson Ranch property. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Wohr to approve the ordinance as provided in writing abandoning the road located on Jackson Ranch property. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

4. Consideration & Action on Hiring an Architect for Park

Motion made by Council Member Martin to post for bid the hiring of an architect. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

5. Consideration & Action on Meeting With Lake Cities Municipal Utility Authority Board of Directors on Frank Bourland Matter.

Motion made by Council Member Wohr to table the item and place on the next agenda as needed and hold a special meeting if needed. Seconded by Shershen.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

With full consensuses of the Council, Mayor McCutcheon moved consideration of Item 6 to the bottom of the agenda to give Metroplex Engineering personnel additional time to arrive at the meeting.

7. Consideration & Action on Keep Lake Dallas Beautiful Committee.

Motion made by Council Member Shershen to accept Bonnie Garcia as Chairman; Christi Houghton as Vice-Chairman; Diane Tisdale as Secretary; Rod Courtney, Kathy Crawford, Ann Fitts, Ben Gilbert, Linwood Gillialand, M.J. Graham, Carolyn Green, Winston Harper, Terry Lantrip, Thanna Bounds, and Pat Snider as Members; Lynn Yeargain as Interested Citizens and Friends to the Keep Lake Dallas Beautiful Committee. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

8. Discussion of City Administrator Candidates/Selection.

The City Secretary updated the Council on the appointment schedule for the May 17, City Administrator's interviews.

9. Consideration and Action on Approval of Minutes from April 10, 17, 29, 1997 Council Meetings

Motion made by Council Member Shershen to approve the minutes from April 10, April 17, and April 29, 1997 as presented. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

10. Reports:

a. Financial

Motion made by Council Member Shershen to accept the financial reports as presented. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

b. Departments

No action was necessary on the department reports.

11. Executive Session

The City Council will meet in Executive Session pursuant to Section 551.074(1): Deliberations on Building Inspector

12. Action, if any from Executive Session.

Motion made by Council Member Wohr to table the executive session. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

6. Consideration & Action on Proposal from Metroplex Engineering on Drainage Channel Improvements.

Motion made by Council Member Shershen to accept Metroplex Engineering's proposal on drainage channel improvements, and to take water samples to the county within twenty-four hours, and a workshop is set up with LCMUA to discuss the problem and possibly work out a joint solution. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shershen to recess the meeting until May 9 at 7:00 p.m. to canvass the election. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The Council continued the May 8 meeting at 7:00 p.m. on May 9, 1997, and continued with Item 13 of the Agenda.

13. Canvass of Election.

Following the council's review of the tally sheets and recount report with a correction to reflect the total number of voters as indicated on the poll list as 277 (rather than the number of votes cast as 457 & 207) a **Motion** was made by Council Member Shershen to accept the canvassing of the May 3, election votes as amended. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Mayor McCutcheon read into the record the following returns of the May 3, 1997 General Election:

Steve Smith	40 Votes
Kenneth Stapleton	159 Votes
Thanna Bounds	221 Votes
Clyde Edwards	161 Votes

Bruce Martin	255 Votes
Frank Barnard	212 Votes
Matthew Flanagan	213 Votes

Mayor McCutcheon read the recount votes for Council Member Place 5 as:

Frank Barnard	213
Matthew Flanagan	213

and stated that the recount vote would necessitate a run-off for Place 5.

Motion made by Council Member Shershen to accept the canvass of the recount for Council Member Place 5. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

14. Adjourn

Motion made by Council Member Shershen to adjourn the meeting. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas convened in a special meeting on May 13, 1997, at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

David Shershen	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

Absent:
Jerry McCutcheon Mayor

Deputy City Secretary, Kelly D'Amato was also in attendance.

Mayor Pro-Tem Shershen called the meeting to order.

Mayor Pro-Tem Shershen did not vote on any item since he was chairing the meeting.

Item 1 - Consideration and Action on order of Election for the June 7, 1997 Special Run-Off Election

Motion made by Stephen Wohr that we order an election for June 7, 1997, that we have a special run-off election for Council Place 5. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Martin and Wohr
Noes: None

Motion Carried

Item 2 - Consideration and Action on appointment of Election Judge, Alternate Judge and number of clerks for the June 7, 1997 Special Run-Off Election

Motion made by Bruce Martin for the appointment of Election Judge, Aldena Stowe Gregory and the Alternate Judge, Hazel Byers and for the Election Judge at her discretion can appoint as many clerks as deemed necessary for the June 7, 1997 for the special run-off election.
Ayes: Council Members Bounds, Shikle, Martin and Wohr
Noes: None

Motion Carried

City Council Meeting Minutes
May 13, 1997
Page 2

Item 3 - Oaths of Office to Council Members Place 1 & 3

Mayor Pro-Tem Shershen gave the Oath of Office to newly appointed Council Members Thanna Bounds, Place 1 and Bruce Martin, Place 3.

Item 4 - Adjourn

Motion made by Bruce Martin to adjourn the meeting. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Martin, and Wohr
Noes: None

Motion Carried

The meeting did then stand adjourned at 7:30 p.m.

Attest:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Called Meeting on May 17, 1997 at 8:45 a.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4
David Shershen	Council Member Place 5 (late arrival) (11:20 a.m.)

Mayor McCutcheon called the meeting to order at 8:45 a.m.

1. **Executive Session**

The Council adjourned into executive session in accordance with Chapter 551, Government Code; Section 074 Personnel: Interview of applicants for the position of City Administrator.

Council reconvened into the special called meeting at 8:00 p.m.

Motion made by Council Member Wohr to recess the meeting until Monday, May 19 at 7:30 p.m. in the Council Chambers and to resume the special session with the same items that are presently on the agenda. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The Special called meeting resumed on May 19, 1997 at 7:40 p.m. with the following members present:

Jerry McCutcheon	Mayor
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

Mayor McCutcheon adjourned the meeting into **Executive Session.**

2. Action, from Executive Session

Motion made by Council Member Martin to make an employment offer to Stewart Fairburn for the City Administrator and at a salary of $50,000 that suggestion that he reside within the City, if at all possible and the start date be on or about June 30 unless he can be here prior to that with a two-year contract to be drawn by our City Attorney, with car allowance and mileage. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Shershen to adjourn. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting stood adjourned at 8:29 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on May 22, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4

Council Member Thanna Bounds was absent.

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:30 p.m.

1. **Consideration & Action on Amendment of ElectionOrder for the Second General Election Held for the Purpose of a run-Off for Council Member Place 5.**

Motion made by Council Member Shershen to approve the amended election order for the June 7 election to be held for the run-off for Council Member Place 5 position. Seconded by Bounds.
Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

Motion made by Council Member Martin to adjourn the meeting. Seconded by Shershen. Ayes: Council Members Shikle, Martin, Wohr and Shershen
Noes: None

Motion Carried

The meeting stood adjourned at 7:35 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on June 12, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
David Shershen	Mayor Pro-Tem
Thana Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4 (arrived at 7:40 p.m.)

Absent: Bruce Martin Council Member Place 3

City Secretary, Patricia Chapman was also in attendance.

Mayor McCutcheon called the meeting to order at 7:30 p.m. giving the invocation and leading the Pledge of Allegiance.

Mayor McCutcheon read the Proclamation for Prostate Cancer proclaiming the week beginning with Fathers Day Prostate Cancer Week.

Citizens Agenda

The following citizens addressed the Council during the Citizens Agenda:

Steve Smith, 201 S. Shady Shores #7; requested permission to erect a volleyball net in the park on Gotcher Street.

Ruthann Dencklaw, 521 Howard Street; submitted her resignation from the Park & Recreation Committee.

Robbie Robertson, 5308 Kings Manor; iterated his request of February 2, for cost of documents produced by Corinth, his request to be appointed to the fire department board of directors; bullying from the city attorney, his giving the fire department to Corinth, and the need to clean up the problems with City Hall before the newly appointed City Administrator gets here.

Frank Barnard, 328 Betchan Street; requested the City reimburse his election expense within 30 days.

David Shershen 166 Kingswood; expressed appreciation for Ruthann Dencklaw service on the Park & Recreation Committee.

Stephen Wohr, 715 Lakeland; expressed appreciation for Ruthann Dencklaw service on the Park & Recreation Committee.

Business:

Mayor McCutcheon with full consensus of Council changed the order of business by considering Item 10.

10. Consideration & Action on Conceptual Design Report for 1997 Street CIP & Maintenance Program by Metroplex Engineering.

No formal action was taken by the Council. A workshop was scheduled for July 7, at 7:00 p.m. to review & discuss the report in greater detail

1. Public Hearing

Mayor McCutcheon opened the public hearing to hear citizens comments on the final plat approval of Woodburne (formerly Jackson Ranch) described as 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220, located at 401 Swisher Road.

Bob Wills, Henry S. Miller, described the changes included in the final plat as recommenced by the Planning & Zoning Commission.

Truman Harp, Building Inspector, addressed the need for guard rails over the creeks in the flood plain area.

No citizen spoke in opposition or in favor of the final plat.

2. Consideration & Action on Final Plat of 52.9235 Acres of Tract 3; H.H. Swisher Survey, Abstract 1220, located at 401 Swisher Road.

Motion made by Council Member Shershen to approve the final plat of 52.9235 Acres of Tract 3; H.H. Swisher Survey, Abstract 1220, located at 401 Swisher Road with the addition of hand rails over water ways with the name of Jackson Ranch. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

3. Consent Agenda:

Items 3(a), 3(b) and 3(c) were removed from the consent agenda for individual consideration.

3(a) Consideration & Action on Approval of Minutes from May 8, 13, 17, and 22, 1997.

Motion made by Council Member Wohr to approve the minutes with the following changes:
May 8, 1997; add Council Member Shershen to members present
May 17, 1997; note Council Member Shershen's arrival time as 11:20 a.m.
May 22, 1997; delete Council Member Bounds from members present.
Seconded by Shershen.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

3(b) Consideration & Action on Appointing Neal Malone as a Member, M.J. Graham and Sandra Hegele as alternate Members of the Park Board.

Motion made by Council Member Wohr to table consideration of appointments to the Park Board until July 7. Seconded by Shershen.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

3© Consideration & Action on Removing Ruthann Dencklaw, Randy Bell and Stephanie Everhart from the Park Board for Non-Attendance

Motion made by Council Member Wohr to table consideration of removing members from the Park & Recreation Board until a letter is sent by the City asking for Randy Bell and Stephanie Everhart's resignation and to put the acceptance of Ruthann Dencklaw's resignation on the July City Council Agenda. Seconded by Shershen.

Ayes: Council Members Shikle, Wohr and Shershen
Noes: None
Abstain: Council Member Bounds
Absent: Council Member Martin

Motion Carried

d. **Consideration & Action on Approval of Kevin Spraggins as Chairman of the Planning & Zoning Commission.**

e. **Consideration & Action on Approval of Ordinance Amending Chapter 2.16 of the Lake Dallas Municipal Code, Adding Section 2.16.025; Providing for the Creation of the Position of City Administrator.**

f. **Consideration & Action on Approval of Contract With the City Administrator and Authorizing the Mayor to Sign.**

g. **Consideration & Action on Boundary Adjustment Agreement With the City of Corinth.**

h. **Consideration & Action on Acceptance of Dan Joseph's, J.W. Lively's & Shannon Woolaver's Resignation from the Home Rule Charter Commission.**

I. **Consideration & Action on Resolution Supporting the Existing Boundaries Between Denton and Tarrant Counties.**

Motion made by Council Member Shershen to approve the remaining Consent Agenda Items (3 d,e,f,g,h,i) as submitted. Seconded by Wohr.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

4. Consideration & Action on Appointments to the Home Rule Charter Commission.

Motion made by Council Member Wohr to appoint George Peter Baines, Ricky Payne, Betty Harper, Ivan Bounds, Janet Rose and Charlene Hedges as members; and Anna Benham be moved to an alternate member of the Home Rule Charter Commission and that all future applicants for the Commission be screened as the Home Rule Charter Commission Chairman feels appropriate. Seconded by Shershen.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

5. Consideration & Action on Proposed City Hall Building.

Motion made by Council Member Wohr to table until the July 7, workshop. Seconded by Shershen.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

6. Consideration & Action on Lake Cities Volunteer Fire Department's Reorganization Plan.

(Mayor McCutcheon left at 10:47 p.m. giving the chair to Mayor Pro-Tem Shershen.)

After lengthy discussion on the fire department a **Motion** was made by Council Member Wohr to table the consideration of the fire department's reorganization plan until the next meeting and continue to place the item on future agenda's until a decision is made. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

7. Consideration & Action on Approval of Allocation of Funds for Advertising Final Selections of Keep Lake Dallas Beautiful Logo to Receive Citizen Comments.

No action required.

8. Consideration & Action on Approval of Allocation of Funds for Advertising Keep Lake Dallas Beautiful Garage Sale in the Area Newspapers & Dallas Morning News.

Motion made by Council Member Wohr to allocate Seventy Nine Dollars & Seventy Cents ($79.70) from unencumbered funds for advertising the garage sale with the understanding that the funds would be reimbursed to the City from the proceeds of the sale and that the funds will be used by the Keep Lake Dallas Beautiful to beautify the City. Seconded by Bounds.

Ayes: Council Members Bounds, Shershen, Shikle and Wohr
Noes: None
Absent: Council Member Martin

Motion Carried

9. Consideration & Action on Approval of Allocation of Funds for Two Members of the Keep Lake Dallas Beautiful to Attend a Conference June 24 - 27 in San Antonio.

Motion made by Council Member Wohr to allocate Eleven Hundred Twenty Dollars ($1,120) from unencumbered funds for one or more persons to attend the Keep Texas Beautiful State Convention in San Antonio, June 23-27 and that we pay from invoices submitted for payment.

Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent Council Martin

Motion Carried

11. Consideration & Action on Reports:

a. Financial, including Accounts Payables & Texpool.

Motion made by Council Member Bounds to accept the financial reports as submitted. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

b. Departments

City Secretary, Patricia Chapman, reported that the Deputy City Secretary, Kelly D'Amato, had submitted her resignation and that applications were being taken.

c. Boards

Christy Price, Park & Recreation Chairman, reported on Garza Days.

Addendum to the June 12, 1997 City Council Agenda:

A. Consideration & Action on Renewal of Current Lease With Mr. Squier for Animal Control.

Motion made by Council Member Bounds to renew the lease for the land for the Animal Control building with Mr. Squier for one (1) year. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

B. **Consideration & Action on Ordinance Disannexing & Relinquishing Extraterritorial Jurisdiction on Property Located in Thousand Oaks Phase IV as Included in Boundary Agreement with Corinth.**

Motion made by Council Member Wohr to adopt the ordinance disannexing & relinquishing extraterritorial jurisdiction on property located in Thousand Oaks Phase IV as included int he boundary agreement with Corinth. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

2nd Addendum to the June 12, 1997 City Council Agenda:

C. **Consideration & Action on Approval of Re-Allocation of $700 Unused for the Christmas Bazaar to be Used for the July 4 Fireworks Display.**

Motion made by Council Member Bounds to approve the re-allocation of Seven Hundred ($700) Dollars for the July 4, fireworks display. Seconded by Shikle.

Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

12. **Canvass Election**

Motion made by Council Member Wohr to accept the canvass of the votes for the June 7 election from the Early Voting poll list of 233 voters as:

108	Matt Flanagan
123	Frank Barnard
1	Uncounted, not able to determine how the voter wished to vote

and the June 7, Election Day poll list of 345 voters as:

153	Matt Flanagan
192	Frank Barnard

13. **Oath of Office**

The Oath of Office for Council Member Place 5 was given to Frank Barnard by Mayor Pro-Tem David Shershen.

14. Adjourn

Motion made by Council Member Shikle to adjourn the meeting. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Wohr and Shershen
Noes: None
Absent: Council Member Martin

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Meeting and Workshop on July 7, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Bruce Martin	Council Member Place 3
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary.

BUSINESS:

1. **Election of Mayor Pro-Tem.**

Mayor McCutcheon opened the floor for nominations of Mayor Pro-Tem. **Nominations** were Bruce Martin by Council Member Shikle, and Thanna Bounds by Council Member Barnard. Votes cast for the nominees were:

For Martin: Council Members Shikle and Martin
For Bounds: Council Members Barnard and Bounds

Mayor McCutcheon broke the tie by casting his vote for Martin. Council Member Martin was elected Mayor Pro-Tem.

2. **Mayor of Corinth to Present the City of Corinth's Position on the Lake Cities Volunteer Fire Department.**

Shirley Spellerberg, Mayor of Corinth presented the City of Corinth's position on their funding of the Lake Cities Volunteer Fire Department. Mayor Spellerberg stated that Corinth had fulfilled their financial obligations to the fire department as they had agreed to do. Mayor Spellerberg presented the council with a proposal based on the budget adjusted to reflect the actual purchases and personnel increases. The proposal would allow the City of Lake Dallas to receive a refund of $19,961 in overpayment; Corinth would pay an additional $24,001; Hickory Creek would pay an additional $3,459; Shady Shores would receive a refund of $2,641; all of which was based on the revised budgetary expenditures prepared by the Two-Fer Committee

3. Consideration & Action on Lake Cities Fire Department Interlocal Agreement.

Motion made by Council Member Bounds to enter into an Interlocal Agreement with the Lake Cities Volunteer Fire Department. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Motion made by Council Member Bounds to adjourn the Special Session. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 8:20 p.m.

Following a short break the Council met in a workshop to discuss:

Capital Improvement Program for Streets
Municipal Building

The workshop adjourned at 10:50 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in Regular Session on July 10, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary.

Mayor McCutcheon gave the invocation and led all present in the pledge of allegiance to the flag.

The recipient for the Certificate of Appreciation was not in attendance.

Citizens Agenda

Steve Smith, 201 N. Shady Shores addressed the council on a drainage concern on Shady Shores and fence concern at the Community Center.

Business:

1. **Consideration & Action on Appointment of City Attorney.**

Motion made by Council Member Bounds to table the consideration on the City Attorney until August. Seconded by Martin.
Ayes: Council Members Bounds
Noes: Council Member Shikle, Barnard, Wohr, and Martin

Motion Failed

Motion made by Council Member Wohr to give the City Administrator the authority to investigate and provide information, if change in City Attorney is needed bring back to the Council for further consideration. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. Consideration & Action on Council Member Barnard's Request for Reimbursement of Election Expenses.

Motion made by Council Member Wohr to accept the withdrawal of the reimbursement request by Council Member Barnard. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on Accepting Metroplex Engineering Report for the Street Improvement Capital Improvement Program.

Motion made by Council Member Bounds to accept the engineering report prepared by Metroplex Engineering for the Street Improvement Capital Improvement Program. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Interlocal Agreement with Lake Cities Volunteer Fire Department.

Motion made by Mayor Pro-Tem Martin to appoint Garry Bills as the City's representative to the Lake Cities Volunteer Fire Department Board of Directors as outlined in the Interlocal Agreement. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. Consideration & Action on Amendment to Cleaning Contract.

Motion made by Council Member Bounds to approve the amendment to the cleaning contract changing the rate for cleaning the community building to $25 (Twenty Five Dollars) for the first one and one half hours and $12.50 (Twelve Dollars and Fifty Cents) for each additional hour and one half as required to complete the cleaning. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. Consideration & Action on Proposed 1998 Budget for the Denton Central Appraisal District.

Motion made by Mayor Pro-Tem Martin to accept the Denton Central Appraisal District's Budget for fiscal year 1996-97 as presented. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

7. Consideration & Action on Nomination of Candidate to the Denco Area 9-1-1 District Board of Managers.

Motion made by Council Member Wohr to nominate the present member of the Board, Olive Stephens for an additional term to the Denco Area 9-1-1 Board of Managers. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. Consideration & Action on Naming of City Park.

The park board representatives stated that since this was the first city park and will be used and paid for by the citizens of Lake Dallas that they wanted Lake Dallas included in the name. Also, with so many names that could be used they did not want to use a person's name. The names came from the Name the Park contest, with the exception of The Park of Lake Dallas. With consensus of the Council Mayor McCutcheon suggested the Council select one of the proposed park names for a formal motion, the proposed names were:

Lake Dallas City Park
Lake Dallas Municipal Park
The Park of Lake Dallas

The majority of Council Members selected Lake Dallas City Park. **Motion** made by Council Member Bounds to name the park Lake Dallas City Park. Seconded by Mayor Pro-Tem Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

9. Consideration & Action on Park & Recreation Board's Request to Erect Temporary Lights at the Park Located at Shady Shores & Hundley.

Following discussion on the need to have additional information showing location of lights, type, number, height and a written statement accepting responsibility for the maintenance of the lights

and advising the board to contact the City Administrator to work out the details a **Motion** was made by Mayor Pro-Tem Martin to table the consideration. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

10. Consideration & Action on Request by Park & Recreation Board that all Profits from Garza Day be put into Park Fund Rather than General Fund.

Motion made by Mayor Pro-Tem Martin to table the request to put profits into the Park Fund rather than the General Fund until a financial report from the Park and Recreation on the Garza Day is submitted. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

11. Consideration & Action on Appointments and Resignations from the Park & Recreation Board.

Motion made by Council Member Wohr to accept Randy Bell's resignation, accept the Park & Recreation Board's action to remove Stephanie Everhart and to appoint Neal Malone as a member, M.J. Graham and Sandra Hegele as an alternate members. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Mayor McCutcheon changed the order of business to allow Barbara Arnold to report on the July 4th activities.

14. Reports
(c) Boards & Commissions

Barbara Arnold president of the Lake Cities Community Action Committee introduced Kim Johnson (treasurer) who presented the treasurer's report on the July 4th activities. **Motion** made by Council Member Wohr to accept the Lake Cities Community Action Committee's report on the July 4 activities. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

12. Consideration & Action on Lease Agreement for the Community Center with the Lake Cities Chamber of Commerce.

Motion made by Council Member Bounds to accept the standard agreement with the Chamber of Commerce for use of the Community Center building. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

13. Consideration & Action on Approval of Minutes from June 12, 1997.

Motion made by Council Member Barnard to accept the minutes as written. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

14. Consideration and Action on Reports:

a. Financial, including Accounts Payables.

Motion made by Mayor Pro-Tem Martin to accept the financial and payables as presented. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

b. Departments

No department report was given.

c. Boards and Commissions (continued)

Council Member Wohr reported that the Planning & Zoning Commission would like the Council to review the 80 percent brick requirement for commercial property because it is preventing commercial building.

Council Member Bounds announced that a community wide garage sale sponsored by the Keep Lake Dallas Beautiful Committee would be held all day Saturday in front of the fire station.

Council Member Barnard announced Clean-up Day scheduled for Saturday, July 12 from 8:00 a.m. until 1:00 p.m.

Lynn Yeager, Keep Lake Dallas Beautiful Committee reported the logo for the City would be presented to the Council on August 14.

15. Adjourn

Motion made by Council Member Bounds to adjourn. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 9:55 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas, Texas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on August 4, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

The following members of the City Staff were also in attendance.

City Administrator, Stewart Fairburn and City Secretary, Patricia Chapman were also in attendance.

Mayor McCutcheon called the meeting to order at 7:00 p.m.

Business:

1. **Consideration & Action on Resolution for a Moratorium on Off-Premises Commercial Sign Applications.** 080797.1

Motion made by Council Member Wohr to approve the resolution for a moratorium on off-premises commercial sign application for a period of 60 days. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Consideration & Action on Interlocal Agreement with the Cities of Corinth, Lake Dallas, Hickory Creek and Shady Shores for Mutual Support of the Lake Cities Volunteer Fire Department.**

Motion made by Council Member Wohr to accept the interlocal agreement between the cities of Corinth, Lake Dallas, Hickory Creek and Shady Shores for mutual support of the Lake Cities Volunteer Fire Department with an exception amending Section II. (A) last sentence of the paragraph to read "By mutual agreement of the participating governments, this Agreement automatically renews for additional one (1) year terms. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on Lake Cities Volunteer Fire Department Reimbursement of Payment for Fiscal Year 1997.

Motion made by Council Member Shikle to accept refund of funds from the Lake Cities Volunteer Fire Department and not designate how the funds would be expended until such time as another meeting is held to make a decision on how to expend the funds. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Resolution Authorizing the City Secretary to Issue a Water Well Permit for 707 N. Shady Shores Rd. 080199.2

Following the Building Official's verification that all requirements on issuing the Water Well Permit had been met a **Motion** was made by Council Member Wohr to approve the resolution authorizing the City Secretary to issue a Water Well Permit for 707 N. Shady Shores Rd. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, and Wohr
Noes: None
Abstain: Mayor Pro-Tem Bruce Martin (Affidavit of Abstention Filed)

Motion Carried

5. Adjourn.

Motion made by Council Member Thanna Bounds to adjourn the meeting. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 7:30 p.m.

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

Jerry McCutcheon, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Regular Meeting on August 14, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor McCutcheon called the meeting to order at 7:30 p.m.

Mayor McCutcheon gave the invocation and led the audience in the Pledge of Allegiance.

Citizens Agenda:

Margaret Tisdale questioned whether she would be able to address the Council on the Kings Manor Drainage Study.

Business:

With full consent of the Council, Mayor McCutcheon moved Item 16(a) to the top of agenda at the request of Garry Bills, Home Rule Commission Chairman.

16. Reports (a) Boards & Commissions

Garry Bills, Home Rule Charter Commission Chairman, advised first draft of charter has been completed. The commission will be developing information for presentation to the public and will schedule Town Hall meetings to inform citizens about the Home Rule form of government.

1. Consideration & Action on Conceptual Plans & Cost Estimate for Kings Manor Drainage Project Presented by Metroplex Engineering..

George Belcheff, Metroplex Engineering, presented four alternatives for the Kings Manor Drainage Channel. The alternatives were:

1. Rebuild the earthen channel, designed using a 1:3 side slopes
2. Fully concrete lined channel, side slopes can be steeper.
3. Concrete bottom channel with earthen side slopes.
4. Underground pipe system with earthen swale with earthen side slopes on swale.

Mr. Belcheff, recommended the fourth alternative, using the conduit system.

The following citizens spoke in favor of Alternative 4.
Bobby Harris
Doyle Camp
Theresa Gaddis

Ken Johnson asked about environmental impact on the trees in easement behind his home and how water would get into pipe.

Christie Houghton, questioned cost estimate.

Johnny Webber, Street superintendent, stated that Alternative 4 would be his choice.

Truman Harp, Building Official, stated he would go with the majority.

Motion made by Council Member Barnard to accept alternative number four cost estimate for underground conduit for the Kings Manor Drainage Project as presented by Metroplex Engineering. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Motion made by Council Member Wohr to consider funding of the Kings Manor Drainage Project in the fiscal year 1997-98 budget, with construction as soon as practical as advised by the City Engineer. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Mayor McCutcheon announced that the Council would meet in Executive Session with the City Attorney for legal advice. City Attorney, David Berman stated in answer to a citizen's inquiry regarding the lack of posting on the agenda for the Executive Session that the Council meeting in Executive Session would not be a violation of the Open Meetings Act.

The City Council adjourned into Executive Session at 9:00 p.m.

The City Council reconvened into Regular Session at 9:12 p.m.

2. Public Hearing

To hear citizens comments for and against a request by I-35 Joint Venture for a change in zoning from C-2 Commercial District to C-3 Commercial District to allow for sale of alcoholic beverages in a 5.5068 Acres tract of land in the H.H. Swisher Survey, Abstract 1220, located in the 400 Block of Swisher Road.

Mayor McCutcheon opened the public hearing for comments from citizens for or against a request by I-35 Joint Venture for a change in zoning from C-2 Commercial District to C-3 Commercial District to allow for sale of alcoholic beverages in a 5.5068 Acres tract of land in the H.H. Swisher Survey, Abstract 1220, located in the 400 Block of Swisher Road.

The following citizens spoke in favor of the rezoning request:

Sandra Hegele
Carolyn Green
Bonnie Garcia

Linwood Gilliand, Planning & Zoning Chairman addressed the ordinance provision for a sign on the property advising of a zoning change.

John Dowdall, presented a proposal to the council showing possible future development on the property.

Ken Howe, 402 Swisher Road expressed his concerns about traffic at the intersection of Swisher and I-35 access road.

Mayor McCutcheon if any citizen was against the proposed rezoning. No citizen acknowledged opposition. With no citizen wishing to speak on the proposed rezoning, Mayor McCutcheon closed the public hearing.

3. Consideration & Action on Ordinance Amending the Zoning From C-2 Commercial District to C-3 Commercial District for a 5.5068 Acre Tract in the H.H. Swisher Survey, Abstract 1220, Located in the 400 Block of Swisher Road.

Motion made by Council Member Wohr to table consideration of the ordinance amending the zoning from C-2 Commercial District to C-3 Commercial District for a 5.5068 Acre Tract in the H.H. Swisher Survey, Abstract 1220, located in the 400 Block of Swisher Road until Tuesday night at 7:00 p.m. giving the City time to post a sign on the property advising of the proposed

zoning request change and to establish a moratorium on building permits for the C-3 Commercial Districts. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Public Hearing

Mayor McCutcheon opened the public hearing to hear citizens comments on a recommendation from the Planning & Zoning Commission to amend the Comprehensive Zoning Ordinance, Section 18.20, 18.22 and 18.24 of the Lake Dallas Municipal Code as it pertains to masonry requirements for C-1 Restricted Business District, C-2 Commercial Districts and C-3 Commercial Districts.

Citizen's speaking in favor of the ordinance change:

Bonnie Garcia

With no other citizen wishing to speak on the proposed amendment, Mayor McCutcheon closed the public hearing.

5. Consideration & Action on Ordinance Amending the Comprehensive Zoning Ordinance, Section 18.20, 18.22 and 18.24 of the Lake Dallas Municipal Code Providing for Masonry Requirements.

After discussion on the ordinance change in masonry requirements a **Motion** made by Council Member Bounds to deny the ordinance amending the comprehensive zoning ordinance and send it back to the Planning & Zoning Committee for further review. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. Consideration & Action on Approval of Football Field Lighting.

Motion made by Mayor Pro-Tem Martin to approve the temporary lights as proposed by the Lake Cities Football Association. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

7. **Consideration & Action on Lake Dallas City Park Sign.**

Following a presentation on a proposed sign by Sandra Hegele, a **Motion** was made by Council Member Shikle to approve the double decker, double sided, illuminated sign design and obtain a cost estimate on temporary installation without electric until the park is established. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. **Consideration & Action on City Logo.**

Bonnie Garcia, Keep Lake Dallas Beautiful presented the proposed City Logo to the Council stating that the City's beginnings was a fishing community. The proposed logo in the shape of a fish circling the wording 'City of Lake Dallas' developed by Ms. Liz Buehalter. A **Motion** was made by Council Member Bounds to approve the fish design as the official logo for the City. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

With full consent of the Council, Mayor McCutcheon moved Item 16(a) to the top of agenda a the request of Bonnie Garcia, Keep Lake Dallas Beautiful.

16. **Reports (a) Boards & Commissions**

Bonnie Garcia presented a financial report on the Keep Lake Dallas Beautiful Garage Sale to the Council.

9. **Consideration & Action on Contract with First Southwest Company for Bond Services for the Proposed Street Improvement Bond Issue.**

Motion made by Mayor Pro-Tem Martin to approve the contract with First Southwest Company for bond services related to the proposed Street Improvement Bond Issue. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

10. **Consideration & Action on Contract with Fisher & Newsom for Legal Services for the Proposed Street Improvement Bond Issue.**

Motion made by Council Member Wohr to authorizing the Mayor to sign the contract with Fisher & Newsom for legal services for the proposed Street Improvement Bond Issue contingent upon the City Administrator confirming the cost. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

11. Consideration & Action on Appointment of Alternate Representative to the Lake Cities Volunteer Fire Department Board of Directors.

Jim Phillips was nominated by Mayor Pro-Tem Bruce Martin and Robbie Robertson was nominated by letter (from himself) for the Lake Cities Volunteer Fire Department alternate representative to the Board of Directors. Following the close of nominations, Mayor McCutcheon requested a vote on the nominations, with Mr. Phillips receiving 2 votes and Mr. Robertson receiving 3 votes a **Motion** was then made by Council Member Wohr to appoint Robbie Robertson as alternate to the Lake cities Volunteer Fire Department Board of Directors. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

12. Consideration & Action on Resolution Requesting the Texas Transportation Commission Remove the Lewisville Bridge From Consideration Until Another Election is Held.

Motion made by Council Member Wohr to approve the resolution requesting the Texas Transportation Commission remove the Lewisville Bridge from consideration until another election is held. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

13. Consideration & Action on Designation of Voting Representative for the North Central Texas Council of Governments.

Motion made by Council Member Bounds to appoint Council Member Stephen Wohr as the Voting representative to the North Central Texas Council of Governments. Seconded by Martin.

Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None
Abstain: Wohr

Motion Carried

14. Consideration & Action on Appointments to the Home Rule Charter Commission.

Motion made by Council Member Bounds to appoint Margaret Tisdale as regular member and Mike Nash, Mike Drozd, Tommy Drozd, Bonnie Brown Garcia as alternate members to the Home Rule Charter Commission. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

15. Consent Agenda:

Item d, and e were removed from the Consent Agenda for individual consideration.

a. **Consideration & Action on Interlocal Agreement for Tax Collection with Mary Horn.**
b. **Consideration & Action on Resolution Appointing One Member to the Board of Directors for the Denco Area 9-1-1 District.**
c. **Consideration & Action on Authorizing the Addition of the City Administrator to the City's Bank Accounts.**

Motion made by Council Member Wohr to approve Items a, b and c of the Consent Agenda. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

d. Consideration & Action on Approval of Minutes for July 7, 10, 13, and August 4.

Motion made by Council Member Barnard to approve Item d, minutes as corrected. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

e. Consideration & Action on Acceptance of Tammy Hite's Resignation from the Park & Recreation Board.

Motion made by Council Member Wohr to accept Tammy Hite's resignation and to provide her with a plaque expressing the City's appreciation for her contribution as a volunteer. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

16. Consideration and Action on Reports:

b. Departments

The City Administrator supplied Council with information requested on the charges for legal services and stated that he would provide a contract next month. He also provided a budget calendar and stated that the first Budget Workshop was scheduled, with Council's approval for August 28.

c. Financial, including Accounts Payables.

Motion made by Council Member Bounds to accept the reports as presented. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

17. Adjourn

Motion made by Mayor Pro-Tem Martin to adjourn the meeting. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 11:29 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Called Meeting on August 19, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor McCutcheon called the meeting to order at 7:00 p.m.

Business:

1. **Consideration & Action on Resolution Imposing a Moratorium on the Acceptance and Issuance of Building Permits in C-3 Commercial District Zoning.** 081997.1

Motion made by Council Member Wohr to impose a moratorium of 30 days on the acceptance and issuance of building permits in C-3 zoning. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Consideration & Action on Ordinance Amending the Zoning From C-2 Commercial District to C-3 Commercial District for a 5.5068 Acre Tract in the H.H. Swisher Survey, Abstract 1220, Located in the 400 Block of Swisher Road.** 97-10

Motion made by Council Member Wohr to amend the zoning from C-2 Commercial District to C-3 Commercial District on the 5.5068 acre tract of land located in the H.H. Swisher Survey, Abstract 1220 in the 400 block of Swisher Road. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. **Reports From City Administrator.**

Stewart Fairburn, City Administrator stated that the reports should be available to the Council Members on Friday, August 22 and reminded Council of the meeting on August 28.

4. Adjourn

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Session and a Budget Workshop on August 28, 1997, at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor McCutcheon called the Special Session to order at 7:05 p.m.

Business:

1. **Consideration & Action on Interlocal Agreement with the Cities of Corinth, Lake Dallas, Hickory Creek and Shady Shores for Mutual Support of the Lake Cities Volunteer Fire Department.**

Mayor McCutcheon explained that this version of the interlocal agreement contained the additions as approved by the Council on August 4. **Motion** was made by Mayor Pro-Tem Martin to approve the interlocal agreement with Corinth, Hickory Creek and Shady Shores for mutual support of the Lake Cities Volunteer Fire Department and authorizing the Mayor to make minor changes to the language of the contract as long as the intent is not changed, if changes effecting the intent is needed the contract would go back to the Council for further consideration. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Department Reports.**

Stewart Fairburn, City Administrator reported that the water sample from the Kings Manor drainage ditch was contaminated with fecal materials and that the sample was upstream from the manhole and that the contaminants were probably from animals.

3. Adjourn.

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Following the adjournment of the special session the City Council met in a Budget Workshop to review the proposed budget for fiscal year 1997-1998 prepared by the City Administrator.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Called Meeting and Budget Workshop on September 2, 1997, at 7:00 p.m. in the Lake Dallas Community Center located at 302 Shady Shores Road. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor McCutcheon called the meeting to order at 7:00 p.m.

Business:

1. **Consideration & Action on a Petition of Annexation of a 55.8900 Acre Tract of Land in the H.H. Swisher Survey, Abstract No. 1220, in the City of Lake Dallas, Owned by HSM Development, Inc.**

Motion made by Mayor Pro-Tem Martin to accept the petition from HSM Development, Inc. for annexation of 55.8900 acres of land located in the H.H. Swisher Survey, Abstract No. 1220; and directing the staff to prepare a service plan for the area to be annexed; and calling two public hearings for citizen comments on the annexation for September 18, 1997. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Consideration & Action on a Petition of Annexation of a 5.5068 Acre Tract of Land in the H.H. Swisher Survey, Abstract No. 1220, in the City of Lake Dallas, Owned by I-35 Swisher Joint Venture.**

Motion made by Mayor Pro-Tem Martin to accept the petition from I-35 Swisher Joint Venture for annexation of 5.5068 acres of land located in the H.H. Swisher Survey, Abstract No. 1220; and directing the staff to prepare a service plan for the area to be annexed; and calling two public hearings for citizen comments on the annexation for September 18, 1997. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on a Proposal to Increase the 1997 Effective Tax Rate & Consider Setting a Public Hearing for Public Comment on Said Proposal.

Motion made by Council Member Wohr to set the property tax rate for fiscal year 1997-1998 at $.56171 and to call a public hearing on September 11. Seconded by Bounds.
Ayes: Council Members Bounds, Barnard, Wohr and Martin
Noes: Shikle

Motion Carried

Motion made by Mayor Pro-Tem Martin to adjourn the meeting. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The special called meeting adjourned into the Budget Workshop at 7:20 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Regular Meeting on September 11, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Jerry McCutcheon was absent.

Stewart Fairburn, City Administrator and Elizabeth Penny, Administrative Assistant were also in attendance.

Mayor Pro-Tem Martin called the meeting to order at 7:30 p.m. then gave the invocation and led the audience in the Pledge of Allegiance.

Citizens Agenda:

Recognition of Employee

Georgina Geougeon was recognized for her contributions to the City's Animal Services Program by Jan Daniels who represented a group of Lake Dallas citizens. Ms. Geougeon was presented a plaque and flowers. Ms. Daniels also presented a check in the amount of $301 (Three Hundred One Dollars) to the City Secretary's Office to establish an Education Program for the youth in the community on the care and needs of animals and pets.

Mike Fahey presented a audio/video tape of the September 9, 1997 Denton County Commissioner's Court's Meeting which discussed the Lewisville Lake Bridge Project. Mr. Fahey recommended the Council block the efforts by the North Central Texas Council of Government's to include the bridge project in their thoroughfare plan.

Business:

1. **Public Hearing: To Hear Citizens Comments on the Proposed Property Tax Rate for FY 1997-98 in the Amount of $.56171.**

Mayor Pro-Tem Martin opened the public hearing for comments from the citizens on the proposed property tax rate of $0.56171 for fiscal year 1997-1998. Robbie Robertson voiced

agreement with the proposed tax rate. With no other citizen wishing to speak the Mayor Pro-Tem closed the public hearing.

2. Public Hearing: To Hear Citizens Comments on the Proposed Ordinance Amending Article 18 of the Lake Dallas Municipal code as it Relates to Off-Premise Commercial Signs.

Mayor Pro-Tem Martin opened the public hearing for comments from the citizens on the proposed ordinance amending Article 18 of the Lake Dallas Municipal Code as it relates to off-premises commercial signs. Margaret Tisdale voiced agreement with the proposed ordinance. With no other citizen wishing to speak the Mayor Pro-Tem closed the public hearing.

3. Consideration & Action on Proposed Ordinance Amending Article 18 and Article 15 of the Lake Dallas Municipal code as it Relates to Off-Premise Commercial Signs.

Motion made by Council Member Wohr to adopt the ordinance amending Chapters 15.16 and 18.40 of the Code of Ordinances of the City of Lake Dallas regulating Commercial Signs, providing a severability clause and a penalty. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Resolution Authorizing a Moratorium on Off-Premises Signs.

Motion made by Council Member Wohr to remove this item from the agenda. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. Consideration & Action on Hardship Application by Joe Stout, Universal Signs to the Sign Moratorium.

Motion made Council Member Barnard to deny the hardship application by Joe Stout of Universal Signs for placement of signs at 401 Denton Drive and 218 Main Street. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. **Public Hearing: To Hear Citizens Comments on Proposed Ordinance Amending Sections 18.24 and 18.30 of the Lake Dallas Municipal Code as it Pertains to Permitted Uses in C-3 Commercial Districts.**

Mayor ProTem Martin opened the public hearing for comments from the citizens on the proposed ordinance amending Chapters 18.24 and 18.30 of the Lake Dallas Municipal Code regulating uses in C-3 Commercial Districts. Margaret Tisdale spoke in favor of the ordinance. With no other citizen wishing to speak, Mayor Pro-Tem closed the public hearing.

7. **Consideration & Action on Proposed Ordinance Amending Section 18.24 and 18.30 of the Lake Dallas Municipal Code as it Pertains to Permitted Uses in C-3 Commercial Districts.**

Motion made by Council Member Wohr to adopt ordinance amending Section 18.24 and 18.30 of the Lake Dallas Municipal Code regulating uses in C-3 Commercial Districts and Special Use Permits. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. **Consideration & Action on Resolution Authorizing a Moratorium on Applications and Issuance of Permits for Construction in C-3 Commercial Districts.**

Motion by Council Member Wohr to remove this item from the Agenda. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

9. **Public Hearing: To Hear Citizens Comments on Proposed Replat of Lakebridge Estates Phase I.**

Mayor ProTem Martin opened the public hearing for comments from the citizens on the replat of Lakebridge Estates Phase I. Marie Aldridge with D.R. Cameron & Associates presented the request to the Council. With no citizens wishing to speak, Mayor Pro-Tem Martin closed the public hearing.

10. **Consideration & Action on Acceptance of Replat of Lakebridge Estates Phase I**

Motion made by Council Member Shikle to accept the replat of Lakebridge Estates Phase I as

presented. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

11. Consideration & Action on Acceptance of Minor Plat Replat for Oak Lakes, Block K, Lots 8 & 9.

Motion made by Council Member Wohr to approve the Minor Replat of Lot 8 & 9 of Block K, of the Oak Lakes Subdivision (address's 515 & 517 Shady Shores Road). Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

12. Consideration & Action on Ordinance Amending Chapter 5.20, Regulating Sexually Oriented Businesses.

Motion made by Council Member Wohr to adopt the ordinance amending Chapter 5.20 of the Lake Dallas Municipal Code regulating sexually oriented businesses, by restricting the distance requirement to 400 feet, providing exterior and signage requirements for SOB's. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

13. Consideration & Action on Adoption of Community Center Rules & Regulations.

Motion made by Council Member Wohr to adopt the rules and regulations for the Community Center changing the hour of closing on Fridays and Saturdays from 1:30 a.m to 11:00 p.m, and banning alcohol, and to grandfather all rental contracts negotiated prior to adoption of new rules and regulations. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

14. Consideration and Action on Reports:

a. Financial, including Accounts Payables.

Motion made by Council Member Bounds to accept the reports as presented. Seconded by Barnard.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

b. Boards & Commissions

Steve Smith reported for the Park & Recreation Board on the site plan for the City Park has not been received from the State, and hopes that it will be received for the October meeting.

Carolyn Green reported that the Home Rule Charter Commission was on schedule.

Robbie Robertson reported that the Lake Cities Volunteer Fire Department was looking for a new Fire Chief.

c. Departments

No departmental reports were presented. Council Member Shikle requested maintenance logs for police vehicles.

15. Consideration & Action on Approval of Minutes for August 14, 19, 28 & September 2, 1997.

Motion made by Council Member Barnard to accept the minutes from August 14, 19, 28 and September 2, 1997 with a correction to the August 14 minutes adding Bonnie Garcia to the Home Rule Charter Commission appointments (as shown on the corrected minute page). Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

16. Adjourn

Motion made by Council Member Shikle to adjourn the meeting. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Regular Meeting on September 18, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Frank Barnard	Council Member Place 5

Stephen Wohr, Council Member Place 4 was absent.

Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary were also in attendance.

Business:

1. **Public Hearing: First Public Hearing To Hear Citizens Comments on the Proposed Annexation of the Property Known as Jackson Ranch Located in the 400 Block of Swisher Road; H.H. Swisher Survey, Abstract No. 1220.**

Mayor McCutcheon read the public hearing request and explained that the property was part of the City but because of boundary changes with Corinth in the development of the property the City was revalidating the annexation. Mayor McCutcheon opened the public hearing asking if anyone wished to speak for or against the annexation. With no one in attendance wishing to speak, Mayor McCutcheon closed the public hearing.

2. **Consideration & Action on Request by Boys & Girls Club.**

Following lengthy discussion by Council and representatives from the Boys & Girls Clubs, Council noted the lack of information to enable them to make a decision, a **Motion** was made by Council Member Shikle to issue a letter of intent to provide land necessary to accommodate the footprint of the proposed building in the City Park contingent upon the City Administrator meeting with the Meadows Foundation and the Boys & Girls Clubs and that the proposal be brought back to the Council for approval. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, and Barnard
Noes: Mayor Pro-Tem Martin

Motion Carried

3. **Public Hearing: To Hear Citizens Comments on the Fiscal Year 1997-98 Budget.**

Mayor McCutcheon read the proposed budget amounts by departments and the items that were included and excluded following the budget workshops. Mayor McCutcheon opened the public hearing at 7:58 p.m. The following citizens spoke during the hearing:

Matt Flanagan, 722 Thousand Oaks Drive; expressed opposition to the allocation for the Kings Manor Drainage ditch.

Diane Tisdale, 509 Howard; expressed support of the allocation for the Kings Manor Drainage ditch.

Winston Harper, 3911 Lakeview Dr.; expressed opinion that it is the developers responsibility to provide drainage and City should ensure that future developers provide proper drainage.

Carolyn Green, 201 Shady Shores Rd; requested the City Administrator explain Plan A and Plan B for street improvements.

Stewart Fairburn, City Administrator presented a brief explanation of funding for street improvement if the street bond was not approved by the voters. Mr. Fairburn stated that it would take 10 - 15 years to complete street work with cash funding rather than 1 - 2 years with bond funding.

With no other citizen wishing to speak, Mayor McCutcheon closed the public hearing at 8:03 p.m.

4. Consideration & Action on Ordinance Adopting Budget for Fiscal Year 1997-98.

Motion made by Mayor Pro-Tem Martin to adopt the ordinance for the fiscal year 1997-1998 budget as presented and approved in prior workshops. Seconded by Bounds.

Ayes: Council Members Bounds, Barnard, and Martin
Noes: Council Member Shikle

Motion Carried

5. Consideration & Action on Ordinance Setting Tax Rate for Fiscal Year 1997-98.

Motion made by Mayor Pro-Tem Martin to adopt the ordinance setting the ad valorem tax rate of $0.56171 per $100 (One Hundred Dollars) of evaluated property for fiscal year 1997-1998. Seconded by Bounds.

Ayes: Council Members Bounds, Barnard, and Martin
Noes: Council Member Shikle

Motion Carried

6. Discussion of Abandonment of San Jacinto Right-Of-Way Between Market & Sycamore for Lake Cities Assembly of God Church.

Mr. L.A. Caldwell presented a proposal from the Lake Cities Assembly of God Church to seek the City's support of the abandonment of Goliad Avenue and its Rights-of-Way between Market and Sycamore for the church's use. Following Mr. Caldwell's remarks the Council directed the City Administrator to proceed with the requirements to complete the abandonment of the street and rights-of-way.

7. Consideration & Action on Moving Anna Benham to a Regular Member and to Move Chip Baine, Rickey Paine, Janet Rose, and Charlie Hedges to Alternate Members of the Home Rule Charter Committee

Motion was made by Mayor Pro-Tem Martin to accept Chip Baine, Rickey Paine, Janet Rose and Charlie Hedges movement from regular members to alternate members and Anna Benham, Mike Nash, Mike Drozd movement from alternate members to regular members of the Home Rule Charter Commission. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None

Motion Carried

8. Consideration of Nominations to the Denton Central Appraisal District Board of Directors.

No action taken. Item will be on the October 9, City Council Agenda for appointment.

9. Public Hearing: Second Public Hearing To Hear Citizens Comments on the Proposed Annexation of the Property Known as Jackson Ranch Located in the 400 Block of Swisher Road; H.H. Swisher Survey, Abstract No. 1220.

Mayor McCutcheon read the public hearing notice and opened the public hearing. With no citizen in attendance wishing to speak, Mayor McCutcheon closed the public hearing. Stewart Fairburn, City Administrator stated that a service plan for the area was on file.

10. Consider Adoption of a Resolution Designating October 1997 as Crime Prevention Month.

Mayor McCutcheon read the resolution designating the month of October as crime prevention month. After which the Mayor announced that the resolution was corrected to be a Proclamation and that it was proclaimed to be Crime Prevention Month.

11. Consideration & Action on an Ordinance Amending Chapter 5, Article III; of the Lake Dallas Municipal Code Regulating Proximity restrictions for Alcohol Sales.

Motion made by Mayor Pro-Tem Martin to adopt the ordinance amending Chapter 5, Article 3 of the Lake Dallas Municipal Code regulating proximity restrictions for alcohol sales. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None

Motion Carried

12. Adjourn

Motion made by Mayor Pro-Tem Martin to adjourn the meeting. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 9:50 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Regular Meeting on October 9, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary were also in attendance.

Mayor McCutcheon led the Invocation and the Pledge of Allegiance.

Citizens Agenda:

Margaret Tisdale, commented on the Kings Manor Ditch. Ms. Tisdale also played a tape commending her efforts on the ditch and stating that rats are becoming quite a problem. She cited the City's code on nuisances, and weeds.

Proclamation

Mayor McCutcheon read a proclamation which proclaimed the month of October as Domestic Violence Awareness Month.

Business:

With the full consensus of the Council, Mayor McCutcheon moved Item 10 (b) to the top of the agenda.

10. Consideration and Action on Reports:

b. Boards & Commissions

Christie Houghton, Vice-President of the Home Rule Charter Commission presented a draft of the Home Rule Charter to the City Council Members and requested a meeting with the City Attorney to discuss issues related to the Charter.

Mayor McCutcheon called a joint meeting of the City Council and Home Rule Charter

Commission, with the City Attorney in attendance on October 20 at 7:00 p.m. in the Community Center.

1. **Public Hearing**
The City Council will Hold a Public Hearing to Provide the Citizens an Opportunity to Express Their Opinions on a Request From the Lake Cities Assembly of God Church to Close Goliad Avenue Between Sycamore and Market Streets.

Mayor McCutcheon opened the public hearing to hear comments from the citizens on the request from the Lake Cities Assembly of God Church to close Goliad Avenue between Sycamore and Market Streets. The following citizens spoke:

Mr. Corder, corner of Goliad and Sycamore, spoke against the closing. Mr. Corder expressed his concerns with the fire hydrant location and his ability to take his trailer in and out of his driveway.

Reverend L.A. Caldwell spoke in favor of his request on behalf of the Lake Cities Assembly of God Church to close the Goliad.

Terry Lantrip, 275 Market Street, spoke against the closing of Goliad Street.

Mr. Robinson, Alamo Street, spoke against the closing of Goliad Street.

Mrs. Robinson, Alamo Street, spoke against the street closing.

Mayor McCutcheon closed the public hearing.

2. **Consideration & Action on Letter of Intent for Boys and Girls Clubs, Inc.**

Motion made by Council Member Martin to approve the letter of intent to enter into an agreement with the Boys and Girls Club as written. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. **Consideration & Action on the Ordinance Annexing the Property Known as Jackson Ranch Located in the 400 Block of Swisher Road; H.H. Swisher Survey, Abstract No. 1220.**

Motion made by Mayor Pro-Tem Martin to accept the ordinance annexing the property known as Jackson Ranch located in the H.H. Swisher Survey Abstract No. 1220. Seconded by Wohr.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. **Consideration & Action on Ordinance Adopting the Change in Zoning for Tract 3 of the H.H. Swisher Survey, Abstract No. 1220 on 23.20 Acres From R-3 and C-2 to R-1-6000; and 27.71 Acres From R-3 to R-1-7200; and 5.51 Acres From R-3 and C-2 to C-2.**

Motion made by Mayor Pro-Tem Martin to approve the ordinance amending the Comprehensive Zoning Ordinance by granting a change in zoning from R-3 Residential District and C-2 Commercial District to R-1-7200 Residential District for the property described as 23.20 acres of land out of the H.H., Swisher Survey, Abstract No. 1220 and 27.71 acres of land out of the H.H. Swisher Survey Abstract No. 1220. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. **Consideration & Action on Ordinance Adopting the Change in Zoning for the Property Known as Jackson Ranch Located in the 400 Block of Swisher Road; H.H. Swisher Survey, Abstract No. 1220 From Commercial C-2 to Commercial C-3.**

Motion made by Council Member Wohr to adopt the ordinance amending the Comprehensive Zoning Ordinance granting a change in zoning from C-2 Commercial district to C-3 Commercial District for the property described in Exhibit A. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. **Consideration & Action on Acceptance of Paving Contract.**

Motion made by Mayor Pro-Tem Martin to approve the contract with Paveway. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

7. **Consideration & Action on Nominations for the DCAD Board of Directors.**

Motion made by Mayor Pro-Tem Martin to nominate Mary Horn to the DCAD Board of Directors. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. Consideration & Action on Acceptance of Auditor Engagement Letter for FY 1996-97 Audit.

Motion made by Mayor Pro-Tem Martin to accept the engagement letter for the FY 1996-97 Audit from Hankins, Powers, Eastup, Deaton and Tonn. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

9. Consent Agenda:

a. Consideration & Action on Interlocal Agreement with Denton County for Purchasing.
b. Consideration & Action on Resolution Approving the FY 98 Financial Plan of the Denco Area 9-1-1.
c. Consideration & Action on Approval of DCAD Building Expansion Plans.
d. Consideration & Action on Agreement With Century Telephone for One-Way Optional Extended Area Calling Service.

Motion made by Mayor Pro-Tem Martin to approve the Consent Agenda as presented. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

10. Consideration and Action on Reports:

a. Financial, including Accounts Payables.
c. Departments

Motion made by Council Member Barnard to approve the reports as submitted. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

11. Consideration & Action on Approval of Minutes for September 11 & 18, 1997.

Motion made by Mayor Pro-Tem Martin to approve the minutes as submitted. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

12. Adjourn

Motion made by Mayor Pro-Tem Martin to adjourn the meeting. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 10:20 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Workshop with the Home Rule Charter Commission on October 20, 1997 at 7:00 p.m. in the Lake Dallas Community Center Located at 302 Shady Shores Rd. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Thanna Bounds	Council Member Place 1
Stephen Wohr,	Council Member Place 4
Frank Barnard	Council Member Place 5

Stewart Fairburn, City Administrator; David Berman, City Attorney; and Patricia Chapman, City Secretary were also in attendance.

Members of the Home Rule Charter Commission in attendance were:

Christie Houghton, Vice-Chair	Betty Harper
Margaret Tisdale	Mike Minis
Bob Davis	Paul Daws
Mark Wetherall, Secretary	M.J. Graham
Anna Benham	Nancy White

(The meeting was posted as a Special Called Meeting, because of a lack of quorum the meeting was changed to a workshop.)

The first seventeen pages of the proposed Home Rule Charter was reviewed by the members in attendance.

Mayor McCutcheon announced that several meetings would be needed to complete the review, and set October 29 at 7:00 p.m. at the Community Center as the next meeting date.

The workshop adjourned at 11:00 P.M.

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

Jerry McCutcheon, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Workshop with the Home Rule Charter Commission on October 29, 1997 at 7:00 p.m. in the Lake Dallas Community Center Located at 302 Shady Shores Rd. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Thanna Bounds	Council Member Place 1
Stephen Wohr,	Council Member Place 4
Frank Barnard	Council Member Place 5

Stewart Fairburn, City Administrator; David Berman, City Attorney; and Patricia Chapman, City Secretary were also in attendance.

Members of the Home Rule Charter Commission in attendance were:

Christie Houghton, Vice-Chair	Betty Harper
Margaret Tisdale	Mike Minis
Bob Davis	Paul Daws
Mark Wetherall, Secretary	M.J. Graham
Anna Benham	Nancy White
Carolyn Green	Ivan Bounds

The remaining portions of the proposed Home Rule Charter were reviewed by the above members in attendance.

The workshop adjourned at 11:35 P.M.

Jerry McCutcheon, Mayor
City of Lake Dallas

Attest:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Called Meeting on November 4, 1997 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Frank Barnard	Council Member Place 5

Council Member Stephen Wohr was absent.

Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary were also in attendance.

Mayor McCutcheon requested discussion take place on Item 2 before Item 1.

The Council discussed at length the impact on the issuance of bonds in the amounts of $2.5 and $3.0 Million Dollars and the repayment of the bonds over 15 or 20 years periods of time. Further discussion covered selling the bonds in increments of the total amount approved by voters and the effect of the bond issue and the time period on the drawing down of future fund balances.

Following discussion on Item 1, the Council considered and acted on each item as follows:

1. <u>Consideration & Action on Establishing a Priority List of Streets to be Repaired.</u>

Following discussion on the streets to be included in the bond program and the streets that would be included in annual projects the Mayor requested each Council Member to rank the streets within the two projects. The priory for the bond program established by Council were:

1. Shady Shores Road
2. Main Street
3. Denton Drive
4. Hundley
5 Carlisle

The priority established for the annual program were:

1. Kingswood
2. Falcon Drive
3. Lake Vista Circle
4. Meadowbrook
5. Gotcher
6. Pembrook

7. Market
8. Thompson
9. Dobbs Road

A **Motion** was made by Mayor Pro Tem Martin to prioritize the listing of streets as outlined by the Councils discussions of projects, and to have them ranked as Shady Shores number one, Main Street number two, Denton Drive number three, Hundley number four, Carlisle number five; on the annual projects consideration Kingswood to be number one, Falcon Drive number two Lake Vista Circle number three, Meadowbrook number four, Gotcher number five, Pembrook number six, Market number seven, Thompson number eight and Dobbs Road number nine as should engineering require a different prioritization on these or different implementation that be permitted. Seconded by Barnard.

Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None
Absent: Council Member Wohr

Motion Carried

2. Consideration & Action on Establishing the Amount of the Proposed Street Bond.

A **Motion** was made by Mayor Pro Tem Martin to establish the amount of the street bond to placed before the citizens at Three Million Dollars to be funded over twenty years, such bonds be issued in a staggered basis to take full advantage of markets and allow us a ramp up and cost savings in the overall budget. Seconded by Bounds.

Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None
Absent: Council Member Wohr

Motion Carried

3. Consideration & Action on Other Factors Relating to the Street Bond Election.

The City Administrator discussed with the Council discussed the development of informational flyers and the methods of disseminating information on the bond program to the citizens. Mayor McCutcheon requested that the draft of the informational pamphlet be placed on the next agenda and enough copies be provided for citizen's in attendance. He also instructed the City Secretary to send a letter to all members of the Street Bond Committee informing them of the dollar amount of the election and the election date and before the mailing establish a workshop with the committee. A **Motion** was made by Mayor Pro Tem Martin to schedule the Bond Election for January 1 to ask the City Administrator to put together the informational campaign including press releases, scheduling meetings and all necessary functions necessary to accomplish his goal and a draft of such information to be presented to the City Council at the next meeting along with the wording for the ballot. Seconded by Shikle.

Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None
Absent: Council Member Wohr

Motion Carried

4. Adjourn

Motion made by Council Member Shikle to adjourn the meeting. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, and Martin
Noes: None
Absent: Council Member Wohr

Motion Carried

The meeting stood adjourned at 9:15 p.m.

Jerry McCutcheon, Mayor
City of Lake Dallas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Regular Session on December 11, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Frank Barnard	Council Member Place 3
Stephen Wohr	Council Member Place 4

Stewart Fairburn, City Administrator and City Secretary, Patricia Chapman were also in attendance.

Mayor McCutcheon called the meeting to order at 7:30 p.m.

The invocation was given by Mayor McCutcheon. Mayor McCutcheon led the Pledge of Allegiance.

Citizens Agenda:

Linwood Gilliland, 703 Peyton Street; congratulated the Mayor on his yard decorations. Spoke in favor of the Community Service program and encouraged the new committee appointee to study, do their home work and be at the meetings.

Business:

1. **Presentation on Community Policing Program.**

Chief Ristagno introduced the COPS card program, Crime Prevention Program, Bicycle Patrol Program and the DARE Program. Chief Ristagno recognized all donations made to the programs. Drew MacKenzie, DARE Officer gave a brief presentation on the DARE Program. Misty Kirtley, Bicycle Patrol Officer, gave a brief presentation on the Bicycle Patrol Program.

2. **Consideration & Action on Reports:**

   a. **Boards & Commissions**

Robbie Robertson, Alternate Lake Cities Volunteer Fire Department Board Member; stated that all cities have signed the Interlocal Agreement for fire services; and staffing of the department; a new chief, Scott Thompson, has been hired and will begin on January 5, 1998; the new fire engine has been purchased; a reception will be held on January 27 for the new fire chief.

Council Member Shikle questioned progress on Willow Grove Park lease with the Corp. Mr.

Fairburn advised that a subcommittee of the Park Board had met and integrated that into the master plan and would be expanded before it is taken to the Corp for approval and should be presented to the Council in January.

Council Member Shikle also asked for an update on the Boys & Girls Clubs. Mr. Fairburn stated that he had not heard from them.

Council Member Wohr reported on the 29th Annual Twinkle Light Parade held on Lake Lewisville, stating that it went off very well and that several Lake Dallas merchants participated in making the parade a success and that he would like for the City to be more interested in Lake activities it was a good opportunity for people outside the City to come into our community and see the lake property.

Mayor McCutcheon reported that the tree lighting went well and that the Fun Run did good and was a lot of fun.

b. Financial, including Accounts Payables.

Following response to City Council's questions related to expenditure levels and purchases and payments a **Motion** was made by Council Member Bounds to pay the bills. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

c. Departments

At Mayor McCutcheon's request City Administrator, Stewart Fairburn gave a brief discussion on the financial forecast for capital improvements the year.

3. Public Hearing

The City Council will hear citizens comments for and against a request by Lake Cities Investment Corporation for a change in zoning from R-3 Multi-Family Zoning District to C-1 Commercial Business Zoning District for the property located in the 400 Block of South Lakeview Drive; with a legal description of Tract 72 of the M.E.P.&P RR Survey, Abstract 924.

After reading the zoning change request Mayor McCutcheon opened the public hearing giving citizens the opportunity to speak. John Luginheim (Corinth) Randy Hosea and Al Black (Property owners) spoke in favor of the zoning change. Linwood Gilliland representing the Planning & Zoning Commission spoke in opposition to the change. With no citizen wishing to speak Mayor McCutcheon closed the public hearing.

4. **Consideration & Action on Ordinance Amending the Zoning for the property located at 402 South Lakeview, with a Legal Description of Tract 72 of the M.E.P.&P RR Survey, Abstract 924 from R-3 Multi-Family Zoning District to C-1 Commercial Business Zoning District.**

Motion made by Council Member Barnard to adopt the ordinance amending the Comprehensive Zoning Ordinance and map of the City of Lake Dallas changing the zoning from R-3 Residential to C-1 Commercial District for property located at 402 S. Lakeview. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. **Public Hearing**

The City Council will hear citizens comments for and against a request by Kingswood, Inc. for a change in zoning from R-1-10000 Single Family Zoning to R-1-7200 Residential Zoning District for the property located in the 500 Block of North Lakeview Drive; with a legal description of 37.293 Acres in the Nathaniel French Survey, Abstract 424, Tract 21.

Mayor McCutcheon opened the public hearing reading the zoning request. Speaking in opposition to the zoning change were: Linwood Gilliland spoke for the Planning & Zoning Commission; Matt Flanagan, 722 Thousand Oaks Drive; Margaret Tisdale, 509 Howard Dr. With no other citizen wishing to speak, Mayor McCutcheon closed the public hearing.

6. **Consideration & Action on Ordinance Amending the Zoning from R-1-10000 to R-1-7200 for 37.293 Acres in the Nathaniel French Survey, Abstract 424, Tract 21, Located in the 500 Block of North Lakeview.**

Motion made by Mayor Pro-Tem Martin to deny the ordinance amending the zoning from R-1-10000 to R-1-7200 for 37.293 Acres in the Nathaniel French Survey, Abstract 424, Tract 21, located in the 500 block of North Lakeview. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Mayor McCutcheon announced that Council Member Bounds was ill and excused her from the remainder of the meeting.

7. **Consideration & Action on Ordinance Amending Chapter 5.04.140 Regulating Proximity Requirements for Alcohol Sales.**

Council members discussed the lack of required Special Use Permits by the day care in the

proximity of the property under consideration by the TABC and the ability for a business to continue utilizing a building for the use in which it had been used for a number of years. **Motion** made by Council Member Wohr to adopt the ordinance amending Chapter 5.04.140 regulating the proximity requirements for alcohol sales. Seconded by Martin.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

8. Consideration & Action on Ordinance Amending Ordinance No. 97-20 Calling a Bond Election.

Motion made by Mayor Pro-Tem Martin to adopt the ordinance amending Ordinance No. 97-20 calling for a bond election, adding the January 10 date for early voting and hours for voting. Seconded by Wohr.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

9. Consideration & Action on Resolution Appointing Election Judges and Establishing Order for Ballot for the January 17, 1998 Election.

Following Council Member Barnard discussion related to contracting elections with the County and requesting that the City pursue election administration with the County for the General Election a **Motion** made by Council Member Wohr to adopt the resolution appointing election judges and establishing the ballot order for the January 17, 1998 election. Seconded by Martin.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

10. Consideration & Action on the Appointment of Members and Alternate Members to the Board of Adjustment Commission.

Mayor McCutcheon stated that four current members terms expire in January and one vacancy. Mayor Pro-Tem Martin made a **Motion** to appoint Chris Curry and Celesta Douglas as Regular Member for a one year term; Ken Stapleton, Matt Flanagan and Christy Houghton for two year terms; and Mark Wetherall and Frank Branscom as Alternate Members for two year terms. Seconded by Wohr.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None

Absent: Council Members Bounds

Motion Carried

Mayor McCutcheon stated that when the Alternate Members were contacted that we should encourage them to attend all meetings and to finalize and formalize their by-laws. Mr. Fairburn advised that the City's legal counsel has volunteered to have a training session with the new board.

11. Consideration & Action on the Appointment of Members and Alternate Members to the Park & Recreation Board.

Mayor McCutcheon stated that there were three vacancies on the board and that we had two applicants, Mark Rudder and Patti Davis. A **Motion** was made by Mayor Pro-Tem Martin to appoint Mark Rudder, Sandra Hegele and Patti Davis as Alternate Member. Seconded by Wohr.

Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

Motion made by Council Member Wohr to reappoint Leslie Spraggins, Thanna Bounds, Steve Smith and Jeff London terms will run until March, 1999. Seconded by Martin.

Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

12. Consideration & Action on the Appointment of Members and Alternate Members to the Planning & Zoning Commission.

Motion made by Council Member Wohr to appoint M.J. Graham as Alternate Member and reappoint Kevin Spraggins as Regular Member with term expiring in April, 1999 and Linwood Gilliland as Regular Member with term expiring in October, 1999 to the Planning & Zoning Commission. Seconded by Barnard.

Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

Mayor McCutcheon requested staff prepare current listing of boards.

13. Consideration & Action on Changing the Christmas Holiday from December 24 to December 26.

Motion made by Council Member Wohr to move the Christmas holiday from December 24 to December 26 for this year only. Seconded by Martin.
Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

14. Consideration & Action on Approval of Minutes

Motion made by Mayor Pro-Tem Martin to approve the minutes. Seconded by Wohr.
Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

15. Executive Session:

Mayor McCutcheon announced that the Council would take a short break then convene in Executive Session pursuant to Section 551.072: Deliberations about Real Property and Section 551.074(1) Personnel

16. Action, if any from Executive Session

Mayor McCutcheon reconvened the meeting in Regular Session.

Motion made by Mayor Pro-Tem Martin to cease all negotiations for real property addressed by the Council in prior meetings. Seconded by Wohr.
Ayes: Council Members, Shikle, Wohr and Martin
Noes: None
Abstain: Council Member Barnard
Absent: Council Members Bounds

Motion Carried

17. Adjourn

Motion made by Council Member Wohr to adjourn. Seconded by Barnard.
Ayes: Council Members, Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Regular Session on January 8, 1998 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bruce Martin	Mayor Pro-Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Frank Barnard	Council Member Place 3
Stephen Wohr	Council Member Place 4

Stewart Fairburn, City Administrator and City Secretary, Patricia Chapman were also in attendance.

Mayor Jerry McCutcheon was absent. Mayor Pro-Tem Bruce Martin called the meeting to order at 7:30 p.m.

Mayor Pro-Tem Martin gave the invocation and led the audience in the Pledge of Allegiance tot eh Flag.

Citizens Agenda:

No one wished to speak during the Citizen's Agenda.

Business:

1. Consideration & Action on Acceptance of Audit for FY 1996-97

Carl Deaton representing Hankins, Powers, Eastup, Deaton & Tonn presented the audit for fiscal year 1996-97 to the Council. A **Motion** was made by Council Member Wohr to accept the audit as presented. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

(At this time the Addendum to the Agenda was acted upon by the Mayor Pro-Tem Martin.)

Addendum to agenda:

Proclamation for National Blood Donor Awareness

Mayor Pro-Tem Martin read the Proclamation recognizing the month of January as National

Blood Donor Awareness.

2. Consideration & Action on Reports:

a. Boards & Commissions

Anna Benham gave a report on the Parks department and stated that Garza Day would be June 6 this year. Robbie Robertson introduced Scott Thompson the new Fire Chief for the Lake Cities Volunteer Fire Department.

b. Financial, including Accounts Payables.

Motion made by Council Member Wohr to pay the bills. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

c. Departments

Chief Ristagno gave a brief report for the Police Department.

3. Consideration & Action on Ordinance Amending Ordinances Granting Franchise to Texas Waste Management.

Motion made by Council Member Wohr to adopt the ordinance approving a franchise agreement with Texas Waste Management with the changes provided in the contract addendum, and approving the $.50 (Fifty Cents) fee for use of the Lewisville landfill. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Ordinance Providing for Interlocal Agreement with the City of Denton for Ambulance Service for FY 1997-98.

Motion made by Council Member Wohr to adopt the ordinance providing for an interlocal agreement with the City of Denton for ambulance service for fiscal year 1997-98. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. Consideration & Action on Re-appointment of Municipal Judges

Motion made by Council Member Wohr to reappoint Robert Garcia and Jerry McCutcheon as Alternate Municipal Judges for a two year term ending January, 2000. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. Consideration & Action on Educational Incentive Program Policy for City Employees.

Following a lengthy discussion on including the educational incentive program into the merit program and requesting the City Administrator to develop alternative programs a **Motion** was made by Council Member Barnard to deny the recommendation for an educational incentive program for city employees. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

7. Consideration & Action on Approval of Minutes.

Council Member Bounds corrected page 5, Item 11, second motion of the minutes to read "Anna Benham" instead of "Thanna Bounds. A **Motion** was then made by Council Member Bounds to accept the minutes as corrected. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. Adjourn

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 9:15 p.m.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bruce Martin, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Regular Meeting on January 22, 1998 in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. Mayor McCutcheon called the meeting to order at 7:05 p.m. with Council Member Wohr arriving at 7:10 p.m. The following members were present:

Jerry McCutcheon	Mayor
Bruce Martin	Mayor Pro-Tem
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Council Member Thanna Bounds was absent.

Also in attendance was Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary.

1. <u>Official Canvass of the January 17, 1998, Election and Declaration of Results.</u>

Mayor McCutcheon read for the record the votes cast in the special election as:

<u>Early Voting:</u>

For the sale of bonds	46
Against the sale of bonds	18
For the adoption of the Home Rule Charter	48
Against the adoption of the Home Rule Charter	15

<u>Election Day votes:</u>

For the sale of bonds	158
Against the sale of bonds	52
for the adoption of the Home Rule Charter	154
Against the adoption of the Home Rule Charter	54

Further noting that there was a discrepancy on the tally sheet submitted to the canvassing authority. The votes were recorded on the tally sheet as 54 votes against the bond sale. The number of votes reported on the return sheet was 52 votes. The votes were verified by the records maintained by the custodian of election records, which listed the votes recorded as 52 against the bond sale. Following Council Members review of the tally sheets a **<u>Motion</u>** was made by Mayor Pro Tem Martin to certify the results of the election as

Early Voting:

For the sale of bonds	46
Against the sale of bonds	18
For the adoption of the Home Rule Charter	48
Against the adoption of the Home Rule Charter	15

Election Day votes:

For the sale of bonds	158
Against the sale of bonds	52
for the adoption of the Home Rule Charter	154
Against the adoption of the Home Rule Charter	54

Seconded by Wohr.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

Motion made by Mayor Pro-Tem Martin to adjourn the meeting. Seconded by Wohr.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Members Bounds

Motion Carried

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bruce Martin, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on February 12, 1998 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Administrator and Patricia Chapman, City Secretary.

Mayor Pro Tem Martin called the meeting to order at 7:30 p.m. giving the invocation and leading the Pledge of Allegiance.

The following citizens spoke during the Citizen's Agenda:

Laird Lind, 735 Carlisle; stated that the drainage for the Lake Bridge development onto his property was counter to what was agreed to in P&Z meetings and City Council meetings with Mr. Cameron as a result his property has taken on a lot of drainage. Further stated that he was disenchanted with the municipal process and being told by staff not to forego any legal recourse he might have.

Gene Tisdale, 524 Howard; commented on the working relationship of the P&Z.

Norma McAlavy, 25 Oakwood; commented on animal control and code enforcement.

David Shershen, 166 Kingswood; expressed appreciation to the City Council, citizens, Home Rule Charter Commission and the members of the Street Bond Committee for their time and efforts in their accomplishments.

Business:

With agreement of the City Council Mayor Pro-Tem Martin changed Agenda Item 1. to follow Agenda Item 3.

2. Consideration & Action on Ordinance Declaring the Adoption of a Home Rule Charter.

Motion made by Council Member Wohr to adopt the ordinance declaring the adoption of the Home Rule Charter. Seconded by Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on Appointment to Fill Council Vacancy.

Following Mayor Pro-Tem Martin's announcement that he would not be a candidate for the appointment to the office of Mayor a **Motion** was made by Council Member Wohr to nominate Rod Courtney to the office of Mayor. Seconded by Frank Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, and Wohr
Noes: Council Member Martin

Motion Carried

At this time Mayor Pro-Tem Martin announced that the Council would take a brief recess and that refreshments were being served in honor of the Home Rule Charter Commission.

Mayor Pro-Tem Martin reconvened the meeting at 8:10 p.m. announcing that Council Member Bounds had to leave the meeting due to illness.

1. Consideration & Action on Reports:

a. Boards & Commissions
b. Financial, including Accounts Payables.
c. Departments
d. City Administrator

Motion made by Council Member Wohr to pay the bills. Seconded by Barnard.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

4. Consideration & Action on Official Statement for the General Obligation Bonds.

Doug Hartman of First Southwest Company presented the Council with a preliminary schedule and explained the steps to be taken for the sale of bonds and advised Council that the market is in the lowest interest rate in 30 years, and advised the Council to consider issuing a large amount of bonds. **Motion** made by Council Member Wohr to approve the March 12 time line and issuance of $2,000,000 (Two Million Dollars) in bonds and table any further action until the next regular Council meeting. Seconded by Barnard.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

Mayor Pro-Tem Martin again changed the order of business to consider Agenda Items 7 and 8 before Agenda Items 5 and 6.

7. **PUBLIC HEARING:**

Mayor ProTem Martin opened the public hearing informing the citizens that the purpose of the hearing was to hear citizens comments on a proposed ordinance that will add a Commercial Mobile Home Zoning District to the Comprehensive Zoning Ordinance. The following citizens spoke for the proposed ordinance:

Linwood Gilliland, 703 Peyton (Planning & Zoning Commission Member)
Bonnie Garcia, 427 S. Denton Dr.

With no other citizen wishing to speak, Mayor Pro Tem closed the Public Hearing.

8. **Consideration & Action on Ordinance Adding a Commercial Mobile Home Zoning District to the Comprehensive Zoning Ordinance.**

Motion made by Council Member Wohr to approve the ordinance as presented, including the addendum. Seconded by Shikle.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

5. **PUBLIC HEARING:**

Mayor ProTem Martin opened the public hearing informing the citizens that the purpose of the hearing was to hear citizens comments on a proposed replat of Jackson Ranch property. The following citizens spoke on the replat:

M.J. Graham, 1013 Kings Manor; expressed concerns over impact of drainage on the Oak Lakes Subdivision bridge.

Linwood Gilliland, noted the presence on the property of an easement belonging to Lone Star Gas for a high pressure gas line.

J.W. Lively, 527 Oak Lake Dr; cited potential drainage problems on his property from the adjoining Jackson Ranch property.

Margaret Tisdale, stated that the City should stay on builders, otherwise we would have the same problem as we have with Kings Manor.

With no other citizen wishing to speak, Mayor Pro Tem Martin closed the public hearing.

6. **Consideration & Action on Proposed Replat of Jackson Ranch Property.**

Motion made by Council Member Wohr to accept the replat with the amendments as noted, including

the extension of the 15 foot drainage easement into Lot 14 and 15 of Block F. Seconded by Shikle.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

9. PUBLIC HEARING:

Mayor ProTem Martin opened the public hearing informing the citizens that the purpose of the hearing was to hear citizens comments on a proposed Ordinance Amending the Comprehensive Zoning Ordinance to allow for Non-Conforming Setbacks for disasters. If adopted this amendment would allow property owners to rebuild residences destroyed by disasters under certain conditions while maintaining non-conforming setbacks.

With no citizens wishing to speak for or against the proposed ordinance, Mayor Pro-Tem Martin closed the public hearing.

10. Consideration & Action on Ordinance Amending Chapter 18.32 of the Code of Ordinances Allowing for Non-Conforming Setbacks for Rebuilding Homes Lost by Disaster.

Motion made by Council Member Shikle to accept the ordinance amending Chapter 18.32 of the Lake Dallas Code of Ordinances allowing for non-conforming setbacks for rebuilding homes lost by disaster with the inclusion of dwelling and accessory buildings. Seconded by Wohr.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

11. Consideration & Action on Approval of Replat of Lots 15, 16, 31, & 32 of Block 5 of Lake Dallas Shores to a Single Lot (15R).

Motion made by Council Member Wohr to accept the replat of Lots 15, 16, 31 and 32 of Block 5 Lake Dallas Shores into a single lot (Lot 15R) as presented. Seconded by Shikle.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

12. Consideration & Action on Recommendation to Approve the Request to Use the Existing 11.75 Foot Front Yard Setback to Rebuild a Home Destroyed by Fire at 619 Shore.

Motion made by Council Member Wohr to accept the Planning & Zoning and staff's recommendation to use the 11.75 foot front yard setback to rebuild a home destroyed by fire at 619 Shore in accordance with the ordinance previously passed by Council. Seconded by Barnard.

Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

13. Consideration & Action on Request for Funding by the Boys & Girls Club, Inc.

Motion made by Council Member Wohr that at the earliest possible convenience, staff prepare a detailed commitment letter detailing the property that we are offering the time frame that it is going to be offered for the and the dollar value of the property . Seconded by Barnard.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

14. Consideration & Action on Giving Direction on General Election.

Motion made by Council Member Wohr to authorize the City Manager to contract with Denton County for elections. Seconded by Barnard.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

15. Consideration & Action on Direction to Staff on the Inclusion of Legal Gambling to the Permitted Uses of a C-3 Zoning District.

Motion made by Council Member Shikle that the City does not pursue an ordinance adding gambling as a permitted use. Seconded by Wohr.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

16. Consideration & Action on Resolution Authorizing a Water Well Permit at 613 Lakeland.

Motion made by Council Member Wohr to adopt the resolution authorizing the City Secretary to issue a water well permit at 613 Lakeland. Seconded by Shikle.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

17. Consideration & Action on Approval of Minutes.

Motion made by Council Member Barnard to accept the minutes as presented. Seconded by Shikle.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

18. Adjourn

Motion made by Council Member Barnard to adjourn the meeting. Seconded by Shikle.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None
Absent: Council Member Bounds

Motion Carried

The meeting stood adjourned at 10:28 p.m.

Bruce Martin, Mayor Pro-Tem
City of Lake Dallas

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on March 12, 1998 in the Lake Dallas Community Center located at 302 S. Shady Shores. Notice of the meeting was posted as required by Title 5; Chapter 551.041 of the Government Code. The following members were present.

Rodney E. Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Manager and Patricia Chapman, City Secretary.

Mayor Courtney called the meeting to order at 7:30 p.m. Mayor Courtney introduced Andy Kennedy, Pastor of the First Baptist Church. Reverend Kennedy gave the invocation.

Mayor Courtney led the Pledge of Allegiance.

Mayor Courtney then read the Proclamation on Sexual Assault, declaring the month of April as Sexual Assault Awareness Month.

Citizens Agenda:

No citizen wished to speak during the Citizen's Agenda.

Business:

1. Consideration & Action on Reports:

a. Boards & Commissions
b. Financial, including Accounts Payables.
c. Departments
d. City Administrator

With no reports made, a **Motion** was made by Mayor Pro Tem Martin to approve the financial reports and pay the bills. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. Consideration & Action on Ordinance Authoring the Issuance and Sale of City of General Obligation Bonds and Providing for Paying Agent/Registrar Agreement for the City of Lake Dallas.

Mayor Courtney introduced Boyd London, First Southwest Company, who advised the Council that the

General Obligation Bonds, Series 1998 in the amount of $2,000,000 (Two Million Dollars) had received a bid at an interest rate of 4.95 percent. A **Motion** was made by Mayor Pro-Tem Martin to adopt the ordinance authorizing the issuance and sale of General Obligation Bonds for the City in the amount of $2,000,000 (Two Million Dollars) and accept the submitted bid. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on Request by Montserrat Jesuit Retreat House for a Temporary Mobile Home Permit.

A **Motion** was made by Council Member Shikle to approve the temporary Mobile Home Permit for the Montserrat Retreat House to run from June, 1998 to June, 1999, with the stipulation that the construction of the mobile home be in accordance with all codes and ordinances regulating building. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Request by Lake Cities Municipal Utility Authority for a Utility Easement in City Park.

Motion made by Council Member Wohr to approve the request by Lake Cities Municipal Utility Authority for a utility easement in City Park subject to negotiations by the City Manager working from the recommendations of Council. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Noes: Council Member Barnard

Motion Carried

5. Consideration & Action on Request by Lake Dallas Independent School District for an Interlocal Agreement to Allow Parking Lot to Encroach into City Park.

Motion made by Council Member Wohr to direct staff to develop an interlocal agreement for the joint use of the property at the South East corner of the City Park and the approach Option A not be included at this time. Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. Consideration & Action on Outdoor Burning Permits.

Motion made by Mayor Pro Tem Martin to table consideration on outdoor burning permits. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

7. Consideration & Action on Minor Replat of 609 Glen Rhea Drive.

Motion made by Council Member Wohr to accept the minor replat of 609 Glen Rhea to reflect the combination of Lot 12 and Lot 13. Seconded by Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

8. Consideration & Action on Amended Plat of Harbortown Villas.

Motion made by Council Member Shikle to approve the amended plat of a portion of the second replat of the Harbourtown Villas that affect the boundaries of Lots 15A, 16A, 16B and 17 and the parking inset at Lot 17. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

9. Discussion & Direction to Staff on Including Video Arcades & Video Slot Machines as a Permitted Use in Commercial Districts.

Motion made by Council Member Barnard to table consideration on video arcades. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Mayor Courtney announced that the above item would be considered in a workshop in two weeks (March 26)

10. Consideration & Action on Ordinance Amending Chapter 8.20, Regulating Height of Grass, Weeds and Brush.

Motion made by Mayor Pro Tem Martin to adopt the ordinance amending Chapter 8.20, regulating the height of grass at 6 inches. Seconded by Wohr.
Ayes: Council Members Bounds, Wohr and Martin
Noes: Council Member Barnard
Abstain: Council Member Shikle

Motion Carried

11. Consideration & Action on Award of Bid for Crack Sealer.

Motion made by Council Member Wohr to award the bid for a crack sealer to Wilpo supply in the amount of $2,780 (Two Thousand Seven Hundred Eighty Dollars). Seconded by Martin.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

12. Consideration & Action on Approving Purchase of Jackhammer & Street Saw for Street Department.

Motion made by Council Member Wohr to approve the purchase of jack hammer and saw, the jack hammer will be the American Tool, Milwaukee 5338 in the amount of $1,450 (Fourteen Hundred Fifty Dollars) and the saw the Bluebonnet, Mikata 14" in the amount of $995 (Nine Hundred Ninety Five Dollars). Seconded by Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

13. Consideration & Action on Award of Bid for Removal of Center Medians on Overly.

Motion made by Council Member Shikle to award the bid on removing the center medians on Overly to Asphalt Maintenance in the amount of $4,000 (Four Thousand Dollars). Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

14. Consideration & Action on Calling General Election for May 2, 1998.

Motion made by Council Member Barnard to call the General Election on May 2, 1998. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

15. Consideration & Action on Appointment of Election Judge & Alternate Judge for the May 2, 1998 General Election.

Motion made by Council Member Barnard to table consideration on the appointment of an election judge until March 26 and to advertise the position in the newspaper and post on the bulletin board. Seconded by Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

16. Consideration & Action on Approval of Minutes.

Motion made by Mayor Pro Tem Martin to approve the minutes. Seconded by Barnard.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

17. Executive Session

Mayor Courtney announced that the City Council would adjourn into Executive Session pursuant to Texas Government Code, Section 551.074(1): Personnel, to Discuss the Performance and Establish Future Goals for the City Manager .

At this time Council Member Bounds left the meeting.

18. Action, if any from the Executive Session.

No action was taken.

19. Adjourn

Motion made by Council Member Shikle to adjourn. Seconded by Barnard.
Ayes: Council Members Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special called session on March 26, 1998 at 7:18 p.m. in the Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5; Chapter 551.041 of the Government Code. The following members were present.

Rodney E. Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

BUSINESS:

1. **Consideration & Action on Appointment of Election Judge & Alternate Election Judge.**

Motion made by Council Member Bounds to appoint Aldena Stowe as the Election Judge and Diane Tisdale as the Alternate Election Judge for the May 2, 1998 election. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Consideration & Action on Agreement with Lake Cities Municipal Utility Authority for an Easement.**

Motion made by Mayor Pro Tem Martin to table consideration of the easement agreement with Lake Cities Municipal Utility Authority until April 9. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. **Consideration & Action on Nominations for the Lake Cities Chamber of Commerce. Board of Directors.**

Motion made by Council Member Shikle to vote for the following nominees to the Lake Cities Chamber of Commerce Board of Directors: Cheryl McKinnis, Trenna Ezzell and Connie Pelphrey. Seconded by Council Member Barnard.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Adjournment

Motion made by Mayor Pro Tem Martin to adjourn the meeting. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The Special Called Meeting stood adjourned at 7:37 p.m. The City Council then met in a Workshop to discuss:

1. Change Zoning to Permit Video Arcade
2. Certification pay for employees.
3. Establishing Goals & Time Table for City Projects.
4. Annexation.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on April 9,1998 in the Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5; Chapter 551.041 of the Government Code. The following members were present.

Rodney E. Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4

Council Member Frank Barnard was absent.

Also in attendance was Elizabeth Penny, Administrative Assistant acting as City Secretary.

Mayor Courtney called the meeting to order at 7:45.m.

Citizens Agenda:

The following citizens expressed concern with a proposed subdivision development by Shamrock Homes. Wendell Hopkins, Sandra Colwell, Kathy Pannell, Jessamy Stidham, Krystal Stidham, Clyde Edwards and Margaret Tisdale. Some of the concerns were access to the subdivisions, the road widths, drainage, impact of the increased traffic on the streets which are in poor condition and the number of homes proposed.

Shelly Kristich, spoke on Lakeland Court.

Dennis Craig, spoke on the need for a stop sign between Hundley & Stadium.

Mayor Courtney announced that the City Manager, Stewart Fairburn, was out of town for a family emergency, the City Secretary was ill and Council Member Barnard has had triple bypass surgery.

Business:

1. **Consideration & Action on Reports:**

   a. **Boards & Commissions**

No reports were made.

   b. **Financial, including Accounts Payables**

Motion made by Mayor Pro Tem Martin to accept the financial and accounts payables report. Seconded by Council Member Wohr.

Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

Motion made by Council Member Wohr to approve the March 12 minutes as written. Seconded by Mayor Pro Tem Martin.

Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

c. Departments

No reports were made.

d. City Administrator

No reports made.

2. Consideration & Action on Amended Replat for Lot 1R, Block A, Borchardt Estates.

Motion made by Mayor Pro-Tem Martin to approve the amended replat of Lot 1R, Block A of the Borchardt Estates. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

3. Consideration & Action on Employee Certification Incentive Program.

Motion made by Council Member Shikle to include each and every employee that is qualified to receive incentive pay throughout this budget year under the incentive pay program, and that the incentive pay is retroactive to the time that the employee received their certification and was eligible to receive the incentive pay, and that the payments end at each individual's next anniversary/merit raise date that falls after October 1, 1998 as presented by the City Manager. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

4. Consideration & Action on Health & Life Insurance Premiums for May 1, 1998 through April 30, 1999.

The City's current insurance broker, Jim Hubbard and Holly Crow, of Higginbotham & Associates provided the employees health plan renewal information to the Council. The plan provided for a rate increase in preminum for 1998-1999. **Motion** was then made by Council Member Shikle to approve the City Manager's recommendation for group health insurance program from Aetna and the life insurance coverage by BMA, and that coverage for new employees begin on the month following their hire date. Seconded by Mayor Pro Tem Martin.

Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

5. Consideration & Action on Letter of Permit for Willow Grove Park.

Motion made by Council Member Wohr to approve the letter of permit for Willow Grove Park. Seconded by Mayor Pro Tem Martin.
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

6. Consideration & Action on Insurance Claim for Damaged Public Works Shed.

Motion made by Council Member Wohr to set aside the insurance money and authorize the City Manger to determine the feasibility of replacing the shop area and the shed under a single roof and give the Council a recommendation and review the costs to be done during the budget process.
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

7. Consideration & Action on Acceptance of Denton County Emergency Operations.

Motion made by Council Member Bounds to accept the Denton County Emergency Operation Plan. Seconded by Mayor Pro Tem Martin.
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

8. Consideration & Action on Notice of Proposed Budget Amendment for Denton Central Appraisal District.

Motion made by Mayor Pro Tem Martin to accept the proposed budget amendment for the Denton Central Appraisal District Budget for 1998. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

9. Adjourn.

Motion made by Mayor Pro Tem Martin to adjourn the meeting. Seconded by Wohr
Ayes: Council Members Bounds, Shikle, Wohr and Martin
Absent: Council Member Barnard
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on April 28, 1998 at 7:00 p.m. in the Lake Dallas Community Center located at 302 S. Shady Shores. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Rodney Courtney	Mayor
Bruce Martin	Mayor Pro-Tem
Thana Bounds	Council Member
Bobby Shikle	Council Member
Frank Barnard	Council Member
Stephen Wohr	Council Member (arrived at 7:07 p.m.)

City Manager, Stewart Fairburn and City Secretary, Patricia Chapman were also in attendance.

Mayor Courtney called the meeting to order at 7:00 p.m.

Business:

1. **Consideration & Action on Request From Lake Cities Municipal Utility Authority for a Water Line Easement in the City Park.**

Motion made by Council Member Wohr to accept the easement as presented with the insertion of, 'This easement shall not be construed to be an exclusive easement, and the City specifically reserves the right to allow additional uses of the easement, between the first and second paragraphs. Seconded by Mayor Pro Tem Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Consideration & Action on a Proposed Development at Garza Beach Estates Subdivision.**

Mayor Courtney asked citizen's wishing to speak on the proposed development of the Garza Beach Estates Subdivision to address the Council. The following citizens spoke in opposition of the proposal citing street access, fire equipment access, drainage, safety issues, street repairs, the manner in which the subdivision would be developed, road improvements, and traffic flow problems:

Harold Johnson, 5404 Prince Drive
Gail Touchstone, 409 Aldolphis
Wendell Hopkins, (?) Bolivar
Kathy Pannell, 409 Bolivar

Janet Gabbert, 408 Stockard
Rusty Meadows, 401 Stockard
Sandra Caldwell, 421 Stadium
L.D. Vinson (no address given)
Aldena Stowe (no address given)
Crystal Hayes (?)
Jasmine Stedham, 306 Bolivar
Eric Martin, 308 Aldophis
Linwood Gilliland (?)
David Shershen, 161 Kings Drive

Motion made by Council Member Shikle to table consideration on the development of Garza Beach until we have a ruling from the Fire Marshall of Denton County and that the City Manager is requested to contact the Attorney General's Office and to submit the questions and answers from the Attorney General's Office to the members of the City Council and that we also ask the City Attorney the same questions and answers and that the City Manager is requested to develop the scope for the engineering of the drainage and access for the area and to provide a cost analysis of the area to the Council. Seconded by Mayor Pro Tem Martin.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

3. Consideration & Action on Letter of Commitment to Participate in the Lewisville Lake Use Study.

Motion made by Council Member Wohr to commit Five Thousand Dollars ($5,000) to the first phase of the Lewisville Lake Study and authorize the City Manager to sign the commitment. Seconded by Mayor Pro Tem Martin.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

4. Consideration & Action on Nominations for the Executive Board and Awards for the North Central Texas Council of Governments.

Motion made by Council Member Bounds to pass on this item. Seconded by Mayor Pro Tem Martin.

Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

5. Consideration & Action on Annexation

Motion made by Mayor Pro Tem Martin that the City begins the annexation procedures with the Bolivar property and that the City Manager prepare a schedule for the remaining property by the next meeting of the City Council. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

6. Executive Session

The City Council will meet in Executive Session pursuant to Title 5, Chapter 551.074 of the Government Code (Personnel) for the purpose of personnel evaluations for:

City Secretary
Building Official
Police Chief
Public Works Superintendent

Mayor Courtney announced that the City Council would adjourn into Executive Session

The Council reconvened into Special Called Session at 11:57 p.m.

7. Action, if any from Executive Session

No action was noted from the Executive Session.

Motion made by Mayor Pro Tem Martin to adjourn. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on May 4, 1998 at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Rodney Courtney	Mayor
Thana Bounds	Council Member
Bobby Shikle	Council Member
Frank Barnard	Council Member
Stephen Wohr	Council Member

Mayor Pro Tem Bruce Martin was absent and Mayor Courtney noted his absence was excused.

City Manager, Stewart Fairburn was also in attendance.

Mayor Courtney called the meeting to order at 7:05 p.m.

1. Executive Session

Mayor Courtney announced that the City Council would adjourn into executive session pursuant to Title 5, chapter 51.071 of the Government Code: Consultations with Attorney.

Mayor Courtney reconvened the Special Session of the City Council at 9:18 p.m.

2. Action, if any from Executive Session.

No Action was taken from the executive session.

3. Adjourn

Motion made by Council Member Barnard to adjourn the meeting. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Barnard, and Wohr
Noes: None
Absent: Mayor ProTem Martin

Motion Carried

The meeting did then stand adjourned at 9:20 p.m.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on May 5, 1998 at 7:00 p.m. in the Lake Dallas Community Center located at 302 S. Shady Shores. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Rodney Courtney	Mayor
Thana Bounds	Council Member
Frank Barnard	Council Member
Stephen Wohr	Council Member

The following Council Members were absent:

Bobby Shikle and Bruce Martin

City Manager, Stewart Fairburn and City Secretary, Patricia Chapman were also in attendance.

Mayor Courtney called the meeting to order at 7:00 p.m.

1. <u>Canvass of Election</u>

Following canvass of the election results by the City Council a **<u>Motion</u>** was made by Council Member Wohr that the canvass of the votes for Early Voting be accepted as: the number of votes cast were 95 and 95 votes counted and the results were:

68 votes for	Rodney Courtney for	Mayor
63 votes for	Bobby Shikle for	Council Member Place 2
28 votes for	Celesta Douglas for	Council Member Place 2
40 Votes for	Clyde Edwards for	Council Mmeber Place 4
54 votes for	Michael Minnis for	Council Member Place 4

and further that the votes cast on Election Day be accepted as: the total votes cast were 201 votes and one vote uncounted and the results were:

140 votes for	Rodney Courtney for	Mayor
137 votes for	Bobby Shikle for	Council Member Place 2
59 votes for	Celesta Douglas for	Council Member Place 2
71 votes for	Clyde Edwards for	Council Mmeber Place 4
125 votes for	Michael Minnis for	Council Member Place 4

Seconded by council Member Bounds.

Ayes: Council Members Bounds, Barnard and Wohr
Noes: None
Absent: Council Member Shikle and Martin

<u>Motion Carried</u>

2. Adjourn

Motion made by Council Member Barnard to adjourn. Seconded by Councilk Member Bounds.
Ayes: Council Members Bounds, Barnard and Wohr
Noes: None
Absent: Council Member Shikle and Martin

Motion Carried

The meeting stood adjourned at 7:10 p.m.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on May 7, 1998 at 9:30 p.m. in the Lake Dallas Community Center located at 302 S. Shady Shores. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Rodney Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thana Bounds	Council Member
Frank Barnard	Council Member
Bobby Shikle	Council Member
Stephen Wohr	Council Member

City Manager, Stewart Fairburn was also in attendance.

Mayor Courtney called the meeting to order at 9:30 p.m.

1. **Consideration & Action on Issuance of Building Permits in R-1-6000 Zoning Districts.**

At the invitation of Mayor Courtney the following citizens spoke in opposition to the issuance of building permits in the Garza Beach Subdivision:

Gail Touchstone, 409 Aldophis
Rusty Meadows, 401 Stockard.
Wendell Hopkins, 411 Bolivar
Sharon ?
Stanley McNeil, 516 Stadium
Kathy Pannell, 409 Bolivar
Tom Keen, 3232 McKinney Ave, Dallas
Jasmine Stedham, 401 Bolivar

Mayor Courtney then read a proposed resolution establishing a moratorium on building permits in R-1-6,000 districts for a period of 90 days. After further discussion on the development a **Motion** made by Council Member Barnard to accept the Resolution as presented. Seconded by Council Member Wohr.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

2. **Adjourn**

Motion made by Council Member Barnard to adjourn. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Wohr and Martin
Noes: None

Motion Carried

The meeting stood adjourned

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on May 14, 1998 in the Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5; Chapter 551.041 of the Government Code. The following members were present.

Rodney E. Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Stephen Wohr	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Manager and Patricia Chapman, City Secretary.

Mayor Courtney called the meeting to order at 7:30 p.m. giving the invocation and leading the Pledge of Allegiance to the Flag.

Recognition of Outgoing Council Member

Mayor Courtney presented outgoing Council Member Stephen Wohr with a plaque recognizing his service to the City,

Oath of Office to Elected Officials

City Secretary, Patricia Chapman, administered the Oath of Office to the newly elected officials as follows:

Mayor	Rodney E. Courtney
Council Member Place 2	Bobby Shikle
Council Member Place 4	Michael Minnis

Citizens Agenda:

John Donahue, 203 Hickory Lane, Hickory Creek, TX - addressed the Council on behalf of his development of Garza Beach Estates. Mr. Donahue expressed his concern that the Council actions placing a moratorium on building permits will affect his ability to make a business profit.

Shelly Christen, 298 S. Lakeview - expressed her appreciation for the road repairs made to Lakeland Court. She also presented a letter from Code Enforcement, sent to an 83 year old lady by mistake asking that the City's employees work with and for the citizens rather than against them.

David Shershen, 166 Kingswood Drive - expressed appreciation of Council Members and urged them to continue to work in unison.

Proclamation

Mayor Courtney then read the Proclamation on Safe Boating, declaring May 16 - 22 as Safe Boating Week.

Business:

1. **Reports**
   - a. **Boards & Commissions**
   - b. **Financial**
   - c. **Departments & City Manager**

City Manager, Stewart Fairburn, reported on the cleanup efforts from the Friday's (May 8) storm, stating that the City was borrowing a 13 inch chipper from the City of Lewisville to help in the cleanup. Further, that Willow Grove Park is open and signage is needed for parking areas.

Motion made by Council Member Barnard to approve the reports. Seconded by Mayor Pro Tem Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. **Public Hearing on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

Mayor Courtney opened the public hearing, reading the agenda item. The following individuals spoke during the public hearing.

Laird, Lynn, 735 Carlisle; asked that concrete impregnated wood be included in the permitted masonry requirements for accessory buildings.

With no other individuals wishing to speak, Mayor Courtney closed the public hearing.

3. **Consideration & Action on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

Motion made by Mayor Pro Tem Martin to approve the ordinance amending Chapter 18.12 of the City Code with the addition in Section 18.12.010 Permitted Uses to include agricultural. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

4. Public Hearing on Amending City Code Chapter 18.14 R-1-6000 Single-Family Dwelling District, Specifically Permitted Uses, Accessory Buildings and Exterior Surfaces.

Mayor Courtney opened the public hearing, reading the agenda item. With no one wishing to speak, Mayor Courtney closed the public hearing.

5. Consideration & Action on Amending City Code Chapter 18.12 R-1-6000 single-Family Dwelling District, Specifically Permitted Uses, Accessory Buildings and Exterior Surfaces.

Motion made by Mayor Pro Tem Martin to adopt the ordinance with the wording provided by the City Manger for section 18.14.140, Exterior Surfaces. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. Public Hearing on Amending City Code Chapter 18.22 C-2 Commercial district, Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.

Mayor Courtney opened the public hearing, reading the agenda item. With no one wishing to speak, Mayor Courtney closed the public hearing.

7. Consideration & Action on Amending City Code Chapter 18.22 C-2 Commercial district, Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.

Motion made by Mayor Pro Tem to table and send the proposed amendment back to the Planning and Zoning Commission for review of the Special Use and that the City exercise its authority under Section 5.24 for compliance. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

8. Consideration & Action on Scope of Engineering Work for Garza Beach Subdivision.

Motion made by Mayor Pro Tem Martin to approve the scope of services for the study of traffic and drainage improvements for Garza Beach Estate Subdivision be given to the City Engineer. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

9. Consideration & Action on July 4 Fireworks Display.

Motion made by Mayor Pro Tem Martin to approve the Park & Recreation's July Fourth fireworks display and that the City provide $2,500 (Two Thousand Five Hundred Dollars) and additional funding of up to $5,000 (Five Thousand). Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

9(a) Consideration & Action on Request for Liquor, Beer and Wine Sales After Midnight, and Until 2:00 a.m.

Motion made by Council Member Barnard to approve the ordinance amending Chapter 5.04, Article 1 of the Code of Ordinances of the City of Lake Dallas, regulating hours of operation for liquor, beer and wine establishments. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, and Minnis
Noes: Mayor Pro Tem Martin

Motion Carried

10. Consideration & Action on Interlocal Agreement Among Participating Cities for Lewisville Lake Study.

Motion made by Mayor Pro Tem Martin to approve the Interlocal Agreement with the North Central Council of Governments, and surrounding cities and payment of $5,000 (Five Thousand Dollars) made tomorrow, May 15, 1998. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

11. Consideration & Action on Adoption of Resolution Amending Authorized Representatives to the Texpool Accounts.

Motion made by Mayor Pro Tem Martin to approve the resolution amending the authorized representatives by adding Mayor Courtney and City Manager, Stewart Fairburn. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

12. Consideration & Action on Approval of Minutes.

Motion made by Mayor Pro Tem Martin to approve the minutes as corrected. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

13. Executive Session

Mayor Courtney announced the City Council would meet in Executive Session pursuant to Title 5, chapter 551.074 of the Government Code (Personnel) for the purpose of personnel evaluations for:

City Secretary
Building Official
Police Chief

14. Action, if any from Executive Session.

Mayor Courtney announced that the Regular Meeting of the City Council was reconvened. A **Motion** was then made by Mayor Pro Tem Martin to take personnel action over the next 4 - 8 weeks. If no improvement over the next four weeks then the City Manger is to make an immediate recommendation to the City Council. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

15. Adjourn

Motion made by Mayor Pro Tem Martin to adjourn the meeting. Seconded by Council Member Minnis. **Ayes:** Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 11:10 p.m.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special session on May 21, 1998 at 7:00 p.m. in the Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5; Chapter 551.041 of the Government Code. The following members were present.

Rodney E. Courtney	Mayor
Bruce Martin	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were Stewart Fairburn, City Manager and Patricia Chapman, City Secretary.

Election of Mayor Pro Tem

Mayor Courtney asked for nominations for Mayor Pro Tem. Council Member Barnard nominated Bobby Shikle and Council Member Bounds nominated Bruce Martin. Nominations ceased. Ballots were given to the City Secretary for tally. The tally was Bobby Shikle 3 votes and Bruce Martin 2 votes. Bobby Shikle was declared Mayor Pro Tem.

Business:

1. **Consideration & Action on Request for Building Permits for Garza Beach Estates.**

J-Don properties requested that the item be withdrawn due to the ongoing discussions. **Motion** made by Council Member Barnard to remove the request for building permits for Garza Beach Estates from the agenda. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. **Consideration & Action on Directing the City Manager to Negotiate Prices and Develop a Contract with a City engineering Firm.**

Motion made by Council Member Martin to instruct the City Manager to negotiate the price and develop a contract with Kimley-Horn for engineering services for the City. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

3. **Consideration & Action on An Ordinance Amending Chapter 10.16 Regulating speeds on**

Certain Streets.

Motion made by Council Member Martin to approve the ordinance amending Chapter 10.16 of the Lake Dallas Code as presented, with a 15 miles per hour speed limit in Willow Grove Park and a 15 mile per hour speed limit in City Park. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

4. Consideration & Action on Request for a Permit to Park an 18-Wheel Tractor-Trailer Rig in City Park.

Motion made by Mayor Pro Tem Shikle that the request for parking an 18-wheel tractor-trailer rig in the City Park be denied. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. Adjourn

Motion made by Council Member Barnard to adjourn. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 7:35 p.m.

Rodney E. Courtney, Mayor
City of Lake Dallas, Texas

ATTEST:

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas, Texas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on May 22, 1998 at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Rodney Courtney	Mayor
Bobby Shikle	Mayor Pro Tem
Thana Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Stewart Fairburn, City Manager, and David Berman, City Attorney were also in attendance.

Mayor Courtney called the meeting to order at 7:00 p.m.

Business:

1. **Executive Session**

   The City Council will meet in Executive Session pursuant to Title 5, Chapter 551.071 of the Government Code: Consultations with Attorney on

   Consideration & Action on Court Order Related to J-Don Properties and the City of Lake Dallas.

Mayor Courtney announced that the City Council would meet in Executive Session to discus the Court Order related to J-Don Properties and the City of Lake Dallas.

Mayor Courtney reconvened the City Council into the Special Called Meeting.

2. **Action, if any from Executive Session.**

Motion made by Council Member Minnis that the City Manager will direct the Street Department to grade Boliver Street to the full 20 (Twenty) foot width. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

3. **Adjourn**

Motion made by Minnis to adjourn. Seconded by Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on June 11, 1998 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Courtney was absent.

City Manager, Stewart Fairburn and Beverly Lucke, Senior Accounting Clerk acting for the City Secretary were also in attendance.

Mayor Pro Tem Shikle called the meeting to order at 7:30 p.m., giving the Invocation and leading the Pledge of Allegiance.

Citizens Agenda

Chuck Graham, 1013 Kings Manor; LCMUA & US Homes took out road definitions when they input a sewer line will cost tax payers money to replace, City Manager should discuss with US Homes.

Lyle Shelton, property at 204 Wilson no longer faces Wilson would like to change the address to 700 block of Moseley for emergency purposes for his son who will be moving into the house the first of next month.

Business:

1. Consideration & Action on Reports:

a. Boards & Commissions
b. Financial, including Accounts Payables
c. Departments, including City Manager

Questions were asked regarding the status of Keep Lake Dallas Beautiful and the Boys & Girls Clubs. City Manager reported on the July Fourth activities which included the parade, fireworks and re-enactment of battle and cannon's; Garza Days and drainage in Garza Beach; pickup of tree limbs from the storm was completed; City Secretary's illness and his vacation begins on June 13 for two weeks.

Motion made by Council Member Minnis to accept the reports and pay the bills. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. Public Hearing

Mayor Pro-Tem Shikle opened the public hearing stating the purpose of the hearing was to receive citizen's comments on a proposed ordinance amending Chapter 18.22 or 18.30 30 of the Lake Dallas Municipal Code by adding arcades as a Permitted Use or by a Special Use Permit. The following citizens spoke on the proposed ordinance:

Shelly (Christie?), 298 S. Lakeview; requested explanation of the item. Stating does not has a problem with the arcade, nothing wrong with the business.

Carolyn Green, 201 N. Shady Shores; nothing wrong with arcades.

With no other citizen wishing to speak, Mayor Pro Tem Shikle closed the public hearing.

3. Consideration & Action on Ordinance Amending Chapter 18.22; C-2 Commercial District of the Lake Dallas Municipal Code by Adding Arcades to the Permitted Uses or Amending Chapter 18.30 to Add Arcades as a Special Use Permit.

Motion was made by Council Member Bounds to approve the ordinance amending Chapter 18.30 of the Lake Dallas Municipal Code by adding arcades as a Special Use Permit. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Minnis and Martin
Noes: Council Member Barnard

Motion Carried

4. Consideration & Action on Contract with Kimley-Horn & Associates for Engineering Services.

Motion was made by Council Member Martin to approve the contract with modifications with Kimley-Horn & Associates for engineering services. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. Consideration & Action on Conceptual Plan for City Park.

Motion made by Council Member Bounds to approve the conceptual plan for City Park. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. Consideration & Action on Interlocal Agreement with the City of Lewisville for Dial-a-Ride Program.

Motion made by Council Member Barnard to approve the Interlocal Agreement with the City of Lewisville for the Dial-a-Ride Program in the amount of approximately $4,500 (Forty Five Hundred Dollars). Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. Consideration & Action on Re-Codification of the Lake Dallas Municipal Code.

Motion made by Council Member Martin to accept the proposal from Municipal code Corporation to republish the Lake Dallas Municipal Code for an estimated total of $14,000 which will be spread over two budget years. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

8. Consideration & Action on Continuation of the Community Service Worker Program.

Motion made by Council Member Bounds to accept the recommendation to work directly with Denton County Probation Department and conduct a Community Service Worker Program. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Minnis and Martin
Noes: Council Member Barnard

Motion Carried

9. Consideration & Action on Appointment of Boards & Commission Members.

Motion made by Council Member Martin to approve the re-appointment of Christie Price to the Park & Recreation Board for a two year term ending February 22, 2000; re-appointment of Diane Byers to the Planning & Zoning Commission to a two year term ending June 13, 2000 and Mark Weatherell to fill Chris Curry's unexpired term on the Board of Adjustment ending on December

11, 1998. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

10. Consideration & Action on Appointing Council Liaisons to the Planning &Zoning commission and the Parks & Recreation Board.

Motion made by Council Member Martin to appoint Mike Minnis as the Planning & Zoning Commission City Council liaison and Thanna Bounds as the Park & Recreation Board City Council liaison. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

11. Consideration & Action on Appointment of Members to the Appeals Board for the City of Lake Dallas.

Motion made by Council Member Martin to table the appointment of the Appeals Board. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

12. Consideration & Action on Approval of Minutes.

Motion made by Council Member Bounds to approve the minutes with corrections noted to the May 14, 1998 meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Add 1. Consideration & Action on Annexation of Lake Dallas Properties.

Motion made by Council Member Barnard to identify all properties that can be annexed. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Add 2. **Consideration & Action on Hiring of Denton County Attorney.**

Motion made by Council Member Barnard to authorize the law firm of Hayes, Rose, Coffey & Barrey to proceed with annexation procedures. Seconded by Council Member Minnis.
Ayes: Council Members Shikle, Barnard, and Minnis
Noes: Council Members Bounds and Martin

Motion Carried

Add 3. **Executive Session**

Motion made by Council Member Barnard to table **the Executive Session pursuant to Title 5, chapter 551.074 of the Government Code (Personnel) for the purpose of personnel evaluations for: City Secretary, Building Official, and Police Chief.** Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Barnard, and Minnis
Noes: Council Members Shikle and Martin

Motion Carried

Add 4. **Action, if any from Executive Session.**

(No action required, item tabled.)

13. **Adjourn.**

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on June 30, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Courtney was hospitalized recovering from surgery and was unable to attend.

Mayor Pro-Tem Shikle called the meeting to order at 7:00 p.m.

Business:

1. **Executive Session**

Mayor Pro-Tem Shikle announced that the City Council would adjourn into Executive Session pursuant to Title 5, Chapter 551.074 of the Government Code (Personnel) for the purpose of personnel evaluations for:

City Secretary
Building Official
Police Chief

Mayor Pro-Tem Shikle reconvened the meeting at 8:00 p.m.

2. **Action, if any from Executive Session.**

Motion made by Council Member Minnis to direct the City staff to study the feasibility of hiring a director to oversee Community Services and Public Works and present this information to the Council prior to budget discussion. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, and Minnis
Noes: Council Member Martin

Motion Carried

3. Adjourn

Motion made by Council Member Barnard to adjourn the meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on July 9, 1998 at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Michael Minnis	Council Member Place 4

The following members were absent:

Mayor Rodney Courtney, who is recovering from hip replacement surgery; Council Member Bruce Martin, who is out of the country; and Council Member Frank Barnard.

Also present were City Manager, Stewart Fairburn and City Secretary, Patricia Chapman.

Mayor Pro Tem Shikle gave the invocation and led the Pledge of Allegiance.

Citizens Agenda:

Shelley Kristill, 298 S. Lakeview; stated she enjoyed the parade and fireworks (July 4).

Business:

1. **Consideration & Action on Reports:**

   a. **Boards & Commissions**
   b. **Financial, including Accounts Payables**
   c. **Departments, including City Manager**

Motion made by Council Member Bounds to pay the bills. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

City Manager, Stewart Fairburn announced that a summer clean up would be held on July 25. He also presented the Street Department's report on the storm cleanup cost.

2. Public Hearing

Mayor Pro Tem Shikle opened the public hearing asking for citizens comments on annexation of the property is known as "the Boliver Property", which is located East of Shady Shores, South of Kingswood Mobile Home Park and North of the Kings Manor Subdivision,. Speaking for the proposal was:
Mike Fahey, 144 Kingswood
With no other speakers, Mayor Pro Tem Shikle closed the public hearing. The City Manager announced that the second public hearing would be held July 23, 1998.

3. Public Hearing

Mayor Pro Tem Shikle opened the public hearing asking for citizens comments on the Texas Parks & Wildlife grant application for City Park. Speaking for the proposal was:
Mike Fahey, 144 Kingswood
With no other speakers, Mayor Pro Tem Shikle closed the public hearing.

4. Public Hearing

Mayor Pro Tem Shikle opened the public hearing asking for citizens comments on a request for a Special Use Permit by Bobby Griffith for the Lucky 7 arcade. Speaking for the proposal was:
Shelley Kristill, 298 S. Lakeview
With no other speaker, Mayor Pro Tem Shikle closed the public hearing.

5. Consideration & Action on Granting a Special Use Permit for an Arcade for Lucky 7.

Motion made by Council Member Minnis to approve the request granting a Special Use Permit for the Lucky 7 Arcade. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

6. Public Hearing

Mayor Pro Tem Shikle opened the public hearing asking for citizens comments on a proposed ordinance amending the Comprehensive Zoning Ordinance of the City of Lake Dallas by adding hotels, motels and bed and breakfast establishments to Chapter 18.22 "C-2 Commercial District" as permitted uses. Speaking on the proposed ordinance were:
Shelly Kristell, 298 S. Lakeview - questioned location
Mike Fahey, 144 Kingswood - stated language should prevent apartments

With no other speakers Mayor Pro Tem Shikle closed the public hearing.

7. **Consideration & Action on an Ordinance Amending the Comprehensive Zoning Ordinance of the City of Lake Dallas by Adding Hotels, Motels and Bed and Breakfast Establishments to Chapter 18.22 "C-2 Commercial District" as Permitted Uses.**

Motion made by Council Member Bounds to amend the Comprehensive Zoning Ordinance by adding hotels, motels and bed and breakfast establishment to Chapter 18.22 to the C-2 Commercial Districts as permitted uses. Seconded by Mayor Pro Tem Shikle.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

8. **Public Hearing**

Mayor Pro Tem Shikle opened the public hearing asking for citizens comments on the 90 day extension of the franchise with Marcus Cable. With no one wishing to speak on the proposal, Mayor Pro Tem Shikle closed the public hearing.

9. **Consideration & Action on an Ordinance Granting a 90 Day Extension of the Marcus Cable Franchise.**

Motion was made by Council Member Bounds to approve the ordinance granting a 90-day extension of the Marcus Cable franchise. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

10. **Consideration & Action on the FY 99 Fire Department Budget.**

Following discussion on the Lake Cities Volunteer Fire Department Budget for fiscal year 1999, a **Motion** was made by Council Member Minnis to table consideration until a full complement of council members were present and further research was made. Seconded by Mayor Pro Tem Shikle.

Ayes: Council Members Shikle, and Minnis
Noes: Council Members Bounds
Absent: Council Members Barnard and Martin

Motion Carried

11. Consideration & Action on Preliminary Report for Road & Drainage Improvements in the Garza Beach Subdivision.

Motion made by Council Member Minnis to table the consideration awaiting a report from the Garza Beach Subdivision homeowners to establish road widths. Seconded by Council Member Bounds.

Ayes: Council Members Shikle, and Minnis
Noes: Council Members Bounds
Absent: Council Members Barnard and Martin

Motion Carried

12. Consideration & Action on Individual Project Order with Kimley Horn Engineering Services for Falcon Drive Improvements.

Motion made by Council Member Minnis to approve the Individual Project Order with Kimley Horn Engineering for services on the improvements to Falcon Drive. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

13. Consideration & Action on an Ordinance Adopting the 1997 Uniform Building Code, 1996 National Electrical Code, 1997 International Plumbing Code, 1997 Uniform Fire Code and 1996 Mechanical Code.

Motion made by Council Member Minnis to approve the ordinance adopting the 1997 Uniform Building Code, 1996 National Electrical Code, 1997 International Plumbing Code, 1997 Uniform Fire Code and 1996 Mechanical Code. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

14. Consideration & Action on Approval of Ad Valorem Delinquent Property Tax Attorney.

Motion made by Council Member Minnis to approve the contract with Sawko & Burrogughs for collections of delinquent ad valorem taxes. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

15. Consideration & Action on Approval of Denton Central Appraisal District 1999 Budget.

Motion made by Council Member Bounds to approve the Denton Central Appraisal District's 1999 Budget. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

16. Consideration & Action on Approval of Tax Collections Contract.

Motion made by Council Member Bounds to approve the Interlocal Agreement with Denton County for ad valorem tax collections. Seconded by Mayor Pro Tem Shikle.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

17. Consideration & Action on Drawing for Appeals Board.

Motion made by Mayor Pro Tem Shikle to table action on the Appeals Board. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

18. Consideration & Action on Appointing Council Members as Liaisons for Projects (Such as annexation, streets, etc.).

Motion made by Council Member Minnis to table consideration on appointing liaisons until the next council meeting. Seconded by Mayor Pro Tem Shikle.

Ayes: Council Members Shikle, and Minnis
Noes: Council Members Bounds
Absent: Council Members Barnard and Martin

Motion Carried

19. Consideration & Action on Approval of Minutes.

Motion made by Council Member Minnis to approve the minutes as amended. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

20. Adjourn

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, and Minnis
Noes: None
Absent: Council Members Barnard and Martin

Motion Carried

The meeting stood adjourned at 9:35 p.m.

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on July 23, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Courtney was absent recovering from hip replacement surgery.

City Manager, Stewart Fairburn and City Secretary, Patricia Chapman were also in attendance.

Mayor Pro Tem Shikle called the meeting to order at 7:03 p.m.

CITIZENS AGENDA

No one spoke on the Citizens Agenda.

BUSINESS:

1. Reports: City Manager, Departments, Boards & Commissions

City Manager, Stewart Fairburn, gave a progress report on public works, health inspections and code enforcement activities for June.

With consent of Council Members, Mayor Pro Tem Shikle changed the order of business to move consideration of Addendums Number 1 and 2 before Agenda Item 2.

Add 1: Consideration & Action on Safe Roads County Bond Issue, Presentation by Jeff Krueger - Denton County Commissioner Precinct 1.

Denton County Commissioner of Precinct 1, Jeff Krueger discussed the proposed bond program for Denton County. Commissioner Krueger stated that the County would probably call the bond election for January in the amount of Fifty Million Dollars for road and bridge improvements. He also stated that each precinct would receive Tem Million Dollars and that he had ear marked Eight Million Dollars. Commissioner Krueger further stated that he was asking the eighteen cities in his precinct for their wish list for county assistance and that he would use the remaining Two Million Dollars for assistance in filling the wish lists for local governments. Following Commissioner Krueger's presentation a **Motion** was made by Council Member Minnis to direct

the City Manager to develop a list and prioritize in order of need and submit to Commissioner Krueger. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Add 2: **Consideration & Action on Resolution Authorizing a Moratorium on Building Permits in R-1-6000 Districts for 90 Days.**

Motion made by Council Member Minnis to adopt the Resolution authorizing a moratorium on building permits in R-1-6000 District for a period of 90 (ninety) days. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. **Consideration & Action on Individual Project Order with City Engineer for Shady Shores Road Improvements.**

Motion made by Council Member Martin to approve the Individual Project Order for engineering services for North Shady Shores Road Part A, Kingswood Drive, Meadowbrook and Pembrook road improvements. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

3. **Consideration & Action on Resolution Designating City Manager to Act on Behalf of the City for the Texas Parks & Wildlife Grant Program.**

Motion made by Council Member Minnis to adopt the resolution designating the City Manager to act on behalf of the City in making application to the Texas Parks & Wildlife Department for a matching grant for City Park. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

4. **Consideration & Action on Appointment of Members to Various Boards & Commissions.**

Motion made by Council Member Bounds to appoint Carla Jo Thomas to fill the unexpired term of Patty Davis and Terry Boyer to fill the unexpired term of Sandra Hegele (ending 12/11/99) on the Parks & Recreation Board and Mike Fahey as an Alternate Member to the Planning & Zoning

Commission. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. Consideration & Action on Appointment of Representatives to the Lake Cities Volunteer Fire Department Board of Directors.

Motion made by Council Member Martin to appoint Robbie Robertson as the Member and Stewart Fairburn as interim Alternate Member, until an Alternate Member can be found, to the Lake Cities Volunteer Fire Department Board of Director. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. Consideration & Action on Purchase of Park Benches for Thousand Oaks Park.

Motion made by Council Member Barnard to approve the purchase of benches in the amount of $1,663 (One Thousand Six Hundred Sixty Three Dollars) for Thousand Oaks Park. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. Consideration & Action on Purchase of Office Equipment for Community Development.

Motion made by Council Member Minnis to approve the purchase of computer and copier for the Community Development Department not to exceed $4,900 (Four Thousand Nine Hundred Dollars) and to shop for a name brand computer. Seconded Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

8. Consideration & Action on Ordinance Granting City Manager Authority to Contract on Budgeted Item Less Than $5,000.

Motion made by Council Member Martin to approve the ordinance conferring upon the City Manager authority to purchase budgeted items less than $5,000 (Five Thousand Dollars). Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, and Martin

Noes: Council Members Barnard and Minnis

Motion Carried

9. Consideration & Action on Appointing Council Members as Liaisons for Projects (Such as annexation, streets, etc.).

Motion made by Council Member Minnis to table the appointment of Council Members as liaisons until they can research and see what is involved. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, and Minnis
Noes: Council Members Martin

Motion Carried

10. Executive Session

Mayor Pro Tem Shikle adjourned the meeting for a short recess before the City Council would meet in Executive Session pursuant to Title 5, Chapter 551.074 of the Government Code (Personnel) for the purpose of Personnel Evaluations for City Manager, Police Chief and City Secretary.

11. Action, if any, from Executive Session.

Mayor Pro Tem Shikle reconvened the meeting. A motion was made by Council Member Minnis to direct the City Manager to prepare an evaluation for himself in conjunction with evaluations from the Council and to reschedule tentatively to hand in all evaluations on August 20. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

12. Adjourn.

Motion made by Council Member Barnard to adjourn the meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Patricia Chapman, TMRS
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Regular Session on August 13, 1998, at 7:30 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Rodney Courtney was absent recovering from hip surgery.

Also present were City Manager, Stewart Fairburn and City Secretary, Patricia Chapman.

Council Member Thanna Bounds gave the invocation and led the Pledge of Allegiance.

Visitors/Citizens Forum: Speaking during the visitors/citizens forum were:

Bob Davis, 68 Lakeridge
Carolyn Green, 201 N. Shady Shores

Business:

1. **Consideration & Action on Reports:**

   a. **Boards & Commissions**
   b. **Financial, including Accounts Payables**
   c. **Departments, including City Manager**

Following the City Manager's report on Administration, Public Works activities and financial report for the July 4 activities a **Motion** was made by Council Member Bounds to pay the bills. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. **Public Hearing:**

Mayor Pro Tem Shikle opened the public hearing for citizen's comments on annexation of property East of Shady Shores, South of Kingswood Mobile Home Park and North of Kings

Manor Subdivision, this property is known as "the Boliver Property". The following citizens commented on the annexation:

Ronnie Boliver, 520 N. Shady Shores Rd; he would be calling the police to take care of the problems related to kids from Kingswood.
Shelly Kristage, 219 S. Lakeview; did not understand and asked for an explanation on annexation.
Sandra Caldwell, 421 Stadium; asked why the annexation was being done.
Bob Davis, 68 Lakeridge; asked questions related to use of property.

With no other citizen wishing to speak, Mayor Pro Tem Shikle closed the public hearing.

3. **Public Hearing:**

Mayor Pro Tem Shikle opened the public hearing for citizen's comments on an ordinance granting a franchise to Marcus Cable. The following people commented:

Gene Tisdale, 524 Howard; asked if any Council Member was affiliated with Marcus Cable.
Steve Smith, 201 N. Shady Shores; stated he had lines on his television.
Bob Davis, 68 Lakeridge; asked question related to franchise fees and other cable suppliers and whether Council Member Martin was going to vote on the item.
Chuck Graham, 1013 Kings Manor; stated he had had reception problems.
Shelly Kristage, 219 Lakeview; asked about benefits from franchises.

With no other citizen wishing to speak, Mayor Pro Tem Shikle closed the public hearing.

4. **Consideration & Action on Individual Project Order with Kimley Horn Engineering Services for Shady Shores (From Kingswood to Hundley), Kings Manor Ditch and Lake Vista Circle.**

Motion made by Council Member Minnis to approve the Individual Project Order with Kimley Horn Engineering Services for Shady Shores (From Kingswood to Hundley), Kings Manor Ditch and Lake Vista Circle. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. **Consideration & Action on Appointment to the Parks & Recreation Board.**

Motion made by Council Member Minnis to appoint Chris Fahey as an alternated member to the Parks & Recreation Board for a two year term ending August 13, 2000. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. **Consideration & Action on Authorizing an Interlocal Agreement Between the City of Lake Dallas & Denco Area 9-1-1 District**

Motion made by Council Member Martin to the Interlocal Agreement with Denco Area 9-1-1 District with the change noted (Section I, Subsection 1. insert "natural disasters" after by other than and before normal wear and tear.) Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. **Consideration & Action on Resolution Casting a Vote for Denco Area 9-1-1 District Board of Managers.**

Motion made by Council Member Minnis to adopt the resolution nominating Harlan Jefferson to the Denco Area 9-1-1 District Board of Managers. Council Member Martin.
Ayes: Council Members Bounds, Shikle, Minnis and Martin
Noes: Council Member Barnard

Motion Carried

8. **Consideration & Action on Ordinance Establishing Standards of Conduct for the City Council and for the Procedures and Penalties for Violation of those Standards.**

Motion made by Council Member Minnis to reject the ordinance. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, and Minnis
Noes: Council Member Martin

Motion Carried

9. **Consideration & Action on Approval of Minutes.**

Motion made by Council Member Barnard to approve the minutes as amended and causing the tape to be checked for actual wording on executive session item. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

Addendum No. 1. **Consideration & Action on Directing City Manager to Develop a Request for Proposal for Legal Services, Including Ordinance review and Prosecution.**

Motion made by Council Member Minnis to direct the City Manager to develop a Request for Proposals for legal services and present findings back to Council at the regular October Meeting. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

10. EXECUTIVE SESSION: In Accordance with Texas Government Code, Subchapter D, Section 551.071 (LEGAL)

1. **Pending Litigation related to Garza Beach Estates Development.**

11. RECONVENE into Regular Session and Consider Action, if any on Items Discussed in Executive Session.

Motion made by Council Member Minnis to instruct the City Manager to enter into negotiations to negotitate with what he sees fit with the developers, J-Don Properties; and to inform our tax collection attorney to look into the lots that owe taxes to the city and possibly speed up the tax liens or foreclosures on the properties; and also place on our next agenda (August 20) consideration and action on the moratorium for R-1-6000. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

12. Adjourn

Motion was made by Council Member Bounds to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on August 20, 1998 at 7:00 p.m. with notice given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Courtney was absent recovering from hip replacement surgery.

City Manager, Stewart Fairburn and City Secretary, Patricia Chapman were also in attendance.

Mayor Pro Tem Shikle called the meeting to order at 7:00 p.m.

Business:

Mayor Shikle changed the order of business because the public hearing time for curfew for minors was advertised as 7:30 p.m.

1. **Consideration & Action on Resolution Ending the Current Moratorium on Building Permits in R-1-6000 Districts.**

The following citizens were allowed to address the Council:

Kathy Pinnell, 409 Boliver; asked the Council to continue the moratorium until all of the issues had been agreed upon by the parties. The issues included safety, street widening, and fire hydrants.

Tamara Sanford, 308 Boliver; distributed photographs of the Boliver area. Commenting that the building would force the water to drain onto her property.

Jasmine Stedham, 305 Boliver; expressed concerns over the development of the Garza Beach area before the drainage and street problems were resolved.

Mayor Pro Tem Shikle advised the citizens that the Court had required the City to issue building permits in the Garza Beach Subdivision, that the City had no control over the issuance of building permits and that three permits had been issued and there were three remaining for issuance of the number established by the court.

A **Motion** was made by Mayor Pro Tem Shikle to adopt the Resolution ending the Moratorium on Building Permits I R-1-6000 Districts. Seconded by Council Member Martin.
Ayes: Council Members Shikle, Barnard, and Martin
Noes: Council Member Bounds, and Minnis

Motion Carried

2. PUBLIC HEARING:

Mayor Pro Tem Shikle opened the public hearing to receive citizen's comments on annexation of property East of Shady Shores, South of Kingswood Mobile Home Park and North of Kings Manor Subdivision, this property is known as "the Boliver Property". The following citizen spoke for the proposal:

Mike Fahey, 144 Kingswood

With no other citizen wishing to speak on the proposal, Mayor Pro Tem Shikle closed the public hearing.

3. PUBLIC HEARING:

Mayor Pro Tem Shikle opened the public hearing to receive citizen's comments on the need to continue the curfew for minors. The following citizen spoke for the proposal:

Carolyn Green, 201 N. Shady Shores Rd. #73

The following citizens asked questions about the proposal:

Shelly Kristage, 298 Lakeview; what is the curfew? Do we have one currently?

Jason Roberts, 9900 Aletda, Dallas, TX; questioned current and proposed requirements.

With no other citizen wishing to speak on the proposal, Mayor Pro Tem Shikle closed the public hearing.

4. Consideration & Action on Ordinance Amending Chapter 9.04, Establishing Curfew Hours for Minors.

Motion made by Council Member Minnis to adopt the ordinance amending Chapter 9.04 establishing curfew hours for minors. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. **Consideration & Action on Interlocal Agreement with the City of Denton for Ambulance Services.**

Motion made by Council Member Martin to approve the interlocal agreement with the City of Denton for ambulance services. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. **Consideration & Action on Approval of Contract for Employees Group Dental With United Dental.**

Motion made by Council Member Martin to approve the contact for the employees dental with United Dental. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. **Consideration & Action on a Rule Regarding Proposed Ordinances Being Offered Concurrently to Council Members and the Public.**

Motion made by Council Member Bounds to accept the rule that all proposed ordinances be offered concurrently to council members and the public. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

8. **Consideration & Action on Resolution Expressing Appreciation to Denton County for Their Support of Lake Dallas Road Projects**

Motion made by Council Member Barnard to approve the resolution as written except replace County Commissioners with Jeff Krueger, County Commissioner Precinct 1. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

9. Consideration & Action on Accepting a Bid for Swisher Road Improvement at the Railroad Crossing.

Motion made by Council Member Minnis to accept the bid for Swisher Road railroad crossing improvements in the amount of $6,930 (Six Thousand Nine Hundred Thirty Dollars). Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

10. Executive Session

Mayor Pro Tem Shikle announced that the City Council will meet in Executive Session pursuant to Title 5, Chapter 551.074 of the Government Code (Personnel) for the purpose of personnel evaluations for:

City Manager
City Secretary
Police Chief

11. Action, if any from Executive Session.

Motion made by Council Member Minnis to accept the City Managers scores so noted by each council member and to place a copy in the City Manager's file and make public record. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

12. Adjourn

Motion made by Council Member Martin to adjourn. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting stood adjourned at 12:03 a.m.

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Meeting on August 27, 1998 at 7:00 p.m. in the Lake Dallas City Council Chambers located at 303 Alamo Street with notice given as required by Title 5; Chapter 551.041 of the Government Code. With the following members present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

With Mayor Courtney and Council Member Martin absent and Stewart Fairburn, City Manager in attendance.
Mayor Pro Tem Shikle called the meeting to order at 7:00 p.m. noting that Mayor Courtney was still recovering from hip surgery.

Business:

1. **Consideration & Action on Holding a Public Hearing on a Proposal to Increase Total Tax Revenues From Properties on the Tax Roll.**

A **Motion** was made by Council Member Minnis to hold a Public Hearing on the proposed tax increase for September 10, 1998, and to authorize the publication. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, and Minnis
Noes: None
Absent: Council Member Martin

Motion Carried

2. **Adjourn**

Motion made by Council Member Bounds to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The meeting did then stand adjourned.

Patricia Chapman, TMRC
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met on September 10, 1998 at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo with notice given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Courtney was absent due to his hip surgery. Also in attendance were City Manager, Stewart Fairburn and City Secretary, Patricia Chapman.

Mayor Pro Tem Shikle gave the invocation and led the Pledge of Allegiance to the Flag.

D. Proclamations:

Mayor Pro Tem Shikle read the proclamation for Domestic Violence, proclaiming the month of October, 1998 as Domestic Violence Awareness Month in the City of Lake Dallas.

Mayor Pro Tem Shikle read the proclamation for Constitution Week, proclaiming the week of September 17 through 23 as Constitution Week in the City of Lake Dallas.

E. <u>VISITORS/CITIZENS AGENDA</u> the following citizens addressed the City Council:

Gene Tisdale, 524 Howard; asked if the violation of City Charter issue had been resolved. The City Manager reported that an opinion had been given by an independent attorney firm that there had not been a violation of City Charter by Council or Council Member.

Bob Davis, 68 Lakebridge; asked about annexation proceedings for the Hook and Folly Beach areas and visions of the Council.

F. <u>BUSINESS:</u>

1. <u>Consideration & Action on Reports:</u>

a. Boards & Commissions
b. Financial, including Accounts Payables
c. Departments, including City Manager

Stewart Fairburn, City Manager gave a brief report of activities, including future agenda items

then a **Motion** was made by Council Member Minnis to pay the bills. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

2. **Public Hearing:**

Mayor Pro Tem Shikle opened the public hearing providing citizens an opportunity to speak on the proposed budget for fiscal year 1998-1999, Stewart Fairburn the City Manager gave an overview of budgeted items, capital improvements and fund balances. The following citizens addressed the Council:

Margaret Tisdale, 509 Howard Dr; asked if the Kings Manor Ditch was included in the budget. (City Manager responded affirmative.)

No citizens spoke for or against the proposed budget.

3. **Public Hearing:**

Mayor Pro Tem Shikle opened the public hearing providing citizens an opportunity to speak on the proposed tax rate for fiscal year 1998-1999. With no one wishing to speak for or against the tax rate Mayor Pro Tem Shikle closed the public hearing.

4. **Public Hearing:**

Mayor Pro Tem Shikle opened the public hearing providing citizens an opportunity to speak on the proposed annexation of Tracts 22, 22A, 23, 26, 28, 28A of the N. French Survey, located on Lakeview Drive. The following citizen spoke in opposition to the annexation:

Randy Squier, 502 Howard Drive; stated that he represented the Squier Family and that they opposed the annexation of their property into the City of Lake Dallas and asked that Tract 28 be exempted from the annexation proceedings.

Patsy Wilder; questioned whether all three parcels owned by her were included in the annexation. (The City Manager answered in the affirmative.)

With no other citizens wishing to speak on the annexation, Mayor Pro Tem Shikle closed the public hearing.

5. **Consideration & Action on Ordinance Annexing Tracts 16-20 of the N. French Survey, Abstract Number 424 Know as the Boliver Property.**

Motion made by Council Member Martin to approve the ordinance annexing Tracts 16-20 of the N. French Survey, Abstract Number 424, know as the Boliver Property. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. **Consideration & Action on Calling Special Election to Fill the Unexpired Term of Council Member Place 3.**

Motion made by Council Member Minnis to call a Special Election to fill the unexpired term of Council Member Place 3. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. **Consideration & Action on Awarding Public Works Contract for Falcon Drive to DBR Construction.**

Motion made by Council Member Barnard to accept the bid from DBR for Falcon Drive improvements in the amount of $74,500 (Seventy Four Thousand Five Hundred Dollars.) Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

8. **Consideration & Action on Proposing a Draft Ordinance Allowing for Tax Abatements.**

Motion made by Council Member Minnis to forward the item to the Planning & Zoning Commission for their review and recommendation to the City Council. Seconded Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

G. **CONSENT AGENDA**: Council Member Minnis requested that Item 4 be removed from the agenda for separate consideration.

4. **Consideration & Action on Minutes for August 13, 20 & 27, 1998.**

Motion made by Council Member Minnis to approve the minutes as amended (August 20, Page 4; Item 11 be amended to include the wording " and made public record"). Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

1. **Consideration & Action on Approval of Financial Plan for Denco 9-1-1 for Fiscal Year 1998-1998.**
2. **Consideration & Action on Not Submitting a Ballot for TML Board of Trustees.**
3. **Consideration & Action on Approval of Cooperative Purchasing Contract with Denton County.**

Motion made by Council Member Minnis to approve Items 1,2 and 3. Seconded by Council Member Martin.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

H. ADJOURN

Motion made by Council Member Minnis to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

The Special Session of the City Council stood adjourned at 8:25 p.m.

After a short recess the City Council met in a Workshop to discuss

the Franchise Agreement with Marcus Cable.

The workshop was completed at 9:40 p.m.

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on September 17, 1998 at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo with notice given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were City Manager, Stewart Fairburn and City Secretary, Patricia Chapman. Mayor Courtney was absent due to hip surgery.

B. VISITORS/CITIZENS AGENDA

No one wished to speak during the Citizen's Agenda.

C. BUSINESS:

1. **Public Hearing:**
The City Council will hold a public hearing to provide citizens an opportunity to speak on the proposed annexation of Tracts 22, 22A, 23, 26, 28, 28A of the N. French Survey, located on Lakeview Drive.

Mayor Pro Tem Shikle opened the public hearing providing citizens an opportunity to speak on the proposed annexation of Tracts 22, 22A, 23, 26, 28, 28A of the N. French Survey, located on Lakeview Drive. The following citizens spoke on the annexation.

Rail Gamblin, end of Lake Street; does not see an advantage to his property being annexed by the City and expressed concerns related to his property if annexed by the City.

Randy Squier, 502 Howard Dr; was opposed to the City annexing his property at this time.

Mike Newberry, 508 N. Lakeview; expressed concerns related to his pipe and cable fence if his property is annexed.

With no other citizen wishing to speak on the proposed annexation, Mayor Pro Tem Shikle closed the public hearing.

2. **Consideration & Action on Approval of Individual Project Orders for**

Various Road Projects.

Motion made by Council Member Martin to approve the individual project order for Hundley, Denton, Main Street (from Denton to Carlisle),Gotcher, Market, Dobbs, and Thompson. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

3. **Consideration & Action on Amendment to the Lake Cities Volunteer Fire Department Interlocal Agreement.**

Motion made by Council Member Minnis to approve the amendment to the interlocal agreement with the cities of Corinth, Hickory Creek and Shady Shores for the purposes of providing fire and emergency medical services. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

4. **Consideration & Action on Ordinance Approving a Right of Way Agreement with Metricom, Inc.**

Motion made by Council Member Martin to table the ordinance for a right of way agreement with Metricom, Inc. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

5. **Consideration & Action on Ordinance Adopting Budget for Fiscal Year 1998-99.**

Motion made by Council Member Martin to approve the ordinance adopting the budget for fiscal year 1998-99. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

6. **Consideration & Action on Ordinance Setting Tax Rate for Fiscal Year 1998-99.**

Motion made by Council Member Martin to adopt the ordinance setting the tax rate for fiscal year 1998-99. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

7. **Consideration & Action on Ordinance Establishing Concrete as a Requirement for all New Streets.**

Motion made by Council Member Martin to approve the ordinance amending Chapter 17.28.030 requiring the use of concrete for all new streets. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

C. ADJOURN

Motion made by Council Member Minnis to adjourn the meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

WORKSHOP

Following the conclusion of the City Council meeting the Council met in a workshop to discuss the items listed below.

Annexation of the areas that includes Folly Beach & Hook Streets.

Patricia Chapman, TRMC
City Secretary; City of Lake Dallas

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on September 24, 1998 at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo with notice given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Bruce Martin	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were City Manager, Stewart Fairburn and City Secretary, Patricia Chapman. Mayor Courtney was absent due to hip surgery.

B. BUSINESS:

1. Consideration & Action on Appointment of Appeals Board.

Motion made by Council Member Barnard to table the appointment of the Appeals Board. Seconded by Council Member Martin.
Ayes: Council Members Shikle, Barnard, Minnis and Martin
Noes: Council Member Bounds

Motion Carried

2. Consideration & Action on Ordinance Granting Franchise to Marcus Cable.

Motion made by Council Member Martin to approve the Ordinance granting the continuation of franchise to Marcus Cable with the revision of Section 15.01(B) requiring that any other person providing service must provide services under the terms and conditions of this current franchise. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

3. Consideration & Action on a Resolution Authorizing the City Manager to Enter Into an Interlocal Agreement With the City of Lewisville for Provision of Dial-a-Ride Services to Lake Dallas.

Motion made by Council Member Martin to approve the Resolution authorizing the City Manager to enter into an Interlocal agreement with the City of Lewisville for the provision of Dial-a-Ride services to the City. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Barnard, Minnis and Martin
Noes: None

Motion Carried

At this time Mayor Pro Tem Shikle presented a plaque to resigning Council Member Bruce **Martin in recognition of his service to the City.**

C. ADJOURN

Mayor Pro Tem Shikle adjourned the meeting into the Workshop.

WORKSHOP

Following the conclusion of the City Council meeting, the Council met in a workshop to discuss the items listed below.

1. Discussion of code enforcement - Illegal parking
2. Discussion of content and format of quarterly newsletter.

Patricia Chapman
City Secretary
City of Lake Dallas

Bobby Shikle, Mayor Pro Tem
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Regular Session on October 8, 1998, at 7:30 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Mayor Rodney Courtney was absent due to health problems.

Also present were City Manager, Stewart Fairburn; Resigning City Secretary, Patricia Chapman; and Acting City Secretary, Beverly Lucke.

Mayor Pro Tem Bobby Shikle gave the invocation and led the Pledge of Allegiance.

Visitors/Citizens Forum: Speaking during the visitors/citizens forum were:

Gene Tisdale, 524 Howard. He withdrew from election to serve the unexpired term of Place 3.
Carolyn Green, 201 North Shady Shore, #73. Inquired about the City's Disaster Plan. The City needs to make the citizens aware of the plan.

Business:

1. **Consideration & Action on Reports.**
   a. **Boards & Commissions**
   b. **Financial, including Accounts Payables**
   c. **Departments, including City Manager**

Council Member Michael Minnis asked where the City was on the Garza Beach improvements.
Council Member Frank Barnard asked if the Police Reports could be seen before the Council Meetings.
Motion was made by Council Member Bounds to approve all reports and pay the bills. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Minnis and Barnard
Noes: None

Motion Carried

2. **Public Hearing on an ordinance to rezone 630 Denton Drive from M-1 to C-3:**

Mayor Pro Tem Shikle opened the public hearing for citizen's comments on rezoning 630 Denton Drive from M-1 to C-3. The following citizens/visitors commented on the rezoning:

Those speaking for the proposed rezoning were Steven Lee, Steven Wohr, Ernesto Lopez, Jr., and Bonnie Brown Garcia. Those speaking against the proposed rezoning were Tip Hall, Margaret Tisdale, Charles Hedges, Guy Vince, William Johnson, Allen Meyer, and Carolyn Green. With no other citizen wishing to speak, Mayor Pro Tem Shikle closed the public hearing.

3. **Consideration and Action on an ordinance to rezone 630 Denton Drive from M-1 to C-3:**

Motion made by Council Member Minnis to adopt the zoning change at 630 Denton Drive from M-1 to C-3. Failed for lack of a second.
Motion made by Council Member Barnard to deny rezoning at this time. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis and Barnard
Noes: None

Motion Carried

At 8:40 p.m. a plaque was presented to Council Member Bruce Martin in recognition of his service to the City of Lake Dallas. Robert Hansen of the Planning & Zoning was recognized for his service. He is relocating to another state. Patricia Chapman also resigned her position as City Secretary.

4. **Consideration & Action on an ordinance to approve the Lakeview Annexation.**

Mayor Pro Tem Shikle opened the floor to Randy Squier who stated reasons why the annexation should not take place at this time. The Council Members discussed options. **Motion** made by Council Member Minnis to adopt the ordinance to approve the Lakeview annexation. Failed for lack of a second. **Motion** made by Council Member Bounds to deny annexation of the property. Seconded by Mayor Pro Tem Shikle.
Ayes: Council Members Bounds and Shikle
Noes: Council Members Minnis and Barnard

Motion Failed. Annexation Denied.

5. **Consideration & Action on an Ordinance Granting a Franchise to Metricom, Inc., for the Use of the Right-Of-Way to Establish a Wireless Radio Communications Network.**

Motion made by Council Member Bounds to grant right-of-way franchise for Metricom to put their boxes on existing poles and the City shall receive a 3% franchise fee. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Carried

6. **Consideration & Action on a Resolution Approving Transfer of Ownership of Marcus Cable.**

Motion made by Council Member Barnard to approve the transfer of ownership. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis and Barnard
Noes: None

Motion Carried

7. Consideration & Action on an Appointment to the Planning and Zoning Commission

Motion made by Council Member Barnard to appoint M. J. Graham to the unexpired term ending April 10. 2001. Seconded by Council Member Minnis.
Ayes: Council Members Bounds. Minnis and Barnard
Noes: Mayor Pro Tem Shikle

Motion Carried

8. Consideration & Action on Drawing Names for the Appeals Board

Motion made by Council Member Minnis to have a drawing to select five members and three alternates to serve one year on the Appeals Board. Seconded by Council Member Thanna Bounds.
Ayes: Council Members Bounds. Shikle. Minnis. and Barnard
Noes: None

Motion Carried

Josh of the Sun Newspaper was asked to draw the names from a box held by the City Manager.

The five members selected in order of drawing were:

1. Mike Drozd
2. Mike Dixon
3. Cheryl Rayburn
4. Neal Malone
5. Mary Jane Flanagan

The three alternates selected in order of drawing were:

1. Ray Henry
2. Ruth Bosley
3. Bonnie Brown Garcia

The City Manager then asked Josh to draw the remaining names from the box and read them aloud. The names were: Linwood Gilliland. Charlie Hedges. Steve Wohr. Tim Wright. Nancy White. Bob Davis. and Margaret Tisdale.

9. Consideration & Action on Determining the Process of Reviewing the Applications for City Attorney.

Motion made by Council Member Minnis that each council member review the packets received from the attorneys and make their selections during the next council meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds. Minnis. and Barnard
Noes: Council Member Shikle

Motion Carried

10. Consideration & Action on an Ordinance Prohibiting Drilling and Mining in City Parks.

Motion made by Council Member Barnard to prohibit drilling and mining in city parks. Seconded by Council Member Bounds.
Ayes: Council Members Bounds. Shikle. Minnis. and Barnard
Noes: None

Motion Carried

11. Consideration & Action on an Ordinance Authorizing an Interlocal Agreement with the City of Denton for Animal Shelter Services.

Motion made by Council Member Barnard to shelter animals at the Denton facility. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, and Barnard
Noes: Council Member Minnis

Motion Carried

12. Consideration & Action on Approving Engagement Letter for FY97-98 Audit with Hankins, Powers, Eastup, Deaton and Tonn, CPAs.

Motion made by Council Member Bounds to retain Hankins, Powers, Eastup, Deaton and Tonn CPAs to perform the annual audit for FY 97-98. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Carried

13. Consideration & Action on Amending Calling of the Special Election to Fill the Unexpired Term of Council Member Place 3

Motion made by Council Member Bounds to approve voting in Precinct 118 at Shady Shores Community Center. Seconded by Council Member Shikle.
Ayes: Council Member Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Carried

14. Consideration and Action on Resolution Authorizing an Agreement with the Denton County Elections Administrator to Conduct all Elections for the City.

Motion made by Council Member Barnard to engage Denton County Elections Administrator to conduct all elections for the City. Seconded by Council Member Bounds.
Ayes: Council Member Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Carried

15. Consideration & Action on Minutes for September 10, 17 and 24, 1998.

Motion made by Council Member Bounds to accept the minutes with a correction to the September 24, 1998 minutes as regarded Bruce Martin's resignation. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, and Barnard
Noes: None
Abstained: Council Member Minnis

Motion Carried

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on October 22. 1998. at 7:08 p.m. with notice of the meeting given as required by Title 5: Chapter 551.041 of the Government Code. The following members were present and constituted a quorum:

Bobby Shikle	Mayor Pro Tem
Thanna Bounds	Council Member Place 1
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance were City Manager. Stewart Fairburn. and Acting City Secretary. Beverly Lucke. Mayor Rodney Courtney was out on medical leave.

B. & C. Mayor Pro Tem Bobby Shikle gave the invocation and led the Pledge of Allegiance.

D. Visitors/Citizens Forum: Speaking during the visitors/citizens forum was:
Steve Smith. 201 North Shady Shores: who reported there was a big hole in the road on Hundley in the area of the school. Mr. Fairburn stated the City would look into the matter.

E. Business:

1. Consent Agenda:

a. Consideration and Action on appointing an acting city Secretary.
b. Consideration and Action on Authorizing Mayor Rodney Courtney. City Manager Stewart Fairburn. and Police Chief Nick Ristagno to be signatories for the City's bank accounts.
c. Consideration and Action on resolution authorizing the Acting City Secretary to issue a water well permit for 736 Thompson.
d. Consideration and Action on approval of bid for purchase of pick-up truck for Public Works.
e. Consideration and Action on approving agreement with NCTCOG for developing a regional watershed-based strategy to manage storm runoff quality.

Council Member Minnis requested that Item C be pulled for discussion.

Motion was made by Council Member Minnis to approve all items with the exception of item C. Seconded by Council Member Barnard.
Ayes: Council Members Bounds. Shikle. Minnis and Barnard
Noes: None

Motion Carried

1. Consent Agenda

c. Consideration and Action on resolution authorizing the Acting City Secretary to issue a water well permit for 736 Thompson.

Motion was made by Council Member Minnis to authorize the Acting City Secretary to issue the well permit. Seconded by Mayor Pro Tem Shikle.
Ayes: Council Members Bounds. Shikle. Minnis and Barnard
Noes: None

Motion Carried

2. **Consideration and Action on an ordinance to amend Chapter 8.04-0020 C.(6) relating to noise.**

Mayor Pro Tem Shikle opened the floor to public discussion.

Kathy Pannell, 409 Bolivar; spoke for restrictions.

Laird Lind, 735 Carlisle; was against restrictions.

Motion was made by Council Member Minnis to amend the ordinance to read from 7 a.m. to 6 p.m. Monday through Saturday. Motion failed due to lack of a second.
Motion was made by Council Member Bounds to amend the ordinance to read from 7 a.m. to 6 p.m. Monday through Sunday. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, and Barnard
Noes: Council Member Minnis

Motion Carried

Mayor Pro Tem Shikle called for a short break at 8:23 p.m.

Mayor Pro Tem Shikle called the meeting back to order at 8:43 p.m.

3. **Consideration and Action designation the use for the monies in the park fund, the 17 acre park fund, and the Allsups fund.**

Motion was made by Council Member Barnard to use the monies in the Park Fund, the 17 Acre Park Fund and the Allsups fund to fund a portion of the City's $250,000 share of the Park Grant. Seconded by Council Member Shikle.
Ayes: Council Members Shikle, Council Member Minnis, and Council Member Barnard
Noes: Council Member Bounds

Motion Carried

4. **Consideration and Action on developing a short list of law firms to interview.**

Motion was made by Council Member Barnard to select six of the legal firms to be interviewed for the opening for a City Attorney. . .Nichols, Jackson, Dillard, Hager & Smith; Vial, Hamilton, Kock and Knox; Hammerle & Finley; Cowles & Thompson; Edwin Snyder; and Taylor, Olsen, Adkin, Sralla, Elam. Seconded by Council Member Minnis.
Ayes: Council Members Bounds . Shikle, Minnis, and Barnard
Noes: None

Motion Carried

F. ADJOURN

Motion was made by Council Member Barnard to adjourn the meeting. Seconded by Council Member Bounds. Mayor Pro Tem Shikle adjourned the meeting at into the workshop at 9:10 p.m.

WORKSHOP

Following the conclusion of the City Council meeting, the Council met in a workshop to discuss the items listed below.

1. Discussion of alignment options for Kings Wood and Shady Shores.
2. Discussion of Animal Control and Code Enforcement combining.
3. Discussion of zoning for gun range.
4. Discussion of project updates and items of interest.

Beverly Lucke
Acting City Secretary
City of Lake Dallas

Bobby Shikle
Mayor Pro Tem
City of Lake Dallas

CITY OF LAKE DALLAS
CITY COUNCIL WORKSHOP
NOVEMBER 7,1998

The City Council members of the City of Lake Dallas met in workshop session at 8:00 a.m. (with the exception of Council Member Robertson who came in later) with the intent of interviewing the six attorney firms chosen from the list of those that had completed requests for proposal for the position of City Attorney for the City of Lake Dallas, Denton County, Texas.

The schedule was as follows:

8:00 a.m.	Hammerle Finley, P.L.C.
9:15 a.m.	Cowles & Thompson, P.C.
10:30 a.m.	Vial, Hamilton, Koch & Knox

After the third interview a special meeting was called for the purpose of the election vote canvass. Upon the meeting's adjournment the members went on a break for lunch before resuming the interview schedule.

1:00 p.m.	Taylor, Olson, Adkins, Sralla & Elam,L.L.P.
2:15 p.m.	Edwin M. Snyder, Attorney at Law
3:30 p.m.	Nichols Jackson Dillard Hager & Smith, L.L.P.

The workshop was concluded after the last interview session.

Rodney E. Courtney, Mayor
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Called Session on November 7, 1998, at 11:37 a.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum.

Rodney Courtney	Mayor
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Robbie Robertson	Council Member-elect Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also present were City Manager, Stewart Fairburn, and Acting City Secretary, Beverly Lucke.

1. **Canvass of Election**

Following canvass of the election results by the City Council, Mayor Courtney read a resolution stating 720 votes were cast for Robbie Robertson and there were 51 write ins for a total of 771 votes. Total votes cast during early voting was 204 and 567 votes were cast on election day. **Motion** was made by Council Member Frank Barnard to approve the resolution as read.

Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Carried

Motion was made by Council Member Minnis that the meeting be adjourned. Seconded by Council Member Thanna Bounds.

Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Meeting was Adjourned

Beverly Lucke
Acting City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

Rodney E. Courtney, Mayor
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on November 12, 1998 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Rodney Courtney	Mayor
Thanna Bounds	Council Member 1
Bobby Shikle	Council Member 2
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Also present were Stewart Fairburn, City manager, Andy Hartung, newly achieved Eagle Scout, Johnny Webber, Street Superintendent, and Beverly Lucke, Acting City Secretary.

B. Mayor Courtney gave the invocation.

C. The Pledge of Allegiance was led by Eagle Scout Andy Hartung.

D. Robbie Robertson, newly elected Council Member, Place 3, was sworn in by the Acting City Secretary.

E. Mayor Courtney read a proclamation and presented it to Andy Hartung for his accomplishment of reaching the rank of Eagle Scout, along with an engraved scout plaque from the Lake Dallas City Council.

Mayor Courtney read a proclamation and presented it to Street Superintendent Johnny Webber in acknowledgement of his twenty years of service to the City of Lake Dallas. Mr. Webber was also given an engraved clock in recognition of his diligence

F. **VISITORS/CITIZENS AGENDA**: No one was wishing to speak at that time.

G. **BUSINESS**:

1. Consideration and Action on Reports:
- **a. Boards & Commissions**
- **b. Financial, including Accounts Payable**
- **c. Departments**

Stewart Fairburn, City Manager, gave a brief report of activities. **Motion** was made by Council Member Thanna Bounds to accept the reports and pay the bills. Council Member Mike Minnis seconded the motion.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis and Barnard.
Noes: None

Motion Passed

2. **Public Hearing on request to re-zone 507 Shady Shores from C-1 to C-3. The following citizen spoke for the re-zoning:**

Danny Hilliard, 106 Briar Lane, Hickory Creek: spoke for his parents in asking for the zoning change. He also stated he had a petition with 125 signatures in favor of the change.

The following citizens spoke against the rezoning:

Norma McAlbee, 25 Oakwood Lane
Melody Wade, 194 Oakwood
Barbara Garrison, 508 N. Shady Shores

With no other citizens wishing to speak Mayor Courtney closed the public hearing.

3. **Consideration and Action on an ordinance amending the Comprehensive Zoning Ordinance and Map of the City of Lake Dallas by re-zoning 507 Shady Shores from C-1 to C-3.**

Motion was made by Council Member Bounds to deny the request for rezoning. Seconded by Council Member Shikle.

Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: Council Member Robertson

Motion Passed

4. **Public Hearing on request to re-zone a two acre portion of the Payless property on Swisher from M-1 to C-3. The following citizens spoke for the re-zoning:**

Ron Berlin, 5949 Sherry Lane, Dallas
Gary DeFran, 8235 Douglas, Dallas

With no other citizens wishing to speak on the re-zoning Mayor Courtney closed the public hearing.

5. **Consideration and Action on an ordinance amending the Comprehensive Zoning Ordinance and Map of the City of Lake Dallas by re-zoning a two acre portion of the Payless property on Swisher from M-1 to C-3.**

Motion was made by Council Member Minnis to amend the Comprehensive Zoning Ordinance to re-zone the area from M-1 to C-3. Seconded by Council Member Robbie Robertson.

Ayes: Council Members Robertson and Minnis
Noes: Council Members Bounds, Shikle, and Barnard

Motion Failed.

Mayor Courtney called a short break. Meeting resumed at 9:15 p.m.

Visitors/Citizens Agenda: Speaking during the visitors/citizens agenda was Bud Shoultz, 701 Thompson about community development and opportunities and changes. He said he thought things could be handled differently when having the skirting off for repairs on mobile homes.

6. **Consideration and action on whether or not to restart annexation proceedings on the Lakeview Properties.**

Motion was made by Council Member Minnis to proceed with the annexation of the Lakeview Properties with a workshop session including the property owners be scheduled before the December 10 meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis and Barnard
Noes: Council Member Robertson

Motion Passed

7. **Consideration and Action on hiring the City Attorney.**

Motion was made by Council Member Shikle to stay with the firm of Nichols, Jackson, Dillard, Hager, & Smith . Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Robertson, and Minnis
Naes: None
Abstentions: Council Member Barnard

Motion Passed

8. **Consideration and Action on choosing the alignment for the Kingswood/Shady Shores intersection.**

Motion was made by Frank Barnard to table this item until the next regularly scheduled council meeting and to have a special meeting with the Kingswood property owners prior to the council meeting. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Robertson.
Noes: None
Abstentions: Council Members Minnis and Barnard

Motion Passed

9. **Consideration and Action on approving a ten-year plan for Willow Grove Park to be included in the environmental assessment that will be done in conjunction with the Regional Lewisville Lake Study.**

Motion was made by Council Member Minnis to approve the ten-year plan amended to show a floating restaurant be included. After some discussion Council Member Minnis withdrew his motion. **Motion** was then made by Council Member Minnis to approve the ten-year plan amended to show a floating restaurant and exclude the proposed street changes. Seconded by Council member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard.3
Noes: None

Motion Passed

10. Consideration and Action on the rules for renting the Community Center.

Motion was made by Council Member Bounds to accept the rules for Community Center as recommended. Seconded by Council Member Minnis. After some discussion the **Motion** was amended by Council Member Bounds to accept the rules for Community Center rental as recommended by City Manager, Stewart Fairburn, and include scouting organizations to make payment for rental with in-kind service. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

11. Consideration and action on the rules for renting the portable stage.

Motion was made by Council Member Shikle to accept the rules as recommended by City Manager, Stewart Fairburn. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Robertson, and Minnis
Noes: Council Member Barnard

Motion Passed

12. Consideration and Action on the Minutes for October 8 and October 22, 1998.

Motion made by Council Member Robertson to accept the minutes as corrected. Seconded by Council Member Minnis.

Ayes: Council members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Mayor Courtney called the regular meeting to a close at 11:15 p.m. After a ten minute recess the council would meet in Executive Session.

Rodney E. Courtney, Mayor
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The City Council of the City of Lake Dallas, Texas, convened in a Special Called Meeting on November 13, 1998, at 7:00 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Government Code. The following members were present:

Mayor Rodney Courtney	
Thanna Bounds	Council Member Place 1
Robbie Robertson	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Council Member Bobby Shikle was absent.
Also in attendance were Steve Wohr and Acting City Secretary, Beverly Lucke.

Steve Wohr stated that he would like to opportunity to serve the City of Lake Dallas as an alternate municipal judge.

Motion was made by Council Member Barnard to appoint Steve Wohr as an alternate municipal judge for the City of Lake Dallas. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Motion made by Council Member Minnis to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None.

Meeting was adjourned at 7:05 p.m.

Rodney E. Courtney
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS
CITY COUNCIL WORKSHOP
NOVEMBER 30, 1998

The City Council members of the City of Lake Dallas met in workshop session at 7:00 p.m. in the City Council chambers at 303 Alamo, Lake Dallas, Texas.

Roll call was taken.

The council members spoke with the property owners from the Lakeview area of the City regarding annexing that area into the City of Lake Dallas, Denton County, Texas, at the next regularly scheduled City Council Meeting. Randy Squiers and his father and Mike Newberry, property owners, attended the meeting and gave their concerns about entering the City of Lake Dallas.

The workshop was adjourned.

Rodney E. Courtney, Mayor
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on December 10, 1998 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Thanna Bounds	Council Member 1
Bobby Shikle	Mayor Pro-Tem
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Mayor Rodney Courtney had an excused absence since he was at judicial training in Austin.
Also present were Stewart Fairburn, City Manager, and Beverly Lucke, Acting City Secretary.

B. Mayor Pro-Tem Shikle gave the invocation.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Shikle.

D. VISITORS/CITIZENS AGENDA:

Gene Tisdale, 524 Howard, made a request that all resigning council members be given a recognition party at their time of exit.

Margaret Tisdale, 509 Howard, had some concern regarding business item 5 since the funding had been reduced to $105,000 from the original estimate of $250,000. Would that be enough for a good job?

Carolyn Green, 201 North Shady Shores Road, expressed disappointment that the only council member at the tree lighting for the Spirit of Christmas was Thanna Bounds and appreciated the fact that Stewart Fairburn, City Manager, was also in attendance. She stated that the volunteers for the Planning and Zoning Committee, the Parks and Recreation Board, and the Board of Adjustment need to be shown appreciation. She mentioned that wrapping of gifts for the Spirit of Christmas was Decmeber 11 and invited the council members to participate.

E. BUSINESS:

1. Consideration and Action on Reports:

a. Boards & Commissions
b. Financial, including Accounts Payable
c. Departments

Stewart Fairburn, City Manager, gave a brief report of activities. Council Member Minnis said he would like to see a copy of the newsletter before it gets mailed out and would also like to see the police report to include a list of property seized. Council Member Barnard said he would like for the City Council to read and approve the quarterly newsletter before it goes out. City Manager Fairburn said he would furnish council with a draft and ask for ideas. The next newsletter goes out in January in time to include information regarding the quarterly clean-up scheduled for the 3rd week in January. Council Member Robertson stated that the head of the Fire Board from Corinth had resigned and that they had decided against a substitute vehicle which resulted in a $42,000 savings.

Motion was made by Council Member Minnis to accept the reports and pay the bills. Council Member Bounds seconded the motion.

Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis and Barnard.
Noes: None

Motion Passed

2. **Public Hearing on request to re-zone tract 21 of the N. French Survey (known as the Kingswood Development Property east of the Boliver Proprty and Kingswood Mobile Home Park, west of Lakeview and north of Kings Manor and Howard) from R-1-10000 to R-1-7200.**

Jack Roe, property owner/developer spoke in favor of the re-zoning. He suggested a mix of homes that would not price them out of the market; the sewer plant doesn't allow for larger lots. Jackson Ranch is more dense. He suggested a Shady Shores entry.

Carolyn Green, 201 North Shady Shores said she had just heard a replay of the Thousand Oaks and Jackson Ranch re-zoning hearings. She did not believe the area should be re-zoned.

Randy Squier, 560 North Lakeview, said their property is adjacent to this area and asked that they consider the structure/veneer of the houses more than the lot size. He suggested that the developer try to purchase street right of way in lieu of having property condemned to achieve the same ends. The sewer plant smells much less.

Mike Newberry, 508 North Lakeview; was in agreement with the others who had spoken. He also stated that the sewer plant had less odor and a big portion of the area was not visible; the roads are a big issue and an entry from Shady Shores should be looked into. He thought that smaller houses at the north end of the property could be a possibility.

Margaret Tisdale, 514 Shady Shores; said it's a beautiful piece of property and bigger homes should be erected there.

Hulen Boliver, 514 Shady Shores; he represented the Boliver Property and stated that in 1970 the City had a chance to do a street through that property due to his father. He resents anyone asking him to condemn part of that property.

Barbara Garrison, Hulen's sister; spoke against re-zoning because if it is down-graded then trees would be bull-dozed down and the property owners would be able to see the sewer plant.

3. **Consideration and Action on an ordinance amending the Comprehensive Zoning Ordinance and Map of the City of Lake Dallas by re-zoning tract 21 of the N. French Survey from R-1-10000 to R-1-7200.**

Motion was made by Council Member Minnis to deny the request for re-zoning. Seconded by Council Member Bounds.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis, and Barnard.
Noes: None

Motion Passed

4. **Consideration and Action on an ordinance annexing the Lakeview Proprties (north of Shore and east of Lakeview)**

There was a lengthy discussion about the issues including the locaton of the animal shelter and gun range.

Motion was made by Council Member Minnis to annex the Lakeview properties. Seconded by Council Member Barnard
Ayes: Council Members Minnis and Barnard
Noes: Mayor Pro-Tem Shikle, Council Members Bounds and Robertson

Motion Failed

Motion was made by Council Member Minnis to annex the Lakeview Properties with the exclusion of tract 28. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis and Barnard
Noes: Council Member Robertson

Motion Passed

Mayor Pro-Tem Shikle called a short break at 8:50 p.m. Meeting resumed at 9:00 p.m.

5. Consideration and action on engineering designs for the following property:

5a. Kingswood/Shady Shores intersection keeping the southern entrance but apply road buttons to delineate the lanes and to remove the unused round median that tends to interfere with traffic.

Motion was made by Council Member Bounds to accept the engineering design for the Kingswood/Shady shores intersection. Seconded by Mayor Pro-Tem Shikle.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson
Noes: None
Council Members Minnis and Barnard had removed themselves from discussion and voting on this issue due to potential conflict of interest. Affadavits were completed by both council members.

Motion Passed

5b. Main Street from Denton to Carlisle.

Motion was made by Council Member Minnis to approve the engineers' preliminary proposal with the exclusion of landscaping and irrigation but with water stub-outs for future use. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Robertson, Minnis and Barnard
Notes: Council Member Bounds

Motion Passed

5c. Kings Manor Ditch

Motion was made by Council Member Robertson to accept the proposal to do the whole project to completion. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

6. Consideration and Action on an ordinance granting a franchise agreement to CoServ Communications to furnish telecommunications service in the City of Lake Dallas.

Motion was made by Council Member Minnis to table this item until the January council meeting. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

7. Consideration and Action on an ordinance amending Chapter 8 to allow the Lake Cities Fire Department to issue burn permits, describing the procedures, and instituting a fine..

Motion was made by Council Member Barnard to accept the ordinance as written with exception of the permit fee. Seconded by Mayor Pro-Tem Shikle.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds,Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Motion made by Council Member Barnard to adopt the permit policy but include all non-chemical wood products, lumber and tree trimmings. Seconded by Council Member Bounds.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis and Barnard
Noes: None

Motion Passed

Mayor Pro-Tem Shikle called a short break at 10:53 p.m. Meeting came back to order at 11:05 p.m.

Addendum Item 1. Consideration and Action on the purchase of a replacement car for the police department car which was involved in an accident last month.

Motion was made by Council Member Bounds to purchase a replacement car for the police department. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Addendum Item 2. Consideration and Action on appointing Cowles and Thompson as City Attorney instead of Nichols, Jackson, Dillard, Hager and Smith..

Motion was made by Council Member Minnis to appoint Cowles and Thompson as City Attorney. Seconded by Council Member Barnard.
Ayes: Council Member Minnis
Noes: Mayor Pro-Tem Shikle, Council Members Bounds and Robertson
Abstention: Council Member Barnard

Motion Failed

Addendum Item 3. Consideration and Action on the minutes for November 7, November 12, and November 13, 1998.

Motion was made by Council Member Bounds to accept the minutes as written with two corrections on the November 13 minutes as Council Member Shikle was not present at the meeting and thus did not participate in the voting process. Seconded by Council Member Robertson.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Robertson, Minnis and Barnard.
Noes: None

Motion Passed

8. Executive Session

Mayor Pro-Tem Shikle announced that the City Council would adjourn at 11:45 p.m. into executive session pursuant to Texas Government Code, Section 551.074(1): Real Property, to discuss lease; and Personnel, to discuss appointing a City Secretary.

At this time Council Members Minnis and Barnard left the meeting.

9. Action, if any, from the Executive Session

Motion was made by Council Member Robertson to pursue the lease subject to final inspection and final cost. Seconded by Council Member Bounds.

Ayes: Mayor Pro-Tem Shikle, Council Members Bounds and Robertson
Noes: None

Motion Passed

Motion was made by Mayor Pro-Tem Shikle to appoint Beverly Lucke as City Secretary. Seconded by Council Member Bounds.

Ayes: Mayor Pro-Tem Shikle, Council Members Bounds and Robertson
Noes: None

Motion Passed

10. Adjourn

Motion was made by Mayor Pro-Tem Shikle that the meeting be adjourned. All present were in favor. Meeting was adjourned at 12:00 a.m.

Bobby Shikle, Mayor Pro-Tem
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on January 14, 1999 at 7:31 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Rodney Courtney	Mayor
Thanna Bounds	Council Member 1
Bobby Shikle	Council Member 2
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Also present were Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary.

B. Mayor Courtney gave the invocation.

C. The Pledge of Allegiance was led by Mayor Courtney.

D. **VISITORS/CITIZENS AGENDA:**

Denton County Commissioner Jeff Krueger asked for support for the bond package/road program which will be voted on in the January 16, 1999, election. He stressed that there would be no tax increase if the bond issue passed. He stated there was still $100,000 set aside for the Shady Shores project.

E. **BUSINESS**:

1. **Consideration and Action on Reports:**

a. Boards & Commissions

Christye Price said there was a good turn out for the Spirit of Christmas tree lighting ceremony.

b. Financial, including Accounts Payable

c. Departments

Stewart Fairburn, City Manager, gave a brief report of activities which included (1)a Planning and Zoning workshop on January 30 regarding a Comprehensive Plan for the city;(2) the City Park grant initial report was negative and if we file a new application by February 26 it will be heard in August; (3)Falcon Drive is near completion and Shady Shores and Hundley will be done during summer while school is out; (4)we have had 2 calls about volunteering for commissions/boards in response to the January newsletter; (5)there has been some talk of a new strip mall by Lake Cities State Bank; (6)the Board of Adjustment will meet January 18 regarding the billboard request; (7)LCMUA assisted with cleaning the culvert at the Fast Break on Denton Drive and is considering a trade out for a sewer cleaning machine for our use; (8) the Community Service program is still going but only 6 workers at most; (9) had a good discussion with J-Don and Laird Lind regarding Texas Street Expansion; (10) construction to the north along Boliver will soon be complete; (11) Code Enforcement has 90% of violations corrected within 10 days – some cases are hard to deal with and/or expensive to eradicate and these will have meetings called with property owners, staff, and a Council representative; (12) the workshop this month will include discussion on several topics such as the City Hall, evaluations, the animal shelter and gun range. Questions asked by Council included past history on gas and oil use for the Police Dept.; which two tires were replaced by the Street Dept.; Technicians on Wheels bill included towing; why is Grid 5 of the Police Report getting busier; when is information about the codification coming back to Council?

Motion was made by Council Member Minnis to accept the reports and pay the bills. Council Member Barnard seconded the motion.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis and Barnard.
Noes: None

Motion Passed

2. **Consent Agenda:**
   a. Appoint members to the Boards and Commissions
   b. Authorize Mayor Rodney E. Courtney, City Manager Stewart Fairburn, and City Secretary Beverly Lucke to be signatories for the City's bank accounts and remove Police Chief Ristagno as signatory.
   c. Approve a resolution amending authorized representatives to the Texpool accounts.
   d. Approve an agreement with the Chamber of Commerce for the use of the Community Center.

Motion was made by Council Member Minnis to accept items B and C of the Consent Agenda. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Motion was made by Council Member Minnis to accept items A and D of the Consent Agenda. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

3. **Consideration and action on approving a joint community celebration with Hickory Creek to be held in the Fall to replace Garza Day and the Hickory Creek Hoedown.**

Motion was made by Council Member Shikle to ask the Park and Recreation Board to work directly with Hickory Creek and the next time this comes back to council there will be a public hearing. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard.
Noes: None

Motion Passed

4. **Public Hearing on an ordinance to amend Chapter 17.24 establishing drainage requirements for subdivision and property developments.**

   No one asked to speak regarding this item so the hearing was closed.

5. **Consideration and Action on an ordinance to amend Chapter 17.24 establishing drainage requirements for subdivisions and property developments.:**

Motion was made by Council Member Barnard to amend the ordinance in its entirety. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis and Barnard
Noes: None

Motion Passed

6. **Consideration and Action on authorizing the City to issue a request for proposals for the street rehabilitation and maintenance projects, including both bond and non-bond projects.**

Motion was made by Council Member Barnard to direct the City Manager to use the plans and obtain bids and have recommendations as soon as possible. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

7. **Consideration and Action on acceptance of the Annual Financial Audit.**

Motion was made by Council Member Shikle to accept the audit.. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

8. **Consideration and Action on an ordinance granting a franchise agreement to CoServ Communicaitons to furnish telecommunications service in the City of Lake Dallas**

Motion was made by Council Member Minnis to grant a franchise to CoServ. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

9. **Consideration and Action on an ordinance amending Chapter 10.24 Article II relating to off-street and extended parking.**

Motion was made by Council Member Barnard to approve the ordinance deleting "major." Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

10. **Consideration and Action on an ordinance adding Chapter 15.26 to the Lake Dallas Municipal Code establishing and adopting rules and reguations concerning erosion control.**

Motion was made by Council Member Minnis to add Chapter 15.26 to the Lake Dallas Municipal Code concerning erosion control. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

11. **Consideration and action on an ordinance amending Chapter 12.04 relating to street excavations**

Motion was made by Council Member Minnis to table this item until Council had further clarification. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, and Minnis
Noes: Council Member Barnard

Motion Passed

12. Consideration and Action on establishing a monthly payment for daily arraignment services by the primary magistrate that is not the Mayor.

Motion was made by Council Member Barnard to make a monthly payment of $100 to the primary magistrate of the City. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

13. Consideration and Action on establishing a work session item dealing with the role of the Council, the Councilmembers and the City Manager.

Motion was made by Council Member Barnard for a workshop to be held as soon as possible for a review of the Home Rule Charter as it pertains to the City Council and Mayor and review of the City Manager's duties, roles, and responsibilities and the administation and authority as reflected throughout the Charter. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard.
Noes: None

Motion Passed

14. Consideration and Action on recruiting and appointing members to the various boards and commissions.

Motion made by Council Member Minnis to find more volunteers and make appointments to Boards and Commissions. Seconded by Council Member Barnard.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

15. Consideration and Action on approval of the December, 1998, minutes.

Motion was made by Council Member Barnard to approve the December minutes. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

16. Adjourn

Motion was made by Council Member Barnard that the meeting be adjourned. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: Council Member Robertson

Meeting was adjourned at 9:30 p.m.

Rodney E. Courtney, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on January 28, 1999, at 7:03 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum:

Mayor Rod Courtney	
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Robbie Robertson	Council Member Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also in attendance was City Manager, Stewart Fairburn.

B. Mayor Rod Courtney gave the invocation

C. Mayor Rod Courtney led the Pledge of Allegiance

D. Visitors/Citizens Forum:

No one came forward to speak at this time.

Between items 1 and 2 of the Business the Mayor asked if any of the late-comers would like to speak.

Tim Wright of the Sons of Thunder Ministry spoke regarding a May 15 planned event. He was advised to speak to the Parks and Recreation meeting on February 2.

E. Business:

1. <u>Workshop on City Hall Expansion</u>

It was decided that the City should go to the Library Board regarding their long term plans for the City of Lake Dallas' Community Center.

2. <u>Workshop on Animal Control Shelter and Gun Range</u>

City Manager and Chief of Police to go out and get information from surrounding cities about pooling resources and combining efforts for an animal control shelter. The Sheriff's Department of Denton County has a gun range under constructon that would be available for City use.

Mayor Courtney called a ten minute break at 8:15 p.m. The council went into Executive Session at 8:25 p.m.

3. Executive Session evaluating the performance of the City Manager, and receiving and reviewing the performance evaluations of the City Secretary, Police Chief, Building Official, Public Works Superintendent, Municipal Court Judge, and City Attorney per Charter closed at 10:02 p.m.

4. Action, if any, from the Executive Session:

<u>Motion</u> was made by Council Member Shikle to accept the evaluations of the City Manager, City Secretary, Police Chief, Building Official, Public Works Superintendent, Municipal Court Judge, and City Attorney. Seconded by Council Member Minnis

Ayes: Council Members Bounds , Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Carried

F. ADJOURN

Motion was made by Council Member Minnis to adjourn the meeting. Seconded by Council Member Bounds. Mayor Courtney adjourned the meeting at 10:15 p.m.

Rodney E. Courtney
Mayor
City of Lake Dallas

Beverly Lucke
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Workshop Session on January 26, 1999, at 5:30 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum.

Rodney Courtney	Mayor
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Robbie Robertson	Council Member-elect Place 3
Michael Minnis	Council Member Place 4
Frank Barnard	Council Member Place 5

Also present were City Manager, Stewart Fairburn, and City Secretary, Beverly Lucke.

1. **Review of the Home Rule Charter as it pertains to the CityCouncil and the Mayor and review of the City Manager's duties, roles, authority, and responsibilities and the administrative sections as reflected throughout the charter**

After many sections had been reviewed and discussed, 1)the City Manager was directed to check with legal about council members serving on the Fire Board; 2)recommend to the Home Rule Charter Committee to drop the "city administrative officer nor" from Section 3.08.02; 3)consensus that quarterly meetings of the council members would be a good idea; 4) Rules of Procedure need to include a method of putting items on the agenda, adding a Citizen's Agenda for all Special Called meetings, method of public input on items that are not public hearings; 5)do we need to re-appoint the City Manager and other City Officers; 6)on one of the up-coming workshops or quarterly meetings we need to discuss Code Enforcement priorities; 7)check with legal on any restrictions applying to recall; 8)get the FYE 1999 Budget copy to the library; 9) attendence of City Manager at boards and commissions meetings; 10)Department Heads to give monthly reports to the City Council, at least in writing; 11) developing a Public Information policy on how employees should respond to questions from the media. This list is to come to the February meeting as an action item.

Motion was made by Council Member Minnis that the meeting be adjourned. Seconded by Council Member Thanna Bounds.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Meeting was Adjourned at 7:50 p.m.

Rodney E. Courtney, Mayor
City of Lake Dallas

Beverly Lucke, City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on February 11, 1999 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Rodney Courtney	Mayor
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Council Members Bounds and Shikle were excused absentees.
Also present were Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary.

B. Mayor Courtney gave the invocation.

C. The Pledge of Allegiance was led by Mayor Courtney.

D. Presentations

Mayor Courtney asked Steve Smith to come forward for the presentation of an award honoring Mr. Smith for 5 years, 1993-1998, of dedicated service to the Parks & Recreation Board of the City.

E. **VISITORS/CITIZENS AGENDA:**

Georgina Gougeon, 717 Cain Street, Lake Dallas, spoke regarding 1)survey she had done while an animal control officer last December and she gave copies to each council member (stating she would hand deliver copies to the absent council members); and 2)she feels if we do take the animals to the shelter in Denton that it would be cost prohibitive.

James Smedley, 117 Wild Oak, Hickory Creek, was going to speak about the Lake Bridge but said he would make his comment later.

David Shershen, 166 Kingswood Drive, Lake Dallas, said his original reason for being there was to speak on behalf of Steve Smith but also said Georgina's(Ms. Gougeon's) survey was one of the best quality surveys he's seen and encourages Council to read it.

F. **BUSINESS**:

1. **Consideration and Action on Reports:**
   - **a. Boards & Commissions**
   - **b. Financial, including Accounts Payable**
   - **c. Departments**

Truman Harp, Community Development , stated that Lakebridge Estates was completed; Thousand Oaks was complete except for one home; Jackson Ranch has 15 homes underway; Boliver Property started 5 months ago with 7 completed and 5 will be within the next few months; the Kingswood property is 52 acres which could mean up to 160 homes and then the City will be out of land. The Methodist Church is planning a 6000 square foot facility and Buckeye Liquors is also planning a 6000 square foot project. A billiard hall will open soon on Main Street and the Sonic has been re-modeled.

Johnny Webber, Street Department, handed out an outline of what had been accomplished by his department in January and said the streets east of Lakeview need to be repaired next.

Chief Nick Ristagno said the past month had been spent up-dating their computers; Officer Simpson would be attending bicycle school; a great dane has been loose for some time and has attacked other animals. The animal control officer and police officers were attempting to capture this dog.
Council Member Minnis asked it the search for the great dane had been published.

Stewart Fairburn, City Manager, gave his report saying 1)the quarterly City-wide clean-up in January was a success with Johnny Webber and his crew doing an excellent job; 2)he had attended two Planning and Zoning meetings in January, one Parks Board meeting, a Fire Board meeting, an I-35 meeting, a Lake Study meeting, a Storm Water meeting, 2 chamber breakfasts, a Manager Assistant Association meeting and a Denton City Manager Association meeting plus had prepared for and attended the Denton County Economic Development luncheon and tour of Lake Dallas in January; 3)the election will be called in March and will be held with the County and School District; 4)the budget books have been delivered and the audit was accepted; 5)the road project plans will come back to Council in March; 6)working on Y2K solutions with our current vendor(s) plus obtaining other software information; 7)working closely with code enforcement about code and building concerns; 8)working on the Garza Beach drainage problem; 9)development on lots north of the Lake Cities State Bank which will be in tonight's discussion due to the sign ordinance; 10)the 1998 Library report plus lake cities contributions by Corinth, $2000, Hickory Creek, $1800, Shady Shores, $1700; and Lake Dallas $2,200 plus the building.

Motion was made by Council Member Minnis to accept the reports and pay the bills. Council Member Robertson seconded the motion.
Ayes: Council Members Robertson, Minnis, and Barnard.
Noes: None

Motion Passed

2. **Consideration and Action on on a resolution in support of the construction of the Lake Bridge and Swisher Road extension proposed by Denton County and outlining various requirements needed by the City of Lake Dallas**

John Polster of Inovative Systems of Dallas up-dated Council about Denton County's plan for the bridge. Mr. Smedley asked if it would be a 2 lane bridge. Mr. Polster said it would either be two 2-lane bridges or one 4-lane bridge. Council Member Minnis asked what time frame was involved. Mr. Polster said if the funding was not available until the end of 2000 the bridge should be complete by 2003, 2005 being the worst case scenario.

Motion was made by Council Member Barnard to pass a resolution in support of the construction of the Lake Bridge and Swisher Road extension proposed by Denton County. Seconded by Council Member Minnis.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

3. **Consideration and action on an ordinance amending Chapter 15.16 of the Lake Dallas Municipal Code regulating distance requirements for off-premise commercial signs.**

Motion was made by Council Member Minnis to amend Chapter 15.16 of the Lake Dallas Municipal Code changing distance requirements from 200 feet to 140 feet for off-premise commercial signs. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard.
Noes: None

Motion Passed

4. **Consideration and Action on appointing and reappointing members to serve on the various Boards and Commissions.**

Steven Bertrand spoke to say he is new to the community and has spent 16 years investing time in other cities and has very high interest in our community.

Motion was made by Council Member Minnis to appoint Robin Dodson to the alternate position on the Fire Board; reappoint Ben Gilbert to the Planning and Zoning Commission and appoint Al Bavon to the alternate position on Planning and Zoning; reappoint Ron Peoples to the Parks and Recreation Board; appoint Steven Bertrand as alternate to the Board of Adjustment. Seconded by Council Member Barnard.
Ayes: Council Members Minnis and Barnard
Noes: Council Member Robertson

Motion Passed

5. **Consideration and Action on an application from the Lake Cities Baseball Association to develop a temporary T-Ball field in City Park.**

Motion was made by Council Member Barnard to accept the application from the Lake Cities Baseball Association to develop a temporary T-Ball field in City Park. Seconded by Council Member Minnis.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

6. **Consideration and Action on sending to the Planning and Zoning Commission the issue of recommending to Council any changes to the Lake Dallas Municipal Code for defining where private clubs can locate based on zoning and distance requirements.**

Motion was made by Council Member Barnard to direct the Planning & Zoning Commission to recommend to Council by April any changes to the Lake Dallas Municipal Code for defining where private clubs can locate based on zoning and distance requirements. Seconded by Council Member Minnis.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

The Mayor called for a short break and called the meeting back to order at 9:15 p.m.

7. **Consideration and Action on an ordinance amending Chapter 12.04 relating to street excavation (Tabled from 1-14-99 meeting).**

This item would require a permit for street cutting with the combined agreement of the City Manager, Building Official, and Public Works Superintendent.
Motion was made by Council Member Minnis to amend Chapter 12.04 relating to street excavation. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

8. **Consideration and Action on developing a plan for drainage maintenance from Hundley to Lakeview.**

Motion was made by Council Member Barnard to direct the City Manager to appropriate up to $1,000 to develop a plan for drainage maintenance from Hundley to Lakeview. Seconded by Council Member Minnis.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

9. **Consideration and Action on items developed from the January 26 Council Work Session**

Motion was made by Council Member Minnis to table this item until Council had full complement of members. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

10. **Consideration and Action on a Council policy to recognize the past service of outgoing Mayors and Councilmembers.**

Motion was made by Council Member Minnis to approve a policy to recognize the past service of outgoing Mayors and Councilmembers. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

11. **Consideration and Action on approval of the January, 1999, minutes.**

Motion was made by Council Member Minnis to approve the January, 1999, minutes. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Motion Passed

12. **Adjournment**

Motion was made by Council Member Barnard to adjourn. Seconded by Council Member Minnis .
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: None

Meeting was adjourned at 9:40 p.m.

Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on February 25, 1999, at 7:15 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum:

1) Roll Call

Mayor Rod Courtney	
Thanna Bounds	Council Member Place 1
Bobby Shikle	Council Member Place 2
Robbie Robertson	Council Member Place 3
Frank Barnard	Council Member Place 5

Council Member Minnis was absent.

Also in attendance was City Manager, Stewart Fairburn, Police Chief Ristagno, Building Official, Truman Harp, and City Secretary, Beverly Lucke.

2) Mayor Rod Courtney gave the invocation

3) Mayor Rod Courtney led the Pledge of Allegiance

4) **Visitors/Citizens Forum:**
No one came forward to speak at this time.

5) **Business:**

a. **Consideration and Action on approving emergency expenditures not to exceed $15,000 for the replacement of the damaged radio repeater.**

Chief Ristagno reported he had been quoted a price of $10,000 for a new repeater, but had since received a quote of $5,500 to $6,500 from another firm (D/FW Communications) for a base station that could be used with a repeater system for an additional $2,500. The City could apply to the F.C.C. for a license for the repeater.
Michael Kaspar, 739 Harbour Town Drive, Lake Dallas, asked to speak during discussion on repeater for Police Department and asked if cities didn't have an annual automatic 'out' on leases. Mr. Fairburn replied that most contracts have escape clauses.

Council members requested staff to check into the option of short-term leasing in conjunction with going into the Denton County dispatch system when opening arises.

Mayor Courtney excused himself at 8:00 p.m. stating he didn't feel well and asked Mayor Pro-Tem Shikle to preside over the rest of the meeting and workshop.

Motion was made by Mayor Pro-Tem Shikle to approve an amount up to $10,000 for the purchase of the equipment necessary for the radio dispatch service with an option of first looking into a lease/purchase option up to $3500 for a year's lease. Seconded by Council Member Barnard.
Ayes: Council Member Bounds, Mayor Pro-Tem Shikle, Council Member Robertson, and Council Member Barnard.
Noes: None

Motion Passed

Mayor Pro-Tem Shikle called for a break at 8:10 p.m. before going into the Workshop Session.

Mayor Pro-Tem Shikle called the Goal Setting Workshop into session at 8:28 p.m.

7) GOAL SETTING WORKSHOP

a) Review of financials. City Manager Fairburn explained the General and Debt Funds Summary sheet he had given to the City Council. He discussed the Fund Balances for year end 2001 thru 2004 to clarify that the amounts are only projections arrived at by current trends. Mr. Kaspar asked if it costs more for the police department during the summer due to alcohol consumption and wondered if it be feasible to put an additional tax on liquor sales and designate the monies generated for the police department or streets. Mr. Fairburn answered that we would have to raise the sales tax percentage on all taxable items and Council Member Bounds said the citizens would have to vote on that issue.

b) Review of Current Projects. Administration: Mr. Fairburn stated we are working on Y2K compliance for the computers and accounting/municipal court system; he has approximately 50 pages from the Municipal Code Corporation to read over, make notations and return for the codification project; the City Secretary certification will be accomplished over the next two to three years; the Library/City Hall project is a big item for consideration; the May election is fast approaching and a meeting has been scheduled with Don Alexander, acting elections person for Denton County, the Lake Dallas I.S.D. and LCMUA on March 1.

Planning and Zoning: the Comprehensive Plan has been kicked off. It will take work by the P & Z commissioners as well as staff and the anticipated completion date is the end of the year. Some general policies for Economic Development have been okayed by the P & Z and an ordinance will come before the council after information comes forth from the attorney.

Parks and Recreation: The Master Plan needs updated; the Park Grant will be submitted in August; the mowing ended in December and will restart this month or in March; Willow Grove tree trimming and brush clearing is being accomplished plus the trail maintenance is also part of an Eagle Scout service project to widen the paths and put benches up. We will need a re-permit with the Corps of Engineers.

Building Inspections and Code Enforcement: City Manager and Building Official discussed Jackson Ranch plus making an effort to identify various code problems. Certain buildings and properties are not in compiance whose owners are less than cooperative. The City needs to get the worst problems fixed first and leave some minor problems til later. The minimum building code needs a higher priority.

Police: City Manager said we are still working on the Animal Shelter and Gun Range options. The Dispatcher/Records Clerk is another area the department is working on accomplishing.

Streets: Street Superintendent Johnny Webber was unable to attend the workshop because he was in a class. City Manager discussed the streets program with a goal of seal coats every five years and overlay every ten years. Council Member Barnard asked why there was no bid opening on February 24 as was scheduled. City Manager stated the engineers had failed to include some details regarding Century Telephone's cables.

Keep Lake Dallas Beautiful: City Manager Fairburn said the committee has died but the staff has moved forward in this area. With the use of Community Service workers the litter pickup has made a big improvement.

c) Strategic Analysis: City Manager Fairburn listed some City strengths, weaknesses, opportunities, and threats. He stated that the role of the government of the City of Lake Dallas is to support the citizens of the City through having a responsive, communicative government; maintained, efficient traffic and drainage systems; safe, clean residential and business neighborhoods; and a balanced tax base and reasonable tax rates. The goals of City Council can be achieved by a Council that provides direction and support to the staff that must implement the work to achieve the goals. He mentioned that if one doesn't do anything that things will just get worse.

d) Goals and Objectives – Year: The budget will be coming up within the next couple of months;Street projects, Comprehensive Plan, and Codification completed by December; Park grant awarded by January, 2000; the environmental study should be complete so we can sign a five year lease on Willow Grove Park; Code Enforcement/Minimum Building Code running smooth by June; Fire Stations and Ambulance Transport improvements by September; Library/City Hall plan to be presented to the Library Board by March; joint cities animal shelter plans presented to cities in April; River Oak Way Park to be accepted by July if Pulte can get it finished; Jackson Ranch residential nearing completion by February, 2000; and commercial construction begun by October, 1999.

e) Projects for the Next Six Months by Department:

Administration – Y2K compliance; codification; Library/City Hall; City Secretary Certification (next two-three years); election; newsletter (April edition) announcing quarterly clean-up; City Hall maintenance/painting.

Planning & Zoning – Comprehensive Plan; economic development policies; mapping; Swisher Road extension planning; planned commercial option; incentive/abatement ordinance; Garza Beach - Texas Street planned to be discussed at March P & Z meeting.

Parks & Recreation – Master Plan; Park grant (revised); River Oak Way Park acceptance; Maintenance (mowing to restart soon); Recreation programs at Community Center; Willow Grove permit; Planning for a joint park board celebration to come to City Council in March; July 4th celebration; April trash cleanup day/Arbor Day; Pea Gravel at playgrounds since Street Supt. identified as another problem that there are hard surfaces under the playgrounds.

Health – Maintain inspection schedule

Building Inspections – Jackson Ranch residential and commercial; temporary signs.

Code Enforcement – Prioritization of projects; Kingswood Mobil Home Park; Gravel parking database; permanent border for gravel drives (no more than 50% of front yard); minimum building maintenance code regarding dilapidated buildings.

Police – Animal Shelter/Gun Range; Dispatcher/Records Clerk; School Community Policing Plan.

Streets – CIP constructed; work in othr projects (Boliver, Janet, Church, Alamo, and Goliad south of Main); street inventory; in-house projects; potholes; minor street rehab on rotation basis.

Drainage – Hundley to Lakeview and Garza Beach. These will be coming back at budget season as well as more drainage programs.

Keep Lake Dallas Beautiful – Right of Way litter pickup (Denton Drive, Shady Shores Road, and Hundley Street); Right of Way maintenance on Denton Drive and Shady Shores Road includes mowing and tree trimming; possible tree planting.

Fire – Budget: plans in place for improved transport; plans in place to build a nw Lake Dallas station and build another.

City Manager Fairburn also included an update to the City Council Members which included:

1) Texas Utilities transformer in City Park is currently on poles in the parking lot and needs to be moved. TU will come before the Council with an easement request in the future. The Council Members were in agreement not to inflict any hardships on the property owners regarding the placement of lines and poles.
2) The street bids were not opened on February 24 as originally scheduled. Bid opening will be rescheduled at later date depending on what legal advice we receive.
3) Garza Beach and the Texas Street development and the builder's concerns. A concept plan for a replat will be coming before Council before summer.

4) Tack Oil Sprayer needs to be used in warmer months. When the machine cannot be used, the crew uses cans of tack oil & does consistently do so.
5) Code codification: City Manager Fairburn has received over 50 pages of changes that he needs to review and return. Since each page has several changes, this page by page analysis of the code is time consuming.
6) Fire Dispatch: The budget shows a revenue of $10,000 for the dispatch contract. This number was put in after the Fire Department budget was completed. Their budget has a $5,000 figure and City Manager Fairburn recommends we accept the $5,000 and stated there is better coordination for the next budget and FY 2000 budget will have a payment amount of $10,000.
7) Public Information: The next newsletter is being worked on now. The theme will be code enforcement and property maintenance (parking, weeds, trash, and house maintenance). In addition, we will be sending out a brochure to Kingswood outlining the specific requirements for that area.

8. ADJOURN

Motion was made by Council Member Robertson to adjourn the meeting. Seconded by Council Member Barnard.
Ayes: All council members

Mayor Pro-Tem Shikle adjourned the meeting at 10:14 p.m.

Bobby Shikle
Mayor Pro-Tem
City of Lake Dallas

Beverly Lucke
City Secretary
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on March 11, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Bobby Shikle	Mayor Pro-Tem
Thanna Bounds	Council Member 1
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Council Member Robertson was absent. The Office of Mayor was vacant.
Also present were Stewart Fairburn, City Manager, Police Lt. James Lowery, Building Official Truman Harp, Public Works Supt. Johnnie Webber, and Beverly Lucke, City Secretary.

B. Mayor Pro Tem Shikle gave the invocation.

C. The Pledge of Allegiance was led by Mayor Pro Tem Shikle.

D. Presentations

Mayor Pro Tem Shikle requested Anna Benham to come forward for the presentation of an award honoring Ms. Benham for 6 years of dedicated service to the Parks & Recreation Board of the City.

E. <u>VISITORS/CITIZENS AGENDA:</u>

David Shershen, 166 Kingswood Drive. Lake Dallas, said he wanted to formally state he was grateful and thankful for all of Mayor Courtney's time, committment, and effort. He has talked with several people in the County and they look forward to a long-term relationship with Lake Dallas and he encouraged the Council to continue working closely with the County and the other Lake Cities.

Mayor Pro Tem Shikle said that in our April meeting we will have a thank-you party for our departing Mayor Rod Courtney, who resigned March 1, 1999.

F. <u>BUSINESS</u>:

1. <u>Consideration and Action on Reports:</u>
- **a. Boards & Commissions**
- **b. Financial, including Accounts Payable**
- **c. Departments**

City Manager Fairburn gave his report starting with three of the items from the goal-setting session in February: Street Projects - bid letting will be March 22; Comprehensive Plan is being worked on by the Planning and Zoning Commission; Codification is underway; and others are being worked on. Kingswood Mobile Home Park is a major project for Code Enforcement. A petition was signed by approximately 130 residents of the area showing strong support to deal with the building ordinance in Kingswood. A concentrated effort is being made to identify violations. A letter will be sent soon to property owners and residents in that area regarding compliance to codes. City Manager Fairburn said he would be attending a presentation by the North Central Texas Council of Governments on March 12 about Community Development and grants. He will be on vacation the week of March 15. He said the March 25 agenda will include 1)Fire Department's 5-year strategic plan; council action to direct the Lake Dallas Fire Board representatives on how to respond to the plan; reappointments to the Planning

& Zoning Committee; sponsors for agenda items; the City Manager contract review; the meeting time will be arranged later.

Lt. Lowery spoke for the Police Department. He said that Chief Ristagno was at a seminar this week.

Truman Harp said everything was peaceable in their department. City Manager Fairburn said it's getting busy at Jackson Ranch.

Johnny Webber, Street Department, said they had done some extensive repairs in Kings Manor and plan to start in the 'old' part of town. He is getting prices for a new mower. City Manager Fairburn asked him if they were getting ready to start hiring seasonal workers. Mr. Webber said they would advertise next week.

Discussion by council members included why Administrative Dues/Memberships was running over budget and if the TU Electric franchise could be put on a future agenda to be re-negotiated; Shady Shores Road by the soccer field could use a street light; the park fence needs repair; and if the light standards could be updated to a newer version. Mr. Webber was asked if the $4,000 for equipment in the budget would cover the purchase of a clean-out. Mr. Webber said it would be. City Manager Fairburn was asked if it was legal for Council Member Robertson to serve on the Fire Board while he was a councilmember. City Manager Fairburn said the charter allows it but since there is a grey area Council could look into it further.

Motion was made byCouncil Member Minnis to accept the reports and pay the bills. Seconded by Councilmember Bounds
Ayes: Councilmember Bounds, Mayor Pro Tem Shikle, Councilmembers Minnis and Barnard
Noes: None

Motion Passed

2. Consideration and Action on Appointment to Fill Council Vacancy.

After some council discussion Mayor Pro Tem Shikle asked for nominations for Mayor from the floor. Stephen Wohr was nominated by:

David Shershen	166 Kingswood
Chuck Graham	1013 Kings Manor
Clyde Edwards	108 Dobbs Road
Georginia Gougeon	717 Cain Street
Council Member Bounds	

Motion was made by Council Member Bounds to cease nominations. Seconded by Council Member Barnard .
Ayes: Councilmembers Bounds, Mayor Pro Tem Shikle, Councilmembers Minnis and Barnard
Noes: None

Motion Passed

Motion was made by Council Member Barnard to appoint Stephen Wohr as Mayor. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Mayor Pro Tem Shikle, Council Members Minnis and Barnard
Noes: None

Motion Passed

Mayor Wohr was sworn in and took his position on the dais.

3. Consideration and Action on calling a General Election for May 1, 1999

Motion was made by Council Member Barnard to order the election with Early Voting to be held on April 14 thru April 23 weekdays from 8:00 a.m. until 5:00 p.m. and April 24 from 8:00 a.m. until 6:00 p.m. and April 25 from 1:00 p.m. until 5:00 p.m. and April 26 and 27 from 7:00 a.m. until 7:00 p.m. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard.
Noes: None

Motion Passed

4. Consideration and Action on approving a Resolution authorizing the City Manager to enter into a Contract with Denton County for Election Services

Motion was made by Council Member Barnard to adopt a resolution and direct the City Manager to enter into a contract with Denton County Election Administration for election services for the May 1 election. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis and Barnard
Noes: None

Motion Passed

5. Consideration and Action on approving combining Garza Day and the Hickory Creek Hoedown to a Single Celebration called Lake Cities Fallfest

There was discussion among Council and Christye Price, the Parks and Recreation Chairperson.

David Shershen, 166 Kingswood asked to speak. He congratulated the concept and said with the extra manpower and effort it would be to everyone's advantage. We won't lose our identity, it's for the common good and would mean a greater success.

Chuck Graham, 1013 Kings Manor, asked to speak and said he approved of the Park Boards working together and thinks we will have a better community if all work together.

Motion was made by Council Member Bounds to approve the combining of Garza Day and Hickory Creek Hoedown to be called Lake Cities Fallfest and have it on October 2. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

6. Consideration and Action on Contracting for a Parks and Recreation Gymnastic Program to be held at the Community Center

Beth Keel, 107 Silk Tree Drive, explained her gymnastics program and qualifications.
Christy Burgess , 110 Silktree Court, and Christye Price, 726 Thousand Oaks, members of the Parks and Recreation Board gave their support for the program.

Charles Hedges, 308 Wilson, asked who supplied the equipment. Ms. Keel replied that she does.

There was lengthy discussion by the councilmembers and with Ms. Keel.

Motion was made by Council Member Shikle to authorize City Manager Fairburn to enter into a contract to sponsor a gymnastics program at the Community Center in accordance with the proposal. Discussion raised the details of no discount for Lake Dallas residents; 90% Ms. Keel/10% City of Lake Dallas revenue split, a background check be done, insurance would be necessary, and a 6 month lease term should be used in case the city needs the space. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

The Mayor asked if there was any discussion from the floor regarding items 7 and 9 on the agenda. There was none. The Mayor called for a short break at 9:00 p.m. and called the meeting back to order at 9:20 p.m. Mayor Wohr asked Council's permission to consider agenda item 11 next.

7. **(Agenda Item #11) Consideration and Action on Court Procedures relating to City Prosecutor discussions with Individuals given tickets.**

Council Member Shikle raised the issue of why does the City Prosecutor have private meetings with those who plead innocent. David Berman, City Attorney, said prosecutors explain State procedures and his obligation is to give them their choices as well as advise the defendants he can't guarantee what the Judge's decision will be.
There was lengthy council discussion as to changes in the way people are advised of their rights and the admonishment. Court procedures were also questioned as to the signing in procedure, waiting in the administrative offices area. One solution raised was to have two court nights a month, the second court night being for those who have plead not guilty. City Manager Fairburn said he will work with staff regarding physical corrections pertaining to the lack of space and security problems.
Motion was made by Council Member Shikle to present to the Municipal Judge that it is the wish and desire of the City Council that the court procedures be explained to the group as a whole at the beginning of the court proceedings and that court be held twice a month with the first night being to hear the plea and second night being for those who plead 'not guilty' and that council has a reply by the April 8 council meeting. Seconded by Council Member Bounds..
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

8. **(Agenda Item 7) Consideration and Action on appointing and reappointing members to serve on the Parks and Recreation Board**

Motion was made by Council Member Bounds to reappoint Leslie Spraggins and Jeff London; appoint Rod Proctor as full member; and appoint as alternate members Robin Dodson and Alan Dodson. Terms for all appointees to end March 9, 2001. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

9. **(Agenda Item 8) Consideration and Action on an Ordinance amending Section 5.28.120 of the Municipal Code to increase Wrecker Fee for Police Requested Tow**

Motion was made by Council Member Barnard to amend Section 5.28.120 of the Municipal Code to increase the wrecker fee for police requested tow from $45 to $55. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

10. **(Agenda Item 9) Consideration and Action on a Resolution Authorizing the City Secretary to issue a Water Well Permit for 206 Skelton Lane**

Motion was made by Council Member Barnard not to authorize the City Secretary to issue a water well permit. Motion died due to lack of second. **Motion** was made by Council Member Minnis to approve the resolution authorizing the issuance of the well permit. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, and Minnis.
Noes: Council Member Barnard

Motion Passed

11. **(Agenda Item 10) Consideration and Action on Items Developed from the January 26 Council Work Session**

Motion was made by Council Member Minnis to direct the City Manager to draft some proposed rules and procedures for the Citizen's Agenda for all council meetings; to direct the City Manager to continue to attend the Boards and Commissions meetings and to develop a public information policy on how employees should respond to questions from the media; and also direct the City Manager to present a resolution to the City Council at a future meeting regarding restricting elected officials from serving on any boards and commissions and any entities we have interlocal agreements with. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

12. **Consideration and Action on a Council Policy to Provide Council Packets to those that request them free of charge**

Motion was made by Council Member Barnard to provide one (1) Council Packet (other than sensitive material) to each person who signs up to receive one, free of charge, when requested in advance of the meeting and during regular office hours. Seconded by Council Member Shikle .
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

13. **Consideration and Action on the Definition of "Permanent Border" relating to Gravel Drives**

Motion made by Council Member Minnis to table this item until later meeting. Seconded by Council Member Bounds.
Ayes: Council Members Bounds and Minnis
Noes: Council Members Shikle and Barnard
Mayor Wohr voted Aye to break the tie vote

Motion Passed

14. **Consideration and Action on eliminating the Council Liaison Positions for the Parks and Recreation Board and the Planning and Zoning Commission**

Motion was made by Council Member Bounds not to eliminate the Council Liaison Positions for the Parks and Recreation Board and the Planning and Zoning Commission. Seconded by Council Member Shikle.
Ayes: Council Members Bounds and Shikle
Noes: Council Members Minnis and Barnard
Mayor Wohr voted No to break the tie vote

Motion Failed

15. Consideration and Action on Strategy for Final Payment of the Falcon Drive Construction
Motion made by Council Member Minnis to authorize the City Manager to negotiate the difference in the project price by allowing the contractor to do additional concrete drainage work with the payment of such work to be deducted from the approximately $10,000 late penalty against the contractor. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, and Minnis.
Noes: Council Member Barnard

Motion Passed

16. Consideration and Action on a Resolution to remove Rod Courtney from the Lake Cities Bank Signature Authorization and add the new Appointed Mayor to the List.
Motion made by Council Member Bounds to approve a resolution removing Rod Courtney and adding Stephen Wohr to the accounts at the Lake Cities State Bank. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

17. Consideration and Action on a Resolution Amending the Authorized Representatives to the TexPool Accounts.
Motion made by Council Member Minnis to approve a resolution amending the authorized representatives for the TexPool Accounts. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

18. Consideration and Action on Nominations for the DCAD Appraisal Review Board.
Ivan Bounds, Patsy Smith and Mike Dixon were nominated. **Motion** was made by Council Member Minnis to contact the nominees and ask them to complete the application sent by the DCAD Appraisal Review Board. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

19. Consideration and Action on Voting for Chamber of Commerce Board of Directors.
The names of Bill Hallbrook, Bill LaBarr, Bruce Martin, Gene Henderson, Tom Davenport, and Tracy Houston were on the Lake Cities Chamber of Commerce Nominations Ballot.
Charles Hedges, 308 Wilson was recognized by the Mayor and Mr. Hedges stated that whoever was appointed should be an active business entity of this area.
After discussion and voting, three names on the list were decided upon to be the City of Lake Dallas' nominees. **Motion** was made by Council Member Barnard to present the names of Gene Henderson, Bill Hallbrook, and Bill LaBarr to the Chamber of Commerce. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

20. Consideration and Action on the Minutes for February 11 and 25, 1999.
Motion was made by Council Member Bounds to approve the minutes. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Motion Passed

21. Adjourn

Motion was made by Council Member Minnis that the meeting be adjourned. Seconded by Council Member Barnard.

Ayes: Council Members Bounds, Shikle, Minnis, and Barnard
Noes: None

Meeting was adjourned at 11:55 p.m.

Steve Wohr
Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called and work session on March 25, 1999 at 7:10 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Thanna Bounds	Council Member 1
Bobby Shikle	Council Member 2
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Also present were Stewart Fairburn, City Manager, and Scott Thompson, Fire Chief.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. **VISITORS/CITIZENS AGENDA:**

No one came forward to speak

FE **BUSINESS**:

1. **Work Session on Fire Department Five Year Strategic Plan**

Chief Thompson presented a draft five year plan for the Fire Department covering both operations and CIP. A main portion of the plan was a three year capital improvement plan that addressed reconstructing the Lake Dallas Station, building a new station in Corinth on the east side of the highway, land purchases for stations in Corinth and Hickory Creek, as well as apparatus and equipment. This would be based on a debt service with a lease purchase plan from a government finance company.

Ambulance services were also discussed with a plan including the City of Denton. They would staff the northern Corinth station with an ambulance and no longer charge for ambulance fees to the Lake Cities in exchange for fire coverage in a portion of south Denton. Though the building will not yet be constructed, the charges would stop October 1, 1999, and they would move an ambulance to their station at Teasley Lane until the new station is operational.

The current Corinth station would be remodeled for administration, training, and be the volunteer station. A proposal for storm warning sirens was also discussed.

Council Member Shikle had to leave at approximately 8:00 p.m.

Staffing was discussed with hiring for lieutenants, apparatus operators, and firefighters. Members of the Fire Board were introduced.

2. Consideration and Action on providing direction to the Fire Board Representatives regarding the Five Year Plan

Council had some discussion on the items. **Motion** was made by Council Member Barnard to table this item until April 8, 1999, in order for the Council to have more time to review the information they had just received. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

3. Consideration and Action on Reappointments to the Planning & Zoning Commission

Discussion was made on the item that the Code limiting the Planning and Zoning terms to two terms would need to be changed to allow Commissoner Spraggins to stay on until December. Further discussion detailed the benefits of having limited terms.

Motion was made by Council Member Minnis to deny the reappointment. Seconded by Council Member Barnard.
Ayes: Council Members Robertson, Minnis, and Barnard
Noes: Council Member Bounds

Motion Passed

There was a break from 8:45 p.m. until 8:55 p.m.

4. Consideration and Action on the definition of "permanent border" relating to gravel drives – tabled from March 11 Council Meeting.

Motion was made by Council Member Bounds to send this item to the Planning and Zoning Commission for their recommendation on the definition of "similar permanent border" prior to coming back to Council. Seconded by Council Member Minnis. COM · BB
Ayes: Council Members Bounds, Minnis, and ~~Barnard~~ ROBERTSON
Noes: Council Member ~~Bounds~~ BARNARD COM · BB

Motion Passed

5. Consideration and Action on Council Policy on identifying sponsor of agenda item.

Motion was made by Council Member Barnard to put the name of whoever requested the item to be put on the agenda. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Minnis, and Barnard
Noes: Council Member Robertson
Motion Passed.

Addendum Item. Nominations for Lake Cities Chamber of Commerce from revised list received March 18.

Motion was made by Council Member Bounds to keep the original nominees made at the last Council meeting. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Minnis, and Barnard
Noes: Council Member Robertson

Motion Passed

Council adjourned from the special meeting to go into the executive session at 9:30 p.m.

6. **Executive Session - Personnel - City Manager Contract Renewal**

Council adjourned from the executive session at 11:30 p.m.

7. **Action, if any, from Executive Session.**

Motion was made by Council Member Minnis to deny the contract. Motion failed for lack of a second. **Motion** was made by Council Member Minnis to have the Mayor, City Manager, and the City Attorney work out an agreement to be brought back at the April 8, 1999, meeting. Seconded by Council Member Barnard.
There was dicussion that the agreement would include the pay raise of 7%, the $100 adjustment for use of vehicle, and for the term of three years. Mayor Wohr summarized concerns that were raised. These concerns were that the Council, at a later workshop, needs to develop guidelines appropriate on how to relate to the City Manager. The Council had concerns about the City Manager making written recommendations to the City Council on agenda items. The Council wants to have the City Manager take a less pro-active role with the Council and with the other boards and commissions. The City Council needs to provide the direction to the City Manager as a whole and not as separate councilmembers.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 12:00 a.m.

Steve Wohr
Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on April 8, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Thanna Bounds	Council Member 1
Bobby Shikle	Council Member 2
Robbie Robertson	Council Member 3
Frank Barnard	Council Member 5
Michael Minnis	Council Member 4

Also present were Stewart Fairburn, City Manager, Chief of Police, Nick Ristagno, Building Official, Truman Harp, Public Works Director Johnnie Webber, and City Secretary, Beverly Lucke..

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. 1) Mayor Wohr read a proclamation designating April, 1999, as Sexual Assault Awareness Month in Lake Dallas.

2) Mayor Wohr asked Keven Spraggins to come forward and presented him with a framed certificate recognizing Mr. Spraggins for his 4 years of service on the Planning and Zoning Commission from 1995-1999.

3) Mayor Wohr asked Rodney Courtney to come forward and presented him with a plaque recognizing Mr. Courntey's service to the City of Lake Dallas as Mayor from 1998-1999. Mayor Wohr thanked him for his dedication and service to the city and the county. He then announced that the meeting would take a break for cookies and soft drinks and a time to visit with Mr. Courtney.

The meeting was re-opened at 7:55 p.m.

E. **<u>VISITORS/CITIZENS AGENDA:</u>**

Norma McAlavy, 25 Oakwood Drive spoke about lot 181 in Kingswood Mobile Home Park. It does not have room for off-street parking and the storage shed should not be considered a part of the home structure and the building license and permit should be revoked. She also wanted to thank Vikki Chandler, the animal control officer, who had helped her when a dog from #24 had jumped a fence.

Council Member Shikle gave a response to Ms. McAlavy because she had called him. He said he had called City Manager Fairburn and asked him about the building permit. Everything was within code and city ordinances. City Manager Fairburn said that on investigation the setbacks were correct. There may be some items on the attached shed portion that need to be changed and for some electrical work to bring it up to code.

Ms. McAlavy said Mike Fahey had been denied a permit because his addition had no windows or doors. She feels this in an exception beyond anyone's comprehension. She stated that she had talked with City Manager Fairburn many times and mentioned that a petition had been signed by property owners in the Kingswood Mobile Home Park requesting codes be enforced there.

Mayor Wohr said the council had been made aware of the situation by City Manager Fairburn. He said it was possible that the structure is legal and within code and the problem being aesthetic only. He said it does have our attention and we may have to review the zoning in R-1-4000.
Council Member Barnard asked if the procedure is to put in the building and then do the off-street parking or the parking before the building. Mayor Wohr asked Truman Harp, the Building Official to answer that question.
Building Official, Truman Harp, stated that the building and lot were measured and the permit issued and it was in compliance with our codes at the present time. True, we need to change some codes but we can't do it overnight. The structure and off street parking will be done and and they will be done to code before it is occupied. Council Member Barnard asked again about the procedures and if the city had a law about issuing the permit. Mr. Harp said he was asked to come out and measure for the building and was then asked for a permit which was issued. The parking was mentioned and was agreed that it would be done.
Ms. McAlavy said that after the shed and parking are completed that will leave no yard.

Rod Courtney, 162 Kingswood Road, said thank you for the social effort and that he appreciated it. He said he noted the agenda was pretty lengthy and knows it is in good hands so he excused himself.

Margaret Tisdale, 509 Howard, gave an overview of the time table about the Kings Manor Ditch. She said weeds were growing again and the project should have started. She also had a comment about gravel driveways and permanent borders. Her concern is that a lot of people with these types of drives are older people with limited budgets. Mayor Wohr said the issue is not borders being required but the type of border. He also said that through the bid process tonight the ditch program will be underway soon.

Mayor Wohr closed the Citizen's Agenda at 8:15 p.m.

F. **BUSINESS**:

1. **Consideration and Action on Reports**
   a. Boards and Commissions
   b. Financial, including Accounts Payable
   c. Departments, including City Manager

Motion was made by Council Member Bounds to pay the bills. Seconded by Council Member Barnard.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Council Member Barnard asked if the procedure policy was followed on the street cutting on Hundley. City Manager Fairburn said that council had approved the cutting at the last meeting due to the transformer move. Council Member Shikle asked Chief Ristagno if we do anything about the Sexual Assault Awareness in our community. Chief Ristagno said that the Friends of the Family in Denton asked that the proclamation be done, they annually have a meeting in Denton, and through our budget process we try to contribute some funds for use in the family violence programs. Mayor Wohr said he went to a seminar on family violence last month in Denton and that the City of Lake Dallas had a very good representation. Council Member Shikle asked what the procedure was if a child molester moves into the neighborhood. Chief Ristagno said he must register with the Police Department and if he meets certain criteria the information in published in the newspaper. Council Member Bounds asked if we could put in our next newsletter that citizens could get that kind of information from our Police Department. City Manager Fairburn answered that we could do that.

Chief Ristagno added to his department's report that we are at full compliance with the F.C.C. We are applying for a frequency in order to have the repeater. The department now has the council approved police dog, Arno. On April 24 the department will hold an open house from 11 a.m. until 3 p.m. The North Texas Gunslingers will perform, a shetland pony will be here for the children to ride, and another Adopt-A-Pet will be held.
Motion was made by Council Member Barnard to accept the reports. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed.

2. **Public Hearing on amending Section 18.30.010 requiring special use permits for certain establishments whose business operations include the sales or service of on-premise alcoholic beverages.**

Shelly Kristich, 298 S. Lakeview, asked for an explanation of C-1, C-2, and C-3 zoning and also asked if it was possible to have a bar in residential areas. Mayor Wohr answered that it was not possible to open a bar/private club in residential areas. He also explained that C-1, C-2, and C-3 zoning is commercial and which types are allowed in each. He also explained that while private clubs are allowed in any commercial property they are subject to TABC rules and that the city wants to add the Special Use Permits for any new clubs.

Cecil Graham, 1013 Kings Manor, said that the city shouldn't try to infringe on other people's morals. Mayor Wohr said that when you have a special use permit you grant them reasonably. We have different uses for Special Use Permits.
Mayor Wohr closed the public hearing.

3. **Consideration and action on amending Section 18.30.010 requiring special use permits for certain establishments whose business operations include the sales or service of on-permise alcoholic beverages.**

Council discussed the item. Winston Harper asked about someone wanting to put in a liquor store and also about getting zoning changed.. Mayor Wohr said this ordinance is involved with private clubs. There was more discussion about private clubs in C-3 zoning only but several council members agreed that TABC could regulate most of that and the City using Special Use Permits would be enough additional regulation. Council was advised that Planning and Zoning had voted unanimously on the issue of Special Use Permits.
Motion was made by Council Member Bounds to amend Section 18.30.010 requiring special use permits for certain establishments whose business operations include the sales or service of on-premise alcoholic beverages in C-1, C-2, and C-3 zoning. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Robertson, and Minnis
Noes: Council Member Barnard

Motion Passed

4. **Consideration and action on accepting the bids and awarding the contract for the Street Bond and maintenance projects.**

Carl DeZee of Kimley-Horn and Associates, Inc. was at the meeting to answer any question council may have. Mayor Wohr asked him if any provision had been made for a construction manager. Mr. DeZee's answer was that it would not be on a day to day basis but they would periodically check on the contractor. He said they could start within 20 days if council awarded the contract tonight. There was more discussion on the competency and solvency of the low bidder. Mr. DeZee said they were bonded, had references, and there would be a 2 year warranty on their work here. They will only be paid for the work completed and it would cost them $200/day for any delays other than weather-related. Completion is scheduled for November or December of this year.

Motion was made by Council Member Bounds to accept the bid and award the contract for the Street Bond and Maintenance projects to the low bidder, Peachtree Construction, in the amount of $2,234,746.25. Seconded by Council Member Minnis.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Mayor Wohr called a brief recess at 9:30 p.m.
Meeting was re-opened at 9:50 p.m.

5. **Consideration and action on providing direction to Fire Board representatives on the five-year plan.**

There was discussion as to the ownership of the land and how the fire department was going to be able to secure financing of their building on land that did not belong to them. There was more discussion as to what action the Fire Board was asking and it was determined it was to provide direction for their plan.

Motion was made by Council Member Bounds to approve the five-year plan and acceptance of the principles and carry to the Fire Board our concerns regarding the Lake Dallas property. Seconded by Council Member Barnard.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

6. **Consideration and action on court procedures.**

There was discussion about preliminary information handouts being given to those people who come to the municipal court. These handouts are currently in use. Those who would like to speak with the City Prosecutor can do so but are not required to. Chief Ristagno said staggered hours could be another option to two monthly court nights.

Motion was made by Council Member Minnis to adopt from the write-up items 1)the defendants receive their notification of rights from the bench and have a written sheet handed to them; 2)the defendants should not be required to meet with the prosecutor if they plead not guilty, and 4)remove the requirement to have the defendants go around the building after sign-in and allow them to be escorted through the administration area and to adopt the staggered hours. Seconded by Council Member Bounds.

Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

7. **Consideration and action on the definition of permanent border as it relates to gravel drives.**

There was council discussion regarding the driveways as pertains to anything done before the ordinance in 1987 and if the property is sold after that year. City Manager Fairburn said that the ordinance would not apply to those driveways in existence before the ordinance was passed nor would it apply if the property is sold after that date. The Planning and Zoning Commission had sent their definition of permanent border and that was also discussed.
Motion was made by Council Member Minnis that the interpretation of concrete or similar permanent border to basically cement, brick, block, or asphalt. Seconded by Council Member Barnard.
Ayes: Council Members Bounds and Barnard
Noes: Council Members Shikle, Robertson, and Minnis

Motion Failed

8. **Consideration and action on an ordinance removing the requirement for council liaison positions from the Planning and Zoning Commission and the Parks and Recreation Board.**

After discussion and clarification of the Home Rule Charter it was decided that a council liaison position was not a requirement of the charter.

Motion was made by Council Member Bounds to adopt an ordinance removing the requirement for a council liason to the Parks and Recreation Board and the Planning and Zoning Commission. Motion died for lack of a second.
Motion was made by Council Member Minnis to adopt an ordinance removing requirement for a council liaison to the Parks and Recreation Board and to the Planning and Zoning Commission and to direct City Manager Fairburn to take on those duties. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

9. **Consideration and action on amending the Parks and Recreation Policies and Procedures Guide.**

Motion was made by Council Member Minnis to amend the Parks and Recreation Policies and Procedures Guide to remove the requirement of a council liaison position. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

10. **Consideration and action on an ordinance establishing the fourth Thursday of the month as a regular council meeting to start at 7:30 p.m.**

Discussion was held as to the advantages and disadvantages of having another regularly scheduled monthly council meeting as opposed to having special called meetings.
Motion was made by Council Member Barnard to deny an ordinance establishing another regular monthly council meeting. Seconded by Council Member Robertson.
Ayes: Council Members Shikle, Robertson, Minnis, and Barnard
Noes: Council Member Bounds

Motion Passed

11. **Consideration and action on appointment of members and alternates to the Planning and Zoning Commisson.**

Motion was made by Council Member Minnis to appoint Al Bavon to the vacant position on the Planning and Zoning Commission. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: Council Member Shikle

Motion Passed

Motion was made by Council Member Minnis to table the appointment of the Planning and Zoning Alternate until it is brought back to the next regular council meeting in May. Seconded by Council Member Shikle.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis
Noes: None
Abstain: Council Member Barnard (not counted as an affirmative vote)

Motion Passed

12. **Consideration and action to direct the City Manager to execute a grant of easement in City Park with TU Electric in order to place the transformer on the ground.**

There was council discussion as to the location in reference to in the park, in parking areas, on the city easement. There was also discussion about an attempt to sell the easement to TU Electric instead of just giving it to them.
Motion was made by Council Member Minnis to direct the City Manager to execute an agreement with TU Electric for the easement in City Park for their transformer provided he negotiate for some in kind favor or trade off. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

13. **Consideration and action on appointing the judges for the May 1, 1999, City Election**

Motion was made by Council Member Bounds to appoint Don Alexander, Elections Administrator of Denton County, as the Early Voting Judge; and appoint Aldena Gregory as the Regular Election Judge for the May 1, 1999, City Elections. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Robertson
Noes: None

Motion Passed

14. Consideration and action on an employment agreement with the City Manager

Motion was made by Council Member Bounds to accept this employment agreement as it was written but to pay the City Manager 8% to catch him up with the other employes and then have him get the regular same raise that all the other city employees receive based on the averages. Seconded by Council Member Robertson.
Ayes: Council Members Bounds and Robertson
Noes: Council Members Shikle, Minnis, and Barnard

Motion Failed

Motion was made by Council Member Barnard to accept the employment agreement as written. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Robertson, Minnis, and Barnard
Noes: Council Member Shikle

Motion Passed

15. Consideration and action on the minutes for March 11 and 25, 1999.

Motion was made by Council Member Robertson to approve the minutes as written with a correction to item 4 on March 25, 1999. Seconded by Council Member Bounds.
Ayes: Council Members Bounds, Shikle, Robertson, and Barnard.
Noes: None
Abstain: Council Member Minnis

Motion Passed

16. Adjourn

Motion was made by Council Member Barnard to adjourn. Seconded by Council Member Minnis.
Ayes: Council Members Bounds, Shikle, Robertson, Minnis, and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 12:01 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on April 22, 1999 at 7:08 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code. The meeting had been scheduled for 7:00 p.m. but a quorum was not met so it was agreed to wait fifteen minutes.

A. The following members were present and constituted a quorum:

Bobby Shikle	Mayor Pro-Tem
Thanna Bounds	Council Member 1
Mike Minnis	Council Member 4
Frank Barnard	Council Member 5

Mayor Steve Wohr and Council Member Robertson had excused absences.

Also present were Stewart Fairburn, City Manager, Building Official, Truman Harp, and City Secretary, Beverly Lucke.

B. Mayor Pro-Tem Shikle gave the invocation.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Shikle.

D. 1) City Manager Fairburn read a proclamation designating May 3 - 7, 1999, as Municipal Clerks Week . Mayor Pro-Tem Shikle gave the proclamation to City Secretary Beverly Lucke.

E. **VISITORS/CITIZENS AGENDA:**

Aldena Gregory, 603 Hundley, spoke regarding the current election. She was concerned with the cost of the machines and said that the first morning of early voting they did not have the ballots or supplies and the computer wouldn't work. The Denton County Elections Administrator brought the supplies and ballots. After several days the computer technician came to fix the computer and after discussion with her it was fixed and has worked all right since. The voter roster had an error so she advised the county. As of this morning they had new voter rosters to work with. She asked the City Secretary to lock up the first book in the safe until the election was over. She again voiced concern about the cost of the electronic counters. She said that as a taxpaying citizen she would rather use the election money on the streets.

The council members had discussion about the cost of the machines and Mayor Pro-Tem Shikle said we would get it on as an agenda item about running our own elections instead of contracting with Denton County.

Mayor Pro-Tem Shikle closed the Citizen's Agenda at 7:24 p.m.

F. **BUSINESS**:

1. **Public Hearing - to rezone Lots 4,5,6 Block One, Tract One, of Gotcher Addition and that portion directly east of these lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 zoning district.**

Robbie Houghton, an owner of Houghton Electric Contractors and H & H Enterprises of Lake Dallas, said that they have sold their existing building and want to keep their business in Lake Dallas. The new building will be a 5000 square foot brick and metal structure and will house their shop and rent out the other side. He said the area already is pretty much surrounded by C-1 zoning.

Council Member Minnis asked where their entrance would be. Mr. Houghton replied that it would be off Gotcher. They plan to build on lot 6.

Mayor Pro-Tem Shikle asked if any other citizen wished to speak regarding this matter. When no one else asked to speak he closed the public hearing.

2. **Consideration and action on amending the zoning map by rezoning Lots 4,5,6 Block One, Tract One of Gotcher Addition and that portion directy east of these lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 zoning district.**

Council Member Barnard brought up that they wanted to store some things outside and said that would require C-2 zoning. Mr. Houghton said the intent is to ask for that part to be re-zoned into C-2 at a later public hearing before the Planning and Zoning Commission and the City Council.
Motion was made by Council Member Barnard to table voting on the change to C-1 zoning until it has been taken back to Planning and Zoning for re-zoning as C-2. **Motion failed** for lack of a second.
Motion was made by Council Member Minnis to amend the zoning map by rezoning Lots 4,5,and 6 Block One, Tract One of Gotcher Addition and the portion directly east of those lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 zoning district. Seconded by Council Member Bounds.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis, and Barnard
Noes: None

Motion Passed

3. **Consideration and action on a minor replat of a portion of Second Replat of Harbourtown Villas Lots 9B, 10A&B, 11A&B, 12A&B, and 13A.**

Ralph Keeton, Grand Prairie, had discussion with the council members regarding street repair in the area of the new curbing planned for the replat area. Council Member Barnard asked if the land in question was right of way or easement. City Manager Fairburn said the terms were pretty much interchangeable. Council Member Minnis asked if the developer would be agreeable to pay for the street repair in exchange for the right of way acquired through the changing of the curb. Mr. Keeton said there wasn't much area of the street that would need to be repaired after the curb is installed. Mayor Pro-Tem Shikle commented that the area is beautiful and has really been improved and stated that he had no problem with the city helping out for the benefit of the citizens living down there. Mayor Pro-Tem Shikle asked Building Official, Truman Harp, if he had anything to say. Mr. Harp informed Mr. Keeton that over a year ago he had informed his partner that promises has been made about the drainage at Harbourtown. It has not been completed yet and he wants the drainage taken care of before any changes are made. Mr. Keeton replied that it was news to him. City Manager Fairburn said the replat had been approved by the Planning and Zoning. Mr. Keeton estimates their cost would be $2,000 for repairs and stipulates that would be the extent of their responsibility on the street. Council Member Minnis asked Building Official Truman Harp if that would cover the expense. Mr. Harp replied that $2,000 should correct it.

Motion was made by Council Member Minnis to grant the replat of a portion of Second Replat of Harbourtown Villas Lots 9B, 10a&B, 11A&B, 12A&B and 13A with the condition that the developer wll cover up to $2,000 for street repairs. Seconded by Council Member Bounds.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis, and Barnard
Noes: None

Motion Passed

4. Consideration and action on renewing the employee health insurance with Aetna HMO.

City Manager Fairburn described the renewal policy that the council members had copies of in their packets which was chosen from the many quotes the city had received. There was discussion as to increase in budget item which is almost 17%; question as to whether it would be possible to have an interlocal with other cities; and had the employees been asked if this is what they want. Building Official Truman Harp said that normally there is a committee of employees to review the health plan to decide which is the best. Mayor Pro-Tem Shikle asked City Manager Fairburn if we had a committee last year and the reply was yes. Council Member Barnard asked if we could check with TML and the Police Association. TML had been contacted and would not quote us because it would be cost prohibitive. The city had also received quotes from Blue Cross - Blue Shield and Harris Methodist but their plans were also more expensive.
Motion was made by Council Member Minnis to direct the City Manager to adopt Attachment A of Aetna's renewal plan for the employees of the City of Lake Dallas. Seconded by Council Member Bounds.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis, and Barnard
Noes: None

Motion Passed

Addendum: Consideration and action on the purchase of a 6' finish mower for Public Works.

Motion was made by Council Member Minnis to authorize the City Manager and Public Works Department to purchase the finish mower for $1625. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis, and Barnard
Noes: None

Motion Passed

5. Adjourn

Motion was made by Council Member Minnis to adjourn. Seconded by Council Member Barnard.
Ayes: Mayor Pro-Tem Shikle, Council Members Bounds, Minnis, and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 8:17 p.m.

Bobby Shikle, Mayor Pro-Tem
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Called Session on May 6, 1999, at 7:05 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum.

Steve Wohr	Mayor
Thanna Bounds	Councilmember Place 1
Bobby Shikle	Councilmember Place 2
Robbie Robertson	Councilmember Place 3

Councilmember Minnis was absent; Councilmember Barnard was excused.
Also present were City Manager, Stewart Fairburn, and City Secretary, Beverly Lucke.

2. Canvass of Election

Mayor Wohr asked for canvass of the election with the election results having been forwarded to him from the election judge.

	Early Voting	Election Day	Total Votes
Mayor: Steve Wohr	8	210	218
Council, Place 1:			
Thanna Bounds	57	97	154
Kyla Milan	66	175	241
Council, Place 3:			
Ken Stapleton	62	140	202
Clyde Edwards	57	126	183
Council, Place 5:			
Matt Flanagan	45	127	172
Betty Harper	78	151	229

Total votes cast were 415.

Motion was made by Councilmember Robertson to accept the canvass of the vote as presented.
Ayes: Councilmembers Bounds, Shikle, and Robertson
Noes: None

Motion Carried

Motion was made by Councilmember Bounds that the meeting be adjourned. Seconded by Councilmember Robertson.
Ayes: Council Members Bounds, Shikle, and Robertson
Noes: None

Meeting was Adjourned at 7:12 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Called Session on May 7, 1999, at 7:35 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum.

Steve Wohr	Mayor
Thanna Bounds	Councilmember Place 1
Bobby Shikle	Councilmember Place 2
Mike Minnis	Councilmember Place 4
Frank Barnard	Councilmember Place 5

Councilmember Robertson was excused.
Also present were City Manager, Stewart Fairburn, Building Official Truman Harp, Police Chief Nick Ristagno, and City Secretary, Beverly Lucke.

2. **Mayor Wohr gave the invocation.**

3. **Mayor Wohr led the Pledge of Allegiance.**

4. **Visitors/Citizens Agenda**
No one presented themselves to speak at this time.

5. **Business:**
   a. **Consideration and Action on censure, suspension, or termination of the employment contract of the Lake Dallas City Manager.**

Mayor Wohr outlined the evening by saying that he would ask the councilmembers for their input; then open the meeting to citizen input; and the latter part will be council discussion. Mayor Wohr admonished all to behave properly.

Councilmember Minnis stated that the agenda item is not as he had requested. He stated that he had asked for an executive session with a public hearing to hear the comments of the people who were upset. Having the item framed the way it was made it seem that they were going to fire the City Manager. That was not his intention. Mayor Wohr stated that they could go into executive session when they felt it was needed.

Councilmembers agreed that the issue was the actions of the City Manager with regard to political signs and that it should be in open session.

Doug Keel, 107 Silktree Court, stated he needed some detail as to what the City Manager did or did not do. Mayor Wohr stated that is what the meeting is about is to determine the facts.

Neal Malone, 607 Cain, stated that he has enjoyed working with the City Manager through the Parks Board and that he appreciates the City Manager for the work that he has done.

Gene Tisdale, 524 Howard, stated that his signs that he placed in his yard were removed. He stated that the city manager stole his signs. He feels that this may be a misdemeanor or a felony. He complained that signs have been removed throughout the city, even unto the last day of the election. He was not apologized to, nor was Clyde or Betty. He had reported this to the Police Department but that they encouraged him to blow it off.

Rod Courtney, 162 Kingswood Road, described the sign code as it relates to political signs. He also mentioned that displaying of political signs has been a problem for the last few years. He asked council to consider a policy and give it to candidates.

Bob Davis, 68 Lakebridge, stated that he felt that by taking the signs the citizens civil rights were abused.

Clyde Edwards, 108 Dobbs Road, stated that he was offended by having the signs taken. He felt that the candidates should have been called and the signs returned to them. He stated that the city manager is making up his own ordinances, selectively enforcing those ordinances, and shows no sign of remorse. He stated that he called the city manager at home and asked if he was picking up signs. The City Manager stated that he had. Mr. Edwards also asked the City Manager to pick up the Flanagan signs in the right-of-way along Overly.

Chuck Graham, 1013 Kings Manor, said he shouldn't have done it and he should have apologized to the people he affected, the people who worked hard on this election. We want to get rid of some of these headstrong people who take it upon themselves to figure their own ordinances and do their own way.

Carolyn Green, 201 N. Shady Shores Road, said she called Stewart and he said he did pick up signs but he took them out of what he thought were easements. She said she believed him. She said she was concerned when she read the agenda title because we have so many things going on in Lake Dallas right now and it would set the city back 18 months to 2 years if they terminate the contract.

Margaret Tisdale, 509 Howard Drive, said she thinks that Mr. Fairburn is very hard-working city manager and puts in many hours and that there are not too many city administrators you would see out on the week-ends weed-eating and picking up trash. She said it's all just too political. She thinks we need another ordinance or someone unbiased to inform any and all candidates their legal distances regarding signs and if there is a question about the placement of the signs that candidate whose sign is being questioned should be notified that it should be moved within a certain time limit but should not be taken by a city employee.

Betty Harper, 390 South Lakeview, said she had been informed that some of her signs had been taken down and she asked Mr. Fairburn to have her signs returned and a list of the places where he had taken them from. She was disappointed that a city official had gone around pulling up signs. She didn't know if this influenced the election or not.

Winston Harper, 390 South Lakeview, said that Betty failed to say that she asked Stewart if he had pulled any signs that day after she had called him.

Ken Stapleton, 511 Ridgewood, said he wasn't there to talk about signs. As a newly elected councilmember he felt uncomfortable that this would be the last official act of this council and asked that they would move it to the new council and let them debate it. He feels their decision tonight could have such an impact on the city. He asked that council put their personal feelings aside and do what they feel is the right thing.

Maureen Awalt, 113 Shady Shores, said she knows Mr. Fairburn only by sight. She said she had signs in her yard every election year. She said Mr. Fairburn had handled a problem for her this past week. She said she thinks this is very unfair, it's petty politics, and we need to get on with business.

Mary Jane Flanagan, 722 Thousand Oaks Drive, said she thinks the timing is pretty bad. This was put together pretty fast. They've had problems in past elections with probably ¼ of their signs being pulled but they've just lived with it. We need to have factual documentation of where these signs were exactly and how many and not just just that signs were pulled. She did call and make a complaint about some signs being in the right of way. She said that if there is some judgement placed on Stewart the city is setting

itself up for big, big problems such as litigation and asked Mayor Wohr why the attorney wasn't there tonight. Mayor Wohr said he had not been asked to come to the meeting. She said she thinks we need to be real specific about the rules and regulations. Councilmember Shikle said we could call the attorney any time we need legal advice instead of having him sit through an entire meeting. He asked Mrs. Flanagan if she knew what date they first realized that their signs were missing. She said she doesn't know. She stated that the city manager did apologize to Matt.

Linwood Gilliland, 703 Payton Street, said there have not been many years that we haven't had problems with signs. The city does need to do something; they need to put it in their packet; they need to tell them what they can and can't do. If they don't have direction they don't know what to do. We need to get the information to the people from the state. Stewart has been a tremendous asset the the Planning and Zoning Commission. He invited the people to the Planning and Zoning meetings and council meetings so they will know what's going on. Councilmember Minnis said that last year during his campaign they had given him a copy of the sign ordinance and he didn't really notice anything in there pertaining to political signs. If they didn't put it in the packets this year it was news to him.

Shelly Kristich, 298 South Lakeview, said she's not there to protest, she's here to listen. She knows about one sign down the street from her that disappeared which was thrown away by the owner. If it is one of the signs being counted, please don't. Let's be accurate. She hopes this doesn't go on; we know to work together and work on the town itself.

Doug Keel, 107 Silktree, said he sees nothing in the ordinance as it relates to political signs and staff and people were acting on their own assumptions. Both sides see themselves as being right in this issue. It's also natural that signs can disappear. He thinks they should look at a specific sign ordinance that will clearly define what procedures are required.

Mayor Wohr asked Neal Malone if he had any more to add to what he had said earlier. He thinks everything has been covered. He still believes if drastic action is taken it will set us back 2 years.

Clyde Edwards, 108 Dobbs, heard a couple of comments he would like to address. He said it was Wednesday evening he talked with Stewart. He thinks it's absolutely imperative right now to call the ethics commission in and he requests the City Secretary to contact them and have them investigate because there's nothing petty about manipulating elections.

Chuck Graham, 1013 Kings Manor, said he just wanted to question council if any there remember when David Shershen was Mayor Pro-Tem and over the political sign exclusion. Mayor Wohr said he was part of that council.

Carolyn Green, 201 N. Shady Shores Road, said she doesn't think this is petty, she thinks it was a mistake. When we quit making mistakes we're not doing anything. She thinks the way to correct a mistake is to learn from it and if Stewart has not apologized to these people whose signs he removed, I think he should, even though it's an honest mistake.

Gene Tisdale, 524 Howard Drive, said he guessed he didn't make it very clear. It was 1 ½ weeks before the election that he noticed signs were missing and they were still being taken on the last day of the election. He thinks that is very important to be considered in making their decision.

Mary Jane Flanagan, 722 Thousand Oaks Drive, wanted to request that Mr. Fairburn make a statement if he would like. Mayor Wohr said he agreed with her and he would certainly have an opportunity however in all fairness he certainly is not required to make a statement.

Councilmember Barnard said we had heard from the newly elected councilmembers Betty Harper and Ken Stapleton and asked if Kyla Milan had any comments to make over this.

Kyla Milan, 915 Lakebluff Drive, said she had signs removed but she doesn't know who removed them. She said she was there to listen and take in the facts that are stated and keep her comments to herself at this time. She said she hoped whatever is decided on is decided for the best of everyone: the city council, the citizens, and Stewart.

John Howard, 109 Silktree Court, said he's new to the city and it's his first council meeting. He said it sounded like a fact finding agenda. He urged council to use restraint and not act in the heat of the moment.

Mayor Wohr gives the options before the council. He closed the citizens agenda since no one asked to speak and called for a short break at 9:21 p.m. Mayor Wohr called the meeting back to order at 9:45 p.m.

Mayor Wohr stated that he was asked during the intermission from some of the newly elected councilpersons would like to address the council. Betty Harper said they would both like to start their new council off with a very positive manner and not have a black cloud hanging over their heads. They would like for this to be resolved. Kyla read their statement, "in all fairness to the next city council we would like to request that consideration and action brought before the city council be resolved tonight by the present city council to allow clean and new business to prosper."

Mayor Wohr said in keeping with what he set out as the original agenda he will offer the opportunity to City Manager Fairburn to make a statement if he would like and if he wishes to he can take questions from the council.

City Manager Fairburn said lots of things had been said tonight and some he wholeheartedly agreed with. Some folks were stating that he was unethically acting and his morality was failing in this case. He said he could assure them that this is wrong. If he was out to manipulate the election, why would he admit to having taken signs. When he was asked he could have denied it. He thought he was doing his job. He had informed council of what he was doing. He said the code says signs randomly places in rights of ways are not allowed. He did not select signs based on whose name was on the signs. He said he took very few signs at very few times because he was trying to be careful and give the benefit of the doubt whenever he could. Saying all the signs that were taken in Lake Dallas he took and up to the last day of the election is untrue. It was the previous week that he was out twice and picked up signs. The signs he picked up were Betty's, Clyde's and Kyla's. Ken didn't have any signs out and he can't remember if he picked up any of Thanna's. A simple phone call would have avoided this whole mess. He was treating candidate's signs as weight loss signs and that was wrong. He does agree that apologies are due all the way around. He thought he had given Betty an apology the night he talked with her and Winston. He wished he had talked to some other cities before he had done this, but he didn't. They said it's very difficult to enforce that code. He liked many of the ideas that were expressed tonight. It is a difficult situation for any city employee to go after signs because the people you are enforcing against are going to be your bosses. Apologies are due not only to the candidates but the citizens as well because one of the issues tonight is the issue of trust because one of the things that is always very difficult is trust between citizens and government anyway and to have created a situation that helped weaken that trust is very difficult for him. He has worked very hard to try to establish that trust. One of the things said tonight, and he appreciates the comments that were made, that a mitigating factor in the situation is that it would be difficult to replace the City Manager, we would have slowdowns, and those types of things; there was even mention of litigation. That has nothing to do with this. If City Council feels that he was out to steal signs, that he was out to manipulate the election, that his morals and ethics are so low that he would do such a thing, that he wasn't being above board in what he was doing, then they should take the most drastic of action. If you feel I should have done a better job on that, not being careful enough, of not going out there and making phone calls, whatever you need to do with that I wholeheartedly accept. I felt they were in the right-of-way and I

felt it was the duty to deal with the sign code and to make sure that those not on private property were picked up. He certainly wished he had made more phone calls but by that time the meeting had been called. He had mentioned to council that he felt bad for his decision, he does, because they take the brunt of this. Mayor Wohr asked if he would take questions from council and he agreed.

Councilmember Shikle asked if if was true that he had called Matt Flanagan and given him an apology. City Manager Fairburn said not quite. He had spoken with Matt Flanagan and before talking with him he had been informed and shown exactly where he had made the mistake on Overly. When he talked with Matt he said he had just been informed that he had picked up some of your signs, sorry I picked up those signs, they were not in the right of way. Councilmember Shikle asked if he had made any attempts to contact Clyde Edwards and Betty Harper. He said he had talked with Clyde when Clyde called him and he explained to him that he wasn't taking signs off private property, that no one else brought forward anything that he had taken signs from the wrong places. When he talked with Betty that Thursday evening here, he's sorry he wasn't clear enough with his apologetic words. Councilmember Shikle asked why it became a priority during the election that he had to personally take care of the sign ordinance. He asked if there had ever been an attempt to have the sign ordinance enforced over the week-end. City Manager Fairburn said not on the week-ends specifically. We have the real estate signs which are picked up on Sundays, they're not there on Mondays, the garage sale signs are up and down. To answer why did he do this was it's not number one priority, but he certainly has a lot of priorities and he does take tours of town. While he was taking tours of the town and saw signs and on a couple of occasions he picked some up. He received a couple of complaints about signs and he deals with complaints. Councilmember Shikle asked how many complaints he received. City Manager Fairburn said he received probably 2 phone calls. Councilmember Shikle said when he talked with him earlier in the week he had asked Stewart about the signs in Gene Tisdale's yard. City Manager Fairburn felt that all the signs he picked up were in the right of way. If he missed the edge of the right of way that is a possibility, he didn't do a survey of the distance. He was not trying to discount what these people were saying. He picked up what he identified as being in the right of way. He had never talked with Gene about it. Councilmember Shikle asked City Manager Fairburn why he didn't feel that Code Enforcement should handle. City Manager Fairburn said that was his first error. Councilmember Shikle said he certainly agreed with what Betty Harper and Kyla Milan said that this council should handle the situation and not let it be an issue for the new council so we can move forward.

Councilmember Bounds said she agreed with Councilmember Shikle but there's another side to the coin. It's not fair to Stewart and his family to be dragging this on. We need to make a decision now.
Mayor Wohr said he would prefer not to open this back up to the public, he said he sees two people with their hands up and he knows what they have to say is probably important or maybe it's a rebuttal but he thinks their position has been made very clear. Mayor Wohr asked council if they would like to hear from these people. Council had no objections so Mayor Wohr asked the citizens to keep their comments very, very limited.

Betty Harper, 390 South Lakeview, She said she left school at 4 p.m. and came out here and stayed out front until just before Stewart arrived. If Stewart called the house it would have been on the answering machine. There was no call on the answering machine. Apology? No. When she told Stewart how she felt, that she waited and hesitated to join into this campaign because of the mud-slinging in the past, she doesn't like that. She waited until the last day to sign up. She told Stewart that not my opponent, not the other candidates, but only you put a cloud on this election. You did not say, "I'm sorry." You said, "I understand." You did say at one point it was not your intent to do so, that you were trying to not involve your workers. But at no time was there an apology.

Gene Tisdale, 524 Howard Drive, said it made him sound like he was lying about where his signs were, but when you walk into the ditch and back up on the other side and up on level property, 90% of the time you are in someone's yard. He said he's not a liar, he did not lie about it, it was on his property.

City Manager Fairburn had a reply for Mr. Tisdale and said he did not say he was a liar. In his explanation he was trying to do the complete opposite to that. Mr. Tisdale felt they were on private property, Mr. Fairburn felt they were on the right of way. He's saying he may have misjudged where the right of way was. He said he had come to City Hall from the meeting, he did not go home first, and he did try to call the Harper residence, there was no answer, has no idea why it didn't show up, he did not leave a message and right thereafter he saw them outside.

Mayor Wohr said he would close the citizens agenda and hear comments from the council.
Councilmember Shikle said at the beginning of the meeting it was discussed that they could go into executive session without it being posted. Mayor Wohr said he believes if something comes up on the agenda that they could close the meeting to the public. Councilmember Minnis said he wasn't so sure about the legality of it. Mayor Wohr said it was certainly not something that he was 100% comfortable with. Councilmember Bounds said she was in favor of doing it in front of all these citizens.
Councilmember Minnis said he'd heard the ethics commisson brought up; he's heard a potential violation of state law brought up; he'd gone into this hoping it would be a fact-finding type of thing and then they could take action on it after they had compiled all the facts. He feels they have compiled a lot of testimony but it still leaves some doubt as to whether there are other recourse we could come to. Mayor Wohr said the recourse for an ethics commission violation would be for a candidate who is not satisfied with the fairness of the election to request that there be an ethics commission investigation and would most properly be in writing and addressed to the City Secretary and forwarded on the the ethics commission. He said he would caution you would have a much higher burden of that type of position because the ethics commission would have to find some kind of organized effort to change the outcome of the election for them to investigate. A criminal violation would be something the district attorney would investigate.
Councilmember Minnis asked Chief Ristagno if the signs are considered private property. Chief Ristagno said signs have a monetary value and if someone intentionally stole them it would be a criminal offense. It would be theft. With any theft you have to prove intent, that's an element within the code of criminal procedures. You have to establish that the individual intentionally tried to deprive someone of personal property. That is one of the elements that have to be proven in a court of law. It's written in the penal code. Councilmember Minnis said this was sort of reminiscent of an interrogation type session where you have an alleged crime, you have an alleged perpetrator, you have an alleged complaintant. It seems right up your alley here. Do you see a potential crime being committed? Mayor Wohr said he was going to object to that question. He thinks it would be unfair under this set of circumstances. Mayor Wohr said if one of the persons whose signs were taken would like to initiate a criminal action by contacting the Police Chief, we can do that. The ultimate issue that the council is there to discuss is the options regarding an employee. Councilmember Minnis said we definitely have enough proof out of the city manager's statement saying that anything short of a reprimand in the employee file would be unacceptable.
Councilmember Shikle said this is a situation where a citizen feels his rights have been violated since stuff was taken off their property and they should file a complaint. We have one citizen's statement that he came to the Police Department and there will always be mixed feelings with that. Stewart admitted he made some bad decisions here and there's other things that he should have done, and certainly if you were in doubt of anything being on the right of way then, if you're in doubt of doing something, then you certainly shouldn't do it. We are going to have to take some action on this and to what extreme we'll just have have to see how it goes.

Councilmember Barnard said he understands the concerns of the citizens. He has lived through the same problems, not with Mr. Fairburn, but he understands. He also knows that terminating Mr. Fairburn wouldn't be the course to go. He would like to see him at least apologize to all the people. He agrees with Councilmember Minnis regarding putting something into the employee file. He doesn't think he did it on

purpose. After Councilmember Barnard called City Manager Fairburn he knows he gave a piece of paper to the councilmembers to admit what he had done. This was good for those who are judging him but he should have also contacted the citizens which would have been more respectful, not calling him disrespectful, but it was an oversight. His feelings on this is that political signs should be able to be put anywhere other than city property. If we maintain an easement and the city tells him he has to cut the grass out there, then he should be able to put a sign out there. If it's not in the parks, not in front of City Hall, not in the Library, and not in the voting place where it's already been established by law, he thinks one should be able to put a sign anywhere and there would be no question. It's a matter of policy, setting a policy in a future council. Not to have the Street Department, Police Department, or Code Enforcement pick up signs, if Mr. Fairburn did indeed make that decision to do it himself to eliminate the confusion, he took a leadership role. Somtimes you have to weigh what's good for the whole city. If it was stealing money, he wouldn't hesitate. That's one thing and the Police Chief could take over and run the city without a heartbeat missing. Someone mentioned litigation that possibly could come up by Mr. Fairburn and he said he wouldn't take that as a threat because that does not intimidate him. His thought would be some type of censure. Two things have to be done: 1) as a council they need to make it simple about putting up political signs anywhere but city property; 2) we have three things we can do: censure, suspension, termination, or nothing. To do nothing is a slap in the face to the people who are the reason for being here; suspending him, he said he did it to eliminate other people from being in the fire; censure, he should have called the people and given the signs back, not thrown them in the garbage. He said he's real sensitive to the signs issue. He said he's made a lot of mistakes but he's learned a lot. Was it Clyde Edwards who said, "We've got to forgive?" So, let's go on and up. There's a lot of things to do. This is important to me.

Councilmember Bounds said she believes that Stewart should make a public apology to all these citizens and specialy the candidates and the Council can see that there is a reprimand in his employment file. She said she doesn't think this is an offense to dismiss any manager over.

Councilmember Minnis said that he doesn't believe City Manager Fairburn willfully did this as a way to intentionally sway this election one way of the other. As disturbing as the accusations are he doesn't think under this type of forum they were going to actually get substantial proof to defend him or incriminate him, either way. At this point he agrees that Councilmember Barnard and Councilmember Bounds are correct that just a reprimand in the employee file with a copy of the apology letter and copy of anything pertaining to this matter that has already been made public record, be included into the employee file so that future councils that might have to weigh Stewart's contract or any disciplinary action will have all the facts that were presented to this council.

Motion was made by Councilmember Shikle that a letter be placed in the personnel file of the City Manager, Stewart Fairburn, pertaining to this situation, the errors made and that he be placed on a 30 day suspension without pay and during the period of the 30 days he would like to see Truman Harp appointed to look over our street project. Councilmember Minnis seconded the motion and questioned the legality. He said that he guessed Truman Harp could handle the correspondence with the engineer, but as far as actual city manager duties, Chief Ristagno is Acting City Manager. Councilmember Shikle gave his reason for naming Truman is because he's always on the streets. Councilmember Barnard asked how many it would take for the censure.
Ayes: Councilmembers Shikle and Minnis
Noes: Councilmembers Bounds and Barnard
There being a tie Mayor Wohr was called to vote and he voted 'No.'

Motion failed

Motion was made by Councilmember Bounds that Stewart make a public apology right now and the document be placed in his employee file as a reprimand. Seconded by Councilmember Shikle.
Ayes: Councilmembers Bounds and Barnard
Noes: Councilmembers Shikle and Minnis
There being a tie Mayor Wohr was called to vote and he voted 'Aye.'

Motion Passed

Mayor Wohr asked the City Manager if now would be an appropriate time for the apology.

City Manager Fairburn said, in fact, with his statements made earlier, he certainly had no qualms with giving another one. The situation to the candidates for not dealing with them as evenly as he should have, to not give them the phone call, and to just go out and treat their candidacy as just another sign in the road, he apologized. He apologized to the citizens for this trouble. This is something that Lake Dallas does not need. There's too many things to go forward on and he apologized to all of them for slowing down what should be going on, for taking up their time and the council's time for dealing with something they should not have to deal with. There's too many other things to do. He will certainly try to make it up to them all by working hard and working well and working with this and future councils.

6. Adjourn

Motion was made by Councilmember Barnard to adjourn. Seconded by Councilmember Bounds.
Ayes: Councilmembers Bounds, Shikle, Minnis, and Barnard
Noes: None

Meeting was adjourned at 10:30 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on May 13, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Thanna Bounds	Council Member 1
Bobby Shikle	Council Member 2
Robbie Robertson	Council Member 3
Michael Minnis	Council Member 4
Frank Barnard	Council Member 5

Also present were Stewart Fairburn, City Manager, Building Official Truman Harp, Police Lieutenant James Lowery, Accounting Clerk Joni Vaughn, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Recognition of outgoing Councilmenbers Barnard, Bounds, and Robertson

Mayor Wohr presented Councilmember Bounds with a plaque recognizing her service to the City of Lake Dallas on the council from December, 1992, to May, 1999. He thanked her for her input and hard work.

Mayor Wohr presented Councilmember Barnard with a plaque recognizing his service to the City of Lake Dallas on the council from May, 1997, to May, 1999. He thanked him for his work on the council and recognized him for the work he is doing for Denton County.

Mayor Wohr presented Councilmember Robertson with a plaque recognizing his service to the City of Lake Dallas on the council from November, 1998, to May, 1999. He thanked him for his service to the community by stepping down from the council in order to sit on the Fire Board.

E. Oath of Office to Elected Officials

The city secretary administered the Oath of the Office of the Mayor of Lake Dallas to Steve Wohr as a result of the May 1 election. Mayor Wohr then administered the oaths of office for City Council Places 1, 3, and 5 to Kyla Milan, Ken Stapleton, and Betty Harper, respectively.

Mayor Wohr called for a short break at 7:45 p.m. for a period of visiting with the outgoing and incoming councilmembers. There were cookies and sodas available. Mayor Wohr called the meeting back to order at 8:07 p.m.

Mayor Wohr asked for a roll call with the new councilmembers sitting for the meeting.
Present were Mayor Wohr, Councilmember Milan, Councilmember Shikle, Councilmember Stapleton, Councilmember Minnis, Councilmember Harper.

F. Proclamations and Presentations

Mayor Wohr made a proclamation for National Safe Boating Week, May 22 - 28, 1999, and the start of the year-round effort to promote safe boating.

G. VISITORS/CITIZENS AGENDA:

Lance Vanzant, 506 West Pecan, Celina, Texas, invited councilmembers to a seminar on open records, public hearings, and other municipal government activities to be held in Denton June 4 and being presented by the firm of Hayes, Coffey & Berry, P.C.

Carolyn Green, 201 N. Shady Shores Road, gave her thanks to the outgoing councilmembers and said she was excited to see the three new faces and looks forward to some positive actions. She invited the council and audience to come to Swisher Cemetery on May 31 at 8:30 a.m. for a program to honor all veterans.

Mayor Wohr closed the Citizen's Agenda since no one else asked to speak.

H. BUSINESS:

H-1. Consideration and Action on Reports

Councilmember Shikle said the financial reports were becoming too big and to complicated. There were too many pages and different dates. He asked that the reports be made more simple and staff said they would work on that. Councilmember Minnis had questions about monies allocated for the police repeater and the lesser amount spent; he asked if we didn't have two code enforcement cars; he asked about the cost of the business cards; he asked if we are paying $11,000 for TML dues; the $400 plus to Smith for a mower—was that the mower they authorized; the check to Beth Keel for $1710 and where is the city's percentage; City Manager Fairburn stated that the rest of the money will be spent at the time we receive the frequency; we only have one code enforcement car; we will check into the expense for business cards; the TML is for insurance; that was for the bush mower; the check to Beth Keel was her 90% and the city's portion is under Revenues, in Classes, account 4470. Councilmember Shikle asked about the Bike Patrol expense for uniforms. City Manager Fairburn stated we have a new officer and had to get new uniforms. Lt. Lowery said the uniforms we had were to big for the current officer. Councilmember Shikle asked for an update of what the bike patrol has cost us. He asked about the costs reflected on the last page of the budget summary. City Manager Fairburn said that was the engineering fees were the amounts shown in those accounts. Councilmember Shikle asked that our printing be corrected so that numbers can be more easily read. City Manager Fairburn said we would see if we can improve that. Councilmember Milan asked about the $8937 to the City of Denton. City Manager Fairburn said that is a quarterly payment for the annual contract for ambulance service to the city.
Motion was made by Councilmember Minnis to approve the financial reports and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Lt. Lowery reported on the recent open house held by the Police Department. He stated they had a good turnout as well as good input. Councilmember Minnis thanked the department for the open house. He then asked what the police department had done in response to the announcement by the Fire Board about no service in the county areas after September and asked what had damaged a patrol car. Lt. Lowery said they would look into what procedures to follow but when called about a fire in the county we will notify the county; he said the officer had not seen a tree felled by the storm that same night when he answered a call that required him to travel on Church Street. He said it will probably not be repaired because the damage is minimal and the vehicle is due to be retired this October. City Manager Fairburn stated there was a meeting with the County Judge and Commissioner Krueger and the letter from the fire board was kind of a plea for help. The county is looking county-wide to develop a better funding method for the 28

departments. Mayor Wohr met with Commissioner Krueger also and feels they will attempt to address this issue without cutting any other funding. Councilmember Minnis asked Frank Barnard if this issue would come before the Citizens Budget Advisory Committee. Mr. Barnard said it had come before them twice. Councilmember Milan asked how the canine was going to benefit the City of Lake Dallas. Lt. Lowery stated the department hoped it will reduce our drug problem. With the previous canine the drugs decreased on school grounds when there were school sweeps. He said the dog is already trained and Sgt. Sparby is working with him in a tracking school in Garland so he would be available in the case of lost children.

Mayor Wohr asked Frank Barnard for a report on Denton County. Mr. Barnard reported on the building of the new jail and tax monies given to charities which are not federally mandated. They are addressing the fire board situation.

Councilmember Minnis asked City Manager Fairburn if the city mows the property that has tall grass and the owners do not mow this grass after we contact them. Wouldn't it be better to contract the mowing out and keep the street department people for streets? City Manager Fairburn replied that if we contract it out, send the property owners the bill and the owners do not pay, then the City will be spending taxpayer money to pay the contractors and will have to spend more money to file a lien against the property and may or may not recover these monies. Councilmember Stapleton said he would like to see this as an agenda item. City Manager Fairburn said we would need money budgeted for contractors and we would have to gt prices from contractors. Councilmember Shikle said he would like to have an agenda item soon dealing with elections being contracted to Denton County or run by the city; he requested a copy of the schedule for street repairs; he stated he does not want to receive any papers on the night of council. City Manager Fairburn read the street schedule from his report. He said codification should be here for approval within 3 months; staff is working on the Y2K situation; Planning & Zoning is working on the Comprehensive Plan and last month they met with the Main Street people. The next area will be input from the Denton Drive corridor. Parks Board is working on Parks Master Plan and it will be coming back to council. The animal shelter and library joint issue with Hickory Creek will also be coming back to council. No agreement as yet at Garza Beach. Jackson Ranch is preparing for Phases II and III. Newsletter will go out next month highlighting police programs, quarterly clean-up and 4th of July. Mayor Wohr asked if we could put information in regarding the Councilmembers. Councilmember Minnis said he misundertood the newsletters were to have had a different format. We will look at this. City Manager Fairburn said he had dropped some future agenda items at their seats this evening.

H-2 . <u>Public Hearing - To rezone Lot 6 Block One, Tract One, of Gotcher Addition and the portion directly to the east of the CR Stockard survey from C-1 to C-2 Commercial zoning district.</u>

Robbie Houghton spoke said he didn't understand completely the zoning change when he asked for C-1 zoning for this property. He is asking for C-2 so he can store some items outside. He said the Planning and Zoning had approved, not unanimously. Councilmember Stapleton said he would like to see the minutes of that meeting. Mr. Houghton said the only opposition to the change was the concern of spot zoning.

Frank Barnard, 328 Betchan, wanted clarification. He said if you are manufacturing or assembling products storage is allowed only inside the building. Neither C-1 or C-2 addresses any fencing. The only part of code book that addresses fencing is M-1. He asked council to ask Planning and Zoning to look at this again. He also said there are companies in surrounding towns who are not allowed to have outside storage.

Shelly Kristich, 298 Lakeview wanted to know where are these companies if they can't store outside. Mr. Houghton said Winn Electric stores outside in Lewisville and that P & D kept stuff outside. Mayor Wohr closed the public hearing.

Mayor Wohr closed the public hearing.

H-3. **Considration and action on amending the zoning map by rezoning Lot 6 Block One, Tract One of Gotcher Addition and the portion directly to the east of the CR Stockard survy from C-1 to C-2 commercial zoning district.**

Councilmember Shikle asked if there was any kind of variance that could be given to Mr. Houghton. City Manager Fairburn said the Board of Adjustment would have to look at it. There was discussion as to what can be stored outside and what time lenghths are involved. He also said that perhaps the definitions in the C-1, C-2 and C-3 zoning need re-worked. He said there would need to be a public hearing and go back to the Planning and Zoning Commission and council in June.

Linwood Gilliland, 703 Payton, said he reads the ordinance line Councilmember Shikle. He said we have a screening ordinance and that with just a few words we can straighten this out.

There was discussion about whether Mr. Houghton should withdraw his petition for a zoning change and hav his $250 refunded or what the process should be. Mayor Wohr said there should be no delay in the construction process.

Motion was made by Councilmember Minnis to table this item until it comes back from the Planning and Zoning Commission regarding amending C-1, C-2 and C-3 zoning areas regarding outside storage and screening. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 10:15 p.m. Mayor Wohr called the meeting back to order at 10:35 p.m.

H-4. **Consideration and action on a minor replat of Lots 10 & 11, Block A and Lots 7&8 Block B or Barmarchar Sites.**

Mike Wolverton , 7822 Briar Meadow, Dallas, asked to combine the 4 plats into 2 plats to be devloped. The alleyway would be removed and they are proposing a drive from the service road to Denton Drive. Councilmember Minnis asked if the proposed drive would be city responsibility or property owner's. Mr. Wolverton said the property owner would maintain the drive. Councilmember Shikle asked if the city would lose any tax revenue by changing the lot sizes. City Manager Fairburn said, 'No,' because then we would have to large lots at higher value than 4 lots at lesser value.
Motion was made by Councilmember Shikle to approve the minor replat of Lots 10 & 11, Block A and Lots 7 & 8 Block B or Barmarchar Sites. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

H-5. **Consideration and action on Incentive Policies for Commercial and Manufacturing Development and Tax Abatement Guidelines and Procedures.**

Mayor Wohr suggested that due to the late hour and importance of this item that it should be tabled until a later meeting.
Motion was made by Councilmember Shikle to table the consideration and action in Incentive Policies for Commrcial and Manufacturing Development and Tax Abatement Guidelines and Procedures until the 4th Thursday of this month. Mayor Wohr requested that we have the item at the front of the agenda. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Abstention: Councilmember Minnis

Motion Passed

H-6. **Consideration and action on a request to have the city place and maintain the street infrastructure in the underdeveloped area of Oaklakes North.**

Mayor Wohr said he would abstain from this due to personal interests.

Chuck Graham, 1013 Kings Manor, stated that he and his wife own 10 lots in the area and have paid a lot of taxes and watched the roads deteriorate until access is limited; have seen it used as a dumping ground; have seen the cemetery take over some lots; U. S. Homes put in a sewer line; and, the city trucks have backed over the culvert. He asks that the City of Lake Dallas take responsibility to fix and maintain the streets. He feels that U. S. Homes should be responsible for replacing missing stakes as a result of the sewer line. Councilmembers discussed feasibility of the Street Department's ability to maintain the streets.

Councilmember Minnis asked City Manager Fairburn if the streets have been dedicated. City Manager Fairburn said yes, but until they are developed and accepted by the city there is dedication on the plat. Councilmember Minnis asked how feasible would it be for our Street Department to make the streets passable. City Manager Fairburn said there are several issues we could look at and bring back to council. He said the big issue would be the bridge being acceptable to traffic. Mr. Graham said the individual property owners paid for the surveys in answer to a question from Councilmember Minnis. There was discussion by council. Councilmember Minnis asked if the city is currently maintaining the street. City Manager Fairburn said that right now we are only maintaining the lock on the gate. City Manager Fairburn said we could look at the issue and look at the possibilities since the area is between the Thousand Oaks subdivision and Jackson Ranch subdivision. Councilmember Harper stated that she felt the developer should be responsible for the streets.

Linwood Gilliland, 703 Payton, asked to address the council regarding the cemetery lots. At that time the Mayor, Councilmembers, and City Attorney told them there was no problem with what they were doing. He said lots of people don't have good streets.

M.J. Graham, 1013 Kings Manor, stated that she could relate some history. It wwas developed when it was still in the county and was annexed into the City of Lake Dallas when Lake Dallas incorporated the last time. There have been several developers there and the last one did the most work. During inclement weawther you can't get back into the area.

Council Member Minnis asked how drainage from other cities could come into our city without some sort of control. City Manager Fairburn said that the requirements coming out this fall will include cities our size as to drainage requirements. City Manager Fairburn replied to Councilmember Stapleton request for a repeat of the options open: 1)special district where property owners would be assessed and pay out over a number of years; 2) it could be a shared project with them; 3) U. S. Homes might be able to extend one of

their roads into the area because that bridge is difficult. Councilmember Stapleton asked the process and City Manager Fairburn said the property owners would have to initiate the procedure. Councilmember Minnis asked if we could find a cost if this were to be accomplished 'in house.' City Manager Fairburn said he could check into options available. There was more discussion between council and the floor.
Motion was made by Councilmember Shikle to authorize the City Manager , if he can satisfy the need to get up to the property, up to the amount of $2500, not to include any engineering research. Seconded by Councilmember Minnis. Discussion by the council followed. Councilmember Minnis withdrew his second. **Motion failed for lack of a second**.
Motion was made by Councilmember Minnis to table this item until staff can bring back some options of prices on what it would cost to put a road with minimum requirements of gravel, asphalt, or concrete and list various options of finance. Seconded by Councilmember Stapleton. City Manager Fairburn said the earliest would be next month.
Ayes: Councilmembers Milan, Stapleton, Minnis, and Harper
Noes: Councilmember Shikle

Motion Passed

H-7. Consideration and action on appointment of alternate member to the Planning and Zoning Commission

Mayor Wohr listed Steven Bertrand (currently alternate to Board of Adjustment); Rod Proctor (currently Parks and Recreation Board member); and Frank Barnard as those available at this time for the position. Councilmember Minnis stated that he had previously asked to table this item until the quarterly newsletter went out so we could advertise for more applications. City Manager Fairburn said the next newsletter goes out the last week in June.
Motion was made by Councilmember Shikle to appoint Frank Barnard as Planning and Zoning alternate. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

H-8. Consideration and acton on approval of minuts for April 8 and 22nd, 1999.

Motion was made by Councilmember Shikle to accept the minutes as prepared. Seconded Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

I. Adjourn

Motion was made by Council Member Minnis that the meeting be adjourned. Seconded by Council Member Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:35 p.m.

Steve Wohr
Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Called Session on May 27, 1999, at 7:35 p.m. with notice of the meeting given as required by Title 5; Chapter 551.041 of the Government Code. The following members were present and constituted a quorum. City Manager Fairburn called the roll.

Steve Wohr	Mayor
Bobby Shikle	Councilmember Place 2
Ken Stapleton	Councilmember Place 3
Mike Minnis	Councilmember Place 4
Betty Harper	Councilmember Place 5

Councilmember Milan was excused.

Also present were City Manager, Stewart Fairburn and Police Chief Nick Ristagno.

2. Mayor Wohr gave the invocation.

3. Mayor Wohr led the Pledge of Allegiance.

A. Visitors/Citizens Agenda

A letter addressed to the City Council was given to City Manager Fairburn to read. The letter referenced the Lakeside Terrace Condominiums stating that the swimming pool gate has no locks. City Manager Fairburn responded to a question from Mayor Wohr and said that City Code requires self-latching doors so the City will take a look at the situation. Mayor Wohr said we might want to send a letter to the homeowners association.

Mayor Wohr said he would now close the meeting to the public so council could go into Executive Session at 7:40 p.m.

4. Executive Session pursuant to Title 5, Chapter 551.074, of the Government Code for the purpose of discussing with an attorney the pending litigation of Phillip Robertson and Nicholas Oprea v. Lake Dallas, Cause No. 92-20337-158

Mayor Wohr reopened the meeting to the public at 9:15 p.m. There was a break called until 9:30 p.m.

5. Action, if any, from Executive Session

Motion was made by Councilmember Minnis to direct the attorneys for the defense in this case to negotiate a settlement. Seconded by Councilmember Harper.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

6. Consideration and action on Incentive Policies for Commercial and Manufacturing Development and Tax Abatement Guidelines and Procedures, tabled at May 13 meeting

Councilmember Minnis said he would remove himself from any discussion as a potential conflict of interest. City Manager Fairburn said there were two items to look at that have come from the Planning and Zoning Commission. One shows what each city department can do to encourage business. The second portion references tax abatements and procedures. The policy reflects a 50% tax abatement for 5 years and perhaps 100% abatement during the first year of construction.

There was much discussion about the amount needed to change the property valuation. The Planning and Zoning Commission suggested $500,000, which is lower than the original policy. Council discussed lowering this amount to $100,000 and 10 jobs. Members further stated that if there were too many applications the amount could be changed later.

Motion was made by Councilmember Stapleton to pass the resolution adopting the guidelines and procedures for tax abatement, with the modification of setting the increased value at $100,000 and number of new jobs at ten. He amended his motion by adding adoption of the incentive policy for commercial and manufacturing development as written. Seconded by Councilmember Shikle.
Ayes: Councilmembers Shikle, Stapleton, and Harper
Noes: None
Abstention: Councilmember Minnis

Motion Passed

Mayor Wohr asked City Manager Fairburn to get with the Planning and Zoning Commission as regards the rewording of the tax abatement and incentives guide and to have them expand the abatement to commercial areas. Councilmember Shikle thanked Planning & Zoning Commissioner Gilliland for his time in coming to the meeting.

7. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Minnis.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

Meeting was adjourned at 10:25 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Stewart Fairburn
City Manager

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on June 10, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Council Member 1
Ken Stapleton	Council Member 3
Betty Harper	Council Member 5

Councilmembers Shikle and Minnis were excused.

Also present were City Manager Stewart Fairburn, Chief of Police Nick Ristagno, Building Official Truman Harp, Public Works Director Johnnie Webber, Acting City Secretary Joni Vaughn, Lt. James Lowery, Officers Vikki Chandler, Thomas Griffeth, and Shane Menz.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Presentations

Mayor Wohr asked police officers Menz and Griffeth and Animal Control Officer Chandler to come forward in order for him to present them with commendation bars. Police Chief Ristagno spoke about the April open house which had been put on by the police department. It was an event to encourage the children to meet all the officers. There were lots of handouts, videos, tours of the police department, popcorn, balloons, soft drinks, hot dogs, and door prizes. The most popular event was the pony ride and the Adopt-A-Pet which was coordinated by Animal Control Officer Vikki Chandler. Chief Ristagno recognized her time and effort put forth and Mayor Wohr presented Officer Chandler with the Commendation Bar. Chief Ristagno commended Officer Griffeth for all his time and leg work in finding sponsors for the prizes and for running the prize booth. Mayor Wohr presented Officer Griffeth with his Commendation Bar. Chief Ristagno said the entire event was coordinated by Officer Menz and stated that there was no cost to the city for the event. He said Officer Menz had earned the Community Service Award. It was presented to Officer Menz by Mayor Wohr.

E. **<u>VISITORS/CITIZENS AGENDA:</u>**

Laird Lind, 735 Carlisle Street, spoke regarding Shamrock Homes development in the Boliver area in a joint venture with John Donahue. This venture includes the construction of a street to be named Texas Avenue which they will build with their funds and will front 28 lots. He asked for a stance from the City before they do any more engineering work and requested that they get an answer soon because the delays are costing them money. Mayor Wohr said we could get a council resolution through a special meeting since there had been no response to a letter sent last month to the property owner which contains the boat canal. Councilmember Harper told Mr. Lind she had been contacted by some citizens of the Boliver area regarding the ditches in front of some homes. Mr. Lind said they have done some work on that and plan to move a culvert so better drainage can be accomplished. Mayor Wohr asked City Manager Fairburn when they could schedule a special meeting. City Manager Fairburn said it could be held the next week and invite the property owner.

Frank Barnard, 328 Betchan Street, expressed concern about the City's responsibility for the drainage. Mayor Wohr said the contractor is building the drain and it will not be an expense to the City.

No one else presented themselves to speak so Mayor Wohr closed the Citizen's Agenda.

F. **BUSINESS**:

1. **Consideration and Action on Reports**
   a. Boards and Commissions
   b. Financial, including Accounts Payable
   c. Departments, including City Manager

Motion was made by Council Member Stapleton to accept the May reports and to pay the bills. Seconded by Council Member Milan.

Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

City Manager Fairburn reported that July 3 is the fireworks and parade with the fireworks beginning at approximately 9:30 p.m. He said the street and drainage projects are underway and he has notified engineers to spend more time on the projects. He said he would like to set up a meeting next week with the engineers. The Corps has changed some rules and the Shady Shores culvert design we had is not acceptable. We need to discuss our options with them. The Planning and Zoning Commission is working on the Comprehensive Plan and have scheduled the third special area work session for next week. They invited the Swisher Corridor people for their input on how to see the area developed with the Swisher Extension and Lake Bridge projects. The previous two area meetings were with the Denton Drive and Main Street people. City Manager Fairburn and Planning and Zoning Chair Gilliland met with a Planning Class at the University of North Texas and we should be getting some help provided by them. Their class project will be working on the Lake Dallas Comprehensive Plan. The Park Master Plan and Grant Application - we didn't make the cutoff in January so we have been re-working it. Council will receive the Master Plan at the July meeting and the application must be in by the end of July. The City Park plan is being re-worked to coincide with the Corinth Parks Development. Our engineering firm is helping us with some of those aspects. The Fiscal Year 2000 Budget will come to Council in August. The first draft is in because the departments had begun earlier this year and we have ideas flowing but still need to work on some of the numbers as well as the revenue projections. The July newsletter needs to go out soon to advertise the fireworks and parade, the quarterly cleanup, sex offender program, and other project updates. Garza Beach has already been discussed. The mowing for code enforcement – Johnny Webber was able to get someone to do the vacant, undeveloped lots. He is still looking for someone to do the developed lots. Mayor Wohr asked if anything had been done about the gate to the swimming pool area at the Lakeside Terrace Condominiums. City Manager Fairburn replied that he had spoken with Building Official, Truman Harp and the outside gate was merely decorative. The inside gate did not have the latch high enough. It will be fixed and a spring will be added so that the gate will close by itself.

2. **Public Hearing regarding revision of the regulations and screening requirements related to outdoor storage in commercial zoning districts**

Frank Barnard, 328 Betchan Street, said that 200 electric poles could be considered seasonal or temporary. He feels that off-site building materials should be behind a fence.

Linwood Gilliland, 703 Payton Street, said their definition of equipment was retail merchandise such as stored/displayed by True Value and Ace Hardware to separate it from a contractor's equipment.

John Lugenheim, 1917 Quail Run Drive, Corinth, said he does have some property in Lake Dallas and was trying to understand how the change to the ordinance would affect him.

Mayor Wohr said that as a general rule it will make things available that wouldn't have been previously. Mayor Wohr closed the public hearing.

3. **Consideration and action on revisions of the regulations and screening requirements related to outdoor storage in commercial zoning districts.**

Motion was made by Councilmember Stapleton to adopt the changes proposed by the Planning & Zoning Commission to C-1, C-2, and C-3. Seconded by Councilmember Milan. There was more discussion by the councilmembers. Councilmember Milan withdrew her second and Councilmember Stapleton amended his motion. **Motion** was made that no merchandise or equipment shall be stored or displayed outside a building unless it is completely screened from all directions according to 18.54.040 A & E except that retail merchandise may be stored or displayed outside a building if the merchandise is of a temporary or seasonal nature including the recommendation from Planning and Zoning on 18.22.020B and 18.24.020B and 18.54.040E with the exception of the steel posts. WHICH SHOULD BE .095 GAUGE & 2 3/8" DIAMETER corrected by BL

Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consideration and action on amending the zoning map by rezoning Lot 6 Block One, Tract One of Gotcher Addition and the portion directly to the east of the CR Stockard Survey from C-1 to C-2 commercial zoning district**

Motion was made by Councilmember Milan to table this item. Seconded by Councilmember Harper. Council had more discussion. Councilmember Harper withdrew her second and Councilmember Milan withdrew her motion.
Motion was made by Councilmember Milan to deny the rezoning of Lot 6 Block One, Tract One of Gotcher Addition and the portion directly to the east of the CR Stockard survy from C-1 to C-2 commercial zoning district and to refund H & H Electric their $250 payment. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr asked if anyone was there to speak on business item 5. Since there was no one he went to the Addendum item.

Addendum Item 1. Consideration and action on establishing a Web Page for the City of Lake Dallas

Terry Lantrip, 275 Market Street, spoke giving the history of the Internet and E-mail and the growth. The newspaper has a website called lakecities.com which gives information about this area. The City could do the same thing and could have the city ordinances on-line so it would be available to anyone at any time. Mayor Wohr asked how much maintenance and updating would be required. Mr. Lantrip said the newspaper changes theirs weekly and then publish it to the host site. Mr. Lantrip gave estimated costs to maintain an annual web site.

Motion was made by Councilmember Stapleton to direct city staff to go forward with establishing a web page for the City of Lake Dallas with an allotted budget not to exceed $500. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a short break at 9:30 p.m.

Mayor Wohr called the meeting back to order at 9:45 p.m. and with council's permission went to item 7 of the business agenda.

7. Consideration and action on preliminary report on developing/maintaining roads in Oak Lakes North

City Manager Fairburn said the City of Lake Dallas has accepted the plat. There is no legal requirement for the City to maintain the streets or put the streets in. The costs ran from $200,000 to $1.2 million. People who do the damage to the private property are the ones responsible for fixing properties. He said US Homes and the Oak Lakes property owners could get together and perhaps get an adjoining street instead of a cul-de-sac which could provide access to Oak Lakes and avoid the bridge. If the city wants to participate there could be a separate property tax assessed in order to help pay.

Chuck Graham, 1013 Kings Manor, said the number one issue, street maintenance, was resolved in the early 80's. He said the City Attorney took the information to the state and the state said the city was responsible for maintaining the streets. The other issue is that the city wants to assess costs on the lots on the north half and not on the lower half. US Homes has torn up some of the roads and trees. He said the council needs to rectify this situation if it wants to be a good council. He went before the cemetery board over a year ago to ask them if they would straighten up their fill and put up a retaining wall and has had no response.

Mayor Wohr asked Mr. Graham if he would like to sit with the council and US Homes and discuss the situation. Mr. Graham was agreeable.

Laird Lind, 735 Carlisle, said he was interested to see how this goes. He said he was amazed at the difference in treatment in this issue and his issue earlier because they sound so similar.

City Manager Fairburn said the cemetery people had come in and filled out a special use permit for those parts of the cemetery that are not in the original plot.

Building Official, Truman Harp, said Rob Bonet with US Homes. is the land developer at Jackson Ranch. He has looked at the road situation and will give a report to Mr. Harp and to Mr. Fairburn. They are interested in setting up a meeting and Mr. Harp said this can be taken care of.

Motion was made by Councilmember Milan to set up a meeting with US Homes and the Oak Lakes property owners. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

5. Consideration and action on a replat of Block B, Lots 19 and 20 and Block C, Lots 1-4 and 14-15 of Jackson Ranch

Motion was made by Councilmember Stapleton to approve the replat of Block B, Lots 19 and 20 and Block C, Lots 1-4 and 14-15 of Jackson ranch as recommended by the Planning and Zoning Commission contingent on Corinth approving the replat. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

6. Consideration and action on directing the City Manager to enter into a master agreement with the D.G.N.O. Railroad for the reconstruction of the railroad crossings at Main and at Hundley

Motion was made by Councilmember Milan to direct the City Manager to enter into a master agreement with the D.G.N.O. Railroad for the reconstruction of the railroad crossings at Main and at Hundley. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

8. Consideration and action on change orders to the contract with Peachtree Construction for work on Meadowbrook, Pembrook, Alamo, and Goliad.

The engineers said the specifications could be reduced by 1% on the concrete addititive so that will be offset for the change order price increases. The cost for Meadowbrook is S11,700; the cost for Pembrook/Meadowbrook is $7728; $15,100 for Alamo/Goliad.

Motion was made by Councilmember Milan to accept the change orders to the contract with Peachtree Construction for work on Meadowbrook, Pembrook, Alamo, and Goliad. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

9. Consideration and action on appointment of regular member to the Board of Adjustment

Mayor Wohr presented Councilmember Stapleton with a plaque for his prior service on the Board of Adjustment and thanked him for his time and work.

Motion was made by Councilmember Stapleton to appoint Steven Bertrand as a regular member instead of an alternate. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

10. Consideration and action on approval of minutes for May 6, 7, 13 and 27, 1999

Motion was made by Councilmember Milan to approve the minutes for May 6, 7, 13, and 27, 1999. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Stapleton and Harper
Noes: None

Motion Passed

G. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor
City of Lake Dallas

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on June 16, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Mike Minnis	Councilmember, Place 4
Betty Harper	Councilmember, Place 5

Councilmember Stapleton was excused.

Staff present was City Manager Stewart Fairburn and Acting City Secretary Joni Vaughn.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Work Session to discuss Garza Beach Texas Street development.

Mayor Wohr gave the background information on a situation concerning a strip of property in the Garza Beach area. It was platted in the 1920's and the topography is close to the same now as it was then. They had set out some common areas as streets and also set out a common area defined as or called a boat canal. The original plat was approved and accepted by the then governmental agency which was Denton County and as the City of Lake Dallas incorporated in 1967 it was part of the incorporation. The historical set of circumstances is that people built homes and provided their own drainage systems. The specific problem right now is the area defined as boat canal. There is a tremendous amount of drainage from Kings Manor area that goes across some of the properties. The upper part of the property has been purchased and is being developed. The developers need to know which was to route the drainage – either north or south. If the drainage is ro be to the south it will probably affect 15 - 20 property owners, at the minimum. The ideal solution would be to have the drainage to the north, to the boat canal, and down to the culvert on Lakeview. The property owner to the north, Mrs. Clancey feels that is her property. The developers would like to have the easement in order to build a street and tilt the street so the drainage will be to the north to a drainage ditch they will also construct with their funds so the drainage can go to the Lakeview culvert.

City Manager Fairburn said the language in the plat states all streets are dedicated to the public. The question has been whether or not the canal was dedicated for public use. The City Attorney found one case that stated a street is any "public way." This is still a grey area.

Councilmembers discussed what would be the city's legal obligation in this matter. It was determined that the City of Lake Dallas has no legal say in what happens. The developer simply wanted the city to tell them which way they want the drainage to go.

Councilmember Minnis stated that it would be best to go to the north but do we have the right to do it?

Diane Moser and Mrs. Clancey asked for time to get with an attorney to look over the plat, deed records, drainage study report and any other information before the developer proceeds with any street construction or drainage.

John Donahue and Laird Lind, the developers, are concerned with the length of time it is taking for a decision. They are ready to move on to more development in the area and need to know which way to go with the drainage.

It was decided that the developers would make copies of their information and City Manager Fairburn will furnish them with a copy of the drainage report. Diane Moser said they would look over the information quickly and wanted time to look at deed records and plat information. If the developers and the Clanceys have not come to a decision before the next regularly scheduled city council meeting it will be an action item on that agenda. City Manager is also directed to get legal advice from two other firms to help us in this matter.

E. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor
City of Lake Dallas

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on June 24, 1999 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Mike Minnis	Councilmember, Place 4
Betty Harper	Councilmember, Place 5

Councilmember Stapleton was excused.

Staff present were City Manager Stewart Fairburn, Acting City Secretary Joni Vaughn, , Building Official Truman Harp, and City Attorney David Berman

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

Chuck Graham, 1013 Kings Manor, said he has noticed the streets were not being built as they should be. He said they are not putting down base material and not using tack coat. He reported a soft spot on Denton Drive already.

David Shershen, 166 Kingswood Drive, apologized for not being here sooner after the elections. He gave his congratulations to the new councilmembers, with regrets that Councilmember Stapleton was not at the meeting. He said he's had a lot of phone calls from citizens and on their behalf he wanted the councilmembers to know that they were elected by the city and asked all the councilmembers to find a way to work together. He waid we're at a very challenging time in our city. He said they represent all of the citizens and a lot of people are counting on them.

Jason Black, 319 Boliver, stated his first concern being the street and his second concern was the drainage. He said there's a lot of water that fills up and the streets are deteriorating. The holes continue to get larger and speaking for all the citizens on his street would like to know when their street will be fixed. Mayor Wohr said we are working on plans for the drainage and would ask for his input at the next city council meeting. Weather permitting, we will try to get city staff up there to look at the street and maybe do some interim repairs.

City Manager Fairburn said the builder in that area will be taking care of most of those things. They will be putting in more landscaping and grass which should help with the runoff and erosion problems. The City will be going out for bids on the streets soon and he should be able to come back to the council within 30 days with a price. He said he would have road crews check out the potholes.

Councilmember Harper asked Mr. Black if he was the one with the wire in his yard. He said yes and they had put a bucket over it. City Manager Fairburn said he would ask the builder to take care of it.

Doris Huto, 323 Boliver, said she has talked with the builder regarding that pipe and was told that it was the electric company's problem and that they would contact them. Councilmember Harper said she had been told it was the phone company's. When she went back it was still there so she talked with City Manager Fairburn . City Manager Fairburn said he would contact the builder tomorrow.

Mayor Wohr thanked them for their input and said he anticipates that we will have something on the next regularly scheduled meeting as specifically regards the drainage issues and that we may be able to get the builder to address some of these issues. He asked if anyone else wished to speak on the Citizens Agenda. No one else asked to speak so Mayor Wohr closed the Citizens Agenda.

E. Executive Session: The City Council will have an Executive Session to consult with their attorney on the contract for street and drainage construction with Peachtree Construction Company according to Local Government Code 551.071

The Council went into Executive Session at 8:00 p.m.
Council returned to regular session at 10:25 p.m.

F. Business

1. Action, if any, on Executive Session

No Action was taken

2. Consideration and Action on road construction discrepancies compared to the contract specifications

No Action was taken

3. Consideration and Action on design options for the Shady Shores culvert

Paul Haynes, Kimley-Horn and Associates, Inc. said that on the Shady Shores, Part A, that they had been dealing with the Corps of Engineers since fall of last year to get their recommendations and requirements. Just recently a new report was given that made our design unworkable. There are three options: 1) bridge; 2) road at same height as today; 3) road five feet higher. The road cannot be completed this summer.

Council discussion consisted of the options of fixing the drainage and paving the road; installing a box culvert and doing an overlay; making a higher, wider road. They also discussed the time frame of one year which would give time to seek funds elsewhere. It was determined that Denton County would probably be very supportive. The school district would be informed so they could arrange their schedules around the construction period. The engineers will get prices for options 2 and 3 and get back to council for July 8 meeting.

No Action was taken

4. Consideration and Action on appointment of Mayor Pro-Tem

Motion was made by Councilmember Shikle to nominate Michael Minnis for Mayor Pro-Tem. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Shikle, and Harper
Noes: None
Abstention: Councilmember Minnis

Motion Passed

G. Adjourn

Motion was made by Councilmember Shikle to adjourn the meeting. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:25 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on July 7, 1999 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Michael Minnis	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Attorney David Berman, Chief of Police and Acting City Manager Nick Ristagno, Building Official Truman Harp, Public Works Director Johnny Webber, and City Secretary Beverly Lucke. City Manager Fairburn was on vacation.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. **VISITORS/CITIZENS AGENDA:**

Rick Muenks, representative for Mattie Clancey, spoke regarding the matter going before council in the executive session. He stated that Mrs. Clancey does hold title to and possess that property. Mayor Wohr told Mr. Muenks he would give him the opportunity to speak after the executive session.
No one else presented themselves to speak so Mayor Wohr closed the Citizen's Agenda.

E. **BUSINESS**:

1. Consideration and Action on Reports

a. Boards and Commissions
b. Financial, including Accounts Payable
c. Departments, including City Manager

Christy Burgess, vice chair for the Parks and Recreation Board spoke. She gave a report on the 4th of July Parade and said that a 10 a.m. start is too late and that next year it would start at 9 a.m. The band, Big Sky, who played for that celebration could also be engaged for the Fallfest. The fireworks show went well but they had a request from the police department to wet the area prior to shooting off the fireworks in the future. She said they had taken in $154.90 in donations. Christy also requested the contract renewal for one year for the gymnastics program be placed on the next agenda.

Motion was made by Councilmember Minnis to accept the June reports and to pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr told Chief Ristagno that he was very proud of the way our police department handled the situation of the drowning at the lake July 3. Councilmember Shikle wanted to commend the department for the way they have conducted business the past couple of years.

There was council discussion as to procedure for getting items on the agendas; there was also discussion for a workshop to determine direction for the city; they asked that a New Business item to be put on each agenda. There was discussion regarding the placement of 'No Swimming' signs in the Willow Grove Park area.

Mayor Wohr closed this portion of the regular meeting at 8:05 p.m. He said there would be a small break before opening the executive session.

2. **Executive Session: The City Council will have an Executive Session to consult with their attorney on drainage and road easements and options for Garza Beach Subdivision according to Government code 551.071.**

The council went into Executive Session at 8:20 p.m.
Executive Session was closed at 9:45 p.m.
Council returned to regular session at 9:58 p.m.
Mayor Wohr announced that former Mayor Beene had passed away this morning in Corpus Christi, Texas.

3. **Action, if any, from Executive Session**

No action was taken.

4. **Consideration and action on a resolution adopting the Parks Master Plan**

Council had questions for Christy Burgess, Parks and Recreation Board, and there was discussion about the master plan and the grant request

Motion was made by Councilmember Shikle to accept the resolution adopting the Parks Master Plan. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Abstention: Councilmember Minnis

Motion Passed

5. **Consideration and action on replat of Lots 1 - 6, Block One, Tract One of the Gotcher Addition and Tract 2, Lot 7 of the CR Stockard Survey**

Motion was made by Councilmember Minnis to authorize the replat of Lots 1 - 6, Block One, Tract One of the Gotcher Addition and Tract 2, Lot 7 of the CR Stockard Survey. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

6. Consideration and action on approving final plat on Lot One, Block One, Swisher Road Addition

Ron Berlin, 3838 Oaklawn, Dallas, Texas 75219, spoke as the developer for the property. He said they had studied for eight months to find uses for this property. The building will be brick front with landscaping and would house a liquor, beer, wine, and convenience store. He said the aesthetics will be something the city could be proud of.

Motion was made by Councilmember Minnis to approve the final plat on Lot One, Block One, Swisher Road Addition. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

7. Consideration and action on options to improve the low water section of Shady Shores North

Lee Allison, Kimley-Horn and Associates spoke of the different options available to the city after restrictions had been put in place by the Corps of Engineers. These options included re-paving, raising the road a 'reasonable' level and installing guard rails, or a bridge to accommodate flowage easement. He said the estimated cost to maintain the road, remove existing culverts and re-locate new culverts and enlarge them so they could handle more drainage, and straighten the channel would cost an estimated $395,000 based on the current prices in the existing contract and he recommended a $25,000 contingency for final negotiations. ADDITION: COUNCILMEMBER MINNIS SAID WITH THE MONIES SAVED IT WOULD BE REAL FEASIBLE TO PUT A SIDEWALK ON ONE SIDE of SHADY SHORES ROAD FROM KINSWOOD to THE HOUSES BEHIND KINGS MANOR.
Motion was made by Councilmember Minnis to adopt the option to keep the road at the same elevation and re-do the placement of the culverts; and, have city staff work in conjunction with the engineers in any way needed. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

8. Consideration and action on directing staff to contract for an inspector to oversee the day-to-day activities involving the street and drainage projects.

Mayor Wohr said he had been in contact with one person through Denton County who estimates a cost of $2,000 to $2,500 monthly. Mayor Wohr suggested a limit of $15,000 to do documentation, create a daily log, take pictures, video if required because there could be possible litigation. Council discussion included asking Building Official Harp and Public Works Director Webber if they would have time. Building Official Harp said he has had a few discussions on a few phases with the contractor and that he and Public Works Director Webber had covered it quite well to this point, but Johnny is busy with mowing and street patching. Building Official Harp said he would have ample time until the second phase gets underway in the Jackson Ranch area which will take 6 weeks to 2 months. He said in the meantime he has been checking the streets and been willing to do so and he has been doing so. Mayor Wohr asked him if he would be able to prepare a daily log. Building Official Harp said that's very easy to do and he has that at the present. Mayor Wohr expressed his concern about avoiding another situation like the one at Lake Vista Circle. Councilmember Shikle asked if these errors occurred prior to Building Official Harp looking over the streets. Councilmember Stapleton asked Mayor Wohr what his main concern was. Mayor Wohr replied that he wanted documentation and that he felt the spending of $10,000 to $12,000

was minimal on a $2,000,000 contract. Councilmember Minnis said he thought we had a project manager with City Manager Fairburn. Councilmember Stapleton said he thought City Manager Fairburn's job was to direct the employees. Mayor Wohr said he thought there had been a lot of assumptions in this matter.

Carole Harp, 3216 Broken Arrow, Denton, Texas, asked to speak. She said that in any city or state she had ever lived in and there was this large a contract there should be a project manager on it but the contractor pays the contractor, not the city. She said it should be in the contract. She also said that if the city goes into litigation a man who works for the city will have more clout than someone we hire. Councilmember Minnis said he thought Building Official Harp had enough experience to do the job and that we couldn't ask for a better watchdog and that he is very dedicated to the city. Mrs. Harp thanked Councilmember Minnis for his comment about Building Official Harp's dedication. Mayor Wohr said he didn't think it would sleight Building Official Harp if we had someone else do this because this is not a normal project. Building Official Harp stated that the contractor was very capable but he was subcontracting a lot of the work out and he didn't think that was legal. Lee Allison, Kimley-Horn and Associates, said they would check it out but that this is a phenomenon we are seeing in a lot of construction. Mr. Allison said they did recommend to City Manager Fairburn that someone be assigned to the project full-time and that they have a lot of respect for Building Official Harp and Public Works Director Webber. He also said they could give us some names to contact. Councilmember Harper asked if the contractor had been faxing their work orders daily as they had been asked. Building Official Harp said they had not. Mr. Allison said they had been slacking off lately. Councilmember Stapleton said his feeling has nothing to do with the qualifications of Public Works Director Webber and Building Official Harp. He said he thinks of it as insurance and it's not fair to ask either of them to double their load. Councilmember Shikle said he thinks we should follow the contract in making sure everything is done right by the contractor. Councilmember Minnis said that most of the things that either Truman or Johnny didn't catch was caught by a homeowner and the first person they would contact would be Truman. Councilmember Milan asked Building Official Harp if there's already been problems noted has it been written up and given to anybody. Building Official Harp said on everything that he's been on with the project, yes. Mayor Wohr asked him if he has some of that documented and to the engineers. Building Official Harp said he had the information but had not given it to the engineers because he didn't have the authority to do that. Mayor Wohr suggested that everyone on council think about a project manager and try to get some ideas. Councilmember Minnis said he wants to make sure Building Official Harp stays in that position with full authority come to council at any point. Councilmember Harper asked if we could direct Building Official Harp at this point to fax this information to the necessary people for documentation and notification on this contract. Mayor Wohr asked Building Official Harp to bring the documentation he has to city staff and staff can forward to the city attorney. Building Official Harp said he couldn't bring it to city staff because City Manager Fairburn was gone for two weeks. Mayor Wohr said he should give it to Chief Ristagno and he could fax it to the city attorney and he can make sure it gets to the contractor. Councilmember Minnis said he thinks it's important that council is kept up-dated in case there is a serious problem with the contractor.

Motion was made by Councilmember Milan to table this item until next Thursday's meeting. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

9. Consideration and action on on an interlocal agreement with Denton County for property tax collections.

Motion was made by Councilmember Minnis to enter into an interlocal agreement with Denton County for property tax collections. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

10. Consideration and action on providing compensation to the Municipal Judge for jury trials.

Motion was made by Councilmember Milan to take action on providing compensation to the Municipal Judge for jury jury trials of $150 per trial court night. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

11. Consideration and action on approval of minutes for June 10, 16, and 24, 1999.

Motion was made by Councilmember Harper to accept the minutes of June 10, June 16, and June 24, 1999, with review of Item 3 of the June 10 minutes regarding the steel posts which should be .095 gauge and 2 - 3/8" diameter Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

G. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:22 p.m..

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on December 13, 2001 at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Marjory Johnson	Mayor Pro-Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3

Councilmember Harper was excused. Also present were City Attorney, David Berman, Interim City Manager, Nick Ristagno and City Secretary, Beverly Weikum.

B. Councilmember Stapleton gave the Invocation.

C. Mayor Pro-Tem Johnson led the Pledge of Allegiance.

D. Visitors/Citizens Agenda

Bob Altman, 204 Shady Shores Drive, handed out information about a sign for the City of Lake Dallas.

Mayor Pro-Tem Johnson suggested he discuss it with Chief Ristagno so it can be placed on an agenda as a workshop item.

Debbie Pierce, 512 Atchison, said that Atchison is just a really small street but it is in desperate need of repairs.

Mayor Pro-Tem Johnson said we have a number of streets to prioritize. We will probably have a workshop with the engineers to group street repairs in January or February.

Lonnie Britten, 739 Cedar Leaf, said his application for the fire board is on the agenda tonight. He is prepared to answer any questions Council may have.

Mayor Pro-Tem Johnson asked if anyone had any questions for him. There were none.

Councilmember Kirby introduced Mr. Britten to Mayor Wohr upon his arrival at 7:40 PM.

The Citizen's Agenda was closed when no one else came forward to speak.

E. Reports:

Boards and Commissions

Rod Proctor, Parks and Recreation Board, said the tree lighting ceremony on December 1 went very well and we had the biggest turnout he can remember. They continue to work on the sign for City Park and are working with the American Legion and the VFW for flags on the sides of the sign. In answer to a question about lighting for the sign, Mr. Proctor said they plan to have three lights, one for the sign itself and one for each of the flags. They hope to have

the sign in place by April. There is a group working on the park layout. They plan to have the gazebos in place for City Park and Willow Park soon. At the January meeting they will work up the schedule for 2002 so they can present that to the Council.

Mayor Wohr said we appreciate the work you did on the tree lighting ceremony. The Councilmembers also stated how nice it was.

Alan Fletcher, 917 Lake Bluff, gave an update from the Economic Development Committee. The City website layout is basically complete. He is currently working on the content and will be contacting everyone soon to get their information. The committee has received two RFP's on the economic plan. The major project they're starting on this year is a 'Shop Lake Dallas First' campaign. A lot of people don't really know how many places you can eat and shop in Lake Dallas. They want to make the residents aware of what is here in Lake Dallas.

Mayor Wohr gave thanks to everyone who participated in the senior dinner this year. It was a huge success and there was a very nice turnout. He said to let Staff know how much we appreciate them helping out.

Mayor Wohr closed public meeting at 7:55 PM.
Mayor Wohr called the Executive Session to order at 8:00 PM.

EXECUTIVE SESSION:

1. **The City Council convened in closed session pursuant to Texas Government Code Section 551.071 for the purpose of seeking confidential legal advice from the City Attorney.**

Mayor Wohr closed the Executive Session at 8:45 PM.

Mayor Wohr called the Regular Meeting back to order at 8:47 PM.
No action was taken from the executive session.

F. Business:

1. Consent Agenda:

a) Consideration and Action on approval of November financials and accounts payable.
b) Approval of Minutes for October 11, October 25, and November 8, 2001 meetings.

Motion was made by Councilmember Johnson to approve the consent agenda items.
Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

2. Consideration and Action on acceptance and award of bid for construction of the City Hall at 210-212 Main Street.
Motion was made by Councilmember Johnson to accept the bid and award the contract for construction of the City Hall at 210-212 Main Street to JG Builders. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

3. Consideration and Action on appointment of alternate to Lake Cities Fire Board.
Motion was made by Councilmember Kirby to appoint Lonnie Britten as our alternate for the Lake Cities Fire Board. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

4. Consideration and Action on approval of subdivision plat for Lakeside Estates (Tract 21 of Abstract 0424A Nathaniel French Property).
Motion was made by Councilmember Kirby to deny the plat approval for Lakeside Estates. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion passed

5. Public Hearing on approval of an Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Lake Dallas, Texas, Tract 78 of Abstract 1355A Wright Survey.
Ronald Weston, 137 Cranberry Lane, Coppell, said Mr. Doerr can't speak because he recently had an operation. The owner of the building, Mr. Singh has been looking for a renter for over a year. This gives him another opportunity to get a tenant. The hours of operation would be 10 AM to 12 midnight 7 days a week and the Doerr's operate 19 machines.
Mr. Singh said coupons given are out from the machines, which can be used for local residents.

Mayor Wohr said these types of machines may become illegal and also said we don't want adult games, just video games. Chief Ristagno said the final determination is still in judicial review.
Concern about sufficient parking spaces was voiced. Mr. Singh said there is additional parking space in the back of the building.

Linwood Gilliland, 703 Payton, said he understands the owner needs to rent his property and the other man needs to make money, but, the State and counties have been destroying machines, fining people, and putting people in jail. We've had complaints that people have been going into these places and spending considerable amounts of money. We'd have to spend a lot of time in undercover work trying to find out

Alan Fletcher said the P & Z recommended a one year time limit for the S.U.P. as it would be worth reviewing after a year. It would be good to have an ordinance to regulate these machines.

Mayor Wohr said the Department of Public Safety has been policing these types of businesses. We would have more control through the Special Use Permits.

Mayor Wohr closed the public hearing when no one else came forward to speak.

6. Consideration and Action on approval of an Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Lake Dallas, Texas.

Motion was made by Councilmember Johnson to approve the Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Lake Dallas, Texas, Tract 78 of Abstract 1355A Wright Survey. Seconded by Councilmember Kirby.

Ayes: None

Noes: Councilmembers Kirby, Johnson, and Stapleton

Motion Failed

7. Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 2, Abstract 1163A of the J. W. Simmons Survey (Video Direct Plus, Inc. property) from M-1 Light Industrial district to C-1-A Business District.

Mark DeLoach, 5616 Preston Oaks, Dallas, financial officer with Video Plus said he understands that the city wants to change the zoning for the long term outlook for the city. He doesn't agree with it because they're playing with the future and he is working on the present. He said he's just concerned with the sequence of events since Payless is gone and how the city has proceeded since then.

There was discussion between Council and Mr. DeLoach about doing a workshop on some other type of business for their property.

Mayor Wohr closed public hearing since no one else came forward to speak.

8. Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 2, Abstract 1163A of the J. W. Simmons Survey (Video Direct Plus, Inc. property) from M-1 Light Industrial district to C-1-A Business District.

Motion was made by Councilmember Stapleton to approve agenda item F-8 as presented. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, and Stapleton

Noes: None

Motion Passed

9. Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 20 of Abstract 0424A of the Nathaniel French Survey from R-1-10000 Residential district to C-1-A Business District.

Barbara Garrison, 508 N. Shady Shores Drive, said she was speaking for the Boliver family. We strongly object to you coming in and zoning all our property commercial. That's family property. They hope the City will give them some consideration on that. This is family property and we do not want it changed. They would rather the City wait until the Swisher Road extension is finalized.

Mayor Wohr said we need to have a plan in effect before the road comes through.

Linwood Gilliland, 703 Payton, said the Bolivers have been there for 52 years. These people came before P & Z and they have grandchildren who would like to live and build in that area. Is there any problem with zoning 200 feet on either side of the road and leaving the rest residential?

There was discussion regarding this being one last opportunity where we could have some planned development. No one has come in with a plat plan to ask if they can do this, but we anticipate that it will happen. We don't have the power to take a strip out of a lot because we need metes and bounds. Once a plat is done then we can change zoning accordingly. Perhaps this could be workshopped along with the Video Plus property.

Alan Fletcher said he believes it does need to be rezoned but he 100% feels for the owners concerns.

Mr. Boliver, 514 North Shady Shores Road, said they'd be okay with the acreage on the north side of the road being commercial. Later on the grandkids will probably build on the south part of the property. It's family land and they're not planning on selling it.

Mayor Wohr closed the public hearing when no one else came forward to speak.

10. Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 20 of Abstract 0424A of the Nathaniel French Survey from R-1-10000 Residential district to C-1-A Business District.

Motion was made by Councilmember Stapleton to table agenda item F-10. Seconded by Councilmember Kirby. **Motion** to amend was made by Councilmember Kirby to table this until the next regularly scheduled meeting and direct City Staff to ask City Counsel what our options are with regards to the different types of zoning. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

Motion was made by Councilmember Johnson to extend the meeting another 30 minutes at 10:55 PM. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

11. Consideration and Action on procedure for appointment for City Council vacancies.
Motion was made by Councilmember Kirby that the procedure for the appointment for City Council vacancies be such that there is a Public Hearing and Consideration and Action item by direct selection of the Council or committee. Seconded by Councilmember Johnson. **Motion** was made by Councilmember Stapleton to amend the motion that each prospective candidate either appear and make a statement or prepare a statement by letter. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

12. Workshop:
1) City Facility Planning/Progress.
It was determined that this item did not need any more discussion tonight.

2) City Manager Search.
We have the signed contract. Chief Ristagno read the schedule for the meetings with The Waters representative on Friday.

12. Staff Reports:
Chief Ristagno said Carolyn apologized for not being here tonight but her sister suffered a heart attack and is in a hospital in Dallas.

There is a Christmas luncheon next Wednesday at noon at City Hall.

I. New Business:
The Christmas program starting the canned food drive is at 8:30 AM tomorrow morning at the elementary school.

There are two mobile mini-storage units at Buckeye Liquors.

We should move the February 14 meeting to the 7th of February.

We should do a Charter review and need to find out the deadline for getting the ballot information to the printer.

J. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

Meeting was adjourned at 11:22 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on December 10, 2001 at 7:30 AM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff Present: City Secretary Weikum.

B. Business:

1. Consideration and Action on approval of a Resolution placing a moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in C-2 Commercial zoning districts for ninety (90) days.

Motion was made by Councilmember Johnson to place a moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in C-2 Commercial zoning districts for ninety (90) days. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

C. Adjourn:

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 7:32 AM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on December 6, 2001 at 7:33 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Marjory Johnson	Mayor Pro-Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Also present were City Attorney, David Berman, Interim City Manager Nick Ristagno, and City Secretary Weikum.

B. Visitors/Citizens Agenda

Charles Long (Palm Harbor), 177 Kingswood Drive (said he was speaking for this address). He requested a special meeting with the Board of Adjustment for Marion Vanbeber. Palm Harbor has placed a doublewide home at that residence. They have been told they can't place it there because of city codes for setbacks.

Mayor Wohr arrived at 7:35 PM.

Mayor Wohr said he would talk with the Building Official tomorrow. The fire code must be observed

C. Business:

1. Consideration and Action on acceptance of financial audit FY 2001.

Motion was made by Councilmember Kirby to accept the financial audit FY 2001.
Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr acknowledged Tom Pingleton of Pingleton, Howard and Company and told him the City is pleased to have their opinion on our accounting and financial condition.

2. Consideration and Action on entering into a contract with The Waters Consulting Groups, Inc. for the city manager search.

Motion was made by Councilmember Kirby to approve the agreement for City Staff to enter into with The Waters Consulting Group, Inc. for the city manager search. Seconded by Councilmember Johnson.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

3. Consideration and Action on appointment of members/alternates to the Parks and Recreation Board.

Motion was made by Councilmember Johnson to approve Sheree Denise Weller as a regular member of the Parks and Recreation Board and move Cliff Elton to a regular member. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes; None

Motion Passed

4. **Consideration and Action on voting for a representative to the Denton County Transportation Authority Interim Executive Committee.**

Motion was made by Councilmember Johnson to case our vote for Richard Tucker for our representative to the Denton County Transportation Authority Interim Executive Committee. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

Mayor - asked if anyone is here for any other item on the agenda since the Executive Session is a private session. Mayor Wohr closed the regular session at 7:57 PM.

Mayor Wohr opened the Executive Session at 7:59 PM.

D. Executive Session:

1. The City Council to convene into closed session pursuant to Texas Government Code Section 551.071 for consultation with the City Attorney to discuss matters within the scope of the attorney/client privilege.

Mayor Wohr closed the Executive Session at 9:03 PM.

Mayor Wohr called the open meeting back to order at 9:05 PM.

2. Action, if any, from executive session.

No action was taken.

E. Workshop:

1) City Facility Planning/Progress.

The bids will open at 2 PM next Tuesday. It would be nice to have some type of a green belt in the parking lot.

2) City Manager Search.

Since the contract has been approved, Chris Hartung will meet with the Interim City Manager, the City Secretary, Mayor and Councilmembers on Friday the 14th in order to build a profile of the candidate for our City.

3) Requirements for registration of Retail Electric Providers.

Some cities plan to charge a registration fee. We will check with COG, TML and the PUC to determine what procedures must be followed due to the deregulation of electricity providers. We can workshop the item again at a January meeting.

H. Staff Reports:

Dave Owen had a heart attack late this afternoon. He survived and is in intensive care.

We received an unexpected $100 donation for Kids and Kops from Mayor Wohr today.

We may need to do more rezoning.

I. New Business:

We need to set a process for what to do if there is a removal/resignation of a Councilmember.

We need to have an item on an agenda no later than January 10 for appointments to replace those who are not attending the Economic Development Committee meetings.

Two years are up and we should conduct another charter review.

Concern was expressed about turning left onto Swisher Road from the gas station on the corner of I-35 service road and Swisher. Can this be resolved?

Jonathan, son of Sharon and Jerry Graves, is in hospital due to a serious car accident.

J. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:17 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

Mayor Wohr closed the regular session at 8:25 PM.

Mayor Wohr opened the Executive Session at 8:30 PM.

G. Executive Session:
1. The City Council to convene into closed session pursuant to Texas Government Code Section 551.071 to discuss city manager applicants with representative from The Waters Consulting Group.

Mayor Wohr closed the Executive Session at 8:55 PM.

Mayor Wohr called the open meeting back to order.

H. Action, if any, from executive session.
No action was taken other than to schedule meetings.

I. Workshop:
1) City Facility Planning/Progress.
Chief reported on progress. Mayor would like to meet with Chief and builder regarding the issue of using local businesses for subcontract work.

2) City Manager Search.
No more discussion needed.

3) Home Rule Charter revision.
Mayor made some suggestions for changes to the Charter: six-member council with Mayor as a voting member or seven-member council with Mayor as a voting member. Removing article 4.09 was suggested. Changing article 3.05 was suggested.

J. Staff Reports:
None

K. New Business:

Councilmember Kirby read her letter of resignation.

There was discussion of a February joint meeting, the annual Volunteer Dinner, and finishing the Community Center at the new City Hall with volunteer labor.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on November 8, 2001 at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Marjory Johnson	Mayor Pro-Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Mayor Wohr arrived at 7:40 PM. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Pro-Tem Johnson gave the invocation.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Johnson.

D. Visitors/Citizens Agenda:

Lee McGee lives in the Ashleye Village Apartments, said that currently Lake Dallas doesn't have a fire code implemented like Corinth and Hickory Creek has. She told about her recent experience with an upstairs neighbor.

Jeanette Harmon, 72 Lake Ridge, said a new mobile home had been installed in Kingswood and has a double garage attached to it. She would like to know where the Ordinance is that says you can do this.

Mayor Wohr arrived at approximately 7:40 PM.

Mayor asked Chief to explain about the motorcycle. Acting City Manager Ristagno gave a demonstration of the robot police officer on a motorcycle complete with lights and siren. The head can be changed out so the officer can be either a man or a woman. This can be used at schools and can be programmed to deliver messages about drugs and other items of interest to children. It was purchased from money in the auction fund.

There was a Council decision to move to item F-4 next.

F - 4 Consideration and Action on exception to M-1 Light Industrial moratorium by Mark DeLoach of Video Plus.

Mr. DeLoach said they would like to lease part of their property for 3 years for pipe storage and mostly wholesale sales. The lessors want to have a portable construction building sited there for use as an office.

Motion was made by Councilmember Johnson to approve the exception to the moratorium.

Motion died for lack of a second.

Motion was made by Councilmember Stapleton to deny the exception to the M-1 Light Industrial moratorium. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Stapleton, and Harper
Noes: Councilmember Johnson

Motion Passed

E. Reports:

Tony Robinson, Parks and Recreation Board, gave a brief on the meeting of November 6. He welcomed Carolyn Green as a new alternate. The main topic of that meeting was the Christmas tree lighting set for December at 6PM. There will be a special meeting on November 27 to make sure all plans are in place. They will try to have a cost for the City Park sign for the December 13 Council meeting. They are still working on the parks rules and Ordinances, and getting prices for shelters allowed in the budget.

Alan Fletcher gave the Economic Development Committee report. He is still working on the website and domain name transfers. He will get them all transferred to him and another account can then be set up and he will transfer them all to the city.

F. Business:

1. Consent Agenda:

a) Consideration and Action on approval of October financials and accounts payable.
b) Approval of Minutes for September 13, 20 and 27, 2001 meetings.
c) Consideration and Action on approval of a proposed Ordinance to adopt the International Residential Code -- 2000 Edition with Regional Amendments and to adopt the International Energy Conservation Code -- 2000 Edition with Regional Amendments.
d) Consideration and Action on approval of an Ordinance providing for the taxation of leased motor vehicles.
e) Consideration and Action on approval of a Resolution extending the moratorium on M-1 Light Industrial districts for 90 days.

Motion was made by Councilmember Stapleton to approve Consent Agenda items a, b, c, d, and e. Seconded by Councilmember Kirby.

Councilmember Johnson asked that item 'e' be pulled from the Consent Agenda.

Motion was amended by Councilmember Stapleton to approve Consent Agenda items a, b, c, and d. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Stapleton to approve Consent Agenda item F-1-e. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Stapleton, and Harper
Noes: Councilmember Johnson

Motion Passed

2. **Public Hearing on proposed Ordinance placing a 120 day moratorium on the acceptance for filing and the issuance of building permits and all other development applications and permits for zoning, platting and subdividing in the R-1-10000 Residential zoning districts.**

No one came forward to speak so Mayor Wohr closed the public hearing.

3. **Consideration and Action on approval of a proposed Ordinance placing a 120 day moratorium on the acceptance for filing and the issuance of building permits and all other development applications and permits for zoning, platting and subdividing in the R-1-10000 Residential zoning districts.**

Motion was made by Councilmember Stapleton to approve item F-3 as read. Seconded by Councilmember Kirby.
Ayes: None
Noes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Motion Failed

Mayor Wohr called for a break at 9:00 PM.
Mayor Wohr called the meeting back to order at 9:15 PM.

G. Workshop:

1) City Manager search

Two Councilmembers and the Mayor will meet with a representative from the agency to discuss procedures to be followed.

2) City Facility Planning/Progress.

We will advertise for bids November 16 for sealed bids to be turned in on December 11. The bids will come to Council at the December 13 meeting.

3) Storm Water Phase II Requirements -

NCTCOG will be sending us information on this regarding seminars and education on this new requirement.

H. Staff Reports

Our Ordinance regarding video arcades states that any place that has one or more machines has to be permitted but if they serve alcoholic beverages the establishment can't even have one machine. Acting City Manager Ristagno suggested the Ordinance be amended to reflect a limit of 5 machines. They would still have to be permitted but they could serve alcohol.

Waste Management will have their regular pickup on Thanksgiving Day.

Saturday the VFW is having their fun run beginning at 7 AM. They asked if the Chief could be there to play music.

TXU has delivered a letter to tell us that their natural gas prices are down like last year.

We met with Upper Trinity about the animal shelter. The contract would be the same as a couple of years ago, so we may want to move on it after city hall is completed.

I. New Business

Councilmember Johnson will be gone from November 17 through November 24 and December 15 through December 22.
Councilmember Stapleton will be gone from December 17 through January 3 and November 16 through November 22.
Councilmember Kirby will be out November 22 through November 25, November 30 through December 3 and the weekend of the 8th plus December 21 through January 3.

We should have a meeting on December 6.

It is nice to get a nice letter from the Tisdales about the Kings Manor Drainage Ditch and also one from the man thanking the City for cleaning up the brush.

We still need to schedule a quarterly workshop with the other boards and then leave a couple hours for council only after the first of the year.

We need to think about scheduling a special meeting for February 5.

There was a lot of comment about how we did Halloween.

We need to put a 'no left turn' sign designating certain times that left turns will not be allowed at Kick's on Swisher Road. That should help the traffic back-up problem.

J. **Adjourn**

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:25 PM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on October 25, 2001 at 7:30 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Marjory Johnson	Mayor Pro Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Mayor Wohr arrived at 7:35 PM. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Pro-Tem Johnson gave the invocation.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Johnson.

D. Visitors/Citizens Agenda:

Patricia Chambers, 60 Lakeridge, said we need more police officers.

Vicki Roach, 82 Lakebridge, said she has the same complaint that Ms. Chambers has.

Mayor Wohr arrived at 7:35 PM.

E. Reports

Kay Swihart and Gary Johnson of Environmental Integrated Services gave a presentation on NPDES Phase II Stormwater Program.

F. Business:

1. Consent Agenda:

a) Approval of a Resolution casting the City of Lake Dallas thirteen (13) votes for Mary Horn for the Board of Directors of Denton Central Appraisal District.

b) Approval of Minutes for August 16, 23 and 30, 2001 meetings.

Motion was made by Councilmember Johnson to approve the consent agenda items. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. **Public Hearing on proposed zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district.**

Jack Roe, Resort Realty, 6116 North Central Expressway, Suite 1300, Dallas, said he is opposed to the zoning change and is looking forward to a workshop where it can be discussed. He thinks they can be real helpful.

Carolyn Green, 201 North Shady Shores, said the 3 ladies that left all live in Kingswood and were here for the rezoning but due to the length of the first presentation they had to leave.

Mayor Wohr closed the Public Hearing when no one else came forward to speak.

3. **Consideration and Action on approval of an Ordinance for a zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district.**

Motion was made by Councilmember Johnson to approve the rezoning of Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. Consideration and Action on approval of an Ordinance for a license agreement with John and Nancy Bradshaw dba "The Musicmaker" for the purpose of using a city owned facility.

Motion was made by Councilmember Johnson to approve the Ordinance for the license agreement with John and Nancy Bradshaw dba "The Musicmaker" for the purpose of using a city owned facility with the proposed changes. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Harper
Noes: None
Abstentions: Councilmember Stapleton

Motion Passed

Mayor Wohr called for a break at 9:31 PM.

Mayor Wohr called the meeting back to order at 9:44 PM.

G. Workshop:

1) Discussion about a zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district. Members of the Planning and Zoning Commission are invited to attend.

This item was addressed during the public hearing for the rezoning.

2) Discussion about a Denton County Transportation Authority representative.

3) City Council Policy and Procedures discussion.

4) City Manager Search.

Motion was made by Councilmember Johnson to extend the meeting. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5) City Facility Planning/Progress

The bids should be in for approval at the December 13 meeting.

H. Staff Reports

I. New Business

We need to schedule the Employees Appreciation Dinner for November.

How can we put a stop to Charter raising their prices?

When there is bad weather, etc. it appears that the county gets notified and they pass the information on down.

J. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:15 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on October 11, 2001 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:

Gary Johnson, 609 Cain, expressed concerns regarding a fire hazard because the portable building outside this building has no steps at the rear door.

Cindy Nelson, 812 Lake Bluff, asked for favorable consideration for the Ordinance on the code amendment.

Mayor Wohr closed the Citizen's Agenda when no one else asked to speak.

E. Reports:
Boards and Commissions:

Alan Fletcher, 917 Lake Bluff, said the Economic Development Committee booth at FallFest and worked out very well. He also reported on the website progress.

Councilmember Kirby had an e-mail from Paul Fiala, Chairman of the Economic Development Committee which reported more about the FallFest activities.

F. Business:

1. Consent Agenda:

a) Consideration and Action on approval of September financials and accounts payable and third quarter investment funds report.

b) Approval of Minutes for August 9, 2001 meeting.

Motion was made by Councilmember Johnson to approve the Consent Agenda Items a and b. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

2. **Public Hearing on approval of a proposed replat of Tracts 38 and 39 of A-1355A Wright into one tract. The property location is in the 500 block of Main Street between Main and Lakeview.**

No one came forward to speak on this issue so Mayor Wohr closed the Public Hearing.

3. **Consideration and Action on approval of a proposed replat of Tracts 38 and 39 of A-1355A Wright into one tract. The property location is in the 500 block of Main Street between Main and Lakeview.**

Motion was made by Councilmember Johnson to approve the replat of Tracts 38 and 39 of A-1355A Wright into one Tract. Seconded by Councilmember Harper.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

4. **Public Hearing on an application for a proposed zoning change to Tract 32 of A-0284A Cobb, 727 South Main Street, Lake Dallas, Texas, from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Paul Wiersema, owner of the property, said some events have occurred over the past week so it's no longer in their best interests to rezone it.
Mayor Wohr closed the Public Hearing.

5. **Consideration and Action on an application for a proposed zoning change to Tract 32 of A-0284A Cobb, 727 South Main Street, Lake Dallas, Texas, from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Motion was made by Councilmember Stapleton to not approve the zoning change as detailed in Item F-5. Seconded by Councilmember Johnson.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

6. **Public Hearing on the creation of a C-1-A Retail/Restaurant/Hotel/Motel zoning district for the City of Lake Dallas.**

No one came forward to speak on this item so Mayor Wohr closed the Public Hearing.

7. **Consideration and Action on approval of an Ordinance creating a C-1-A Retail/Restaurant/Hotel/Motel zoning district for the City of Lake Dallas.**

Motion was made by Councilmember Stapleton to approve Agenda Item F-7. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr asked to go on record thanking council for approving the Ordinance.

8. **Public Hearing on an Ordinance for a proposed zoning change to A-1633A J.W. Simmons, Tract 3 (the Payless Cashways property on Swisher Road), Lake Dallas, Texas from M-1 Light Industrial district to C-1-A Business district.**

Cheryl Williams, Masterplan Consultants, 500 South Ervay, Dallas, said she is representing Payless Cashways on this action. They are opposed to this action. Why is it being singled out as the only property to be rezoned C-1-A.

Mayor Wohr said it's our intention to do more zoning as C-1-A due to the platted extension of Swisher Road. Swisher Road on the other side of I-35-E contains a Wal-Mart and business areas so the east side of I-35-E should be a desirable place for retail.

Tonja Haylock, 213 Swisher Road, said when she first received the notice she opposed it. After attending the Planning and Zoning Commission meeting they are now in agreement with the P & Z. The residents think that this is the best zoning for the property. She referenced more property that will be zoned. What might happen on their side of the road?

Mayor Wohr closed the public hearing when no one else came forward to speak.

9. **Consideration and Action on an Ordinance for a proposed zoning change to A-1633A J.W. Simmons, Tract 3, Lake Dallas, Texas from M-1 Light Industrial district to C-1-A Business district.**

Motion was made by Councilmember Kirby to approve Item 9 changing the property listed from M-1 Light Industrial to C-1-A Business district. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

10. **Consideration and Action on Denton County Appraisal District board nominations.**

Motion was made by Councilmember Kirby to nominate Mary Horn for the Denton County Appraisal District Board. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

11. **Consideration and Action on approval of an Ordinance for a license agreement with John and Nancy Bradshaw dba "The Musicmaker" for the purpose of using a city owned facility.**

Motion was made by Councilmember Johnson to table Item 11 until after a meeting is held with the Bradshaws. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Harper
Noes: None
Abstentions: Councilmember Stapleton

Motion Passed

12. **Consideration and Action on approval of an Ordinance to amend Municipal Code Chapter 70 Article III Sections 70-72 and 70-73.**

Motion was made by Councilmember Harper to accept this new Ordinance with the amendments discussed. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Stapleton, and Harper
Noes: Councilmember Johnson

Motion Passed

13. Consideration and Action on appointment of new members/alternates to the Planning and Zoning commission and the Parks and Recreation Board.

Motion was made by Councilmember Johnson to appoint Carolyn Green as an Alternate to the Parks and Recreation Board and appoint Alan Fletcher as a regular member to the Planning and Zoning Commission effective October 15; appoint Linwood Gilliland as an alternate (P&Z) now and re-appoint Peggy Shelton as an alternate (P&Z) effective October 15. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

14. Consideration and Action on approval of an Ordinance amending Section 122-574 of Article XIII, Special Use Permits, of Chapter 122, Zoning regarding application fees and records.

Motion was made by Councilmember Stapleton to approve agenda item F-14, an Ordinance amending Section 122-574 of Article XIII, Special Use Permits, of Chapter 122, Zoning regarding application fees and records. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:39 PM.

Mayor Wohr called the meeting back to order at 9:50 PM.

G. Workshop:

a) City Manager Search.
There was discussion of how to proceed with the search.

b) City Facility Planning/Progress
We should be able to advertise for bids within the next couple of weeks.

H. Staff Reports

I. New Business

We should schedule a dance for the Saturday night before Halloween.

Genti's Restaurant has new menus that have a lot of Lake Dallas business ads in them.

The cost of the available billboard on I-35E is very expensive.

There was an e-mail and kudos from a Corinth resident to the Police Department regarding the flags on Denton Drive.

J. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:40 PM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 27, 2001 at 7:38 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Alan Fletcher, 917 Lake Bridge, handed out some information about the website the Economic Development Committee has been working on. He explained some of the basics and the design. He also discussed the process of the domain name.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. BUSINESS:

1. **Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2001-2002.**

[General Fund $2,317,633; Debt Service $262,552; 1998 Street Bond $600,000; 2001 Building Bonds $215,000].
Motion was made by Councilmember Stapleton to approve an Ordinance adopting the Budget for Fiscal Year 2001-2002. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance setting the property tax rate for FY 2001-2002.**

Motion was made by Councilmember Johnson to approve the same tax rate as last year of .56171 as stated in the Ordinance. Seconded by Councilmember Stapleton.
[.47963 maintenance & operation and .08208 for debt service.].
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. **Consent Agenda:**
   a) Consideration and Action on approval of Request for Proposal for an Economic Development Committee consultant.
   b) Consideration and Action on appointment of alternate member to the Fire Board.
   c) Consideration and Action on approval of allowing AFLAC cafeteria plan available to city employees.

Items b and c were pulled from the consent agenda.

Motion was made by Councilmember Johnson to accept Consent Agenda item 3-a. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Johnson to not appoint an alternate to the Fire Board [agenda item 3-b]. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Stapleton to approve agenda item 3-c. Seconded by Councilmember Harper. Councilmember Stapleton withdrew his motion.
Motion was made by Councilmember Kirby to take no action on agenda item 3-c. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consideration and Action on DCAD nominations (5).**

Motion was made by Councilmember Kirby to table item E-4 and bring it back to the October 11 meeting. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton and Harper
Noes: None

Motion Passed

5. Consideration and Action on approval of an Ordinance for a contract with John and Nancy Bradshaw dab "The Musicmaker."

John Bradshaw, 221 Addison Street, said kids keep knocking on the door and asking for the Saturday night program to come back.

Motion was made by Councilmember Johnson to table Item E-5 until the regular meeting on October 11. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Harper
Noes: None
Abstentions: Councilmember Stapleton

Motion Passed

6. Consideration and Action on approval of Ordinance amending 01 Budget.

Motion was made by Councilmember Kirby to approve the Ordinance amending FY 01 Budget year. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

7. Consideration and Action on approval of amendment to Municipal Code Article III section 70-72.

Motion was made by Councilmember Kirby to table this item. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

8. (addendum) Consideration and Action on approval of amendment to Municipal Code Chapter 22 Section III.

Motion was made by Councilmember Kirby to approve item E-8 striking out "or allowed to remain" in item (b).
Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Stapleton, and Harper
Noes: Councilmember Johnson

Motion Passed

Mayor Wohr called for a break at 8:58 PM.

Mayor Wohr called the meeting back to order at 9:24 PM.

F. Workshop

1) Discussion on changes to the Municipal Code relating to accessory uses and buildings, recreational vehicles, and setbacks, and height.

2) City Manager Search
No discussion - see item F

3) City Facility Planning/Progress
No discussion - see item F

G. Staff Reports
No discussion - see item F

H. New Business
No discussion - see item F

F. Adjourn
Motion to adjourn was made by Councilmember Kirby. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:35 PM.

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

Steve Wohr, Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 20, 2001 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Jeff West with AFLAC, 4210 I-35 North, Denton 76207 introduced Deb Reed who is another representative. They have a plan they would like to make available to the city employees.

This can be put on the September 27 agenda. item on 09/27. We want to be sure our employees have as much freedom of choice as possible.

Mark Johnson, 905 Vista Oaks Court, said he is an industrial engineer with Nokia Mobile Phones. They have some surplus exercise equipment and they want to donate it to the City of Lake Dallas. It will need to be picked up within the next few weeks.

Mayor Wohr thanked Mr. Johnson and said the City will sent Nokia a letter thanking them.

Mayor Wohr closed the citizens' agenda when no one else came forward to speak.

C. Workshop:

1) **Budget Workshop.**

2) **City Manager Search.**

3) **Development of New Revenue Sources.**

Mayor Wohr called for a break at 9:10 PM.

Mayor Wohr called the meeting back to order at 9:17 PM.

4) City Facility Planning/Progress.

D. Staff Reports:

Acting City Manager Ristagno has talked with the City Attorney about the weapons and fence Ordinances.

E. New Business:

The C-1-A Ordinance needs to be done soon.

Joy Odle died and the funeral was today.

There was some discussion about the Boys and Girls Club and progress on them purchasing property in town for their own building.

When we don't have a meeting posted on our marquee it should say "God Bless America."

The Parks and Recreation Board can work on the monument sign now that the budget process has been completed.

FallFest and the Main Street Flea Market are on the same weekend. Vendors and booth rentals may conflict.

F. Adjourn:

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:17 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 13, 2001 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Proclamation -- Constitution Week

Mayor Wohr read the proclamation about the Constitution. It is the privilege and duty of all Americans to commemorate the 214th anniversary of the ratification of the Constitution of the United States of America. Public Law 915 guarantees the issuance of a proclamation by the President of the United States of America designating September 17 through September 23 as Constitution Week. He also read the Preamble to the Constitution.

E. Visitors/Citizens Agenda:

Bobby Shikle, 723 Thompson Drive, expressed concern about a situation that happened over the holiday weekend between some of his neighbors and the Animal Services.

Rayette Mabie, 612 Thompson, said she was unhappy with a situation that happened over the Labor Day weekend with the Animal Control personnel and police department.

Mayor Wohr said we would get some information to her within the next couple of days.

Denise Wilson, 4427 Spanish Oak Circle, and Kim Farris, also of Thousand Oaks, said they were here about the River Oaks Way Park in Thousand Oaks. They want to raise donations for the park.

Randy Danner, 731 Black Walnut, said he had an unpleasant personal situation take place two weeks ago and 2 officers came out and showed the highest degree of professionalism.

Carolyn Green, 201 North Shady Shores, said she supports items G-5 and G-10 on the agenda totally and completely as she does our Police Department.

F. Reports:
Boards & Commissions:

Paul Fiala, chairman of the Economic Development Committee, said the 4a and 4b tax is still in the future. The E.D.C. is currently working on the website design. They will get some brochures worked up about what they've been doing so they can hand them out from their booth at the FallFest. They want to get some feedback from the Planning and Zoning Commission and maybe even Parks about what can be done.

A joint meeting is being considered for the Council and all boards and commissions after the budget approval. Posting the minutes on the web will help the different committees to see what is going on.

Tom Hoover of The Hoover/Klein Group said the original submittal was a preliminary. These drawings show a flush mounted median. The total cost is $270,000 for all 10 intersections and the green up at the fire station. Part of the cost is using stamped and/or colored concrete. A big part of the cost is the lighting since these are more an antique style. They also looked at the city hall site and have good idea for some improvements for a Welcome to Lake Dallas monument sign. They are leaving some room for a gazebo. The business owners in Keller have started taking a little pride in their buildings and have begun fixing them up while the streets and sidewalks are being done.

Russell Bates, Architect, said he tried to do a good cost estimate but we need to keep in mind that this is a 16,000 SF building. He said that if, during the bidding process, someone comes up with a cost saving idea we can issue addendums. We have a complete set of plans so we can tell them exactly what we want "or equal" and make them provide data to back it up so if we do accept it then we have to give other bidders a chance to bid. There won't be a weather problem because there won't be foundation work. When we take the A/C units off the roof we will violate the warranty on the roof. We could use that contractor but we won't be getting a competitive bid. He said he is looking for an alternate choice for the entrance.

Mayor Wohr called for a break at 9:02 PM.

Mayor Wohr called the meeting back to order at 9:17 PM.

G. Business:

1) Public Hearing on an application for a Special Use Permit to operate a church at 310-312 South Shady Shores Road, Tract 15 of A-1355A Wright Survey, Lake Dallas, Denton County, Texas.

Kevin Hardesty, 5430 Prince Drive, said he is renting part of the old Tim's Produce building. This church is a satellite of a church in Lewisville. With this approval they can move on with what they want to accomplish.

Mayor Wohr closed the public hearing when no one else came forward to speak.

2) Consideration and Action on approval of an Ordinance for a Special Use Permit to operate a church at 310-312 South Shady Shores Road, Tract 15 of A-1355A Wright Survey, Lake Dallas, Denton County, Texas.

Motion made by Councilmember Johnson to approve the Special Use Permit to operate a church at 310-312 South Shady Shores Road, Tract 15 of A-1355A Wright Survey, Lake Dallas, Denton County, Texas with a limitation that the Special Use Permit expires in two years from the date of issue. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3) Public Hearing on Property Tax Rate.

Robbie Robertson, 718 Thousand Oaks, told Council they have the unpleasant task of trying to provide services like Irving and Dallas without the funds.

Mayor Wohr said they have tried to be sensitive to the needs of the citizens.

Mayor Wohr closed public hearing when no one else came forward to speak.

The September 27 meeting will have an action item to adopt the tax rate.

4) Public Hearing on FY 2002 Budget.

No one came forward to speak on the public hearing so Mayor Wohr closed the Public Hearing.

5) Consideration and Action on approval of an Ordinance regarding solid waste disposal.

Mr. Klaiber of Waste Management said the subscriber list for Lake Dallas is a little over 1400 homes while the estimated house count is 2100 - 2200 homes with a vacancy rate of approximately 5 %. They are dealing with the same situation in Hickory Creek and Shady Shores.

Motion was made by Councilmember Stapleton to approve the ordinance as presented. Seconded by Councilmember Johnson.

There was Council discussion about Section 86.33 item (h). That item should read: "Place the containers at the curbside of the street or usual place of pickup not later than 7:00 a.m. on the day of scheduled collection. It shall be unlawful for any customer to place any containers of garbage and/or trash at said location prior to 6:00 o'clock p.m. the day before the day of scheduled collection."

Motion was made by Councilmember Johnson to amend the motion. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The vote on approval of the original motion as amended:
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper.
Noes: None

Motion Passed

6) Consideration and Action on approval of an Ordinance amending Chapter 18 of the Municipal Code relating to animals.

Discussion involved changing the first sentence of Section 18.83. Restrictions (a) to read: "It is unlawful for any person to keep or permit the keeping of livestock on premises owned by him or under his control, except the following: There shall be one-half (1/2) acre (21,780 square feet) of grazing area for the first animal and one-quarter (1/4) of an acre (10,980 square feet) of grazing area for each additional animal so long as the livestock is kept and maintained in a sanitary and humane manner, subject to inspection by the City." And (c) shall read: "It shall be unlawful for any person to keep livestock on premises under his control in such manner that livestock will be housed closer than 50 feet from any person's living quarters."

Motion was made by Councilmember Stapleton to approve the Ordinance referred to in Agenda Item 6 as amended. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Stapleton, and Harper
Noes: Councilmember Johnson

Motion Passed

7) Consideration and Action on approval of August financials and accounts payable.

Motion was made by Councilmember Kirby to approve the August financials as presented and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: none

Motion Passed

8) Consideration and Action on approval of an Ordinance for annexation of 35.38 acre tract of land situated in the Nathaniel French Survey, Abstract No. 424.

Motion was made by Councilmember Kirby to accept and approve the Ordinance for annexation of 35.38 acre tract of land situated in the Nathaniel French Survey, Abstract 424. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

9) Consideration and Action on acceptance of Bruce Martin's resignation from the Economic Development Committee and appointment of one regular appointment and one alternate appointment to the Economic Development Committee.

Motion was made by Councilmember Kirby to accept Bruce Martin's resignation from the Economic Development Committee, move Alan Fletcher from Alternate to Regular member and appoint Michael Graham and Cliff Elton as Alternates. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

10) Consideration and Action on approval of Lake Cities Fire & EMS Budget.

Robbie Robertson, the City's representative to the Lake Cities Fire Board was available for discussion on the budget. The Council would like to see a different form of determining the percentages in the next budget.

Motion was made by Councilmember Johnson to approve the Lake Cities Fire and EMS Budget. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

11) Consideration and Action on approval of an Ordinance regarding an agreement with the Lake Cities Soccer Association.

There was discussion between the Council and Mike Hageman of the Lake Cities Soccer Association. Item 15 needs to be changed.

Motion was made by Councilmember Kirby to approve the Ordinance regarding an agreement with the Lake Cities Soccer Association with the change as stated in Item 15 of the agreement. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

1) City Manager Search.

Councilmember Kirby said she has not heard from the Waters Consulting Group yet. John Klaiber had recommended a firm owned by Kerry Sweat that provides an interim city manager. She has talked with Kerry Sweat and he said they take the salary and add the benefits to come up with an hourly rate and place someone in that position at that hourly rate plus pay travel expenses and hotel/room. We could offer one of the previous candidates the job of interim while we continue our search.

2. City Facility Planning/Progress.

This item was not discussed under the workshop. See the report from Russell Bates.

3. Budget Workshop.

There was Council discussion about the proposed budget.

I. Staff Reports

None were made.

J. New Business:

Please put the Council Policies and Procedures on an agenda in October.

The Employees Appreciation dinner should be held next month.

Denco 9-1-1 has maps out now and if we have an agreement with them we can get one.

We need to move forward with the C-1-A zoning that will allow retail, restaurants, and hotels and motels.

We need a meeting next Thursday. The Planning and Zoning Commission has a meeting scheduled for that night also. The Council meeting will be at City Hall. Our meeting will be for the budget, city manager search, and a workshop on developing new revenue sources.

K. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 1:55 AM.

Steve Wohr, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 30, 2001 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff Present: Acting City Manager Nick Ristagno, Acting City Secretary Joni Vaughn, and City Secretary Weikum.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

Cindy Nelson, 812 Lakebluff Drive, said that arrows are being shot very close to her yard and a friend's yard. She is asking that the ordinance on weapons be changed.

Mayor Wohr said the city has changed a lot over the past 3 or 4 years and it's only been that long since one can't shoot off firearms in the city. It is not without precedent to go in and look at these ordinances.

Heather Griffith, Lakebluff Drive, said she is talking about same issue as Cindy. She said it's easy in archery to make a mistake. She's afraid to let her daughter play in their backyard.

Jeanette Harmon, 72 Lake Ridge, would like Councilmembers to clarify the code pertaining to the hard surface for driveways requirement. She believes the landlords at Kingswood Estates should advise the renters of the codes within the park and that most of those codes match the city codes.

Mayor Wohr said one of the things we're looking at is about requiring a certificate of occupancy each time a residence has new occupants. That would enable the City to check out the homes to make sure they have smoke detectors and that the house is all right for occupancy. At that time we could let them know where they can get a copy of the codes.

F. Business:

1) Consideration and Action on the "City of Lake Dallas" name placement on Lake Cities Municipal Utility Authority water tower with their logo.

Motion was made by Councilmember Stapleton to not approve the 'City of Lake Dallas' name placement on the Lake Cities Municipal Utility Authority water tower. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2) Consideration and Action on holding a Public Hearing on a proposal to increase total tax revenues from properties on the tax roll.

Motion was made by Councilmember Stapleton to set a Public Hearing on September 13 for a proposal to increase total tax revenues from properties on the tax roll. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

G. Workshop

1. Discussion about consideration of outside firm to perform FY 2002 Budget preparation.

There are firms available to do this. We can make a decision at a later date.

2. City Facility Planning/Progress

Russell Bates said some measuring has been done for all the column locations. They have looked at the report from the previous structural engineer. The floor plan has been discussed with staff and departments. We are at the point of cost now. When he comes back in the near future he will have better idea of the cost. He will be talking with contractors and getting prices. We need to weigh the first time costs vs. long-term costs. We can't stain the concrete because it's been sealed. We'll have to put floor covering on it. He said he had someone look at the roof and it appears that water intrusion has occurred within the insulation and plies of felt with asphalt layers between them. It could be as minor as warranty. Mr. Bates said he will get us a price and should get back to us before three weeks. We did lose some time in the process in prior months.

3. Discussion regarding interim City Management procedures.

4. City Manager Search.

Councilmember Kirby will contact Corinth to get a cost and procedure of what they used for their search. She will also contact John Klaiber regarding his information about an interim city manager.

5. Lake Cities Soccer Association contract.

Discussion included the hours requested; spring and fall schedules; night games and rain days makeup games; reasonable wear and tear; the association liability for an act by the city; maintenance; contract date; and user fees

Mayor Wohr called for a break at 10:17 PM.

Mayor Wohr called the meeting back to order at 10:35 PM.

E. EXECUTIVE SESSION:

1) The City Council to convene into closed session pursuant to Texas Government Code Section 551.074 to discuss matters relating to City Manager personnel issues.

Mayor Wohr called the Executive session to order at 10:40 PM.

Mayor Wohr closed the Executive session at 11:50 PM.

Mayor Wohr called the open meeting back to order at 11:55 PM.

3) Action, if any, from executive session.

No action was taken.

G - 6. Budget Workshop.

Acting City Manager Ristagno said the budget this year is the result of team effort. The biggest expense item this year is the budget for the fire services. It has increased by $200,000 this year. Council asked for a list of others on the staff (besides the police department) that the step pay plan would affect. Out of the proposed $2,404,000 general fund budget approximately $165,000 is discretionary. There was also discussion about the Public Works and a new vehicle. The Parks Board has asked for an additional $6,000 for park maintenance. They still want a Parks events coordinator. The Economic Development Committee would like funds to hire a consultant. The proposed budget will be brought back at the next meeting.

H. Staff Reports

I. New Business

The fence on Oak Lakes is illegal even if he was issued a permit to put it up. We should see what can be done about getting it down.

The Councilmembers need to discuss the policies and procedures about items being given to them for their meetings at the time of the meetings.

We ended up getting a good rate from TXU by choosing the avenue earlier this year.

We should see if the City would qualify for a grant for the new city hall from the news release received earlier.

The Economic Development Committee will have a table at FallFest.

The City of Gilmer has just completed a skate park for skateboards and roller blades. The information will be given to the Parks and Recreation Board.

Would like to address the council policies and procedures at a meeting next month.

We need to tighten up our ordinance on trash collection because it will raise the compliance rate.

Nancy Bradshaw said she would be happy to come down and donate her services in the parking lot at new city hall for the dance the Friday before Halloween.

J. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Motion was adjourned at 1:25 AM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 23, 2001 at 7:30 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: chapter 551.041 of the Texas Government Code.

A. Roll Call:

Mayor Pro-Tem Johnson	
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 4

Mayor Wohr was excused. Staff present: City Manager Kyle McCain and Acting City Secretary Joni Vaughn.

B. Invocation was given by Mayor Pro-Tem Johnson.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Johnson.

D. Visitors/Citizens Agenda:

Randy Danner, 731 Black Walnut, said he is the chairman for the Lake Dallas Business Owners Association. The association plans to work with the City of Lake Dallas to bring events to the city and work towards more business for the city.

Kathy Helm, Herb Garden Antiques, 213 Main Street, said the business owners association will have Trade Days the Saturday of Homecoming weekend and the day of FallFest. They will be referring people to the FallFest. They are planning Halloween festivities in conjunction with the City's activities and plan to do so also in November and December.

Pat Phillips, 402 South Lakeview, said she is co-chair of the Lake Dallas Business Owners Association. They are planning a float for the Homecoming parade and would appreciate the City's help. They are planning to have booths at Main and Falcon for the Trade Days in October.

Margaret Tisdale, 509 Howard Drive, is concerned about the condition of Atchison Street and Summers Lane. She asked about the work to be done on the Kings Manor Drainage Ditch. She was told it would be as soon as Betchan Street is completed. The Betchan project is currently under construction.

E. BUSINESS:

1. Consent Agenda:

a) Consideration and Action on approval of a Resolution for bank signatories on Northstar Bank.

b) Consideration and Action on approval of a Resolution naming representatives for TexPool accounts.

c) Consideration and Action on approval of a Resolution approving a 90-day moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in M-1 Light Industrial Zoning districts.

d) Consideration and Action on approval of a Resolution placing a 90-day moratorium for filing and the issuance of building permits and all other development permits for construction and/or development in R-3 Multifamily Residential district property.

e) Consideration and Action on appointment of an alternate member to the Planning and Zoning Commission.

f) Approval of minutes for July 26 and August 2, 1001 meetings.

Councilmember Stapleton asked that item E-1-e be pulled from the Consent Agenda Items.

Motion was made by Councilmember Stapleton to approve the remaining Consent Agenda items a, b, c, d, and f. Seconded by Councilmember Harper.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Stapleton to accept Alan Fletcher as an alternate member to the Planning and Zoning Commission. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of contract with the Lake Cities Soccer Association.

Motion was made by Councilmember Stapleton to table the action on approval of a contract with the Lake Cities Soccer Association. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

F. WORKSHOP:

1. Discussion about Special Event permits.

There was a thorough discussion about the permits required by some other cities. It was determined that this is an item that the Parks and Recreation Board should work on. There should be three different types of permits specified: promoter, event, and vendors. Consideration should be given to those vendors with and without concessions. Food vendors should be required to have health permits.

2. FY 02 Budget discussion.

There is no new information ready at this time.

3. City Facility Planning/Progress.

Russell Bates should have a report for next week's Council meeting. The mansard from the old building should not be recycled in an attempt to have picnic table covers at Willow Grove. There is some information about the roof on the building. Mr. Bates has recommended that we get a second opinion on the condition of the roof. Mr. Bates is making some minor changes to the floor plan. He has firm enough plans to begin making an estimate on the cost. Council would like Mr. Bates to attend the meeting next week to give a report with realistic ideas and dates.

4. Discussion on proposed ordinance regarding taxation exemption on leased vehicles.

This doesn't impact us right now but Mary Horn has recommended that it would be better for the City to have this Ordinance in place should something change. More research should be done. The Ordinance doesn't need to be in place until January.

5. City Manager Search.

This item should be discussed when the Mayor is present and needs to be on every agenda. Directive was given that compensation for Chief Ristagno and City Secretary Weikum be resumed as it had been during prior city manager searches.

G. Staff Reports:

Chief Ristagno described a program Green Thumb that wants to place an elderly, low-income person in our animal control department for about 20 hours a week to subsidize their social security income. If TML or the City Attorney doesn't have a problem with this it sounds like a good program. There is new legislation regarding 5 year vesting for retirement with TMRS instead of the 10 year vesting currently in place. This will be automatic in January 2002 unless the City passes a Ordinance rejecting the 5 year vesting. The cost to the City will be 1/2 a percent on salaries.

H. New Business:

The Back to School dance was very good. The 50's Dance needs to be advertised more so there will be better participation.

The new logo has become City property. Alan Fletcher has been paid $10.

The Lions Club wants to know what we, as a city, are going to do for Halloween. His suggestion is that after the businesses close and trick or treating is done, that we stay on awhile until dusk and then have a street dance for the older kids. That way all the kids don't start hitting the streets. This year Halloween is on a Wednesday, which is a school night as well as church night. We plan to do a hayride as in previous years. We should give some thought to having the dance the Friday night before Halloween.

Kay Swihart had said the City will have to come into compliance with a Storm Water Drainage program within the next few years. We may have to start planning toward the cost for this program.

Bob Altman has been coming to the business owners meetings and he is interested in possibly putting some money into getting an archway put up over Main Street. He can get some costs after he finds out what we would like to have on the archway.

Chief Ristagno said the City had received a letter from the Lake Cities Municipal Utilities Authority that for $2500 from us they would put our name on the water tower on Shady Shores under their logo.

I. Adjourn:

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Marjory Johnson, Mayor Pro-Tem

Joni Vaughn, Acting City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 16, 2001 at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: chapter 551.041 of the Texas Government Code.

A. Roll Call:

Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 4

Mayor Wohr arrived at 7:40 PM. Staff present: City Manager Kyle McCain and Acting City Secretary Joni Vaughn. City Secretary Weikum arrived at 8:10 PM.

Mayor Pro-Tem Johnson called the meeting to order at 7:33 PM.

B. Invocation was given by Mayor Pro-Tem Johnson.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Johnson.

D. Visitors/Citizens Agenda:

Mayor Pro-Tem Johnson closed the Citizens Agenda when no one came forward to speak.

E. BUSINESS:

1. **Consent Agenda:**

a) **Consideration and Action on approval of new City of Lake Dallas logo.**

b) **Consideration and Action on approval of a Resolution appointing Olive Stephens as a member to the Board of Managers of the Denco Area 9-1-1 District for the City of Lake Dallas.**

Motion was made by Councilmember Stapleton to approve the Consent Agenda items. Seconded by Councilmember Harper.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

2. Second Public Hearing on proposed annexation of 35.38 acre tract of the Nathaniel French Survey, Abstract No. 424, Denton County, Texas located on North Lakeview Drive.

Randy Squier, 560 North Lakeview Drive, said he is still in favor of the annexation process. He wants to make the Council aware that he has talked with the North Texas Tollway Authority and they have not yet decided a location for the toll booth. He said he had been promised someone would sit down with him and discuss what uses he will be able to continue to do on his property after the annexation.

Mayor Wohr said we will be asking the City Attorney to draft an ordinance regarding the usage on his property. Mayor Wohr closed the public hearing when no one else came forward to speak on this item.

3. Consideration and Action on proposed annexation of 35.38 acre tract of the Nathaniel French Survey, Abstract No. 424, Denton County, Texas located on North Lakeview Drive.

Motion was made by Councilmember Stapleton to approve the annexation of a 35.38 acre tract of the Nathaniel French Survey, Abstract No. 424, Denton County, Texas and direct staff to prepare an Ordinance to appear on the agenda on or before September 13. Seconded by Councilmember Kirby.

Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. WORKSHOP:

2. Review of Library proposed interlocal agreement.

It would be useful for the Council to see a plan from the Library reflecting where they are now and where they plan to be in 2 years and then again in 5 years. They would like to see a document similar to what the Fire Department brought to Council before the interlocal agreement with them was acted upon. The Articles of Incorporation may need to be changed in order for the library board to adapt to an interlocal agreement. The City likes to take a hands-off approach. We like to receive reports as to what they are doing and planning to do but leave the day-to-day business up to the Library. Since Lake Dallas is furnishing the building, and, in time, hope to let the library expand into the entire building, it would appear that the other cities should furnish more money. We should work on leasing agreements during the budget time. An interim agreement should be drafted. Perhaps when the Boys and Girls Club lease expires, the Library will be able to take over the back part of the building.

The Library Board should work on a budget that would reflect how much their costs would be for rent of the building, utilities, and other costs for the portion of the building they are using now as well as what their costs would be when they have use of the entire building.

1. Discussion about Special Event permits.

We need to get some numbers of what other cities are charging. Arlington has various charges for street festivals. We could charge one amount for a food vendor and different amounts for another types of vendors. There would be a fairness in charging vendors various fees for events. If the business is located in town they're already paying sales and property taxes. We could possibly earmark those fees to be used for parks. Staff should contact some other cities to get some information on fee structures so it can be brought back to a future meeting.

Mayor Wohr called for a break at 8:42 PM.

Mayor Wohr called the meeting back to order at 9:10 PM.

3. City Facility Planning/Progress.

City Manager McCain said there was nothing new to report. The architect has a family member who is gravely ill this week.

3. FY 02 Budget Review.

City Manager McCain said he feels he's made a lot of progress this week but everything he gets into raises more questions so it takes a lot of research. The summary reflects a shortfall of $40,000. The Parks board has requested an events coordinator and maintenance of $6,000. The tax rate is the same rate the city has had the past several years. Our debt service shows a bond payment being paid from prior years debt service balance. The figures for the 2000 actual numbers should be part of the budget instead of the estimated numbers.

Mayor Wohr called for a break at 10:38 PM.

Mayor Wohr called the meeting back to order at 10:47 PM.

E (i) EXECUTIVE SESSION
The City Council to meet in Executive Session for evaluation of the City Manager pursuant to the Texas Government Code Section 551.074.

Mayor Wohr announced that the Council would go into Executive Session .

E (ii) ACTION, IF ANY, FROM EXECUTIVE SESSION:

Motion was made by Councilmember Johnson to accept Kyle McCain's resignation. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

G. Staff Reports:

There were no reports made.

H. New Business:

Councilmember Kirby asked if there would be a problem for several vehicles to park at the new city hall on Saturday. It should not cause any problems.

I. Adjourn:

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:47 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 9, 2001 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4

Councilmember Harper arrived at 8:00 PM. Staff present: City Manager Kyle McCain and City Secretary Weikum. Police Chief Ristagno arrived later.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda

Carolyn Green, 201 N. Shady Shores, said the deal with the Boys and Girls Club was a catch 22 with her. She commended the Council for the decision they made. The City has pledged the property and Boeing has pledged some money. She is sending letters in an effort to have money donated for them and encourages the City and the Boys and Girls Club to do the same. Please help her raise the funds to build the building. Again, she said she commends Council because it took some courage to do that.

Mayor Wohr closed the Citizens' Agenda at 7:48 PM when no one else came forward to speak.

E. Reports from Boards and Commissions and Contract Consultant

Rod Proctor, Parks and Recreation Chair said they met on Saturday to discuss the budget. The board had a workshop to discuss the playground with representatives from two companies that had proposals and drawings of similar playgrounds. There have been suggestions for a skateboard area plus walking/jogging trails. They will send a survey out through flyers at the schools and soccer and other activities to get citizen input. Soccer will continue to use the area closest to Shady Shores. Football takes a lot of the other area during the fall. The Methodist church is donating lights, and the board would like to have them put at Willow Grove. They would like to see the football and baseball associations move out there after the lights are in place. They would like to have the money not used for capital improvements during this budget year carried over to the 2002 budget. The elementary school is putting in new playground equipment and donating their old equipment to us. The board is discussing installing a pavilion and demolishing the old

bathrooms at Willow Grove now that we have the lease. The Fallfest is October 6 and it will be joint venture between Lake Dallas and Hickory Creek. We are hoping for good weather this year and plan to have the old time gunfighters, a chili cook off, pony rides, and more to draw people in who haven't been there before.

Mayor Wohr asked Rod to contact the VFW or American Legion for help in contacting Wal-Mart for assistance in getting a sign for the park.

Paul Fiala, Economic Development Committee chairman, said he doesn't have complete reports because some people missed their meeting last week. Councilmember Kirby said she has some forms that can be automated and Mayor Wohr said he can give them a contact person for the database. Paul said they are looking into a 4a or 4b sales tax. We had some people from TXU and Denton County come to try to help and it would be nice if we could give them something as a thank you for their volunteer help. If the Economic Development Committee can give us a list of the people involved we could present them with certificates at a council meeting. The committee has begun 2 meetings a month again.

Alan Fletcher, 917 Lake Bluff, an alternate on the Economic Development Committee, said he appreciates the opportunity to talk with the council. He thanked the council for doing a thankless job. He displayed the new logo design. Then he said the Economic Development Committee is developing plans to market the City of Lake Dallas. Our website could encourage future development here if it can be updated. He said the cost of the logo design, design and pre-press production of the City's business cards, letterheads and envelopes will all be donated. He will also donate his work on the website.
Mayor Wohr said the City Council respects a recommending body such as the Economic Development Committee. Perhaps some Economic Development Committee members could start going to ribbon cuttings when new businesses open.

F. BUSINESS:

1. Consent Agenda

a) Consideration and Action on approval of July financials and accounts payable.

b) Consideration and Action on approval of minutes for June 14, June 28, and July 12, 2001 meetings

c) Consideration and Action on appointment of John Flaming as alternate member of the Board of Adjustment.

d) Consideration and Action on approval of a resolution to extend the R-2 zoning district moratorium.

e) Consideration and Action on approval of an Ordinance on agreement with the Denton County Boys and Girls Club for the use of the Lake Dallas Community Center and community center property.

Motion was made by Councilmember Kirby to accept Items F-1-a, b, c, d, and e.
Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

2. **Public Hearing on proposed annexation of 35.38 acre tract of the Nathaniel French Survey, Abstract No. 424, Denton County, Texas located on North Lakeview Drive.**

No one came forward to speak so Mayor Wohr closed the public hearing.

3. **Consideration and Action on approval of employee's Dental Plan.**

Motion was made by Councilmember Johnson to approve the same plan in use at the present. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:04 PM.

Mayor Wohr called the meeting back to order at 9:30 PM.

G. Workshop:

1. Presentation of the FY 02 Budget.

City Manager McCain said this is basically the operating departments only with nothing for streets or the fire department. The Operating Revenues range between $1.9 mil to $2.1 million for next year. It does not show the cash on hand to carry us forward. He hopes to have better print out tomorrow. He discussed the cafeteria plan on IRS 215 program where some of the health and dental insurance is deducted pre-tax. Police Chief Ristagno is here to talk about the salaries for the police department and he has a specific proposal for that.

Police Chief Ristagno handed out the current compensation plan. He said all employees are in certain classifications. He said we would like to propose step increases for certified personnel at one year and civilian on another year. These step increases would be based on performance. Under this plan within 2 years an officer could top out by step increases and once that occurs we are not creating a situation where they can leave here and go to another city without experiencing a cut in pay.

There was more discussion about what procedures should be followed in an attempt to get some figures together with which the Council can work.

2. City Facilities Planning/Progress.

City Manager McCain passed out blueprints and said there is a major change. The entrance will no longer be rounded area. It was suggested that we go to a design-build firm at this time. City Manager McCain said we need to get a finished design and price as our next step.

3. RFP - E.D.C. consultant.

We need to include funds for a consultant for the E.D.C.

Mayor Wohr moved to Item 6. It was determined that Workshop Items 4 and 5 should be moved to next week's agenda.

4. Discussion about special event permits.

5. Review of Library proposed interlocal agreement.

6. Review of nominations for Denco Area 911 district board of managers.

It was decided that we should adopt a Resolution naming Olive Stephens as our nomination. This item should be a consent agenda item on the August 16 meeting.

H. Staff Reports

City Manager McCain said the post and cable fence is up at the City Park. The Dobbs Street repair is much better repair than what Tom Hoover, our engineer, would have recommended. He met with Andrews Paving late last week about the Kings Manor Drainage and Betchan projects. At one of our workshops he will ask someone to come explain the national discharge program.

I. New Business

107 Shady Shores needs to be checked. They have been issued a citation.

At the Mayors meeting tomorrow City Manager McCain and Mayor Wohr will ask about the Swisher Road extension schedule. They will also inquire about having the intersection at I-35 and Swisher made a little wider to accommodate more traffic.

We should check into the availability for rural development grants.

The elementary school classes have been moved so the 2nd, 3rd and 4th grades will be going to school on Falcon Drive. They are walkers who are too close to the schools to have buses pick them up. A 4-way stop can be done at Lakeview & Thompson.

'No passing' signs will be put up between Kingswood and Shady Shores.

J. Adjourn

Motion to adjourn was made by Councilmember Kirby. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:32 AM.

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

Steve Wohr, Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 2, 2001 at 8:12 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: City Manager Kyle McCain and City Secretary Weikum.

B. Visitors/Citizens Agenda

Jill Rael, 19 Wolters, Hickory Creek, said people have been nice to her tonight, but the library is feeling a lot of frustration right now. She feels it is unfortunate that the library is treated with unfairness and sometimes a little bit of contempt. When they want to find out what's going on they have to read about in the paper or hear rumors on the street. She would like to know when the library is scheduled for discussion. There is not enough room for people to sit down and study or read. They have to grow and can't get a clear answer from the city. She feels Council has all kinds of plans and schemes for them but they don't tell the library anything. The 'Friends' group is dying. There is no room for any books or furniture and fixtures. The volunteers would like to offer more programs but there is not enough room. The main issue is that council just doesn't communicate with the library.

Mayor Wohr said that in the next 30 days a meeting with the Council and library board should be set up. He said he thinks there's a lot of misunderstanding about what their long-term goals are. He also doesn't like to get his information second hand and that has happened in the past. We need to look at short- and long-term growth. We are not against the library.

There was discussion about a previous meeting when the library was asking for some storage space. The meeting was a workshop with no Council quorum. The proper way to approach this request would be through a council agenda.

Rodney Sirois, 1803 Dundee Drive, Corinth, is a member of the Friends of the Library. He is 67 and the average age of the members of the 'Friends' is over 90 and they are mainly female. He said he has heard some very bad vibes come out of council meetings in reference to the library. At the last book sale the Council told the 'Friends' they needed to get the leftover books out of the community center by Monday morning. He feels that was unfair. They have no place to keep donated books in the library or community center so he moves them into a storage facility. He agrees we need something for the Boys & Girls Club but he doesn't care if it's here or Corinth, or Denton County.

Becky Paulman, 203A Gotcher, said she has a lot of praises for the library. There is not much room. If someone's in an aisle you can't get around them. She has volunteered to read for the children's programs but there's not enough room to allow for that and for other kids to come in to check out books without disturbing the program. Is the Boys and Girls Club more important that the library? Please reconsider expanding the library.

Randy Danner, 731 Black Walnut Drive, said he really appreciates the many efforts our leaders put out in bringing Lake Dallas up to speed. He said he was embarrassed by what this body did at their last meeting. Something got lost along the way. The Boys and Girls Club can't be compared to the library or the soccer club. This is another issue and should have been weighed on its own merits. Whatever you do someone will be angry or upset. There is a need for the Boys and Girls Club. He thinks it would be a tragic mistake to turn the Boys and Girls club down. The Boys and Girls Club has limited resources and we could really help them. Don't turn our kids out on the street.

Kimberly Simpson, 2200 Mayfield Circle, Corinth, said she is a parent of 2 children who go to the Boys and Girls Club. Day cares are not abundant or affordable. She thinks the Boys and Girls Club is important for our kids and the community.

Donna Lee Ladeau, 201 N Shady Shores #111, said she is a single mom with 2 kids at the Boys & Girls Club. Until last November they were in private day care. She said she was prompted to leave there because her son was being allowed to curse. He has ADHD and is a high maintenance kid. She asked Council to consider thinking about letting them be here.

Candy McCall, 7 Tanglewood, Hickory Creek, asked why are they moving out of the schools -- are the schools not part of the city?

Mayor Wohr said the schools are a separate entity from the city. He said the Fred Moore School in Denton no longer has the room to house them there. The schools are just running out of room. Councilmember Harper said she works for the district and there are so many programs after school for the students that they need those rooms for those activities.

Donna Boner, 810 Lake Bluff Drive, has 2 boys going to the Boys and Girls Club and have been since 1998 when they moved here. They really like it. She has a 12-year-old who really can't stay at home by himself and is too old for day care and now he can kind of help out at the Boys and Girls Club. She feels it's something we really need to have here.

Mayor Wohr closed the citizens' agenda at 8:53 PM.

C. Business

1. Consideration and Action on approval of a contract with the Denton County Boys & Girls Club for the use of the Community Center and & Community Center property.

There was Council discussion on amendments to the contract. Andrea Wilson of the Boys and Girls Club was in attendance and participated in the discussion.

Mayor Wohr called for a break at 10:25 PM.

Mayor Wohr called the meeting back to order at 10:50 PM.

There was more Council discussion. Amendments to the contract were determined.

Motion was made by Councilmember Kirby to approve the contract with the Denton County Boys and Girls Club for the use of the Community Center and Community Center Property as amended. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of Willow Grove Lease.

Motion was made by Councilmember Johnson to approve the Willow Grove Lease. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

D. Workshop

1. City Facilities Planning/Progress

Mayor Wohr said he talked with Toby and he will look at the plans and work up a price for us. We don't have the elevations yet. City Manager McCain will contact Mr. Bates about the ceiling details.

E. New Business

There will be a presentation about the Mass Transit Regional Authority given by Judge Scott Armey at the North Central Texas College on August 14 or 15. It was determined that most of our Councilmembers could be available on August 14. We will advise the City of Corinth. We need to be there for the Swisher Road problem at I-35; they need to widen the road there to help ease the traffic problem at that intersection.

Where are we on the start date for Lakeland Court and Betchan? The drainage ditch will be the first thing and it will be 30 days before they start paving. Three weeks would be the very earliest. There was a pre-construction meeting with the engineer and contractor this afternoon.

F. Adjourn

Motion to adjourn was made by Councilmember Kirby. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:30 AM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
DENTON COUNTY
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting and joint workshop with the Planning and Zoning Commission on July 26, 2001 at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3

Councilmember Harper was excused and Councilmember McInnish was absent. Planning and Zoning Commission members present were Chairman Tony Marino, Commissioners Al Bavon and Randy Danner. Commissioners Shelton, Barnard, Connors, and Wilson were excused.
Staff Present: City Manager Kyle McCain, Police Chief Nick Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda**

Randy Danner, 731 Black Walnut Drive, asked how he could get the city logo because he is interested doing some shirts for the city. Mayor Wohr said he should call City Manager McCain. Councilmember Kirby suggested he come to an Economic Development Committee meeting. She said the logo might be changed.

Paul Wiersema, Carlisle Court, said he owns property on Main Street that is currently zoned C-1 or C-2. What would the city decide if he were to ask for a zoning change? He would like to obtain a waiver to build a home at the present time and later on perhaps it would be a Bed and Breakfast or maybe a restaurant. The latter two would add sales tax as well as property tax revenue for the city. Mayor Wohr said Council can give no advisory opinion and the city does not do waivers. A zoning change would need to be applied for and that includes public hearings before the Planning and Zoning Commission as well as the City Council.

Margaret Tisdale, 509 Howard, said she was back again about the Kings Manor Drainage Ditch. Mayor Wohr said it is on the agenda tonight as part of the item for acceptance of the bid on Betchan Street and Lakeland Court.

E. Business

1. Consideration and Action on approval of Resolution for moratorium on R-1-10000 residential districts.

Motion was made by Councilmember Stapleton to approve the Resolution for moratorium on R-1-10000 residential districts. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

2. Consideration and Action on appointment of an alternate member to the Parks and Recreation Board.

Motion was made by Councilmember Johnson to appoint Cliff Elton as alternate member to the Parks and Recreation Board. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

3. Consideration and Action on approval of Resolution for Cynthia White's assistance for the southbound exit off Interstate 35 East.

Mayor Wohr read the resolution that expressed the appreciation of the City of Lake Dallas to Cynthia White for her assistance in this matter.

Motion was made by Councilmember Stapleton to approve the Resolution for Cynthia White's assistance on the access justification study and approval. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

4. Consideration and Action on acceptance of bid for Rehabilitation of Betchan Street and Lakeland Court.

Tom Hoover said there was good news and bad news. The bid also includes Lakeland Court, overlay of new city hall, and drainage improvements in Kings Manor. The low bid and only bid was made by Andrews Paving who is more than capable of completing the work. Hoover/Klein had completed notifications and faxed the invitation to bid to other paving contractors to let them know we were receiving bids. Only three contractors picked up plans. People are just too busy and this is a smaller project. He said he doesn't have a problem giving it to Andrews Paving. There will be a pre-construction meeting next week.

Motion was made by Councilmember Stapleton to approve the bid for the rehabilitation of Betchan Street, Lakeland Court, and the drainage ditch in Kings Manor as presented in agenda item E-4 with the alternative item.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

5. Public Hearing on approval of Ordinance to extend juvenile curfew ordinance.

Carolyn Green, 201 North Shady Shores, said it works and it could be even more stringent. She said they have a curfew at her park but have very little problem with the teenagers.

Mayor Wohr closed the public hearing when no one else came forward to speak.

6. Consideration and Action on approval of Ordinance to extend juvenile curfew ordinance.

Motion was made by Councilmember Johnson to approve the ordinance extending juvenile curfew. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

Mayor Wohr asked council's permission to move to item 8 since we have people here from the Boys and Girls Club.

8. Consideration and Action on entering into a temporary agreement with the Denton County Boys and Girls Club for the use of the Community Center and Community Center Property.

Andrea Wilson, Exec Director of Denton County Boys & Girls Club gave a background on their program. The last five years they have been in the schools; their enrollment numbers have gone through the roof and it is logistically impossible for the schools to house them any longer. They've been negotiating and they have to find a new home. They are asking for use of this facility and permission to park a portable building at the read of the community center on the hard pack. That will give them the space they need. They would need it during this next school year from 2:30 - 6:30 PM on Monday through Friday. There would be other days when school is out that they would want to use the property all day. On the 3rd Tuesday they would be out by 6 PM and have chairs all set up since our Municipal Court uses the facility on those days at 6:30 PM. All their permanent supplies would be kept in their portable building so anyone else could use the facility earlier in the day. They would not be in conflict with the Happy Hearts seniors program or the Birthday Club.

There was Council discussion. It was determined we should have a contract and ordinance in effect. Would a usage fee be involved? Should the city attorney be contacted since this building was listed as a revenue stream when we did the bonds? City Manager McCain could be directed to draw up a contract and an ordinance which could be brought back to Council next week for action.

Mayor Wohr called for a break at 8:58 PM.

Mayor Wohr called the meeting back to order at 9:47 PM.

There was more discussion on this item. The city attorney had been contacted and this would not affect the revenue stream. He will work with City Manager McCain to get a contract drawn up.

Motion made by Councilmember Kirby to table this item E-8 until August 2 at 8:00 PM allowing City Manager McCain to work up contract and bring it back to us prior to that date and fax it to Councilmember Johnson. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

E-7 - Consideration and Action on Willow Grove Park Lease.

Motion was made by Councilmember Kirby to table item E-7 until August 2nd. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, & Stapleton
Noes: None

Motion Passed

At 10:50 PM, **Motion** was made by Councilmember Kirby to continue the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

F. Workshop with Planning and Zoning Commission.

Mayor Wohr said some of the items would be taken out of order because some citizens were in attendance on some of these items.

1. **Review of rear setbacks for accessory buildings**
3. **Review of Accessory Uses in residential districts.**

Clyde Fisher, 747 Carlisle drive, said he is zoned R-1-10000 and had built a carport on his property after he obtained a building permit from the city. The carport was for his RV. He has received citations because city ordinances only allow RV's to be parked in R-1-6000 and R-1-7200 residential districts. He feels he should be allowed to park his RV on his property without receiving a citation. He asked that the accessory uses in the city's ordinances be reviewed.

Cindy Nelson, 812 Lakebluff, said there is something wrong with the setbacks in the city ordinances. Because of Mr. Fisher's property layout his side yard is adjacent to her rear property line and he only has to be three feet from her rear yard because it is his side yard. She feels the ordinances for setbacks should be reviewed.

The Council and the Planning and Zoning Commission members discussed these items with the citizens and among themselves. At the next Planning and Zoning Commission meeting they will workshop setbacks and accessory uses for residential districts. They will also discuss height for back fences.

2. **Review of R-2 and R-3 residential district ordinances.**

During Council and Planning and Zoning Commission members discussion it was determined that the Planning and Zoning Commission should workshop these residential districts with special attention being given to screening of patios, landscaping requirements and off-street covered parking.

4. **Discussion regarding zoning and uses for Swisher Road extension.**

We need to get an up-to-date alignment map for the extension. Commercial zoning should border the road. Residential could then be zoned around the commercial area. If we can use Planned Use Development we need to get something like that in place.

At 12:15 AM the workshop items with the Planning and Zoning Commission members was concluded.

5. **Review of Library proposed interlocal agreement.**

This item was tabled until another meeting.

6. **Discussion about Special Event Permits.**

This item was tabled until another meeting.

7. City Facilities Planning/Progress.

City Manager McCain said measurements have been taken for the front façade. In answer to questions about the jail Police Chief Ristagno said Mr. Bates would probably write the spec's on it and that Mr. Bates is currently working on the elevations. August 10 might be a good date for Councilmembers to go look at other re-worked city halls in the area.

G. Staff Reports

City Manager McCain said the Methodist Church is willing to donate their baseball field lights to the city. They don't have the capability to dismantle them from the 65' poles so they are getting prices from TXU.

The cable fencing for the east end of City Park is becoming more of a probability. Mayor Wohr said the park sign should be at eye level. City Manager McCain said it should be higher and suggested looking at the sign at Frank Bourland's building on Main Street.

Police Chief Ristagno said the Kids 'n Cops Back to School Dance will be August 10 from 7 until 10 PM. They will furnish the munchies and soft drinks.

City Manager McCain said we have two new employees: Christie Havens is the new part-time Animal Control assistant and Mike Crowder is in Dispatch. There will be no other seasonal workers hired.

H. New Business

There will be a committee meeting the Soccer Association on August 1 at 7:30 PM at the Community Center. Two Councilmembers, 2 Parks and Recreation Board members, and 2 members of the Lake Cities Soccer Association will attend.

The article in the Lake Cities Sun about the annexation printed some information that had not been said at the meeting. A correction will be printed.

The Lake Cities Video Store on Shady Shores is for sale.

Ace Hardware has bought out Tru-Value. We will have one hardware store.

Councilmember Kirby said she got 'Yard of the Month' this month.

Councilmember Johnson asked if Chuck Graham received the information he requested about Oak Lakes. She had a copy of a letter written in 1984 by a previous City Secretary, Jean Chambers. Mayor Wohr said that letter referred to the lower part of Oak Lakes.

Councilmember Johnson said Dave Snider asked that the city think about an ordinance that Hickory Creek and Corinth have that no private or commercial vehicle may be parked on city streets or unauthorized areas for the purpose of sale.

Councilmember Stapleton said that our current webmaster was getting out of the business of providing our service. We do not need our service interrupted. There was discussion relating to web information being discussed at the Economic Development Committee meetings.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, and Stapleton
Noes: None

Motion Passed

Meeting was over at 1:12 PM

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on July 12, 2001, at 7:31 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Marjory Johnson	Mayor Pro-Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr was excused. Staff Present: City Manager McCain, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Pro-Tem Johnson gave the invocation.

C. Mayor Pro-Tem Johnson led the Pledge of Allegiance.

D. Visitors/Citizens Agenda:

Mayor Pro-Tem Johnson closed the Citizens Agenda when no one came forward to speak.

E. Reports:

1) Boards and Commissions

Neil Malone, Parks and Recreation Board, said he is the former chairman. At the last Parks meeting Rod Proctor was selected as the new chairman and Tony Robinson is co-chair and Chris Fahey is still secretary.

Rod Proctor, Parks and Recreation Board, reported that the 4th of July parade and program went great. There has been nothing but positive things from the citizens. The Board has new ideas for next year with action from this year. He had couple of questions: the parking lot has a hole in it and will it be fixed? City Manager McCain said that is where the water is going to drain and it not yet finished. It will be dressed up and the bumpers will be put at end of parking spaces. Mr. Proctor said there had been a section of fence that had been taken out. He asked if it could it be put back up on the north side?

F. Business:

1. Consent Agenda:

a) Approval of June financials and accounts payable and 2nd quarter investment report.

b) Consideration and Action on approval of Interlocal Agreement with Denton County for Tax Collection for tax year 2001.

c) Consideration and Action on approval of payment of $51,427.00 debt service payment for building purchase for fiscal year 2002 from the unencumbered Debt Service Fund Balance.

Councilmember Stapleton asked that item F-1-c be pulled from the Consent Agenda.

Motion was made by Councilmember Kirby to approve items 1-a and b on the Consent Agenda. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

Item F-1-c:

There was discussion about the collection rate on the accompanying paperwork. It should reflect 99.5% as the collection rate as decided during budget sessions last year.

Motion was made by Councilmember Kirby to approve the payment of $51,427.00 out of the Debt Service. Seconded by Councilmember Harper.

Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, McInnish and Harper.
Noes: None

Motion Passed

2. Public Hearing on proposed annexation of a 35.38 acre tract of land situated in the N. French Survey 424, Denton County, Texas, along Lakeview Road.

No one came forward to speak so Mayor Pro-Tem Johnson closed the public hearing.

3. Consideration and Action on instituting annexation proceedings of a 35.38 acre tract of land situated in the N. French Survey 424, Denton County, Texas, along Lakeview Road.

City Manager McCain said he had met with Randy Squier on Monday and Mr. Squier asked him if this could be postponed for one month due to his father's health. It will be scheduled for the first meeting in August. Mr. Squier said he has had no change in feelings about being annexed. He said he will pay for the republication of the notice prior to having the first public hearing.

Motion was made by Councilmember Kirby to table Item F-3 until the first regularly scheduled meeting in August which is August 9. Seconded by Councilmember McInnish.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

4. Consideration and Action on Willow Grove Park Lease.

City Manager McCain said he had talked with the Corps of Engineers last this afternoon. He discussed the questions the City Attorney had brought up about some of the language in the lease. The Corps said it is their standard language. City Manager McCain said he would ask the City Attorney about other cities in this area that may have a lease with the Corps. At this point we still need to get a revised lease. City Manager McCain will talk with the Corps next week after they have talked with their attorney. Nothing was mentioned about swimming. The island is not part of the lease.

Motion was made by Councilmember Kirby to table Item F-4 until the next regular scheduled meeting on July 26, if possible. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G. Workshop:

1. Contract with Lake Cities Soccer Association.

Mike Hageman, 3519 Glenview Drive, Corinth, said he hoped the paperwork he provided about the soccer association is what council had wanted. People do spend money here in the city by going to various businesses here in town. Mayor Pro-Tem Johnson said everyone on the council supports the soccer association. There are two seasons. The fall season has more competition with football and other school activities so the registration is less than in the spring.

They pay an affiliation fee to the North Texas Association and they use that for the insurance coverage (supplemental for kids if injured). There might be a liability question with the soccer association maintaining the fields. Mr. Hageman said if someone from the city caused something to happen the soccer association would not be responsible. There was discussion about the goals being left in place during an entire season.

John Bradshaw, 221 Addison said he has 2 kids in the soccer league. He said Mike has put in a tremendous amount of time trying to keep the fields in shape. He encourages the City and the soccer association to work together as a team. Why are we putting the fence up when we don't have the fields done? They need more fields - they had one taken away from them when the parking lot was put in. The north end could be used for fields but it needs to be torn up and re-done. This is the last sport that is left here - baseball and football have left. Maybe we can use soccer as a drawing card to bring people to our city.

The response to Mr. Bradshaw was that the city doesn't have the funds to keep those fields maintained. We don't charge user fees for the park so we would have to use tax dollars. The Park Master Plan is providing for 2 baseball fields and the parking lot was also part of the master plan in an effort to keep people from parking on the streets. The Boys and Girls Club is also part of the master plan and is planned for the far west end of the parking lot.

Mr. Hageman said that as long as he's on the board he wants to work with the city. It would be nice if we can come up with something about water for the park. Mr. Proctor was at a meeting where that had been discussed. They might be able to get a grant. If it's within their means they will do it.

It was suggested that maybe a subcommittee from council could work with the soccer association and get an agreement put together.

Charles Thomas, 309 Waterford Oak - said the goals get staked down into the ground because of safety reasons because kids go out and climb on them. At the end of summer they take them up. Soccer has gone out of their way to pay for water on the field and the porta-potties. He suggests that a couple members from the parks board, soccer association and anyone from council to put their heads together and figure out what and then come back to council meeting for approval.

August 1 as agreed upon as a tentative date for this meeting.

Mr. Hageman asked if there is anything to stop them from continuing practices. They have a camp next week and the Dallas Burn is holding a camp here. He was told they could continue their practices.

Mayor Pro-Tem Johnson called for a break at 9:18 PM.

Mayor Pro-Tem Johnson called the meeting back to order at 9:28 PM.

2. RFP for Economic Development Consultant provided by the Economic Development Committee.

Paul Fiala, 706 Lake Bridge, said the City Council needs to decide about getting an economic development consultant. TXU has recommended that we hire one. He had given the Councilmembers copies of the proposed RFP for a consultant. He read through the RFP and asked for suggestions from the Councilmembers. Mr. Fiala said he has talked with a couple of consultants and one said that we can't afford him. We need to decide how much we want to spend. A marketing plan will be around $10,000 to $20,000 so his thought is that $20,000 should be put in the budget. He said he can come back in August and we should be in the budget process by then. In the meantime he will see if there are consultants out there who would be interested and that would step up the timing process. Perhaps we can mail out the RFP's in September.

3. City Facilities Planning/Progress.

City Manager McCain explained the floor plan. He said some things are not as critical right now until we get into elevations. He explained the changes and answered questions. In the front area there will be a half-wall with glass to the ceiling to help cut the sound between the two offices but would not make them completely isolated. If this is acceptable the next step is to return to the architect and he will start doing the elevations.
It will probably take 2 - 1/2 months from the time we say go for the building to be completed. City Manager McCain said commercial standards are much higher than residential. He thinks the cost is about $80/SF with parts of the costs being higher when we have specialized items such as holding cells.

H. Staff Reports

City Manager McCain reported on the Peachtree Construction project. They had 14 days to complete the project on Main Street and today is the 4th day.
The pre-bid conference was yesterday for the Betchan Street project. Bids are due in at 3 PM next Wednesday and part of the project includes paving a 20' street by the new city hall. We are trying to find out if we have a prescriptive easement on some of the streets and along city hall. We need to see what that deed says for the sale the property was sold to DGNO.

He talked with Tom Hoover on Wednesday and something will need to be done so water can be diverted away from city hall. There should be enough space to put in 75 parking spaces. The Betchan Street project does include the Kings Manor drainage ditch.

This Sunday is the volunteer clean-up day at the city hall. We are providing a scissor-lift to take out some vents and some large sheets of plywood. We will have a bobcat there and will have a roll-off at the back. The other clean-up is the citywide clean-up on July 21. We will need to pay Waste Management for these dumpsters because they have provided complimentary bins to us several times this year.

Community Development has a new administrative assistant. Melena was working part-time in animal control. Animal Control will be hiring a new officer as well as part-time animal control person.

I. New Business

Would there be any restrictions in using our logo on the Economic Development Committee projects. The logo is copyrighted but it can be used however the council wishes.

J. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:40 PM.

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on June 28, 2001, at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Marjory Johnson	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Wohr was excused. Councilmember McInnish was absent. Staff Present: City Manager Kyle McCain, Police Chief Nick Ristagno, and Acting City Secretary Joni Vaughn.

B. Mayor Pro-Tem Johnson gave the invocation.

C. Mayor Pro-Tem Johnson led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda:**
Paul Fiala, 706 Lakebridge Drive, said the Economic Development Committee is working on an RFP for a consultant. He left copies of the RFP they have prepared for the Councilmembers to review.

Mike Hageman, 3519 Glenview, Corinth, President of the Lake Cities Soccer Association, said he looked forward to working with the Council on a new contract. He had been to the Parks and Recreation Board meeting last night. He said the new parking lot had extended into what had been one of their soccer fields. The dirt left over from the parking lot was to have been used to level some of the fields in the back. There was not enough dirt left to accomplish that. They are currently using some of the football field since they lost that one soccer field.

Cindy Nelson, 812 Lakebluff Drive, said there are some safety issues from the carport built across from their back fence -- the exhaust fumes, wasps, and bird droppings.

Carolyn Green, 201 North Shady Shores, asked for some background on this situation and was brought up to date.

Chuck Graham, 1013 Kings Manor, was driving through the south end of Oak Lakes and saw that someone off Jackson Ranch had built a fence for the backyard. How much did the parking lot cost. Did our sister cities help with the cost of the parking lot?

Mayor Pro-Tem Johnson said the fence in Oak Lakes is a code enforcement issue and asked Mr. Graham to contact Richard Dallof.

Mayor Pro-Tem Johnson closed the Citizens agenda when no one else came forward to speak.

E. Business:

1. Public Hearing on approval of an Ordinance amending Section 122-571 of Article XIII relating to uses permitted by Special Use Permit.

No one came forward to speak.

2. Consideration and Action on approval of an Ordinance amending Section 122-571 of Article XIII relating to uses permitted by Special Use Permit.

Motion was made by Councilmember Stapleton to approve Agenda Item E-2 as presented. Seconded by Councilmember Milan.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of a lease with the Army Corps of Engineers for Willow Grove Park.

Motion was made by Councilmember Milan to table Item E-3 and ask that it be placed on the next meeting if possible. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

F. Workshop:

1. Contract with Lake Cities Soccer Association.

Mike Hageman gave a history of the Lake Cities Soccer Association. The association mows the fields during the soccer season. They want the agreement for soccer field usage to be amiable for both sides. They are a non-profit organization. Last year 650 children enrolled. He will advise the council how many children are from Lake Dallas. North Texas Soccer mandates which towns will play on the Lake Dallas fields.

Chuck Graham said that his boys enjoyed playing soccer there but he never could understand why Lake Dallas carries Corinth, Hickory Creek and other cities in this program. Lake Dallas taxpayers paid the entire cost of the parking lot without any help from our sister cities.

Mr. Hageman said the concession stand would net about $1,500 or $1,600 annually. They no longer do fund raisers. They rely on sponsors.

There are some cities that do not charge for the use of their facilities for the soccer activities. He will furnish a copy of Corinth's agreement to the next meeting. They will be paying the City of Corinth for use of their facilities. The Association is very open to trying to obtain a well to do above ground irrigation. The Association is able to apply for grants for lighting or other facilities through the North Texas Soccer Association. Mr. Hageman will bring more information with him to another workshop to be scheduled for the next regular council meeting.

They usually play games on Saturdays, Tuesdays and Thursdays with practices on Monday through Thursday. Once games start the practice is over. Fridays and Sundays are generally open. The Association usually meets on the last Tuesday of the month at 7:30 PM.

The Association had questions regarding items 10 and 11 of the proposed contract. The user policy is the city ordinance. The North Texas Soccer Association furnishes the insurance coverage.

2. Discussion about City's responsibility for development and maintenance of street infrastructure in the undeveloped area of Oak Lakes North.

Cecil Graham, 1013 Kings Manor, said our city doesn't have a lot of room to grow. This has been neglected by several councils. He feels the City has a legal responsibility to put that road back into the condition it was when they received it. The street has been barricaded and there is no access to the fifty-one lots on the north side of the subdivision. People from Thousand Oaks and Jackson Ranch have used the area as a dumping ground and use it for a four-wheeler playground.

Mayor Pro-Tem Johnson said that minutes from a previous meeting state that there is no legal requirement for the city to maintain the street. In her subdivision the developer put the streets in. Mr. Graham said his concern is not the streets of Oak Lakes North - his concern is the road that gives access to the subdivision. He said he has a developer who is interested in Oak Lakes but he needs access from Meadowbrook.

That property has been surveyed. Mr. Graham said the fence is on the property line. He said if the road is fixed the cemetery property will start sloughing off. A retaining wall needs to be installed on the cemetery side. Mr. Graham said he, his wife, and Barbara Miller had met with U. S. Homes and Stewart Fairburn over two years ago but nothing ever came from that meeting. It was never brought back to the City Council after it was tabled.

Mr. Graham said the current developer who is interested at this time may be able to come before the Council so the access and other issues can be discussed. Some of the lots on the west side of the street are not buildable lots. We need to find proof that the City has accepted responsibility for this road. The Council would like to see this area developed.

Mr. Graham asked the Council to have the City Attorney check with the State of Texas to see what the City's legal responsibility is regarding the streets in this subdivision. He said he called the Attorney General and their office said the City is responsible to maintain the street in the condition it was when the City received the property. He said Don Corbell, a developer, and Mark Johns of Woodhaven Homes are not interested in developing the area due to lack of access. City Manager McCain will contact the City Attorney and advise Mr. Graham of the findings.

3. City Facilities Planning/Progress.

City Manager McCain showed the drawings to the Council. He said we were looking at changing some of the floor plan for customer service. There was discussion about the conference room, records room and break room. The kitchen area and community room will be done in the future. The restrooms are located some distance from the offices because that is where the plumbing is at this time. Is there a possibility that a couple of work stations for public access could be put in the conference room? After the changes to the plans are made the timing on moving into the building would be about 2 1/2 months. We should give some thought to getting a construction manager for this project. There should be a terminal at each council seat that is connected to the server. City Manager McCain will bring this back to the next meeting after he has discussed several items with the staff. July 15 will be a clean up of the building.

G. Staff Reports

Beate Hendricks has turned in her resignation today. She will be going to work for an architectural firm.

We have the agreement for the Summer Reading program at the Library.

The library has submitted an Interlocal agreement for the four Lake Cities to review. They also submitted a first draft of their proposed budget for this next year. They do not show the offset for the rent for the use of the facilities from Lake Dallas. They pay us $260/month for utilities and they reimburse us for the cost of their contents insurance We need to find out how much the actual charges are for electric and water. This is a preliminary document so they can have some firm footing for their budget. This will be scheduled on a workshop soon.

We will have a float for the Council for the 4th of July parade.

The process for handling requests from Citizens/Visitors Agenda has been changed from how we used to address those requests.

The quarterly city clean up will be July 21. There will be a clean up of the new city facilities on July 15.

H. New Business:

The elementary school and primary school are tearing down some wooden equipment.

A workshop should be scheduled for discussion about special events permits.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Milan, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:40 PM.

Marjory Johnson, Mayor Pro-Tem

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on June 14, 2001, at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Marjory Johnson	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Betty Harper	Councilmember 5

Mayor Wohr arrived at 8:05 PM. Councilmember Stapleton was excused. Staff Present: Acting City Manager Ristagno, Lt. Lowery, and City Secretary Weikum.

B. Mayor Pro-Tem Johnson gave the invocation.

C. Mayor Pro-Tem Johnson led the Pledge of Allegiance.

D. Presentations

1) **Police Department from the Elementary School PTA.**
2) **City of Lake Dallas to Dave and Pat Snider.**

Due to the inclement weather the school representative was not present.
Mayor Pro-Tem Johnson said that Dave and Pat Snider do a tremendous amount of work for the city and a lot of their time for the city for nothing in return. It's people like this who make our city a nice place to live. She gave Mr. Snider a plaque from the Lake Dallas Kids and Cops and told him the city certainly appreciates all the work they do.

E. Visitors/Citizens Agenda:

Mayor Pro-Tem Johnson closed the Citizens Agenda when no one came forward to speak.

F. Reports:

1) **Boards and Commissions and Contract Consultant.**
2) **Tom Hoover of The Hoover/Klein Group.**

Mayor Pro-Tem Johnson said no one had signed up for the Citizens Agenda and she did not see anyone in the audience from any Boards or Commissions. Due to the weather it is doubtful that Mr. Hoover will be at the meeting.

G. EXECUTIVE SESSION:

The City Council to convene into closed session pursuant to the Texas Government Code Section 551.072 to discuss matters relating to possible land acquisition.

H. Action, if any, from Executive Session.

Motion was made by Councilmember Harper to table any the Executive Session. Seconded by Councilmember Milan.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Milan and Harper
Noes: None

Motion Passed

E. Visitors/Citizens Agenda

Mayor Pro-Tem Johnson asked if anyone had arrived that would like to speak at this time.

Robbie Robertson, 718 Thousand Oaks, said Carol Jula had planned to be there for the presentation to the Police Department. He showed the Fire Department's plaques they had received at their recent board meeting. He said the police department was very helpful in assisting the PTA to get helmets for all the kids in the 3rd or 4th grades. The fire department will install smoke detectors when the PTA points out a house to them. No house in this area should be without a smoke detector. He said he will deliver fire department budget information to the city tomorrow.

I. Business

1. Consideration and Action on selection of City Manager.

Motion was made by Councilmember Milan to approve the contract for Kyle McCain as our new city manager. Seconded by Councilmember Harper.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Milan and Harper
Noes: None

Motion Passed

F - 2. Tom Hoover of The Hoover/Klein Group.

Tom Hoover said we had been prepared to issue drawings for Betchan Street but since it runs right behind the new city hall it was decided to try to include some work there with the Betchan Street bid. The engineers and surveyors discovered that the railroad still owns the right of way across the tracks at Main Street, Betchan and Carlisle. The City has no public access to Betchan from their new property. We may need to get some interpretation or legal advice because it appears that some streets were changed up in the 1950's. There are some prescriptive uses since the city or county has maintained the streets/roads for many years. There's an area at the front of the building that could hold water if we don't make corrections.

The Kings Manor Drainage Ditch will be put out for bid soon. The first two lots on the east side are starting to experience some erosion. The slope is too steep to be maintained by the city or homeowners.

The cost projections for the street improvements is about $80,000, the parking lot about $20,000; the east bank of the drainage ditch should run about $14,000 and the west bank should run about $30,000.

He does have the survey complete on Church Street. We will have to acquire rights of way for not only the new piece but also the existing piece because it's showing up as a private road on some of the deeds. It doesn't show up at all on some other deeds. The survey on the Alamo extension has been done. It will not conflict with any of the improvements that the Baptist Church has done.

Mayor Pro-Tem Johnson gave a directive for staff to contact the City Attorney regarding the rights of way so we can put the contracts out for bid.

D - 1 - Carol Jula, Council President for all of the PTA's in the Lake Dallas School District, thanked the Council for letting her speak. Ms. Jula then thanked the Police Department on some community efforts they have helped them with. The Texas PTA was chartered in 1909 and they are the largest, oldest non-profit organization that's an advocacy for all children. They are here for the safety and welfare of all children. They are raising the emphasis on building the bridge between the community and schools. One program they have is the Donuts for Dads. Because we are such a diverse community a lot of children don't have male role models in their lives. The Police Department has been a big help in that area. The Lake Dallas Elementary school is a better place for kids because of the Lake Dallas Police Department. She thanked them for their help with the reading program Donuts for Dads. Officer James Conley regularly participated in this program.

2. Consent Agenda:

- **a) Approval of May Financials and accounts payable.**
- **b) Approval of minutes for May 10, May 24, June 4, and June 7 meetings.**
- **c) Consideration and Action on approval of contract with Lake Cities Library summer reading program.**
- **d) Consideration and Action on approval of a resolution to add Kyle McCain as signatory on the Northstar Bank of Texas accounts and remove Nick Ristagno.**
- **e) Consideration and Action on approval of a resolution adding Kyle McCain as an authorized representative to TexPool.**

Mayor Pro-Tem Johnson asked that the record reflect that Mayor Wohr had arrived at 8:05 PM.

Motion was made by Councilmember Johnson to approve the consent agenda and pay the bills. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on appointment of alternate members to the Economic Development Committee.**

Motion was made by Councilmember Johnson to appoint Alan Fletcher and Lance Wilson as alternates for the Economic Development Committee. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

J. WORKSHOP:

1. **Municipal Code Chapter 122 Zoning – Accessory Uses in residential districts.**

Clyde Fisher, 747 Carlisle Drive, passed out some pictures of other properties in Lake Dallas where RV's are parked. He says he has a 1.3 acres piece of property that was zoned R-1-10000 when he divided his land. He did not have a problem with it at that time. Since then he has put a storage building in according to city permits. He got a permit for the carport and a city official helped him measure for the placement. He has done research and other cities allow RV parking on all properties. He thinks he should be able to park his RV there. He said he has been cited 3 times for parking his RV on his property. His attorney told him he had a legal right to put the RV on his property. It is a licensed vehicle. His question is why would we allow motor homes on smaller lots and not on larger lots. If the R-1-10000 is the problem, put him back in R-1-7200 zoning. He does not want to tear the carport down. He has spent a great deal of time and money on this and now can't use if for the purpose he had intended.

Cindy Nelson, 812 Lakebluff, feels the ordinances should be enforced. To change the ordinance would financially impact their property value. Their pool is shaded because of this carport. Both of her children have breathing problems and she feels the RV exhaust contributes to that. There are a lot of problems with most of our ordinances but to change one of them to accommodate one person is not fair.

Heather Griffith, Lakebluff, said she thinks the zoning is the issue and the adjoining property can drastically affect their property. It takes from the curb appeal of their homes in that area which will lower the property values.

Mr. Fisher said he brought up the rezoning as an option because the city had previously rezoned his property.

Mayor Wohr said we will schedule a joint workshop with the Planning and Zoning Commission to discuss accessory buildings as well as the setbacks for the various residential areas.

Mayor Wohr called for a break at 9 PM.

Mayor Wohr called the meeting back to order at 9:15 PM.

F - 1 Boards and Commissions and Contract Consultant Reports.

William Mitchell said the Access Justification Study is totally paid for by the County. The exit will give Turbeville Road access and the sign will say Lake Dallas/Hickory Creek. A Resolution to thank Cynthia White for her help in getting the access road should be done soon.

Mitch said he would meet with Kyle McCain and brief him on those items he has been working on. Mr. McCain can contact Mitch on anything that's been worked on in the past. Mitch said he would like for Tara Builders and CSI to submit bids on the new city hall. Mitch and Mayor Wohr will meet with Kyle McCain in July and take him to meet various representatives of Denton County.

2. City Facilities Planning/Progress

October looks to be a realistic time frame for the move-in. We should get a conceptual for the outside of the building. Flower Mound's facility is very nice.

A site manager at Boeing has said they are ready to move on the Boys and Girls Club building scheduled for the City Park site.

K. Staff Reports

Acting City Manager Ristagno said the cost for the sign for City Park would be $11,500 just for the sign with software and some graphics. The sign is fourteen to fifteen inches high by four feet long. It would need to be set in the brick base.

Robbie Robertson said that due to some problems with the walls in the vehicle storage area in the new fire department building it may be 5 weeks before the building is open for operation. The community room is his project. Mayor Wohr said that the same time the fire building is dedicated is the same time the meeting room will be dedicated to Mayor McCutcheon. We will try for the first week of August for the dedication.

L. New Business:

The Police Department could do a presentation about a neighborhood watch program to help a neighborhood concerned about vandalism when the police department is unable to catch the perpetrators. Someone from the Kings Manor area who wants to head up the program should contact the Police Department.

Neil Malone, Parks and Recreation Chairman, is home from the hospital and would enjoy someone stopping by to visit.

Frank Moore suffered a stroke. He is at the Vintage on Bonnie Brae in Denton.

We should move forward with the annexation during July.

Mayor Wohr will be out for a few meetings.

Officer Gonzales helped Councilmember Harper recently when she had car trouble.

L. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:14 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 7, 2001 at 7:30 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Marjory Johnson	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Mayor Wohr arrived at 7:45 PM.
Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Clyde Fisher, 747 Carlisle, said his property is 1 - 1/3 acres and zoned R-1-10000. He has purchased permits to build his home and accessory buildings on his property. While he was building his carport recently the building inspector temporarily stopped him from working on the building. It was then determined that it was all right to build it. His problem is that according to our code he is unable to park his recreational vehicle on his property. He has received three citations for parking his vehicle on his property. He said smaller properties in the R-1-6000 and R-1-7200 residential districts are able to park recreational vehicles on their property. He has been to other cities and they allow the RV parking on larger lots. He doesn't think he is being treated fairly and asked Council to review the statutes.

Margaret Tisdale, 509 Howard, said she is concerned about when the King's Manor Drainage ditch will be worked on. She would like to have a date she could tell someone. Tom Hoover will be at the June 14 meeting and will have information regarding that item.

Ken Kennemer, 17 Oakwood, asked two questions. One: are there any plans for refurbishing Oakwood Drive? Two: On behalf of the First Baptist Church he asked why the survey pin and stakes had been placed about twenty feet from the church's back door while Church Street was being surveyed.
Oakwood is in one group of streets to be repaired. The timing will probably be determined during the budget sessions. Church Street needs repair soon and the engineers are looking at different ways to align the street. The church will be contacted before any work is done.

Cecil Graham, 1013 Kings Manor, said he had come before Council 2 years ago about Meadowbrook and the Oak Lakes property. He said Council had tabled the item and it has never come back before the Council. There are developers interested in the property but there is no access. Meadowbrook has been barricaded for the past ten years.

Mayor Wohr closed the Visitors/Citizens Agenda when no one else came forward to speak.

Mayor Wohr closed the public meeting.

C. Executive Session:
City Council to convene into closed session with representatives of Pratt & Sanderford, Attorneys and Counselors, to discuss matters relating to litigation issues authorized by the Texas Government Code Section 551.071.

Mayor Wohr called the executive session to order at 7:50 PM.

Mayor Wohr closed the executive session at 8:11 PM and called the public meeting back to order.

D. Action, if any from Executive Session.

Motion was made by Councilmember Stapleton to approve the Mayor to sign the settlement agreement with Peachtree Construction. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E. BUSINESS:

1. Report from The Hoover/Klein Group.

The report will be made at the June 14 Council Meeting.

2. Consideration and Action on selection of city manager.

Motion was made by Councilmember Stapleton to table Item E-2 to the next scheduled meeting. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. WORKSHOP:

1. City Facilities Planning/Progress

This item will be on the agenda for the next council meeting.

G. STAFF REPORTS:

This item will be on next week's agenda.

H. New Business

Councilmember Stapleton will be on vacation next week so will not be here for the meeting.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:15 PM

Steve Wohr

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 7, 2001 at 7:30 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Marjory Johnson	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Mayor Wohr arrived at 7:45 PM.
Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Clyde Fisher, 747 Carlisle, said his property is 1 - 1/3 acres and zoned R-1-10000. He has purchased permits to build his home and accessory buildings on his property. While he was building his carport recently the building inspector temporarily stopped him from working on the building. It was then determined that it was all right to build it. His problem is that according to our code he is unable to park his recreational vehicle on his property. He has received three citations for parking his vehicle on his property. He said smaller properties in the R-1-6000 and R-1-7200 residential districts are able to park recreational vehicles on their property. He has been to other cities and they allow the RV parking on larger lots. He doesn't think he is being treated fairly and asked Council to review the statutes.

Margaret Tisdale, 509 Howard, said she is concerned about when the King's Manor Drainage ditch will be worked on. She would like to have a date she could tell someone. Tom Hoover will be at the June 14 meeting and will have information regarding that item.

Ken Kennemer, 17 Oakwood, asked two questions. One: are there any plans for refurbishing Oakwood Drive? Two: On behalf of the First Baptist Church he asked why the survey pin and stakes had been placed about twenty feet from the church's back door while Church Street was being surveyed.
Oakwood is in one group of streets to be repaired. The timing will probably be determined during the budget sessions. Church Street needs repair soon and the engineers are looking at different ways to align the street. The church will be contacted before any work is done.

Cecil Graham, 1013 Kings Manor, said he had come before Council 2 years ago about Meadowbrook and the Oak Lakes property. He said Council had tabled the item and it has never come back before the Council. There are developers interested in the property but there is no access. Meadowbrook has been barricaded for the past ten years.

Mayor Wohr closed the Visitors/Citizens Agenda when no one else came forward to speak.

Mayor Wohr closed the public meeting.

C. Executive Session:
City Council to convene into closed session with representatives of Pratt & Sanderford, Attorneys and Counselors, to discuss matters relating to litigation issues authorized by the Texas Government Code Section 551.071.

Mayor Wohr called the executive session to order at 7:50 PM.

Mayor Wohr closed the executive session at 8:11 PM and called the public meeting back to order.

D. Action, if any from Executive Session.

Motion was made by Councilmember Stapleton to approve the Mayor to sign the settlement agreement with Peachtree Construction. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E. BUSINESS:
1. Report from The Hoover/Klein Group.

The report will be made at the June 14 Council Meeting.

2. Consideration and Action on selection of city manager.

Motion was made by Councilmember Stapleton to table Item E-2 to the next scheduled meeting. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. WORKSHOP:
1. City Facilities Planning/Progress

This item will be on the agenda for the next council meeting.

G. STAFF REPORTS:

This item will be on next week's agenda.

H. New Business

Councilmember Stapleton will be on vacation next week so will not be here for the meeting.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:15 PM

Steve Wohr

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 4, 2001 at 7:31 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Staff present: Acting City Manager Ristagno. City Secretary arrived later.

B. Visitors/Citizens Agenda:

Mayor Wohr closed the Visitors/Citizens Agenda as no one came forward to speak.

Mayor Wohr closed the public meeting at 7:35 PM.

C. Executive Session:
City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.

Mayor Wohr called the executive session to order at 7:35 PM.

Mayor Wohr closed the executive session at 9:30 PM and called the public meeting back to order.

D. Action, if any from Executive Session.

Motion was made by Councilmember Johnson to offer a contract of employment to Kyle McCain for City Manager. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E. Workshop:
1. City Facilities Planning/Progress.

Mayor Wohr said the new city architect will meet with the city staff and he will then draft up plan and will then meet with council.

F. New Business

The 2001 Cheerleaders will have a benefit car wash at the middle school on Saturday from 9 until 3.

The Kids and Cops production was exceptional. It will be bigger and better next year. Acting City Manager Ristagno said he will make a float with a jailhouse on it for the 4th of July parade. There was discussion about various projects that could be done during the 4th of July celebration.

We will not be ready for the workshop with the architect at the June 7 meeting. Tom Hoover will be re-scheduled for the June 14 meeting.

It's going to be a long summer with the budget meetings beginning and we could have quorum problems. Should there be a workshop on attendance and accepted absences?

Neal Malone is in the hospital and will have surgery tomorrow to correct the problems with his collapsed lung.

Council should have a float or something special for the 4th of July because they are the Grand Marshall for this year.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:05 PM

Steve Wohr

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 4, 2001 at 7:31 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call**: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Staff present: Acting City Manager Ristagno. City Secretary arrived later.

B. **Visitors/Citizens Agenda:**

Mayor Wohr closed the Visitors/Citizens Agenda as no one came forward to speak.

Mayor Wohr closed the public meeting at 7:35 PM.

C. **Executive Session:**
City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.

Mayor Wohr called the executive session to order at 7:35 PM.

Mayor Wohr closed the executive session at 9:30 PM and called the public meeting back to order.

D. **Action, if any from Executive Session.**

Motion was made by Councilmember Johnson to offer a contract of employment to Kyle McCain for City Manager. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E. **Workshop:**
1. City Facilities Planning/Progress.

Mayor Wohr said the new city architect will meet with the city staff and he will then draft up plan and will then meet with council.

F. New Business

The 2001 Cheerleaders will have a benefit car wash at the middle school on Saturday from 9 until 3.

The Kids and Cops production was exceptional. It will be bigger and better next year. Acting City Manager Ristagno said he will make a float with a jailhouse on it for the 4th of July parade. There was discussion about various projects that could be done during the 4th of July celebration.

We will not be ready for the workshop with the architect at the June 7 meeting. Tom Hoover will be re-scheduled for the June 14 meeting.

It's going to be a long summer with the budget meetings beginning and we could have quorum problems. Should there be a workshop on attendance and accepted absences?

Neal Malone is in the hospital and will have surgery tomorrow to correct the problems with his collapsed lung.

Council should have a float or something special for the 4th of July because they are the Grand Marshall for this year.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:05 PM

Steve Wohr

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 24, 2001 at 7:35 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3

Councilmember Harper arrived at 7:38 PM. Councilmember McInnish was at work.
Staff Present: Acting City Manager Ristagno and City Secretary Weikum

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda:**

No one came forward to speak so Mayor Wohr closed the Visitors/Citizens Agenda.

E. **BUSINESS:**

1. Report from Tom Hoover of the Hoover/Klein Group.

Mr. Hoover was not present so Mayor Wohr moved to the next items on the agenda.

2. Consent Agenda:

a) Approval of a Resolution placing a 90-day moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in M-1 Light Industrial Zoning districts.

b) Approval of a Resolution placing a 90-day moratorium for filing and the issuance of building permits and all other development permits for construction and/or development in R-3 Multifamily Residential district property.

Motion was made by Councilmember Stapleton to approve the consent agenda items as presented. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on appointment of alternate members to the Economic Development Committee.**

Motion was made by Councilmember Stapleton that we appoint no alternate members to the Economic Development Committee tonight. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Since the meeting was running ahead of schedule Mayor Wohr went on to another item.

H. WORKSHOP:

1. City Facilities Planning/Progress

The incinerator will be removed on June 10 at no cost to the city.
A bucket truck will be available so we may be able to remove the top part of the big sign in the front parking lot.

We have resolved the insurance issue with the architect so we can get started. We can discuss some preliminary plans soon so we can schedule a workshop meeting with him early in June. We can discuss the landscape part with him as well as Tom Hoover and Bryan Klein. It would be good for the council to go look at different buildings and the facades so we know what we are looking for.

One seasonal applicant went to take a physical today so he can be on board sometime next week. We have been working on filling dumpsters.

Mr. Hoover came by the office picked up a copy of the survey today. We can ask him to come to the next meeting.

Anything that's salvageable in the building should be kept and we can use it or sell it in an effort to save some dollars. The Chalker's sign needs to come down.

I. STAFF REPORTS

There was nothing to report.

Mayor Wohr closed the regular meeting at 7:55 PM.

F. EXECUTIVE SESSION: The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.

Mayor Wohr called the executive session to order at 8:05 PM.

Mayor Wohr closed the executive session at 9:45 PM.

Mayor Wohr re-opened the public meeting at 9:47 PM

F. ACTION, IF ANY, FROM THE EXECUTIVE SESSION.

Motion was made by Councilmember Stapleton to take no action from our executive session as detailed in Item F of tonight's agenda. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr said he had been informed that Mr. Hoover would not be at the meeting tonight so Council could move past Item E-1.

J. NEW BUSINESS:

The space being used by the library for storage is costing us $300/month because John and Nancy Bradshaw would like to come back here with their Saturday Nite Out but they need all the space available there. It has been agreed that the items will be removed at the time the Friends of the Library have their sale in the first part of June.

Acting City Manager Ristagno said he had talked with Vicky Caruso of the library board and she agreed that the items will be removed. After the book sale they will make a concerted effort to get all the stuff out of the community center. If Acting City Manager Ristagno's efforts of working with the board fail a letter will be mailed to the library board.

The purpose of the back part of this building is to provide an income stream to our city. Someone else had heard that the Bradshaws were very happy having their program at the school.

There was discussion about the council table and chairs.

The letter from Moody's Investor's Service stated our bond rating had become higher than at the time we decided to sell the bonds.

The Squier's annexation process should be moving forward soon. Mr. Hoover is working on getting the metes and bounds worked out.

There was a letter from Texas A & M regarding programs for urban planning for Target Cities and the information needs to be submitted by June 8.

We could eliminate the M-1 moratorium after the MA district is in force. We need offstreet parking regulations for R-2 and R-3 zoning districts. We should put these items on a workshop agenda and the Planning and Zoning Commission also needs to work on this.

The Memorial Day program is being advertised to start at 9 AM on Monday. Kids and Cops program is on Saturday.

K. ADJOURN

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:08 PM.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 24, 2001 at 7:35 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3

Councilmember Harper arrived at 7:38 PM. Councilmember McInnish was at work.
Staff Present: Acting City Manager Ristagno and City Secretary Weikum

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda:**

No one came forward to speak so Mayor Wohr closed the Visitors/Citizens Agenda.

E. **BUSINESS:**

1. Report from Tom Hoover of the Hoover/Klein Group.

Mr. Hoover was not present so Mayor Wohr moved to the next items on the agenda.

2. **Consent Agenda:**
   a) **Approval of a Resolution placing a 90-day moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in M-1 Light Industrial Zoning districts.**
   b) **Approval of a Resolution placing a 90-day moratorium for filing and the issuance of building permits and all other development permits for construction and/or development in R-3 Multifamily Residential district property.**

Motion was made by Councilmember Stapleton to approve the consent agenda items as presented. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on appointment of alternate members to the Economic Development Committee.**

Motion was made by Councilmember Stapleton that we appoint no alternate members to the Economic Development Committee tonight. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Since the meeting was running ahead of schedule Mayor Wohr went on to another item.

H. WORKSHOP:

1. City Facilities Planning/Progress

The incinerator will be removed on June 10 at no cost to the city.
A bucket truck will be available so we may be able to remove the top part of the big sign in the front parking lot.

We have resolved the insurance issue with the architect so we can get started. We can discuss some preliminary plans soon so we can schedule a workshop meeting with him early in June. We can discuss the landscape part with him as well as Tom Hoover and Bryan Klein. It would be good for the council to go look at different buildings and the facades so we know what we are looking for.

One seasonal applicant went to take a physical today so he can be on board sometime next week. We have been working on filling dumpsters.

Mr. Hoover came by the office picked up a copy of the survey today. We can ask him to come to the next meeting.

Anything that's salvageable in the building should be kept and we can use it or sell it in an effort to save some dollars. The Chalker's sign needs to come down.

I. STAFF REPORTS

There was nothing to report.

Mayor Wohr closed the regular meeting at 7:55 PM.

F. EXECUTIVE SESSION: The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.

Mayor Wohr called the executive session to order at 8:05 PM.

Mayor Wohr closed the executive session at 9:45 PM.

Mayor Wohr re-opened the public meeting at 9:47 PM

F. ACTION, IF ANY, FROM THE EXECUTIVE SESSION.

Motion was made by Councilmember Stapleton to take no action from our executive session as detailed in Item F of tonight's agenda. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr said he had been informed that Mr. Hoover would not be at the meeting tonight so Council could move past Item E-1.

J. NEW BUSINESS:

The space being used by the library for storage is costing us $300/month because John and Nancy Bradshaw would like to come back here with their Saturday Nite Out but they need all the space available there. It has been agreed that the items will be removed at the time the Friends of the Library have their sale in the first part of June.

Acting City Manager Ristagno said he had talked with Vicky Caruso of the library board and she agreed that the items will be removed. After the book sale they will make a concerted effort to get all the stuff out of the community center. If Acting City Manager Ristagno's efforts of working with the board fail a letter will be mailed to the library board.

The purpose of the back part of this building is to provide an income stream to our city. Someone else had heard that the Bradshaws were very happy having their program at the school.

There was discussion about the council table and chairs.

The letter from Moody's Investor's Service stated our bond rating had become higher than at the time we decided to sell the bonds.

The Squier's annexation process should be moving forward soon. Mr. Hoover is working on getting the metes and bounds worked out.

There was a letter from Texas A & M regarding programs for urban planning for Target Cities and the information needs to be submitted by June 8.

We could eliminate the M-1 moratorium after the MA district is in force. We need offstreet parking regulations for R-2 and R-3 zoning districts. We should put these items on a workshop agenda and the Planning and Zoning Commission also needs to work on this.

The Memorial Day program is being advertised to start at 9 AM on Monday. Kids and Cops program is on Saturday.

K. ADJOURN

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:08 PM.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 10, 2001, at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was in Hawaii. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda:

Carolyn Green, 201 N. Shady Shores, congratulated the re-elected Councilmembers. She said she received a neat e-mail this morning. We go through periods of re-zoning, new ordinances, and zoning. She read the e-mail which was a up-dated story of Noah and the ark and the problems he encountered by going through the governmental process of permits, regulations, restrictions, etc.

Odie Harrelson, 906 Vista Oaks Court, asked Councilmember Harper about the house on Cain. He said they're bringing more and more junk in there and it's looking worse and worse.

Mr. Harrelson was told that the owners are having financial difficulties and they are legitimately trying to clean it up. It is an eyesore but they've done a lot of remodeling on the inside even though they still have a long way to go. Perhaps they could be asked to put some of that stuff in the back yard instead of out in front. We could ask the code enforcement officer to visit them again.

Mr. Harrelson said he has talked with Mr. Malone about the park down at the lake. Is there any way we can turn it into an RV park a little bit at a time and make some money for the city?

Mayor Wohr said the park belongs to the Corps of Engineers and we are somewhat limited by what we can do with it. An RV park is not a bad idea. We lease Willow Grove Park at the Corps' pleasure. It would be nice to have it cleaned out.

Mr. Harrelson agrees with Carolyn about the re-election of the Councilmembers. He voted for the ones who are here and thinks that so far they've done a pretty decent job.

Margaret Tisdale, 509 Howard Drive, said this election made her happy, too.

Mayor Wohr closed the visitors/citizens agenda.

E. Reports:

1) Boards and Commissions and Contract Consultant.

William Mitchell said there are negotiations with the waffle house and developers on the hotel. It's taking a little longer because Little Elm is dragging their feet on the final alignment for the Swisher Road extension. Mr. Pollster and Judge Kirk Wilson have said that this should be resolved within three to four weeks. They'll have four pad sites. The access justification study should be coming back soon and we may have something definitive by next meeting. The architect contract should be finalized by next meeting. Mr. Mitchell said that without the design-build plan it would be difficult to get moved in by the September time frame. It will add about 45 days to the time.

Mayor Wohr said they have asked the architect to meet with city staff. Acting City Manager Ristagno said the architect had presented us with a contract and we gave it to the city attorney who made several significant changes and returned it to architect who gave it to his attorney. The contract should be back by first of next week. We have ordered a dumpster so we can start cleaning out the building. The next step will be to meet with the architect.

Mayor Wohr said we should schedule a couple workshops with the architect and staff before we go ahead. Acting City Manager Ristagno said we can be working on the design while the clean-out is going on. A qualified architect should be able to put something together pretty quick. If the council chambers get done first that would free up the community center. The big incinerator needs to be removed and we will look into getting that accomplished next week.

Mr. Mitchell also congratulated the Councilmembers on their re-election. Mr. Mitchell said that Boeing is planning to build a building for the Boys and Girls Club in Lake Dallas. There is a meeting at 9 AM with Mark Ross of Boeing tomorrow. Neal Malone and Councilmember Milan will try to attend the meeting also. Mayor Wohr said the Boys & Girls Club had come to the city several years ago with their plan for a building that would include outside bathrooms and a concession stand for after hours use by those people frequenting the park.

Jennifer, representative of the Boys and Girls Club, said they'd like to have a gym, computer room and indoor and outdoor bathrooms. They have kids in high school working there now who used to be members when they were younger. The Boys and Girls Club takes the children on field trips, Six Flags, and other places of interest.

Neal Malone, Parks and Recreation Board, said their meetings now include an invocation and the Pledge of Allegiance. He gave some flyers to them about the event coordinator and asked for some input from council as to what else they want. Dr. Collins and his class at UNT have been a great help to them. Last week Dr. Collins and Neal and 22 students spent nearly a day cutting a trail at Willow Grove Park. The City needs to write a letter to Checkers Pizza in appreciation of their donation of food and support for the Arbor Day 2001 cleanup at Willow Grove Park. He plans to go to the High School and talk with the principal about the large logs at Willow Grove Park to see if some of the older kids and their parents could drag those logs over to where they have their annual bonfire. Bird watching is a big activity and we need to promote it. The Circus went well.

Councilmember Milan gave the Economic Development Committee report furnished by Chairman Paul Fiala. There will be no meeting in May. The next scheduled meetings are June 4, July 9 and August 6. The members plan to get some of the TXU strategic plan work done outside of the meetings. The property data base is targeted for completion by May 31; an RFP for a consultant for City Development Planning should be completed by June 29; Lake Development and contacts with the Corps of Engineers about their rules and regulations for development is scheduled for completion by November; the 4a/4b sales tax process should be completed by July; contacts with the business owners is on-going.

F. Business

1. Canvass of the election held May 5, 2001.

Motion was made by Councilmember Johnson to approve the resolution for the canvass of the vote of the May 5, 2001 City of Lake Dallas general election. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Oath of Office to Elected Officials.

Mayor Wohr administered the Oaths of Office to Councilmembers Milan, Stapleton, and Harper. Mayor Wohr said he wants to go on record and say that he's very pleased with the outcome of the election and thinks it's a real affirmation for a lot of hard work done by these folks. He appreciates their hard work and time they've spent during the last year and the effort that's been put forth.

3. Consideration and Action on selection of Mayor Pro-Tem.

Motion was made by Councilmember Harper to nominate Councilmember Johnson as Mayor Pro-Tem. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consent Agenda**
   a) **Approval of April Financials and accounts payable.**
   b) **Approval of minutes for April 19, April 26, and May 1, 2001 meetings.**
   c) **Consideration and Action on approval of resolution for 90-day moratorium on R-2 residential district property.**

Motion was made by Councilmember Stapleton to approve the consent agenda items. Seconded by Councilmember Milan. A correction should be made to the May 1, 2001 minutes under new business that Councilmember Milan, not Councilmember Johnson, will be out May 14 through May 18.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on approval of an ordinance for a fee increase for towing services.**

Motion was made by Councilmember Stapleton to approve Agenda Item F-5 as presented. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6. **Consideration and Action on establishing terms for members of the Economic Development Committee.**

Motion was made by Councilmember Johnson to set the term for the Economic Development Committee as two year initial term with a two year re-appointment. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

7. **Consideration and Action on appointment of alternate members to the Economic Development Committee.**

Motion was made by Councilmember Stapleton to table agenda item F-7 until our next regularly scheduled meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on appointment of two seasonal employees to the Department of Public Works.**

Motion was made by Councilmember Stapleton to approve the appointment of two seasonal employees for the Department of Public Works. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

9. **Consideration and Action regarding improvements to the Kings Manor Drainage Channel.**

Motion was made by Councilmember Stapleton to approve agenda Item F-9. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:50 PM.

Mayor Wohr called the meeting back to order at 9:08 PM

WORKSHOP:

1. **City Manager Search**

We should advise the person interviewed last month that we got bogged down but are still interested. We should contact two other applicants and schedule interviews for May 24.

2. **City Facilities**

We should advise the architect that we need council room with court use being a secondary use. We should also have a pre-council (attorney) room that could also be used during executive sessions. We need to leave some room undeveloped for future expansion. The council chambers should be pre-wired so we can have workstations that network with a server and public access terminal(s).

F. Staff Reports

The survey of Alamo and Church is underway.
The engineer said a survey of the north Lakeview property being considered for annexation would cost between $10,000 and $12,000. Mr. Squier's father is ill and in a hospital.

The digital sign for City Park will cost $11,500 installed but without the brickwork around it. We need to move forward on the sign. The City Park parking lot will accommodate 243 vehicles. Wording for the RFP for the playground equipment is being worked on. If the Boys and Girls Club erects a building in the park we may not need a pavilion.

We will be advertising for bids soon on Betchan Street and Lakeland Court. We need to find out if we can add the city hall parking lot on that same bid.

H. New Business:

The Children's Learning Center on Main Street has a 'for sale' sign on it. The prospective buyer may need to get a Special Use Permit in order to put a church on that property. We should let people read our ordinance book to determine if it is legal to do something in the city.

Mr. Mitchell has talked with Mr. Pollster and they have condemned or purchased property in Lake Dallas for the Swisher Road extension.

The City Attorney should not have charged the city $32.50 for a telephone call from one of our residents.

The City Council is hosting the Chamber of Commerce breakfast next week.

We are checking out the drainage problem on Lakeview. We got letter from a resident who had concerns about the drainage during heavy rainfalls. There is another problem on Shady Shores by Ashleye Village Apartments. Part of the problem is that when we have extremely high waterfall our drainage system cannot accommodate all the water. The police officers and Johnny did a good job last week-end.

There is a joint Planning and Zoning Commission and Council meeting next Thursday.

During the month of June we will try a new agenda format. The first meeting of the month will be a business meeting and the second meeting will be a workshop.

Someone needs to talk with the librarian about the boxes and junk stored in the Community Center.

Friday night is the Chamber of Commerce Banquet.

TXU Gas is checking all gas lines from the main to the meter by digging holes in the streets in order to be able to inspect the gas lines. We couldn't refuse them because of safety but we did establish guidelines for the street repairs. The city engineer helped us devise the guidelines and TXU is responsible for a period of one year for any maintenance.

The City sent a floral basket to Mayor Spellerberg in recognition of her retirement from the City of Corinth after 16 years of service.

Family Fun Day will be Saturday from 10 AM until 4 PM at Arrowhead Park.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 10, 2001, at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was in Hawaii. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda:

Carolyn Green, 201 N. Shady Shores, congratulated the re-elected Councilmembers. She said she received a neat e-mail this morning. We go through periods of re-zoning, new ordinances, and zoning. She read the e-mail which was a up-dated story of Noah and the ark and the problems he encountered by going through the governmental process of permits, regulations, restrictions, etc.

Odie Harrelson, 906 Vista Oaks Court, asked Councilmember Harper about the house on Cain. He said they're bringing more and more junk in there and it's looking worse and worse.

Mr. Harrelson was told that the owners are having financial difficulties and they are legitimately trying to clean it up. It is an eyesore but they've done a lot of remodeling on the inside even though they still have a long way to go. Perhaps they could be asked to put some of that stuff in the back yard instead of out in front. We could ask the code enforcement officer to visit them again.

Mr. Harrelson said he has talked with Mr. Malone about the park down at the lake. Is there any way we can turn it into an RV park a little bit at a time and make some money for the city?

Mayor Wohr said the park belongs to the Corps of Engineers and we are somewhat limited by what we can do with it. An RV park is not a bad idea. We lease Willow Grove Park at the Corps' pleasure. It would be nice to have it cleaned out.

Mr. Harrelson agrees with Carolyn about the re-election of the Councilmembers. He voted for the ones who are here and thinks that so far they've done a pretty decent job.

Margaret Tisdale, 509 Howard Drive, said this election made her happy, too.

Mayor Wohr closed the visitors/citizens agenda.

E. Reports:

1) Boards and Commissions and Contract Consultant.

William Mitchell said there are negotiations with the waffle house and developers on the hotel. It's taking a little longer because Little Elm is dragging their feet on the final alignment for the Swisher Road extension. Mr. Pollster and Judge Kirk Wilson have said that this should be resolved within three to four weeks. They'll have four pad sites. The access justification study should be coming back soon and we may have something definitive by next meeting. The architect contract should be finalized by next meeting. Mr. Mitchell said that without the design-build plan it would be difficult to get moved in by the September time frame. It will add about 45 days to the time.

Mayor Wohr said they have asked the architect to meet with city staff. Acting City Manager Ristagno said the architect had presented us with a contract and we gave it to the city attorney who made several significant changes and returned it to architect who gave it to his attorney. The contract should be back by first of next week. We have ordered a dumpster so we can start cleaning out the building. The next step will be to meet with the architect.

Mayor Wohr said we should schedule a couple workshops with the architect and staff before we go ahead. Acting City Manager Ristagno said we can be working on the design while the clean-out is going on. A qualified architect should be able to put something together pretty quick. If the council chambers get done first that would free up the community center. The big incinerator needs to be removed and we will look into getting that accomplished next week.

Mr. Mitchell also congratulated the Councilmembers on their re-election. Mr. Mitchell said that Boeing is planning to build a building for the Boys and Girls Club in Lake Dallas. There is a meeting at 9 AM with Mark Ross of Boeing tomorrow. Neal Malone and Councilmember Milan will try to attend the meeting also. Mayor Wohr said the Boys & Girls Club had come to the city several years ago with their plan for a building that would include outside bathrooms and a concession stand for after hours use by those people frequenting the park.

Jennifer, representative of the Boys and Girls Club, said they'd like to have a gym, computer room and indoor and outdoor bathrooms. They have kids in high school working there now who used to be members when they were younger. The Boys and Girls Club takes the children on field trips, Six Flags, and other places of interest.

Neal Malone, Parks and Recreation Board, said their meetings now include an invocation and the Pledge of Allegiance. He gave some flyers to them about the event coordinator and asked for some input from council as to what else they want. Dr. Collins and his class at UNT have been a great help to them. Last week Dr. Collins and Neal and 22 students spent nearly a day cutting a trail at Willow Grove Park. The City needs to write a letter to Checkers Pizza in appreciation of their donation of food and support for the Arbor Day 2001 cleanup at Willow Grove Park. He plans to go to the High School and talk with the principal about the large logs at Willow Grove Park to see if some of the older kids and their parents could drag those logs over to where they have their annual bonfire. Bird watching is a big activity and we need to promote it. The Circus went well.

Councilmember Milan gave the Economic Development Committee report furnished by Chairman Paul Fiala. There will be no meeting in May. The next scheduled meetings are June 4, July 9 and August 6. The members plan to get some of the TXU strategic plan work done outside of the meetings. The property data base is targeted for completion by May 31; an RFP for a consultant for City Development Planning should be completed by June 29; Lake Development and contacts with the Corps of Engineers about their rules and regulations for development is scheduled for completion by November; the 4a/4b sales tax process should be completed by July; contacts with the business owners is on-going.

F. Business

1. Canvass of the election held May 5, 2001.

Motion was made by Councilmember Johnson to approve the resolution for the canvass of the vote of the May 5, 2001 City of Lake Dallas general election. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Oath of Office to Elected Officials.

Mayor Wohr administered the Oaths of Office to Councilmembers Milan, Stapleton, and Harper. Mayor Wohr said he wants to go on record and say that he's very pleased with the outcome of the election and thinks it's a real affirmation for a lot of hard work done by these folks. He appreciates their hard work and time they've spent during the last year and the effort that's been put forth.

3. Consideration and Action on selection of Mayor Pro-Tem.

Motion was made by Councilmember Harper to nominate Councilmember Johnson as Mayor Pro-Tem. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consent Agenda**
   a) **Approval of April Financials and accounts payable.**
   b) **Approval of minutes for April 19, April 26, and May 1, 2001 meetings.**
   c) **Consideration and Action on approval of resolution for 90-day moratorium on R-2 residential district property.**

Motion was made by Councilmember Stapleton to approve the consent agenda items. Seconded by Councilmember Milan. A correction should be made to the May 1, 2001 minutes under new business that Councilmember Milan, not Councilmember Johnson, will be out May 14 through May 18.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on approval of an ordinance for a fee increase for towing services.**

Motion was made by Councilmember Stapleton to approve Agenda Item F-5 as presented. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6. **Consideration and Action on establishing terms for members of the Economic Development Committee.**

Motion was made by Councilmember Johnson to set the term for the Economic Development Committee as two year initial term with a two year re-appointment. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

7. **Consideration and Action on appointment of alternate members to the Economic Development Committee.**

Motion was made by Councilmember Stapleton to table agenda item F-7 until our next regularly scheduled meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on appointment of two seasonal employees to the Department of Public Works.**

Motion was made by Councilmember Stapleton to approve the appointment of two seasonal employees for the Department of Public Works. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

9. **Consideration and Action regarding improvements to the Kings Manor Drainage Channel.**

Motion was made by Councilmember Stapleton to approve agenda Item F-9. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:50 PM.

Mayor Wohr called the meeting back to order at 9:08 PM

WORKSHOP:

1. **City Manager Search**

We should advise the person interviewed last month that we got bogged down but are still interested. We should contact two other applicants and schedule interviews for May 24.

2. **City Facilities**

We should advise the architect that we need council room with court use being a secondary use. We should also have a pre-council (attorney) room that could also be used during executive sessions. We need to leave some room undeveloped for future expansion. The council chambers should be pre-wired so we can have workstations that network with a server and public access terminal(s).

F. Staff Reports

The survey of Alamo and Church is underway.
The engineer said a survey of the north Lakeview property being considered for annexation would cost between $10,000 and $12,000. Mr. Squier's father is ill and in a hospital.

The digital sign for City Park will cost $11,500 installed but without the brickwork around it. We need to move forward on the sign. The City Park parking lot will accommodate 243 vehicles. Wording for the RFP for the playground equipment is being worked on. If the Boys and Girls Club erects a building in the park we may not need a pavilion.

We will be advertising for bids soon on Betchan Street and Lakeland Court. We need to find out if we can add the city hall parking lot on that same bid.

H. New Business:

The Children's Learning Center on Main Street has a 'for sale' sign on it. The prospective buyer may need to get a Special Use Permit in order to put a church on that property. We should let people read our ordinance book to determine if it is legal to do something in the city.

Mr. Mitchell has talked with Mr. Pollster and they have condemned or purchased property in Lake Dallas for the Swisher Road extension.

The City Attorney should not have charged the city $32.50 for a telephone call from one of our residents.

The City Council is hosting the Chamber of Commerce breakfast next week.

We are checking out the drainage problem on Lakeview. We got letter from a resident who had concerns about the drainage during heavy rainfalls. There is another problem on Shady Shores by Ashleye Village Apartments. Part of the problem is that when we have extremely high waterfall our drainage system cannot accommodate all the water. The police officers and Johnny did a good job last week-end.

There is a joint Planning and Zoning Commission and Council meeting next Thursday.

During the month of June we will try a new agenda format. The first meeting of the month will be a business meeting and the second meeting will be a workshop.

Someone needs to talk with the librarian about the boxes and junk stored in the Community Center.

Friday night is the Chamber of Commerce Banquet.

TXU Gas is checking all gas lines from the main to the meter by digging holes in the streets in order to be able to inspect the gas lines. We couldn't refuse them because of safety but we did establish guidelines for the street repairs. The city engineer helped us devise the guidelines and TXU is responsible for a period of one year for any maintenance.

The City sent a floral basket to Mayor Spellerberg in recognition of her retirement from the City of Corinth after 16 years of service.

Family Fun Day will be Saturday from 10 AM until 4 PM at Arrowhead Park.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on May 1, 2001 at 7:40 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Mayor Wohr closed the Visitors/Citizens Agenda as no one came forward to speak.

C. Executive Session:
City Council to convene into closed session pursuant to the Texas Government Code Section 551.l071 to discuss confidential matters with the City Attorney.

Mayor Wohr called the executive session to order at 7:42PM.

Mayor Wohr closed the executive session at 8:10 PM and called the public meeting back to order.

D. Action, if any from Executive Session.

Administrative directive was given to Acting City Manager Ristagno to authorize the City Attorney to address the issue involved.

E. New Business:

MILAN Bgw

Councilmember ~~Johnson~~ will be out May 14 through May 18.

Mayor Wohr reminded the Councilmembers about the Boy Scout breakfast on Saturday.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:12PM

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

Steve Wohr

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on April 26, 2001 at 7:32 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Milan was excused due to illness. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda:**

Odie Harrelson, 907 Vista Oaks, said he would wait for item #6.

Aldena Gregory, 603 E. Hundley, said the election workers are having trouble with the voters' list coming up on computer. Lake Dallas shares 2 precinct numbers -- one with Hickory Creek and another with Shady Shores. The list has not been updated properly.

Mayor Wohr said he had tried to get help today. The upgrade for the program needs work.

Margaret Tisdale, 509 Howard Drive, said all the alleys in Kings Manor look nice except for Kings Manor Drainage ditch.

Mayor Wohr said that initially we thought we could do it in-house. After we bought 500 blocks the engineer has advised that it will take 2000 and we probably cannot do the repair in-house. It has been too wet and muddy and we anticipate starting within 2 to 3 weeks.

Mrs. Tisdale said there is a house on Summers Lane. She has received complaints that the yard at corner of Summers and Donald needs mowed. The street is terrible and needs repair. There have been some water leaks there and Mr. Tisdale has talked with the Water Department but the streets still need to be repaired.

E. **BUSINESS:**

1. Report from the Hoover/Klein Group on the Central Business District conceptual plan.

The report will be later since they had two other council meetings to attend this evening.

2. Public Hearing on an application for proposed replat of Lots 13-16, 27, 28 and a portion of Lots 17 & 18, Block K, Oak Lakes Subdivision into one lot.

No one came forward to speak so Mayor Wohr closed the public hearing at 7:46 PM.

3. Consideration and Action on an application for proposed replat of Lots 13-16, 27, 28 and a portion of Lots 17 & 18, Block K, Oak Lakes Subdivision into one lot.

Mayor Wohr asked Johnny Harris if this had to do with the Swisher Road Alignment and Mr. Harris replied that it did.

Motion was made by Councilmember Johnson to approve the application for proposed replat of Lots 13-16, 27, 28 and a portion of Lots 17 & 18, Block K, Oak Lakes Subdivision into one lot. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4. Public Hearing on proposed Ordinance to create a Marina (MA) zoning district.

Mike Drozd, 300 Marina Drive, thanked the Planning and Zoning Commission for all their time and efforts over the past 6 months. H said they had not asked to be rezoned but worked with the Planning and Zoning Commission to get something that would work for the city and the marina. He does not agree that storage buildings in the MA district should be 80% masonry. They have been there by the lake since 1942 and all those who have moved in around their operation did so with the knowledge that the marina there. They will have hard surface for parking at the office but would like to leave the storage yard as it is without the hard surface requirement.

Mayor Wohr asked Mr. Drozd if he had any difficulty with any of the rest of the proposed ordinance. Mr. Drozd said he did not.

Ben Gilbert, 709 Nick, lives across the street from this property. The entire district around this is zoned R-1-6000. Mr. Gilbert gave a history about how the various items evolved into the ordinance. He said that currently some of the items allowed in the MA are also allowed in the C-1, 2 and 3 zoning and height restrictions in that zoning are not to exceed 2 stories. The 80% masonry is required and office buildings are not to exceed 2 stories. This MA district should be consistent with the other zoning districts.

Mr. Drozd said that if they ever want to build a building to put a travel lift in they would need the 42' height. In M-1 the height allowed is 50 feet.

Carolyn Green, 201 N. Shady Shores, said the Lakeview Marina has been the backbone of this community ever since it's been here. This is a council that needs to be more business friendly.

Margaret Tisdale, 509 Howard, said she seconds what Carolyn said.

Mayor Wohr closed the public hearing.

5. Consideration and Action on a proposed Ordinance to create a Marina (MA) zoning district.

Motion was made by Councilmember Harper to accept the plan for the Marina district with the exceptions agreed upon by the Councilmembers: **Sec. 122-549. Exterior Surfaces.** Exterior surfaces of structures in district MA, except for uses compensated by 122.541 (1), (3), (4), and (7), shall consist of approved masonry materials . . . . and **Sec. 122-728. Surfacing and screening.** (b) All parking lots and loading areas except for anticipated uses under Section 122-542 (3) in MA districts located in zoning districts . . . Seconded by Councilmember McInnish.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a short break.

Mayor Wohr called the meeting back to order at 9:15 PM.

6. Public Hearing on an application for a proposed zoning change to First Highway Addition Lots 1, 2, 3 and 4, Block A from C-1 commercial zoning district to C-3 Commercial zoning district.

Odie Harrelson, 907 Vista Oaks, said he was under the impression this item had been canceled or there would have been 50 more people here. He said this issue needs to be defeated. He said he had heard some things in the last Planning and Zoning Commission meeting. Some people in the back row had made statements about some of the council that he resents. He said if he finds any of this to be true he will do everything in his power to get rid of them through a recall election. We have more C-3 zoning than we have schools and churches. He said they need to take a stand somewhere.

Randy Danner, 731 Black Walnut, said he's a local business owner. He first opened his sporting goods store in Corinth because it wasn't wet but later had moved his store to Main Street in Lake Dallas. There had been a meeting with the Main Street business owners and Hoover/Klein Group a few weeks ago. He said he is not going to sit idly by while the main corridor into the town is a line of liquor stores. There are plenty of places now for alcohol. Don't table this. Vote on it tonight.

Joe Napoli, 802 Lake Bluff Drive, said it would be nice if the notices would describe where these lots are. It should be part of the information. He agrees with the first two speakers.

7. **Consideration and Action on an application for a proposed zoning change to First Highway Addition Lots 1, 2, 3 and 4, Block A from C-1 Commercial zoning district to C-3 Commercial zoning district.**

Motion was made by Councilmember Harper to table this item because several citizens had been told that this item was going to be pulled from the agenda. Seconded by Councilmember Johnson.
Ayes: Councilmembers Johnson and Harper
Noes: Councilmembers Stapleton and McInnish

Motion Failed

Motion was made by Councilmember Stapleton to leave the zoning for First Highway Addition Lots 1, 2, 3, and 4, Block A as it is presently as C-1. Seconded by Councilmember McInnish.
Ayes: Councilmembers Johnson, McInnish, and Stapleton
Noes: Councilmember Harper

Motion Passed

1. **Report from the Hoover/Klein Group on the Central Business District conceptual plan.**

Bryan Klein said he doubts this plan would entirely fit but it's a place to start. They tried to come up with something to enhance the appearance of Main Street. There could be trees and pedestrian lights. There are lots of options. We could use modules to carry the theme on down the street. The front of city hall could be closed off at the street and perhaps a gazebo placed on the west side.

Kathy Helm said that at the owners meeting the median idea didn't last because it blocked left turns off Main St. They suggested colored or decorative brick. Bricks should not be used in front of the fire station because when the tandems turn on bricks it loosens them and they pop out of the street.

At 10:25 PM Mayor Wohr asked council if it was all right to extend the meeting. It was agreed that the meeting would go on.

Tom Hoover said that the expense for an archway would be approximately $80,000. The median cost would be approximately $150,000 with the raised theme. It would cost about $40,000 for the flush median. It would cost about $50,000 for bricks along the sides and not at intersections. The intersections themselves would be $20,000/quadrant. That would include trees, lightposts, and drainage.

The same type of theme could be followed on other business streets. If someone goes first the others will probably like what they see and get their streets upgraded.

Tom Hoover said they'll go back and do some other options and firm up the quadrant posts better.

The city will not pay for these improvements. The business owners can form a corporation and try to get grants and donations. They could then deed the improvements to the city in return for maintenance.

8. Consideration and Action on approval of a Resolution for a 90-day moratorium on R-1-1000 zoning districts.

Motion was made by Councilmember Stapleton to approve the resolution detailed in agenda item E-8. Seconded by Councilmember McInnish.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

9. Approval of minutes for March 8, March 15, March 29, and April 12 meetings.

Motion was made by Councilmember Johnson to approve the minutes for the March 8, March 15, March 29, and April 12 meetings. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Addendum: E-10. Consideration and Action on architectural services for the new city facilities.

William Mitchell informed Council about recommendations from several cities and attorneys for an architect and related costs.

Motion was made by Councilmember Johnson to allow the acting city manager and the mayor to enter into a contract with Russell Bates for architectural services for the new city hall. Seconded by Councilmember McInnish.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

F. Executive Session: The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.

G. Action, if any, from Executive Session.

Mayor Wohr said the candidate has withdrawn so items F & G are not necessary tonight.

H. Workshop:

1. **City Manager Search.**
2. **New City facilities progress.**

There was discussion about the architect and façade. The new city hall facility should be on each meeting agenda until it is complete.

New Business:

Swisher Cemetery has been designated as a historical site by the State of Texas.

Woody's Landscaping has been doing the yard work at no cost for an elderly couple in the city who are both ill.

Concerns have been raised about the sno-cone stand down by Sunny's because of children being in the parking lot around the liquor store and Sunny's convenience store. The building inspector should look at it over the next week and give council a brief rundown on that type of business as well as ice cream trucks. What ordinance applies to these types of businesses?

The Economic Development Committee wants two alternates. They should get appointed through a future agenda item.

Contact has been made with the owners of Babe's Chicken. They are going into Hickory Creek by the end of the year. They have another concept for a restaurant for Lake Dallas.

Election Day morning is the Boy Scout breakfast at the high school. Council will receive letters of invitation.

We need to move forward with the Squiers' annexation process.

There will be a big championship held in Arkansas, Louisiana or Texas. On average they have 300 participants for the Angler's Choice. They need a place to stay and place to put boats in the water. The Drozds may need to be contacted.

The circus was great. We should explore the option of having special event permits.

I. Adjournment

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.

Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper

Noes: None

Motion Passed

Meeting was adjourned at 11:25 PM.

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

Steve Wohr, Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on April 19, 2001, at 7:30PM, at City Hall, 303 Alamo Avenue, Lake Dallas, Texas with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

B. Visitors/Citizens Agenda:

No one came forward to speak so Mayor Wohr closed the Citizens' Agenda.

Mayor Wohr closed the public meeting.

C. **Executive Session: The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues, City Manager search.**

Mayor Wohr closed the Executive Session and re-opened the public meeting.

D. **Action, if any, from the Executive Session.**

Motion was made by Councilmember Stapleton to take no action from our Executive Session. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None
Motion Passed

G. **NEW BUSINESS**

Does the city have a new police pickup truck with a light bar? Lake Dallas has an animal control truck and Corinth and Lake Cities MUA have pickup trucks with light bars and their logos are comparable to ours from a distance.

Concerns were raised about Councilmember McInnish and his attendance record during the past year.

H. ADJOURN

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Marjory Johnson
Councilmember, Place 2

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on April 12, 2001 at 7:40 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent due to his work. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Visitors/Citizens Agenda**

Carolyn Green, 201 N. Shady Shores, reminded everyone of the Easter Sunrise Service at the Montserrat Retreat on Sunday morning.

Cindy Nelson, 812 Lakebluff Drive; voiced her opposition to a proposed amendment that was passed by the Planning and Zoning Commission to allow only three (3) feet setbacks around the entire lot line for accessory buildings. In fairness to all the other homeowners she doesn't think it should be changed to benefit one incident. It will affect hundreds of people and would set a precedent.

Linwood Gilliland, 703 Payton Street, said that when he was on the Planning and Zoning Commission they had researched this to separate neighbors and they decided that five (5) feet is barely enough. We need to enforce the ordinances we have. Things should be thoroughly researched.

E. Reports:

Mayor Wohr thanked Mr. Malone for the Parks and Recreation Board's assistance in getting the circus preparations taken care of.

1) Neal Malone, Chairman of the Parks and Recreation Board said the Tour of the Parks and tree planting have been canceled. There is a clean up at Willow Grove scheduled for April 21. On April 27 Dr. Collins from UNT and one of his classes will be here to go over Willow Grove to give recommendations for nature trails and educational

and recreational fields. May 7 the board will meet with Dr. Collins and his class from 8 AM to 4 PM to make an outline of the summer program. There is a meeting on April 24 to go over the plans for Family Fun Day on May 12. June 9 will be another kids day because the Marina wants to sponsor a kids fish day at Willow Grove. The owners of the Marina will provide prizes and registrations and lunch for them. We are already planning 4th of July events. Nancy Bradshaw is chair and Ben Gilbert is assisting. Work is progressing slowly on parking lot at City Park because it's been so wet. Councilmember Milan said we've talked before about Boeing. Their Good Neighbor month has been moved to June or July due to the work schedule at Boeing. Mr. Malone said he had meeting today with Mr. Gillespie who is on Parks Board in Corinth. If it works out like it does with Hickory Creek we'll be way ahead.

William Mitchell, Contract Consultant, said, "You own a building." He has layout plans and also gave the Councilmembers 'concept' drawings. He has a proposal that Lewisville used so we will know how to go out for bids and designs, etc.

Mayor Wohr and the Councilmembers determined a workshop should be planned in the near future to discuss the design and invited Mr. Mitchell to attend. The suggestions and requirements of those who work at City Hall will be considered. An architect should be contacted.

F. Public Hearing on proposed replat of Tract 100 of A 1355A Wright, 600 block of Sargent Street on the west side of the street.

Frank Barnard, 328 Betchan, gave descriptions of the 4 lots in R-1-6000 zoning. He said he chose to only do 4 lots to keep the appeal instead of trying to crowd 6 lots into it. The setbacks are on the drawing. The lots will have city sewer and the drainage has been discussed with the city's building inspector. He said he did not think there would be an issue about subdivisions and a major thoroughfare that had been brought up in the Planning and Zoning Commission meeting. Sargent Street is too narrow to be a thoroughfare.

Mayor Wohr expressed concerns about the drainage being addressed. He said he also had concerns about the streets getting torn up by construction equipment. Carlisle and Sargent have just recently been paved.

Mayor Wohr closed the Public Hearing at 8:20PM.

G. Consideration and Action on proposed replat of Tract 100 of a 1355A Wright, 600 Block of Sargent Street on the west side of the street.

Motion was made by Councilmember Johnson to approve the replat of Tract 100 of A 1355A Wright, 600 Block of Sargent Street on the west side of the street. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

H. Executive Session:

The City Council to convene into closed session pursuant to the Texas Government Code Section 551.071 for discussion with an attorney regarding possible litigation.

Mayor Wohr closed the public meeting and called for a five-minute break at 8:25 PM.

Mayor Wohr called the Executive Session to order at 8:35 PM.

Mayor Wohr closed the Executive Session at 9:25 PM.

Mayor Wohr called the open meeting back to order at 9:30 PM.

I. Action, if any, from the Executive Session.

Motion was made by Councilmember Milan to authorize the Mayor and City Manager to enter into a settlement agreement based on City Council decision during the Executive Session. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

J. Report from Tom Hoover of the Hoover/Klein Group.

Mr. Hoover said they are waiting on LCMUA's approval of some manholes so we can release the retainage on Carlisle Street. Main Street is done and has been hydro-mulched. As soon as affidavits are received that all bills are paid we'll release that retainage.
Mayor Wohr asked if affidavits are required on all contracts. Mr. Hoover said they should be. He said the Betchan project has been delayed a little. They had an aerial of city done for the Central Business District (CBD) project and had them get a closer view of Betchan Street. We should be able to start Betchan in June. Mr. Hoover said the CBD project will be at next council meeting.

Mayor Wohr asked him to look at parking lot on west side of our new facilities.

Mr. Hoover said the City Park parking lot was running behind schedule due to the rain. Part of the fence had been put up in wrong location. Those fence panels have been removed and stored. It should be two or three weeks before they can tell us what they need on the Alamo and Church Street extensions. Janet & Stevens streets could be repaired. Mr. Hoover advised that our Building Inspector should watch the construction on the Sargent replats closely in case any damage to the streets is done so they can repair the damage. When the building permits issued the applicants should be advised that no trailer traffic is allowed on Carlisle Street.

K. Consent Agenda:

1. **Approval of March Financials and accounts payable.**
2. **Consideration and Action on appointment to Parks and Recreation Board. (Shelly Kristich).**
3. **Approval of minutes for February 22, February 24, March 1, and March 8, 2001 meetings.**

Motion was made by Councilmember Milan to accept the Consent Agenda items K-1 -a, b, and c and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on health insurance for year beginning May 1.

Holly Crow of Higginbotham and Associates explained the quotes she had obtained from various insurance companies and the Aetna HMO renewal.

Motion was made by Councilmember Milan to continue with Aetna Healthcare as we have been in the past. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. Consideration and Action on ordinance changing rear and side setbacks for accessory buildings in R-1-10000, R-1-7200 and R-1-6000 Residential districts.

Steven Bertrand, 707 Oakley, said he thought the setbacks for accessory buildings should be the same for everyone instead of different for each residential zoning district. He said he was trying to get this changed for everyone. He said in his neighborhood there are many buildings that are not according to setback requirements.

Council discussion involved consistency for R-1-6000, 7200 and 10000 residential districts. There are no permits required for most accessory buildings but residents inquiring should be given copies of the setback requirements.

Mr. Bertrand asked if he could leave his building where it is until this situation gets resolved. Mayor Wohr told him that decision is administrative. If Mr. Bertrand gets a citation he should talk with the Municipal Judge Angie Warner.

Motion was made by Councilmember Stapleton that we do no approve the proposed ordinance amendments referred to in Agenda Item K-3. Seconded by Councilmember Harper.

Mayor Wohr asked for a vote by acclamation.
All Ayes.

Motion was made by Councilmember Milan to amend the motion on the floor that the item be looked at in the next Council Workshop session. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

L. Workshop:

1) City Manager Search

Motion was made by Councilmember Harper to continue meeting past 10:30 PM and take the ones that have them ready and then we can add to those at a later time. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: Councilmember Stapleton

Motion Passed

Council discussion resulted in having an Executive Session scheduled for April 19 at 7:00 PM for the purpose of starting interviews at 7:30 PM with three of city manager applicants.

M. New Business:

A new fax machine for Administration should be considered at budget time.

The northbound exit ramp for Swisher Road in the mornings -- people are complaining that they can't get over to the right lane due to the heavy amount of Boeing traffic that gets on the service road off Overly. There are two 'yield' signs on the service road so people can exit from I-35 should be able to cross the two lanes and there should be a double white line to assist in this.

The Kids and Cops will be on May 26 from 10:00 AM until 2:00 PM.

There was Council discussion about who decides what an 'excused absence' is for council meeting attendance. In the past if Councilmembers have called in and said they can't be there for a meeting it has been marked as an excused absence. Guidelines need to be set out. The Home Rule Charter says if three consecutive regular meetings are missed the Councilmember can be removed.

Councilmember Milan asked to be excused from the April 26 meeting.

Mayor Wohr said that May 5 is the Boy Scouts breakfast. He encouraged the Councilmembers to bring a couple of people with them at 7:30 AM at the Lake Dallas High School. It's a good breakfast for $10.

Buck Crockett died recently and we should send a sympathy card to his family.

Guy Vince is in hospital a hospital in Dallas. We should send a get well card to him.

The Kings Manor Drainage Ditch: Tom Hoover has looked at it and he recommends raising the level and bringing it back out to Overly. He recommends that we have it done professionally as opposed to trying to do it in-house. He said the job could go for about $19-$20,000. We have $20,000 budgeted for it in this year's budget. Without extending it out we could just make it level and by hiring a couple of seasonal workers we could use them for that as well as other jobs such as clean-out of our new facility and mowing. Two seasonal workers would cost the city about $3370/month. This is an administrative item but seasonal workers were cut from this year's budget.

N. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

Meeting was adjourned at 11:20 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special meeting on March 29, 2001 at 7:40 PM, with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Lois Bailey, 23 Oakwood, said she had put up a 6-foot fence to keep her German shepherd from getting hit by kids reaching over the fence as they went by. The person who installed the fence said he got a permit but he can't find it. She had been to court last week and the citation had been dismissed. She'd like to keep her fence. It's been over a year since fence was put up. She would like to keep the fence. The Kingswood Association plans to vote on the height of fences.

Mayor Wohr said this is more an administrative order. It does have to meet the ordinances now. She could petition Council to change the ordinance so everyone could have a 6-foot fence. He will talk with the building inspector and see if it can't be resolved. He said he is concerned because it is currently against our ordinance. Our municipal judge makes no comments on our rules. He said the Kingswood Association couldn't allow what the city doesn't allow. If your association and enough people were to come forward and ask that 6-foot fences be allowed in R-1-4000 then it might be appropriate to change our ordinance.

Linwood Gilliland, 703 Payton Street, told Council that they are doing a great job and hopes they all get back on the council. He said there's a real bad problem at Howard, Shore and Lakeview.

Mayor Wohr thanked him for bringing this to the Council's attention and agreed that something needs to be done.

Cindy Nelson, 812 Lakebluff Drive, expressed concern about a structure across from her back yard. It's about 14' tall and has 27' sheets of sheet metal attached to it. It's only 3 feet off her back fence because it's his side yard, which puts it 3 1/2' from where her children play. It towers over their swimming pool. She asked him yesterday to lower it but he said he wouldn't be able to park his RV in it if it was lower. According to ordinance and zoning requirements he cannot have an RV in his yard. They've worked around other problems with their neighbors. She questions the safety of the structure. She said one big gust of wind and that metal could cut them in half.

Mayor Wohr explained about the rezoning process. He said he would talk with the building inspector about this. If it's legally allowed to be built we may not have any enforcement over it. We will notify you of the findings.

Jeanette Harmon, 72 Lakebridge, said she has an ongoing problem with 77 Lakebridge in trying to get them to clean up their yard and their mobile home. The last time Code contacted them there was no clean up so the city sent registered letter and they refused delivery. A letter was sent to Mr. Vinson, the owner, in Sanger and he hasn't picked his letter up either. She asked that the city contact the owners as well as the renters about code enforcement problems.

Mayor Wohr said we generally notify the property owners from the tax roll. Renters and owners are jointly liable. He said he appreciated her bringing it to our attention. Our policy in past has been to go to property owner.

David Shershen, 166 Kingswood Drive, said several people have asked him when he's going to pull the burned trailer out. He said the insurance company is dragging the time out. He's hoping it will be resolved sometime in April and the property will be left in a suitable stage. In the time he's lived in the city and times he's run for election, he thinks there is no finer person to run the election than Mrs. Deenie Stowe. He has never doubted her. He encouraged Council to reappoint her.

Robbie Robertson, 5308 Kings Manor Drive, said he's our representative on the fire board. He would like to get with Council at the earliest possible time regarding the Fire Department budget. They're about 3 months behind on their building. It should be completed in May instead of April.

Mayor Wohr said it's a wonderful thing that the Fire Department is running so well. The Fire truck replacement was done nicely. He said he didn't know if we would get to it in the month of April but as we go into the budget process we would get with him after the election.

Mayor Wohr closed the Visitors/Citizens Agenda at 8:20 PM

C. BUSINESS:

Consent Agenda:

a) **Consideration and Action to remove contingency from the new City Hall contract.**
b) **Consideration and Action on approval of application for Sterling & Reid Circus to perform in Lake Dallas on April 18 and 19, 2001.**
c) **Consideration and Action on approval of minutes for January 25, February 1, February 8, and February 17, 2001 meetings.**

Mayor Wohr said we are planning on closing on the building contract on April 9 on the building. They've agreed to have the Title company do the closing for $75 instead of our attorney and their attorney.

Councilmember Stapleton asked that item 'b' be pulled from the Consent Agenda.

Motion was made by Councilmember Johnson to approve Consent Agenda Items a and c. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

C-1-b: We have not received a copy of the insurance from the circus. Mayor Wohr said the circus performances could be subject to the insurance being provided.

Motion was made by Councilmember Stapleton to approve the application referred in Item 1-b. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on TXU rate increase for gas services (tabled at March 8 Meeting).

James Johnson of TXU said that on February 16 TXU had combined 40 cities into a gas distribution system and filed a rate case for these cities. The average increase will be 5.1% and Lake Dallas' increase would amount to 2.6%. He explained the Favored Nations letter and said the increase will not take effect until June 21. If you decide to suspend then we could probably join a group of cities who are getting to get together to decide the validity of the rate case and is being heard in Arlington at this time. He gave us a list of cities of those who have joined and those who have not.

Motion was made by Councilmember Stapleton to approve the TXU rate increase and the Favored nations ordinance. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan and Stapleton
Noes: Councilmembers Johnson and Harper

Motion Failed

There was more Council discussion.

Motion was made by Councilmember Harper to approve joining the Favored Nations Ordinance. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:15 PM.

Mayor Wohr called the meeting back to order at 9:30 PM.

3. **Consideration and Action on appointment of election judge and alternate judge for the May 5 general election.**

Motion was made by Councilmember Johnson to appoint Aldena Stowe Gregory as election judge and Linwood Gilliland as alternate judge for the May 5 general election. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of a proposed Ordinance amending Chapter 42 Environment Subsection 42.74 of the Lake Dallas Municipal Code by adding trash pickup location.**

Motion was made by Councilmember Stapleton to approve the proposed Ordinance amending Chapter 42 Environment Subsection 42.74 of the Lake Dallas Municipal Code. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr suggested we send out flyers regarding the trash ordinance out to the citizens.

5. **Consideration and Action on approval of a proposed Ordinance for amending the Lake Dallas Municipal Code Section 94-8 of Article (I) relating to fees for applications for plats and replats.**

Motion was made by Councilmember Stapleton that we approve the proposed Ordinance for amending the Lake Dallas Municipal Code Section 94-8 of Article (I) relating to fees for applications for plats and replats. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6. **Consideration and Action on approval of proposed Ordinance for amending the Lake Dallas Municipal Code Section 122-26 of Article XXVI relating to fees for applications for rezoning and special use permits.**

There was Council discussion and it was agreed that the first paragraph of 122-1266 Application fees and records should read: "Application may only be made by the property owner of record or a party having a signed and notarized authority from the property owner of record. An application shall be required for each separate tract or lot of property that is subject to such amendment or special use permit. A fee of $500 shall accompany each application for an amendment or special use permit except for where the properties are contiguous or adjoining where an additional application for a separate tract or lot of property made at the same time as the first application shall require a fee of $100. No refunds shall be made. All such applications shall be made and filed with and such fee paid to the city secretary. All such applications shall be upon forms prescribed by the city; and, upon receipt of the application, the city secretary shall note on the application the date of filing and make a permanent record of the application and, thereafter, of all proceedings on the application."

Motion was made by Councilmember Stapleton to approve the proposed Ordinance for amending the Lake Dallas Municipal Code Section 122-26 of Article XXVI relating to fees for applications for rezoning and special use permits with the previously mentioned revisions. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr asked for a continuance due to late hour.

7. **Consideration and Action on approval of proposed Ordinance providing for a hotel/motel tax.**

Motion was made by Councilmember Stapleton to approve the proposed Ordinance providing for a hotel/motel tax. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on directing City Secretary to issue Water Well Permit for 709 Lakeland Street.**

Motion was made by Councilmember Harper to approve the application for the well permit. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

D. Workshop:

1. City Manager Search

At the April 12 regular meeting we should bring our selections and set aside an hour for a workshop on the application and interview process.

E. New Business:

There is a handicap sign at the front of city hall. Acting City Manager Ristagno said he asked Richard to contact all businesses regarding the handicap ordinance. They are being given 20 days to order signs and get them installed.

Several police cars from neighboring cities were seen on I-35 E at the Lake Lewisville bridge and it didn't appear that they had a clear assignment. She was glad none of our police cars or officers were involved.

There are still boats and trailers going down Carlisle even with the signage. Acting City Manager Ristagno said we've put out memos and are issuing warnings. We will need a substantial amount of time to stop it.

The Parks and Recreation Board will be doing the interview of the events coordinator.

The annual Volunteer dinner will be Friday, April 6, at 7:00PM.

Councilmember Harper told of her experience of riding in a police car in Mexico while on a recent trip to south Texas.

City council should sponsor a Chamber breakfast on April 25. We would need to furnish the donuts and coffee. We should be there at 7:15 AM and the meeting is from 7:30 to 8:00 AM.

There was a letter to the editor in a recent paper from Cheryl Phillips about the 50's dance. Councilmember Johnson had called her and talked with her about it. Mayor Wohr said the dance went over real good.

Ed Cox of Pratt and Sanderford wants us to release $54,000 plus to Peachtree Construction. That would leave a balance of $100,000.

There is a drainage problem at the Fast Break. Johnny got the prices $2500 to $3500 for a good fix. We will try the Kings Manor drainage ditch 'in-house.' It will take about 500 bricks. We may be able to use come community service workers.

Acting City Manager Ristagno showed Council an electron sign which is computer generated as a sample for the City Park sign. We can put 26 pages of information on it and it can be changed daily from our offices. Mayor Wohr asked him to get a price.

Acting City Manager Ristagno said he would like to be off from April 18 through April 24.

F. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:15 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on March 15, 2001, at 7:45 PM, with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. **Visitors/Citizens agenda**

Mayor Wohr closed the Visitors/Citizens agenda as no one came forward to speak.

Mayor Wohr closed the open meeting and opened the executive session at 7:48 PM.

C. **EXECUTIVE SESSION:**
1. The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to city manager personnel issues.

Mayor Wohr closed the Executive Session and re-opened the public meeting at 8:55 PM.

D. **Action, if any, from the executive session.**
Council directive: Rerun an ad immediately requiring city management experience of 3 - 5 years and budget experience; salary range of $55,000-$65,000; residency required. Resumes received through April 9.

As soon as resumes come in send a cover letter stating we won't consider any resume until we receive the completed application. Applications should be returned no later than 5 PM on April 11. The letter should include some information about City of Lake Dallas. The letter should also include four questions for the applicant to answer. The questions will be about budget preparation, grant experience, economic development experience and how many people report to the applicant.

E. **Workshop:**
1. City Manager Search.

Council moved past this item to the next item.

F. New Business:

We cannot put a sign up on new city hall building until April.

There are concerns about rumors about the Sterling-Reid circus and animal activists.

Concern about ADA signs at buildings was discussed. Acting City Manager Ristagno said we have an ordinance and we can advise businesses that they have to comply with our ordinance.

Spec's for bids on the new city hall building needs to be put together. The layout needs to be addressed before we look for a design build firm. CSI of Lewisville can help us with the bid spec's but they won't design free of charge. The air conditioning can be part of the design and build. The communications and electronics technology should be incorporated into the spec's also.

Bernadette Milnick, a published artist, has contacted the City. It may be too expensive to do the entire facility, but she has proposed to go out and photo artistically for our lobby and council chambers.

The new website looks really nice.

There are traffic problems on Swisher Road at certain times of the day. TxDOT will be notified so light timing can be changed.

Some franchised business concerning dairy products may be coming into city.

We need more street dances throughout the year.

Additional signs have been ordered for Carlisle Street.

We need to re-write the ordinance on replats to get rid of the ambiguity.

The Lakebridge entrance looks good after the cleanup was done.

We need a Certificate of Occupancy that says if a proprietor changes or the type of business changes a new c/o is required. We need one for residential that covers the essential safety items: smoke alarms, water, and electricity.

G. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:42 PM

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on March 8, 2001, at 7:42 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr arrived at 8:08 PM. Staff Present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. PROCLAMATION

Mayor Pro-Tem Stapleton said we would wait until the Mayor arrived to do the proclamation.

E. VISITORS/CITIZENS AGENDA

Randy Danner, 731 Black Walnut Drive, said thank you to the Council for new city hall.

Carolyn Green, 201 North Shady Shores, questioned TXU's validity in the proposed rate increase. Since 1998 they have invested millions in piping and updates. It appears to her that they are asking for a 7.52% increase. Lone Star and TXU almost always ask for twice what they want. Usually the council has postponed until it goes before the commission and is studied.

F. Reports & Commissions :

Neal Malone of the Parks and Recreation Board said that Tony Robinson couldn't be here tonight. He's been very instrumental with the UNT projects. Tony's report: The Family Day scheduled for May 12 is estimated to cost Lake Dallas $1,000. He talked with Pat Snider of Hickory Creek this afternoon and if profit is made it will have to go to Willow Grove Park per the Corps of Engineers. The Parks and UNT partnership consists of a graduate class working on a day camp during the summer at a cost of $100/week and the undergraduate class will help. The Park Board has tentatively selected a playground site for City Park and has tentatively made a choice. There have been good reports on the equipment at Community Park. UNT will help us with the grant opportunities from State. Tony has called Texas Parks & Wildlife and they are getting a packet to us.

Some members of the Parks and Recreation Board had a meeting with graduate class last week. Dr. John Collins is very willing to help us. We have the Sterling Reid Circus for scheduled for Willow Grove Park. Haven't received fine details yet. March 13 a committee will attend the soccer board meeting at the school. They will have a well driller there to discuss a well for City Park. A committee is working on revising the rules for each park. Teen Nite Out's attendance has been increasing by about 10 per night. The Community Center is too small. This Saturday night will be their last night here. Nancy Bradshaw and Ben Gilbert are chair and co-chair for 4th of July events. They have not heard from Tommy Bilbrey at Boeing.

William Mitchell, Contract Consultant, said $525,000 was the contract price on the Food Fare building which is approximately $35,000 less than the appraisal roll. We have met with a structural engineer and should receive a written report on Monday. East wall leans about 1/8 inch but it's reinforced. The floor is pretty solid.

Mayor Wohr arrived at 8:08 PM.

We may need to remove some trees. There are no major structural problems. The air conditioners need to be removed and replaced at the cost of $20,000 to $25,000 but then we will have a warranty. He estimates $35,000 to revamp the outside of building and new facade and to paint and clean up. On the inside we are probably looking at $22 - $27/SF for construction of offices and meeting rooms. We will need to go out for bids for the remodel on the building. Mr. Mitchell said he would get an inspector out to look at the current city hall and get a recommendation since there is asbestos in it.

He has contacted the landowner beside KJ's and behind Phillips 66. A Waffle House will go in as soon as motel/microhotel goes up on the north side of Swisher. He feels it's a pretty solid deal.

There has been no progress regarding any retail going in at Mike Wolverton's building. The Tim's Produce building is being divided into smaller spaces in an effort to try to rent it out.
A new tenant just signed in the building where Bogey's is and they will sell discount cigarettes.
Talked w/owner of property next - tied up in family deal - can't do anything rite now.
Mr. Mitchell said he would volunteer his services to keep things coordinated and be contact liaison regarding the new city hall. He asked that at the next council meeting that removal of the contingency on the purchase of the Food Fare building be placed on the consent agenda.

D. PROCLAMATION:

Mayor Wohr read the proclamation which designated the month of March as Red Cross Month in the City of Lake Dallas.

G. BUSINESS:

1. **Consent Agenda:**
   a) **Approval of February Financials and accounts payable.**
   b) **Consideration and Action on approval of a Resolution placing a moratorium on the acceptance for filing and the issuance of building permits and all other development permits for construction and/or development in R-3 Multifamily Residence District.**
   c) **Consideration and Action on approval of a Resolution placing a moratorium for filing and the issuance of building permits and all other development permits for construction and/or development in M-1 Light Industrial Zoning Districts.**
   d) **Approval of minutes for December 21, January 11, and January 13, 2001 meetings.**

Councilmember Harper asked to pull item G-1-a.

Motion was made by Councilmember Johnson to approve the Consent Agenda items b, c, and d. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G-1-a) Approval of February Financials and accounts payable.

Motion was made by Councilmember Harper to accept the February financials and pay the bills. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. **Consideration and Action on TXU rate increase for gas service.**

James Johnson of TXU said that recently TXU combined 39 cities into a northwest gas distribution system and filed on February 5 for rate change. The average rate of increase is 5.9%; rate in LDZ is 2.6%. In packet is a letter from the vice president in which he agrees in writing that if someone makes a better deal before the rate goes into effect we will also benefit from that -- a most favored nation status. The rate goes into effect June 21. If we don't pass the ordinance regarding the favored nation status we could join some of the other cities that are joining in a suit against TXU but we would also have to share in the attorney fees.

Motion was made by Councilmember Johnson to table this item until the next meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:08 PM.
Mayor Wohr called the meeting back to order at 9:30 PM.
Mayor Wohr close public session and asked Acting City Manager Ristagno to secure the building at 9:35 PM.

H. EXECUTIVE SESSION:
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues.

Mayor Wohr called the public meeting back to order at 11:15 PM.

I. ACTION, IF ANY FROM THE EXECUTIVE SESSION, regarding City Manager selection.

Motion was made by Councilmember Stapleton to table this item to a future date. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

J. WORKSHOP:
1. City Manager Search

A special meeting may need to be called.

K. NEW BUSINESS:

The request for a temporary building will need to go before the Board of Adjustment.

The information from Mr. Mitchell about the hotel means we need to pass a an ordinance for a hotel/motel tax

The Parks and Recreation Board should interview the events coordinator and make a recommendation to the Council.

We need to check to see if we can open the Chalker's side of the building on Main Street to use for water and restrooms during the Road Rally.

The trash situation in Kingswood is a bad situation. The ordinance may need changing. The definition of junk/abandoned vehicles does not apply if the license and inspection stickers are still good.

Richard and Beate are handling the problem with the brick retaining wall on the right of way in Kingswood. The owner of the driveway is responsible.

We need to make sure the offices and restaurants in town are ADA compliant.

Mrs. Conine in the 600 block of Hundley says her ditch is not draining correctly.

There was a misunderstanding about the election judge appointment procedure this year. It will be under the same policy as the Parks and Recreation Board, Board of Adjustment, Planning and Zoning Commission, etc. Everyone fills out applications and they come before the Council for appointments.

The drainage at the Fast Break at Denton Drive and Church needs to be checked out.

Tom Hoover will check on the right of way for Alamo and Church. We need to give him the OK to go ahead on Betchan. Lakeland Court may cost a little more.

Mayor Wohr has walked the Kings Manor ditch. He said it used to be a sloping ditch. The east side shouldn't take a lot of work. On the west side we'll need to cut some trees and put in a wall. Margaret Tisdale and Councilmember Stapleton had also walked through that location.

L. ADJOURN

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:15 AM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on March 1, 2001, at 7:40 PM, with notice of the meeting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Jeff McInnish was excused. Staff present: Acting City Manager Ristagno and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda:

Mike Bucher, 5410 Kings Manor Drive, said that the Kings Manor Drainage ditch should have been repaired a couple of years ago. He said the Prince Drive side had a retaining wall put up but the Kings Manor side did not. He has had to move his fence because the rains have moved the dirt. He has been told twice by the City Secretary that the rest of the project is in the process. There needs to be a retaining wall on the Kings Manor side and he wants it done now.

Mayor Wohr and Councilmember Stapleton said they would meet with Mr. Bucher on Sunday and try to determine the problem and try to find a solution.

Mr. Bucher said a motorcycle event is being scheduled for May 19 which is the same date as the spring thing being held by Lake Dallas and Hickory Creek. The VFW is sponsoring this event for motorcycle riders. There will be no parade but there will be trophies. The 3 people who are putting this together are not members of the VFW. They hope this will not be a conflict with the spring thing.

Council agreed that it would be all right and should not cause a conflict. May 19 is the date the Kids and Cops Day is scheduled. The other event will be on a different date.

Jeanette Harmon , 72 Lakebridge, handed out a letter to the Mayor and Councilmembers. Her complaint was that some residents of the Kingswood Estates were placing their trash at the rear of their homes on trash pickup day instead of the front of their homes.

Mayor Wohr said we don't have an ordinance on that. Our ordinance only states where the trash should be placed before pickup day. We may have to make an ordinance.

Carolyn Green - 201 N. Shady Shores, said Gracias, Dankeshoen and Thank you.

Mayor Wohr closed the Citizens' Agenda.

E. Business:

1. Consideration and Action on adoption of an ordinance authorizing the issuance and sale of the City's Combination Tax and Revenue Certificates of Obligation, Series 2001; levying an annual ad valorem tax and providing for the security for and payment of said Certificates; prescribing the form of said Certificates; awarding the sale thereof; approving the Official Statement; and enacting other provisions relating to the subject.

Doug Hartman and Benita of First Southwest handed out booklets and gave a short explanation. He asked Leroy Grawunder to walk us through the booklet. Mr. Grawunder discussed the bond insurance. He said the Triple A rating instead of BBB is why we got such a low interest rate. We may need to have a 2 1/2-cent tax increase for one year but that if we have $60,000 we could use we won't need a tax increase. The Ordinance authorizes all the things that are listed in the Consent Agenda, Item 2-a through 2-e.

If the mandatory redemption dates are observed there should be no penalties. We will be able to pay off the certificates at year 2011 but there will be no prepay option before that year.

Motion was made by Councilmember Johnson to adopt the ordinance. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. **Consent Agenda:**
   a) **Consideration and Action on proposed agreement to perform legal services as bond counsel and disclosure counsel to the City of Lake Dallas, Texas by McCall, Parkhurst and Horton, L.L.P.**
   b) **Consideration and Action on certificate delivered pursuant to Section 8(e)(7) of the Purchase Contract between the City of Lake Dallas and First Southwest Company with respect to the Obligations.**
   c) **Consideration and Action on a Purchase Contract between the City of Lake Dallas and First Southwest Company for the sale of certificates.**
   d) **Consideration and Action on execution of general and signature identification certificate.**
   e) **Consideration and Action on Paying Agent/Registrar Agreement between the City of Lake Dallas and First Union National Bank, Houston, Texas.**

Motion was made by Councilmember Stapleton to approve the Consent Agenda items a, b, c, d, and e. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a brief break at 8:15 PM.

Mayor Wohr called the meeting back to order at 8:45 PM.

I. **EXECUTIVE SESSION:**
   1. **The City Council will meet in Executive Session to discuss matters relating to personnel issues pursuant to the Texas Government Code Section 551.074.**

Mayor Wohr closed the open meeting and called the Executive Session to order at 8:47 PM.

Mayor Wohr called for a break at 10:00 PM.

Mayor Wohr called the Executive Session back to order at 10:05 PM.

Mayor Wohr called for a break at 10:55 PM.

Mayor Wohr called the Executive Session back to order 11 PM.

Mayor Wohr called the open meeting back to order at 12:10 AM on March 2, 2001.

J. ACTION, IF ANY, FROM THE EXECUTIVE SESSION.

Council directive to the City Secretary to ask specific questions of two candidates regarding salary requirements and whether or not they want to have a contract and some follow-up questions regarding vacation time expected, sick leave, etc. Council directive to the Acting City Manager to proceed with background checks on the candidates and set time on our next Thursday's meeting for an Executive Session with an action item for selecting a city manager.

G. NEW BUSINESS

No items were brought to the table.

H. ADJOURN

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:12 AM.

Steve Wohr, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 24, at 8:20 AM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Citizens/Visitors Agenda

No one came forward to speak.

Mayor Wohr closed the open session and opened the Executive Session at 8:25 AM.

C. EXECUTIVE SESSION : The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues.

Mayor Wohr called for a break at 11:50 AM.

Mayor Wohr called the Executive Session back to order at 12 noon.

Mayor Wohr called for a break at 1:40 PM.

Mayor Wohr called the Executive Session back to order at 2:05 PM.

Mayor Wohr closed the Executive Session and re-opened the open session at 2:10 PM.

D. Action, if any, from the Executive Session.

Motion was made by Councilmember Milan to bring Steve Goram in as soon as possible and follow up with Mike Webb and see if he accepted the job he was offered and if not bring him in. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes None

Motion Passed

E. New Business

The Kings Manor Drainage Ditch will be looked at tomorrow by Mayor Wohr and Councilmember Stapleton.

F. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

Meeting was adjourned at 2:20 PM.

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on February 22, 2001 at 7:40 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. ROLL CALL: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Also present were the City Attorney, David Berman, Acting City Manager Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. VISITORS/CITIZENS AGENDA:

Paul Fiala, 706 Lakebridge Drive, said he was coming forward as an Economic Development Committee member. TXU is willing to come back to finish the work on the strategic plan. They are busy until March 15. The meeting will be scheduled for the Economic Development Committee meeting on March 27.

The Economic Development Committee can bring questions or reports at the boards & commissions reports on the 2nd Thursday of each month. Any questions prior to a meeting can be given to the City Secretary and she can put the information in the Councilmembers boxes. Communication with any other boards could be done through the board's liaisons. In time we should be able to e-mail the minutes to the committees.

E. BUSINESS:

1. Approval of Fourth Quarter 2000 Investments report.

Motion was made by Councilmember Johnson to approve the Fourth Quarter Investments report. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Public Hearing on application for a Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey.

Gerald Hartley, 403 E. Rock Island Avenue, Boyd, Texas, said he represents Jim and Kathy Doerr and their application for a special use permit. This follows the meeting with the Planning and Zoning Commission. He'd like to resolve any concerns the Council might have regarding the purchase of that building and Mr. Doerr's position. He lost his lease a couple of months ago at Lucky 7 on Denton Drive. No food or alcohol would be served. They would install 35 machines and operate from 10 to 10 weekdays and weekends from 10 AM to 2:30 AM. It would be strictly adult entertainment. They are not anticipating any other operations. There are arrangements in place in Mr. Doerr's lease if the city should buy the building.

Mayor Wohr asked Mr. Hartley about a sentence in the brochure provided to the Councilmembers that says the operation would bring tax revenue to the city. The mayor said the city would not realize any sales tax revenue from this type of operation. Mr. Hartley said he was not prepared to answer that.

Geneva Tyree, 504 Howard, owns the Lake Dallas Cafe. She said she welcomes any business to the town.

Linda Dunham, 5407 Prince, said the Lucky 7 was a home away from home. It was a place to go and relax. She thinks a lot of people feel like she does.

Edie Martin, 332 South Shady Shores, said we need more recreation for us old folks. She enjoys the socializing and thinks it would be an asset to the city.

Sherry Shelton, 82 Lakewood, Hickory Creek, said she's been employed by them part-time. She enjoyed working there and the people who were there were really nice. The patrons were older people and family oriented people.

Mr. Hartley said he needed to clarify the hours of operation. They would 10 AM to midnight except that Friday and Saturday would be until 2 AM. He gave a copy of the lease to the mayor. Mayor Wohr gave the lease to the City Attorney for review.

Mayor Wohr closed the public hearing at 8:07 PM. There was council discussion about what procedure should be followed at this point.

Mayor Wohr asked if there was anyone there to speak about the early voting hours on May 5 election or about the $1000 for the Family Fun Day in May?

Neal Malone from the Parks and Recreation Board said that Family Fun Day at Arrowhead Park is something we've been working on for the past two weeks with Hickory Creek. Hickory Creek has sent money to Lake Dallas for the FallFest and we've been able to return part of those funds to them. This year we would like to be able to send some money to Hickory Creek.
Mayor Wohr said they help us with FallFest and this is a springfest.

5. Consideration and Action on authorizing $1,000 for the Family Fun Day in May.

Motion was made by Councilmember Stapleton to authorize the $1,000 expenditure for the Family Fun Day in May. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr said council would move past item F - workshop and go to the Executive Session. He closed the public meeting at 8:15 PM.

I. **EXECUTIVE SESSION:**
   1. **The City Council will meet in Executive Session to consider a contract for the purchase of real property as authorized by Section 551.072 of the Texas Government Code.**

Mayor Wohr closed the Executive Session and called a break at 9:10 PM.

Mayor Wohr called the meeting back to order at 9:15 PM

J. **Action, if any, from Executive Session:**
Motion was made by Councilmember Milan to authorize the Mayor to sign the agreement before us substantial under the terms of the contract subject to the amendments which are to be approved by the City Attorney. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-3. Consideration and Action on application for a Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey.

Motion was made by Councilmember Stapleton to deny the application for a Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-4. Order of May 5, 2001 election and set Early Voting Hours.

Motion was made by Councilmember Johnson to order the May 5 election and approve the Early Voting hours of 8:30 AM to 5:00 PM on weekdays except that April 19 and April 26 the hours would be 8:30 AM to 7:00 PM and on April 24 and May 1 the hours would be from 7:00 AM to 5:30 PM and Saturday April 28 the hours would be from 8:30 AM to 5:00 PM. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a five-minute break at 9:35 PM.

Councilmember Johnson left the meeting.

Mayor Wohr called the meeting back to order at 9:40 PM.

F. WORKSHOP:

1. City code and building inspection items discussion with Richard Dallof.

Mr. Dallof gave handouts regarding procedures followed in the Community Development Department.

Council expressed concerns about using the correct fees; building permits being issued in error; signatures and not initials should be used on all permits; health permits and expiration dates ice cream truck health inspection procedures.

Mayor Wohr said the city is favorable toward training. Mr. Dallof was told to communicate with the Council if he has any problems.

2. City Facilities.

Discussion involved the amount of space needed by the Police Department, Administration and Court. We need to plan for Council Chambers, a workroom and restrooms. We may need to look at how other cities in the area that have purchased empty grocery stores to see how they have remodeled the buildings.

Jill Rael of the Lake Cities Library asked if the city planned to put the library there. She said it may be a good interim building for them.

3. City Manager search.

Mike Webb will be unable to come to the February 24 meeting

G. New Business:

Concerns were raised about the day cares listed in this week's newspaper. Some of them may have existed prior to special use permits being required.

The City Secretary has a new laptop courtesy of her husband.

A citizen had asked that we not to hire a city manager because the Council is doing such a good job.

Acting City Manager Ristagno will check with Tom Hoover regarding the parking lot at City Park.

Could the Food Fare parking lot could be used for the Road Rally on March 24?

Church Street may be able to have a median which would leave the trees in place and the curve could be straightened out at access road. The engineer suggested a 'rehab only' at access road and overlay the rest of the street. The existing residents may complain because of 2 lanes so the engineer suggested that the turnaround be cut short so a U-turn could be made before getting to the access road or we cut put a cut in median. Lakeland Court was looked at and may be a possibility after Betchan is done.

The signs for no trailers or trucks on Carlisle can be worked out with Hickory Creek and should be up before the season starts. Another sign with an arrow for getting to the lake pointing to Main Street would also help.

The Kings Manor Drainage ditch needs to be finished. The engineer can look at it and we can decide if it could be done in-house.

We should find the owner of the property between Sycamore and Hundley north of Alamo Avenue.

H. ADJOURN

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper.
Noes: None

Motion Passed

The meeting was adjourned at 10:50 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 17, at 7:48 AM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Citizens/Visitors Agenda

No one came forward to speak.

Mayor Wohr closed the open session and opened the Executive Session at 7:50 AM.

1. EXECUTIVE SESSION : The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues.

Mayor Wohr called for a break at 9:15 AM.

Mayor Wohr called the Executive Session back to order at 9:25 AM.

Mayor Wohr called for a lunch break at 11:35 AM.

Mayor Wohr called the Executive Session back to order at 1:03 PM.

Mayor Wohr called for a break at 2:10 PM.

Mayor Wohr called the Executive Session back to order at 2:25 PM.

Mayor Wohr closed the Executive session at 3:50 PM after a brief break.

D. Action, if any, from the Executive Session.

Motion was made by Councilmember Stapleton to table this issue until the special meeting of February 24. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes None

Motion Passed

E. New Business

There was no new business.

F. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 3:52 PM.

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on February 8, 2001, at 7:39 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2

Councilmember McInnish was excused. Mayor Wohr and Councilmember Harper arrived late. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Laird Lind, 735 Carlisle asked that item F-1-b be pulled from the Consent Agenda. He said the plat fee is a lot of money and asked the Councilmembers to give it some thought before raising the fees.

This item had been on two workshops and a lot of factors had been weighed. The rates have not been adjusted since 1987.

Mayor Pro-Tem asked that the records reflect that Councilmember Harper had arrived 5 minutes ago and that Mayor Wohr had arrived at 7:49 PM.

Mike Fahey, 144 Kingswood, asked that item F-1-c be pulled from the Consent Agenda. He suggested a tiered fee schedule and said it should be refundable if the resident has a homestead exemption.

Steven Bertrand, 707 Oakley Drive, said the price for a variance seems to be excessive. $250 would be enough to make people think about whether they want to come before the Board of Adjustment.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. **Reports:**

1) Boards and Commissions and Contract Consultant.

Neal Malone, Parks and Recreation Board, gave some handouts to the Councilmembers. The Saturday Nite Out program is going well. The Family Fun Day is a joint event with Hickory Creek and is scheduled for May 12. The Parks and Recreation Board is working on a partnership with a University of North Texas class regarding parks and youth activities for this summer. Playwell has given prices for playground equipment for City Park. The new board member is vice chairman of the Soccer Association. We need help at the River Oaks Park. The Road Rally is an event the board could help with. We have nothing positive form the circus yet.

William Mitchell, Contract Consultant, said John Pollster said the road projects are on schedule. He will get with Don Blackwell, representative for the NTTA before the next meeting. He will invite Tye DeBerry of the Denton County Economic Commission to next month's meeting. The building that has Bogey's and the flower shop is for sale but the owner won't split that building from the building next door being used by the Montessori school. The City will be able to advertise on the local cable channel as soon as they get the paperwork.

F. Business:

1. Consent Agenda:

a) Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning, Article XXVI, Amendments, Sec. 122-1266 providing for an increase of the application fee.

b) Consideration and Action on approval of an Ordinance to amend Chapter 94 Subdivisions, Article 1, Sec. 94-8 Filing fees; inspection fees providing for an increase in fees for plats and replats.

c) Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning, Article XXII, Board of Adjustment, Sec. 122-984, Jurisdiction, by adding language in the first paragraph that a non-refundable application fee for a variance request is $500.

d) Approval of December financials and accounts payable.

e) Approval of minutes for December 14 meeting.

Items F-1-b and F-1-c were pulled from the Consent Agenda.

Motion was made by Councilmember Johnson to accept Consent Agenda items F-1-a, d and e and pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes None

Motion Passed

Motion was made by Councilmember Stapleton to accept Consent Agenda items F-1-b and c. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr said the council needed to go into executive session asking for specific legal advice from a bond attorney pursuant to the Texas Government Code Section 551.072 to discuss matters relating to anticipated real property.

Mayor Wohr closed the public portion of the meeting and Council went into Executive Session at 8:40 PM.

Executive Session:
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.072 to seek legal advice relating to real property.

Mayor Wohr closed the Executive Session and reopened the Regular Meeting at 9:00 PM.

2. Consideration and Action on adoption of a Resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation.

Doug Hartman and Benita Bowser of First Southwest Company gave a presentation on combination tax and revenue certificates of obligation. Leroy Grawunder of McCall, Parkhurst, and Horton is a bond attorney and had prepared the Resolution directing publication of notice of intent to issue the certificates of obligation.

Motion was made by Councilmember Stapleton to approve agenda item F-2 which is adoption of a Resolution directing publication of notice of intention to issue combination tax and revenue certificates of obligation. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:28 PM.

Mayor Wohr called the meeting back to order at 9:50 PM

3. Consideration and Action on appointing 1 regular member and 1 alternate member to the Parks and Recreation Board.

Motion was made by Councilmember Johnson to appoint Tommy Scroggins as alternate member to the Parks and Recreation Board. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. Consideration and Action on request from Texas Attorney General regarding the complaint of the Texas Department of Transportation (TxDOT) Against TXU Electric -- Complainant's Original Petition and Prayer for Relief.

Motion was made by Councilmember Milan that we not take action on the enclosed petition given to us as a complaint of the Texas Department of Transportation against TXU Electric -- Complainant's Original Petition and Prayer for Relief. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5. Consideration and Action on acceptance of bids for City Park Phase 1.

Tom Hoover said bids were opened on January 31. The reviewed the bids and found no errors. Andrews Paving was the low bidder for the base bid and the additive alternates. Council gave a directive to staff and Mr. Hoover to check the gas line and find what needs to be done in case more Council action is necessary.

Motion was made by Councilmember Johnson to award the bids to Andrews Paving for the City Park project at $139,141.48. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6. Consideration and Action on contract with Denton County Elections Administrator for May 5, 2001 election.

Motion was made by Councilmember Johnson to accept the contract with Denton County Elections Administrator for the May 5, 2001 election. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. WORKSHOP:
1. City Manager Search

There was discussion about the questions to be asked and who would ask which questions during the interviews with the applicants. We should give the applicants an opportunity to ask questions of the Councilmembers. Applications should be mailed out to those applicants who will be interviewed. They should bring them with them when they come for their interviews.

G. New Business

The revised applications for the ordinances passed tonight should have how the cost was determined.

Is there a time frame for the people in Food Fare to be out? Acting City Manager Ristagno said the Building Inspector had given them an extension on time to vacate. They should be out by this weekend. The people on Cain Street have been given too much time to come into compliance. Acting City Manager was told to deal with the problem.

We need to set up the meeting with the City Attorney and the Planning and Zoning Commission for an orientation.

Contact has been made with Randy Squier.

Acting City Manager Ristagno, Tom Hoover, Mayor Wohr, and Councilmember Johnson will walk Church Street soon so discussion can begin on what needs to be done with that street.

The railroad property may or may not be sold. They will probably want a mixed use such as a planned unit development.

We need to advertise for the events/recreation coordinator.

What is the schedule for the workshop with TXU and the Economic Development Committee and the Planning and Zoning Commission?

Lakeland Court has deteriorated so badly that a garbage truck fell through it today and got stuck. We need to check that street out.

Acting City Manager Ristagno asked if he should proceed with the sign for the City Park. We have received a couple of prices. Council said he should proceed. We'd like to have the sign with brickwork around it and possibly some flowers could be planted around the area.

H. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:15 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 1, at 7:39 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Mayor Wohr arrived at 7:45 PM. Staff present: Acting City Manager Ristagno and City Secretary Weikum.

B. Citizens/Visitors Agenda

Mayor Pro-Tem Stapleton closed the Citizen's Agenda when no one came forward to speak.

C. Business:

1. Consideration and Action on approval of Resolution approving a moratorium on R-2 Two-Family zoning district.

Motion was made by Councilmember Johnson to adopt the Resolution approving a moratorium on R-2 Two-Family zoning district. Seconded by Councilmember Harper.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers Milan, Johnson, and Harper
Noes None

Motion Passed

D. WORKSHOP:

1. City Manager Search

The Councilmembers each listed their top ten choices. A list was compiled from these choices. Staff to schedule, contact, and arrange interviews for February 17 and February 24. Questions will be formulated and discussed at next week's meeting. Travel vouchers are a possibility for those from out of state.

2. Review of fee amounts on applications, permits and licenses.

There was discussion about overhead, salary rate, and time involved. Fee schedules had been obtained from several neighboring cities for the replats, special use permits and rezoning applications. It was decided to place the items on the consent agenda for the next council meeting as ordinances raising the fees: $500 for 0 - 5 replat and over that at $1,000 per replat; $500 per lot for re-zoning applications; $500 per variance application; $500 per special use permit application.

E. New Business

Signs have been placed throughout the city showing directions to the lake and parks.

Hickory Creek will need to be contacted regarding the 'No Trailers' sign on Carlisle.

Hickory Creek will be discussing possible annexation of Folley Beach in a meeting this month.

Part of our charter could be superseded by State Law with regards to selling bonds. A property tax increase of $2/month on a $100,000 home might need to be implemented. We will find out our options at next week's meeting. We have three ways to go: re-do the current city hall; build a new recreation center at the park and convert the community center; or, build on other property. A bond election would not be possible for this May's general election.

The federal government is considering the involvement of local law enforcement agencies with regard to the big rigs on the interstate highways.

F. Adjourn

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

Meeting was adjourned at 10:35 PM.

Steve Wohr
Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on January 25, 2001, at 7:30 PM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: Chief Ristagno and City Secretary Weikum. Councilmember McInnish arrived at 7:44 PM

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

No one came forward to speak.

E. **Business:**

1. **Consent Agenda:**
   a) **Consideration and Action on Amendment to Interlocal Cooperation Agreement for Operation and Maintenance of Traffic Signals with TxDOT.**
   b) **Consideration and Action on approval of Ordinance amending Chapter 122 Zoning, Article XXVI. Amendments, Section 122-1266, Application fees and records, and Section 122-1267, Zoning change signs.**
   c) **Consideration and Action on approval of Ordinance amending Chapter 94 subdivision, Article 1. In General, Section 94-8, Filing fees; inspection fees.**

Items b and c were pulled from the Consent Agenda. The fees referred to are to be addressed in a workshop item of this agenda.

Motion was made by Councilmember Johnson to approve Consent Agenda item a. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Johnson to table items E-1 b and c until we discuss Workshop Item number 4. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. **Public Hearing on application for proposed replat of Lot 8 and Lot 9 of Block A Barmarchar Sites into one lot.**

David Vanderlawn, 609 Ryan Road, Denton, TX is here on behalf of Mr. David Jackson, who has the two lots under contract. The intent is to build a two-story office building. They have been before the Planning and Zoning Commission and have provided adequate parking.

David Jackson, said the building will be owner-occupied. The mortgage bank will be upstairs. There will be a title company downstairs. The building they are currently in further south on the service road belongs to Myra Crownover and she does not want to sell at this time.

A neighbor to the rear of this property asked if this building would raise his property taxes. Mayor Wohr said his property is probably appraised based on its location and what is built on it.

3. **Consideration and Action on an application for proposed replat of Lot 8 and Lot 9 of Block A Barmarchar Sites into one lot.**

Motion was made by Councilmember Stapleton to approve the replat of Lot 8 and Lot 9 of Block A Barmarchar Sites. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of zoning change from R-1-6000 Residential to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas. (Tabled at January 11 meeting).**

Motion was made by Councilmember Milan to deny the zoning change for 115 South Lakeview Drive. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on a Resolution approving and supporting amendments to Upper Trinity Regional Water District legislation. (Tabled at January 11 meeting).**

Motion was made by Councilmember Stapleton to not approve the Resolution approving and supporting amendments to Upper Trinity Regional Water District legislation. Seconded by Councilmember McInnish.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

6. **Consideration and Action on contract with Denton County for May election.**

Motion was made by Councilmember Johnson to table this item until the contract arrives. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

7. **Consideration and Action on Council directives for William Mitchell, contract consultant.**

Motion was made by Councilmember Johnson to table the directive to William Mitchell until the second Thursday of February. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on Council directives for Richard Dallof, Building/Code Inspector.**

Motion was made by Councilmember Johnson to table this item until February when it can be scheduled for a workshop meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a short break at 8:50 PM.

Mayor Wohr called the meeting back to order at 9:00 PM

F. **WORKSHOP:**

1. **City Facility Planning.**

There are some options open. The price for the Food Fare building has come down substantially from what they were originally asking. The building is 15,000 square feet in size. The remodel charge is about $35/foot. The whole building would not need to be remodeled all at one time. A meeting is scheduled for next week to talk with a mortgage company and lending institution. A tax increase may be necessary and the options there could be that a minimal property tax increase could be levied; a raise in property taxes for a specified period of time could be pursued; 4a and/or 4b tax might be a possibility.

We can't build a city hall on city park property. We can't build on the property where city hall is now because we're already out of room at that location. The cost for tear-down and reconstruct is $100/square foot. A special meeting will be scheduled if funding discussions are favorable.

2. City Manager search.

An alphabetical list of all applicants will be prepared for each of the Councilmembers. Before the next meeting each Councilmember should determine those applicants they would like to interview.

3. Street Projects -- Bond remainder.

Betchan Street should be addressed soon. It is in need of a rehab and the bend should be straightened. It is a dangerous area. Church Street will be walked by the Mayor, a Councilmember, Chief Ristagno, and the City Engineer. Janet Street and Stephens Street both need to be done. Overly Street needs an overlay because is not too bad yet and services a lot of property. Cain Street is very bad. Shady Shores Road from the post office to Main Street needs done and it should be straightened in the area by the Community Center. We should get Group A started at this time and follow with Group B.

4. Application fees for zoning changes, variances, replats, and other related items in the Municipal Code.

This should be scheduled for a workshop in February.

Mayor Wohr closed the workshop at 10:30 PM.

G. New Business:

Tim's Produce property has been sold.

The LCMUA hole on Main Street does not meet our agreement with them.

The Stables has gone out of business and it's not known at this time whether it will be a motorcycle shop or perhaps a restaurant using a motorcycle theme.

The Southeast corner of Hundley and Shady Shores has vacancies.

The Parks and Recreation Board should contact Boeing regarding their 'Good Neighbor Month' and the park clean-ups. Jeff London of the Parks and Recreation Board will contact the owner of the property in Corinth on the northeast quadrant of Swisher Road and I-35 East.

Dave Snider is involved with a new business association that will doing parks work. Mayor Wohr said that private people can't do things on city property and cities can't do things on private property. We are already on track with the UNT people for the hiking trails at Willow Grove Park. If Mr. Snider wants to go to LCMUA about how to get water on the property and go to TXU about the electricity and try to coordinate things, that's fine but it will have to go before Parks and Recreation Board and their recommendation will come to the Council for a vote. The Lakeview Marina should be a part of the plan for this area. We need to contact the Corps of Engineers.

Monument signs at three triangles were discussed. Willow Grove is a Lake Dallas park.

The Economic Development Committee has two recommendations for the City Manager job description. That position should be responsible for maintaining an updated property list of those properties available or for sale and should participate in county government.

There should be a discussion to talk about commercial zoning districts for retail uses versus commercial zoning districts for office space. We can check with other cities zoning ordinances. TML could probably get us some information.

A moratorium on R-2 Two-Family dwelling property should be on the February 1 agenda.

Councilmembers stopped two ice cream trucks recently and neither of them had a Lake Dallas permit.

We may need to schedule a workshop with our city attorney to get a determination and case laws on the TABC's rule regarding twenty-five per cent food sales and seventy-five per cent liquor as pertains to private clubs.

David Berman can come and talk with the City Council and the Planning and Zoning Commission in a joint meeting to advise the Planning and Zoning Commission exactly what their function is.

H. ADJOURN:

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:05 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a joint workshop with the Planning and Zoning Commission and Economic Development Committee on January 13, 2001, at 8:00 AM with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call: The following members were present:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5
Tony Marino	Planning and Zoning Vice Chairman
Al Bavon	Planning and Zoning Commissioner
Peggy Shelton	Planning and Zoning Commissioner
Lance Wilson	Planning and Zoning Commissioner
Paul Fiala	Economic Development Committee Chairman
Art Clark	Economic Development Committee Member
Mike Drozd	Economic Development Committee Member

Steve Taylor of TXU was present and Bill Aubrey, TXU Manager of E.D.C. Support and Susan Villenueva were also present. Tye DeBerry of the Denton County Economic Development also attended. Staff Present: City Secretary Weikum.

B. Citizens/Visitors Agenda

No one came forward to speak.

C. Workshop:
TXU presentation on Economic Development guidelines and procedures.

Mr. Aubrey and Ms. Villenueva gave the presentations.

Some of the points made were that the public and private sectors have to work together. Economic development is global now. Incentive packages should be made available. Ratings of the public schools are very important.

TXU provided handouts named Economic Development Strategic Planning. With the information provided by the city representatives today TXU will develop a strategic plan for our city.

Questions asked:

Where are we now?
Where do we want to be?
How will we get there?
Who must do what by when?
How are we doing as we change?
Who's on the Strategy Team?
How big should it be?
How long to plan?
What are the external factors?
What are the internal factors in a community?
What are the key questions of financial analysis?

Questions - continued:
What are our priority issues?
What is our purpose as a community?

There was a lunch break from 11:55 AM until 12:20 PM.

Development of a mission statement was discussed. One idea that evolved was: to retain and improve the character and charm of lakeside living by maximizing economic activities thereby increasing the commercial tax base. Another was: in keeping with the small town atmosphere, grow economically in the 21st century through retention and prosperity opportunities for businesses and families.

We would like to see evidence of greater code enforcement and/or adherence.

We need to develop commercial businesses and activities around the lake.

We should have more direct input into the lake level management.

We should participate in the county government for the betterment and benefit of Lake Dallas.

We should develop synergistic relationships with the property and business owners and/or managers.

The presentation was over at 4:00 PM. There are a couple of hours left to be discussed. This will be scheduled for a later date.

Steve Wohr, Mayor

Tony Marino, Planning & Zoning

Paul Fiala, Economic Development

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on January 11, at 7:40 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Councilmember Stapleton was excused. Councilmember McInnish was absent. Staff present: Police Chief Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Kathy Helm, owner of the Herb Garden and Helm Publishing, said the business owners are getting involved with the Economic Development Committee. The Main Street business owners are here tonight to try to obtain matching funds for lights, planters, and those sorts of improvements for Denton Drive, Main Street, and Shady Shores Road.

Betty Phillips, 321C Main Street, said she was at the meeting to try to get support from the city for the business owners.

Norman Phillips, 402 South Lakeview, said the business owners have been having meetings to try to get something going. They would appreciate help from the city.

Paul Fiala, 706 Lakebridge Drive, is a member of the Economic Development Committee. He thinks the city should do a picture of the whole city and not just segments. He talked about the Saturday meeting with TXU.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. Business:

1. Consent Agenda:

a) Consideration and Action on approval of an Ordinance for special use permit for 613 South Denton Drive passed by Council in 1998.

b) Consideration and Action on approval of Ordinance for special use permit for Swisher Cemetery passed by Council in 1999.

c) Approval of December financials and accounts payable.

d) Consideration and Action on approval of Resolution extending the R-1-10000 moratorium which expires on January 19, 2001.

e) Approval of minutes for October 19 and October 26, 2000 meetings.

f) Consideration and Action on approval of Ordinance amending Chapter 122 Zoning, Article XXVI. Amendments, Section 122-1266, Application fees and records, and Section 122-1267, Zoning change signs.

g) Consideration and Action on approval of Ordinance amending Chapter 94 Subdivisions, Article I. In General, Section 94-8, Filing fees; inspection fees.

Motion was made by Councilmember Milan to accept Consent Agenda items E-1-a, b, d and e. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes None

Motion Passed

Motion was made by Councilmember Johnson to accept Consent Agenda item E-1-c and pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Consent Agenda Items F-1- f and g will be discussed later in the meeting. Councilmember Stapleton who is not in attendance tonight sponsored these items.

2. Consideration and Action on acceptance of audit for FY 00.

Motion was made by Councilmember Milan to accept the audit FY 00. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

3. Consideration and Action on events planning employee.

Motion was made by Councilmember Johnson to pursue recruitment of an events planning employee. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

4. **Public Hearing on application to consider a zoning change from R-1-6000 Residential to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas.**

Norman Phillips, 401 S. Lakeview Drive, said he does not want to lower any standards. He's asking for group housing so he can put in a street. He said is he put in a cul de sac he would have to get 9 variances.

Odie Harrelson, 907 Vista Oaks Court, said in the Planning and Zoning Commission meeting there were several people there who were opposed to this change. He feels it should be turned down right now.

5. **Consideration and Action on application to consider a zoning change from R-1-6000 Residential to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas.**

Motion was made by Councilmember Milan to table this item and send it back to the Planning and Zoning Commission. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:34 PM.

Mayor Wohr called the meeting back to order at 8:50 PM.

6. **Public Hearing on an application for a zoning change from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1163 A.J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Jose Gomez, 111 Hundley Drive, said that when his parents purchased the house years ago the previous owner had financed the house. The bank the Gomez' are talking with now will not finance the house because the location is zoned commercial.

7. **Consideration and Action on an application for a zoning change from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1163 A.J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Motion was made by Councilmember Milan to accept the change in zoning from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1163 A.J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Mayor Wohr and Council agreed to go to item F-1 prior to the action item E-8 as the two were related items.

F. **WORKSHOP:**

1. Grant process discussion with Bryan Klein of the Hoover/Klein Group and information regarding the downtown association.

Bryan Klein said grants are very difficult to come by at this time. There used to be Block Grants and more recently Categorical Grants. Lake Dallas' situation is unique as Main Street abuts private property and the city can't do anything on private property. There needs to be some sort of comprehensive design. He could create a conceptual drawing using the things most common: street scaping, building improvements (image) and new business development. The business community and community at large should have reasonable expectations. He said the conceptual drawing would cost about $2,000.

There was discussion about welcome signs and traffic islands. Church Street needs to be re-done and an I-35 access/egress at Church Street would be a boost for Main Street.

E. **8. Consideration and Action on City of Lake Dallas business owners seeking funding for a conceptual drawing for Main Street.**

Motion was made by Councilmember Johnson to fund a conceptual drawing of part of Lake Dallas with the expenses not to exceed $1,500. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Mayor Wohr said Councilmember Johnson and Councilmember Harper would by the City Council liaisons on the Main Street project.

Mayor Wohr closed the regular meeting at 9:40 PM.

I. **EXECUTIVE SESSION:**

The City Council will meet in Executive Session for consultation with representatives of Pratt & Sanderford, Attorneys and Counselors, to seek confidential legal advice about possible litigation as authorized by Section 551.071 of the Texas Government Code.

Mayor Wohr called the regular meeting back to order at 10:57 PM.

Motion was made by Councilmember Milan to extend the meeting. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

J. Action, if any, from the Executive Session.

Motion was made by Councilmember Milan to authorize payment to Peachtree in the amount of $75,000 and to move forward with additional testing not to exceed $2,500. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

E - 1 Consent Agenda

Motion was made by Councilmember Milan to table Consent Agenda Items f and g. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

9. Consideration and Action on a Resolution approving and supporting amendments to Upper Trinity Regional Water District legislation.

Motion was made by Councilmember Milan to table item E-9 until the next meeting. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

G. New Business

Council's position on changing zoning of commercial property on Main Street to residential zoning. A citizen has raised concerns about not being able to fill commercial properties.

We need to have a colored zoning map.

Are garages required for the new duplexes? The deed restrictions may require them but the city cannot enforce deed restrictions.

Need to have City Manager Search on each agenda until one is hired. The council will go through the resumes received and make their decisions. It will not be necessary to go through a recruitment firm or person.

The proposed candle factory is working with the building inspector in an effort to remove the contents previously warehoused in the Food Fare building on Main Street.

There has been no contact made with Mr. Squier. Efforts to contact him and set up a meeting will be renewed.

The Community Center was painted on the inside by a community service worker and his crew. Earlier we had obtained estimates of $4,000 to do the painting.

There was a good turnout at the Saturday Nite Out last week-end.

Thanked Chief Ristagno for the letter to Mike Drozd for the dirtwork he did with his maintainer. Our maintainer was down and a community service worker was able to repair it with only a cost for the parts.

Thank you letters have been sent to all the people who sent Christmas baskets to the city staff and council.

We have a workshop with TXU about economic development on Saturday. The members of the Economic Development Committee and Planning and Zoning Commission will be at the meeting also.

The TABC ruling with regard to twenty-five per cent of the revenue derived from food sales was discussed in reference with the issuance of special use permits.

The letter from Ricky Bunch has been forwarded to TML so they are aware of the events.

Council needs to have an agenda item to meet with William Mitchell and discuss the issues of his contract.

H. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:45 PM.

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on December 21, 2000, at 7:30 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: Assistant City Secretary Vaughn. City Secretary Weikum arrived at 8:30 PM after the Planning and Zoning Commission meeting adjourned.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Mark Johnson, 905 Vista Oaks Court, said he came to read a letter from his neighbor, Odie Harrelson, 907 Vista Oaks Court because Mr. Harrelson was unable to come to the meeting. He thanked the four Councilmembers who voted against the Special Use Permit for the Food Fare location. Mr. Harrelson said the signs that were put up after the permit was denied reflect the type of people involved. Mr. Harrelson hopes the council will continue fighting these types of establishments for the betterment of our community. He will do everything in his power to keep those four dedicated people on our city council.

Dan George, President and owner of American Wholesale Marketing. They need a temporary certificate of occupancy because there is no electricity or plumbing available at the location they are trying to move into. He was at the meeting in response to a request by Building Inspector Daloff. Mayor Wohr said the Building Inspector would be the person to handle the situation since this is actually an administrative decision. Mr. George said he did not realize they needed to have a certificate of occupancy before they moved things into the building.

Keith Barnes, 1174 Settlers Way, Lewisville, said he came to clarify some of the things he's said and done. He thanks Councilmember McInnish and Mayor Wohr for their support in the project. He said it would be simple for him to open a business over there under the disguise of a restaurant. He doesn't understand council's reasoning behind the denial of the special use permit. He said the Economic Development Committee needs to visit Addison, Texas to see how much they are making on the sale of alcohol. He placed a $20 bill on the council table for them to use to pay for the gas. He said he tried to come into this town and make a good thing happen. Mayor Wohr said he couldn't take that twenty dollar bill.

No one else came forward to speak so Mayor Wohr closed the Citizen's Agenda.

E. PRESENTATIONS

Mayor Wohr presented Ben Gilbert with a certificate of recognition for his four years served on the Planning and Zoning Commission and congratulated him. He said the City appreciates his years of dedicated service.

Mayor Wohr called for a break at 8:00 PM.

Mayor Wohr called the meeting back to order at 8:15 PM.

F. BUSINESS:

1. Consent Agenda:

a) Approval of minutes for meetings on November 9, 13, 21, and 29, 2000.

b) Consideration and Action on proposed Ordinance for the Texas Municipal Retirement System providing for restricted prior service credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service.

c) Consideration and Action on proposed contract with John and Nancy Bradshaw for Saturday Nite Live program.

Motion was made by Councilmember Johnson to approve Consent Agenda items F-1-a and b. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

Motion was made by Councilmember Milan to approve the contract with John and Nancy Bradshaw under Consent Agenda Item F-1-c subject to separate approval of Item 6K of the contract by City Attorney. Seconded by Councilmember Harper.
Ayes Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. Second Public Hearing to institute annexation proceedings to enlarge and extend the boundary limits of the City of Lake Dallas to include Tract 28 of the N. French Survey A-424, Denton County, Texas, along Lakeview.

Mayor Wohr said the second part of the public hearing needs to be scheduled as part of the process. Meeting dates and time had been difficult to schedule.

No one came forward to speak on this item so Mayor Wohr closed the Public Hearing.

2. **Consideration and Action to institute annexation proceedings to enlarge and extend the boundary limits of the City of Lake Dallas to include Tract 28 of the N. French Survey A-424, Denton County, Texas, along Lakeview.**

Motion was made by Councilmember Milan to table the item regarding the annexation of the property on Lakeview and reschedule it for January 11 with the option to open up to the public at that time. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4. **Public Hearing on proposed replat of Lots 20A, 20B, 20C, and 20D of the second replat of Harbourtown Villas Phase I as amended.**

Blake Wagner with CMPA, said they had moved some dirt at the site after it had been approved at the Planning and Zoning Commission meeting. He said there had been some problems with Mr. Harp and City Manager Fairburn and changes in the code which affected the setbacks. The replat will allow the setbacks to comply with the code.

Mayor Wohr closed the Public Hearing when no one else came forward to speak.

5. **Consideration and Action on proposed replat of Lots 20A, 20B, 20C, and 20D of the second replat of Harbourtown Villas Phase I as amended.**

Motion was made by Councilmember Johnson to accept the proposed replat of Lots 20A, B, C, and D of the second replat of Harbourtown Villas Phase I as amended. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G. WORKSHOP:

City Manager search and interim procedures.

Council asked who was impacted the most by the absence of the city manager. It was determined that the police chief and city secretary are salaried and would carry most of the workload by that absence. If extra work trickled down to other employees and they had to perform other duties on overtime they would be reimbursed for that additional work because they are hourly employees.

It was determined that approximately 30 per cent of the city manager work was being handled in the most part by the police chief and city secretary. Council suggested that 17% of this 30 per cent be paid to the police chief and 13% be paid to the city secretary as a pay differential in this interim period. The staff directive was that these pay adjustments be paid on the second pay period of each month and be retroactive to November 22.

The basic qualifications for a city manager were discussed. Staff directive was to place ads in the papers in the Denton Record Chronicle and Dallas Morning News. The e-mail address should be included in any advertisements. The closing date for receiving applications is January 24.

H. New Business:

Intersection at Main and Carlisle is very rough and there is a huge hole in the road at the fourplexes on Cain. Staff directive to have Johnny Webber check these two places out on Friday morning.

The administrative assistant for Community Development should write the procedures down for all permits and procedures in that department. Council would like a flow chart to be presented at a meeting with Building Inspector Daloff in a February meeting and schedule a discussion about building permits. The monthly report from Community Development is a great improvement over the past reports.

Building Inspector Daloff should follow up with not allowing warehousing in the east section of the old Food Fare building.

Higher density in certain areas of the city is not following our comprehensive plan.

An event coordinator for the city needs to become part of city staff. This person could work toward events that are self-funding.

Brian Klein of Hoover/Klein Group will be working on a conceptual drawing for Main Street. He will talk with the business and property owners of Main Street and the cost will be approximately $1,000 as half of the cost. The business and property owners will pick up the other part of the cost.

Someone needs to contact Babe's Chicken about coming into some of the empty property in the city.

Mitch will be talking with Neil Durrance of Denton County.

Discussions with Pratt and Sanderford have determined that there are still a couple of different factors to be addressed before coming to a settlement.

The Hickory Creek meeting about Folley Beach and annexation was worthwhile.

The new fence at City Park is creating a parking problem. We may need no parking signs.

Fees for replats, rezoning, special use permits, and variances need to be reviewed. Staff should check with neighboring cities and get their fees amounts.

We need a new colored zoning map of the city.

Grant funding needs to be looked into. Hoover/Klein should be able to help us in this area.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:05 PM.

Steve Wohr
Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on December 14, 2000, at 7:30 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmembers McInnish and Harper were late.
Staff present: Police Chief Nick Ristagno, Acting City Manager, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.
Councilmembers McInnish and Harper arrived at meeting.

D. **Presentations**
Mayor Wohr had a recognition certificate for Planning and Zoning Commission member Mike Fahey. He was unable to be at the meeting so Mayor Wohr presented it to Mrs. Fahey.

Mayor Wohr announced that items F-9 and F-10, Public Hearing and Consideration and Action on rezoning of First Highway Addition Lots 1-4 of Block A would not be on the agenda tonight. One of the people on the application was unable to attend the meeting.

E. **Citizens/Visitors Agenda**
Bobby Shikle, 712 Thompson, wished the City Council and employees a Merry Christmas. He said he had seen the street department working at 5:00 AM with the gravel during the recent storm and he appreciates that. He appreciates the time the Councilmembers spend doing their jobs.

Mayor Wohr stated that on that cold day was when the Seniors Dinner was. He thanked the employees and citizens who worked to hard to make it a success again this year.

Carolyn Green, 201 North Shady Shores, said that the dinner was very successful even with the weather being inclement. There were probably on 15 empty chairs. She reminded Council of the new city hall project they've been working on and said she was getting short of patience. In preparation for the Spirit of Christmas for underprivileged children gift-wrapping will be at the Intermediate School on Friday night. She invited everyone to come and help.

Frank Barnard, 328 Betchan, said the procedures for applications and signs for rezoning are not spelled out. He asked if the procedures could be made more clear.

Bobby Shikle, 712 Thompson, said he had been faced with the same decision on that property. It was a hard vote but he voted against it based on citizens' input.

Odie Harrelson, 907 Vista Oaks, said the Planning and Zoning Commission had turned the rezoning down by 100% and he feels the Council should do the same.

Nicky Valls, 775 Chestnut Drive, said he is a minister at the Church of Christ and also a teacher at the high school. He is against bringing any more alcohol into the city.

Ike Atkins, 5 Easy, said he is a member of the Church of Christ and he thinks resistance to C-3 needs to be continued.

Steve Litzkow, 4303 Glencoe Road, said he is a member of the Church of Christ and he is against more stores that sell alcohol.

J. W. Lively, 527 Oak Lake Drive, said this is the third time this has come up. He thinks a moratorium should be put on C-3. It's not a good tax revenue.

Norma McAlavy, 25 Oakwood, asked that council reject the rezoning request.

No one else came forward to speak so Mayor Wohr closed the Citizen's Agenda. Mayor Wohr called for a break at 8:15 PM.

Mayor Wohr called the meeting back to order at 8:29 PM.

F. BUSINESS:

1. Consent Agenda:

a) Consideration and Action on approval of Interlocal Animal Control Agreement with the City of Denton

b) Consideration and Action on a Resolution requesting Access Justification Study for the east side of I-35E.

c) Consideration and Action on cancellation of December 28 regular council meeting.

d) Consideration and Action on Waste Management rate setting.

e) Approval of November financials and accounts payable.

Item F-1-d was pulled for further consideration and discussion.
Motion was made by Councilmember Milan to approve Consent Agenda items F-1-a, b, c, and e. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

F. 1 - d: Consideration and Action on Waste Management rate setting.

John Claiber with Waste Management said the contract the city has with Waste Management provides that if Waste Management is seeking an increase of over 4% the item has to have Council approval. He said the CPI has increased 4.5% and they are respectfully requesting a 4.5% raise in their rates.

The Councilmembers expressed various opinions about the lack of service by Waste Management and gave some specific instances. Mr. Claiber said he would relay the complaints to the proper operations surveyors tomorrow. He said he had visited with City Manager Fairburn from time and this is the first he had heard of service problems.

Motion was made by Councilmember Harper to let Waste Management have the 4% increase as in the contract until we see better service in our community. Seconded by Councilmember Johnson.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: Councilmember Milan

Motion Passed.

2. Consideration and Action on an agreement with John and Nancy Bradshaw to begin Saturday Night Out program.

Motion was made by Councilmember Johnson to enter into an agreement with John and Nancy Bradshaw of the Saturday Night Out program for every Saturday night beginning January 6. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

3. Consideration and Action on City Park Phase I design and bid process.

Tom Hoover discussed the parking lot for City Park. A 15" concrete cylinder pipe can be laid under the parking lot. There will be a rolled curb on the north side with wheel stops on the other sides. He said it would take 30 - 45 working days to accomplish.

Motion was made by Councilmember Milan to accept the City Park Phase I design and bid process. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4. First Public Hearing on proposed annexation proceedings for Tract 28 of the N. French Survey A-424, Denton County, Texas, along Lakeview Road.

Randy Squier, 560 North Lakeview, said he likes Lake Dallas but he is opposed to annexation. He does not need city services and he keeps 50 horses on twenty acres. He asked the reasoning for the annexation. He said if that bridge comes through, he will be asking to come into the city.

Mayor Wohr said the bridge is coming and the city needs to extend Lakeview to that Swisher Road extension so the county can pay for the intersection.

Mayor Wohr closed the public hearing when no one else asked to speak.

5. **Public Hearing on proposed ordinance amending the Comprehensive Zoning Map by changing zoning on W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27, and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district.**

Dave Snider, 7 Point Vista Drive, said he owns some of the property that is being considered for a zoning change. He said no one had come and talked with him prior to the public hearing. He said if it is zoned C-2 it will hurt him.

Bob Davis, 73 Lakeridge, said that under M-1 you can have some desirable as well as undesirable uses. He thinks it should remain M-1.

Carolyn Green, 201 North Shady Shores, said the Comprehensive Plan isn't feasible. She is totally against changing the zoning there at this time. Let's fill up the commercial property that is vacant before we change any zoning.

Frank Barnard, 328 Betchan, asked which lots belong to David Snider.

Mayor Wohr looked at the map and told him. He also said that David's property is all in the flood plain.

David Shershen, 166 Kingswood, said Mr. Snider cleaned up the property when he bought it and made it into a nice place. The Comprehensive Plan needs to be looked at. He asked the council to look at it objectively.

Margaret Tisdale, 509 Howard, has rental property behind Mr. Snider and has never had any problems from that property.

Mayor Wohr said there is a drive to put property into commercial zoning instead of industrial for sales tax revenue. The Planning and Zoning Commission was asked to look at properties where zoning could be changed.

Mayor Wohr closed the public hearing when no one else asked to speak.

6. **Consideration and Action proposed ordinance amending the Comprehensive Zoning Map by changing zoning on W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27, and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district.**

Motion was made by Councilmember Johnson to deny the rezoning of W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27 and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: Councilmember McInnish

Motion Passed

7. Public Hearing on an application for a special use permit to operate a private club at 210 Main Street.

Odie Harrelson, 907 Vista Oaks, said it was voted down at the Planning and Zoning Commission meeting. He said let the city take over the building.

Ron Flower, 1708 Forest Oak Court, Flower Mound, said he knows Mr. Barnes and his wife and they seem to be good citizens of Lewisville. He said people go to his establishment for lots of different reasons: shuffleboard, darts, and pool as well as being a good place to have a beer and listen to music. He thinks of this as recreation.

Lance Wilson, 509 Briaroaks, said he voted against it as a member of the Planning and Zoning Commission. We have commercial property vacant and do need tax dollars. We need to exercise patience.

Chris Jeffrey, 606 Cain, said he has heard a lot of arguments before and against this. He said they have great food and it would be a place where you could go on Sundays to eat.

Nicky Valls, 775 Chestnut, asked what kind of statement are we making to our children.

Ike Atkins, 5 Easy, said this involves our reputation. There's probably nothing wrong with the entertainment but how much do we have to give in?

Steve Litzkow, 4303 Glencoe Road, Corinth, said he doesn't feel the need for another bar in the town. He said there could be intoxicated drivers late at night caused by people attending this establishment.

J. W. Lively, 527 Oak Lake Drive, said he agrees that we need to have patience right now because when the bridge goes through we're going to have people who want to come to this community and we need a better reputation for our community.

Allen Mann, 3029 Lovers Lane, Dallas, said he is the managing partner of LD Shopping Center that has owned the old Food Fare building since 1996. Danal's went in during September, 1997 and Albertson's opened in January, 1998. Danal's went out of business and the building has been empty since. They have worked hard to try to get any type of establishment into the building. No one has the money to take over the building. Chalker's tried to make a go of it but could not get the liquor license when he tried to expand. He has checked out Mr. Barnes and his business in Lewisville and it sounded like a good thing for the building. Then a moratorium was passed to try to change the zoning and no special use permits for that area could be issued for 90 days. He doesn't want to have to tear down the building.

Keith Barnes, 1174 Settlers Way, said he's been here before. He doesn't foresee 26% in food sales or he would go with a restaurant. He's not here to destroy the town. He's here to raise the standards of this town by putting in a nice establishment. He said it looks personal to him since there is a bar (the VFW) almost in a schoolyard.

Frank Barnard, 328 Betchan, said he voted 'no' when this item came before the Planning and Zoning Commission. It's an empty building but the city is still getting the property tax revenue.

Margaret Tisdale, 509 Howard, said she doesn't think we need another 2 AM bar.

Mayor Wohr closed the public hearing when no one else came forward to speak.

8. **Consideration and Action on an application for a special use permit to operate a private club at 210 Main Street.**

Motion was made by Councilmember Johnson to deny the application for a special use permit to operate a private club at 210 Main Street. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: Councilmember McInnish

Motion Passed

Motion was made by Councilmember Johnson to extend the meeting past the cutoff time. Seconded by Councilmember McInnish.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

9. **Public Hearing on application for proposed rezoning of lots 1 - 4 Block A of First Highway Addition along Denton Drive from C-1 commercial zoning district to C-3 commercial zoning district.**

10. **Consideration and Action on application for proposed rezoning of lots 1 - 4 Block A of First Highway Addition along Denton Drive from C-1 commercial zoning district to C-3 commercial zoning district.**

Items F-9 and F-10 were pulled from the agenda because all the parties involved were not able to attend the meeting tonight.

11. **Public Hearing on proposed replat of Lots 20A, 20B, 20C, and 20D of the second replat of Harbourtown Villas Phase I as amended.**

Mayor Wohr closed the public hearing because no one came forward to speak.

12. **Consideration and Action on proposed replat of Lots 20A, 20B, 20C, and 20D of the second replat of Harbourtown Villas Phase I as amended.**

Motion was made by Councilmember Milan to table this item until the next meeting. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

13. Consideration and Action on Planning and Zoning Commission appointments.

Motion was made by Councilmember Milan to move Frank Barnard and Lance Wilson to regular members of the Planning and Zoning Commission and appoint Carol Ann Connors and Randy Danner as alternates. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish.
Noes: Councilmember Harper

Motion Passed

14. Consideration and Action on Board of Adjustment appointments.

Motion was made by Councilmember Milan to appoint Linwood Gilliland and Sharon Hamby as permanent Board of Adjustment members and appoint Mark Wetherell to be an alternate, subject to his approval. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

15. Consideration and Action on Parks and Recreation Board appointments.

Motion was made by Councilmember Milan to appoint Nancy Bradshaw and Ben Gilbert as regular members of the Parks and Recreation Board and appoint Scott Callis as an alternate. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

16. Consideration and Action on the Economic Development contract agreement.

Motion was made by Councilmember Johnson to invite Mitch to attend the next City Council Meeting to determine some way of finding out what he's supposed to be doing and defining our expectations. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

G. New Business

Workshop for the City Manager Search on December 21 agenda.
The interim period during the City Manager search and how to divide the work and compensation.
Copies of City Manager resumes to be placed in Councilmembers boxes.
Regarding the Leach situation -- we should not issue citation until council can meet and discuss. Chief should talk with the building inspector.
Set up workshop with the building inspector after the first of the year to discuss how to handle the code violation and city-wide clean-up.
Weekly accountability of building permits should be done.
The American Legion is planning a Road Rally on March 24.
A circus has contacted the city regarding having a circus here in April at the Willow Grove Park.
The Chief would like to go on vacation beginning next week and return after New Year's.

H. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 12:30 AM.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on November 29, 2000, at 7:15 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was excused. Mayor Wohr was absent.
Staff present: City Manager Fairburn, Police Chief Ristagno, and Acting City Secretary Vaughn.

B. Councilmember Johnson gave the invocation.

C. Councilmember Milan led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Margaret Tisdale, 509 Howard, thanked City Manager Fairburn for all his hard work and wished him well wherever he is going.
Councilmember Milan closed the Citizen's Agenda when no one else came forward.

E. **Business:**

1. Approval of minutes for October 19 and 26, 2000 meetings.

Motion was made by Councilmember Johnson to accept the minutes. Seconded by Councilmember McInnish.
Ayes: Councilmembers Johnson, McInnish, and Harper
Noes: Milan

Motion Passed

F. **Workshop:**

1. City Manager transition including plans, projects, search.

City Manager Fairburn handed out his City Manager Report at November 29, 2000. It included annexation, mapping, storm water permitting, Denton/TXU lawsuit, the annual audit, Peachtree/Kimley Horn, the Comprehensive Plan, Personnel Policies, Main Street Rehab, New Street Projects, City Hall, Demolitions and Minimum Building Maintenance, Economic Development Committee, Building Inspector, Organization, Health Inspections, City Park, Willow Grove Park, River Oak Park, and the Kings Manor Drainage.

Councilmember Milan re-opened the Citizen's Agenda with Council's approval.

Carolyn Green, 201 N. Shady Shores, said the Employee Appreciation Dinner will be at the American Legion at 7:00 tomorrow night. She didn't realize the meeting started at 7 PM.
Councilmember Milan closed the Citizen's Agenda.

G. City Manager's Report.

City Manager Fairburn had given his report under the previous item.

H. New Business.

What recycling programs would be possible in our city?

The gas line installation on Shady Shores is damaging the landscape. Steve Taylor of TXU told City Manager Fairburn the property will be restored.

I. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, McInnish, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 8:45 PM.

Steve Wohr
Mayor

Joni Vaughn
Acting-City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on November 21, 2000, at 7:50 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was excused. Mayor Wohr arrived at 7:58 PM.
Staff present: City Manager Fairburn and City Secretary Weikum.

B. Councilmember Johnson gave the invocation.

C. Councilmember Johnson led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Randy Danner, 731 Black Walnut Drive, reported that the Planning and Zoning Commission had denied the special use permit for Main Street. He hopes Council will follow their stance.

Carolyn Green, 201 N. Shady Shores, said the appreciation dinner for the employees and their significant others plus City Manager Fairburn's going away has been tentatively scheduled for November 30. It will be at the American Legion facilities and will be catered.

E. **Business:**

Consent Agenda:

1. **Consideration and Action on accepting letter of resignation of the City Manager.**
2. **Consideration and Action on approving a Resolution authorizing Police Chief Nick Ristagno as signatory and removing Stewart Fairburn as a signatory on bank accounts at Northstar Bank of Texas.**
3. **Consideration and Action on a Resolution adding Police Chief Nick Ristagno as an authorized representative and removing Stewart Fairburn as an authorized representative with TexPool.**
4. **Approval of minutes for October 12, 2000 meeting.**

Motion was made by Councilmember Johnson to approve the consent agenda.
Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, McInnish, and Harper
Noes: None

Motion Passed

F. Workshop:

1. Construction of City facilities

The builder contacted was not present to discuss any plans.

2. Parks Board Schedules

Several members of the Parks and Recreation Board spoke. An action plan for City Park was given to the Councilmembers. It was determined that a Council Liaison is important to the board. Our board will work with Hickory Creek's board for the Spring Fest to be held at Arrowhead. A workshop was suggested for January.

Mayor Wohr called for a break at 8:47 PM.

Mayor Wohr called the meeting back to order at 9:02 PM.

3. City Manager Search

Publications can be placed with the ICMA and Texas City Manager's Association. They have web-sites available and we can post on our own site. The ads should be brief with a more complete job description and list of qualifications on our site. The interview process should be broad and we need to set some guidelines. We should have subcommittees review the applications. The references can be checked out from the city facilities. If the applicants to be interviewed need to spend the night or have a long distance to travel, the city should reimburse the applicants.

G. City Manager's Report.

City Manager Fairburn said the attorney he's been communicating with at Pratt and Sanderford has been on vacation. Tom Hoover was gone last week so City Manager Fairburn said he will meet with him next week. He said he would meet with Jack Roe of Resort Realty next week and it would be good if a couple of Councilmembers could be there, too.

H. New Business.

We should have a Citizen of the Year which could be announced at the annual Volunteer's Appreciation dinner.

The Folley Beach item is on the December agenda for Hickory Creek. Hickory Creek has passed another resolution for a northbound entrance on our side. We wouldn't have the money if the city is asked to fund that entrance.

Letters have gone out regarding Cain Street. No plans have been submitted at this time regarding a pool.

We need to update the fence code.

We need liaisons for the Planning and Zoning Commission as well as the Parks and Recreation Board. Councilmember Johnson said she would continue to attend the Planning and Zoning Commission meetings and will also try to attend the Parks and Recreation Board meetings.

I. **Adjourn**

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, McInnish, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 9:40 PM.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on November 13, 2000, at 7:30 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was excused.
Staff present: City Manager Fairburn.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

No one came forward to speak.

E. **Executive Session:**
The City Council will meet in Executive Session for consultation with the City Attorney about possible litigation regarding personnel issues pursuant to the Texas Government Code Section 551.074.

F. **Action, if any, from the Executive Session.**

No action was taken by the Council.

G. **City Manager's Report.**

City Manager Fairburn turned in his resignation from his position with the City of Lake Dallas.

H. **New Business.**

Council will schedule a meeting on November 21 to discuss a city manager search.

I. **Adjourn**

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, McInnish, and Harper.
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on November 9, 2000, at 7:35 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused.
Staff present: City Manager Fairburn, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Carolyn Green, 201 North Shady Shores, said the Community Center was originally planned to be for the youth. The agenda shows a workshop for projects for 2001. The first thing should be a new city hall, new Police Department, and new council chambers.

City Manager Fairburn said Council has established a $200,000 building fund. It is a major project for Council to look at.

Mayor Wohr closed the Citizens Agenda at 7:45 PM.

E. **Business:**

1) Consent Agenda:

a) Consideration and Action on adoption of Council Policies.
b) Consideration and Action on an Ordinance amending the retirement program.
c) Consideration and Action on an Ordinance amending fees for animal code violations.
d) Approval of October financials and Accounts Payable.
e) Approval of Minutes for September 20, 21, and 28, 2000 Council Meetings.

Mayor Wohr asked if anyone wanted to pull any items from the Consent Agenda before a motion is made. Item 1-a was pulled for more discussion.

Motion was made by Councilmember Johnson to accept the Consent Agenda with the exception of item E-1-a and to pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-1-a Consideration and Action on adoption of Council Policies.

Motion was made by Councilmember Milan to accept the Council Policies as presented with the requested changes. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2) Public Hearing on replat of Lot 17 and Lot 18, Block K, Garza Beach Estates into Lot 17R, Block K, Garza Beach Estates.

City Manager Fairburn gave his report on the replat. No one came forward to speak.
Mayor Wohr closed the Public Hearing.

3) Consideration and Action on replat of Lot 17 and Lot 18, Block K, Garza Beach Estates into Lot 17R, Block K, Garza Beach Estates.

Motion was made by Councilmember Stapleton to approve the replat of Lots 17 and 18 of Block K in Garza Beach subdivision. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4) Public Hearing on changing zoning of Second Replat of Harbourtown from R-3 to R-2.

Odie Harrelson, 907 Vista Oaks Court, said this item passed the Planning and Zoning Commission one hundred percent.

John Schuh, 737 Harbourtown, said what we are doing here is minimal. His interest has been compromised. He hopes things will go in a positive direction.

Mayor Wohr closed the Public Hearing and thanked the citizens who had come to the meeting.

5) Consideration and Action on changing zoning of Second Replat of Harbourtown from R-3 to R-2.

Motion was made Councilmember Johnson to change the zoning of the Second Replat of Harbourtown from R-3 to R-2. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6) Consideration and Action on annexation schedule.

City Manager Fairburn gave an outline of the annexation schedule for the property on north Lakeview. We rent land from the owner for the animal shelter.

Motion was made by Councilmember Stapleton that we approve the annexation schedule as presented. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

7) Consideration and Action on rezoning schedule for Swisher Road extension.

City Manager Fairburn gave his report. It is generally thought that there should be some commercial zoning along part of the proposed Swisher Road extension. Right now there has been talk about a 200' stretch on either side of the road. This will be coming before the Planning and Zoning Commission on December 21 and back to Council in January. Both would have public hearings and action items.

Motion was made by Councilmember Johnson to reject the rezoning schedule for the Swisher Road extension. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:27 PM.

Mayor Wohr called the meeting back to order at 8:45 PM.

F. Workshop

1) Plans and Projects FY 01.

There was discussion about establishing a master plan for the city facilities. An architect should be brought in. If we build a new building for the library and recreation and meeting facilities we need to look at the retrofit of the current Community Center for a new city hall. The police department could stay in the current building until monies are available to put a building next to the converted city hall. If the police department is separated from the other departments we would have security issues plus office equipment may need to be duplicated due to logistics. We need to get with the Boys and Girls Club and see what their plans are. The funding cannot come from the operating budget. Some possibilities would be grants, 4a and 4b sales tax. Grant processes take years of time. The sales tax will need to be voted on by the citizens. The first phase could be a recreation/library building, which could be financed in part by the use of some park money. A footprint should be drawn up. J & G Builders can be contacted to come to a future council meeting.

The November 30 meeting has been canceled. We will not have quorum.

New accounting system and police software should be in place by October 2001.

All the pieces are in for the City Park fence.

City Park development: the well system is too costly; an asphalt parking lot, a little pavilion, and a concession stand are Park Board recommendations.

Willow Grove plan: Park Board will get to its report to Council at the quarterly meeting.

Economic Development Committee plans for Main Street, Denton/Frontage Road, Hundley, and Swisher: the committee was supposed to have a plan prepared for Council's December meeting but they will not have that accomplished.

Street Projects -- we need to identify the next set of streets. We should have this together for the January quarterly work session.

Motion was made by Councilmember Johnson to extend the meeting past the 10:30 PM deadline. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F-1 continued:

The Comprehensive Plan objectives are on going.

Kings Manor Drainage retaining wall can be done in-house when it quits raining. Our public works people can do that work.

Annexation: someone from this Council should attend Hickory Creek's council meeting when they have Folley Beach on their agenda. Staff should contact Hickory Creek to determine a date.

Progress is being made on shutting down the annex and other Council recommendations.

G. City Manager's Report.

City Manager Fairburn had typed up his report and given it to the Councilmembers.

H. New Business.

What is going in at the bank area? Some type of retail but not sure at this time.

What progress has been made on the web-site? We have contacted Mr. Lantrip and will get a time scheduled.

Oak Lakes has not closed yet.

Tomorrow is the last regular breakfast for the football participants.

The employee and spouses dinner needs to be scheduled soon.

An executive session needs to be scheduled soon regarding the letter received from the attorney in Wichita Falls.

What is the status of the demolition site on Dolphin? We have only received one bid.

Is there a daycare business being operated on Columbia? It should be checked out due to the volume of complaints received.

The Access Justification Study has been approved. It will cost $900,000 to do another exit on the southbound side of I-35E after the Swisher Road exit.

At the next meeting we need to better define what projects should be scheduled and who will handle which tasks with the Economic Development Committee and Mr. Mitchell.

I. **Adjourn**

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Johnson.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper.

Noes: None

Motion Passed

Meeting was adjourned at 11:05 PM.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on October 26, 2000, at 7:40 PM, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2

Councilmembers McInnish and Harper were absent. Mayor Wohr was late.
Staff present: City Manager Fairburn and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Jeanette Harmon, 72 Lakeridge, said she received a nice letter from the City but she doesn't agree with it. She said she has an ongoing problem with the code enforcement. She feels that trash for Waste Management should be placed at the front of the pickup address. There are nuisance problems at the top of her street: articles in yards where there should be privacy fences but wood fences are not allowed in Kingswood; there's a car sitting there which is registered but she is sure it doesn't run; there is parking in the street. She is sure the turnover at City Hall is allowing these things not to be corrected. Something needs to be done.

Mayor Pro-Tem Stapleton thanked her for bearing with her during this transition. We will see what can be done.

Keith Barnes, 1174 Settlers Way, Lewisville, asked that the Council reconsider his hardship application for the Special Use Permit for the location on Main Street if they don't come to a conclusion on the Main Street re-zoning. He hopes the Council will see the value of his tax dollars.

Mayor Pro-Tem Stapleton closed the Citizens Agenda at 7:45 p.m.

Mayor Pro-Tem Stapleton asked Council if it would be acceptable to move to item F-2 before going into the Executive Session. It was agreed to do so.

F **2 - Consideration and Action on ordinance to rezone the Main Street District from C-3 to C-2.**

City Manager Fairburn said the appraisers have not returned his calls this week so he has no information from them. The Denton County Appraisal District said they could not say how much of a loss a zoning change would incur but did say they doubted it would be as much as 25 per cent. The Planning and Zoning Commission split but voted 'no' to the hardship special use permit. The moratorium will expire soon. The Special Use Permit application could get on the Planning and Zoning Commission regular meeting next month.

Mayor Wohr arrived at 7:59 PM.

Motion was made by Councilmember Johnson not to rezone Main Street. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan and Johnson
Noes: Councilmember Stapleton

Motion Passed

3. Approval of Minutes for September 12, 14, and 16 meetings.

Motion was made by Councilmember Milan to accept the Minutes for the September 12, 14, and 16 meetings. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, and Stapleton
Noes: None

Motion Passed

4. Consideration and Action on a reappointment for the Parks and Recreation Board.

Motion was made by Councilmember Johnson to reappoint Chris Fahey for a two-year term. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, and Stapleton
Noes: None

Motion Passed

Mayor Wohr called for a five minute break before going into Executive Session at 8:12 PM.

E. **Executive Session**
Consultation with Pratt & Sanderford attorneys regarding the street contracts according to Government Code 551.071.

Mayor Wohr called the regular meeting back to order at 9:25 PM.

F. Business:

1) Action, if any, from the Executive Session.

Motion was made by Councilmember Milan to make partial payment to Peachtree and continue forward with our efforts with Pratt and Sanderford. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Stapleton
Noes: None

Motion Passed

G. Workshop

1) Council Policies

The Citizen's Agenda regarding one of four responses should be added. Continuing the meeting on the next day should also be in the policies. City Manager Fairburn will make adjustments and bring the re-write back to another council meeting for approval.

2) Web Page

We need a mission statement on the web site. We need to go with Terry Lantrip as our web host. City Manager Fairburn said the Sun could do the design but we have the ability to change pages ourselves. We have a link to the Municipal Code through our site. We currently have search engines.

H. City Manager's Report.

City Manager Fairburn said the last quarterly cleanup resulted in 94 drop-offs, 10 pick-ups from residents, and 93 gallons of oil to be re-cycled. It's a very successful program. Johnny Webber is considering setting another day aside for a brush cleanup.

We have not purchased the truck for Animal Control at this time.

The Halloween celebration is coming up and Main Street between Food Fare to Falcon will be closed from 4 PM until 6 PM. We will do a hayride through that area.

We're working on the move of equipment and files from the annex to the City Hall building.

The fence work will start next week at City Park.

I. New Business.

The house on Cain was purchased and is being worked on.

The seasonal workers have been laid off. Those positions have been cut from the budget.

Some permit fees need to be checked out.

Los Jalapenos restaurant has re-opened under new management.

We have talked with Karmen McClain about the Community Center usage. She has not come to a decision.

Cheerleading has moved to Denton for one day a week. They are still at the Community Center one day a week.

Do we get an accounting of Mr. Mitchell's activities?

Someone had seen a city vehicle out a couple Saturdays ago. City Manager Fairburn said we do Community Service workers on Saturdays from 8 AM until 12 noon.

Will we have a workshop on November 1 or November 9? Will we have a meeting on November 30? City Manager Fairburn said the last meeting in November usually gets cancelled out. The fourth Thursday in December will probably be cancelled.

J. **Adjourn**

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, and Stapleton.
Noes: None

Motion Passed

- Meeting was adjourned at 10:30 pm.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on October 19, 2000, at 7:00 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Fairburn and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Jeanette Harmon, 72 Lakeridge, expressed concerns about trash being put out for Waste Management. It is being put out in the Kingswood side and she feels it should be put out on the Shady Shores side of the property owner's home. She has talked with Waste Management and they won't do anything about it.

Mayor Wohr closed the Citizens Agenda at 7:05 p.m.

E. Business:

1) Consideration and Action on a Resolution for an Access Justification Study.

Motion was made by Councilmember Stapleton to approve the Resolution for the Access Justification Study. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

2) Consideration and Action on a Resolution for a moratorium on acceptance of applications for platting, subdividing and building in the R-1-10000 zoning district.

Motion was made by Councilmember Johnson to accept a moratorium on the R-1-10000. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

3) Consideration and Action on acceptance of the bid for the rehabilitation of Main Street.

Tom Hoover said that Andrews Paving had completed Carlisle ahead of schedule. The inspections went well. A little more testing was done but the cost was worth it. Andrews should be able to start by the first or second week of November.

Motion was made by Councilmember Johnson to accept the bid from Andrews Paving for the rehabilitation of Main Street. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4) Consideration and Action on an Ordinance to rezone the Main Street District from C-3 to C-2.

City Manager Fairburn said that the Councilmembers at last meeting had asked for an appraiser to investigate the impact of what the changing from C-3 to C-2 would have on Main Street. The appraiser has been on-site to look at it but is not prepared to give us an answer until after next Monday.

Motion was made by Councilmember Milan to table item 4 on consideration of rezoning of Main Street from C-3 to C-2. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

F. City Manager's Report.

City Manager Fairburn said Halloween is coming up and Main Street will be closed from East of Gotcher to Falcon if it meets with Council approval. There are no bids for the demolition of the house on Dolphin.

Concerns were raised about the gymnastics program. City Manager Fairburn said this month we have elections, which takes two weeks. The schedule for City events is the 3rd Tuesday is for court. We do have other available days for her but she has not expressed interest in that. We will double-check with Karmen regarding dates, her equipment and mats.

G. New Business.

Councilmember Stapleton said he will be out of town from November 9 until December 4.

We should schedule a workshop for November 1 at 7 pm. Nest week is an executive session with the construction attorneys.

H. **Adjourn**

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Johnson.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper

Noes: None

Motion Passed

Meeting was adjourned at 7:28 pm.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on October 12, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Fairburn, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Presentations**
Recognition for bravery of Corey Houghton on July 4, 2000.
Mayor Wohr asked Corey Houghton to come forward and invited Corey's father, Ronnie, to come forward with Corey. Mayor Wohr commended Corey for his bravery on that night of the fire in a home near his own. Mayor Wohr presented Corey with a certificate in recognition of the bravery shown that night. Mayor Wohr commended Ronnie Houghton for having taught his son the values of life.

E. **Citizens/Visitors Agenda**

Rod Courtney, 162 Kingswood, said thank you for the decorating of City Hall.

David Shershen, 166 Kingswood, complimented the Council for their hard work and dedication during the investigation of the Community Development Department. He commended their diligence and professionalism. He had been to an Economic Development Committee meeting recently and was pleased with the selection of Mr. Mitchell to work on behalf of the city. He said he feels we need to get aggressive in the annexation process. He suggested the city send letters to the landowners on Hooks Street and Folley Beach and invite them to a meeting.

Carolyn Green, 201 North Shady Shores, said that even with the adverse weather conditions we had a great time at the Fallfest. She commended City Manager Fairburn for his hard work in getting everything accomplished.

Mayor Wohr closed the Citizens Agenda at 7:44 p.m.

Mayor Wohr said he had invited William Mitchell to stop by the meeting and update the Council with the new business regarding the Economic Development Committee.

F. Business:

1. Consent Agenda:

a) Consideration and Action on an ordinance amending the Comprehensive Zoning Ordinance and map of the City of Lake Dallas, Texas, by changing the zoning from R-1-6000 Residential to C-1 Commercial for Lots 4, 5, 6 of Block one, Tract one, of Gotcher Addition and that portion directly east of these lots described as Tract Two of the CR Stockard Survey, Lot 7.

b) Consideration and Action on an ordinance amending the Comprehensive Zoning Ordinance and map of the City of Lake Dallas, Texas, by changing the zoning from M-1 Light Industrial to C-2 Commercial for tract 104 of the M. Wright A-1355 Survey.

c) Consideration and Action on allocation of funding for demolition of 309 Dolphin.

d) Consideration and Action on an ordinance amending Chapter 18 subsection 18-125 and subsection 18-126 relating to confinement of animals and impoundment of animals.

e) Approval of September financials and Accounts Payable.

f) Approval of Minutes for September 5 and September 7, 2000 Council Meetings.

g) Approval of 3rd Quarter 2000 Investment Report.

Motion was made by Councilmember Milan to accept Consent Agenda items a, b, f, and g. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

Motion was made by Councilmember Milan to accept Consent Agenda item c. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Stapleton on Consent Agenda item d to approve the ordinance. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Stapleton on Consent Agenda item e to approve the September financials and pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

Mayor Wohr said he would like to take the report from Mr. Mitchell out of order with the consent of the Councilmembers.

Mr. Mitchell gave the Councilmembers copies of maps. Mayor Wohr said they had met with Mr. Pollster at his Dallas office recently. The TX DOT will raise the south bridge by six inches in about 90 days. They will be moving forward to widening I-35 from the south bridge to Shady Shores within six months.

Mr. Mitchell said the Council needs to work with Hickory Creek and get a resolution made for an Access Justification Study within two weeks. Commissioner Krueger and the County have agreed there are some encumbered funds available. Mr. Pollster feels it will take six to nine months to get the study back.

The Swisher Road extension will have turn lanes and widening in the area of the school. Mayor Wohr said the County will bear the cost of intersections. We need to get Lakeview extended so they can pay for that intersection, too. Mr. Mitchell said the road will be dedicated to the city but the county will maintain it. We will not have to do an access study on that road.

Mr. Lee has said we could lease room on a monument sign at no cost to the city. Ernesto Lopez asked if he could read a letter. Mayor Wohr said this was not a public hearing. Mr. Lopez gave the Councilmembers copies of the letter.

2. Public Hearing on an ordinance amending the Comprehensive Zoning Map by rezoning the Main Street district from C-3 to C-2.

Odie Harrelson, 907 Vista Oaks Court, said he seconds what David Shershen said about annexing. He told the Council to keep up the good work and to go ahead with C-2.

Chuck Graham, 1013 Kings Manor, said we need to have the C-3. We need to get this town back to life.

Randy Danner, 731 Black Walnut, said he doesn't understand the differences.

Mayor Wohr said C-3 zoning could have package liquor stores or sexually oriented businesses. Allsup's would be grandfathered. It would not affect a private club or a restaurant serving alcohol.

Rod Courtney, 162 Kingswood, is representing Veronica Peters of the Galleon. She feels C-2 zoning would de-value her property.

Randy Danner, 731 Black Walnut, said he would appreciate C-2 zoning. He is interested in putting a teen club in the old Food Fare building on Main Street.

Margaret Tisdale, 509 Howard, said she would prefer C-2 zoning.

Carolyn Green, 201 North Shady Shores, is not as concerned about package stores on Main as she is about the "S-O-B's" and pornography.

Mayor Wohr said we have the best-drafted sexually oriented businesses ordinance we could get.

Chuck Graham, 1013 Kings Manor Drive, said we need growth. Council won't allow SOB's to come in here.

David Shershen, 166 Kingswood, said he doesn't believe this is the best time to re-zone.

Keith Barnes, 1174 Settlers Way, Lewisville, said he has leased the building on Main Street and has filled out an application for a Special Use Permit.

Mayor Wohr closed the public hearing at 8:35 p.m.

3. Consideration and Action on an ordinance amending the Comprehensive Zoning Map by rezoning the Main Street district from C-3 to C-2.

Motion was made by Councilmember Johnson to table the re-zoning and direct staff to contact the Denton County Appraisal District and have them appraise The Galleon, Food Fare, and Papa's by the next council meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None
Abstentions: Councilmember Harper

Motion Passed

Mayor Wohr called for a break at 8:52 p.m.

Mayor Wohr called the meeting back to order at 9:10 p.m.

4. Public Hearing on an ordinance amending the commercial zoning requirements.

David Shershen, 166 Kingswood, asked for an explanation of the changes.

Mayor Wohr and City Manager Fairburn gave clarifications of the proposed changes.

5. Consideration and Action on an ordinance amending the commercial zoning requirements.

Motion was made by Councilmember Milan to adopt the ordinance amending the commercial zoning requirements. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

6. Public Hearing on an ordinance amending manufacturing zoning requirements.

No one came forward to speak so Mayor Wohr closed the Public Hearing.

7. Consideration and Action on an ordinance amending manufacturing zoning requirements.

Motion was made by Councilmember Milan to approve the ordinance amending manufacturing zoning requirements. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

8. Public Hearing on an ordinance amending uses and procedures for Special Use Permits.

No one came forward to speak so Mayor Wohr closed the public hearing.

9. Consideration and Action on an ordinance amending uses and procedures for Special Use Permits.

Motion was made by Councilmember Stapleton to approve the ordinance amending uses and procedures for Special Use Permits. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

10. Consideration and Action on the findings of the investigation of the Community Development Department.

Motion was made by Councilmember Stapleton to accept the findings of the investigation of the Community Development Department with the following addition: that under recommendations Item 11 be added to read "exhibit number 1 to be submitted to Lake Dallas Chief of Police for possible investigation of criminal activity." Seconded by Councilmember Milan.
Motion was made by Councilmember Milan to amend the motion made by Councilmember Stapleton to include: clarification on specific findings on number 1 related to allegations of not hiring of employees and clarification on item number 2 on persons giving the money signing the receipts including correction of any spelling or grammatical errors and that all documents and findings be submitted to the Chief of Police for possible investigation of criminal activity at the earliest possible convenience. Seconded by Councilmember Stapleton.

The vote to amend the motion:
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Councilmember Harper initially voted 'no' but asked to change it to an 'aye.' Her concern was that she didn't want it sent for criminal investigation.

The Vote on the motion as amended:
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

11. Consideration and Action on a Resolution of support and confidence of the City Manager.

Motion was made by Councilmember Stapleton to table the Resolution until the next regular scheduled meeting. Seconded by Councilmember Harper.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: Councilmember Stapleton

Motion Passed

12. Consideration and Action on the Community Center sign.

Motion was made by Councilmember Stapleton to thank Councilmember Harper for her efforts in locating a sign. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G. City Manager's Report

City Manager Fairburn gave the Councilmembers his weekly report and a list of various projects for this coming year by areas of the city. We have asked the fence company for hardware for the fence so it won't need to be welded. We should be completely out of the annex by October 31. We need to award the contract for Main Street rehab at the meeting next week. We have placed some ads out for the Building/Code Inspector and are getting preferred requirements from other cities. The railroad crossing at Carlisle is dangerous because of obstructions to the view.

H. New Business

Overdue thank you to the Police Department for the "Back to School" dance.
A special meeting will be needed to adopt a Resolution for an Access Justification Study off I-35E and a Moratorium on R-1-10000 should be done.
We need to add a couple more items to the Council Policies and Procedures. One will be responses to citizens when they speak on the Citizens' Agenda.
We need to plan the quarterly workshop.
The web page should be on the October 21 agenda.

I. Adjourn

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 28, 2000, at 7:37 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Jeff McInnish	Councilmember 4

Mayor Wohr and Councilmember Harper were late. Staff present: City Manager Fairburn, Police Lieutenant Lowery, and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Laird Lind, 735 Carlisle, expressed concern with the increase of the building permits fees. He had made copies of what he said and gave to the Councilmembers.

Councilmember Harper arrived at 7:39 p.m.

Margaret Tisdale, 509 Howard, said she was proud of the budget the Councilmembers set up. She also said she was sure we were due an increase in the building permit fees.

David Shershen, 166 Kingswood, thanked the Councilmembers for their work on the budget. He had a message from Truman Harp. It had been his intention to be at the meeting but his wife is very ill.

Mayor Pro-Tem Stapleton closed the Citizens' Agenda when no one else came forward to speak.

E. **Workshop**

1. Continuing investigation of Community Development Department.

The Councilmembers looked at the receipt books from December 2, 1998 through the current receipt book. Two letters had been issued to Neal's regarding their health permit without a grace period being allowed. Handouts from the Community Development Department were all out-dated – they did not reference the new code or ordinances which had been approved. Building permits did not include plan review figures. Time sheets and attendance records were reviewed. Time sheets do not reflect the option of 'excused absence without pay.' Inspection logs recorded about 175 per month.

Mayor Wohr arrived at 8:32 p.m. Mayor Pro-Tem Stapleton called for a break.

Mayor Wohr called the meeting back to order at 8:48 p.m.

Council determined it was a possibility that one trip could encompass 4 or 5 inspections being made at that one time. The reports should show addresses as well as dates. The permit application procedure needs to be changed. New building permits are counter-signed by the city manager at this time. The health inspections had poor record-keeping with no apparent procedure in place. The health inspection check lists should be in triplicate so that everyone gets a copy of the same thing. The most current score for health inspections should be posted on the web-site.

A document dated September 23, 1996 was a fabrication. The document references the annex building and the department name. The annex building was not in existence and the department name did not come about until many months after the date the letter was supposedly written. Employees must not engage in policy-making as regards building without following proper zoning requirements. Employees must abide by the Municipal Code. Department heads should make their own policy and procedures for hourly employees working at home if it does not conflict with other policies and procedures.

All employment applications for the Community Development Department had been pulled since January 1, 2000. These applications had notes made by Mr. Harp regarding interviews. All computer-generated documents should have a printed copy and must be in a file for security measures. The allegations against Lynn Pedrick were unfounded with regards to deleting files from the computer. Employees were not hired by someone other than the department head.

Mayor Wohr called for a break at 10:50 p.m.

Mayor Wohr called the meeting back to order at 11:05 p.m.

There was no one to oversee the employees in the annex.

Were there letters about retributions from contractors? Building permits had been issued that shouldn't have been issued.

The job performance of one employee included poor letters going out to Neal's and Bobby Shikle. Some time sheets appeared to be falsified.

David Shershen said this investigation was absolutely necessary. The city manager should be given a vote of confidence. He said the Council has done a wonderful job.

Mayor Wohr closed the workshop at 12:04 a.m.

F. BUSINESS:

1. **Consent Agenda:**
   a) **Approval of Minutes for August 24 and 29, 2000 Council Meetings.**
   b) **Consideration and Action on a Resolution continuing the M-1 moratorium.**
   c) **Consideration and Action on an interlocal agreement between Lake Dallas and Denton County on road projects.**
   d) **Consideration and Action on an Ordinance for a supplemental appropriation for the FY 00 Budget.**
   e) **Consideration and Action on a Resolution on charges for open record requests.**

Motion was made by Councilmember Milan to accept the Consent Agenda for items a, b, c, d, and e. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. **Consideration and Action on findings of Community Development Department Investigation.**

Motion was made by Councilmember Milan to close the investigation and ask our investigator, Councilmember Johnson, to devise the written findings as we've stated tonight in the workshop and present to Council at the next regularly scheduled meeting and put on the agenda as an action item to adopt the findings as presented. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G. City Manager's Report.

City Manager Fairburn made no report.

H. New Business

We need to put an article in the paper advising people to complete their voter's registration 30 days in advance of voting. Also state that when you complete a voter registration card that it has nothing to do with being selected for jury duty.

Plan review fees should be reviewed and Council could give a directive regarding not charging plan review fees on the same model/type of home being built by the same contractor.

We have had contact with the father of the boy who assisted in the rescue effort at the mobile home fire on July 4 of this year.

Ivan Bounds has been in the hospital for triple by-pass surgery.

Banners can be place at City Park, Hickory Creek, and by LCMUA for the Fallfest. Be sure there is an ad in next week's Sun.

The Economic Development Committee will check with Charter Cable regarding running ads on their bulletin board. The City of Denton does this.

There will be no meeting on Saturday, September 30.

I. Adjourn

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:35 a.m.

Steve Wohr
Mayor

Beverly Welkum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special called meeting on September 21, 2000, at 7:45 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code. The meeting was held in the Community Center as announced.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Mayor Wohr arrived late. Councilmember McInnish was absent. Staff present: City Manager Fairburn and Police Chief Ristagno.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton said we will forego the Pledge of Allegiance since there is no flag here.

D. **Citizens/Visitors Agenda**

Carolyn Green, 201 North Shady Shores, said she appreciates the City Council and their dedication and devotion. She appreciates the fact that they want to be fair and impartial.

David Shershen, 166 Kingswood, said that like most of the citizens of the city he is opposed to any tax increase. If the increase in taxes meant that it was the only way to keep the ambulances and fire trucks in our community, then it would be worth it.

Margaret Tisdale, 509 Howard, thanked David Shershen and said she couldn't have said it better herself.

Doris Eckleberry, 905 Vista Oaks Court, said if you need to raise taxes to pay the employees a little more (that may be part of the problem at the annex), maybe you could get someone more competent if you have a better base pay.

Mayor Pro-Tem Stapleton closed the Citizen's Agenda.

E. **Budget Workshop**

City Manager Fairburn gave an update to what the budget is from the other workshops. There are three options which includes all the changes.
1 - Includes all the changes from the budget sessions, the property tax as proposed, and the new director's position.

2 - All the changes except for the director's position.

3 - All the changes except the property tax does not change and the director's position is out.

$25,000 of the line items in the detail has been taken out. One of the items is the library funding. The amount in the budget is the $2,400 originally planned, not the $2.50 per capita as requested. With the re-aligning of the Community Development the Administrative Assistant position could be supervised by the City Secretary. The Building Inspector/Code Officer could report to City Manager Fairburn.

Council could look at re-instituting the liaison positions to the Planning and Zoning Commission and Parks Board which would give him a little help in those areas. He would appreciate some Council assistance in that.

We could do flyers instead of the newsletters.

His recommendation is option 2 which allows the ability to deal with something unexpected coming up over the next few years and allows them to deal with the library funding.

Mayor Wohr arrived at 8:22 p.m.

The City and County of Denton have both gone to a 99.5% property tax projection which helps them have a balanced budget. We have looked closely at the expenditure side of the budget but we have not looked at the revenue side. We are raising our employees wages as a cost of living increase but we have not raised our revenues. We should look at what it costs us to do our building permits and traffic tickets. We have increased the wages in all departments but have not increased our rates. We should change the property tax budget number by 1% and increase our other fees by 20% this year and 10% next year.

City Secretary Weikum arrived at 9:30 p.m. after the Planning and Zoning Commission meeting adjourned.

Gene Tisdale, 509 Howard, said he would like to see some type of development at Willow Grove, which could help bring more people into the area.

There was more discussion about signage. City Manager Fairburn said that should be part of the Economic Development agenda.

F. Business

1. Consideration and Action on ordinance adopting Budget for Fiscal Year 2000-2001.

Motion was made by Councilmember Milan to adopt the ordinance for the budget for Fiscal Year 2000-2001 with the General Fund being $2,403,400; Debt Service being $211,700; and the 1998 Street Bond being $660,700. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes None

Motion Passed

2. Consideration and Action on ordinance setting Tax Rate for Fiscal Year 2000-2001.

Motion was made by Councilmember Stapleton to adopt the ordinance setting the tax rate for Fiscal Year 2000-2001 at $.56171/$100 valuation with the Maintenance and Operations rate being $.46518 and the Debt Service rate being $.09653. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of Economic Development Coordinator consulting agreement (Addendum).

Motion was made by Councilmember Johnson to approve the contract for the Economic Development Coordinator. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

G. New Business

Notice has been given to the owner of the annex that we will be out by October 31.

Carolyn Green said Saturday is Corinth's Pride Day.

The air conditioner on the Police Department side is inefficient and will need replacing. Chief Ristagno was directed to use the local bid price even if the quoted price is higher.

Bobby Shikle called and said the gym equipment should be covered up. He feels it is a safety hazard.

What is the time line on getting a building inspector/code officer on board? It is costing us a lot of money for the company we are currently using.

What is the start date on Carlisle? City Manager Fairburn said he has not heard from the engineers.

A Workshop should be scheduled for September 30 at 8 a.m. There will be a meeting on September 28 to continue the investigation and we can use part of Saturday's meeting in case more time is needed.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:35 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special called meeting on September 20, 2000, at 7:42 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Staff present: City Manager Fairburn, Police Chief Ristagno, Police Lieutenant Lowery, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Gene Tisdale, 524 Howard, thanked Truman Harp for his good job and years of service.

Rod Courtney, 162 Kingswood, said that Denton County has announced they will be starting the bridge across Lewisville Lake to the east and should start turning dirt within twenty-four months. Mayor Wohr thanked Mr. Courtney for his work on the Denton County Economic Board.

Carole Harp, 3216 Broken Arrow, Denton, Texas, said that Mr. Harp retired due to medical reasons. She said Councilmember Johnson has done an admirable job. She made several comments expressing her opposing remarks to previous testimonies.

David Shershen, 166 Kingswood, thanked Mr. Harp for his work for the city; thanked the Councilmembers for a job well-done; thanked Councilmember Johnson for a great job compiling records.

Norma Cogdell, 5410 Duchess Court, gave her thanks to Mr. Harp.

Mayor Wohr closed the Citizen's Agenda at 8:03 p.m.

E. **Business**

1. Consideration and Action on accepting the resignation of Truman Harp, Building Official.

Motion was made by Councilmember Harper to accept Truman Harp's resignation from the Community Development Department. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Inquiry and investigation of the Community Development Department.

Chandra Culp, 5515 Castle Court, lived behind the house that was abandoned. She described her attempts to reach Mr. Harp by telephone. She said she had a negative experience with Mr. Harp.

Mayor Wohr swore Ms. Culp in. In her final statement, Ms. Culp said the situation was resolved after 4 to 6 weeks.

Mayor Wohr swore in Truman Harp. Questions asked of Mr. Harp included:
a) His response to the telephone call incident with Ms. Culp.
b) His method of okaying permits.
c) Which employees were hired by whom.
d) How often were staff meetings held and was there a roster.
e) Discipline of employees.
f) Permits given out on June 21, 2000 and Steve Free.
g) An August permit and Steve Free.
h) Plan review fee charged when issuing building permits.

Mayor Wohr called for a break at 9:08 p.m.

Mayor Wohr called the meeting back to order at 9:25 p.m.

Mayor Wohr asked Norma Cogdell to come forward and reminded her that she was still under oath. Questions asked of Ms. Cogdell included:
a) Deleting computer files.
b) Lynn Pedrick's last day of work.
c) Had she talked Truman Harp while he was in the hospital/on administrative leave.
d) Process for computer-generated documents.

Mayor Wohr swore in Beverly Weikum. She had received the disks from Lynn Pedrick when she turned in her resignation. The disks contained budget information and some report forms. The disks were given to Chris Hermann when she was hired.

Mayor Wohr swore in Gene Tisdale. He recognized the document shown to him and the name on this document. Mr. Tisdale was asked to highlight his notes on the permit that he had made during research. It was entered as an exhibit.

Mayor Wohr swore in City Manager Fairburn. Questions asked included:
a) Had he used the computers in the annex and ever been in the annex after hours or on weekends.
b) Had he ever asked for documents from their offices.
c) Had he ever ordered inspections and/or citations.
d) Had Mr. Harp ever cited an owner or had City Manager Fairburn ordered Mr. Harp to issue citations.
e) What happened in the re-write of Mr. Harp's letter to Steve Free.
f) Did City Manager Fairburn notice on June 21, 23 and 24 that permits had been issued in error. City Manager Fairburn was on vacation in Florida at that time. He was first aware of the error at the end of July.
g) Is there a city policy regarding employees taking work home.
h) He had issued a permit for a swimming pool in Harbourtown when Mr. Harp was not there.

i) How does the city deal with subdivision deed restrictions.
j) Has he ever had meetings with employees outside of his office at City Hall and are they documented.
k) What departments had he worked in at his previous employment.
l) How much formal education, training and experience he had in different areas.
m) The inspection situation at Neal's.
n) When was his vacation this year and where did he go.
o) When did he come to work for the City of Lake Dallas and how long had he been at other employment and what had he done.
p) Had he asked, instructed or directed a Community Development employee to work on a special project for him between January and July of this year.

Mayor Wohr called for a break at 11:05 p.m.

Mayor Wohr called the meeting back to order at 11:25 p.m.

There were more questions for City Manager Fairburn:
q) Lynn Pedrick's resignation letter.
r) The building inspection regarding iron framework on commercial building on Gotcher.
s) How was the Harbourtown permits issue brought forth to City Manager Fairburn's attention and the setbacks for C-3 zoning.
t) Code enforcement letters.
u) Comment made by Mr. Harp upon discussion of his last evaluation and prior to going before the Council.
v) How many salaried/exempt employees work for the City of Lake Dallas and is he always informed/aware of employee absences.
w) Which employees had he hired for the Community Development Department; what is the policy regarding 'temps.'
x) Does the city own a shredder and does the city shred payroll checks.
y) Is the lease agreement for the annex part of the city's records; did City Manager Fairburn work for the city when the agreement was entered into. The document is exhibit #30.
z) City Manager Fairburn's employment date is 7/1/97. The Community Development name came into being with the FY 98 budget.
aa) Exhibits 11 and 28 were referred to. One letter was not allowed to be sent out. He re-wrote the letter and sent it out. The letter to Mr. Free in August was written by City Manager Fairburn after consultation with the City Attorney. Mr. Harp reviewed the letter and signed it.

Mayor Wohr said that Councilmember Johnson has done quite a bit of work. He asked if we had issued subpoenas including Steve Free, Christine Hermann, Diane Lowrimore, Lynn Pedrick, Jennie Roberts and Tammy Butler. They had been issued and all declined except the current employee, Christine Hermann. Councilmember Johnson said she had everything that had been requested. Most of the documents on the computers at the annex building were forms. The recycle bins were empty. Mayor Wohr asked if Council wanted to call any other witnesses. They did not. He asked Councilmember Johnson to draft up the Council proposed findings. Council can look at the documentation as they want and have discussion. It was decided that the September 28 meeting should have a workshop session for looking at the documentation and discussion of findings.

F. New Business

None

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:20 a.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special called meeting on September 16, 2000, at 10:05 a.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember McInnish arrived at 10:15 a.m. Staff present: City Manager Fairburn, Police Chief Ristagno, Police Lieutenant Lowery, Margaret Coulter, Joni Vaughn, Christine Hermann, Norma Cogdell, and City Secretary Weikum.

B. Mayor Wohr gave the invocation and led the Pledge of Allegiance.

C. **Citizens/Visitors Agenda**

Gene Tisdale, 524 Howard, expressed concern about the publication of the proposed tax increase. It is misleading. He said the investigation needs to be honest and not one-sided.

Bob Davis, 73 Lakeridge, asked the Council to think more globally in the investigation and not let personal interests be the basis for decisions.

Keith Barnes, 1174 Settlers Way, Lewisville, said he had given a letter of hardship for a building permit and Special Use Permit to the Planning and Zoning Commission at their last meeting. He asked for permission from the City Council. Mayor Wohr said it is too early to come before Council.

Linda Rapp, relinquished her time.

Steven Bertrand, 707 Oakley Drive, said we should look at this as an opportunity to look at this fairly with a goal for the City. He has a concern regarding the 4-plexes. It is his understanding that out-dated policies were handed out. The department should be updated.

Larry Cogdell, 5410 Duchess Court, said he and several of his neighbors had different dealings with Mr. Harp and that they always felt comfortable about the situation and there was always a good outcome. He said that if Norma had been able to use the camera she wouldn't have needed to work at home. The city's camera didn't work so Truman did allow her permission to use their own camera. They bought their own film, paid for the development, and bought disks so they could download the pictures.

Margaret Tisdale, 509 Howard, said she has complained about a house on Donald since the mid-80's. It's been going on for years and her name should not be used in a complaint against Mr. Harp in these recent accusations.

Norma McAlavy, 25 Oakwood, said not everyone looked at everything the same way. If the information is against you, it's bad and if it's for you, it's good. He's done a good job in his way. He's ill. Let him retire with his pretty wife.

David Shershen, 166 Kingswood, thanked Council for holding the investigation. If any allegations are true, they should be pursued. He asked Council to seek out the truth, not just the surface facts. We cannot allow mistakes like what happened at Harbourtown.

Gene Tisdale, 524 Howard, said he understood work was going on at Harbourtown.

Carole Harp, 3216 Broken Arrow, said that Mr. Harp's doctor told him if he goes to another meeting that he would no longer be Mr. Harp's doctor. She said that Ms. Cogdell called Mr. Harp while he was in the hospital and asked him if she could continue to work at home. Mr. Harp told her it's okay if it's okay with City Hall. She said that every woman who worked in the Community Development Department left there under pressure from the City Manager.

Mayor Wohr closed the Citizen's Agenda.

D. Business

1. Inquiry and investigation of the Community Development Department.

Councilmember Stapleton asked if Mr. Harp got the subpoena. Mr. Harp said they waited all day Friday except when they went to the doctor's office. They go in the back door from the garage. When someone went out Saturday morning to get the paper they found the envelope. She said Mr. Harp could be available next Saturday. Mayor Wohr said that everyone was in this room when this meeting date had been set.

Mayor Wohr said we are going to follow through on the investigation. If the Councilmembers determine they need Mr. Harp we can schedule another meeting.

Councilmember Johnson said we should let the City employees speak first.

Norma Cogdell was asked to come forward.
Councilmembers asked questions and documented exhibits 1, 2, 3 and 4. Mayor Wohr asked Ms. Cogdell to raise her right hand and asked her if she had been truthful to this investigation. She said, "Yes." She asked, "Will I get my chance to speak regarding September 1?" Mayor Wohr said if the Council determines it appropriate it will be as a separate investigation.

Chris Hermann was sworn in by Mayor Wohr.
Councilmember Johnson asked Ms. Hermann to read the document titled exhibit 5. Ms. Hermann was asked to look at exhibits 2 and 3. Exhibits 6 and 7 were entered on the documents list.

Joni Vaughn was sworn in by Mayor Wohr.
Part of her duties were to issue receipt books to Community Development; to receive receipts and funds listed on a transaction sheet from Community Development employees. She was asked if any employees of the Building Official ever worked on special projects here at City Hall. Her response was, 'No.'

Sima Hemmat, owner of Neal's Italian Restaurant – Mayor Wohr thanked her for coming and swore her in.

She told of her situation with the Community Development Department. Exhibits 11 and 17 were discussed.

Mayor Wohr called for a break at 12:50 p.m. Councilmember McInnish left the meeting due to a previous engagement.

Mayor Wohr called the meeting back to order at 1:10 p.m.

Margaret Coulter was sworn in by Mayor Wohr.

She was asked if any city employee from the Community Development Department made 4 or 5 trips a day to City Hall and spent a number of hours daily working on projects at City Hall. The question originated from exhibit 12. Ms. Coulter said, 'No.'

Council excused Norma Coulter, Margaret Coulter, Chris Hermann, and Joni Vaughn at 1:20 p.m.

Chief Ristagno was sworn in by Mayor Wohr.
Exhibit 11 was referred to regarding markings on vehicles displaying exempt license tags. Exhibit 21 was marked for the document list. It was determined that Chief Ristagno was the Acting City Manager from the week-end of June 17 until the week-end of July 1 while City Manager Fairburn was on vacation. Chief Ristagno was asked if he hired any employees for the Community Development Department during that period of time. He said, 'No.' A question was asked where the Police Offices and Code Offices were in September, 1996. Chief Ristagno said he thought they were here on Alamo.

Mayor Wohr said we had subpoenaed Steve Free but he had politely declined. Mayor Wohr asked if we should take a break or schedule for another day. Mayor Wohr opened an envelope Mrs. Harp had placed before him earlier. Mayor Wohr said Mr. Harp was submitting his resignation and that he would like to help in the investigation. The resignation is effective immediately. Due to Mr. Harp's medical excuse it was determined that his paid administrative leave should continue through September 20. City Secretary Weikum was directed to contact Mr. Harp and ask if he could come to a meeting on Monday or Wednesday. Councilmember Johnson had also talked with Mr. Harp. She said he told her he would be at the meeting on September 20 and requested that Jennie Roberts, Tammy Butler, and Diane Lowrimore be subpoenaed for that meeting. He also asked to meet Councilmember Johnson at the Annex to show her some things regarding the investigation. He will not be allowed to cross-examine any witnesses. He also requested a tape of today's meeting.

E. New Business

The E.D.C. coordinator needs to be on the next agenda.
Building Official Harp's resignation needs to be an action item on the next agenda.

F. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 2:55 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 14, 2000, at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: City Manager Fairburn, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

R. O. Owen, 611 Lake, spoke on behalf of her husband, David Owen, regarding his Appeal Board hearing. She told the Council they have a very difficult job and that she is proud of them.

Gene Tisdale, 524 Howard, said the ad in the paper about the tax increase was very misleading. He said he had asked for information several council meetings past and has not yet received a response.

Aldena Stowe Gregory, 603 E. Hundley, thanked the Council for getting the voting back in the city. She gave the Early Voting schedule as well as Election Day hours. She asked that the mayor of each city furnish an election worker. She asked Council to please be very careful about raising taxes.

Chuck Graham, 1013 Kings Manor, said he would speak on the public hearing for property tax.

Carolyn Green, 201 North Shady Shores, said the Fallfest has been very well planned. She invited all the Councilmembers to attend.

Mayor Wohr closed the Citizens' Agenda at 7:55 p.m. when no one else came forward to speak.

E. BUSINESS:

1. Consent Agenda:

a) Consideration and Action on adoption of Personnel Policies.
b) Consideration and Action on appointment to the Parks and Recreation Board. [Carlos Marquez]
c) Consideration and Action on approval of Economic Development Coordinator consulting agreement.
d) Consideration and Action on approval of contract for building inspector services. [Metro Code Analysis]
e) Consideration and Action on approval of Resolution supporting the I-35 MIX program.
f) Approval on August financials and Accounts Payable.
g) Approval of Minutes for August 3, 7, 10, 15, 19 and 22, 2000 Council Meetings.

Motion was made by Councilmember Milan to approve the Consent Agenda for Items a, b, e. and g. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Harper to table Item c on the Consideration and Action on approval of the Economic Development Coordinator. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Stapleton, and Harper
Noes: Johnson

Motion Passed

Motion was made by Councilmember Stapleton to approve the contract for building inspection services. [Consent Agenda Item 1d.] Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Motion was made by Councilmember Milan to accept the August financials as presented and pay the bills. [Consent Agenda Item 1f.] Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on the recommendation of the Appeals Board.
Mayor Wohr read the recommendation for the City Council made by the Appeals Board. Mayor Wohr then read the proposed response.
Motion was made by Councilmember Stapleton to approve the proposed response to the Appeals Board recommendation and direct City Staff to pay Mr. Owen the balance of money owed based on the contractual amount of monthly compensation. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. Public Hearing on Property Tax Rate.

Rod Courtney, 162 Kingswood, thanked Council for the time spent in working on the budget. He said he thinks the reason for a tax increase is the increased cost for the Fire Department. He asked how much revenue the property tax increase would generate. Mayor Wohr told him the increase would bring in an additional $60,000. Mr. Courtney said he understands we cannot cut the Fire Department item but where else could we cut back. Mayor Wohr said we would have to cut small amounts of funding for those items which are not fixed costs.

Gene Tisdale, 524 Howard, said he thought we had $250,000 set aside for the fence at City Park. Mayor Wohr told him that amount is for all the park improvements, not just the fence.

Chuck Graham, 1013 Kings Manor, said he feels for the Council working on the budget. He said he sees a lot of waste. He said Fort Worth and Dallas are the only 2 cities around here that have higher taxes than ours.

Odie Harrelson, 907 Vista Oaks, said we all need the Fire Department. He also asked why we don't have a fire truck sitting in Lake Dallas even if there is no building here at this time. His concern is response time.

Aldena Stowe Gregory, 603 E. Hundley, said she is pleased with the work on the streets. When they did Lakeview there were barricades left lying around. Can the Public Works people get them picked up?

Frank Barnard, 328 Betchan Street, said that if the neglected homes and buildings were brought up to code their valuations would be higher and that could generate more revenue. He suggested freezing wages for all department heads and freezing of all capital purchases in all departments.

Linwood Gilliland, 703 Payton Street, said that when the Fire Department has their new building up that it could bring in more new buildings.

Gregory Clay, 512 Oak Lake, had a letter from his neighbor, Tom Curtis, who asked that property taxes not be raised. He still has concerns about the fence at 523 Oak Lake Drive. He thinks the Fire Department is a great idea.

Carolyn Green, 201 North Shady Shores, asked where all these people were during the previous budget meetings and the Councilmembers were grieving over what to do about the budget. She said her boss was in town yesterday and she told him the taxes were probably going to go up. He looked at the budget and said it was one of the best-prepared budgets he's ever seen. She commended the City Council and City Manager on their work.

Cheryl Rayburn, 613 Lakeland, said she was confused. How does the tax increase amount to $2 per month and not $1200 per year. Mayor Wohr said we are discussing the City property tax and not including the I.S.D. taxes.

Bob Davis, 73 Lakeridge, asked why we couldn't have a tax decrease. He said with the property values going up that generates more tax dollars. He is concerned that a tax increase this year would cause more tax increases in the coming years.

Mayor Wohr called for a break at 9:15 p.m.

Mayor Wohr called the meeting back to order at 9:35 p.m.

Cheryl McClain, 621 Lakeland, asked where the Fire Department's coverage is. Are those cities raising their taxes? Mayor Wohr said the Fire Department charges the four cities (Shady Shores, Hickory Creek, Corinth, and Lake Dallas) by meter drops. Some of these cities have larger property values than Lake Dallas.

Several citizens asked questions of Robbie Robertson, Lake Dallas' liaison with the Fire Department. He had just come in. He explained about the training; paid personnel versus volunteers; EMTs plus their equipment; 2 ambulances and new fire trucks; the new building in Lake Dallas.

Mayor Wohr closed the Public Hearing at 10 p.m.

4. Public Hearing on FY 2001 Budget.

No one came forward to speak. Mayor Wohr said that most of the budget discussion had been covered in the Public Hearing for the Tax Rate. He closed the Public Hearing at 10:02 p.m.

5. Consideration and Action on award of bid for Carlisle and Sargent project and the Main Street project.

Tom Hoover with The Hoover/Klein Group, Inc. read the bid amounts. He said people from his company would check on the work while it was being done and also schedule the testing. He said the two bids are independent of one another and we can hold the bids for up to 60 days.

Motion was made by Councilmember Milan to award the bid for Carlisle and Sargent only to Andrews Paving and to include supplementing inspections by Hoover-Klein and to table Main Street at this time. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

6. Consideration and Action on annex lease.

Motion was made by Councilmember Milan that we do not sign the annex lease and that we continue moving forward on moving the annex to City Hall. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

7. City Manager's Report.

City Manager Fairburn said he met with the construction attorney a few weeks ago and is to meet with them again tomorrow. It is difficult to deal with and determine damages because there are so many different issues.

He's been working on Fallfest and the newsletter. If Councilmembers want to add anything to the newsletter, please contact him.

Harbourtown – their duplexes will have off-street parking and the single story, 1200 feet, side parking. A zoning change for that area will be coming up.

The marquee sign will be a 2-sided sign for use at the community center. We are checking with others for different prices. We will be checking with bricklayers for the sign placement at City Park.

Hoover-Klein will be checking with LCMUA about putting in a well at the park.
The fence is ordered but the grass is too dry for welding to be done at this time.

The Community Center tiered rate schedule is not done yet.

In discussions with the City Attorney, Folley Beach most likely is not a probability for annexation.

The budget will not include $100,000 for the Animal Shelter upgrade.

The fence on Oak Lake has been reviewed. Based on our ordinances the fence that is there is correct.

F. New Business

Put ad in paper to advertise we have voter registration cards and include that you will not be picked for jury duty just because you register to vote.

Every permit issued must have a name on it.

The first two paragraphs of our Master Plan on our web page should be deleted.

When will we schedule the award for the young man at the fire last summer?

We need to have the County do the City's health inspections.

We have been working on the tree off Thompson Drive this week.

We may need to post a meeting for Monday night, based on what is accomplished at Saturday's minutes.

G. Executive Session: As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein. – This is NOT an agenda item; should have been a footnote.

H. Adjourn

Motion to adjourn was made by Councilmember Milan. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:40 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 12, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember McInnish arrived after the Pledge of Allegiance. Staff present: City Manager Fairburn, Police Chief Ristagno, Police Lieutenant Lowery, Building Official Harp, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Odie Harrelson, 907 Vista Oaks Court, said he is unhappy and disappointed because the City is allowing triplexes at Harbourtown. He said he would like an explanation. The people who put out the permits need to be dealt with.

David Shershen, 166 Kingswood, asked the Councilmembers to have a lot of courage at this time to do the right thing; have the wisdom to sort out the facts; and to make the right decision.

Margaret Tisdale, 509 Howard, asked that the City do something for the Hermes family. Lory died Sunday.

Mayor Wohr closed the Citizens' Agenda at 7:38 p.m. because no one else came forward to speak.

Mayor Wohr asked Building Official Harp whether he wanted the Public Hearing as listed as agenda item E or if he would like agenda item G, Executive Session. Building Official Harp replied he wanted open session.

E. Public Hearing concerning performance evaluation of the Building Official and the recommendation of the City Manager.

Odie Harrelson, 907 Vista Oaks Court, said that what he had said awhile ago would also go on this.

Cecil Graham, 1013 Kings Manor, asked what the City manager's recommendation is. City Manager Fairburn said his recommendation is termination of the Building Official.

David Shershen, 166 Kingswood, said he believes Mr. Harp has a response packet and would encourage the Councilmembers to read it and to investigate the current and on-going conditions of the Community Development department. It needs to be resolved.

Mayor Wohr called for a break at 7:45 p.m. so Councilmembers could read the packets from Building Official Harp.

Mayor Wohr called the meeting back to order at 8:20 p.m.

Building Official Harp said he apologized for the lengthy program. His wife has volunteered to read his responses since he's been taking a lot of treatments. He said he wants the information read in the records. The evaluation with Mr. Harp's written responses will be placed in Mr. Harp's employee file.

Carole Harp, 3216 Broken Arrow, Denton, read the building official's responses to the evaluation made by the City Manager. During a break in Mrs. Harps's reading Mayor Wohr said that through the Home Rule Charter the Council can take on an investigative body. Councilmember Stapleton proposed that we commence an investigation of the entire Community Development department and seal the records as soon as possible. Councilmember Johnson said that could be done this week. Mrs. Harp continued her reading.

Mayor Wohr called for a break at 9:27 p.m.
Mayor Wohr called the meeting back to order at 9:45 p.m.

Mayor Wohr said we were still in the Public Hearing. He asked Building Official Harp if he had any more. Building Official Harp said that was all.

Gene Tisdale, 524 Howard, asked what agenda item K means. Mayor Wohr said it is for discussion with the City Manager regarding his performance. Mr. Tisdale asked what Item I meant. Mayor Wohr said it is attorney-client privilege regarding contemplated litigation and we don't have to state what it involves.

Cecil Graham, 1013 Kings Manor, said he had always found Mr. Harp to be honest and truthful.

Larry Cogdell, 5410 Duchess Court, said he and Truman have had lots of encounters in previous years and they always came to a good ending.

David Shershen, 166 Kingswood, said the City's been privileged to have had Mr. Harp the past five years. He said no matter what happens tonight that he applauds the Council and the citizens. He said he would further encourage the Council to take a full and thorough investigation of the entire city.

John Schuh, 737 Harbour Town, asked if he heard there was the possibility of implication of fraud on the part of the employees by Mr. Harp. He asked if the Council can subpoena people to appear.

Mayor Wohr said the Charter provides for subpoenas but it doesn't have the same teeth as one that would come from a court outside our own employees, books, and documents.

Mr. Schuh asked if the investigation shows impropriety, could it be turned over to the proper authorities. Mayor Wohr said yes. The Council can't do criminal investigations.
Mayor Wohr closed the Public Hearing.

F. Action, if any, from the Public Hearing.

Motion was made by Councilmember Stapleton to commence an investigation of the Community Development Department as quickly as possible and set a meeting as quickly as possible giving this council an opportunity to compile any documents we might want to subpoena and any witnesses we might want to subpoena. Seconded by Councilmember Harper.
There was more council discussion and it was determined that the motion needed to be amended.
Motion was amended by Councilmember Johnson to amend the motion. Seconded by Councilmember Stapleton.

Mayor Wohr asked that the roll be called for amending the motion.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

An amended **Motion** was made by Councilmember Stapleton that Council enter into an investigation of the Community Development Department as quickly as possible; Mr. Harp is to remain on administrative leave with pay until the investigation is completed; lists of what is to be subpoenaed or persons to be subpoenaed will be submitted within 48 hours or by the time Council begins on Thursday; Councilmember Johnson will be the Councilmember who will be appointed as liaison for the requested information; notice will be posted for meeting on Saturday morning. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr said that agenda Items G & H are non-items at this point.

Mayor Wohr called for a break at 10:10 p.m.

I. **Executive Session:**
The City Council will meet in Executive Session to consult with the City Attorney regarding contemplated litigation and matters which involve the attorney-client privilege according to Section 551.071, Texas Government Code.

J. **Action, if any, from Executive Session.**

Motion was made by Councilmember Milan to have the annex sealed and only give access for the purposes of the investigation to Marjory Johnson and anyone in her presence. Seconded by Councilmember Harper.

Councilmember Milan amended her **Motion** to include to have the locks changed as soon as possible. Seconded by Councilmember Stapleton.

Mayor Wohr called the roll be for amending the motion.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Councilmember Milan amended her **Motion** to read that the annex be sealed and only give access for the purposes of the investigation to Marjory Johnson and anyone in her presence and the locks be changed as soon as possible. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr said we would take some items out of order because some people were waiting.

N. **Consideration and Action on hardship application for Special Use Permit and building permits for 210 Main Street.**

Motion was made by Councilmember Milan that we not issue the hardship application for Special Use Permit and building permits for 210 Main Street. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

K. **The City Council will meet in Executive Session to deliberate the evaluation and duties of the City Manager according to Section 551.074, Texas Government Code.**

Mayor Wohr opened the general session of the meeting at 2:50 a.m. September 13.

L. **Action, if any, from Executive Session.**

There will be no action at this time pending completion of Denton County Sheriff's Department investigation and additional information gained from the investigation of the Community Development Department.

M. Consideration and Action on appointment of acting director for Community Development Department.

Motion was made by Councilmember Johnson to appoint Beverly Weikum as the Community Development Supervisor. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

O. Consideration and Action on Resolution for a moratorium on R-3 Multifamily Residence Districts.

Motion was made by Councilmember Stapleton that we approve the Resolution for a moratorium on R-3 Multifamily Residence Districts. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

P. New Business

Q. Adjourn

Motion to adjourn was made by Councilmember Johnson. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 7, 2000, at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Fairburn, Police Chief Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Gene Tisdale, 524 Howard, asked the Councilmembers to look closely at the budget. He feels there have been some mistakes in the past. He expressed concern about:
Concrete were poured in Overly that probably took 7 or 8 yards of concrete and cost approximately $4500.
Two large vacuum trucks had come to pick up the leaves on North Lakeview. The vacuum truck did not work and the leaves had to be raked up.
During the election before this last one he had heard 150 - 300 signs had been picked up. How much did that cost the City?
He said he understands that the City paid $35,000 for a drainage and road print several years ago. Now the City has paid $500,000 for this same print.
Peachtree Construction had come in and paved Meadowbrook and that was a waste of time. That street was done before we hired the street inspector.
He heard that $80,000 was 'put in the pot' by the developer of Thousand Oaks. He saw Jeff Krueger give us $100,000 from Denton County. This money was supposed to have been used for a bridge on Shady Shores.
How many businesses have left Lake Dallas and the reasons why.
How many businesses have been brought in by the City Manager?

Bob Davis said he was there for the Truman Harp thing.

Margaret Tisdale, 509 Howard, asked Council to remember the Kings Manor drainage ditch.

Carolyn Green, 201 N. Shady Shores, asked Mr. Tisdale where he got his information about the bridge money. She said we have 8 food vendors for the FallFest. Vikki will bring pony rides and have a bake sale. She wants every Councilmember at the Fallfest.

Mayor Wohr closed the Citizens' Agenda at 8:00 p.m. because no one else came forward to speak.

Mayor Wohr said that based on Mr. Harp's health we have to re-set items E, F, G and H until Tuesday. The mayor apologized and said we placed the items on the agenda before we were made aware of all the factors.

I. Consideration and Action Harbourtown agreement.

Motion was made by Councilmember Stapleton to accept the Harbourtown compromise settlement agreement as amended. Seconded by Councilmember McInnish. The first sentence of the second paragraph of Item 1, Allowed Construction, to read: The allowed location of these structures is designated on the attachment, Exhibit A, incorporated in this Agreement. The second sentence of this same paragraph to read: Any zoning regulations of Lake Dallas that would prohibit the construction of the above listed structures will not be enforced in order to allow for the construction of the buildings as delineated on Exhibit A.
Ayes: Councilmembers Milan, Stapleton, and McInnish
Noes: Councilmembers Johnson and Harper
Motion Passed

Mayor Wohr called for a break at 8:35 p.m.

Mayor Wohr called the meeting back to order at 8:50 p.m.

E. Budget Review and Work Session

G. New Business

All permits should be signed by the building inspector or person under contract and also signed by the City Manager.

City Manager Fairburn handed out a draft of the September 12 meeting agenda.

Agenda for Tuesday's meeting needs a moratorium on R-3 property.

The Appeals Board recommendation will be on September 14 meeting agenda.

Denton is asking other cities to join in their lawsuit against TXU.

F. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:27 p.m.

Steve Wohr
Mayor

Beverly Welkum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 5, 2000, at 7:45 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Staff present: City Manager Fairburn, Police Chief Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Mayor Wohr closed the Citizens' Agenda at 7:47 p.m. because no one came forward to speak.

E. **Consideration and Action Harbourtown agreement.**

Motion was made by Councilmember Harper to table this item until we get a map and things to go with it. Seconded by Councilmember Johnson.
Ayes: Councilmembers Johnson, Stapleton, and Harper
Noes: Councilmember Milan

Motion Passed

F. **Budget Review and Work Session**

City Manager Fairburn presented the budget and options to the Councilmembers.

Mayor Wohr called for a break at 9:20 p.m.

Mayor Wohr called the meeting back to order at 9:40 p.m.

There was more budget discussion.

Mayor Wohr had to leave at 10:55 p.m.

G. New Business

A meeting should be planned with the Drozds' regarding the marina area.

A copy of the consulting agreement should be given to the Councilmembers and City Manager Fairburn.

Can the marquee sign be placed on the railroad property?

Chief Ristagno said the Code Enforcement Officer was placed on administrative leave but not as a disciplinary action. It is an effort to keep the two parties from facing each other. A meeting with the City Attorney is scheduled for Tuesday night in Executive Session.

G. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:02 p.m.

Steve Wohr
Mayor

Beverly Welkum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 29, 2000, at 7:40 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Harper was late. Staff present: City Manager Fairburn and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**
John Schuh, 737 Harbour Town, said he had spoken with Mr. Steve Free this afternoon. He said he doesn't want to compromise the other people involved and asked that the City contact the rest of the residents who would be affected. Mr. Schuh suggested a compromise between the developer and the City.

Tom Curtis, 514 Oak Lake Drive, said there was an ugly fence going up in the Oak Lakes Subdivision. He said it sticks out and the posts are on the outside. He feels it should conform to the standards for the area.

Mayor Wohr asked for the address where the fence is being built. Mr. Curtis said he would guess the address to be 523 Oak Lake. Mayor Wohr asked Mr. Curtis for his telephone number and said we will look into the options and advise him.

Mayor Wohr closed the Citizens' Agenda at 7:57 p.m.when no one else came forward to speak.

E. **Budget Review and Work Session including:**

1. Presentation from Lake Cities Library.

Vicki Carusi said she would just hit the highlights of their budget. The Councilmembers had received a letter with a copy of the library budget. They are attempting to get funding based on per capita basis from the lake cities. Corinth has budgeted $28,750. Shady Shores and Hickory Creek have not committed at this date. They are asking for a substantial amount due to the need to expand.

Mayor Wohr called for a break at 8:35 p.m.

Mayor Wohr called the meeting back to order at 8:45 p.m.

Mayor Wohr asked Council if it would be all right to hear item 3 before item 2 since there were representatives there from the Parks and Recreation Board. It was agreed to take the items out of order.

2. Discussion on festivals and special events.

Neal Malone said the Parks and Recreation Board objected to moving the Fallfest from the park to Main Street. Work had begun for the Fallfest at the July 6 meeting. They have started work for the tree lighting in December. Hickory Creek is working with us again this year for the Fallfest.

Carolyn Green said a street dance for Halloween would be good. Gary Johnson said a haunted house could be set up in the back yard at 209 Main Street. He wants no dance associated with the house.

Carolyn Green said that starting this Friday and every Friday except September 8 there was a breakfast for the football coaches at the VFW. Each breakfast is sponsored by a business.

Tony Robinson, 331 Ashley Oak Lane, said there would be a 5K run this year. They have worked with the Police Department for mapping routes.

Neal Malone said the next Parks and Recreation meeting will be joint with Hickory Creek's Parks and Recreation. The meeting will be at 7:30 p.m. at the Community Center and there will be a potluck supper.

Mayor Wohr said we would get flyers out to all the schools.

3. Information on Economic Development coordinator.

William Mitchell, Denton, Texas introduced himself and gave some of his background. He gave some suggestions on what might be done to bring more business to the City. He suggested meeting with John Pollster of Denton County about getting another southbound exit for Lake Dallas and Hickory Creek. He asked if the City had a 5-year growth plan for the Economic Development. We do not. City Manager Fairburn said there is a long-term plan by the TX DOT to raise I-35 E and then Tuberville Road and Hundley could meet below the freeway. Mr. Mitchell said he was looking for $2000 to $2500/month on a month to month basis and contract could be canceled at any time.

F. Consideration and Action on holding a Public Hearing on a proposal to increase total tax revenues from properties on the tax roll.

Motion was made by Councilmember Johnson to hold a Public Hearing on a proposal to increase total tax revenues from properties on the tax roll on September 14. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

G. New Business

A restaurant owned by people from Sanger is going in at Main and Alamo.

Progress on restructuring and moving annex into City Hall offices. An estimate from Daniel's Air Conditioning was less than $4000 to install a unit for the back of building.

There are people trying to put a club in at the old Chalker's location while we have a moratorium on C-3 on Main Street. They will need a Special Use Permit which would have to come before Council.

Bonnie Garcia had received some complaints about how the trailer fire was handled.

City Manager Fairburn said he would look at the setbacks and zoning regarding the fence in Oak Lakes.

When will the Appeals Board recommendation come before the City Council?

With the Building Official on administrative leave we are using Metro-Code for our inspections.

H. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:02 p.m.

Steve Wohr
Mayor

Beverly Welkum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 24, 2000, at 7:36 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Mayor Wohr was late. Staff present: City Manager Fairburn and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**
Carolyn Green, 201 North Shady Shores, reminded everyone that FallFest is on October 7 and said that the entertainment is lined up.

Mayor Pro-Tem Stapleton closed the Citizens' Agenda when no one else came forward to speak.

E. **Business:**

1. Consideration and Action on contract with financial auditor.

Motion was made by Councilmember Johnson to approve the contract for financial auditor with Pingleton, Howard and Company. Seconded by Councilmember Milan.

Ayes: Mayor Pro-Tem Stapleton and Councilmembers Milan, Johnson, and Harper
Noes: None

Motion Passed

2. Consideration and Action on a Resolution approving the Fiscal Year 2001 Financial Plan of the DENCO Area 9-1-1 District.

Motion was made by Councilmember Johnson to approve the Resolution for the Fiscal Year 2001 Financial Plan of the DENCO 9-1-1 District. Seconded by Councilmember Harper.
Ayes: Mayor Pro-Tem Stapleton and Councilmembers Milan, Johnson, and McInnish
Noes: None

Motion Passed

F. Workshop:

1. Review of uses for Commercial zoning requirements.
2. Review of M-1 zoning requirements.
3. Review of uses and procedures for Special Use Permits.

Since all three items were related in some manner it was decided to discuss the three items at the same time. City Manager Fairburn said that it is mostly a matter of housekeeping: getting rid of some old language and descriptions in the Municipal Code. Those businesses already established may have a non-conforming use for a certain type of zoning and would be grandfathered.

Mayor Wohr arrived at 8 p.m.

There was discussion about setbacks, geographic mapping, screening, and parking. The Certificate of Occupancy process needs to be used to achieve a record of types of businesses and dates. City Manager Fairburn said that the Planning and Zoning Commission recommended 25' setbacks on commercial properties. He said we could have the Main Street area as a separate district with separate setbacks. The Planning and Zoning Commission is talking about a Planned Development Unit for the Swisher Road extension. The Economic Development Committee is looking at some concepts to present to Council.

Special Use Permits should have step-by-step guidelines and needs a policy. Zoning, traffic impact, and setbacks should be part of the guidelines. This same type of process could be used for building permits.

Linwood Gilliland, 703 Payton Street, said the people with the boat shops by the marina can't get everything inside a building and suggested inviting them to a meeting. City Manager Fairburn said that is in the schedule for the Planning and Zoning Commission. Mayor Wohr said the Corps regulates how many boats can operate on the lake which also regulates parking.

City Manager Fairburn said he thinks he can get back to the Council with the Main Street concept in December. Mayor Wohr suggested that proposed zoning changes be shown to Fire Chief Thompson regarding ISO rates.

Mayor Wohr called for a break at 9:06 p.m.

Mayor Wohr called the meeting back to order at 9:20 p.m.

G. New Business

The marquee sign has not been ordered yet.
FallFest advertising in Denton and Lewisville papers.
Restructuring of Community Development.
Public dedication for brick sign at the park.
Change e-mail addresses.
Policies and procedures for the Appeals Board.
Schedule of Public Hearing and Consideration and Action on Building Official.

H. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:30 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 22, 2000, at 7:35 p.m., in the City of Lake Dallas Council Chambers, 303 Alamo Avenue, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:** The following members were present and constituted a quorum:

Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Mayor Pro-Tem
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr arrived after Roll Call. Members of Staff present were City Manager Fairburn and City Secretary Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

C. **Citizens/Visitors Agenda**

Norma McAlavy, Kingswood, Oakwood 25, said she has lived there 18 years and it's been an upward battle. She had found a newspaper from 1987 asking for things to be cleaned up in Kingswood. It's time to reconsider the department that does this and help them and everyone. She doesn't like to see people profit and pad their pockets by what they're doing and she feels that's what has been happening.

Mayor Wohr arrived at 7:49. Mayor Pro-Tem Stapleton turned the gavel and the meeting to the Mayor.

Linda Rapp, 213 Pecan, has the same sentiments as Mrs. McAlavy. She said they had been told it was the citizens of Kingswood duty to report any problems and the City would take care of enforcement of code violations. She said the difference between their mobile home park and Lake Haven was like night and day. She said Kingswood was getting to be like a pigsty and something needs to be done. She said the Code Enforcement used to issue warnings but don't anymore. We need to change the department and soon.

Herbert McAlavy said he relinquished his time.

John Schuh, 737 Harbourtown, is concerned because of this mess. He went to the office today to look at the code. He said it's impossible for that building to be constructed without having a variance issued. Every time he's been in that office he's been treated considerately and politely but he doesn't get the information he's after. One time he went there and the file that he was interested in could not be located.

Mayor Wohr made the announcement that Mr. Harp has had some difficulties with his health and is presently hospitalized. We are not going to go forward on this tonight because the Building Official had made a specific request that he be present for the performance evaluation and could be here in order to talk with the Council directly. We will not have that hearing tonight. He said if anyone would like to speak to that issue at this point he would allow that at this time.

Bob Davis, 73 Lakeridge, came about the Truman Harp issue. He was curious about how the agenda had been put together as related to Items G, H. and I.

Mayor Wohr said the reason for that is because an employee review is usually made in executive session but the employee has a right to request a public session. City Manager Fairburn said the Public Hearing on Item I should also be tabled.

Diane Tisdale relinquished her opportunity to speak.

Gene Tisdale, 524 Howard, was glad someone else had the same problems he had with getting information from the City. He said today he had received a copy of a letter. He said it looked very professional and asked if Truman Harp had written it. He was told that someone else had written it and Truman Harp had signed it. Gene wants to know where the letter is that Mr. Harp was supposed to have written.

Mayor Wohr said if an item is not in a file on a particular subject we would have no way to make a copy. All information is generally public information. Mr. Tisdale said he feels there are some red flags out there that need to be answered.

Margaret Tisdale relinquished her time.

Mayor Wohr asked if anyone else would like to speak on the Citizens Agenda.

Linwood Gilliland, 703 Payton, said he had good news. We are going to vote in the City of Lake Dallas. He thanked Mayor Wohr, City Secretary Weikum, and the City Council. He said that decision has made a lot of people proud.

Mayor Wohr closed the Citizens Agenda at 7:55 p.m.

Mayor Wohr said Items E and F will not be addressed tonight. Other things need to be resolved first. Items G, H, I and J will not be on the agenda tonight either since Mr. Harp had been hospitalized.

E. Executive Session:
The City Council will meet in Executive Session for consultation with the City Attorney regarding the proposed multi-family development in the Harbourtown/Lakebridge area according to Government Code 551.071.

F. Action, if any, from the Executive Session.

G. Executive Session:
The City Council will meet in Executive Session to review the performance evaluation of the Building Official and the recommendation of the City Manager according to Government Code 551.074.

H. Action, if any, from the Executive Session.

I. Public Hearing concerning the performance evaluation of the Building Official and the recommendation of the City Manager.

J. Action, if any, from the Public Hearing.

Motion was made by Councilmember Milan to table Items E. F, G. H, I until further notice. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

K. New Business

Volunteers are needed for the City Park fence. We need assistance with the welding.

ADA requirements will be addressed after budget time.

The Lake Cities Library will be present at next Tuesday's meeting regarding budget.

The rest of Lakeview will be paved when Jagoe gets their machine repaired.

City Manager Fairburn gave the Councilmembers a copy of the new business items that will be on the August 29 agenda.

L. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 8:12 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 19, 2000, at 12:00 noon in the City of Lake Dallas Council Chambers, 303 Alamo Avenue, with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Milan was excused. Staff present: City Manager Fairburn.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

C. Citizens/Visitors Agenda
No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

E. **Executive Session:**
The City Council met in Executive Session at 12:05 p.m. for consultation with the City Attorney regarding the proposed multi-family development in the Harbourtown/Lakebridge area according to Government Code 551.071.

Mayor Wohr called the meeting back to order at 1:26 p.m.

F. **Action, if any, from the Executive Session.**
Motion was made by Councilmember Johnson that Council authorize the City Manager and Attorney to negotiate an agreement with the developer within the parameters proposed by the developer. Seconded by Councilmember McInnish.

Ayes: Councilmembers Johnson, Stapleton, McInnish and Harper
Noes: None

Motion Passed

G. **New Business**
Someone had expressed concern about a report that a developer was planning to put storage buildings on the property behind Ace Hardware. City Manager Fairburn said he had no knowledge of that.

Concerns were raised about the tree on property between Thompson and Cain.

H. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Stewart Fairburn
City Manager

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 15, 2000, at 7:30 p.m., at the Community Center, 302 S. Shady Shores, with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Members of Staff present were City Manager Fairburn, Building Official Harp, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr did not lead a Pledge of Allegiance because there was no flag in the Community Center.

D. **Citizens/Visitors Agenda**
Margaret Tisdale, 509 Howard, said what's going on with the Building Official. She's been here thirty years and thinks he is the most knowledgeable there's ever been here.

Gene Tisdale, 524 Howard, said he feels about the same as Margaret Tisdale. He said he doesn't know what the charges are so he doesn't know how to respond. Years ago the Building Official had red-tagged a breaker box at the school and everyone was thankful for that. He's real sharp on the electrical and plumbing.

Rod Courtney, 162 Kingswood, said he came to see what the reasons are. Now he sees it will be discussed in an Executive Session so the citizens won't know what's being discussed.

David Shershen, 166 Kingswood, said if there is a problem you need to seek out the whole problem and try to correct that problem. He said he did not envy the Councilmembers and that he trusted them to find the best solution.
Mayor Wohr closed the Citizens' Agenda at 7:45 p.m.

E. **Executive Session:**
The City Council met in Executive Session at 7:50 p.m. to review the performance evaluation of the Building Official and the recommendation of the City Manager according to Government Code 551.074.

Mayor Wohr called the meeting back to order at 8:40 p.m.

F. Action, if any, from the Executive Session.

Copies of the evaluation were handed out to those present.

Motion was made by Councilmember Stapleton to table this item concerning the City Manager's evaluation of the Building Official until the August 22 meeting in a public hearing with paid administrative leave for the Building Official in the interim. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Wohr called the meeting back to order at 8:40 p.m.

G. Workshop:

1) **Council Goals**
2) **Budget Review**
   a) **Financial Plan**
   b) **Pay Plan**
   c) **Major Issues**

Use a professional, not a volunteer, to aggressively work on sales tax revenue at an annual cost of $25,000.
Not all dollars have to go for streets – put some in buildings: City Hall, Rec Center/Boys and Girls Club/Library.
Move annex back to City Hall.
Clean up Main Street.
Support existing businesses.
Streamline street project and park project.
Community Development and Public Works should be one department.

H. New Business

I. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 10, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4

Councilmember Harper was excused. Members of Staff present were City Manager Fairburn, Police Chief Ristagno, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**
Carolyn Green, 201 North Shady Shores, said we are losing another business. Tim's Produce will close on Saturday. We are a dying city and if something isn't done, it will die. We have to do something. She also said she wants Administration, the Police Department, the Street Department, Community Development and the archives all under one roof. The employees could work easier, faster, and better. This building is not good enough.

Patrick Connors had signed to speak on the Citizens' Agenda but wanted to talk about another issue.

Margaret Tisdale, 509 Howard, said she doesn't think most people know about the park behind the Community Center. We need signs to advertise its location.

Mayor Wohr said after school starts we will advertise again. We had handed out many flyers at the schools just as school was ending in the spring.

Mayor Wohr closed the Citizens' Agenda at 7:43 p.m.

E. **Presentations:**
Christy Burgess -- Parks and Recreation Board from January 9, 1997 to August 1, 2000.

Mayor Wohr asked Christy Burgess to come forward to the dais. He gave Ms. Burgess a Certificate of Appreciation for her years on the Parks and Recreation Board. He said a city is only as good as its volunteers. He said we appreciate all the groundwork she had done towards the parks and the FallFest with Hickory Creek. She received a standing ovation from Council.

F. Business:

1. Consent Agenda:

a) Consideration and Action on Parks and Recreation Board appointments and reappointment.
b) Consideration and Action on Community Center rental regulations.
c) Consideration and Action on approval of DCAD Budget.
d) Resolution for City of Dallas to protect Lewisville Lake water level.
e) Resolution exempting certain vehicles from exempt license plate and identification requirements.
f) Consideration and Action on employee dental plan.
g) Consideration and Action on appointment of Harlan Jefferson to the Denco Area 9-1-1 District Board of Managers.
h) Approval of July financials and Accounts Payable.
i) Approval of Minutes for July 13, 2000 Council Meeting.

Councilmember Stapleton asked that items b and h be pulled from the Consent Agenda.

Motion was made by Councilmember Johnson to accept the Consent Agenda with the exception of items b and h. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

Item F-1-b: Consideration and Action on Community Center rental regulations.

During Council discussions comments were made from the floor.
Bill LaBarr, pastor of the Methodist Church and member of the Chamber of Commerce said the Chamber has always paid rental for use of the Community Center.
Carolyn Green said the Chamber used to rent some office space there until the library needed more room.
Christy Burgess said that, speaking from her position with the City of Dallas, Dallas rents their center using different rates for non-profit organizations and private parties.

Mayor Wohr closed the public input.

Motion was made by Councilmember Stapleton to create a two-tier fee policy for the civic center with a fee for bona fide non-profit organization and another fee for private individuals and that we allow the Chamber of Commerce free use and the organizations listed on the cover sheet of Agenda Item F-1b (Happy Hearts [Senior program with luncheons twice a week]; Lake Cities Soccer Association [youth soccer program with occasional meetings and an annual appreciation night]; Contracted recreation programs [currently gymnastics and cheerleading]; Senior Dinner[Senior program, one day a year]; Birthday Club [one lunch a month]; Boys and Girls Club [Halloween Party]) to retain their current status and that the inspection fee be removed. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

Item F-1-h: Approval of July financials and Accounts Payable.

Motion was made by Councilmember Stapleton to approve the July financials and pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

2. **Public Hearing on rezoning the west 375 feet of Tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.**

Mayor Wohr opened the Public Hearing. No one came forward to speak so Mayor Wohr closed the Public Hearing.

3. **Consideration and Action on rezoning the west 375 feet of Tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.**

Motion was made by Councilmember Johnson that we rezone the west 375 feet of Tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west to C-2 from M-1. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

4. **Consideration and Action on final design for Carlisle and Main reconstruction and bid documents.**

Tom Hoover of The Hoover/Klein Group gave his report. He said Carlisle Drive has been revised. It is a two-way street and Sargent Street will be done. The cost for the two streets combined will be about $32,000. Main Street will be a rehab with a width of 24 feet. The bridge will only receive an overlay and the cost will be approximately $100,000 because a guardrail has been recommended to be placed at the bend where there is a 6 - 8 foot drop-off. They have the spec books ready.

Motion was made by Councilmember Milan to accept the final design on Carlisle and Main and move forward as quickly as possible. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: **None**

Motion Passed

5. Consideration and Action on re-routing drainage at Lake Cities United Methodist Church/Hundley and Falcon.

There was discussion by Tom Hoover, Pat Connors, Rev. Bill LaBarr, City Manager Fairburn, and the Councilmembers. This ditch is one of several natural drainage ditches in our city. It is not common for a city to incur the cost for changing a drainage ditch on private property. City Manager Fairburn said we had been thinking about doing some maintenance on the ditch but not redesign it. The proposed cost is $56,000. Mr. Hoover said it would cost $14,000 to move the utilities.

Motion was made by Councilmember Johnson to direct Staff and the City Engineer to draw up a contract in conjunction with the church to address the drainage ditch.
Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish.
Noes None

Motion Passed

Mayor Wohr called for a break at 9:10 p.m.
Mayor Wohr called the meeting back to order at 9:30 p.m.

G. Workshop:

1. Presentation of FY 01 Proposed Budget

City Manager Fairburn presented the proposed budget for year-end September 30, 2001.

2. Personnel Manual

This will be addressed in a future meeting.

H. New Business

The letter to Don Alexander, Denton County Elections Administrator, requesting that early voting be brought back to Lake Dallas will be taken to the Lake Cities Sun to be published in next week's paper.

The Lewisville Lake resolution will be sent to Dallas immediately. Letters including the resolution will be sent to the cities around the lake at a later date asking for their support.

The Building Official's been off so no progress has been made on the tree issue. We will find out whose property it is on and check the ordinances regarding private property. We may need to get an estimate to have it trimmed and/or removed.

We will need more information on the Steve Free building projects in Lakebridge.

Oak Lakes North project is developing.

Dorothy Walkup works in Flower Mound and commented to a Councilmember that whenever she spoke with anyone at our City Hall it has always been very pleasant.

We need to discuss a Founders' Day celebration and have it at City Park. We have not received the information from Ms. Gougeon yet. We need to mention this to the Parks and Recreation Board. We could sell bricks like had been done several years ago. The American Legion wants to bring a road rally into Lake Dallas.

We have not heard anything from the Town of Hickory Creek regarding the annexation process for Folley Beach. We need to set up another luncheon with Hickory Creek's mayor.

I. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

Meeting was adjourned at 10:55 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special called meeting on August 7, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4

Councilmember Harper was excused and arrived later.

Staff present: City Manager Stewart Fairburn.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Citizens/Visitors Agenda

No one came forward to speak so Mayor Wohr closed the Citizens' Agenda.

E. **Business:**

1. **Consideration and Action on a Resolution placing a moratorium on the acceptance for filing and the issuance of building permits, occupational or business permits and licenses, including liquor licenses and permits, and all other development permits for construction and/or development for all properties currently zoned as C-3 in the Downtown District along Main Street from Denton Drive to Thompson Drive and along Thompson Drive from Main Street to Lakeview Drive; providing that such moratorium shall expire after ninety (90) days or disposition of zoning change proceedings with regard to such district, whichever comes first.**

Motion was made by Councilmember Johnson to approve the Resolution.
Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and McInnish
Noes: None

Motion Passed

F. Executive Session:
The City Council will meet in Executive Session for consultation with the City Attorney regarding the proposed multi-family development in the Harbourtown/Lakebridge area according to Government Code 551.071.

Councilmember Harper arrived at 8:15 p.m. during the Executive Session.

G. Action, if any, from the Executive Session.

Motion was made by Councilmember Johnson that we revoke permits on Lots 14 A, B, C and D and Lots 66 and 67 on Cain and sustain revocation of 16 A & B on Harbourtown and Lots 20 A, B, C. and D on Lake Highland and also ask the City Manager to take action to stop the building immediately. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish and Harper
Noes: None

Motion Passed

H. New Business
Council asked that City Manager Fairburn schedule for the August 15 meeting an Executive Session to discuss the performance of the Building Inspector.

There was Council discussion about the upcoming Resolution and letter to the City of Dallas asking that more water be released for Lewisville Lake.

I. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Stewart Fairburn
City Manager

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 3, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Mayor Wohr arrived after the Roll Call. Members of Staff present were City Manager Fairburn and City Secretary Beverly Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

John Schuh, 737 Harbourtown Drive, expressed concern with the development on Cain Street. He said his greatest concern is the parking; he does not want street parking. He is also concerned with the quality of the building.

Linwood Gilliland, 703 Payton Street, said a creek runs behind his property and several trees have been torn up when the water comes down from the Garza area. He recently cut two trees down and then another fell against one of his trees. He contacted the City Manager who contacted the Corps of Engineers when it was determined that the tree was on Corps property. The tree has been removed and he wanted to thank the City Manager.

Mayor Pro-Tem turned the meeting over to Mayor Wohr at 7:45 p.m.

Carolyn Green, 201 North Shady Shores, asked what good the Economic Development Committee was going to be when we have the current City Hall and Main Street needs to be cleaned up. We have to have a good image for Lake Dallas and need a new City Hall.

David Walker, 801 Cain, expressed his concern with the lack of drainage where the new construction is going on there on Cain Street.

Margaret Tisdale, 509 Howard, is unhappy with how the Kings Manor Drainage Ditch was repaired. There are still some cables sticking up out of the ground and broken blocks were used. She would like to have the Councilmembers walk down it and look at it. She doesn't like to see tax money wasted on poor workmanship.

Bobby Shikle, 712 Thompson Drive, is concerned with the drainage for the construction on Cain Street. The lot sits 17 inches lower than the street and Thompson Drive already gets more water run-off than it should. The City Manager has told him we don't have ordinances regarding drainage.

His second concern is a large tree (probably 5' in diameter) that has fallen. It poses a

big danger in that a 2 year old boy plays there and it could also be a fire hazard. He said staff has not given him any answers as to what can be done about the removal of this tree.

He also said that when he left the City Council there was $250,000 for the streets. He said the City Manager told him that we've spent approximately $7500. Lets get some work done on the streets.

David Owen, 611 Lake, said it's been 7 months since his last formal contact with the Councilmembers and City Manager Fairburn. He asked what the findings have been and what can the City hold the Contractor to.

Mayor Wohr said that as we are aware, there's possible litigation on that subject and that prohibits any discussion on the subject.

David Owen said he feels some monies are still owed to him. He said that in accordance with the Charter he is asking the City Secretary to start the procedure for him to go before the Appeals Board as soon as possible on the pay issue.

He also asked that something be published in the paper about the streets and not be so secretive. Mayor Wohr said there is nothing secret about it. There have been several meetings lately. Mr. Owen said he would like to publicly request more information be given to the newspaper about the street projects.

Mayor Wohr closed the Citizens' Agenda at 8:08 p.m.

E. Business:

1. Public Hearing on preliminary design for Carlisle and Main projects.

Tom Coulter, 314 Carlisle Drive, said he's glad something will be done with Carlisle. His concern is the figure of $30,000 for the street. He doesn't feel there is much boat traffic on that street any more. He feels the City should wait until it has more money and do the street repair right. The City should fix the street and leave the flow of traffic alone.

Fred Stevens, 125 Harmony Lake, Hickory Creek, said making Carlisle one-way from Main to Sargent would cause more air pollution, more cars would be going through school zones, and would take away from the response time for emergency vehicles.

Larry Eperjesi, 205 Carlisle, said it would hurt his business to make Carlisle a one-way street. It would also overload other streets.

Gary Johnson, 609 Cain, said he attends the Lake Dallas Church of Christ and if Carlisle is made one-way it will be out of the way for the people who come from Denton Drive. He would suggest limiting traffic on Carlisle by the use of signs.

J. W. Lively, 527 Oak Lake, said Carlisle is tearing up our cars. He said we do need to build up traffic on Main Street but that Carlisle should be 2-way and perhaps it could be wider.

Mayor Wohr said widening the street would bring a new set of problems: the City would have to take some property in order to do the drainage and some trees would have to be removed.

Bobby Shikle, 712 Thompson Drive, said Carlisle should already have been done. He doesn't think an overlay is the answer and cited Thompson as an example of why not.

Ivan Bounds, 440 Betchan Street, said we should divert the trucks and boats and have them come down our good Main Street. He said Sargent and Betchan are in bad shape.

Bill Jacobs, 610 Sargent, said the one-way would divert traffic onto Sargent. It is only a 10' street with a 5' easement.

Jim Parrotte, 427 Carlisle Drive, said he has worked for a road building company for 35 years and doesn't think an overlay will solve anything. He said leave Carlisle as it is and fix it.

Wanda Vogel, 613 Sargent, said there are only 6 houses on that street and they try to accommodate their neighbors when they meet them on the street. They do not want more traffic and trash on their street.

Martin Lucas, 609 Sargent, said he believed all the issues he was concerned with had already been raised.

Toni Smith, 709 Payton, owns the daycare at 315 Carlisle and supports everything that's been said. They have two locations and if the parents have to drop children off at both places it would be an inconvenience if part of Carlisle is one-way.

When Mayor Wohr called David Owen's name from the list of names for the Public Hearing, he was not in the chambers. Mayor Wohr then read Jim Parrotte's name but he had spoken earlier.

Carolyn Green, 201 North Shady Shores, said it is wonderful to see so many people here and to hear what they've said. She said she's been at the previous meetings and these people haven't. They have not heard the Councilmembers agonize over what to do.

Sue Whitman, 427 Carlisle, asked how wide the street is now. She also asked why make it wider and one way.

J. W. Lively, 527 Oak Lake, told the Councilmembers their job is very difficult. He said he believes the citizens have made the decision for the Councilmembers. He said the issue is that no one wants it to change; they just want a smoother road.

Mayor Wohr closed the Public Hearing and called for a ten minute break at 9:00 p.m.

Mayor Wohr called the meeting back to order at 9:18 p.m.

2. **Consideration and Action on preliminary design for Carlisle and Main Projects.**

Tom Hoover of The Hoover Klein Group said the plan is a preliminary plan and not set in stone. The actual proposed project is a 1 1/2" overlay on the existing street. He said the street is narrower than COG recommends. He said he could live with 10' lanes and would be comfortable with 11' lanes plus shoulders. With the overlay patch and repair will be necessary in a couple of years. There will be moisture cracks, more movement, more cracks. If rehab is done but the ditches are not improved the City would probably have to do patch and repair in the same amount of time allowed with an overlay.

Motion was made by Councilmember Milan to do the very best we can on Carlisle to fix it without removing any trees, without taking anyone's yard, and in addition to put up a sign: no boats, no large trucks. Seconded by Councilmember Harper.

There was Council discussion.

Councilmember Milan amended her **motion** to be an overlay, 2-way, don't take any trees and nobody's property and we need signs: no boats and no large trucks. Seconded by Councilmember Stapleton.

Mayor Wohr asked the City Secretary to call the roll for those in favor of amendment to the motion.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

The motion to amend passed.

Motion was made by Councilmember Milan that Carlisle be an overlay, 2-way, take no trees and nobody's property and we need signs: no boats and no large trucks. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on recommendations and costs for additional street projects.**

Tom Hoover, said he is not recommending overlays on the streets identified on Street Group B because they are all in such bad shape and the maintenance could not be kept up with. Mr. Hoover said the Street Group C inventory has not been done yet. City Manager Fairburn said he does not recommend rehabs on those streets that are 10' wide. Mayor Wohr said Council could set up a workshop and advise the engineers of their decision and the engineers could then group streets together for bids. Council also asked if they could get a schedule for completion after bids are let. City Manager Fairburn said the streets projects could be looked at during the budget workshops.

Motion was made by Councilmember Stapleton to accept the report. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. Consideration and Action on the FY 01 Budget review schedule.

Motion was made by Councilmember Stapleton to approve the Budget review schedule. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. Workshop:

1. Community Center contract with Lake Cities Chamber of Commerce.

Council discussion was that the Chamber of Commerce, non-profit, civic organizations, neighborhood associations, etc. could use the Community Center without paying any rental fees.

2. Council Policies

3. Personnel Policies

Mayor Wohr suggested we bring back the Council Policies and Personnel Policies to a later meeting.

G. Adjourn

Motion was made by Councilmember Johnson to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned 10:35 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on July 13, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Members of Staff present were City Manager Fairburn, Police Chief Ristagno, Police Lt. James Lowery and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Georgina Gougeon, 717 Cain/P.O. Box 1311 - gave the Councilmembers and City Manager a copy of a letter received on March 21 from the City Manager detailing the costs to date of the Kimley Horn contract. She requested and update of the total amount that has been paid to date to Kimley-Horn Engineers. She asked where the money would come from for a new City Hall. Will it go before the citizens for a vote? She thinks several citizens in town need to be recognized as founders, i.e., who established the water department and gas department and who did the initial paving of Hundley. These people need to be acknowledged.

Mayor Wohr said we should have a Founders' Day and asked Ms. Gougeon if she would provide the Councilmembers with a list of names.

Rod Courtney, 162 Kingswood, said he was sure there was no immediate plan for a new City Hall. He said that might be a use through the new Economic Development Committee. He suggested that the current front offices be remodeled to provide the City Manager with a larger office. Ms. Gougeon said she believes the City Manager needs an office and suggested a portable building could be put in the Public Works yard.

Mayor Wohr said it was his hope to develop a real community center with a gym and then convert the present community center into a new City Hall. He said it is an undesirable situation with the Annex being on Denton Drive away from City Hall.

No one else came forward to speak so Mayor Wohr closed the Citizen's Agenda at 7:42 p.m.

E. Business:

1. Consent Agenda

A: Consideration and Action on an ordinance establishing the 4th Thursday meeting as a regular council meeting.
B: Consideration and Action on design and cost for marquee sign for City Park and for the Community Center.
C: Consideration and Action on contract for tax collections (Mary Horn).
D: Consideration and Action on reinstitution of the technology fee for Municipal Court fines.
E: Consideration and Action on June financial reports and accounts payable.
F: Approval of Minutes for meetings on June 8, June 13, and June 22, 2000.
Addendum: Item E-1-G: Consideration and Action on resolution authorizing the City Secretary to issue a water well permit for 718 E. Hundley Drive.

Motion was made by Councilmember Stapleton to approve all Consent Agenda items. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Public Hearing on proposed Zoning District Changes M-1 Light Industrial to C-2 Commercial and R-1-6000 Residential for tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.

Linwood Gilliland, 703 Payton Street, said it might be easier to change the M-1 descriptions and/or restrictions by an ordinance than to change the zoning.

No one else came forward to speak so Mayor Wohr closed the Public Hearing at 7:52 p.m.

3. Consideration and Action on proposed Zoning District Changes M-1 Light Industrial to C-2 Commercial and R-1-6000 Residential for tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.

Motion was made by Councilmember Stapleton to approve the eastern 125' of the mentioned property to C-2 and allow the remainder to remain M-1. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. **Consideration and Action on Resolution for moratorium on M-1 Zoning Districts.**

Motion was made by Councilmember Milan to accept the resolution for a moratorium on M-1 zoning districts. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on appointing members of Economic Development Committee.**

Names submitted by the Councilmembers were: Art Clark, Bonnie Brown Garcia, Paul Fiala, Mike Drozd, and Bruce Martin.

Motion was made by Councilmember Milan to accept the list as presented. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

After Council discussion Councilmembers Johnson and Stapleton will be liaisons and Councilmember Milan will be alternate liaison.

6. **Consideration and Action on Planning and Zoning Appointments.**

Motion was made by Councilmember Milan to appoint Mike Fahey as a regular commissioner and Lance Wilson as an alternate.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper.
Noes: None

Motion Passed

F. New Business

Mayor Wohr asked if we had the preliminary plan back on the Methodist Church drainage ditch. City Manager Fairburn said it would be in August. The Lakeview overlay should be in August.

Mayor Wohr said they had met with Hickory Creek Mayor Clarke again this month and approached him about the idea of annexation of Hook Street and Folley Beach. They will take it to their Council.

Councilmember Harper said some citizens had called her regarding citizens caring for parks other than City Park, Community Park and Willow Grove Park. City Manager Fairburn stated that long term care of parks by volunteers is difficult. The 1000 Oaks Neighborhood Association has done special cleanups and is arranging funding for some park equipment.

The mound of dirt by the railroad tracks and Anderson's carpet store will be taken care of by the City.

Mayor Wohr said we need a resolution at our August 3 meeting so we can get people to sign and send a letter to the City of Dallas and tell them how we feel about them taking our water from the lake.

City Manager Fairburn said we could buy a sound system like the one used for the 4th of July parade for about $1200 so we can use it for our other City activities. Police Chief Ristagno said the Police Department will sponsor a 'back to school' dance at the Community Center on August 18 and they would be able to use the sound system for that. Mayor Wohr said that Staff could just take care of getting the sound system.

City Manager Fairburn said the cement floor at the Community Center is difficult to keep looking clean and good. Tile flooring could be installed at a cost of under $4000. Mayor Wohr said he hates to put tile down when we would install carpet when it becomes City Hall.

G. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 8:52 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 22, 2000, at 7:37 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Milan was excused.

Members of the Staff present were Police Chief Nick Ristagno, Building Official Truman Harp and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Presentations**

Mayor Wohr had Certificates of Appreciation for Sandra McCarrie and Diane Byers. Ms. Byers was present. Mayor Wohr asked her to come forward to receive the certificate. He thanked her for her four years of committed service to the Planning and Zoning Commission.

E. **Citizens/Visitors Agenda**

David Owen, 611 Lake Drive, handed out packets to the Councilmembers. He referenced copies of a letter from City Manager Fairburn of April 14 and his letter to City Manager Fairburn on May 5. He said there were also copies of pages of the contract agreement when he worked for the City on contract labor.

Carolyn Green, 201 N. Shady Shores, Capital improvements -- improve our 'capital building;' and Economic Development Committee -- we need business so bad because we need the sales tax revenue. We're going to run out of building permit and SUP revenues. A lot of people have the misconception that the City operates on property taxes. If we're going to attract businesses we have to have something better to show them than 'what you see is what you get' when they come to our City Hall and see that you can't even go into the City Manager's office and to get a building permit you have to go to another area. It would be so much better if all our departments were under one roof. She dislikes the storage building and it is against code. We have records stored in the attic and she doesn't want the City's history to be eaten by the mice. She wants a commitment and wants to see a new building for City Hall on an agenda for discussion.

David Shershen, 166 Kingswood Drive, had two points. 1) he passed out information to the Councilmembers from years past. He said the City had a recreation program; the Councilmembers need to get volunteers and make the City exciting again; 2) he had information for the economic development committee and the Councilmembers were given copies of that.

Mayor Wohr had discussion with the Councilmembers. He then asked if anyone was there about the annexation agenda item. There were several. He asked if anyone was there for the Betchan zoning change issue. There was no one.

F. BUSINESS:

1. Consideration and Action on contract with the Hoover/Klein Group for Carlisle and Main reconstruction/overlay.

Mayor Wohr asked Mr. Hoover if they were agreeable with the addendum prepared by the City Attorney. Mr. Hoover said they were. Tom Hoover said the number is a little different on Carlisle due to the one-way. We will need to decide how to handle that -- with curb or reflectors. He said they were ready to begin.

Motion was made by Councilmember Johnson to accept the contract with Hoover/Klein Group for Carlisle and Main reconstruction/overlay. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

3. Consideration and Action on contract for Property Tax Attorney.

Mark Burroughs of Sawko and Burroughs, L.L.P. gave a presentation which included explanation of terminology on his handout for the Councilmembers. He said they enjoyed doing this work for the City and that they also work for the Lake Dallas I.S.D.

Motion was made by Councilmember Stapleton to accept the contract with Sawko & Burroughs as the Property Tax Attorney. Seconded by Councilmember Harper.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. Consideration and Action on Capital Improvement Projects (CIP) priorities.

Tom Hoover handed out the "Group A" street improvements to the Councilmembers. The streets included are: Betchan, Sargent, Church, Janet, Stephens, Overly, and 2 portions of Shady Shores. Since Church Street is mentioned in the Comprehensive Plan it was the consensus of the Councilmembers that it should be pulled from this group at this time.

Motion was made by Councilmember Johnson to accept Hoover/Klein's scope of services for Street Group A with the exception of Church Street. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a short break at 8:35 p.m.
Mayor Wohr called the meeting back to order at 8:42 p.m.

G. WORKSHOP:

3. Folley Beach annexation.

Mayor Wohr said Folley Beach is almost entirely surrounded by two cities and it won't remain in the County forever. Some of the questions from residents of Folley Beach were: what's the preliminary plan? Council will decide which direction it wants to go and talk with Hickory Creek, in an effort to keep up a 'good neighbor policy.' What does ETJ mean? Extra Territorial Jurisdiction. What time frame? Probably six months. Who's going to do it? This Council. Will there be any grandfather clauses? Yes. New construction would fall under the City's building codes. Would the residents be able to call on animal control after annexation? They have heard we have a real good service. They were told that along with improved streets and police protection the animal control service would also be available to them. They would also be required to register their pets with animal control. What happens if Hickory Creek says, 'No?' We don't know at this point in time. Mike Milisavlzevich of the Town of Hickory Creek said he was there to hear what was being said, too. Mayor Wohr thanked the residents for their input. He thanked Mr. Milisavlzevich for coming to the meeting and said we'd like to meet with their Council and Mayor.

Council discussion included concerns about water supply, cost of providing services, and method of annexation. There was consensus to go forward on this issue and Council directed the City Manager to set up a meting with the two mayors.

1. Zoning change for M-1 zoning area on Betchan.

Mayor Wohr said we need moratorium on M-1 property so the City can have some leverage w/developers.

2. Economic Development Committee Guidelines.

Steve said Stewart gave us a mission statement. Steve said big committees move too slow. Each Councilmember should bring a name to the next meeting -- someone they have talked with and the person will be committed.

H. New Business

Marj asked what about the parade. Steve said we did not have a grand marshall. Myra Crownover would be doing something w/family and Terry Lantrip, Citizen of the Year, would be out of town. They'll think of something. Betty and Steve have convertibles. Ken will drive his bug. Steve told Councilmembers to get lots of balloons and streamers. They will meet 8 a.m. at park. There may be a small marching band.

E. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Johnson.
Ayes: Councilmembers Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 10:50 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 13, 2000, at 7:12 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Ken Stapleton	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Councilmember McInnish was excused. Mayor Wohr was late.

Members of the Staff present were City Manager Stewart Fairburn and City Secretary Beverly Weikum.

B. Mayor Pro-Tem Stapleton gave the invocation.

C. Mayor Pro-Tem Stapleton led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Carolyn Green, 201 Shady Shores, said she was very proud and excited with this Council. The Councilmembers come prepared but sometimes talk too much. She said she would be at the meetings until the new City Hall and Police Department were built.

Mayor Pro-Tem Stapleton closed the Citizens Agenda at 7:16 when no one else asked to speak.

E. **Business:**

1. **Consideration and Action on engineering contract for Carlisle and Main reconstruction.**

City Manager Fairburn said the City Attorney has reviewed the general contract and it will be brought back to the June 22 meeting.

Mayor Pro-Tem Stapleton turned over the gavel to Mayor Wohr when he came in at 7:26 p.m.

E-1 (a) **Motion** was made by Councilmember Harper to overlay Carlisle. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-1 (b) **Motion** was made by Councilmember Johnson to rehab Main Street. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-2 Consideration and Action on approval of Council Policies.

Other items added to the list presented were: No discussion before the motion is on the table: amendments made to motions as separate motion, second and vote, Boards and Commissions would be on agenda for presentations only and their approved minutes to be put in Councilmembers boxes, not included as part of packets; City Manager reprot does not need to be on agenda, financials would be part of consent agenda, minutes would not reflect Council discussions.

Motion was made by Councilmember Milan to accept the council policies and procedures as presented adding those discussed tonight and leaving open for elaboration. Seconded by Councilmember Stapleton.
Aves: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

E-3 Consideration and Action on Reports.
a) Boards and Commissions
b) City Manager's Report

Motion was made by Councilmember Johnson to approve the Board and Commissions Reports and the City Manager's Report. Seconded by Councilmember Milan.
Aves: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. New Business

The quarterly agenda includes the July 22 meeting was put in Councilmembers box;
The Council Policies and Procedures incorporated into Allen's procedures will be brought back in 45 days for Council action.
The City's ADA requirements will be put in the Councilmembers boxes.
The Court Technology Fee should come back on an agenda.
Workshop on annexation of Folley Beach should be on next agenda.
The marquee signs for the Park and Community Center will be on an agenda soon.
Trash liens need to be discussed.
Staff will provide a report on Minimum Building Preservation/demolitions and on general code enforcement.

G. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Aves: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 11:05 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on June 8, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Jeff McInnish	Councilmember 4
Betty Harper	Councilmember 5

Members of the Staff present were Police Lt. James Lowery, Building Official Truman Harp and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Anna Benham, 402 Betchan, spoke regarding the Library. She is president of the seniors' organization, Happy Hearts and they meet Wednesdays and Fridays. The Cemetery Association meets there once a month and there is a gymnastics' program there. She would not want the library expansion to take away from these activities.

Thanna Bounds, 440 Betchan, spoke on the same issue. She said the Community Center was built in 1985 and is needed for the community activities.

Carolyn Green, 201 N. Shady Shores, said her persistence for a new city hall and police department is paying off. It has started some talk around town and is gaining public support. She said the Community Center should be used for public activities, not library expansion.

Elizabeth Musick, 2101 Mayfield, Corinth, said she is president of the Library Board. She said they are just exploring options at this point and that they were not asking for the facilities at this time.

Jill Rael, 19 Wolters. Hickory Creek, said she was sorry for any misunderstanding. They would plan to keep the meeting space and kitchen facilities if they did any expansion in the building.

Mayor Wohr said we have talked with the new mayor of Hickory Creek. Discussion included joint projects, library included. We hope to get some commitment from Shady Shores and Corinth.

Chuck Graham, 1013 Kings Manor, asked that something be done about Meadowbrook. He said it had been brought up at a meeting last year.

Mayor Wohr said we could get that item back on an agenda. Since no one else asked to speak Mayor Wohr closed the Citizens Agenda at 7:50 p.m.

E. Presentations

Mayor Wohr had Certificates of Appreciation for outgoing Parks and Recreation Board members Sandra McCarrie and Leslie Spraggins as well as for Planning and Zoning Commissioners Diane Byers and Marjory Johnson. Councilmember Johnson accepted her certificate. The others were not in attendance.

F. Business:

1. Public Hearing on Special Use Permit for a daycare operation at 409 Columbia Circle.

Tricia Eason, 407 Columbia Circle, spoke and said she hates that this has torn their neighborhood to pieces. She is in favor of the daycare.

Connie Young, 630 Wildwood, spoke on Shay's behalf. She thinks it's a good idea.

Robert Clark, 405 Columbia Circle, is against it. Traffic is his main concern.

Elizabeth Miles, 403 Columbia Circle, asked that the permit be denied. She cited safety hazards and traffic disruptions in her reasoning for denial.

Barbara Clark, 405 Columbia Circle, stated traffic was her major concern for the area.

Dorothy Walkup, 708 Wildwood, thanked City Staff for being professional and treating everyone equally. She said that a petition had been given to the Councilmembers asking that the permit be denied. Her concerns were with parking safety, traffic, and emergency vehicles access. She asked that the permit be denied because even if approved with restrictions it would be up to the neighbors to police.

John Box, 402 Columbia Circle, said traffic and more maintenance for the street were his concerns.

Mayor Wohr asked if there were any brief rebuttals.

Connie Young, 630 Wildwood, thought there would be enough room for off-street parking and offered her driveway as an extra parking area.

Tricia Eason, 407 Columbia Circle, said Shay is one of the most reasonable individuals she knows. She said there are other people on the street that run businesses out of their homes. She asked that the petition be looked at carefully to determine physical addresses.

Mayor Wohr closed the Public Hearing at 8:17 p.m.

2. Consideration and Action on Special Use Permit for a daycare operation at 409 Columbia Circle.

During Council discussion Shay Sanders asked to speak. She gave the Councilmembers a petition with seventeen signatures on it that was in favor of the daycare. She also made Council aware of the limitations set by the State of Texas and gave them some paperwork on that.

Motion was made by Councilmember Milan to deny the Special Use Permit for a daycare operation out of the home for 409 Columbia Circle. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: Councilmember McInnish

Motion Passed

Mayor Wohr called for a break at 8:35 p.m.
Mayor Wohr called the meeting back to order at 8:45 p.m.

Mayor Wohr pointed out the plaque that the City had received from the North Central Texas Council of Government the previous week at a meeting attended by 3 representatives of the City. The plaque was in honor of Lake Dallas, Hickory Creek, Shady Shores, and Corinth working together to support the Lake Cities Fire Department.

3. Public Hearing on replat of Lots 4 and 5 on Carlisle Court.

Ed Fortuna, 3634 Fairview Drive, Corinth, is the owner of the property. They want to build a larger house but due to the configuration of the lots they were unable to put the size house they want on only one lot. He showed a drawing of the house design to the Councilmembers and said it had been approved at the Planning and Zoning Commission meeting. He left a drawing on the podium for those opposed to see.

Jeff James, 704 Carlisle Court, said they had put a petition together that everyone on the street had signed. He said the bigger house would be fine but the detached, larger garage would not blend with the surroundings.

Gail Brown, 200 Julian, said she and Ron had built all the houses on Carlisle Court. She said they have never seen an elevation and the residents would like to see what's going on.

Carolyn Green, 201 N. Shady Shores, said an 800 square foot garage is not a 2-car garage.

Mayor Wohr closed the Public Hearing.

During Council discussion Jamie James said that the Fortuna's did not own both lots. Mr. Fortuna confirmed that both lots were indeed both under contract for their purchase. Mayor Wohr asked Building Official Harp what codes were involved. Building Official Harp said they would have to conform with the R-1-7200 building codes

Motion was made by Councilmember Milan to accept the replat of Lots 4 and 5 on Carlisle Court into one lot. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Consideration and Action on preliminary Fire Department Budget.

Robbie Robertson, representative from the Fire Board said there will be Fire Board Meeting on June 12. He answered any question the Councilmembers had.

Motion was made by Councilmember Milan to accept the preliminary Fire Department Budget. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

6. Consideration and Action on a proposal from the Library to have exclusive use of the Community Center.

Elsie Lacey, 607 Crest, said they are just in the planning stages now. Part of their plan is to provide meeting rooms.

Jill, Rael, 19 Wolters, said they have begun work on a formal proposal.

Mayor Wohr said that perhaps a workshop could be set up with members attending from Hickory Creek, Shady Shores, Lake Dallas and Corinth to discuss the future of a Lake Cities Library. He said we would need to know how much space they are needing and when they are anticipating the action.

Motion was made by Councilmember Stapleton that we not approve a proposal from the Library to grant exclusive use of the Community Center. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper.
Noes: None

Motion Passed

7. Consideration and Action general services agreement with Hoover/Klein Engineers.

Tom Hoover of Hoover/Klein Group said they are excited about being the City's engineers. He answered questions from the Councilmembers.

Motion was made by Councilmember Johnson that we approve a general services agreement with Hoover-Klein Engineers. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

8. Consideration and Action on engineering contract for Carlisle and Main reconstruction.

Motion was made by Councilmember Stapleton to table Agenda Item F-8 and bring it back to a workshop to be held next Thursday, June 15. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 10:40 p.m.
Mayor Wohr called the meeting back to order at 10:46 p.m.

Addendum to Business--Item A. Consideration and Action on an ordinance providing for the adoption of amendments to the City Charter.

Motion was made by Councilmember Stapleton to adopt the ordinance to accept the changes to the City Charter voted on in the May election. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

9. Consideration and Action on ordinance updating code to new charter requirements.

Motion was made by Councilmember Milan to accept the ordinance updating the code to new charter requirements. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

10. Consideration and Action on selection of construction attorney.

Motion was made by Councilmember Milan to accept Pratt and Sanderford for our construction attorneys. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

11. Consideration and Action on Planning and Zoning Commission appointments.

Motion was made by Councilmember Milan to place the alternates into the regular positions and appoint Lance Wilson and James Bennett as alternates. Seconded by Councilmember McInnish. After some discussion Councilmember McInnish withdrew his second and Councilmember Milan withdrew her motion.
Motion was made by Councilmember Harper to appoint Peggy Shelton and James Bennett to the openings on the Planning and Zoning Commission and leave the alternates as they are. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Stapleton, Mcinnish, and Harper
Noes: Councilmember Johnson

Motion Passed

12. Consideration and Action on Fire Board Alternate member appointment.

Motion was made by Councilmember Johnson to appoint Sharon Hamby as alternate to the Fire Board. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

13. Consideration and Action on Reports:

a) Boards and Commissions

b) Financial, including Accounts Payable

c) City Manager's Report

Mayor Wohr said Council would not hear items 13a and 13c until the next Council Meeting since the City Manager was out of town for this meeting.

Motion was made by Councilmember Milan to accept the financial reports as presented and pay the bills. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper

Noes: None

Motion Passed

14. Approval of Minutes for May 9, May 11, and May 25 meetings.

Motion was made by Councilmember Johnson to approve the Minutes from the May 9, May 11, and May 25 meetings. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper

Noes: None

Motion Passed

G. New Business

Mayor Wohr asked the Councilmembers to bring names for the Economic Development Group to the meeting to be held next week. Mayor Wohr said he would talk with City Manager Fairburn about the Council Policies and Procedures information as an agenda item. The marquee had been an agenda item at a meeting for which there was no quorum. E-mail addresses for Councilmembers was brought up. The Guideline for Texas Open Meetings Act should be looked at by every Councilmember. Al Bavon, Planning and Zoning Commissioner had attended a North Central Texas Council of Governments meeting regarding Planning and Zoning Basics.

H. Adjourn

Motion was made by Councilmember McInnish to adjourn. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper

Noes: None

Motion Passed.

Meeting was adjourned at 11:30 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on May 25, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was excused.

Members of the Staff present were City Manager Stewart Fairburn and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Carolyn Green, 201 North Shady Shores, requested a new City Hall and Police Department. We have had the same city hall since the population was 850. She said we have very dedicated and loyal employees. She had participated in the Kids and Cops Day and thought it was wonderful. The City Council should recognize the Police Department for that. She said she appreciated each and every one of the Councilmembers attending.

When no one else came forward to speak, Mayor Wohr closed the Citizens' Agenda.

E. **Business:**

1. **Consideration and Action on selection of Mayor Pro-Tem.**

Motion was made by Councilmember Harper to elect Councilmember Stapleton as Mayor Pro-Tem. Seconded by Councilmember Johnson.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper

Noes: None

Motion Passed

2. Consideration and Action on selection of City Engineer.

Proposals had been received from: Belcheff and Associates, Teague, Nall and Perkins, Inc.; Hoover/Klein Group; Grantham, Burge and Waldbauer Engineers, Inc.; Baird, Hampton, & Brown, Inc.; C & P Engineering, Ltd.; USA; Hosea, Hunter and Shawn. The committee (Councilmembers Stapleton and Johnson and City Manager Fairburn) selected Teague, Nall and Perkins, Inc., Hoover/Klein Group, Grantham, Burge and Waldbauer Egnineers, Inc., Baird, Hampton, and Brown, Inc., and C & P Engineering, Ltd. to be interviewed. Interviews had been done prior to the Council meeting and the top two candidates were: Hoover/Klein Group and C & P Engineering, Ltd.

Motion was made by Councilmember Harper to accept Hoover/Klein as the new city engineering firm. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. Consideration and Action on acceptance of bids for the City Park Fence.

All-Texas Fence, Inc. gave a bid of $19,850 for material only and $25,400 for material and installation. Air Ride Contractors bid was in the amount of $42,525 for material and installation.

Motion was made by Councilmember Johnson to accept the bid from All-Texas Fence, Inc. for the material only. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

F. Workshop

1. Presentation of Preliminary FY 01 Fire Department Budget.

Chief Thompson of the Fire Department gave his presentation of their budget. The Fire Department plans to hire 6 additional firefighters and staff another ambulance. When they make calls in the County they receive payment from Denton County. The station in Lake Dallas will be torn down to the slab and then rebuilt this year. The entrance will be off Alamo Avenue. They are also planning to construct a new fire station to service the growing area. The new debt of $1.5 million will be for:

New station	$1.0 million
Apparatus	$.3 million
Equipment	$.1 million
Equipment upgrade	$.1 million

2. Discussion of Capital Improvement Project (CIP) priorities.

City Manager Fairburn said the drainage ditch that runs through the Methodist Church's property had been on the CIP list. He said Pat Connors and John Lugenheim were at the meeting to discuss this ditch.

Pat Connors, Prime Group Association, said the church had acquired some land from the School District and there is a natural drainage ditch on this property. The church wants to build an activity building on this property so the ditch needs to be relocated to the east of the building area. Mayor Wohr said we would need to coordinate this project.

City Manager Fairburn said this is a major drainage area. It services the water from Garza Beach and Kings Manor to the north of Hundley and from the railroad tracks to the west of Falcon Drive. He said a careful analysis would have to be taken. Mr. Connors said if the church does a parking area that they should furnish the culvert for the ditch. Mayor Wohr asked what the timing was on the church's project. Mr. Connors said they had just got their bids in and other issues need to be addressed so it would probably be 60 - 90 days. When the new City Engineers are engaged they could look at the drawings that Mr. Connors has.

Mayor Wohr called for a short break at 8:55 p.m.

Mayor Wohr called the meeting back to order at 9:05 p.m.

Addendum Item E - 4. Consideration and Action on appointing an interview panel to evaluate construction attorney applicants.

Motion was made by Councilmember Harper to let Councilmembers Milan and Johnson and Mayor Wohr represent the Council in choosing a construction attorney. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

3. Council Policies and Procedures.

Councilmember Milan said she was using the City of Allen's manual as a reference because they had gone through the kinds of problems that Lake Dallas has.

Five minutes for citizen's agenda (ask for extention)
Citizen's Agenda -- to speak on any item other than a public hearing; includes consideration and action items
Flexibility is needed in running the meeting
Rules for speaking should be pointed out on the sign-up sheet -- bullet points
Public Hearings: do not do oppose/support groups. No discussion during public hearing.
Use separate sheets to sign up -- with place for comments
Council discussion -- open format for workshop; format for regular session. Mayor must recognize Councilmember.
Meetings: 7:30 to 10:30 with a 10 minute break around 9 p.m.
Use 4th Thursday as a regular session to avoid lack of quorum.
Pagers and phones must be muted.
Limit closed sessions.
Use workshops for fact finding.
New business should not be a time for discussion.
Contact City Secretary as early as possible if you cannot attend the meeting.
Attorney: go through City Manager to contact City Attorney. Response to go to all Councilmembers. Limit the attorney's frequency at Council meetings.
City Manager Fairburn to review City of Allen's rules and add those items that Council has discussed.

Mayor Wohr said we should have a workshop soon to re-prioritize some of the Capital Improvement Projects. He has talked with some of the people who live on Carlisle. Mayor Wohr said he and City Manager Fairburn were going to meet with the Mayor of Hickory Creek in the next week to discuss some things we have in common with them. We may just do an overlay on Carlisle instead of tearing the road down to the base and paving the whole street. We should look at all the things we have as goals: a recreation center, sidewalks, etc. These things should be looked at as Capital Improvement Projects. City Manager Fairburn said the Library has asked if they would have the opportunity to use the entire building.

G. New Business

Councilmember Johnson asked about the early voting hours.

H. Adjourn

Motion was made by Councilmember Stapleton to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 10:35 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on May 11, 2000, at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Minnis was absent and excused.

Members of the Staff present were City Manager Stewart Fairburn, Police Lt. James Lowery, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Linwood Gilliland, 703 Payton Street, thanked all the Councilmembers, with special thanks to Councilmember Shikle. He congratulated the new Councilmembers. He said the Main Street construction is fantastic. He said he had some ideas he would like to present to the City Council in a workshop session to promote our local businesses. He also asked to make the Early Voting a little shorter next time.

Carolyn Green, 201 North Shady Shores, said Linwood had already said what she wanted to say and that she had been able to tell Councilmember Shikle personally what she wanted to say to him. He said he was a very caring Councilmember. She congratulated the new Councilmembers. She said she would be at every council meeting and workshop because we have the most dedicated City employees as a whole that she can remember. She said she would attend the meetings until we get a new city hall and have a decent place for our employees to work – we <u>have</u> to find the money.

David Shershen, 166 Kingswood Drive, thanked all the people who ran for elected office. He congratulated the new Councilmembers and asked them to develop a sense of dedication; to have the wisdom to separate and study all the facts; and also to have a sense of honor and honesty to make the best decisions for the City as a whole. For Bobby and Michael, he salutes them for their dedication and fine community service and that he was proud to know them.

Margaret Tisdale, 509 Howard, said she appreciates the ones going out of office for all the hard work they have done and trusts that the new Councilmembers will be able to work together for the benefit of the people in our City and discern what they should concentrate their efforts on. Let's give our city that firm foundation of high morals, good character, truth, honesty, and equality.

Mayor Wohr closed the Citizens Agenda when no one else asked to speak.

E. Oath of Office to Elected Officials.

The City Secretary received the Oath of Office from Mayor Steve Wohr for the coming term. Mayor Wohr received the Oath of Office from Councilmembers Jeff McInnish for Place 4 and Marjory Johnson for Place 2.

F. Recognition of Outgoing Councilmembers.
G.

Mayor Wohr said it was a humbling experience to go on to this item. He said he had worked on a previous City Council with Councilmember Shikle. He said Councilmember Shikle needs recognition for more than one reason. Mayor Wohr said Councilmember Shikle showed his commitment to this job. He said he is a thinking man, don't ever underestimate him, he has shown enormous amounts of insight into issues and a lot of the times he was the rudder that was steering the Council. He admired Councilmember Shikle because he never thought about what was good for Bobby, but instead, what was good for the City. He gave representation to every citizen of the City. Mayor Wohr presented Councilmember Shikle with a plaque for his outstanding contribution to the City from May, 1996 to May, 2000.

Councilmember Shikle thanked Mayor Wohr and said he appreciated it. He said he would like to take a few minutes to backup what Carolyn had said – the heartbeat of this City is actually the employees of this City. He said it's not a Councilmember of the Mayor or the citizens who run this City. The City Manager has a horrible place to work out of and maybe someday we can give him a good place to work out of and pay them all a decent salary. It should be important to each Councilmember that that be one of the top things on their agenda to do.

Mayor Wohr said he truly wished that Mike could have been here tonight. He said he has been an interesting member of the Council. He said sometimes he would come at items on the agenda from a different approach which is one of the strengths of a Council. He was good for his commitment to this Council. He said we would like to publicly recognize Councilmember Minnis and award him his plaque. Mayor Wohr then recognized past Councilmembers in the audience – Linwood Gilliland and Dave Shershen. He said we appreciate all the hard work that these folks have done in the past. He also recognized Mrs. Shikle and thanked her for lending Bobby to us for so much time.
Mayor Wohr called for a break at 7:58 p.m. for refreshments.
Mayor Wohr called the meeting back to order at 8:15 p.m.

G. BUSINESS:

1. Consideration and Action on renewal of health insurance plan from May 1, 2000 to April 30, 2001.

There was council discussion. City Manager Fairburn said he had discussed the plan with the employees and that for as small a business as we are it was difficult to get a less expensive plan. He said the HMO rates were down this year but the PPO plan has gone up astronomically. The reason for the PPO plan having higher costs was to recover the costs of what they had paid out in the previous year. Holly Crowe, representative of Higginbotham and Associates, agent for Aetna, was available to answer any questions.

Motion was made by Councilmember Stapleton to approve the Aetna HMO and PPO health plan as presented. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of contract for City Park design services.

Two Councilmembers expressed the opinion that they did not feel comfortable with Kimley-Horn as the engineers on this project. Mayor Wohr asked what the options were. City Manager Fairburn said we would just have to wait until we get new City Engineers and that would slow down the project a bit. There was more Council discussion.

Motion was made by Councilmember Milan that the contract for City Park design services be re-worked and brought back with a contract with the next City Engineer we engage. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

3. Consideration and Action on Comprehensive Plan, Economic Development Group and First Year Objectives.

City Manager Fairburn gave an overview of the Planning and Zoning Commission goals and asked if Council agreed with those goals for the next year. He explained how the composition of the Economic Development Group could be made up: 2 members of the City Council, 2 members of the Planning and Zoning Commission, 1 member of the Parks and Recreation Board, 2 business owners from each of the commercial areas, 1 – 2 members of the Denton County Economic Development Committee, 1 representative of the Northstar Bank, 1 representative of the Chamber of Commerce, 3 residents and the City Manager. If this is agreeable with Council the Planning and Zoning Commission can go out and try to fill those slots and bring back the group for Council's approval and get them working on the various plans. This group would be able to start looking for what types of projects that could be developed with the ½ cent sales tax. He asked that names be turned in as soon as possible. Councilmember Milan asked Linwood Gilliland if he would like to serve on this ad hoc committee and he accepted.

Motion was made by Councilmember Milan to approve the Comprehensive Plan, Economic Development Group and First Year Objectives as presented. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

4. Consideration and Action on acceptance of bids for overlay of Lakeview.

Motion was made by Councilmember Johnson to accept the bid of Jagoe-Public for the overlay of Lakeview. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

5. Consideration and Action on appointments to the Board of Adjustment.

Mayor Wohr stated that Council could reappoint Steven Bertrand as a regular member until December 11, 2001, and appoint Linwood Gilliland as an alternate to May 11, 2002.

Motion was made by Councilmember Stapleton to reappoint regular member Steven Bertrand to the Board of Adjustment and appoint Linwood Gilliland as an alternate to the Board of Adjustment. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

6. Consideration and Action on Reports:

a) Boards and Commissions
b) Financial, including Accounts Payable
c) City Manager's Report

Carolyn Green said she had contacted and firmed up a band for the 4th of July for the Park Board. The band's name is Salt Creek and they do mostly bluegrass with fiddles and banjoes. There was discussion about the parade.

There was a question in the Parks and Recreation Board minutes about the cost per foot for the fence. City Manager Fairburn said we would know the exact cost per foot, installed or not installed, when the bids are opened.

There were questions about the financials which included document shredding and the bike patrol and playground total cost at Community Park. Centurytel charges are mostly for line charges and not so much for long distance charges. Mayor Wohr said Denton County has some sort of plan for the employees and the cell phones that are used.

City Manager Fairburn gave an up-date of the street projects: rip rap is going in at the low water crossing and they are pouring concrete reinforcement; the contractor has presented some solutions for the problems at the Lake Dallas Café regarding the drainage; been trying to get with the company to finish off approximately another 60 feet in the Kings Manor Drainage Ditch and clean up their lot on Howard and Prince; striping is in. The intersections are working well with the exception of Main Street and Denton and the short turns.

The two positions which were open in Community Development have been filled. The issuance of building permits is down. The Building Official is working on the fence in Kingswood and the bank that owns the house on Knight's Court said the problem should be taken care of within two weeks. The City can't go in on private property and begin improvements.

City Manager Fairburn said when we get the information from the construction attorneys we would need two Councilmembers to go over the qualifications before Council makes their decision regarding a construction attorney.

Mayor Wohr said there is a problem with people dumping trash at Willow Grove Park and we may need to do some posting. City Manager Fairburn said the City does have the option to cite people for not mowing high grass and if they do not respond, the City goes in and mows and bills them for this service. If they do not pay a lien is filed against the property with the County. Council may want to look into this for the trash problems.

Motion was made by Councilmember Milan to accept all reports as presented and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

7. **Approval of Minutes for April 13 and April 15, 2000 Meetings.**

Motion was made by Councilmember Harper to accept the minutes of the April 13 and April 15, 2000 meetings. Seconded by Councilmember Johnson.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes None

Motion Passed

H. NEW BUSINESS:

The Council Policies and Procedures will be on the agenda for the next Council meeting. Other items brought forward were attempting to work with the Town of Hickory Creek regarding Main Street and animal control; a voters registration information booth at the Fallfest and reminders in the next two newsletters reminding citizens to vote; ADA requirements; the water level at the lake; the 34th annual assembly of North Central Texas Council of Governments on June 1; and early voting hours.

I. ADJOURN:

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Johnson, Stapleton, McInnish, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:07 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on May 9, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Minnis was absent.

Members of the Staff present were City Manager Stewart Fairburn, Police Lt. James Lowery, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

No one came forward to speak. Mayor Wohr closed the Citizens' Agenda.

E. **Business:**

1. Canvass of the election held May 6, 2000.

Mayor Wohr passed the official tally sheets prepared by the election judge and computerized tapes which also showed the tally to the Councilmembers for their inspection. There was a question as to definitions for overvotes and undervotes: overvotes are where there are more than one line marked for any item on the ballot and undervotes are for those ballot items where nothing has been marked. Mayor Wohr read the voting results.

	Early Voting	Election Day	Total Votes
Mayor:			
Steve Wohr	80	134	214
Georgia L. Gougeon	33	72	105
Bob Davis	26	54	80
Councilmember, Place 2			
Larry L. Sargent	21	35	56
Ben Gilbert	37	45	82
Marjory Johnson	87	184	271
Councilmember, Place 4			
Jeff McInnish	84	135	219
Michael Minnis	57	106	163

Propositions:	Early Voting		Election Day		Total Votes	
	Yes	No	Yes	No	Yes	No
One	89	18	110	30	199	48
Two	93	15	117	23	210	48
Three	95	11	122	18	217	29
Four	66	35	71	66	137	101
Five	84	16	101	35	185	51
Six	86	18	102	37	188	55
Seven	87	18	108	30	195	48
Eight	92	14	102	31	194	45
Nine	91	14	103	34	194	48
Ten	92	18	109	27	201	45
Eleven	82	13	137	35	219	48
Twelve	84	13	130	38	214	51
Thirteen	82	12	128	37	210	49
Fourteen	82	12	123	42	205	54
Fifteen	83	12	140	27	223	39
Sixteen	79	14	124	38	203	52
Seventeen	76	19	111	52	187	71
Eighteen	75	19	125	38	200	57
Nineteen	81	13	137	29	218	42
Twenty	83	14	138	28	221	42
Twenty-one	80	15	129	33	209	48
Twenty-two	80	13	135	31	215	44
Twenty-three	75	18	115	46	190	64

Motion was made by Councilmember Milan to accept the votes as presented. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper

Noes: None

Motion Passed

F. New Business

There was a question as to when the new propositions would take effect. Councilmember Shikle said he had been soliciting votes for Kyla Milan as the next Mayor Pro-Tem. He also said the Council had been through a pretty rough year because someone always wanted to fire someone instead of working on business. He said that since City Manager Fairburn has been here that there has been a lot of progress in the City.

Mayor Wohr thanked Councilmember Shikle for his hard work while on the City Council and asked that he attend the next meeting.

F. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 8:05 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on April 15, 2000, at 9:15 a.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Ken Stapleton	Councilmember 3
Michael Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Shikle was excused.

Members of the Staff present were City Manager Stewart Fairburn, Police Chief Ristagno, Lt. James Lowery, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. **Citizens/Visitors Agenda**

No one came forward to speak. Mayor Wohr closed the Citizens' Agenda.

D. **Workshop Session:**

1) Drug Enforcement.
Chief Ristagno gave the Councilmembers some handouts. He said there are several strategies available but some are not available to our department because of the size of the department. We refer to basic strategies through traffic enforcement, establishing probable cause, occasional informants, some surveillance and none of these are sophisticated because we don't have that type of equipment. We don't have a special division, undercover officers, or drug officers. We do have a dog on patrol and he is used to generate probable cause. Usually the drug arrests that are made are not major dealers because they are difficult to get to if you don't have the avenues that larger departments have.

The largest majority of arrests that are made are due to warrants and most of them are arrests for outside agencies; the second largest would be Lake Dallas warrants. After that the highest number of arrests is alcohol –this includes DWI, public intoxication, minors in possession, contributing to minors. This is based on a 3-year study and it has been the highest in 1998, 1999 and 2000 year to date. The next highest is traffic arrests and some of these lead to drug arrest which is generally our third highest. This year, to date, assault is the highest. Drugs usually is the 3rd highest.

Chief Ristagno said the arrest rate can vary due to the maturity of officers as well as administrative directives. A lot of cases can be handled by issuing citations as opposed to actually arresting a someone. There was Council discussion and questions for Chief Ristagno.

He said sometimes it takes one to two years of surveillance before probable cause can be established. He said that a lot of houses that are reported to the Department are already being watched and tag numbers have been taken. The Chief said they have asked for assistance from a task force but it's difficult to get because the North Texas Task Force is way understaffed. The dog is a help in a search and is available to the I.S.D.

He said there have been reports that officers stop people, do searches, and then take the drugs for themselves; others swear that the officer planted the drugs. He said that there are stories now that one place that gets reported regularly and the officers get called over there constantly because 'they're breaking windows,' loud disturbances, or, 'they're out there smoking dope.' When the squad car gets there everything's fine. Now the rumor is that the officers are just going down there to buy their dope.

There was more Council discussion and questions for Chief Ristagno. He was asked if he had pursued any special grants. The Department is making use of the COPS Grant. The Chief said there may be some small grants available for alcohol but the cigarette grants are really not worth pursuing. When the grant funds expire then you have the question of what to do with the officer(s) involved due to the grant. When Council asked what they could do to help, Chief Ristagno asked for their support.

The alcohol arrests are typical of most cities. The changing to 2 AM for the sale of alcohol did not impact the problem and it is not due to being a 'wet' community. Lt. Lowery said a good portion of the DWI and PI arrests are out of city residents, which is probably due to visitors to the lake. Denton has gone to 2 AM but Lewisville is still midnight.

The school lunch program by some of the officers is providing a good relationship among the children and police department. Respect is coming back for officers. The kids love the cards and reading and lunches.

Mayor Wohr said that when they, as public officials, are openly critical of things the Police Department does, it undermines their ability to do their job; when there are community things that involve our police department it is incumbent upon the Council to be there even if they don't say or do anything – just show that they back the force. He said the Council and staff are collectively the 'city.' Chief Ristagno said that as a Chief he sees himself as an extension of the Council and that if they have a concern it becomes his concern. He said they want to be an integral part of the City. He said that May 13 is the open house this year. The community is giving back to us – there have been hot dogs, grills, t-shirts and other things donated for this 5 hour affair.

Lt. James Lowery is the City's representative in the multi-jurisdictional community-school group. Corinth has hired a one-man Parks and Recreation Department who came from Denton. He had high school and middle school students involved and started an organization where the kids actually run the program with a board of directors made up of some of the parents. The Denton organization gave a presentation at the most recent meeting. Mr. Davenport of the Lake Dallas ISD asked the student council to get with the Denton organization and see if they could develop some programs for this area by participating in the Denton activities.

There was discussion about activities and volunteers for the teenagers in this area. Our Parks and Recreation Board does a lot of things for a volunteer group. They have the 4th of July activities; Christmas tree lighting; Fallfest; various parks clean-up days. The VFW and American Legion has scheduled an Easter Egg Hunt for Easter Sunday. A statement was made that to impact drug enforcement better would be to have alternatives for the children. Our Parks and Recreation Board is completely made up of volunteers and it would not be able to create a successful weekly youth oriented activity. We would need paid personnel to accomplish that. This could be discussed during budget time. By adding $1/month to the property taxation we would be able to have a paid position for the Parks Department.

2. CIP List – New Street Projects

City Manager Fairburn said we need to get projects going besides the rest of Main Street and Carlisle Street. He said the quickest way to get the engineering going would be to use the existing engineers and the second fastest way would be to send out RFP's for other engineers. We need to get a priority list made up and get prices together. If possible we should try to get any streets in a certain section of town done at the same time in an effort to keep the machinery from going over repaired streets a year or so later and damaging them.

We need to get bids for the Lakeview overlay. Overly may need more than just an overlay while parts of Shady Shores that were not part of the bond project may need just an overlay. There was discussion about landscaping on Main Street. We will need to get caught up on the asphalt. The list of streets that need repairs comes from input from Council, staff, the Police Department and citizens. City Manager Fairburn asked for help in getting a new engineer. A meeting with Mayor Wohr and Councilmember Minnis with the City Manager would be held Monday at 1 p.m.

2. Financials and Reports

City Manager Fairburn handed out some information for the Councilmembers to review and give him their comments. The revenue from building permits is under budget again this year since Jackson Ranch is not developing as fast as anticipated. He also handed out the most recent Police Department report.

E. New Business:

City Manager Fairburn said he would put the letter from the Planning and Zoning Commission regarding Economic Development on the April 27th Council Agenda. The April 20 Executive Session will be held at the Fire Station.

Councilmember Milan said she would like to see the City Council policies on the agenda before the new council comes on. City Manager Fairburn said that also is scheduled for the April 27 meeting. The Councilmembers asked that it be put on the agenda for the April 20 meeting. City Manager Fairburn said that on the April 20 meeting we need to identify the problem areas.

F. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Stapleton, Minnis and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 11:40 a.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on April 13, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Michael Minnis	Councilmember 4
Betty Harper	Councilmember 5

Members of the Staff present were City Manager Stewart Fairburn, Police Chief Ristagno, Building Official Truman Harp, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. **Citizens/Visitors Agenda**

Mayor Wohr opened the Citizens Agenda.

Kyla Milan, 915 Lake Bluff, said that as a citizen she was disturbed about the polling place change for the primary runoff election. She said it was an inconvenient location and that that may have been the cause for such a low voter turnout. She said she would like to see this Council and future Councils assure the citizens a local, convenient polling place for the future federal elections.

Linwood Gilliland, 703 Payton, first thanked the Mayor and Council and the Staff for the Volunteers Appreciation Dinner. He said he really appreciated it. He said that one of the real problems at the runoff election was that the seniors had difficulty walking the distance from the parking area to the polling place and then it rained several days also.

Thresa Gladys, 5412 Kings Manor Drive, inquired about the status of the Kings Manor Drainage Ditch. She said there was nothing mentioned in the recent newsletter. She said it looks as if work has been stopped but the job is not finished. She needs to repair her fence but should wait until the construction is done. She wants to know what's happening on this project.

Mayor Wohr said she would receive a written response which will advise her where we are on the project.

Marilyn and Lou Meyer, 204 Dobbs Road, said they are our neighbors in Shady Shores. They asked if there is a container regulation in the city for trash that's put out for pickup. Mayor Wohr told Mr. Meyer that the City does not have a regulation. Mr. Meyer then stated they would like to register a complaint. They live at the end of a drive that comes out of the Thousand Oaks subdivision and when the wind blows out of the south they find their bar ditches full of trash that has blown out of the subdivision. They brought some pictures which they showed to the City Council. They have to go out and pick up the trash out of their bar ditches. He said he would appreciate it if we could ask our citizens to bag their trash so

it doesn't blow away. Mayor Wohr said we would certainly address that. He said it could probably be handled through the Home Owners Association for that subdivision and we could have the Code Enforcement look at the situation. Mayor Wohr asked them to send a letter to the City Manager and that might help us to pinpoint the problem a little easier.

Aldena Gregory, 603 East Hundley, said she was unhappy about the polling place for the runoff election. She said it was inconvenient for the citizens as well as the election workers. She said they had very little working space at the college; nothing was convenient; they had to walk 125' to get the equipment together to take to the election site. She said most people who came in to vote were unhappy with the change of the site. She said the college is a nice place but the Council Chambers and Community Center are buildings that belong to the citizens of Lake Dallas. She said she understands there are classes going on at the Community Center and she hopes the instructor is paying rent.

Mayor Wohr said he would not try to respond at this time because he had already spent over an hour on the telephone with Ms. Gregory. He said there was never going to be a Lake Dallas election that would be held anywhere except in Lake Dallas. Lake Dallas controls elections but does not control elections where the County sets the elections. He said the runoff was set by the County at the request of the Republican Party Chairman, the Democratic Party Chairman, and the persons who were running for office. The County, as a courtesy, contacted all of the mayors of the Lake Cities area and they agreed to let the County put the election where they wanted to put it.

Margaret Tisdale, 509 Howard, spoke regarding the Kings Manor drainage ditch. She said the concrete work looks decent but about mid-way of the ditch the blocks there look as if they should be higher. She asked that this be checked out.

Mayor Wohr closed the Citizen's Agenda at 7:55 p.m.

E. **Proclamation:** Mayor Wohr read the proclamation that designated the month of April as Sexual Assault Awareness Month.

F. Business:

1. **Consideration and Action on the Report on Street Projects from Independent Engineer.** Gary Vickery of Teague, Nall and Perkins in Fort Worth, Texas, said he hoped that each of the Councilmembers had looked at the reports he had furnished for them. He said their assignment had been to look at the plans and specifications prepared by Kimley-Horn and Associates and they talked with an engineer there; they talked with Peachtree Construction; they have reviewed test results; they've done extensive field observations on a couple of different days; they've consulted TX DOT specifications and COG's specifications as well as the asphalt handbook. He consulted with other engineers in the company's offices to get opinions as well as their experiences. He said the report reflects that there are probably some weaknesses in the plans and there are some deficiencies in the construction. He said most of those deficiencies and weaknesses have not real dramatically impacted the project; or, the impacts that are there can be taken care of.

The Councilmembers had numerous questions for Mr. Vickery which included: any open cuts observed; the timeliness of testing; the Inspector's (Dave Owen) reports; the photo album; street washboarding; extended exposure of subgrade; and others. Mr. Vickery responded to all the questions. He said that in the summary the intent had been that once corrective action is taken, those things should be all right. There was more discussion and questions were raised regarding a statement about re-negotiating the price on some of the defects. Comments were made about retaining a construction attorney to look at the issue.

David Owen, 611 Lake, said he hadn't seen the report and began asking questions of Mr. Vickery. Councilmember Minnis gave Mr. Owen a copy of the report.

Motion was made by Councilmember Stapleton to move the discussion to executive session at our next meeting to consider possible litigation. Seconded by Councilmember Harper. Mayor Wohr thanked Mr. Vickery for his time and asked him to look into what might be done at this time to do those chemical tests to get more definitive results about what was done to that concrete or what kind of condition it is in. After Council discussion Councilmember Stapleton **amended** the **motion** to read that we approve the report as presented by the independent engineer and schedule a special meeting to consider possible litigation in Executive Session on April 20. **Seconded** by Councilmember Harper. Councilmember Shikle said he is very much against having an Executive Session over anything to do with the streets. He said he wanted anything about the streets be done right out in the open and all the facts printed in the paper because there is a lot of mistrust from the public. He said this is because they don't know what's going on and a lot of time the Council doesn't know what's going on. It was decided that there could be an open session regarding looking for construction attorneys.

Ayes: Councilmembers Stapleton, Minnis, and Harper
Noes: Councilmembers Milan and Shikle

Motion Passed

Mayor Wohr called for a break at 9:15 p.m.
Mayor Wohr called the meeting back to order at 9:30 p.m.

2. **Public Hearing on replat of Lots 5 and 6 Mollie Cain Subdivision located at northeast corner of Cain and Lakeview.**
   No one came forward to speak. Mayor Wohr closed the Public Hearing.

3. **Consideration and Action on replat of Lots 5 and 6 Mollie Cain Subdivision located at northeast corner of Cain and Lakeview.**
   There was council discussion about the size of the proposed lots, the type of structures, drainage and flood plains. The replat meets all the qualifications of the City and zoning requirements. The Planning and Zoning Commission had approved the replat unanimously.

   Motion was made by Councilmember Milan to accept the action to replat Lots 5 and 6 of the Mollie Cain subdivision. Seconded by Councilmember Shikle.
   Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis.
   Noes: Councilmember Harper

   Motion Passed

Councilmember Minnis asked City Manager Fairburn where the City stands on having Planning and Zoning Commission to review the zoning districts. City Manager Fairburn said they are working on the commercial areas now.

4. **Public Hearing on replat of Block 9 of Original Town of Garza located at Main and Falcon.**
   No one came forward to speak Mayor Wohr closed the Public Hearing.

5. **Consideration and Action on replat of Block 9 of Original Town of Garza located at Main and Falcon.**

Motion was made by Councilmember Minnis to approve the replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision to two lots. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

6. **Public Hearing on exemption from 80% masonry rule for commercial building on Gotcher.**
   Linwood Gilliland, 703 Payton, said since we are enjoying the good times of prosperity, we have asked Fast Break, Dollar General and Mr. Houghton and the building next to Mr. Houghton's to comply. Why should we change now? He doesn't think it's fair to change.
   No one else came forward to speak so Mayor Wohr closed the Public Hearing.

7. **Consideration and Action on exemption from 80% masonry rule for commercial building on Gotcher.**
   Council discussion included questions about how many cities close to us had the 80% masonry rule; the reasoning behind the ordinance which would allow an exemption; the Planning and Zoning Commission unanimously denied the exemption. It was pointed out that one of the applicants had stated at the Planning and Zoning meeting that it would be okay if they were required to go with the 80% masonry.

Motion was made by Councilmember Minnis to grant the request. Seconded by Councilmember Shikle.
Ayes: Councilmembers Minnis and Shikle
Noes: Councilmembers Milan, Stapleton, and Harper

Motion Failed

8. **Public Hearing on amended plat of COMCO Addition.**
   No one came forward to speak on the item. Mayor Wohr closed the Public Hearing.

9. **Consideration and Action on amended plat of COMCO Addition.**

Motion was made by Councilmember Milan to accept the amended plat for COMCO Addition. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Abstentions: Councilmember Minnis filed an Affidavit of Abstention because he works for COMCO.

Motion Passed

10. Public Hearing on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 zoning districts.

Linwood Gilliland, 703 Payton Street, said this doesn't affect anyone in the older part of the City. He said this mostly affects those in the Thousand Oaks, Oak Lakes, and Lakebridge areas where everyone has mostly brick homes. He thinks it should stay as it is because we all know how metal or wood buildings look in several years.

No one else came forward to speak. Mayor Wohr closed the Public Hearing.

11. Consideration and Action on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 zoning districts.

Councilmember Shikle asked City Manager Fairburn if someone had brought this forward as an agenda item. City Manager Fairburn said Councilmember Harper had asked for it. There was Council discussion about the item. The Planning and Zoning Commission recommends no changes at this time though they would like to look at height restrictions. Councilmember Milan said that Councilmember Harper had said she didn't have a problem with waiting 45 days because she wasn't planning on building one right now and that way the Planning and Zoning Commission could look at this again.

Motion was made by Councilmember Milan to send this back to P & Z to look at the issue and consider the area and height restrictions within a 45 day period. Seconded by Councilmember Minnis.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

12. Appeals Board Drawing.

City Manager Fairburn held the bowl with the names that had been submitted by the Councilmembers. A citizen, Robert Kaiser, drew the slips of paper from the bowl. The names drawn for members of the board: Tim Wright, Margaret Tisdale, Jim Tankersley, Linwood Gilliland, and Charlie Hedges. Names drawn as alternates: Nancy White, Bob Davis, and Frank Barnard. The remaining names were Clyde Knight, Charlie Hedges, Bob Davis, J. W. Liveley, and Ken Kennemer. The Council had submitted some names that became duplications.

13. Consideration and Action on tabled reports and financials from March meeting. (February Reports)

Councilmember Minnis questioned the amount of money spent on telephone bills. City Manager Fairburn said we could give them a breakdown on the telephone bills. We do have toll free lines to call Denton and Lewisville but we have long distance throughout the state as well as the fax lines. He said that Staff has looked at the long distance charges in the past and has sent out memos to remind the employees to use the metro lines whenever feasible. Councilmember Stapleton questioned $3900 to the City of Denton. It was determined that item was to pay for the ambulance service.

Motion was made by Councilmember Minnis to pay the February bills and accept all the reports. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

14. **Consideration and Action on approval of a Resolution to appoint Linwood Gilliland as Alternate Judge for May 6, 2000 general election instead of Cora Allen.**

Aldena Gregory, 603 E. Hundley, said she felt that since Ms. Allen lived in the district, but not in the City, it would be better if Ms. Allen was not the Alternate Judge.

Motion was made by Councilmember Stapleton to approve a Resolution to appoint Linwood Gilliland as Alternate Judge for May 6, 2000 general election instead of Cora Allen. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

15. **Consideration and Action on Reports:**
    a. **Boards and Commissions**
    b. **Financial, including Accounts Payable and Quarterly Investments**
    c. **City Manager's Report**

There was discussion about the park equipment. It is all set up and the mulch is in. Fliers have been distributed about the opening of the playground equipment and eggs had been purchased to have an Easter egg hunt on April 15. The lease needs to be finalized on Willow Grove Park before we can make any more improvements. He said some volunteers have offered to help in the pier areas. The City Park drainage study and siting for the fields should be coming to Council for approval soon as well as the fencing type being wrought iron instead of chain link. The drainage study will cost approximately $5000.

Aldena Gregory expressed concern about the name of the previous owner for the park not being visible. City Manager Fairburn said that would be taken care of as soon as the sign is completed. A plaque will be there showing the history of the park.

In the discussion about the financial reports there was more discussion about reducing the telephone bills. The Fire Department checks are written monthly this year; next year the payments will become part of the debt service. The Friends of the Family donation is made at the end of the fiscal year. The check to the Tomahawk Live Trap Company is for live traps.

Motion was made by Councilmember Milan to accept the financial reports as presented and pay the bills. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

City Manager Fairburn gave his report stating that the City's quarterly clean-up would be held Saturday, April 15 between 8 a.m. and 2 p.m.; the Council's quarterly meeting will also be April 15 from 8:30 a.m. until 12 p.m. and then all will go out and do the playground dedication. The street projects is in the news. They have regraded the ditch at Denton and Main; they have done other grading of ditches; guard rails are in at Pembrook and the low water crossing on Shady Shores; the concrete drive is done for Century Telephone; they are going to replace the section in front of the Intermediate School and Administration Building; a section of Dobbs will be replaced; some transitions that had not been done earlier will be done.

The drainage in front of the Lake Dallas Café needs to be addressed. The water comes down and stays in the swale nicely to San Jacinto where it curves out, hits the front of the building and curves back in. With a small rain there is not much of an impact but with a heavier rain it causes problems. This is also supposed to be taken care of by the construction company. Peachtree Construction has received the punch list and they have done some of the items.

There was discussion about fixing some of the other streets that had been discussed in earlier meetings. City Manager Fairburn asked if a couple of Councilmembers would be willing to meet with him to work up a Request for Proposal for engineers.

Councilmember Shikle said that he hears someone say just about every day to fire Stewart because he's made this mistake or that mistake. Councilmember Shikle said he may make mistakes but that the City will benefit from the City Manager's mistakes because Councilmember Shikle said he's never seen the City Manager make the same mistake twice. Councilmember Shikle said he thinks that City Manager Fairburn would go into the next street projects being one of the most qualified people in the State regarding street projects. City Manager Fairburn said now we know the questions to ask.

Mayor Wohr asked City Manager Fairburn to keep the Council advised regarding the streets so they can have answers for those citizens who call them and ask why this and that are being done.

16. **Approval of minutes for March 9 and March 23 meetings.**
Mayor Wohr asked City Manager Fairburn if he had given a written response to Linda Rapp and her questions on page 2 of the March 9 meeting. City Manager Fairburn said he had not because he had not received the information from Building Official Harp. He said he had talked with Ms. Rapp.
Motion was made by Councilmember Minnis to approve the minutes for the March 9 and March 23 meetings. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

G. New Business

Councilmember Shikle asked how we are coming on the Fire Station. City Manager Fairburn said he would find out and advise Council. Councilmember Milan asked about the ADA compliance regarding parking and bathrooms for new developments. City Manager Fairburn said that would be Truman's department. She said she has seen some areas that don't look as if they are in compliance. Mayor Wohr suggested getting a little bulletin out to the existing businesses and ask for voluntary compliance.

There was discussion regarding the City's web page. The company who did our web page is the same company who up-graded our PC's. Councilmember Stapleton said he is against the City spending money outside the City unless there is a tremendous savings. Mayor Wohr said they could issue a directive to Staff about making purchases locally unless there is a certain percentage of savings by going outside the City.

Updating the web pages is currently being done by one of the police officers. In time the section for posting the notices of meetings will be updated by the City Manager or the City Secretary.

Councilmember Milan thinks that as a service to one of our vendors here in Lake Dallas we should present a statement of the reason why we did what we did with the web site. She said she doesn't know how it came about that Mr. Lantrip gave the presentation last summer. Councilmember Stapleton said he had asked him to be at the meeting. Councilmember Milan said that regardless of whether it was a huge savings or the established relationship we had with the firm who was handling our computer system, she doesn't have a problem with it one way or the other. Mayor Wohr said that if we want our City Manager to do something specific we should tell our City Manager to do something specific and if we want him to do something general we tell him to do something general. Councilmember Harper said Mr. Lantrip had called her, also, and said that if we want him to do our web page he would put in on the Lake Cities.com for nothing. She said he was very emphatic about doing business in town and he had heard that the City had done some food business by going out of town. She said she is totally for supporting our businesses here in town. Councilmember Minnis said we have had the unofficial policy to use businesses here in town. The only time we have chosen to go outside of town was because it was a quality or major cost difference. City Manager Fairburn said he was quite right, you also have to look at quality. Right now, one of the subcontractors on the street projects is an in-town business and we wouldn't want to do that again. The thing with the catering, all we knew about Papa's at that point was it was a little bar-b-q in a 10' building and cooking outside. We knew what the quality was going to be when we went out of town for the previous meal. We used Papa's for the dinner and it worked out fine so we will continue to use them.
Councilmember Shikle said we spent $1600 getting a transmission rebuilt in Denton and said we have places here in town who could rebuild transmissions. He asked why Council was concerned about the web site and bar-b-q monies being spent out of town but said nothing about the $1600 transmission being done out of town. Councilmember Harper said it was reported. Mayor Wohr said we need to make a clear policy.

Councilmember Stapleton said the run-off election business was still bothering him. He said there was a massive amount of misinformation all over town. He said he would like for the City Manager put together a list of facts and call over to get an interview with the local newspaper to dispel some of this rumor. Mayor Wohr said the problem with rumors is that they don't necessarily go away because you get the facts. City Manager Fairburn said we don't have anything to do with that. Mayor Wohr said some people will deliberately misinform other people in order to damage someone's public figure. Councilmember Stapleton said he feels damage has been done.

Councilmember Shikle referenced rumors. He said when he first got on the Council he was told about all the retaliation that would happen from the Police Department and Code Enforcement. He said if this police force had a right to get on anybody they should be stopping him, daily, and issuing him a ticket if they wanted to retaliate on something because he's given them every reason in the world. He said they have never retaliated on him in any way, shape, or form. That's just part of your rumors you hear.

There was more discussion about the elections. Mayor Wohr said that where the next general election in a party election is held will be decided by the County. We only have control over our City elections. There was discussion among the Councilmembers and a few comments from the floor. Mayor Wohr said he was going to close the discussion on this issue.

H. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 11:37 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on March 23, 2000, at 7:43 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Michael Minnis	Councilmember 4
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp, and City Secretary Beverly Weikum.

Mayor Wohr said there were no items on the agenda for the Citizens Agenda or New Business. He said that since they were not action items they could be addressed.

B. **Citizens/Visitors Agenda**

Jan Daniels, 401 Shady Shores, gave supporting statements for Building Official Harp. She said he had 45 years experience and has performed his duties with intelligence. She feels politics are keeping him from doing his job.

Rod Courtney, 162 Kingswood, said he has been associated with the city for several years. He said we have had problems in every department in the City but that the good things override the problems. He said while he was Mayor he had no problems with the Building Official and hoped the Council would give him a good recommendation.

Dave Owen, 611 Lake, said he had received a letter from City Manager Fairburn and that he would be able to help the Council with the street project. He said he would donate his time as a citizen to label the pictures of the street projects. He said there's still an unresolved issue regarding his final paycheck and also the matter of his lack of confidence of Mr. Fairburn during the street projects. Mr. Owen said they are. Mr. Owen said he thinks Mr. Harp is a good, dedicated employee and has the best interests of the City at heart.

Timothy Wright, of the Horn of Plenty, brought copies of their latest newsletter to the Councilmembers and Mayor. He said he wanted to update the Council of what's going on with them. He said that since November of last year they have helped over 3000 people with food, clothing and job assistance. He's asking for help from the Council through their support. They plan to build a 2000 square feet building on the property and have it be a building for teen center for movies and music a couple nights a week and also have it open a couple nights a week as a coffee house where people can just sit down and be together. He said he is behind Truman Harp 100%.

Mayor Wohr thanked Mr. Wright not only for the Horn of Plenty but for other things he has done in the past such as donating things for the Fire Department fund raisers, providing entertainment for different events.

Bob Davis, 73 Lakeridge, complimented Mr. Wright. Mr. Davis said there was nothing about the streets on the agenda. In his opinion he thinks there should be something about the streets on every agenda until they are completed. He said he totally supports Truman Harp and finds it difficult to believe the Council could do something negative. He also said he is delinquent 54 days on his taxes with reference to the Charter and Candidate qualifications.

Margaret Tisdale, 509 Howard Drive, said she was concerned about the evaluation for Truman Harp. She said he is a good inspector.

Gene Tisdale, 524 Howard Drive, said he's been in Lake Dallas for 26 years and thinks Truman Harp is the best Building Inspector the City has had.

Georgina Gougeon, 717 Cain, thanked City Manager Fairburn for giving her the audit on Kimley-Horn. She said she was in shock over the amount the City has spent with the engineering firm. She said she had worked with Truman Harp when she was a city employee and she believes he is very fair and honest. She said a member of the community, Dr. Ronnie Crownover, needs a blood and bone marrow transplant. She asked everyone there to go to the "Rally Round" which was scheduled for the coming week-end to make a donation.

Mayor Wohr said the hospital wants to take tap tests which is a blood test, to see if they can find someone with a compatible bone marrow match. There are locations in Denton and Lewisville.

David Shershen, 166 Kingswood, said he was on the City Council when Building Official Harp was hired. He said Building Official Harp brought about the situation where the area of Code Enforcement brought about an air of professionalism. He said as a citizen and former councilmember he was thanking Building Official Harp.

Tim Wright wanted to ask the Councilmembers to look into this evaluation and reasoning.

Councilmember Shikle said he would have to leave early and asked Mayor Wohr to move to Item E and then F. Mayor Wohr said that was a good idea because that way there would be a full Council for that item.

Mayor Wohr closed the Citizens' Agenda called for a break at 8:20 p.m.

Mayor Wohr called the meeting back to order at 8:40 p.m.
Councilmember Minnis requested that the Consent Agenda be done before going into Executive Session.
Mayor Wohr and the rest of the Council were in agreement.

B. Business:

1. **Consent Agenda:**
   a. **Consideration and Action on appointing the judges for the May 6, 2000 City Election.**
   b. **Consideration and Action on an Ordinance adopting the codified Municipal Code**
   c. **Consideration and Action on Resolution authorizing the Mayor to execute a Quit Claim Deed.**
   d. **Approval of minutes for February 24, 2000 meeting.**
   e. **Consideration and Action on Resolution to establish an Annual Appreciation Week and dinner for members of City Boards and Commissions.**
   f. **Consideration and Action on contract for cheerleading classes.**

Mayor Wohr said that Item a should read "appointing election officers for the May 6, 2000 City Election.

Councilmember Minnis asked that Item f include the paragraph that was included in the gymnastics contract which stated that no Boards or Commission Committee Members, or City employees can receive pay for assisting with the program.

Motion was made by Councilmember Minnis to approve the consent agenda items b, c, d, and e.
Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Motion was made and amended by Councilmember Minnis to approve the resolution appointing the election officers for the May 6, 2000 City Election with Aldena Stowe Gregory as the judge and Cora Allen as the alternate judge.
Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Minnis to approve Item f with the change to item 2 in the contract to also read Boards, Commissions, Committee Members, City employees are not to be hired as employees.
Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr closed the public session of the public meeting at 8:52 p.m.

E. Executive Session to conduct a performance evaluation of the Building Official according to Government Code 551.074 was called to order at 8:55 p.m.

Councilmember Minnis left at 11:10 p.m. Councilmember Harper left at 11:50 p.m.

F. Action, if any from Executive Session
There was no action from Executive Session because there was no longer a quorum.

Meeting was over at 11:50 p.m.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

Beverly Weikum
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on March 9, 2000, at 7:36 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Michael Minnis	Mayor Pro-Tem
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Wohr arrived at 7:58 p.m.

Staff present were City Manager Stewart Fairburn, Police Chief Ristagno, Building Official Truman Harp, and City Secretary Beverly Weikum.

B. Councilmember Stapleton gave the invocation.

C. Mayor Pro-Tem Minnis led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Mayor Pro-Tem Minnis opened the Citizens Agenda.

Marjory Johnson, 905 Vista Oaks, said her brother is a civil engineer with Granite Construction. He came to look at our streets at her request and City Manager Fairburn went with them. She said her brother is probably more qualified than a lot of people who had come before the Council about the streets. After looking at the streets with her brother, it appears that some of the streets look great and some don't look so good. She has read the contract and read several paragraphs at this time concerning the engineers and their responsibilities. She asked if we had written notice that the work is acceptable.

City Manager Fairburn said we are not at that stage yet.

Ms. Johnson said she would like to request that Council look over the draft letter to Kimley-Horn that had been prepared, have the attorney review it and forward this letter to Kimley-Horn. Once we have the reply from Kimley-Horn to this letter it would be Kimley-Horn's responsibility to pay for the outside engineering firm to come in and review the streets, test results, etc. Ms. Johnson requested a copy of the letter if the City sends it to Kimley-Horn and she also requested a copy of the response from Kimley-Horn.

Mayor Pro-Tem said it would be public record if it is not attorney-client-privileged information.

Councilmember Harper said she and Councilmember Milan had been chosen to check on the two firms that City Manager Fairburn had given them. They had chosen Teague, Nall and Perkins. Councilmember Harper said she had talked with Ms. Johnson last week about one lab company and two engineers. She said she also talked with Councilmember Stapleton. There was no Council Meeting last week due to lack of quorum. City Manager Fairburn said there was not enough time to bring in another engineering firm. Councilmember Stapleton and Councilmember Milan agreed that we should proceed with Teague, Nall and Perkins. She would also like for every Councilmember to agree to this firm.

Mayor Pro-Tem Minnis said a letter would be sent to her addressing her concerns. He said a lot of what Ms. Johnson she has pointed out is not at that stage yet. Signing off on the work is not done until final payment is made.

Bob Davis, 73 Lakeridge, told a story to be used as a parallel for the City Council. The Council has the power as the governing body. He hopes that what they do with their power is in the best interests of the City.

Georgina Gougeon, 717 Cain, said she had a genuine concern about the engineers, Kimley-Horn. They have been awarded several different contracts. She asked if an audit of their costs could be put on an agenda.

Councilmember Shikle asked her if she wants to know how much has been spent on these engineers. She replied 'yes' and asked from the first time which was on the Garza Subdivision in June, 1998. Then she said she would like the information from April 22, 1998 through the current. Councilmember Shikle asked City Manager Fairburn to take care of this and asked him how long it might take. City Manager Fairburn said we could get it worked up next week. Councilmember Shikle asked that staff mail it directly to Ms. Gougeon.

Norma McAlavy, 25 Kingswood, spoke in response to Bob Davis' story. She asked Council not to give anything until they have studied the area's problems. When we, as directors of Kingswood or anywhere else, come to you and tell you what we're trying to do, in my opinion, I think you should review that and give it thought. When we ask something you owe it to your constituency to listen to them and help them to better themselves.

Mayor Wohr came in at 7:58 p.m. Mayor Pro-Tem turned the meeting over to Mayor Wohr after Mrs. McAlavy finished speaking. He then recognized the next speaker.

Linda Rapp, 213 Pecan Lane, said she would like someone to look at the high fence at 23 Oakwood; the unit at #75 has plumbing stuff out there and it looks a mess; Rod Courtney's new mobile home looks too close to the front easement. She said they wouldn't let them put up a six foot fence and she wants that high fence at #23 down. She said her 27' camper will go to the storage area as soon as it is unloaded.

Mayor Wohr said she would receive a written response. Councilmember Minnis asked Building Official Harp if he had a list of trailers in Kingswood not meeting the setback requirements. Building Official Harp said he will get the list. Councilmember Minnis asked that be included in the letter to Mrs. Rapp.

Rod Courtney, 162 Kingswood, said he would like to respond to some of the comments that had been made during the Citizen's Agenda but will wait until the item comes up on the agenda to respond.

Mayor Wohr closed the Citizen's Agenda at 8:05 p.m.

E. Business:

1. **Consent Agenda:**
   a. **Approval of Minutes for February 3 and February 10, 2000 meetings.**
   b. **Parks and Recreation Reappointment.**
   Councilmember Minnis asked if there have been no other applications for the Parks and Recreation Board. City Manager Fairburn said, 'no,' we've only received applications the Planning and Zoning Commission. Councilmember Harper said that in the February 10 minutes under New Business it reads that she had seen various squad cars parked; it should read that "it had been reported to her by citizens." Councilmember Minnis asked for a correction on page 4. The first sentence of the second paragraph under Item 7 should read: Councilmember Minnis said he had a donation of $300 from the American Legion for the Soccer Association and could possibly get another donation to sponsor a field and asked what the cost would be for one soccer field.

   Motion was made by Councilmember Minnis to approve the Consent Agenda with the amended version to the minutes. Seconded by Councilmember Milan.
   Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
   Noes: None

   Motion Passed

2. **Consideration and Action on the Home Rule Charter Amendments.**
   Mayor Wohr said we have already had our Public Hearing on this item; there were some recommended changes which need to be reviewed by the City Council. Councilmember Shikle asked if the Charter Review Committee looked over what was sent back to us from the attorney? The answer was yes.
   Motion was made by Councilmember Minnis that we accept the Charter Review Committee's recommendations and place all of them on the ballot for the May 6 election. Seconded by Councilmember Stapleton.
   Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
   Noes: None
   Motion Passed

3. **Consideration and Action on replat of Lots 225-226 Kingswood.**
   Mayor Wohr offered an opportunity to the public to speak. Councilmember Shikle asked if a Public Hearing was not required on this type of action. City Manager Fairburn said that it is his understanding that with single ownership and only a change to 2 lots it is not required. Councilmember Shikle expressed concern that there was not a public hearing published for this item. There was discussion about concerns that some people may not have come to the meeting since a Public Hearing wasn't on the agenda. City Manager Fairburn said that in the future we will do Public Hearings. Councilmember Minnis said there had been several replats that didn't have Public Hearings. Council requested staff to look at the records and check on recent replats which did not have Public Hearings.

It was decided by Council and Mayor that they would return to Item 3 after the break which would give staff the time to get the records.

4. **Consideration and Action on Lake Dallas Fire Station Lease.**
Mayor Wohr asked Robbie Robertson if he would speak to Council about the renovation for the fire station. He said that as soon as the lease is agreed upon the renovation will move forward. The financial concern that is loaning the money would like a lease of 20 years. Mayor Wohr said his understanding is that over all the years there has just been a rather informal agreement. The lending institution is concerned and wants the lease to last as long as the length of the note. Mr. Robertson said the renovation will take six to eight months. Mayor Wohr thanked Mr. Robertson for the information and told him he appreciated all his work. He said the lease looks favorable to the City.

There was Council discussion about the length of the fire dispatch contract with the City; what would happen if we should be able to get a better contract with another Fire Department; what if the Fire Department would pull out and go somewhere else; the size of our annual budget that is dedicated to the fire department; could the City finance the building. After thorough discussion it was the general consensus that we owe it to the City to have a good fire department and the response time advantage of having the station in the City.

Motion was made by Councilmember Shikle for the City of Lake Dallas to enter into a lease agreement with the Lake Cities Fire Department beginning on March 10, 2000, for a 20 year term plus 4 consecutive five-year terms thereafter. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:00 p.m.

Mayor Wohr called the meeting back to order at 9:24 p.m.

Item 3 was reopened. Consideration and Action on replat of Lots 225-226 Kingswood.
Councilmember Shikle said that Councilmember Minnis was right. There was not a Public Hearing for the replat. He thinks we should always have a Public Hearing on replats. There was more discussion. City Manager Fairburn answered some of the questions by saying that the mobile home was already on the property but it is ahead of the game because the replat has not been done. He said the issuance of the permit was in error and that he has told the owner that the home would have to be moved if the City Council did not approve the replat. There was a suggestion to table it until a Public Hearing could be scheduled. The Planning and Zoning Commission draft minutes reflected that the Commission had approved the replat. In the Planning and Zoning Commission draft minutes it showed that the Kingswood Homeowners' Association's preference was not to do this and City Manager Fairburn said that was correct. After more discussion Mayor Wohr said that Mr. Courtney had asked to speak and it was decided to allow others to speak.

Rod Courtney, 162 Kingswood, said he had gone to Hammett and Nash Surveyors and they told him there are four requirements for a replat: 1) a certified survey must be made; 2) Lake Dallas has a minimum requirement of 4000 SF per lot; 3) the placement of the home, due to the size and shape of the lot meets the requirement of a 20 foot easement off Shady Shores Road. There are three lots in Kingswood that face Shady Shores. 4) it meets the requirements of Kingswood Estates Covenants. It may not meet the requirements or the desires of the board. He said he knows there are some concerns about the rear of the mobile home. He is proposing to have some

dirt brought in and have a plant hedge put in. He asked Council to consider that the replat does meet the requirements. In answer to a question about the mobile home already being on the property Mr. Courtney agreed that it was a mistake. He said if the replat is denied he will move the mobile home out.

Norma McAlavy, 25 Kingswood, said the back end of the home is sitting right on the edge of the property. People are staying there at night.

Linda Rapp, 213 Pecan Lane, said her concern is that it sets on a cul de sac and she doesn't think that it sets back far enough. She said when her son wanted to put his in they had to wait until the Council approved it.

Mayor Wohr said the setbacks will have to be met.

David Shershen, 166 Kingswood, said that the people who showed up at the Planning and Zoning Commission meeting represented themselves, they did not represent the homeowners' association. The Planning and Zoning Commission knows that no homeowners association, deeds, or covenants shall usurp any ordinance or planning and zoning restrictions or code enforcement restrictions of the City of Lake Dallas. He said Mr. Courtney followed the rules and Planning and Zoning Commission approved it. The issue before the Council is whether he is going to get the replat or not.

Ms. McAlavy said she has nothing against this; it's just he shouldn't have put it on there before it was approved. Mayor Wohr said he agreed with her and he thinks that's what this Council is concerned about.

There was more discussion about the fact that the replat is qualified in every area it's just that the home was moved in before the replat was approved. There was discussion about the placement of homes on property in Kingswood.

Motion was made by Councilmember Minnis to grant the replat of Lots 225-226 Kingswood Mobile Home Park. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: Councilmember Stapleton

Motion Passed

5. Public Hearing on Comprehensive Plan

Carolyn Green, 201 North Shady Shores, asked City Manager Fairburn about the Comprehensive Plan in a short summary. City Manager Fairburn said the Planning and Zoning Commission had worked last year on developing the plan through several meetings and public hearings. A class from the University of North Texas helped put it together and then the Commission reviewed that plan. The plan is based on developing goals and objectives in various areas for the improvement of the City over the next several years. The areas are economic development, parks and open spaces, city facilities, neighborhoods, public safety, transportation, drainage, utilities, and environment. They looked at what the future land use could be; one of the biggest areas of change will be when the County puts the bridge in over the lake. We are pretty close to build-out already.

Ms. Green asked if there were going to be any zoning changes in the immediate future. She was told that may be in the future. Those changes would have to come before Planning and Zoning Commission first and then before the City Council.

City Manager Fairburn said there is some R-1-10000 property along the Swisher extension that there is a possibility of putting some commercial in there. There has also been talk about some Planned Unit Development so that it would be more open to what a developer might want to do. Right now they are looking at what can be done in the next year.

Mayor Wohr closed the Public Hearing at 10:12 p.m.

6. Consideration and Action on the Comprehensive Plan

Motion was made by Councilmember Minnis to adopt the Comprehensive Plan. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

7. Order of May 6 General Election

Motion was made by Councilmember Minnis to order the May 6 general election and accept the suggested hours for early voting (8:30 a.m. to 5 p.m. weekdays for April 19 through May 2 and 8:30 a.m. to 5 p.m. on Saturday April 22). Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

8. Drawing for members of Appeals Board

Motion was made by Councilmember Minnis to table Item 8. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

9. **Consideration and Action on Reports:**
   - **a. Boards & Commissions**
   - **b. Financial, including Accounts Payable**
   - **c. City Manager's Report**

Motion was made by Councilmember Minnis to table Item 9 a, b, and c until the next meeting we hold. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr closed the open meeting at 10:17 p.m.

G. Executive Session to conduct a performance evaluation of the City Manager according to Government Code 551.074.

H. Action, if any from Executive Session

Motion was made by Councilmember Milan to approve the City Manager's review with the direction discussed in Executive Session. Councilmember Shikle seconded the motion. Councilmember Shikle said the motion should be amended to put the points on the evaluation. Councilmember Milan amended her motion in approving the City Manager's review with a rating of 3 and direction as discussed in Executive Session. Councilmember Shikle seconded the amended motion.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: Councilmember Harper.

Motion Passed

D. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 2:00 a.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting and workshop session on February 24, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Mayor Pro Tem
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp, and City Secretary Beverly Weikum.

Mayor Pro Tem Minnis opened the meeting.

Invocation was given by Councilmember Stapleton.

The Pledge of Allegiance was recited.

Mayor Wohr arrived at 7:50 p.m.

B. Citizens/Visitors Agenda
Mayor Pro Tem Minnis opened the Citizens Agenda.

Aldena Stowe Gregory, 603 Hundley, said the intersection of Main Street and Thompson is very dangerous with only one stop sign there now. She said she didn't like the way the street projects were going. She said the primary election was going to be held here and said everyone needs to get out and vote.

Mayor Pro-Tem Minnis said the original design was to have just the one stop sign but that may need to be reconsidered.

R. O. Owen, 611 Lake, said that David had come to the chambers to label the pictures he had taken of the road projects and she said she couldn't understand why he was refused to be able to do that. She said they have not heard anything from Peachtree about suing David.

Mayor Pro-Tem said he had initially agreed with that but since then it may be that the City will need to use the pictures as evidence. He asked City Manager Fairburn to bring that back to Council either as an action item or discussion item to see whether or not it would be appropriate for Mr. Owen to do it.

R. O. Owen then asked to have the street projects back on the agenda for the next meeting so the citizens can be informed about what's going on. City Manager Fairburn said we may have something next meeting because the independent engineers that Council had wanted may be here. Council wanted someone not associated with the contractor to look over the contract and to review the testing and the work to identify any problems.

Mayor Pro-Tem said that at that time they will probably be able to hear some citizen input. He turned the meeting over to Mayor Wohr at this time.

Dave Owen, 611 Lake, set up an easel to show some visual aids (copies of the City of Fort Worth's specifications, COG and Denton County specifications). He said he would retract his request for an attorney from the City because he hasn't been contacted by Peachtree or their attorney. He said he thinks there are still problems with the streets. He referenced a statement made by City Manager Fairburn in the August 4 Lake Cities Sun. Mr. Owen said the roads have not been cured properly and that we're going to have problems in that area. He said these specifications weren't adhered to.

Mayor Wohr asked Council if it was all right to let Mr. Owen go beyond his time limit. Councilmember Shikle said we've taken action to check our roads and asked how much more time he would take. Mr. Owens said about 10 minutes. Council agreed to let Mr. Owen continue speaking.

Mr. Owen showed a copy of test and said a very important piece of information was missing. It shows the moisture and density test and the date of the test. According to specifications the tests should be done before the final compaction. He said he only sees one that was done on the same day.

City Manager Fairburn said our old engineering firm has reviewed the tests and agreed that the results were adequate. He said he had not talked with them about the timing of the tests.

Councilmember Shikle asked if the tests or good or no good. Mr. Owen said it was for the engineers to decide.

Councilmember Shikle asked Mr. Owen how many core tests were taken and how many were bad. Mr. Owen told Council that 23 core samples had been taken and two were bad. Mr. Owen said the performance bond is not the answer and the contractor has not given the roads here the performance that he would give to a city like Fort Worth. Mr. Owen gave some packets to the Councilmembers showing where the contractor did wrong and where the engineers didn't do right. Councilmember Stapleton said the Council has done a lot and he gets a little offended when it's said they're not doing enough on the street projects and asked Mr. Owen what he wanted Council to do. Mr. Owen said he wanted them to not let the contractor cover up what's wrong on the roads. Mayor Wohr said the question we need to ask then is if we're being charged more for the asphalt than we should be. Mr. Owen agreed.

City Manager Fairburn said the independent engineering firm would be looking at the spec's as compared to industry standards, the work done, the test results, discrepancies of the roads, if any, and ways to fix them. Mr. Owen said he would like there to be a workshop with the engineering firm. Mayor Wohr said he thinks we have taken some pretty big steps in taking care of concerns regarding the contractor and the engineers. Questions were raised by Council about micro (thermal) cracking on some streets.

Mayor Wohr called Bob Davis' name from the Citizen's Agenda. He said he had put his name on the agenda to give Mr. Owen more time in case his time had been limited.

Mayor Wohr called Marj Johnson's name from the Citizen's Agenda. Her response was the same as Mr. Davis' response.

Mayor Wohr closed the Citizen's Agenda and called for a break at 8:30 p.m.

Mayor Wohr called the meeting back to order at 8:52 p.m.

C. Business:

1. Public Hearing on recommendations from the Charter Review Committee.

Rod Courtney, 162 Kingswood, said there are plenty of people in Lake Dallas who are determined to see that Lake Dallas grows and grows well.

David Shershen, 166 Kingswood Drive, took this opportunity to personally salute the members of the Charter Review Committee. He said they have shown a lot of enthusiasm, creativity, and dedication.

Mayor Wohr closed the public hearing.

2. Consideration and Action on recommendations from the Charter Review Committee.

Mayor Wohr asked Bob Davis, Charter Review Commission Chairman, to come forward. They had started with about 22 people and ended up with 14 or 15. There is no set number to have on that committee. Someone had called a Councilmember and said that they had called the Attorney General's office and that minutes were required. City Manager Fairburn checked with the City Attorney and was told that minutes were not required. Questions were asked about changes to 3.05, 3.13.04, 4.01.01, 4.01.04, 4.08, 4.01.02. There was more discussion and recommendations from the Councilmembers. Council also stated that the Committee could review the comments from the City Attorney.

Motion was made by Councilmember Stapleton to table the recommendations from the Charter Review Committee until the next called meeting. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr thanked the members of the Charter Review committee for all their hard work.

D. Workshop

1. Personnel Policies and Procedures Manual

Mayor Wohr said changes were made to replace the word "Mayor: with "City Manager" in most cases due to the change of the municipal government. City Manager Fairburn said that if any changes are made by the Charter Amendments then we can adopt a new resolution after May to reflect those changes required by the Home Rule Charter. He said the media policy need to be added and there is also a section in the policy regarding lay-off. There was discussion about banking comp time; accrual of sick days; and certification pay. City Manager Fairburn said that in dealing with benefits that it's part of the packet in comparison with other cities. All of this is a package that goes together as part of how we can recruit and retain employees.

E. New Business

Councilmember Milan asked if they could do the business item regarding the streets. The recent conversation about getting an engineer in to look at the streets was a direction to staff to provide a list and have Council look at the list and determine what should be done. She asked if it would be a problem if Councilmember Harper and she got together over the week-end to review the list and agree on a firm.

F. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 10:15 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on February 10, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Milan was excused.

Staff present were City Manager Stewart Fairburn, Police Chief Ristagno, Police Lieutenant James Lowery, Public Works Employee Allen Vaughn, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **Citizens/Visitors Agenda**

Mayor Wohr opened the Citizens Agenda.

Aldena Gregory, 603 Hundley Drive, asked if the city has a bond on the street projects; are we aware that the contractor is using subcontractors and who's held responsible for the work. Mayor Wohr said we hold a retainage of 10% from payments made to the contractor, there is a performance bond and a 2 year maintenance bond. He said that ultimately the contractor and bonding company are responsible for the completion of the streets. Ms. Gregory asked who is the engineer for the project and who will ensure that any defective work will be resolved. Mayor Wohr said the engineers are Kimley-Horn & Associates, Inc. He said there is a 'punch-list' which will be used to facilitate the location of those items which need to be taken care of before the job is released.

R. O. Owen, 611 Lake Drive, apologized for the prior week. She asked who is in charge of the punch list and will it be where the public can view it. Mayor Wohr said it is public information. Ms. Owen expressed concern about the engineers whereabouts today while a core was being done. She said she wants the Council and citizens to pull together because we'll be paying for the streets for 20 years.

David Owen, 611 Lake Drive, said he didn't have time to finish the photo album. He said he would like to properly label those pictures that had been in the 3 cameras he turned when his job was finished. He said Barry Clark had cussed him out and was fixing to sue him for slander. He asked that the city notify the city attorney of impending litigation. He asked where the cores were that had been put by the fire station. City Manager Fairburn said the core samples where in the city yard. Mr. Owen said he appreciated having worked with the Council and would like to continue working regarding the punch list and other streets that need to be done. Mayor Wohr told him the city appreciates his work for the city.

Gene Tisdale, 524 Howard, said he heard that Council didn't understand what's going on with the streets. He gave a demonstration by using cardboard. He said that the Council is made up of the finest people in town.

Bob Davis, 73 Lakeridge, said we need to determine what is the best solution for the streets. There's a lot of support out there for the Council. He suggested a workshop. Mayor Wohr said we could probably have a workshop or town hall meeting.

Mayor Wohr closed the Citizen's Agenda at 7:55 p.m.

Councilmember Minnis requested to move the Charter discussion to the next item since there were so many representatives there from the Charter Review Committee. Mayor Wohr said there were several people there from Parks and Recreation Board, too. It was decided to place the Consent Agenda at the end of the meeting.

E. Business:

2. Public Hearing on amending Chapter 18.30.020 of the Municipal Code to allow for less than a unanimous vote of the Planning and Zoning Commission and City Council to approve a Special Use Permit.

Carolyn Green, 201 North Shady Shores Road, asked what the purpose was of the amendment. Mayor Wohr said some citizens had asked that it be placed on an agenda. Ms. Green said the ordinance was passed for a purpose and that purpose hasn't gone away and feels we need a unanimous vote.

Marj Johnson, 905 Vista Oaks, said that in the Charter revision they are requesting a change to a simple majority on all motions.

Mayor Wohr said if the citizens vote for the change in the charter then Council would feel more comfortable with it. No one else came forward to speak. Mayor Wohr closed the public hearing at 8:02 p.m.

3. Consideration and Action on amending Chapter 18.30.020 of the Municipal Code to allow for less than a unanimous vote of the Planning and Zoning Commission and the City Council to approve a Special Use Permit.

After Council discussion it was decided to leave it for the citizens to vote for or against this on the Charter Amendments in the May General Election.
Motion was made by Councilmember Minnis to take no action at this time. Seconded by Councilmember Harper.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper.
Noes: None

Motion Passed

4. Review of Municipal Court Fees for recommendation to municipal judge.

There was council discussion regarding the amount of the current fees; including the state fee, city's portion, and the $4 Court Technology Fee. This tech fee has not been collected because the fine amounts have not been raised to include this $4 fee because the tickets have not yet been printed. Mayor Wohr said a suggestion was brought up to compare with the other cities around us but that the amount is ultimately the Judge's decision. A workshop session to discuss this item was suggested.
Motion was made by Councilmember Harper that we set up a workshop and go through the fee list one by one and have no other item scheduled. Councilmember Minnis seconded the motion but then withdrew his second.

Motion died for lack of a second.

Motion was made by Councilmember Shikle to send this to our judge with the recommendation that we take out the approved court technology fee of $4.00, that we do not accept the increase proposal and that everything remain just as it is now and that all stay at the rates they are at this time; and have a workshop be brought forward within 30 days from today's date. Seconded by Councilmember Minnis.
Ayes: Councilmembers Shikle, Minnis, and Harper
Noes: Councilmember Stapleton

Motion Passed

Mayor Wohr called for a brief recess at 8:45 p.m.

Mayor Wohr called the meeting back to order at 9:00 p.m.

5. Review of Charter Amendments

Mayor Wohr told the Charter Review Committee he appreciated all their hard work.

Bob Davis, 73 Lakeridge, said the committee voted him to be chairman. He said there was a lot of room for some totally antagonistic things to happen but as they went along his attitude about certain people changed dramatically. There's a whole group of people who had been nominated to the committee who had not been politically active and who are now running for office, being on boards, or being pro-active. There was a lot of solidarity for the direction they want to see the City go. He feels the city is much better than 5 or 6 years ago. He said it was not an attempt to change the Charter. He said there was a lot of input for the revisions.

Marj Johnson, 905 Vista Oaks, said Bob had been a credit as chairman and is a great member of the community.

Carolyn Green, 201 North Shady Shores, said he did a fantastic job as chairman.

Bob Davis addressed the changes the committee was recommending for the Charter. There was lengthy Council discussion and questions asked of the committee. Some areas revised were: 1) reducing the ability of the city to issue debt; 2) mayor cannot vote in case of tie; 3) Department Administrator can fire employees with advice, not approval of City Manager; 4) chain of command on how to go to City Council.

Comments were also made by Georgina Gougeon, Rod Courtney, Jan Daniels, David Shershen, Linwood Gilliland, and Carolyn Green, and Dave Owen. Mr. Davis said they plan another meeting and they will discuss the items the Council had brought up and possibly change the language to be more compatible with what Council desired.

Mayor Wohr called a recess at 10:48 p.m.

Mayor Wohr called the meeting back to order at 11:00 p.m.

Mayor Wohr said that due to the late hour and with the permission of the City Council they would move briefly to Item 7 to hear the Park Board report.

7. Consideration and Action on Reports:
a. Boards and Commissions

Christy Burgess, 110 Silktree Ct., said that park grant was turned down this year. Last year we had 40 points and the cutoff was 75 points. This year we had 60 points. The Board realizes we have a lot of citizens who are anxious to see something done. They want to go ahead with the $250,000 plan which consists of the $110,000 already committed and the other $140,000 from the general fund. The Master Plan is okay because it is a long term plan. The largest costs are the activity shelter, the playground, and the parking area. The Park Board is recommending to reduce the size of the pavilion and remove the restrooms. There will be fewer tables under the shelter but tables can be put under trees. We could possibly add on at a later date. There will be a couple of minor adjustments to the map. By moving the shelter and playground closer to the parking lot it would cut down on the concrete costs. By removing the sidewalk around the playground that would cut concrete costs, too. We could still comply with ADA. Another way to cut costs would be to reduce the length and height of fencing. Asphalt paving would be nice but gravel could be used and put up posts and cables to define the parking area. We will have baseball and soccer fields and can have a lot of volunteer work in those areas. Site grading and leveling will have to be done by professionals. We could do some of these things in conjunction with the Boys and Girls Club. We plan to meet with them to see what we can offer them and what they can offer us. Perhaps when the Boys and Girls Club builds their building they can have restrooms that would be available to the public on the outside of their building and maybe we can use their building when they are not using it. Porta-potties is another option. Corinth is not providing soccer fields for the 5-6-8 ages.

Councilmember Minnis said he had a donation of $300 from the American Legion for the fields and asked what the cost would be for one soccer field. He said we could probably get an organization to sponsor one. She said it will probably be able to get any help from the community until they actually see something being done. Councilmember Stapleton asked about a big opening day for Community Park.

SOCCER ASSOCIATION & POSSIBLY GET ANOTHER DONATION to SPONSOR A

Ms. Burgess said part of their plan is to have a big dedication for City Park. The remaining amenities they wanted to put in will have to wait for funds. The remaining items they'd like to put in would a 2nd ball field, a sand volleyball pit, basketball court, horseshoe pit, and asphalt parking.

Mayor Wohr asked about money available from the soccer association for the soccer field lighting. Ms. Burgess said Mark Ruder is on the Soccer Association Board and wants to keep the money in Lake Dallas. He is going to take it to the board in May.

Use agreements have been discussed regarding the use of porta-potties. During soccer season the Soccer Association pays for them and takes care of them.

Ernie Lopez, Post Office Box 1298, said in De Soto some years ago they had certain days you could sign up to use the fields when the fields weren't in use.

Christy Burgess said they haven't explored the use agreements in full. The architect will be coming out tomorrow regarding the drainage and lighting. They plan to have the dedication for Community Park on Earth Day which is April 21. They will have the dedication ceremony that evening and spend the Saturday after that doing the park clean-up day and 'Plant a Tree' day. City Manager Fairburn said if the playground is done before that the dedication will be accomplished before that date. She discussed options available to them regarding the playground for City Park. Installation has become an issue at both parks. City Manager Fairburn said we need to get some on-site people out regarding the placement of the equipment.

Ms. Burgess said we want to make the citizens aware that City Park is not just a soccer field. A question was raised about the money for the sign. City Manager Fairburn said instead of having a marquee sign at Shady Shores & Hundley, we will plant some flowers and plants and have a lower sign. Ms. Burgess said they still have the two signs in storage that were approved a couple of years ago. The big one will be placed at the Gotcher Road entrance and the smaller one will be moved down by the School Administration Building. Various types of fences were discussed. Ms. Burgess said the baseball association has the expertise to do the fencing. Councilmember Minnis said he could possibly get the materials for the sign at Hundley and Shady Shores.

Mayor Wohr said he very much enjoyed the Parks and Recreation Board meeting earlier in the month. He said he certainly agrees with their philosophy of getting something out there that the citizens can see.

There was discussion about going back to the state for a grant regarding the Willow Grove Park. It was also brought up that the 4b sales tax plan could also help. Mayor Wohr asked that the Parks and Recreation Board keep Council updated. Ms. Burgess respectfully requested that they the Boards and Commissions reports be moved up on the agenda so it wouldn't be so late at night.

b. City Manager's Report

City Manager Fairburn said that in response to Council request he had two options regarding the independent review on street projects. He had talked with 3 engineering firms this week. He gave the background of the project, a tour of the road construction and the basic scope of the work is to review the scope of tests to determine validity. Review the street conditions to evaluate the cracking; determine what cracking is not expected and determine cause of cracking and the best method to fix it. They will review testing reports, daily logs, geo-technical reports, planning and specifications and have on-site visits. The work would take two to four weeks (the engineering firms are busy) and the cost would be less than $5,000. On Monday he will be out with the testing lab and go over the testing results with them and have them discuss how they did them and what the test results mean. In addition they will be talking with other experts in the field as well as talking with other cities who have similar projects. Information from these people and perhaps an on-site inspection by another city's engineer, have them come in and be able to give us information on the condition of the roads and test results.

Mayor Wohr said he would like to go with the engineers to get a professional opinion. He said it would be a good idea to have another city's engineer to come up and walk the streets and give us an opinion, also. There was Council discussion and questions. Out of 22 core samples only two had come back bad. There is a punch-list for those items which need replacing or repairing. There will be more core samples taken at a future time. The non-independent review of the test results: the city engineer and City Manager Fairburn reviewed the high-lighted test items that were identified; moisture content and density results that were marked were almost entirely all good results, not bad results, based on the engineers. Those few that were outside the normal parameters were the street cuts made by LCMUA prior to our cement stabilization so it doesn't have an impact because it's not part of the stabilization process. A couple of them were only slightly off and were very insignificant with no impact on the project. These results will be checked by the independent engineers. Comment was made that it would be good to have the results printed correctly in the paper to ease the minds of the citizens. City Manager Fairburn said in looking at the project as a whole it is 98% correct.

The relocation of the water and sewer lines by LCMUA at the low water crossing – the engineers said the new culvert was cut lower than the existing culvert which was not an error in the moving of the lines. The $100,000 for placement of culverts was justifiable. The maintenance: the contractor is responsible for the next two years. Our crews and city engineers can do inspections and determine if there have been any failures in the streets. The engineers have said the maintenance needs to be done right and often. We need to keep the edges of the roads free of dirt so water doesn't puddle and deteriorate the edges of the roads. We will probably contract out more of our road maintenance out after the two years of maintenance are up.

The current street projects status: this week Main Street was getting the rest of the asphalt put down; the square piece on Thompson it has been fixed; they still have to do some adjustments with valves and manholes and working closely with LCMUA; they're grading ditches and adding dirt along the Main and Denton intersection to support the asphalt there; they still need to add the culvert at CenTel; more work is being done at Hundley and Shady Shores; additional grading is needed to create the swale for the water drainage. H & W need to bring in additional crews because of the length of time being taken for headwalls. They have done a good job getting rid of the debris this past week. Engineers have been on-site every day. The contractor has been very available. Everyone wants to get this done. Question was raised if we had enough money to do Carlisle without selling the other million of bonds. City Manager Fairburn said we do have enough money to deal with Carlisle and Main Street South. Some drill tests have been made but we do not have the tests back yet. The street repairs list should be brought forward soon.

The Community Park playground installation is a little more difficult than anticipated. Public Works Superintendent Webber has been talking with the installers. City Manager Fairburn said he and Supt. Webber got together and made some changes which will allow the equipment operators to spend more time doing projects instead of routine work such as picking up trash (this type of work can be done by community service workers); project lists will be written up each week and work orders will be generated from these lists. City Manager Fairburn said he would check with Denton County regarding liability on the use of community service workers. When cutting asphalt workers switch places from time to time to give others relief. He said things still come up that we have to respond to such as a citizen had called in about a creek blocking up. The departments have been advised to have supplies delivered instead of picking up. He was asked if he still sends letters in response to inquiries made on Citizen's Agenda. The answer was yes. He was asked why he shows so many hours of his week as 'Council.' The answer was that some if the time is meetings; there is research on the agenda; the agenda, reports, one on ones with the Councilmembers.

c. Financial, including Accounts Payable

There was discussion about some of the checks which had been written.
Motion was made by Councilmember Harper to pay the bills. Seconded by Councilmember Minnis.
Ayes: Councilmembers Harper, Minnis, Shikle, and Stapleton
Noes: None

Motion Passed

6. Discussion of Council Policies and Procedures

Discussion with Council raised the following items:

1) Written request by two councilmembers to get an item on agenda and through New Business
2) Citizen's Agenda: limit time and no discussion with the citizen – refer to staff action
3) Less Council argument going around and around
4) No discussion with the crowd
5) Mayor may need help in recognizing which councilmember's turn it is; all comments should be addressed to the Mayor
6) Public Hearing: this is the opportunity for citizens to speak on an item other than citizen's agenda
7) Limit length of breaks
8) The TML publication had some good ideas and guidelines
9) The length of meetings and organization of agenda items

Staff will put something together and bring it back to Council for their formal review

1. Consent Agenda

Councilmember Minnis asked to pull items a and b from the consent agenda.

b. Consideration and Action on approval of an amended plat on Lot 4R Block 1 of the Cedar Hill Subdivision, 209 Julian.

Motion was made by Councilmember Minnis to approve the amended plan on lot 4R Block 1 of the Cedar Hill Subdivision, 209 Julian. Seconded by Councilmember Harper.
Ayes: Councilmembers Minnis, Harper, Shikle, and Stapleton
Noes: None

Motion Passed

a. Approval of Minutes for January 13, 18, and 22, 2000 meetings.

Councilmember Minnis said that on the January 13 minutes, page 5, that he did not request Kimley-Horn nor Peachtree to be at the executive session that was being scheduled with Dave Owen and the City Attorney. City Manager Fairburn said that it was not saying he did say it, but that it was in the discussion. Peachtree asked to be there. He said he would like to have it clarified.

Motion was made by Councilmember Minnis to approve the minutes as amended. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Minnis, Stapleton, Shikle, and Harper
Noes: None

Motion Passed

b. Appointment to the Planning and Zoning Commission

City Manager Fairburn apologized for having a multiple choice item on as a consent item.
Motion was made by Councilmember Minnis to appoint Tony Marino to the Planning and Zoning Commission opening. Seconded by Councilmember Harper. There was some discussion about bypassing the alternates when openings occurred on the Planning and Zoning Commission. There is no rule which says the alternates must be appointed to the commission. The Planning and Zoning Commission can make recommendations only.
Ayes: Councilmembers Minnis, Harper, Shikle, and Stapleton
Noes: None

Motion Passed

F. New Business

Councilmember Stapleton asked about the progress on the recognition dinner. We have some information but not all of it. He said he would like to have an item put on the agenda: set aside a day every year and let that be our Boards and Commission Day, like the first Friday in March. Mayor Wohr asked for some parameters. Councilmember Stapleton said anyone who is on a board or committee at that time. Mayor Wohr said we were up to 113 people at this time.

Councilmember Harper said she had some citizens call her today. One caller was concerned that Peachtree was paving H & W's parking lot and how do we know that the city is not paying for that. City Manager Fairburn said we pay by the measurements for the city's streets only. She said she had a call about a rabid skunk. Police Chief Ristagno said there had been rabid skunks and the three dogs that had been involved are in quarantine. The owners of the animals are responsible for the quarantine fees. A concern had been raised about a policeman driving a police car home. Police Chief Ristagno said that the officer in charge of the canine is allowed to take the car home to Corinth and he does have a gas card to be used also for the trips home and return because this is canine transport. Councilmember Harper said ~~she~~ IT HAD BEEN REPORTED TO HER THAT ~~had seen~~ various squad cars WERE parked in various areas around town with their headlights on. One night 2 of them had pulled in at Dollar General and they had been there from prior to 11:45 p.m. until 1:15 a.m. Saturday night. She said Officer Gonzalez pulled into Allsup's and got something and then went on patrol. Police Chief Ristagno said on patrol it's not unusual to stop and exchange and sometimes they just sit and watch but for an extended period of time that's not usual practice. Councilmember Minnis said a house burned down in Kingswood and it became rodent infested. The city let it sit that way for a long length of time. He also asked if we ever got a copy of the streets that were wet-cured and/or primed.

Did we get what date the moisture content tests were done. City Manager Fairburn said the test date and the stabilization date need to be the same date. Councilmember Minnis also requested information regarding the compaction rating versus the depth of stabilization. City Manager Fairburn said he should get the information regarding the density and the depth in his meeting Monday.

D. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Harper.
Ayes: Councilmembers Minnis, Harper, Shikle, and Stapleton
Noes: None
Motion Passed.

Meeting was adjourned at 2:15 a.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting and workshop session on February 3, 2000, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call: The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Police Lieutenant James Lowery, and City Secretary Beverly Weikum.

Mayor Wohr said that since this meeting was not a regular meeting we would go forward without the invocation and Pledge of Allegiance.

B. Citizens/Visitors Agenda
Mayor Wohr opened the Citizens Agenda.

Georgina Gougeon, 717 Cain Street, asked the status of the employee handbook being updated.
City Manager Fairburn said it is scheduled to go to Council next month.
Ms. Gougeon asked if it was being done here within our city or being sent out.
City Manager Fairburn said we had a UNT class that reviewed it as one of their class projects and that we are also doing an in-house review.
Linwood Gilliland, 702 Payton Street, said he was one of the concerned citizens due to what we read in the newspapers about the streets. We had hired an inspector and now we don't have an inspector. He said the city needs to get its money's worth on these streets.
Dave Owen, 611 Lake Drive, said he had come before the council on January 13 with his concerns regarding the street projects. He said the meeting they had after the January 13 meeting didn't accomplish a whole lot so he was back before Council again. He said he had reported all information to City Manager Fairburn to document and give to Council. He said he had requested copies of the Council Meeting Minutes from July through December and was surprised to find that only 2 sets of minutes mentioned the street projects. He said he regrets that the people who hired him have no confidence in his knowledge. He read some provisions from the street projects contract regarding the contractor. He said he had fifteen reliable resources from his research who are experts in their fields. Dale Rand of Texas Hot Mix Association; Jan Forsanski of the Portland Cement Association; Najib Fires, Senior Engineer of Fort Worth were some of the names he mentioned. He said they had all been informed of our problems and had said if they were in our city they would be glad to stop over and check our concerns. He said this was not a political issue or public relations concern. He said he would like to know what the procedure is for addressing Council privately about personnel concerns before evaluations are addressed.

Mayor Wohr said if it concerns a supervisor then the person to address would be the Council. If it a person who works under that supervisor then it should be addressed to that supervisor or to the City Manager.

Dave Owen asked that he be able to address Council tonight if at all possible.

Mayor Wohr told him we could not do that within this forum. He said that he would discuss this with Council after the break and if they wish to call him in to speak at the Executive Session.

Councilmember Minnis asked that Staff contact the City Attorney during the break to be sure that this would be legal. Councilmember Shikle said he would not sit in on a meeting that had not been confirmed by the City Attorney that it could be done.

Dave Owen said he would like to know who's watching over the road projects right now and when they will be complete.

Gene Tisdale, 524 Howard, said he hadn't signed up to talk about the streets, but he had been working on Meadowbrook and notices that it's cracked down the middle and sloughing off. He said it's getting close to election time and he wants to know what the procedures will be about the election signs.

Mayor Wohr said there have been some major revisions made this year. He said that in each election packet this year there will be a specific document that will tell them exactly where signs allowed and where they are not allowed; where signs will be if they are picked up; how long they have to pick them back up from that location; and who will be in charge of picking up signs.

R. O. Owen, 611 Lake, expressed concern to City Manager Fairburn about the information that her husband furnished him and it wasn't brought up in the Council meetings. She said these streets are an important issue. She said there was only 3/8" of asphalt on the street in front of City Hall and there should be 2". She said this is not about politics or public relations. She said she wants to know where City Manager Fairburn gets his information, what are his sources about these streets.

Mayor Wohr said the concerns have been addressed to Council, we had a specially called meeting, we took written documents from Mr. Owen. We held a special meeting. We had our engineers there, we had Mr. Owen there, we had Peachtree there and our council there. Every single person on this council took as much time as was necessary to let Mr. Owen say every single one of his concerns and bring them in writing. He had an opportunity to do that. We will be happy to review any other documents or any other information that he wishes to bring us. We will be happy continue to look over the project. But we cannot do it in a public forum because I can't address your questions.

Mayor Wohr called for a recess at 8:07 p.m.

Mayor Wohr called the meeting back to order at 8:25 p.m. He recognized Mrs. Owen to continue in the Citizen's Agenda portion of the meeting and she said she would wait.

Chuck Graham, 1013 Kings Manor, said he had already voiced his opinion during the break.

Bob Davis, 73 Lakeridge, said he's getting his information third hand about the streets. He said it appeared they had a session where they invited the proper people to it. He said we had hired someone to check and bring the information to the City Manager and he should have been advising the Council. He said it sounds like some of the streets are low quality.

Mayor Wohr said we haven't paid for the whole job so we're still in a position of power to see that things get done right.

Marj Johnson, 905 Vista Oaks, said that several weeks ago a member of the charter review member went in to city hall to get a copy of the employee review forms. She asked when they could get copies because they want to have them before they go on with their charter review.

City Manager Fairburn said she could pick them up tomorrow.

Rod Courtney, 162 Kingswood, said he thinks it very important – if we had an inspector for the streets in the beginning we may need to have one now. He said it might be that the City Manager's doing that now. He said he serves on the Charter Review Committee and there is a lot of discussion about the roads. He would like to have the Council bear down and keep out city from dividing. If it's within the law, he feels Council should talk with the inspector again.

Margaret Tisdale, 509 Howard, said she's troubled by what she's been told around town about our streets. She gave her support for Mr. Owen.

R. O. Owen, 611 Lake, apologized for getting upset. She would like to bring up the issue that City Manager Fairburn didn't pay her husband the rest of his paycheck. He only got a partial payment and the attorney's phone number. Why was his pay pro-rated and is he going to be paid.

Mayor Wohr said he would look into that himself.

Dave Owen, 611 Lake, had a question about the low water crossing at Shady Shores; a retaining wall composed of the excavated material from the dam; a bridge was discussed at one point.

Mayor Wohr said everything done in that area is governed by federal law. The Corps of Engineers gave us approval then changed their mind; we had to have it re-engineered and specified the elevation. That was not up to our engineers or the contractors.

There was more discussion about a bridge, a forced main, moving water lines, and road elevation and government restrictions in this area between Dave Owen and Mayor Wohr.

Chuck Graham, 1013 Kings Manor, said he hoped Council will take everything into consideration of what the citizens had to say tonight and can find some way to smooth things out.

Mayor Wohr closed the Citizen's Agenda and called for a break at 8:45 p.m.

Mayor Wohr called the meeting back to order at approximately 9 p.m.

It's been the decision of Council to go forward with the executive session at this point. The only other item on the agenda is the municipal court fees. He asked if anyone there had any comments on that item.

Bob Davis, 73 Lakeridge, said he hopes that whatever is worked out on these fees is in fairness with the police department. We want a city that's friendly.

Dave Owen, 611 Lake, said he agreed with the comment Councilmember Shikle had said in the January 13 meeting that some of the fees were exorbitant.

Mayor Wohr closed the public portion of the meeting at 9:10 p.m.

C. Business:

1. **The City Council will have an executive session to receive the performance evaluations of department administrators, Municipal Court Judge, and City Attorney and to conduct a performance evaluation of the City Manager according to Government Code 551.074.**

Council returned from Executive Session and went back into open meeting.
Councilmember Minnis had left during the Executive Session.

2. **Action, if any, from Executive Session**

Motion was made by Councilmember Stapleton to accept all performance evaluations presented tonight. The City Manager's evaluation is to be brought back to Council at the regularly scheduled meeting in March to be reevaluated. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

3. **Review of Municipal Court Fees for recommendation to Municipal Court Judge.**

Councilmember Shikle addressed City Manager Fairburn regarding a letter City Manager Fairburn had put in the Councilmembers boxes stating that this didn't really need to come to the Council. City Manager Fairburn said that judges actually set the fine amounts. He said that someone could recommend fee amounts. There was discussion about the amount and type of some of the fines. A recommendation was made to cut some of the fine amounts and make them more realistic. City Manager Fairburn said some cities are higher and some are lower than the Lake Dallas fees. The fines cannot be reduced below the State fee amounts.
Motion was made by Councilmember Harper to table this item until the next regular meeting and go over it. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

D. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis and Harper
Noes: None

Motion Passed.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr
Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a workshop session with the Planning and Zoning Commission on January 22, 2000 at 9:00 a.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following Councilmembers were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Shikle was excused.

The following Planning and Zoning Commission members were present and constituted a quorum:

Ben Gilbert	Chairman
Al Bavon	
Diane Byers	
Marj Johnson	
Mike Fahey	

Commissioner Graham and Alternate Barnard were not present.

Also present were Councilmember Lonnie Thomas from the City of Allen, Texas, City Manager Stewart Fairburn, Police Chief Nick Ristagno, Building Official Truman Harp, Public Works Superintendent Johnny Webber and City Secretary Beverly Weikum.

B. Joint meeting with Planning and Zoning Commission
4b Sales Tax

Councilmember Lonnie Thomas from Allen, Texas, gave a presentation on what their city had accomplished through the use of the 4b Sales Tax. They have built parks, ballfields, a footbridge to provide safe access to park facilities and a middle school. He said they had purchased land and improved it and then sold it to companies who would bring more tax dollars to the city. He said they had not raised the base tax rate in six years. He left information with the Councilmembers and Staff and answered questions the Councilmembers had.

Mayor Wohr called for a break at 9:50 a.m.
Mayor Wohr called the meeting back to order at 10:10 a.m.

Comprehensive Plan

There was lengthy discussion about the Comprehensive Plan. It was the consensus of the Councilmembers to approve the plan and that the Planning and Zoning Commission begin work on part one: evaluation of the zoning districts use.

Mayor Wohr called for the lunch break at 12:15 p.m.

Mayor Wohr called the meeting back to order at 1:05 p.m.

There was ending discussion about the Comprehensive plan.

R-3 Regulations and Planned Unit Developments

This is on the agenda because there are some developers looking at the railroad property with an interest of erecting an apartment complex there and both Planning and Zoning Commission and the City Council expressed interest in seeing what their plans and ideas are. It was decided that the Planning and Zoning Commission should start reviewing the planned unit development and bring it back to the City Council.

The Planning and Zoning Commission members were allowed to leave at 1:50 p.m. but were extended an invitation to stay if they would like.

C. Street Projects: 2000

City Manager Fairburn said the Comprehensive Plan describes the criteria needed to evaluate capital projects. There has also been input from the Councilmembers as well as staff and citizens lists on what streets need to be done. Public Works Superintendent Webber said that slurry seal for Lakeview had been ruled out due to access for the residents. He said an overlay would extend the life of the street. Mayor Wohr said the city could probably use the county's chip and seal machine for some of the other streets. Public Works Superintendent told him there was a 2 – 3 year waiting list but will get whatever information he could and bring it back to City Council.

D. First Quarter Update

City Manager Fairburn stated that with the good start we have with the City Sales Tax Revenue so far this year we should be exceeding the amount budgeted.

Councilmember Minnis asked to be excused at 2:05 p.m. There was no longer a quorum.

Item E will be put on next Thursday's agenda and Items F will be on February's regular meeting agenda.

Meeting was adjourned at approximately 2:05 p.m.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Special Session on January 18, 2000 at 7:00 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

Roll Call

The following members were present and constituted a quorum:

Mayor Pro Tem	Michael Minnis
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Steve Wohr arrived right after the roll call. Also present were City Manager Stewart Fairburn and City Attorney David Berman.

Mayor Wohr said it would be best to hear from the different groups and keep the meeting within some reasonable time frame during the executive session.

Business

1. **Executive Session: Consultation with City Attorney regarding road projects pursuant to Section 551.071 of the Government Code.**

Mayor Wohr closed the executive session.

Council went back into open session.

2. **Action, if any, from Executive Session.**

Motion was made by Councilmember Minnis to direct City Staff to work with the City Attorney to come up a more thorough method of documenting the process pertaining to the road bond; have the reports by Dave Owens reviewed and summarized and communicate the deficiencies to all parties, including the Council; and reiterate to the engineers their required role. Seconded by Councilmember Milan.
Ayes: Councilmembers Minnis, Milan, Harper, Shikle, and Stapleton
Noes: None

Motion Passed

Adjourn
Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Milan.
Ayes: Councilmembers Minnis, Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at approximately 11:00 p.m.

Steve Wohr
Mayor, City of Lake Dallas

Stewart Fairburn
City Manager

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular session on January 13, 2000 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Manager Stewart Fairburn, City Attorney David Berman, Police Chief Ristagno, and Acting City Secretary Joni Vaughn.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Mike Minnis, 204 Oakwood, said he was speaking as a citizen at this time. He presented approximately 800 signatures of people who were interested in a sidewalk on Shady Shores and considered it to be a very important item. He said he had been in contact with Scott Thompson and at Scott's suggestion he had asked city staff to draft a letter asking that the Lake Dallas Fire Station be named in Jerry McCutcheon's honor and that the letter be signed by the Mayor and Councilmembers. He asked for their consideration in this matter. He said that Mayor Malloy of Hickory Creek will be doing a similar letter with his Council.

David Shershen, 166 Kingswood Drive, said he concurred with Mike Minnis as far as honoring Jerry McCutcheon. He said he wanted to publicly salute Jerry's 25 years of dedication to public service. He said he would like to have annual awards given in order to honor our citizens while they are still alive.

Steve Taylor, TXU manager out of Denton, said he was there to introduce himself. He said he would be coming around a lot due to the deregulation in order to keep us informed and our citizens. Mayor Wohr said he had sat through many hours of legislation on this item. Mr. Taylor said that TXU is now a monopoly and on April 1st he will bring unbundled rates to the Council. He said on January 1, 2002, that rates will be cut in half for residential and commercial use. He said there will still be a regulated side.

David Owen, Post Office Box 1142, presented approximately 400 pages of his daily logs which he has made up during the time he has been street inspector on the street projects. He said he has started a punch list where some of the streets are cracking. He thinks that the intersection at Shady Shores and Hundley should have a prime coat. He presented a core sample taken on Shady Shores which showed 2" of asphalt as specified. Another core on Hundley showed only 1-1/8". Mayor Wohr said they had been told there were two different ways to cure the roads. Mr. Owen said he's not saying the contractor was totally wrong. He said the base stabilization seems to be okay except for some minor things. He said he had been given notice that January 28 he would no longer be the inspector. He said he is used to dealing with contractors and feels he should stay on. Mayor Wohr asked Mr. Owen if he was suggesting the use of tack coat on Main

Street. Mr. Owen said yes. Councilmember Shikle said he thought this was the wrong time to be having this discussion. He said at the time things were found to be in error a Council Meeting should have been called. His suggestion was to have a meeting as soon as possible. Mayor Wohr said that it can brought up under the New Business item.

No one else presented themselves to speak so Mayor Wohr closed the Citizens' Agenda.

E. **Presentation:** Mayor Wohr thanked Ron Peoples for his service on the Parks and Recreation Board. Since Mr. Peoples was unable to attend the meeting City Manager Fairburn accepted the Certificate of Appreciation in Mr. People's absence. City Manager Fairburn also thanked Mr. Peoples for his time given to the Parks Board and the Soccer League.

F. **Business**

1. **Consent Agenda**
   a. **Approval of Minutes for September 9, 1999 and December 9 and December 16, 1999.**
   b. **Adopt a Resolution approving the Investment Policy**
   c. **Appointment to the Parks and Recreation Board**
   d. **Appointments to the Board of Adjustment**
   e. **Consideration and Action on an ordinance amending Chapter 8.32.030 A of the Municipal Code extending the exemption from 6 months to 2 years.**
   f. **Consideration and Action on an ordinance appropriating additional funds for the FY 2000 Budget.**
   g. **Approval of the Municipal Court Fine Schedule**

Motion was made by Councilmember Shikle to accept the Consent Agenda without items a, e, f, and g. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Item F-1-a – Approval of Minutes for September 9, 1999 and December 9 and December 16, 1999.
The September minutes were just coming forward for approval because they had been skipped over earlier. There had been several meetings in September and this set had been overlooked. Councilmember Minnis said that the minutes for December 16 failed to show that he had been excused from the meeting earlier and therefore had not voted on items C-3 and D. Mayor Wohr asked that the minutes reflect the fact that Councilmember Minnis had an abstention and did not stay for the entire meeting.
Motion was made by Councilmember Minnis to accept the minutes which were presented with the amended version. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Item F-1-e – City Manager Fairburn said that this was the only non-conforming use item that had not been extended to two years. This would make all non-conforming uses under the same length of time.
Motion was made by Councilmember Shikle to accept Item e of the consent agenda. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Item F-1-f – City Manager Fairburn said that in the 1999 Budget we had anticipated some expenses but some of the funds had not been spent by the year end. This item will bring these dollars forward from the previous year in a formal process.
Motion was made by Councilmember Shikle to accept item f of the consent agenda. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Item F-1-g – There was discussion about the State fee, the technology fee, and the city's portion of the ticket amounts. It was suggested that the item be tabled, more time spent on it, or given to staff to deal with to decrease some of the fines and bring it back to Council. The $4 technology fee had been previously approved by Council.
Motion was made by Councilmember Shikle to table item g. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:30 p.m.

Mayor Wohr called the meeting back to order at 8:40 p.m.

2. Consideration and Action on acceptance of the annual financial audit.

Carl Deaton of Hankins, Powers, Eastup, Deaton & Tonn addressed the City Council regarding the audit for fiscal year ended September 30, 1999. Mayor Wohr asked Mr. Deaton if any weaknesses that had been pointed out in earlier audits had been corrected. Mr. Deaton said everything has been corrected and is being handled properly. It was determined that Restricted Assets on page 10 incorrectly stated that there was a reference to the bridge fund and it should have referred to the parks fund. Mr. Deaton said he would get that corrected.
Motion was made by Councilmember Minnis to accept the annual financial audit. He then amended his motion to also include the change on the Restricted Assets before posting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

3. Consideration and Action on adding commercial uses to the Tax Abatement Policy.

There was some Council discussion. City Manager Fairburn reported that the Planning and Zoning Commission had unanimously agreed to add commercial retail uses to the Tax Abatement Policy.
Motion was made by Councilmember Stapleton to approve the amendment of the Tax Abatement Policy to include retail sales. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: none

Motion Passed

4. **Consideration and Action on authorizing the City Manager to enter into a contract with Denton County for the May election.**

There was discussion pertaining to the Eagles (electric counters) and whether things were better coordinated in the recent elections. City Manager Fairburn said things should be working better now and the Elections Administrator has been more efficient. The concerns of the Election Judge were addressed: she was concerned mainly with the costs concerning the optical scans vs. manual counting. There was a question regarding recount procedures and it was determined that recounts would be done manually. **Motion** was made by Councilmember Minnis to authorize the City Manager to enter into a contract with Denton County for municipal elections. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on Reports:**
   a. **Boards and Commissions**
   b. **Financials, including Accounts Payable**
   c. **City Manager's Report**

City Manager Fairburn said they had received copies of the draft Comprehensive Plan that will be reviewed at the January 22 joint workshop and it will be brought back to the Council probably in March. There was discussion about the park equipment and it is being looked at now as far as ground preparation. It was suggested that Chuck Graham or Mark Nelson be contacted regarding a tractor with an auger. Councilmember Milan said she could recruit help from her leadership association at work to install the playground equipment.

Marj Johnson reported that the Charter Review Committee is getting close. They are anticipating mid-February before they have all the information ready to present to the City Council. There was Council discussion about the fact that the City should not be conducting business with any vendor who is delinquent in paying their property taxes; concern about the amount of legal costs for the month of December and requested use of other resources if at all possible; and questions over various charges on the check register including the cost of the survey for the Garza Beach Survey.

City Manager Fairburn said the City's quarterly cleanup would be the next Saturday and that a news item had appeared in the quarterly newsletter as well as in the Lake Cities Sun.

Motion was made by Councilmember Milan to accept the financials and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

G. New Business

Councilmember Stapleton asked about the annual recognition dinner for staff and boards and commissions. He also said we really need to have a workshop on Council Policies and Procedures. Mayor Wohr said we've talked about this several times about how we're going to do it; he said we may need to take a look at the charter as well as other articles which have been available. City Manager Fairburn suggested bringing one policy a month but Councilmember Stapleton said it's taking too much time as it is. Mayor Wohr said it is a time consuming item. It was determined it would be put on the agenda for the January 22 quarterly workshop.

Councilmember Minnis said he thought the Council was getting a little more cohesive. He said the minutes for the past year are very thick so that shows that the Council is accomplishing something. Councilmember Minnis also asked that a special session be set up with Dave Owens and City Attorney. City Manager Fairburn said he's trying to get the reports and Mr. Owens said they were due on the 28th and we will get them then. Mayor Wohr suggested an executive meeting without having the attorney present. City Manager Fairburn said it doesn't even have to be an executive session. Councilmember Minnis said there are some things he wants to say so he would appreciate it if it could be an executive session.

Dave Owen spoke. He said we're in the process of doing Main Street now. Some decision needs to be made as far as the prime coat/tack coat issue before we even get any farther in this. City Manager Fairburn said they do need to get the prime coat down. Mayor Wohr asked Dave about this and he said that the contractor has agreed to prime coat.

Councilmember Minnis requested an executive session with Dave Owen and the City Attorney. Councilmember Harper said she would like to have an executive session as soon as possible. There was further discussion about the testing and maintenance and performance bonds. Tuesday night was agreed upon for the meeting at 7:00 p.m. with Dave Owen, Kimley-Horn, and the City Attorney. The Municipal Court fees will be put on the January 22 meeting.

H. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at approximately 10 p.m.

Steve Wohr
Mayor

Joni Vaughn
Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in Executive Session on December 16, 1999, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Manager Stewart Fairburn and City Attorney David Berman.

B. Business

1. **Executive Session: The City Council will meet in closed session pursuant to Government Code 551.071 to discuss with the City Attorney matters relating to anticipated and/or possible litigation; and the issues related to a private club operating at 212 Main Street.**

The Executive Session ended at 9:15 PM.

Open session began at 9:30 PM

2. **Action, if any, from Executive Session**

Motion was made by Councilmember Minnis to direct the City Manager, the City Attorney and Councilmembers Milan and Stapleton to set up a meeting with Bobby Griffith and associates for December 20, 1999, at 7:30 PM. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on Tax Reinvestment Zone (Tax Abatement – COMCO).**

City Manager Fairburn handed out the resolution. There were concerns raised about authorizing the maximum amount. City Manager Fairburn explained that the Planning and Zoning Commission recommended the full amount because of the amount of investment and particularly the costs of bringing in utilities that will help the other lots to be developed.

Motion was made by Councilmember Shikle to grant a tax abatement to COMCO for 50% the first year, 30% the second year, and 10% the third year and then expire. Councilmember Stapleton seconded the motion.
Ayes: Councilmembers Milan, Shikle, Stapleton, ~~Minnis,~~ and Harper
Noes: None

Motion Passed

CORRECTION: COUNCILMEMBER MINNIS HAD SIGNED AN AFFIDAVIT of ABSTENTION for ITEM B-3 AND WAS EXCUSED FROM the MEETING.

D. Adjourn

Motion was made by Councilmember Milan to adjourn the meeting. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, ~~Minnis~~, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr
Mayor

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular session on December 9, 1999, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmembers Shikle and Stapleton were excused.

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp, Police Chief Nick Ristagno, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. <u>VISITORS/CITIZENS AGENDA:</u>

Jan Daniels, 401 Shady Shores, had questions regarding the results of the financial audits for the City of Lake Dallas for year-end 1997. She said she had gone to the Lake Cities Library to look at the 1998 audit and part of it was missing. She also asked when the 1999 audit is due to be completed. City Manager Fairburn said the 1999 should come before the City Council at the January meeting and we would research the other questions and get back to her. She said she had spoken with Marsha Hackett with the Corps of Engineers and that the City of Lake Dallas had not submitted a list of concerned citizens on the Lewisville Lake project and wanted to know what happened to the list.

L. D. Vinson, Post Office Box 1232, Sanger, Texas 76266, said he had tried to move a new trailer house in as a replacement for another trailer on some of his property. He talked with Mr. Harp and Rod Courtney and was told he could simultaneously move one in and one out. He said the City Manager Fairburn cam along and told him he couldn't do that. He's been waiting a year for a solution or answer.

Mayor Wohr said we couldn't address the problem that night but it will be looked into and see what options are available. Mr. Vinson questioned how two people working for the city could be saying two different things. He stated he thought he should have grandfather rights.

Lance Wilson, 509 Briar Oaks Drive, Lake Dallas, said he had recently bought a home in the Jackson Ranch Subdivision and had high expectations for that area. He expressed concern that a brand new liquor store was being built within 500 yards of his home. He said it was only a matter of time before panhandlers and vagrants will be in the area and this will eventually drive down the property values of the homes in this area. He said we have a large amount of liquor stores already. He asked why the city deemed it necessary to continue to allow liquor stores. He asked what the procedure would be to place it before the citizens for a vote.

Mayor Wohr told him he had raised legitimate concerns. He also told Mr. Wilson that all the recent liquor stores or C-3 zoning which permits alcohol sales have had public hearings. He told him we will try to address his concerns.

Rod Courtney, 162 Kingswood, Lake Dallas, gave a progress report on the Charter Review Committee. He said there were about 18 or 20 dedicated citizens and they are finding the original Charter Committee did a good job. The present committee will find very few changes to be made.

Mayor Wohr told Mr. Courtney he appreciated his report.

L. D. Vinson made a comment about 1972 when liquor stores were first allowed. He said he didn't know how Jackson Ranch got liquor.

The zoning had been changed since the original alcohol sales were first allowed and part of the Jackson Ranch Subdivision is now zoned C-3. Mayor Wohr closed the Citizen's Agenda.

E. Business

1. Consent Agenda

a. Approval of Minutes for November 18, 1999.
b. Adopt a Resolution in support of Internet filtering for the Library.
c. Adopt a Resolution on Annexation of Property.
d. Appointments to Board of Adjustment.
e. Appointments to Parks and Recreation Board.
f. Consideration and Action on approval of amended plat for Lot 7R Block 4 of Lake Dallas Shores, known as 605 Shore.

City Manager Fairburn asked Council to notice the addendum to item 1E, which gave the Parks and Recreation Board's recommendation for the appointments. Mayor Wohr said the City of Corinth had approved the Internet filtering for the Lake Cities Library.

Motion was made by Councilmember Minnis to approve the Consent Agenda items and approve the Planning and Zoning vote. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

2. Public Hearing on a proposed tax incentive zone to be established at the First COMCO Addition for the purpose of offering a tax abatement. The location of the First COMCO Addition is 306 West Overly Drive which is directly east of the Coors facility and west of the Ashleye Village Apartments; north of Lake Haven Estates and south of the Payless Cashways tract.

Mayor Wohr said we had a difficulty with the quorum since Councilmember Minnis had signed an abstention so the item could not be voted on tonight. He said we could still have the public hearing and table any action until the next meeting.

Rod Courtney, 162 Kingswood, Lake Dallas, asked what the criteria was to apply for a tax incentive zone. City Manager Fairburn said we would mail him a copy of the policy, which would give a complete list.

L. D. Vinson, Post Office Box 1232, Sanger, Texas, asked why the City should give tax incentives.

City Manager Fairburn said the application from the owners for a tax abatement has gone before the Planning and Zoning Commission and they have recommended to City Council that the company receive a 5 year 50% abatement. He said this could be a total of $5,000 to $10,000 over a period of 5 years. Last month City Council voted to have a Public Hearing on establishing the reinvestment zone. After establishment of a reinvestment zone, the company comes back before the City with a tax abatement agreement for a vote. Mayor Wohr said the City will receive more tax money as the tax value goes up. Mayor Wohr closed the public hearing at 8:05 p.m.

3. **Consideration and Action on a proposed tax incentive zone to be established at the First COMCO Addition for the purpose of offering a tax abatement. The location of the First COMCO Addition is 306 West Overly Drive which is directly east of the Coors facility and west of the Ashleye Village Apartments; north of Lake Haven Estates and south of the Payless Cashways tract.**

Motion was made by Councilmember Milan to table Item E-3 and reschedule for the next meeting. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

4. **Public Hearing on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-1 the Lots 86A, 86B, 87, 88, 89, and 90 of the M. Wright Addition; Lots 1,2,3,4,5,6,7,8,9, and 10 of the First Highway Addition; and Lot 53 of L. Cobb Addition.**

City Manager Fairburn said this property is generally known as 'the railroad property' and is currently in M-1 zoning, which is light industrial. This has gone before the Planning and Zoning Commission and it was approved unanimously.

Lance Wilson, 509 Briar Oaks Drive, Lake Dallas, said this property is right by his home and asked what was preventing another liquor store from going in. Mayor Wohr told him it would be going to C-1 zoning not C-3 which allows for alcohol and explained that this parcel is a different one from the parcel by his house.

Jan Daniels, 402 Shady Shores, Lake Dallas, asked if the area was changed to C-1, are you aware that there are some people who own some of these lots who want to change the zoning changed to C-3, and would that interfere at all with them attempting to change the zoning. City Manager Fairburn replied it would not affect that.

Mayor Wohr closed the public hearing.

5. **Consideration and Action on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-1 the Lots 86A, 86B, 87, 88, 89, and 90 of the M. Wright Addition; Lots 1,2,3,4,5,6,7,8,9, and 10 of the First Highway Addition; and Lot 53 of L. Cobb Addition.**

Motion was made by Councilmember Minnis to adopt the ordinance amending the Comprehensive Zoning Ordinance of the City of Lake Dallas to change the zoning from M-1 to C-1 on Lots 86A, 86B, 87, 88, 89 and 90 of the M. Wright Addition and lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the First Highway Addition; and Lot 53 of the L. Cobb Addition. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

6. **Public Hearing on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-2 this part of Lot 3 Payless Cashways, Inc. #910.**

Rod Courtney, 162 Kingswood, Lake Dallas, said he wanted to inform Council that there is negotiation going on now for a possible family-style restaurant to go in that particular area in the event the zoning change is approved. He said he would appreciate their approval.

Mayor Wohr closed the public hearing at 8:15 p.m.

7. **Consideration and Action on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-2 this part of Lot 3 Payless Cashways, Inc. #910.**

Motion was made by Councilmember Milan to pass an ordinance amending the Comprehensive Zoning Ordinance of the City of Lake Dallas to change the zoning from M-1 to C-2 on that part of lot 3 Payless Cashways, Inc. #910. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

8. **Public Hearing on possible changes to the 80% masonry rule for residential and commercial buildings.**

Mayor Wohr said we have had some proposals come before the City asking for a way out of this rule. There are some things this might restrict and used the Cracker Barrel as an example because their buildings are not 80% masonry. New commercial projects could come before the Planning and Zoning Commission and the City Council and request an exemption. Public input would probably be asked for from their neighbors.

L. D. Vinson, Post Office Box 1232, Sanger, TX, said he can see some of it but metal buildings look tacky unless they brick the front of them. When Mr. Henderson built Tim's Produce had to come to the Council and get a variance. He also asked if this would apply only to commercial projects. Mayor Wohr it would. Residences will stay the same.

Rod Courtney, 162 Kingswood, Lake Dallas, said the restaurant that is thinking about coming in on Swisher Road would be a brick building.

Mayor Wohr closed the public hearing at 8:25 p.m.

9. Consideration and Action on possible changes to the 80% masonry rule for residential and commercial buildings.

City Manager Fairburn said that the Planning and Zoning had talked about all three commercial areas, C-1, C-2 and C-3 for the exemption. The ordinance which is in the Council packets refers only to C-1, but that is just an example. It will cover all three zones. Councilmember Milan said that if we did give someone the flexibility what could we say about maintaining the building. City Manager Fairburn said the City does have the minimum building preservation code that they do have to keep things up. If the roof is bad, windows are broken, needs paint, i.e., those sorts of things run through the Code Enforcement Office.

Motion was made by Councilmember Minnis that we adopt the attached ordinance with the amendment to the ordinance to read in the zoning districts C-1, C-2, and C-3. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

10. Information and discussion on 4A and 4B sales tax.

City Manager Fairburn said these are sales taxes up to ½ cent for economic development purposes. The amounts collected from these taxes need to be set aside. 4A is primarily for manufacturing and has less applicability to what the City needs to have at the moment. The 4B sales tax has many uses: it can be used for parks and open spaces; public facility improvements; commercial facilities; transportation improvements; infrastructure improvements; and other business oriented improvements. The sales tax would be approved by a vote of the people, and the projects are subject to pubic hearing. A Development Corporation would be set up to run the 4B projects. There does seem to be some possibility of being able to provide some revenue for these types of projects without having to strip that money from other City projects and programs and also to keep from raising property tax. A lot of our sales tax comes from outside the City so visitors would also be paying for some of this. The Planning and Zoning Commission has also received this information and would like to review it further. They also feel it would be good to get with Council in a work session to talk about it. One of the things would be what types of projects would people be interested in having and how would this apply; being able to talk with other cities and see what they have done with it; it seems to be very positive for the goals that Council has but certainly needs to be talked about.

Mayor Wohr said it would be a good to have a joint meeting in January with Planning and Zoning Commission and that there are a lot of purposes this tax could be used for. Councilmember Milan said she had spoken with a Councilmember from Allen and they had nothing but good things to say about what the 4B has done for their city. They have offered for our Council to come over and take a tour of their city and see the progress that they have made and also the possibility that one of their Councilmembers could come over and talk to our Council.

Mayor Wohr said it might be good to start working on getting some people together to form the Development Corporation.

Rod Courtney, 162 Kingswood, Lake Dallas, asked if there was a predetermined amount of money set and after that amount is reached, is that tax withdrawn. Mayor Wohr said that if a future Council decides we don't need that amount of tax they could withdraw it but it does not automatically go away after a certain length of time. Mr. Courtney used setting aside an amount to be used for a new city hall and when that amount was reached the tax would be withdrawn. City Manager Fairburn said it could be set up with a time limit on it; he said there's a lot of flexibility with it.

Councilmember Minnis said it might be good to solicit the Chamber of Commerce and see if some of them would like to sit on the corporation.

Councilmember Milan asked about having a visitation with the City of Allen. Mayor Wohr said it would be nice to have someone from the City of Allen address the Council.

Lance Wilson, 509 Briar Oaks Drive, Lake Dallas, asked what businesses specifically would this apply to. Mayor Wohr said it's a sales tax and would be on the sale of products within the City of Lake Dallas.

Mayor Wohr called for a recess at 8:40 p.m.

Mayor Wohr called the meeting back to order at 8:50 p.m.

11. <u>Consideration and Action on reports.</u>

a. Boards and Commissions
b. Financial, including Accounts Payable
c. City Manager's Report

City Manager Fairburn stated that the Parks and Recreation Board approved the financial record of the October Fallfest at their December 7 meeting. CoServ had donated $1250 for the program. The tree lighting last Saturday went well and we will be getting a financial record of that. They have another vacancy for an alternate position. The playground equipment should arrive at the end of this month so we'll need to figure out the logistics and get people lined up to help. The City employees will do the site preparation. Saturday at Willow Grove Park a cub scout den will be going out there to get their conservation award; they will be picking up trash and have invited other boy scouts and the Parks and Recreation Board and he said he was sure they would like to see some of the Councilmembers out there. Councilmember Milan said she's trying to get help from Boeing for setting up the playground equipment.

The Planning and Zoning Commission has put together almost the final draft of the Comprehensive Plan. They will meet the first Thursday in January to finalize the draft. Mayor Wohr suggested that Council give a plaque or letter of appreciation to them when it is completed.

City Manager Fairburn reported on the roads. He said next week we should be getting some work on the headwalls at the Shady Shores culvert on the north end. Once the headwalls are done they can work on the road itself. Expecting the road work on Main Street from Denton Drive to Carlisle to be done in January. The gas company finished up their work on Shady Shores and Hundley just prior to Thanksgiving. Culvert work will be continuing. Once that's completed the intersection can be completed. They are continuing work on Pembrook and the Kings Manor Drainage ditch. There are a lot of little detail pieces still needing to be done. We are still looking at Carlisle and the rest of Main Street. It will be brought back to Council in January. It's not as difficult as some of the other projects we've had.

We need to look at some alternatives for the Main Street project. It's not going to take a lot of engineering for these projects so we may stay with Kimley-Horn instead of looking for another engineering firm. We probably won't need Dave Owens after January. We are paying him at this time even though no construction is being accomplished because he is doing follow-ups, measurements, and re-doing the punch list. The contractor, engineers and City of Lake Dallas meet weekly regarding compliance and problems. City Manager Fairburn said he has been talking with the engineers about our position regarding additional work they have performed and we won't pay them their final amount until an agreement has been reached. The 50% rule on subcontractors has been discussed and has basically been voided. The completion date of December is not going to be met due to some delays and they have been notified regarding this but we are expecting completion by January 30. We need to get with Hickory Creek regarding an interlocal on the maintenance of Carlisle. There was discussion about signs welcoming traffic to the City of Lake Dallas. Mayor Wohr said signs had been discussed several years ago by the Keep Lake Dallas Beautiful committee.

Motion was made by Councilmember Minnis to accept the reports as presented and pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

12. New Business

The executive session scheduled for December 16, 1999, will be the last meeting of the year for the City Council. This Council Meeting will be with the City Attorney, Building Official Harp, and City Manager Fairburn regarding the issues of special use permits and non-conformance with building codes. Question was raised if Council should schedule a meeting with Mr. Griffith and his attorney after the executive session. It was decided not to do that since it was difficult to say how long the executive session would last and perhaps there would be no need for a full Council to meet with Mr. Griffith. City Manager Fairburn said that Council had received a letter from Tim Smith asking for a review of the procedures for voting on Special Use Permits. He said this is scheduled in January for the Planning and Zoning Commission and February for the City Council Meeting. Councilmember Minnis said the Charter Review Committee have said they probably won't have their recommendations to the Council by December 31. City Manager Fairburn said if they could get the information to Council by January 15 that should be enough time.

F. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:30 p.m.

Steve Wohr
Mayor

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular session on November 18, 1999, at 7:31 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Mike Minnis	Mayor Pro Tem
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Steve Wohr was excused.

Staff present were City Manager Stewart Fairburn and City Secretary Beverly Lucke.

B. Councilmember Shikle gave the invocation

C. The Pledge of Allegiance was led by Mayor Pro Tem Minnis.

D. <u>VISITORS/CITIZENS AGENDA:</u>

Jan Daniels, 401 Shady Shores, said she is a member of the Charter Review Committee and they had found that a Municipal Code Book is not in the library as the Charter calls for. She said the committee is aware of the recodification and would like a name of the company and their address. She was told she would get that information during break.

Bob Davis, 73 Lakeridge, asked how much the codification would cost and was told between $10,000 and $12,000. He was also concerned about the signs issue on the agenda and hoped it would be simple with a minimum of restrictions. Another concern is the library and Internet filtration. He said we should have the courage to do that.

Mayor Pro Tem Minnis closed the Citizens Agenda because no one else presented themselves to speak.

E. Business

1. **Consent Agenda**
   a. Approval of Minutes for October 14, 18, and 28, 1999
   b. Adopt a Resolution for Investment Policy
   c. Adopt a Resolution on Annexation of Property
   d. Consideration and Action on approval of an Interlocal Agreement with the City of Denton for the Animal Control Shelter Contract
   e. Consideration and Action on amending an ordinance Chapter 15.16.040 of the municipal code regarding election signs.

Mayor Pro Tem Minnis said the City Secretary had just handed out extra information on items b and d which should probably be pulled out and tabled. He said on Item e some people had expressed concern so the Ordinance will be read out loud so everyone can hear and understand.

Motion was made by Councilmember Milan to approve the Consent Agenda items a and d and pull items b, c and e. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

Consent Agenda Item 1-e
Mayor Pro Tem Minnis asked City Manager Fairburn to read the proposed Ordinance on the election signs. He then opened Consent Agenda Item e to the public. No one had any other comments.

Motion was made by Councilmember Shikle to approve item 1-e on the consent agenda. Seconded by Councilmember Milan.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

Consent Agenda Items 1-b and 1-c

Motion was made by Councilmember Stapleton to table Items b and c of the consent agenda until the next regular scheduled Council meeting. Seconded by Councilmember Harper.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

2. Discussion with Lake Cities Library Board regarding Internet access and filtering for Library

Cecil Carter, 111 Lake Shore Road, Shady Shores, spoke for the Lake Cities Library Board. He passed out a 'Presentation of the Filtering Issue to Town Councils' which he read. He said there are two sides to this issue and the Library Board is going before the City Councils of Hickory Creek, Lake Dallas, and Corinth. One side is community moral standards and the other is that 'filtering' is a violation of the First Amendment rights. He stated that no filtering is 100% effective because pornography is so pervasive on the Internet. He said that during November and December they are asking for public comments and the input opportunities will end December 31 and the Board will probably make their decision at the January Board meeting. He said this was the kind of issue that they could be sued if they do or if they don't. He said the Library Board's budget is very small.

Mayor Pro Tem Minnis said his opinion was to put the filters in. Councilmember Stapleton asked if they were aware that many Internet providers have the filter service available. Councilmember Shikle asked who would decide whether it was a hate speech or pornographic. He cited Martin Luther King when he was beginning his crusade as an example. He also said we certainly did not want any pornography. Councilmember Harper said they had the Internet in the school system but it was not available to the students. Councilmember Milan asked if they had given thought to having a release form signed before using the Internet regarding pornography sites. It was discussed that if the Internet was going to cause a problem that perhaps the library should not install it. Mayor Pro Tem Minnis asked City Manager Fairburn if we could use TML to get an opinion and then the Library Board could call him for answers. A suggestion was made that perhaps they could install 2 by way of compromise and have 1 filtered and one not filtered. The consensus of the Council was that that was probably not a good idea.

Mr. Carter thanked Council for their input and said they really hadn't had a lot of input from the other cities. He said he wanted the cities to be aware that they would be in on it should the library be sued. Mayor Pro Tem Minnis thanked Mr. Carter.

3. Consideration and Action on a Resolution calling for Public Hearing on the establishment of a tax incentive zone at COMCO Addition on Overly.

Mayor Pro Tem Minnis said he had filled out an abstention from any discussion on this item and will not vote. City Manager Fairburn said the City Council developed and approved a tax abatement plan. The maximum amount that can be done is 50% over a 5 year period. The first application we have received is from COMCO who is moving from Dallas to Overly Drive. They have been before the Planning & Zoning Commission and the Commission is recommending 50% over 5 years. Tonight Council needs to approve a resolution which approves a public hearing next month.

Motion was made by Councilmember Stapleton to approve the resolution calling for a public hearing on the establishment of a tax incentive zone on Overly Drive known as COMCO Addition, Tract 1.
Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Abstentions: Mayor Pro Tem Minnis

Motion Passed.

4. **Consideration and Action on the timing of Planning and Zoning Commission and City Council Meetings.**

Mayor Pro Tem Minnis said the Planning & Zoning Commission Chairman was not at the meeting but Commissioner Johnson was there so he asked her for a report. Commissioner Johnson said that one option was to move their meetings to the third Thursday and another option was to come to the Council Meetings for input. She said they would like Council's input. Mayor Pro Tem Minnis said so you are all willing to adjust your meetings? Commissioner Johnson said two members weren't present but they were in favor changing the dates.

There was Council discussion regarding the meeting date change which would facilitate getting Planning and Zoning Commission minutes to the Council on Public Hearings.
Motion was made by Councilmember Milan that the timing of Planning and Zoning Commission be on the third Thursday of the month as recommended by the Planning and Zoning Commission. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on amending Chapter 2.12.010 of the municipal code establishing the 4th Thursday of each month as a regular City Council Meeting.**

Mayor Pro Tem Minnis asked City Manager Fairburn to give the background on this item. He said this item had been brought before Council before due to concern for meeting quorum for meetings but was not approved due to the concern of forfeiture clauses. Councilmember Milan asked if calling in is to be excused. City Manager Fairburn said at this time it is. Mayor Pro Tem Minnis said that one of the things is that we don't really have a policy as to what constitutes excused or unexcused absences. He said he likes the way we have one meeting as a regular meeting and the second as a workshop. Councilmember Stapleton said he doesn't like the idea of having two regular meetings and he is uncomfortable without having a policy regarding absences. Councilmember Shikle said he sponsored this item and disagrees that it is a loophole. He said that tonight three people would have been a quorum. He wanted to have two meetings so business could be taken care of and Staff could continue without being put off 2 or 3 more weeks. He asked how many Councilmembers had had unexcused absences in the last 3 ½ or 4 years. Mayor Pro Tem Minnis said none. He said he felt the City needs to go on and if the situation arises again where 4 of the Councilmembers couldn't be at the meeting then business would be disrupted.

Mayor Pro Tem Minnis said that with Council's permission Mr. Tisdale had some input.

Gene Tisdale, 524 Howard Street, said we haven't had a problem in the last year or two but that he can remember a time when there were some people with mobile home problems. The City was going to eliminate mobile homes from Lake Dallas and there were several meetings called and they could have got rid of the mobile homes if they could have had meetings back to back.

Councilmember Stapleton said that for a special meeting it requires 4 for a quorum and that does provide a certain amount of checks and balances. Mayor Pro tem Minnis said he's comfortable with the way it is.

Councilmember Stapleton said the only time the issue came up was during the budget meetings.

Motion was made by Councilmember Shikle to amend Chapter 2.12.010 of the Municipal Code establishing the Fourth Thursday of each month as a regular Council meeting. Seconded by Councilmember Milan. There was more discussion regarding clarification about the quorum.
Ayes: Councilmember Shikle
Noes: Mayor Pro Tem Minnis, and Councilmembers Milan, Stapleton, and Harper

Motion Failed

Mayor Pro Tem Minnis ordered a brief recess at 8:35 p.m.

Mayor Pro Tem Minnis called the meeting back to order at 8:52 p.m.

6. **Consideration and Acton on adopting Council Policies and Procedures.**

Mayor Pro Tem Minnis said the Mayor was to have provided some information on this item but was unable to attend this meeting so asked if the item should be tabled. Council discussion brought up scheduling a workshop session to work on this item.

Motion was made by Councilmember Shikle to hold a workshop November 30, 1999 at 7:30 p.m. for adopting Policies and Procedures for the City Council. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro Tem Minnis, and Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

7. **Discussion on 4a and 4b Sales Tax for Economic Development**

Mayor Pro Tem Minnis said that we did not have all the information needed on this item. It will be discussed at a later date.

8. **Consideration and Action on reports.**

   a. **Boards and Commissions**
   b. **Financial, including Accounts Payable**
   c. **City Manager's Report**

City Manager Fairburn said the tree lighting ceremony will be December 4; the Planning and Zoning Commission should have their Comprehensive Plan done in December and it will come to Council in January. The playground equipment will need volunteers to help set it up: Parks and Recreation is planning a special event on the opening day of the new equipment.

Questions were answered regarding checks to Netcom and payments to citizens who had damaged vehicles due to the street paving. The vehicle damages are deducted from payments to the contractor. There was concern as to whether these payments could be disputed and the legality of the deduction.

Copies of the monthly bills from the City Attorney will be placed in the Councilmembers boxes monthly. It had been an oversight the past few months.

City Manager Fairburn gave a report on the streets. The contractors are hoping to get the culverts in on Shady Shores so the street can be opened in the next few days and this week they have worked on Gotcher, Goliad, and Alamo and they will be paved next week. The railroad crossings will be fixed next week. The gas company should complete their work next week at Hundley. There is a lot of preparation going into the planning on Main Street. The Kings Manor drainage ditch is moving along well. Planning and Zoning will get the Comprehensive Plan to Council by January. The web page should be up and running by the beginning of the year. The codification review has been returned so that project should be finished soon. In answer to the question of the cost for the web page, City Manager Fairburn said it depends on how much goes into it and right now we are also planning on getting the Park's Master Plan on it, too. Councilmember Shikle said on Thompson a culvert is falling in and City Manager Fairburn said the City crews will take care of it. In answer to the question about the completion date for the streets – substantial completion was to have been in November but due to LCMUA and Lone Star Gas delays the progress has been slowed somewhat. The new schedule for Main Street has been revised to January due to the businesses on that street not wanting the street torn up during the Christmas season; Shady Shores should be done during December. In the next newsletter the citizens will be asked to provide their 'top ten' list of streets to be repaired. City Manager Fairburn said that Carlisle and Main Street south will be starting next summer. Councilmember Shilkle stated that these two projects need to be moved on now.

Motion was made by Councilmember Milan to accept the reports as presented and pay the bills.
Seconded by Councilmember Stapleton.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

9. **New Business**

Councilmember Milan asked for definitions for conflict of interest in requesting meetings/workshops. She said she would like to see if we could get on an agenda to set up a workshop to meet with Bobby Griffith. Mayor Pro Tem Minnis said he has the right to have a meeting with Council. There was Council discussion about the nature/outcome of such a meeting. City Manager Fairburn said he would like to suggest that prior to such a meeting that the Council schedule an Executive Session with the City Attorney. After more discussion it was decided that City Manager Fairburn should set up an Executive Session convenient for both the City Manager Fairburn and the City Attorney.

Councilmember Harper said she had been called about kids vandalizing a house on Kings Manor and that the Police Department had been called. The Police Department told that person that only one officer was on duty at that time and could not respond at that time. City Manager Fairburn said the City offices had not been contacted about this but staff would get the facts on this and advise the Councilmembers. Mayor Pro Tem Minnis said the City has an appeals court and they could go through that alternative if they choose.

Councilmember Shikle stated that Councilmember Harper had requested that the attorney be in attendance at an earlier meeting and he did not show. City Manager Fairburn said there was not enough advance time to schedule the City Attorney. City Manager Fairburn said that another thing he would like to see in the Council Policies and Procedures is if it takes two Councilmembers to put an item on the agenda, how many Councilmembers does it take to request the City Attorney be in attendance at a Council Meeting.

Mayor Pro Tem Minnis said the Hickory Creek Police Department has been basically staking out the entrances and exits from our City. He asked that City Manager Fairburn get a TML rendering on that issue. City Manager Fairburn said he would research that and get back to Council.

F. Adjourn

Motion was made by Councilmember Milan to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro Tem Minnis, Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Motion Passed

Meeting was adjourned at 9:42 p.m.

Mike Minnis
Mayor Pro Tem

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special session on October 28, 1999, at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Ken Stapleton was excused.

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. <u>VISITORS/CITIZENS AGENDA:</u>

Jeri Sargent, 519 Shady Shores, said there is a vacant lot between her house and her next door neighbor's house. The neighbor is building a building on that lot which is not in compliance with City Ordinances and it's defective and it is damaging their property values. She said their neighbor had originally asked for permission to build a building that would be in compliance with all the codes. He wanted to build a building that would match and blend in with the architecture of his own house so it would be a one story garage to store vehicles. Then he later came back and asked that he be able to raise one part of it a little higher to park an RV. After the building's gone up it's not residential in nature at all. Apparently it's commercial, it's being designed for commercial purposes and definitely is not residential. The building is being built with a steel frame; the veneer is not residential brick. He's getting ready to put commercial red tile veneer on the building. Someone approved him to put a wood frame with 80% brick veneer. So far, nothing that he has done has been approved or is in compliance with the ordinances.

Mayor Wohr said this is not a forum where we can actually address your concerns but is an opportunity for you to make them known to the City Council. The City Manager will address this either in writing or you can contact him next week and we'll see if we can resolve the issue.

Ms. Sargent said she had a letter prepared and asked if she should mail it or drop it by. City Manager Fairburn said either way would be fine.

Margaret Tisdale, 509 Howard Drive, said she had talked with Thelma Boliver a week ago Monday night who was a neighbor across the street from this building. She expressed her concerns to Ms. Tisdale and asked her what she thought she should do. Ms. Tisdale told her she should contact her City Council, the Building Code Enforcement Office and the P & Z. Later that night Thelma had a massive stoke and died. Ms. Tisdale said she's upset about the building because Mrs. Boliver was upset about it and she thinks something should be done.

Mayor Wohr said we could send a copy of the letter to Jeri Sargent to her.

Mayor Wohr closed the Citizen's agenda since no one else presented themselves to speak.

E. Business

1. **Consideration and Action on adopting a resolution casting votes for Candidates for the Board of Directors for the Denton Central Appraisal District.**

Motion was made by Councilmember Minnis to adopt a resolution and cast all 13 votes in support of Dr. Bill Giese. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

2. **Approval of Minutes for September 13, 16, and 23, 1999 meetings.**

No one had copies of the minutes and requested additional copies be furnished. Mayor Wohr said they would go on to another item with Council's permission while the minutes were being copied.

F. Workshop

1. **Discuss possible changes to the zoning of current M-1 properties.**

Mayor Wohr asked Commissioner Ben Gilbert of the Planning and Zoning Commission to speak. Commissioner Gilbert said that as far as the M-1 they have been discussing, C-1 for the railroad property but are willing to look at anything, and C-2 for the area that there was a recent hearing for a change to C-3. He said they are listening to other people as to what they want. Mayor Wohr asked if anyone from the public would like to speak.

Frank Bourland, 1434 Hidden Oaks, Corinth, said they have a group who is interested in doing some work on the existing railroad properties. He said they had gone before the Planning and Zoning Commission at their last meeting to primarily just ask for some opinions and suggestions. He said they had a pretty good round table discussion. The group has a lot of experience and ideas and have been looking at the property for about 1 ½ years. The land is very expensive and M-1 Light Industrial wouldn't be very appropriate. Some things they think would help the community would be some retail but in an effort not to impact the streets an 18 - 20 unit/acre high level apartments with some type of fence would be a good project. This could be an excellent buffer between the commercial and residential areas. They would make it a very formal project.

Mayor Wohr asked what kind of value he was talking about. Mr. Bourland said probably between a 12 and 15 million dollar project. He said they could put it through a planned development so that the City would have some kind of control over the situation.

Commissioner Gilbert said they had just listened to their proposal and requested more information at the last Planning & Zoning Commission meeting. They gave no indication that they would change the zoning.

Mayor Wohr opened the discussion to Council. There was discussion as to how many acres are involved; the nearness to single family residences; the aspect that it could be a buffer between the commercial and residential property; the impact on the school district; density; impact on city services; and taxable income to the City. It was discussed that the triangle area which had been before Council last meeting should be commercial rather than light industrial.

Mayor Wohr called a short break at 8:25 p.m.

Mayor Wohr called the meeting back to order at 8:45 p.m.

Mayor Wohr asked if there was any further Council discussion on item F-1. Council agreed they need to keep in mind what the best use for the railroad property would be and that if apartments are okayed controls needed to be put into place. Council was receptive to Mr. Bourland's proposal and would be interested in seeing more of his plan.

Discussion then moved to the Swisher M-1 area. The developer would like to see that area zoned C-2 since his application for C-3 was denied. It was agreed that M-1 didn't seem appropriate for that area since it has good frontage. C-1 or C-2 would seem to be more logical choice because those would allow hotels, filling stations, retail.

There will be public hearings in December at the Planning and Zoning Commission and City Council meetings before the current moratorium runs out. The changes would not interfere with the Planning and Zoning Commission's Comprehensive Plan.

2. **Discuss possible changes to the Sign Code relating to election signs.**

Mayor Wohr said it's difficult to know where rights-of-way and property lines are as far as the placement of election signs. The City shouldn't be involved in the sign issue. There was a general consensus that the recommendation be brought back in the November meeting.

Councilmember Shikle said there is no 'New Business' on the agenda but he has concerns about quorums for special meetings. Mayor Wohr said it was a good thing to discuss. Councilmember Minnis said it might be a good idea for the charter revision.

E 2 Approval of Minutes for September 13, 16, and 23, 1999 meetings.

Motion was made by Councilmember Shikle to approve the minutes for September 13, 16, and 23, 1999 meetings. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

Councilmember Minnis asked if staff had done anything with the information provided by Jan Daniels. Staff did not receive the information but will get a copy.

G. **Adjourn**

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:10 p.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a executive session on October 18, 1999, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.072 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Also present was City Manager Stewart Fairburn and City Attorney David Berman.

B. Executive Session: The City Council will discuss with their attorney on drainage and road easements and options for Garza Beach Subdivision according to Government Code 551.072.

Open meeting called back to order at 7:55 p.m.

C. Action, if any, from Executive Session

Motion was made by Councilmember Minnis to direct and authorize the City Attorney and City Manager to work up an agreement for the acquisition of road right-of-way in the Garza Beach Subdivision. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

D. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 8:00 p.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular session on October 14, 1999, at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll Call

The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, Building Official Truman Harp and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Presentation

Mayor Wohr presented Linwood Gilliland with a framed Certificate of Appreciation for fulfilling 4 years service on the Planning and Zoning Commission, from October 12, 1995, to October 12, 1999. Mayor Wohr said he has served on various boards throughout the years as well as City Council. Commissioner Gilliland thanked everyone for allowing him to be a part of the Planning and Zoning Commission.

E. <u>VISITORS/CITIZENS AGENDA:</u>

Jan Daniels, 401 Shady Shores, said she was a graduate student at the University of North Texas. She said it looks to her as if the City will be needing further funding for revitalization projects. She brought packets for the Mayor and Councilmembers. The School of Urban and Public Affairs at the University of Texas Arlington has a program and research center and works with small cities. Their primary source of information includes urban management, home rule charters, redistricting, interlocal contracting, economic development, personnel management, revenue administration, land appraisal, and zoning and land use and issues. They can help with proposals to get grant money. Dr. Andrew Schoolmaster, chair of the Geography Department at UNT, and Dr. Jim Glass, director of survey research with the Division of Public Administration have offered to work with the City Council at no cost to develop a citizen survey questionnaire. She has also included information from UT Arlington. She said the North Texas Council of Governments has information on grants available. Mayor Wohr thanked Ms. Daniels for her preparation of the information.

County Commissioner Jeff Krueger said it was with great pride that he was attending the meeting tonight. This is a project that started to long ago and he was glad to see that former Mayor Rod Courtney was in attendance tonight. The County had pledged $100,000 to the City of Lake Dallas for the Shady Shores Project. Tonight he is presenting a check to the City for $100,000. He said they have other projects they are working on and he and City Manager Fairburn are working closely on other projects that the County will be able help the City. Mayor Wohr thanked Commissioner Krueger and his staff and the entire Commissioners' Court for their hard work on these projects.

Georgina Gougeon, 717 Cain Street, addressed the Council to say the City of Fort Worth and City of Dallas have youth projects where children are selected to run a mock city council meeting. She thinks this is something to consider to get our youth more involved in the City workings. Mayor Wohr said it was an excellent suggestion.

Mayor Wohr closed the Citizen's agenda since no one else presented themselves to speak.

F. Consent Agenda

1. Consideration and Action on Interlocal Agreement with Denton County for Shady Shores Road improvements funding.
2. Consideration and Action on Interlocal Agreement with the City of Denton for ambulance service
3. Consideration and Action on approving a Resolution authorizing the City Manager to enter into an Interlocal Agreement with the City of Lewisville regarding the Dial-A-Ride service.
4. Consideration and Action on approving an engagement letter for FY 98-99 Financial Audit with Hankins, Powers, Eastup, Deaton & Tonn CPAs.
5. Consideration and Action on contract for Gymnastics program with Karmen McClain.
6. Consideration and Action on approving the Performance appraisal of the City Manager.
7. Approval of Minutes for September 13, 16, and 23, 1999, meetings.

City Manager Fairburn asked the Mayor to pull item 7 from the consent agenda because the minutes weren't ready in time for Council review. Item 5 was pulled by Councilmember Minnis.

Motion was made by Councilmember Shikle to accept the consent agenda with the exception of items 5 and 7. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Councilmember Minnis asked to amend line 1 of the agreement, Item 5, due to nepotism laws. His concern was that no elected officials or members of boards and commissions would be hired as employees or assistants for the gymnastics program. Mayor Wohr asked Karmen McClain if she had any problem with that amendment. She stated that she did not.
Motion was made by Councilmember Minnis that we approve the amended contract for the gymnastics program with the amendment to include Council, Officers of Boards and Commissions, Committee Members. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Shikle to table Item 7. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

G. Business

1. Public Hearing regarding zoning change from M-1 Light Industrial District to C-3 Commercial District for First Highway Addition Lots 1, 2, 3, 4, 5 & 6, Block A, Lake Dallas, Denton County, Texas.

Mayor Wohr said he would like for comments to be given and asked that the citizens speak only one time. The public hearing would then be closed with no more input from the public. Rod Courtney asked if there could be time for rebuttal after hearing the presentations for and against the change. Mayor Wohr asked Council and it was agreed that there would be time for rebuttal. He said we would hear the 'Fors' first.

Bonnie Brown Garcia, Post Office Box 25/427 South Denton Drive, said she represented the Brown family who owns the middle tract of the property being addressed. She said there had been a liquor store and a beer and wine store on the property next door years ago. She said her mother remembers that the property was rezoned to M-1 around 1979 or 1980 when Vinson was mayor. She feels it is more appropriate to have this property zoned C-3 like the property across the street from it. She feels the rezoning now would right a wrong. She said that all three property owners were in agreement about the change even though Mrs. Foster has a contract for sale of her property. She said last year when the rezoning was denied Mr. Lee had been told to come back when it is not spot zoning and that is why they all got together this year. Everything on the west side of Denton Drive is C-3 but not all that property is liquor stores. The bottom line, the economy shifts and changes, and it dictates how many liquor stores are in this town. Every piece of highway frontage and the west side of Denton Drive is C-3.

Steven Lee, 608 Johnson Drive, Coppell, Texas, submitted surveys to the Mayor and Councilmembers. He said he has run D & J Liquor at 633 Denton since 1983. He believes there should be equal improvements on the east side of Denton Drive. The rezoning of the east side would mean more revenue to the City. He is against opening a new liquor store, he said they are just relocating their store. Mr. Paul Yang, the owner of their building is also opposed to opening another liquor store. If he is a man of his word and will not put in another liquor store. Just last month, the Grand Opening of a super store like Goody-Goody liquor store in Highland Village, just a few miles away, has already caused a 15-20% decrease in business to the surrounding liquor stores. They are in compliance with TABC rules and regulations. According to their survey 82% of their customers are from out of town and they also shop at our local restaurants, C-stores, marina, and shops. About the adult entertainment, in changing from M-1 to C-3 zoning they do not plan to put in any adult or X-rated videos or stores in. He asked that personal opinions be put aside and do what is best for Lake Dallas.

Ernesto Lopez, Jr., 55 Kingswood, is a partner with Steven Lee. He handed a list of itemized sales tax and list of surrounding businesses in town that support the C-3 zoning and the new change to the Mayor and Councilmembers. They collect $50,000 in sales tax each year which means $7,000 in sales tax revenue annually for the City. They pay ISD taxes and inventory taxes. He said they support children's activities which shows what kind of citizens they are in this city. He has given confiscated I.D.'s to the Police Department. The City can use the retail money for children's activities and Willow Grove Park Improvements. He also asked that personal feelings be put aside in this matter.

Rod Courtney, 162 Kingswood, asked that Council remember when he was Mayor and the Council then took a tour around the City in a bus with members of the Denton County Economic group. He would like to see some effort made to keep people here and to purchase property. He thinks it's in the best interests of the City.

Clyde Edwards, 108 Dobbs Road, said the situation's been prevailing for several years. We are not creating something different. Liquor stores are already here. He's invested a lot of money so why don't we let him do it. He said he thinks it's right to let him have the zoning change so he can improve his business and the community.

Ken Johnston, 5 Hickory, said he has lived here since 1983. He thinks Lake Dallas is a great spot and he's done business with D & J. He thinks the Council has the opportunity right now to move forward. Let your local folks expand a little bit.

David Shershen, 166 Kingswood, said he feels Mr. Lee and Mr. Lopez have made a serious commitment to the community both financially and with their time. We're not adding a new liquor store. They have purchased property and have a right to open a business on their own property. We owe it to the citizens to get the highest return for their money on this property. We need to show that the investments that Mr. Lee and Mr. Lopez have made to this community have not been in vain. He hopes the Council votes what's best for Lake Dallas.

Mayor Wohr asked if anyone else wished to speak for the item on the agenda. No one else asked to speak so Mayor Wohr said Council would now hear from those against the zoning change.

Lonnie Nowlin, 3900 Teasley, the owner of Great Southwest Furniture store. He has a contract to purchase this property from Mrs. Foster. Mrs. Foster sent him her proxy to vote for her. Since C-3 zoning allows sexually oriented businesses her vote is 'no.' He said he did not want any business of those types next to him. Mayor Wohr said those types of businesses needed to obtain a Special Use Permit which requires permission from the City Council. His concern is not whether there is liquor sold on that side of the street or not, it's whether years down the road that a sexually oriented business might attempt to come in. City Manager Fairburn said they would need to get a Special Use Permit affirmed by the Council. He's not in competition as far as selling liquor.

Larry Golman, 4201 Spring Valley, Suite 1400, Dallas, Texas 75244 of Golman Associates, manages the current D & J property, said this is not a personal issue. The liquor industry, or the sale of alcoholic beverages for off-premises, is one of the most highly regulated sale of retail products. There are other commercial zoning districts which do not allow for the sale of alcoholic beverages. Hickory Creek has voted off-premise sale of beer and wine. There is sufficient C-3 to build more, but it's really a question of the image the City wants to have. Is there sufficient C-3 zoning?

Allen Meyer, 6519 Meyers Road, Dallas, an associate of Mr. Golman, said the voting at the Planning & Zoning Commission hearing was unanimous against the rezoning and that point wasn't brought out by the Mayor. There were several citizens who spoke at the P & Z Meeting thought that decision would carry over to this meeting.

Sal Reyes, 605 South Denton Drive, Lake Cities Liquor, said he's in competition with Mr. Lee. He likes competition. He's here to see if we're going to have more lots zoned C-3 and bigger liquor stores and sexually oriented businesses. What stops Goody-Goody from coming up and moving right next door if we zone this property C-3 and they might put him and Mr. Lee out of business. No one's telling him in

writing that when Mr. Lee moves out of the property he's in now that another liquor store won't go in there. Change is good but there are too many other avenues to do some changes and make more money. We're all investing in this community. Let's protect our investments.

Albert Moussa, owns Spiritz, next door to Lake Cities Liquor. If the zoning is going to be C-3 and the City gains some revenue; and then we go out of business, the City loses some revenue.

Frank Barnard, 328 Betchan, said he had heard a lot tonight and at the Planning and Zoning meeting. If anybody was to vote 'yes' on this change he would like to see if the Councilmembers would answer the following questions for himself, his family, and the citizens. These are not personal attacks, just questions he has: 1) How could you vote 'for' after the P & Z voted 5 - 0 'no;' 2) if you vote 'yes' for the zoning change, please explain why; 3) would you consider this zoning for only a few with the potential owner of lots 5 & 6 being against and where is 7, 8, 9 & 10; and question for Mrs. Harper only, please explain why, in your eyes if you vote yes, the zoning change is different from the SUP requested for Moonlighters. It was an already established business moving into the established C-3 zoning. He'd like to thank the Councilmember who attended the P & Z meeting last week who did not say anything, just listened. In his opinion, to have the Mayor and Councilmembers speak at a Planning and Zoning meeting is a regression into the past, knowing they have the last word in voting on the issue. We're trying to get a better image and now we have liquor stores at our front door and back door. Denton has raised the bar. He thinks it's wrong.

Shelly Kristich, 298 South Lakeview, said she was confused about the sexually oriented businesses coming in if Council has to vote on that separately.

Mayor Wohr said the Council would have the final say regarding that type of business. He then opened the floor for rebuttal.

Ernesto Lopez, Jr., said Mrs. Foster stated that she opposed sexually oriented businesses on this property.

Bonnie Brown Garcia, said in summary, the C-3 zoning was taken away from their family and she's asking Council to right a wrong. She said they would not put in adult entertainment and she thinks it is unfair for one side of the street to be able to sell alcohol but the east side cannot.

Allen Meyer asked if the Mayor votes. Mayor Wohr told him that he does not vote on this issue.

Mayor Wohr called the public hearing to a close and ordered a brief recess at 8:55 p.m.

Mayor Wohr called the meeting back to order at 9:15 p.m.

2. **Consideration and Action on zoning change from M-1 Light Industrial District to C-3 Commercial District for First Highway Addition Lots 1, 2, 3, 4, 5 & 6, Block A, Lake Dallas, Denton County, Texas.**

Councilmember Shikle expressed concern regarding 6 votes on the Planning and Zoning Commission on the denial of the zoning change. City Manager Fairburn explained that the 6th person sitting at the table at that meeting was an alternate and was aware that he had no vote in the matter. He did explain his feelings on the matter but did not vote. City Manager Fairburn said he would discuss the Planning and Zoning Commissions procedures with them at their next meeting. Councilmember Shikle said this looks like spot zoning because it does not include lots 7, 8, 9 & 10 and Council should respect the vote of the Planning and Zoning Commission.

Councilmember Stapleton asked Mr. Lee how many people on the list actually owned the property and how many owned the businesses only. Mr. Lee said one was an owner. Councilmember Stapleton asked Mr. Lopez how the tax figures were arrived at. An explanation was given.

Councilmember Minnis addressed Ms. Kristich in saying that the SOB ordinances are pretty strict. He thinks Planning and Zoning is going to make recommendations on removing some of the C-3 zoning in the city in their comprehensive plan. He also expressed concern with the Planning and Zoning vote.

Councilmember Harper asked the owners of Spiritz and Lakeland Liquors if they are leasing their property. Their answers were yes. She asked Mr. Lee if he would be making any facial changes to the old Houghton building if the zoning change is approved. He said yes. She commented on Mr. Lee's donations to the city and school functions and stated that they are long time citizens here and that it would not be creating a new business. Her answer to Mr. Barnard's question – when she was referring to the children she was talking about those walking across the parking lot where someone coming out of the business might get hit by someone under the influence. She said she didn't think this town would ever allow a sexually oriented business to come into our town. She said location was the reason she was against Moonlighters. She said she had only one person call her opposed to this change.

Councilmember Milan said D & J has been in the wholesale/retail business for 16 years. If they're not allowed to grow through changing the zoning the growth potential could be affected and it may force him to leave and we would lose some tax base. The number of liquor stores is down. She said she would never be for an SOB in the city.

Mayor Wohr said lots 8, 9, and 10 belong to Larry who has an M-1 and if the property was zoned C-3 he could never sell his auto body shop. We cannot bar anyone from coming and asking for a SUP for an SOB but we have a good ordinance.

Councilmember Shikle asked Ms. Bonnie Brown Garcia if she had any documentation to prove that the property had been zoned C-3. He said he had been told those stores had been put in by mistake. He asked staff to research if that property had ever been C-3. He asked how many votes if would take to pass the City Council if P & Z had voted 3 to 2 in denial. City Manager Fairburn said 18.52.40 reflects ¾ vote. Councilmember Minnis still expressed concern about the Planning and Zoning voting. Councilmember Stapleton said he didn't think it was fair to compare the Planning and Zoning Commission to the Council since the P & Z has two alternates. City Manager Fairburn said it was understood who was the alternate on that night. Larry owns 8, 9, and 10 but don't know who owns lot 7 but none of these owners have come forward to say yea or nay. Mayor Wohr said we would have to rely on the certified minutes of the Planning and Zoning meeting since they do not vote by roll call. Mayor Wohr asked if there was any further discussion. Councilmember Shikle said his concerns had been satisfied. Councilmember Harper

just wanted to remind Council that the City is getting $11,620/year in taxes from this property and it's not a new business.

Motion was made by Councilmember Harper to change the zoning from M-1 Light Industrial District to C-3 Commercial District on First Highway Addition Lots 1, 2, 3, 4, 5, & 6, Block A, Lake Dallas, Denton County. Seconded by Councilmember Shikle.

Ayes: Councilmembers Milan, Minnis, and Harper
Noes: Councilmembers Shikle and Stapleton

Motion Failed due to lack of 75% majority

Mayor Wohr called for a short break at 10:10 p.m.

Mayor Wohr called the meeting back to order at 10:25 p.m.

3. **Consideration and Action on Resolution for a moratorium on building permits in M-1 Light Industrial Districts.**

Mayor Wohr said Planning and Zoning has been working on a comprehensive plan for the city. The M-1 property that is presently vacant should be placed under a moratorium so no building permit can be issued. This would give the Planning and Zoning Commission a chance to complete the Comprehensive Plan and then go with the zoning as recommended by the plan.

In order to have any M-1 property zoning changed we would have to go through the public hearings. He said the City Council could lift the moratorium at any time. The Council will have a chance to discuss the Planning and Zoning recommendations on the Comprehensive Plan when it comes before Council. Property owners will be notified prior to the public hearing in keeping with regulations for public notices.

Laird Lind, 735 Carlisle, commented regarding public notice for moratoriums.

Motion was made by Councilmember Minnis to place a 90 day moratorium on M-1 Districts. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Stapleton, Minnis, and Harper
Noes: Councilmember Shikle

Motion Passed

4. **Consideration and Action on appointing a commissioner and an alternate to the Planning and Zoning Commission.**

Councilmember Milan asked if Mike Fahey would automatically take the position of commissioner and Frank Barnard would become the first alternate and we appoint another alternate. City Manager Fairburn said it's not automatic. She then asked if James Bennett was here and he did not answer. She then asked Marj Johnson what was her preference. Ms. Johnson said she would like to be a member but didn't want to step on any toes.

Motion was made by Councilmember Milan to appoint Marj Johnson as a member of the Planning and Zoning Commission in place of Linwood Gilliland who is stepping down. Seconded by Councilmember Minnis.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on selecting Charter Review Committee.**

Motion was made by Councilmember Minnis to appoint Ernie Lopez, Rod Courtney; Jan Daniel, Laura Blake, Georgina Gougeon, Dawn Kirby, Marjory Johnson, Suzie Hedges, Maureen Awalt, Brenda Western, Strat Johnson, Mike Dixon, Norma McAlavy, Gene Tisdale, JoAnn Robillard, Carolyn Green, Doris Eckleberry, Jim Tankersley, Linwood Gilliland, Charles Yancey, Gary Johnson, Bob Davis, John Katz, Steve Howard, Jr., Kimberly Gentry, James Bennett, and Tony Robinson to the Charter Review Committee and have them establish their own quorum and chairperson; and return their recommendations after analyzing the entire charter to the Council by December 31; no City Staff or Councilmembers shall attend or advise any of the meetings without the majority of the committee's request. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

6. **Consideration and Acton on playground equipment for Community Park.**

Councilmember Stapleton said he went to the last Parks and Recreation Board meeting. They have not received enough information to proceed. There was Council discussion as to whether Parks and Recreation should have another meeting and bring results back to Council or just go ahead since Council has given the okay to spend up to $14,500. City Manager Fairburn said staff could keep a record of the prices the Parks and Recreation Board get and update Council by putting the information in their boxes. Mayor Wohr said he would donate $100 towards any overage above the $14,500 or volunteer time, as would others.

Motion was made by Councilmember Stapleton table this item until the next Council meeting to give the Parks and Recreation Board time to have a special meeting. After more Council discussion the motion was withdrawn. **Motion** was made by Councilmember Stapleton that City Staff ask the Parks and Recreation Board to hold a special meeting to review this new information and to utilize the funds authorized by this Council and a report brought back to this Council at the next scheduled meeting in two weeks and authorize them to expend the money without approval of Council. Seconded by Councilmember Shikle.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

7. **Consideration and Action on setting Council policies and procedures.**

Mayor Wohr said he had hoped to have all this together for the meeting tonight but was unable to get it done. He will have it ready for the next regular meeting.
Laird Lind, asked that the meetings become more citizen friendly.
Motion was made by Councilmember Shikle to table the setting the council policies until the next regular meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on selecting November regular meeting date and for a quarterly workshop.**

City Manager Fairburn explained that the two Thursdays in November that Council usually held meetings are both holidays. He suggested that the regular November meeting be on the 18th; he also suggested the quarterly meeting be set for January around the 22nd and perhaps be in the morning. He asked for an executive session to be held the week of October 18. There was Council discussion regarding the various dates discussed for meetings.
Motion was made by Councilmember Milan to set November 18 as our regularly scheduled City Council meeting for Lake Dallas and a quarterly meeting in January around the 22nd and also have an executive session the week of October 18. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

9. Consideration and Action on reports.

There were no questions regarding the boards and commissions. The financial statements are pre-audit for the fiscal year. There was a question regarding a check to Gentry which was for overlay for Boliver Street and repair on Kings Manor. There has been another disbursement for work in progress on the street maintenance. Mayor Wohr asked for an accounting on the Fallfest from Parks and Recreation. City Manager Fairburn said we will be getting the final figures soon. We will need to reimburse Hickory Creek for the money they sent over the cost of the Fallfest. Councilmember Shikle asked what the completion date is for the streets. City Manager Fairburn said the final completion is December, substantial completion by the third week in November; however, LCMUA is just finishing up their projects in the downtown area so that within 2 weeks work should begin on Gotcher and some of the small streets down here and then when they finish with Main which should be the end of this month we'll be able to go to Main and go forth with that project. They have begun work on the North Shady Shores and culvert work should start next week and be shut down for about 5 days. Kings Manor Drainage started this week and should be done by the third week of November. The railroad company should be coming in shortly to do the two crossings. The gas company had some design problems so we can finish up there as soon as they get finished. We need to get an engineering company and list of projects from the Councilmembers regarding the $253,000 budgeted for streets for FY 2000. The staff will get a priority list of streets together for the Council. There was also discussion about the dust problem on S. Shady Shores so it was determined that slower speed limit signs should be put up. The logistics for Lakeview didn't work out so additional options need to be looked into.

Motion was made by Councilmember Milan to accept the reports as presented and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

10. New Business

There was discussion about the timing and coordinating between the Planning and Zoning Commission meetings and the Council meetings. City Manager Fairburn said we can check into how many days are allowed for public hearings and meetings for zoning changes. Councilmember Shikle stated that we need to get some proper taping equipment. City Manager Fairburn said we have been working on that issue. Dictaphone has no other equipment that would allow us to dub tapes and we have received a price of $1700 for a machine to tape a micro tape to a regular cassette tape. Councilmember Minnis asked that the ordinance requiring 80% masonry on our buildings to be amended because it's too stringent, commercial and residential. City Manager Fairburn said it will go before the Planning and Zoning Commission at their next meeting and then come back to Council as a Consideration and Action item. Councilmember Minnis said he would also like to have on the next agenda about having a simple majority, not a super majority, to override the Planning and Zoning Commission recommendation and also the voting from P & Z and Council for the cemetery SUP. Councilmember Shikle asked if any Councilmembers felt like the brown envelope with a petition in it that they received some time ago deserved any attention. The general opinion was that some one's name or something should have accompanied it if they wanted something to go before the Council. Mayor Wohr closed this item of business.

H. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Milan.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:05 a.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting and workshop session on September 23, 1999, at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Council Member Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Minnis was excused

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, Building Official Truman Harp, Public Works Director Johnny Webber and City Secretary Beverly Lucke.

There was Council discussion about changing how the agenda items would be discussed.
Gene Tisdale said he had come to last Thursday's meeting about 8 p.m. and everyone was already gone. He said the reason he was there is to try to find out who's running the City: the Council people, or is it somebody else who's going to be running our City?
It was decided that citizens might have read the agenda earlier and decided to come to the meeting later due to the Executive Session being scheduled as the first item of business.
Mayor Wohr closed the meeting to the public and Council went into Executive Session at 7:40 p.m.

B. Business

1. **Executive Session: Discuss the annual review of the City Manager according to Government Code 551.074**

Council returned from Executive Session at 9:10 p.m. Mayor Wohr called a short break. Meeting was called back to order by Mayor Wohr at 9:20 p.m.

2. **Action, if any, from Executive Session**

Motion was made by Councilmember Stapleton that the contents of the Executive Session be reduced to a written form and brought back to this Council at the next regular scheduled meeting at which time the Council would approve and enter those records into the City Manager's personnel records. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

C. **Workshop**

a) Review each Department Head's salary, benefits, duties, and expectations

City Manager Fairburn had given the Councilmembers information stating the amounts of each Department Head's salary and their health and life insurance premiums which are paid by the City. Job descriptions were also given to the Council. City Manager Fairburn it has been some time since these job descriptions have been updated so that needs to be done and have each Department Head review and sign. There was also discussion about certification pay for those employees who had received advanced certificates (incentive pay) which is included on the paychecks and taxes and retirement are deducted from the total gross.

Councilmember Harper asked how the use of the cars for the Police Department handled; is anyone else furnished a car? City Manager Fairburn said we have some employees who have the use of City vehicles after arriving at work; some employees use their personal vehicles and are reimbursed for their mileage according the Internal Revenue Service's guide; we do not have a particular staff car and most of the mileage is for training sessions.

Councilmember Harper said she understood there were no written contracts for each Department Head. City Manager Fairburn replied that none of the City employees have written contracts (other than his) since the City is an at will employer. She said she had checked with some cities and found that some of their Department Heads had contracts and that is a concern of hers because she looks at that as security as well as spelling out what is expected. Mayor Wohr said it's an issue that it's better generally better to have non-contract employees because Texas Law states that we can fire, lay-off, or change a person's position any time we feel it's appropriate and there will be no recourse. Advantages of a contract could be sometimes you attract better quality people. Under a contract and we fire/lay-off an employee there will usually be a condition where we would have to pay a severance pay. We would also probably have to change our Charter if we went to contract employees.

Councilmember Shikle asked what's considered the metro-plex? City Manager Fairburn said he thinks it's 6 counties. Mayor Wohr said Denton, Collin, Dallas, Tarrant are some of the counties. Councilmember Shikle asked how we figure into income the furnishing of a vehicle to an employee with reference to the salary ranges. City Manager Fairburn said it's part of the overall benefit package and that was part of the recruitment process at the time. The ranges are strictly for the salary level. Councilmember Shikle asked if the benefit package stays intact for the term of employment; can it be changed? City Manager Fairburn said anything can be changed just depends on what price. He also said we have 2 take-home cars. The Chief's car is for use in the metroplex area for personal as well as business. The Lieutenant's car is to and from work and for business. Mayor Wohr said the police vehicles are different due to the fact that they are on call 24-hour/day 7 days/week and if they were to come from their homes in a personal vehicle and involved in a wreck that could put the City in some kind of liability. Their gas is paid for. There was a request from Council for the annual expense for business and personal use on the Chief's car and how many years use will the City get on these cars. Some cities have take home car for police officers. Flower Mound's Animal Control Officer drives that vehicle home. Councilmember Harper asked if our Animal Control officer received mileage for driving to and from work. She does not.

Councilmember Harper asked if Truman and Beverly had any other benefits other than what were shown in the handouts and was told they did not. She asked what the salary is for the Animal Control Officer. The information will be supplied. Councilmember Milan asked about the hiring of a contract building inspector. City Manager Fairburn said we are currently using a contract plumbing inspector while

Building Official Harp is getting some testing done before he gets his license. In answer to a question about checking driving licenses the response was that we do background checks which include driver's license checks upon hire and the commercial licenses are reviewed and renewed more often. Councilmember Stapleton asked what checks and balances were used in day to day job performance. City Manager Fairburn said it was daily job performance, performance evaluations, written documentation (either good or bad); there is not a structured check-list.

Mayor Wohr asked if there were any more comments from Council. There were none so he asked as a Council directive that staff determine the costs regarding the vehicle and make available to Councilmembers the pay ranges for the employees.

b) Discussion of actions in September 13, 1999, meeting

Councilmember Shikle said we had a situation come up in the 13th workshop where he had asked a question and it seemed like everything came unglued in here. Councilmember Harper agreed. Councilmember Shikle also demonstrated that the tape he received was not working. He also said the floor had been taken from him before he had finished speaking. He said he felt that Council should be treated with respect from Staff and the Mayor. The City Secretary was requested to read what Councilmember Shikle had said from the verbatim transcript of that part of the minutes. "This brings up another issue, Chief, on the cars. Of course, I've always complained that this City spends too much money on cars. I know that, for instance, your car and the Lieutenant's car, now, they're specifically for y'all. Nobody else uses these cars?" Councilmember Shikle asked if anyone else remembered that the Mayor had said, "No, you said the Chief's." Mayor Wohr asked to have that read back. City Manager Fairburn looked through the verbatim notes and said there was a long discussion about the Chief's car and Councilmember Shikle had asked 'what was my question' and Mayor Wohr said about 'his' car; and later Mayor Wohr said that the Chief's and Lieutenant's cars are part of their employment. Mayor Wohr apologized and said he meant no disrespect. Councilmember Stapleton asked Councilmember Shikle who his complaint is with? Councilmember Shikle said his complaint was with Steve, Chief Ristagno, and Stewart. Councilmember Stapleton said what he remembers about that night was the entire process sunk to an unprofessional level on everyone's part. After more discussion between Councilmember Shikle and Councilmember Stapleton Mayor Wohr apologized again and said he was trying to get the Council back on track because the Chief's car is part of his employment contract. He said he had respect for Councilmember Shikle's input into the Council. Councilmember Shikle asked Council if there needed to be any action. Councilmember Harper said they are representing the Citizens and should be able to say anything they want and not have City Officials take offense and they (Council) shouldn't take offense. She said she thought it had been unprofessional and disrespectful. She said it should be recorded that we did have this and don't want any more of it. She said Councilmember Shikle was offended and she said he had asked two times to have the tape played back and no one did it. Mayor Wohr said he takes responsibility for it and said he would try not to cut anyone off again. Councilmember Milan said she has had the floor taken from her more than once and that we can't correct the past but we can certainly stipulate how out of control situations should be handled. Mayor Wohr said at regular meetings he had been trying to call the Councilmembers by number and if they want to do that on workshop sessions also, we can do that. Workshops are a little more informal setting but if they want more structuring it can be done. Councilmember Shikle said that something had happened in government that shouldn't be allowed to happen anywhere in government not within the United States—to just have it totally taken away and he doesn't see how it happened in this small Council. It's up to the Council to decide if we need to

bring this up at another time for a discussion and action. He said he would not bring it back unless it was a Council desire. Councilmember Stapleton said Council had had a workshop about this already and maybe we weren't clear in the workshop about being recognized by place. If we need to talk a little more about procedures for the Council and set up some guidelines, then so be it. Councilmember Harper said she would like to bring this up again. She asked City Manager Fairburn to put on the next agenda that Council discuss and take action on how to handle situations where there's disrespect and out of order discussion.

Councilmember Shikle repeated that he would not bring it back to the table himself. Mayor Wohr said we need to clearly state what kind of type of action should be taken. Councilmember Harper said we need to establish guidelines, maybe some type of reprimand for being disrespectful to a Councilmember. City Manager Fairburn said what we have so far is, Consideration and Action on how to handle disrespect and out of order situations. He said it would be in Executive Session because the reprimand involved would be him. Councilmember Milan said determining whether a comment or gesture is disrespectful is going to be on a personal level and that's going to be kind of hard to determine. Mayor Wohr said he is also an elected official but he cannot vote and he may disagree from time to time and if you take that as disrespect I apologize for it. He doesn't feel any city official should be reprimanded because he, as Mayor, didn't structure the meeting correctly, and if Council had anything to say about him their quorum was right there, in public. Councilmember Harper said she meant no disrespect to him but wanted to be assured that the City Officials can not treat the Council any way they want to. If we'd have had a room full of citizens it would have been very embarrassing to her. Mayor Wohr said he thinks that's a policy issue. Councilmember Stapleton said he wanted to go on record as saying that he's in agreement with half of Councilmember Harper's agenda item. He thinks it's a great idea that we lay down some hard and fast policies as to the conduct of this Council. He said he thinks it's a very dangerous thing when you talk about disrespect and reprimand because, number one, you have to prove it and that's a lawsuit. If that is on the agenda he absolutely insists that we have the city attorney here. Stating policy is a good thing but trying to implement something as vague as disrespect you'd have to get inside a person's head to find out just what that disrespect is for that individual and I think it's a dangerous thing. He said he agrees with the Mayor, what you do is you send the message that City Council is up on a pedestal and hard to talk to. He said he thinks the Mayor has eaten crow and discussion of policy would be good and he'd just like to see the rest of it go away. Councilmember Milan said the reprimand part of disrespect is very crucial. Disrespect from the voice that speaks it and the one that receives it is two different opinions. She said she may say something totally disrespectful and someone might not take it disrespectful so that would mean she's not getting her point across very well. And, another time she may say something not disrespectful and any one of the Council could take it as disrespectful. She said she feels she has been spoken to disrespectfully by citizens, and not necessarily just from Lake Dallas, and how do you reprimand them? City Manager Fairburn said there would be Consideration and Action on how to handle situations where there is disrespect and out of order discussion and that goes along with issues that are coming before you anyway in Council policies and procedures. Councilmember Shikle said he would like to conclude this by saying that it is not his intention to seek apologies or make anyone 'eat crow.' It was his intention to deal with the facts and the question he had asked and the question he was accused of asking. We all learn from our mistakes and hopefully at our next meeting we can discuss guidelines and, should it come up, the way it should be handled.

D. Adjourn

Motion was made by Councilmember Milan to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting and workshop session on September 16, 1999, at 7:47 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. **Roll Call:** The following members were present and constituted a quorum:

Steve Wohr	Mayor
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Milan was excused

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Citizen's Agenda

No one presented themselves to speak so Mayor Wohr closed the Citizen's Agenda.

B. Business

5. <u>Addendum: Ordinance for supplemental appropriation for FY 99 Budget</u>

There was Council discussion regarding the 20' strip of land in the Garza Beach Estates. It has not yet been finalized.
<u>Motion</u> was made by Councilmember Minnis to adopt the amended Ordinance to allocate the funds for the supplemental appropriations for the FY 99 Budget. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

<u>Motion Passed</u>

1. <u>Consideration and Action on Ordinance adopting budget for Fiscal Year 1999-2000</u>

There was council discussion regarding the changes requested by Council during the workshop and City Manager Fairburn said it was set so that the bottom line worked out the same. No copies of the modified budget were available so City Manager Fairburn stated what the changes were: $7,200 pay increase; $9,500 miscellaneous line items; -$59,500 vehicle replacement; $53,500 streets rehab; $6,000 street light upgrade; $14,500 playground, Community Park.
<u>Motion</u> was made by Councilmember Minnis to adopt the Ordinance adopting the Budget for FY 1999-2000. Seconded by Councilmember Harper.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes:

<u>Motion Passed</u>

2. Consideration and Action on setting tax rate for Fiscal Year 1999-2000

Motion was made by Councilmember Minnis to adopt the Ordinance setting the tax rate for FY 1999-2000. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

3. Consideration and Action on approving an Interlocal Agreement with the cities of Corinth, Shady Shores, and Hickory Creek for fire services.

City Manager Fairburn said there are currently two changes: currently the meters are set to be checked at the end of June so that doesn't leave them enough time to do their budget and they want to move that back to May; now that they're going into large capital improvements that will be coming due in January the 1/12 amount of payment for our allocation is not suitable for the cash flow purposes that they need right now so that our portion of the funding for the capital improvements would be due in January and the rest of the budget will be part of the 1/12 per month allocation. January is when the property tax payments kick in so we have a good cash flow at that time.
Motion was made by Councilmember Minnis to enter into the interlocal agreement to provide fire services. Seconded by Councilmember Harper.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

4. Approval of September 7, 1999, minutes

Motion was made by Councilmember Stapleton to approve the minutes of the September 7, work session. Seconded by Councilmember Shikle.
Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

F. Adjourn

Motion was made by Councilmember Minnis to adjourn.

Before a second was made Councilmember Harper said she wanted a Council session to see what is included in each department head's salary and benefits and the job descriptions. Councilmember Shikle said he would like to have a discussion on actions taken at the September 13 meeting at the same meeting. Motion was seconded by Councilmember Harper.

Ayes: Councilmembers Shikle, Stapleton, Minnis, and Harper
Noes: None
Motion Passed

Meeting was adjourned at 8:10 p.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special workshop session on September 13, 1999, at 7:47 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Mike Minnis	Mayor Pro Tem
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, and City Secretary Beverly Lucke.

Mayor Pro Tem Minnis called for a short recess after the roll call to wait for Mayor Wohr to arrive.

Mayor Wohr called the meeting back to order at 7:55 p.m.

B. Budget Work Session

City Manager Fairburn gave the Councilmembers handouts pertaining to the options requested at last Council Meeting regarding replacement of the 1988 Community Development vehicle. The cost of a small pickup would be $11,000 to $13,000 or mileage paid to the Building Official for use of his personal car would be approximately $1500/year. That figure would not include any tire repairs or damage. Council discussion included the option of the Code Enforcement Officer and Building Official switching vehicles.

The next handout referenced the street lights. The City has 265 lights of which 239 are mercury vapor. Replacement cost for sodium vapor lights is $73/each or $17,447. The monthly fee for 175 watt mercury vapor is $9.72/month compared to $8.31/month for 100 watt sodium vapor lights. The monthly savings would equal a 4.3 year payoff of the investment. Council discussion brought agreement that Main Street should be one of the first areas to have replacement lights. The poles would not be replaced, only the arms and globes. This would be a low impact change.

A preliminary street inventory was given the Councilmembers. City Manager Fairburn said Public Works had rated streets from 1 (needing work the most) to 5 (those streets which need the least maintenance at this point). He said we had a lot of money for streets and drainage for next year. Council discussion determined that the future citizen's committee on roads could benefit from the inventory. This next year we will have enough money to do maintenance but after that we will not have that kind of money and we should be doing seal coating and overlays within 5 to 10 years.

City Manager Fairburn said that he had brought $9500 in additional items to the last meeting. He has now revised some line items -- $15,000 for the canal right of way in FY 99 budget; $9500 for line items that had been forgotten plus the playground approved at the September 9 meeting. Based on this the 2005 budget would get to $73,000 and we should be at $205,000. The discussion revolved around raising taxes; anticipating that property valuations would go up enough we could avert that; and, that we would have enough economic development on Overly and Swisher to bring in more tax dollars without having to raise the tax rate.

If the parks grant is not funded, at least $110,000 of the $250,000 set aside for the matching funds would have to go to Parks. We do not have much in the budget for street maintenance beyond FY 2000. We could go ahead with the economic development sales tax of ½ percent which would be dedicated to street and drainage maintenance and that would free up the previously budgeted $40,000 for streets to be used as Council desires.

The 5% pay adjustment is reflected in the 2000 budget book; the additional 1% recommended in last week's meeting is on one of the handouts. If council approves 6% City Manager Fairburn said he was thinking of going with a 4% range increase and 2% move within the range increase.

Council asked Police Chief Ristagno about the money for TLETS. Police Chief Ristagno said we have to update our system and this would include the cost of a new terminal with hardware and software or we couldn't communicate with the Department of Public Safety. This system allows us to check regarding stolen vehicles, warrants issued, dangerous persons, etc. Denton County needs to raise their tower before they can consider taking on any other agencies. Lake Dallas is the only city in the area with a 24 hour police station (dispatch and jail); Hickory Creek and Corinth have 24 hour patrols. Councilmember Shikle asked the Chief to explain what the logger item is. Police Chief Ristagno said it records the 9-1-1 calls and the one we have now is 10-15 years old. The recordings are bad. Council had turned down this request last year. There was discussion about the police cars driven by the Chief and the Lieutenant. They are part of the salary benefit package as well as providing immediate response to calls. The mileage on the Chief's car averages approximately 1300/month and the Lieutenant's averages approximately 1350/month. Mayor Wohr said their cars are part of the employment contract. Police Chief Ristagno reported there is 1 animal control officer who is usually on a 40 hour week – the hours are sometimes staggered due to Adopt-A-Pet week-ends. There was discussion about getting a smaller vehicle and smaller box for the animal control next year.

Mayor Wohr called for a break at 9:25 p.m.

Mayor Wohr called the meeting back to order at 9:45 p.m.

Council discussion pertained to the Public Works trucks and their uses which included getting employees to work sites; errands; picking up supplies (sometimes pulling one of the City's trailers).

Mayor Wohr said he would like to get a consensus on the items before Council tonight. There was discussion about down time for Police Department and Public Works vehicles and repair/replacement times.

Employee Pay Raise to 6 % instead of 5%	4 yes	1 no
Approve extra dumpsters for clean ups, if necessary	5 yes	
Upgrade street lights up to $6,000	4 yes	1 no
New Animal Control vehicle		5 no
New Community Development vehicle		5 no
Replace '94 Police Department Car but repair damages		5 no
Replace Public Works vehicle		5 no

The funds from the vehicles should be put into the street/drainage/sidewalks line item.

City Manager Fairburn said with these changes we have added $6,000 to the budget. He said this hasn't solved the 5 year plan and asked if Staff should come back with the 4A or 4B economic sales tax information for the May election. Mayor Wohr said it would be a realistic way to bring more money into the budget for street maintenance. City Manager Fairburn said Staff would need to bring the information to Council by December for the May elections.

Mayor Wohr asked what the Fire Department's plan was for the Lake Dallas station. City Manager Fairburn said they will get down to the frame and rebuild the building and will work out of Corinth until it is completed here at which time they will already have 2 fire trucks and ambulances and they will provide 24 hour service.

Mayor Wohr asked for an updated street completion projection. City Manager Fairburn said the Railroad hasn't come out for their part of the meetings. Shady Shores North will be worked on next and the culvert at that intersection with Hundley. The other streets are waiting for LCMUA to complete their work. They had projected 60 days so it should be another 30 - 45 days. That will make the street completion later than the original November date.

C. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:37 p.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular session on September 9, 1999, at 7:40 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Mike Minnis	Councilmember 4
Betty Harper	Councilmember 5

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation

C. The Pledge of Allegiance was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA:

Brad Rountree, 721 Oakley Drive, said he had great concerns about the 'cat' which has been seen in the area. He said he has talked with Police Chief Ristagno. Mayor Wohr said he has talked with the Chief and Staff about the mountain lion, about what action has been taken, and how we will resolve the issue. Mayor Wohr said that he, the Chief, and the City Manager would talk with him during break.

Carolyn Green, 201 N. Shady Shores, wanted to point out that cougars do come under a State law that protects them. They are not an endangered species but it is against the law to shoot one.

Mayor Wohr closed the Citizen's agenda since no one else presented themselves to speak.

E. Business

1. Public Hearing on the proposed property tax rate for fiscal year 1999-2000

Mayor Wohr opened the discussion stating that each year the property tax rate is reviewed. City Manager Fairburn said that the property tax rate is .56171/$100 valuation which is the same as 1998 and 1999 but less than 1996 and 1997. Councilmember Shikle said during the budget discussion he would like to find a way to raise employee's wages and fix streets and if possible, cut taxes. Councilmember Stapleton agreed with Councilmember Shikle but said he doesn't see how we could lower taxes.

Mayor Wohr opened the meeting to the public. No one presented themselves to speak so Mayor Wohr closed the Public Hearing.

2. Public Hearing on the Proposed Budget for fiscal year 1999-2000

Mayor Wohr said this budget is presently under review. Council discussion centered around the streets issue and suggestions were made about identifying streets, which should be repaired with any monies left over after the bond project is completed. A street committee was proposed along with having the Public Works Department first identify streets in need of repair and the committee making recommendations later. Councilmember Harper said Dr. Drinkwater at the University of North Texas had a class where the students could do a survey to see what the people want from the City Council.

Mayor Wohr opened the Public Hearing.

Carolyn Green, 201 N. Shady Shores, said the budget is the most important thing the Council does. She wished we were as aggressive with salaries as we are with streets. Ms. Green addressed Councilmember Harper and said what she wants for this city is: safety, protection, good streets, good schools, and a healthy atmosphere.

Mayor Wohr closed the Public Hearing since no one else presented themselves to speak.

3. Consideration and Action on replat of Block K Garza Beach Estates Lots 1R and 31R

There was Council discussion and City Manager Fairburn was asked what the Planning and Zoning's recommendation had been. He said they had voted unanimously to approve it. **Motion** was made by Councilmember Minnis to approve the replat of Block K Garza Beach Estates Lots 1R and 31R. Seconded by Councilmember Shikle.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

4. Consideration and Action on final plat of COMCO Addition on Overly Drive

Councilmember Minnis signed an affidavit of abstention since he works for COMCO. Council asked Mr. Green, the owner, about the size of the building, when completion was anticipated and what did they manufacture. The building will be 22,500 square feet, completion is expected in December, and they make bank conveyors. City Manager Fairburn said the Planning and Zoning Commission had approved the plat unanimously and that the company has also applied for a Tax Abatement. Carolyn Green, 201 N. Shady Shores, asked how many employees they had and if they had planned parking. Mr. Green replied that there were 28 employees and there are 30 planned parking spaces.
Motion was made by Councilmember Stapleton to approve the final plat for COMCO Addition on Overly Drive. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None
Abstention: Council Member Minnis

Motion Passed

5. Consideration and Action on the Master Plan for Willow Grove Park

City Manager Fairburn gave the background for this request due to a report of the Marina's request to the Corps of Engineers to take over Willow Grove Park. Their Plan is to add camping, boat storage, a boat ramp and golf course (the golf course would have to have a separate environmental review). He said Council has approved the Park Master Plan which includes the Willow Grove Plan. Council discussion included the cost of the lease to the City which is an 'in kind' cost for the City to keep maintenance up and the benefits to the citizens for the use of the area for fishing, hiking, picnicking, etc.

Cecil Graham, 1013 Kings Manor, was opposed to the Marina taking over the park.

Motion was made by Councilmember Milan to continue its course for the development of Willow Grove Park and retain control of Willow Grove Park. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

6. Consideration and Acton on adopting City Council Policy and Procedures. Tabled at August 12, 1999, meeting.

Mayor Wohr said we have requested information from TML regarding City Council procedures but it would take 7 - 14 days to work something up from that. **Motion** was made by Councilmember Minnis to table Item 6. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

7. Consideration and Action on setting up a Charter Review Committee. Tabled at August 12, 1999, meeting

Mayor Wohr suggested that this item be tabled until a later date due to vacations and budget preparation. He also suggest that the Councilmembers turn in any names to the City Secretary so she can contact those named and see about their availability to serve on the committee. **Motion** was made by Councilmember Harper to table the Charter Review Committee formation until the October meeting. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Stapleton, Minnis, and Harper
Noes: Councilmember Shikle

Motion Passed

8. Consideration and Action on park equipment

Council discussed the park equipment at Community Park specifically since equipment for the other parks would be part of the grant funds if approved in January. It was agreed upon that the equipment is in sad shape at Community Park. There was discussion about the impact on the FY 2000 budget; the fact that there is no parks funding past this next year; limited parking at this park; the possibility that this is being reckless with funds and could cause a tax increase sooner; how soon could work be started after the Parks and Recreation Board look at equipment and we get bids; concern for spending prior to funding in the budget. City Manager Fairburn said that if an amount was decided upon then Staff could get with the Parks & Recreation Board and they could work within that realm and look at equipment and bring it back to Council at the October meeting. **Motion** was made by Councilmember Harper to approve $14,500 to be set aside tonight for new equipment in Community Park; a description of equipment and our recommendation to the Parks Board for their next meeting; and for the Parks and Recreation Board to come back to Council with their recommendation at the October meeting. Seconded by Councilmember Minnis.

Ayes: Councilmembers Stapleton, Minnis, and Harper
Noes: Councilmembers Milan and Shikle

Motion Passed

9. Consideration and Action on sidewalks for Shady Shores

Mayor Wohr said that due to construction changes on Shady Shores it looks as if we have some money freed up that had been designated as street funds. City Manager Fairburn said the engineers had provided a rough draft at no charge which shows an approximate cost of $75,000 but said that culverts may have to be put in. There was Council discussion as to which side of the road the sidewalk should be placed; the fact that in some areas the sidewalk would cover utilities; whether this should be discussed before the street work is actually accomplished; the fact that Shady Shores will have a 4' shoulder to accommodate bicyclists and pedestrians while none of the other through streets have that option. **Motion** was made by Councilmember Minnis to direct Staff to work up a cost estimate from the engineers on the cost of the engineering for sidewalks along Shady Shores. Seconded by Councilmember Stapleton.

Ayes: Councilmembers Stapleton and Minnis
Noes: Councilmembers Milan and Shikle
Abstention: Councilmember Harper. Per Section 3.11.02 of the Home Rule Charter the abstention will be recorded as an affirmative vote in favor of the motion.

Motion Passed

Mayor Wohr called for a break at 10:10 p.m.

Mayor Wohr called the meeting back to order at 10:40 p.m.

10. Consideration and Action on accepting bids for the Lakeview slurry seal project

City Manager Fairburn said the work would be from Howard south to Main and be done in 3 sections. Logistics would need to be arranged for people to get in and out at the time the work is being done. This would extend the life of the street and Lakeview was chosen because it is a major street, not on the project, and in good enough shape not to need major repairs. This application was also recommended by Public Works Director Webber. There was Council discussion about he application being done by spraying or brushing; if the contractor is the same as selected to do Boliver [yes, and they have also done work in Kings Manor addition]. **Motion** was made by Councilmember Stapleton to approve the bid up to the maximum of $14,400 for the Lakeview slurry seal project with the provision that Staff use their judgment in consideration of which application is better: sprayed or brushed. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

11. Consideration and Action on setting policies for the quarterly clean-ups

City Manager Fairburn said Public Works Superintendent Webber had brought forward a couple of issues. We have phrased it as such that we will try to pick the stuff up if you can't get it to us as long as we have the resources available. It seems there is some advantage being taken of the City, i.e., in some cases they could have been able to bring items down in their cars; some items were so large, for instance, replaced fencing took 2 or 3 dump truck loads; and we're getting so many we can't get them all picked up on Saturday so that when we're out the next week picking up someone's stuff another citizen notices and asks us to pick up more of his trash. This is costing us overtime plus more expense for additional trash bins. It was suggested that we could charge a small fee when we are requested to pick up trash or at the dumpster when it is brought in. Staff was requested to check with Texas Waste Management to see if we could get a couple extra dumpsters per year at no charge and also ask them if they will pick up appliances or large items at residences in the City if the residents call and give them a week's notice. Council requested Staff to check with CCA of Lewisville regarding appliance and scrap metal pickups. There was also suggestions of limiting the amounts to be picked up to be less than 150 cubic feet and that proof of residency be presented at time of dumping at the City yard. **Motion** was made by Councilmember Minnis to leave the policies for the Quarterly Clean-ups to City Manager Fairburn. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

12. Consideration and Action on Ordinance to create a Municipal Court Technology Fund from September 1, 1999, to September 1, 2005; collecting a technology fee in the amount of $4.00 from defendants convicted of a misdemeanor offense in a Municipal Court or Municipal Court of Record; providing for a severability clause and providing for an effective date

Council discussion included that the fee was derived from the State Legislature and the use of the money can be for computer software and hardware. **Motion** was made by Councilmember Stapleton to adopt an Ordinance establishing a Technology Fund, collecting a fee of $4.00 from defendants convicted of a misdemeanor offense. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

13. Consideration and Action on Reports

There was Council discussion about park signs covered by Ordinances and how the acquisition of River Oaks Park was accomplished. There was discussion about the web site and progress being made on that. A day was spent on the mountain lion problem. The gentleman who was here tonight feels his two cats were taken by the mountain lion. There was discussion about the sightings and the Corps of Engineers says they've known about them for the past 10 years and they will move on after they get their cubs raised. City Manager Fairburn said we do have wild life here and one needs to watch out for snakes also as well as the water. We have tried to trap the lion but it is too good. We have talked with eradicator who takes care of 60 counties who said the last time they caught a cat was in the '70's. City Manager Fairburn said in his last report he had a project list made up and is currently trying to put down more realistic goals. Mayor Wohr thanked him for keeping Council apprised of the budget and thanked Police Chief Ristagno for adhering to the policy of letting one person talk with the media. City Manager Fairburn said he had received a lengthy page from Police Chief Ristagno and with an update was capable of discussion with the media. Councilmember Milan asked about the coolers in front of the old Food Fare store and City Manager Fairburn said he would get with the Code Department. Councilmember Minnis asked what had been accomplished for Teresa Hall, 501 Hundley, who had spoken at the July 15 meeting regarding the conditions at the trailer park where she lives and requested a letter be sent to her. City Manager Fairburn said he would contact Building Official Harp about it. **Motion** was made by Councilmember Minnis to accept the reports and pay the bills. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

14. New Business

City Manager Fairburn was asked about the landscaping/beautification that had been scheduled for Main Street and he reported that it had been pulled out of the contract as a trade-out for stub-out lines. It was decided to get with Public Works Director Webber before setting up a committee for the roads to be repaired. The surveyor stakes are in at Meadowbrook and they follow the fence line. One of the stakes is high and then it drops down about 4 feet. The next step is to determine if there is a 22 foot road. The September 23 meeting will be an Executive Session only for the City Manager review. City Manager Fairburn said he could bring some Department Head information with him at that time.

15. Approval of minutes for meetings on August 12 and August 26, 1999

Motion was made by Councilmember Minnis to approve the minutes of August 12 and 26, 1999. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

F. Adjourn

Motion was made by Councilmember Minnis to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:07 a.m.

Steve Wohr
Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting and work session on September 7, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Ken Stapleton	Councilmember, Place 3
Betty Harper	Councilmember, Place 5

Mike Minnis, Councilmember, Place 4, was excused.

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp, Public Works Director Johnny Webber, Police Chief Nick Ristagno and City Secretary Beverly Lucke.

B. BUSINESS:

1. Budget Work Session

The discussion was about the Administration, Community Development and Streets/Parks Departments budget items. City Manager Fairburn presented some additional items to the existing proposed budget which items amounted to $9,500. There were some unfunded items being requested. Building Official Harp would like to have a replacement vehicle for the 1988 car he is currently using. Other options were that Building Official Harp could purchase his own vehicle and the City would pay him mileage for the use on City business or purchase a small pickup for the Code Enforcement Officer and have the Building Official use the Code Enforcement vehicle. Council discussed the possibility of the City not receiving the matching funds grant for the parks. Council would then be in the position of making decisions about playground equipment. The street light situation was discussed weighing the purchase of sodium vapor lights versus mercury vapor lights. Public Works Director Webber stated that his department would like to buy a replacement vehicle for the 1990 Dodge pickup. This vehicle is reflected in their portion of the budget.

Mayor Wohr called for a short break at 9:00 p.m.
Mayor Wohr opened the meeting again at 9:15 p.m.

Council discussed the money available for street maintenance and repairs. City Manager Fairburn said there was money set aside for the next fiscal year plus money that could be left over from the street bond package. This money can be used for Carlisle and Main Street Part B, plus other streets that Council determines to be the priority areas. Beyond the next fiscal year there is only $40,000 annually set aside to fund street rehabilitation. There was discussion about the quarterly newsletters and the good response to the quarterly cleanups program. Council also discussed the compensation plan as presented in the budget. There was discussion about raising it another one percent. Administration would like to have $25,000 to $30,000 for a new accounting software package which is not included in the budget figures. Council requested staff to bring some alternatives to the meeting scheduled for September 13 especially as to what can be done about funding for street maintenance, the vehicle for the building official, and hard figures for the sodium vapor street lights.

C. Adjourn

Motion was made by Councilmember Shikle to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:50 p.m.

Steve Wohr, Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on August 26, 1999 at 7:33 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Ken Stapleton	Councilmember, Place 3
Betty Harper	Councilmember, Place 5

Mayor Wohr and Councilmember Mike Minnis had excused absences

Staff present were City Manager Stewart Fairburn, Police Chief Nick Ristagno, Fire Chief Scott Thompson, and City Secretary Beverly Lucke.

B. Councilmember Shikle gave the invocation.

C. The Pledge of Allegiance was led by Councilmember Shikle

D. **Citizen's Agenda**
No one presented themselves to speak so Councilmember Shikle closed the citizen's agenda.

E. **BUSINESS:**

1. **Consideration and action on holding a Public Hearing on a proposal to increase total tax revenues from properties on the tax roll**

Council discussed the fact that this years and last years tax rate are the same but there was an increase in tax revenues due to additional taxable units plus the valuation of some homes had increased. It was determined that at the time the tax rate is set it can be the same as the rate published for the Public Hearing or less; it cannot be more than the published rate.
Motion was made by Councilmember Shikle to have a public hearing at the regular session in September on a proposal to increase total tax revenues for properties on the tax roll based on a .56171 tax rate. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

2. **Approval of minutes for meetings on July 26 and August 4, 1999**

Motion was made by Councilmember Milan to approve the minutes of July 26 and August 4, 1999, as presented. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

3. Budget Review Work Session

City Manager Fairburn said we would start this portion with Public Safety and Tuesday we would work on Community Development and Public Works. He asked if council would be available on September 1 in case we can't complete the work sessions in 2 meetings. Councilmember Stapleton said he would not be available. City Manager Fairburn said the budget has no major changes and this next year would be okay due to the money in the fund balance. In a few years the fund balance will be down to 10% and that would be unacceptable. He asked Council to set a priority list for the next streets to be repaired in case there is money left over from the present street projects. He said the biggest change would be the Fire Department.

Chief Thompson said there was a lot going on and he wanted to allow opportunities for input. He said that earlier in the year they had developed a five year plan and they had talked with Denton about the ambulance service and the fact that his department had planned to build a facility which would be closer to Denton. At that time the Denton Fire Department was agreeable to entering into a cooperative agreement because that would eliminate the need for Denton to build a new building and Chief Scott was looking for free ambulance service in return. Currently Denton's ambulance rate is $6.50 per capita with the next year being $8.00 and $10.00 the following year. Recently Denton said they could not provide 'no cost service' to us until they could provide 'no cost service' to them. That leaves the Lake City Fire Department with 3 options: 1) they could do no hiring and continue to have the cities contract with Denton for the ambulance service; 2) they could purchase 1 ambulance and 3 people as firefighters/para-medics; 3) they could purchase 2 ambulances [one for backup] and hire 6 people [3 people for 2 shifts]. The Fire Board had approved option 3 so they plan to remodel the Lake Dallas station, order 2 ambulances and hire 6 people and should be up and running within a year's time. Two of the Lake Cities have already approved this plan and budget. Most of the emergency calls this past year have been in the Lake Dallas area. City Manager Fairburn said the response time would be down by having the service in our city instead of out of Denton. Councilmember Shikle asked if any neighbor cities had any input.

Judge Cole, Hickory Creek, said we have 20-25,000 people in our area and we need better service. He said we should figure 22,000 people times the per capita rate that Denton is charging the cities and compare it with the budget the Fire Department is presenting. He also said the Fire Department could get extra revenue from those calls made in the County. He said economics dictates that we go with the budget.

Joe Harrison, Corinth, said their City hasn't voted yet but he sees no difficulty getting it passed before the end of the month.

Councilmember Milan asked Chief Thompson was the cost per call is out of Denton. He said it could be up to $500/call and that we call them approximately 40 times/year. He said our Fire Department could possibly answer 10 - 15 calls annually in Denton. He discussed the 'mutual aid' program between our Fire Department and those in Lewisville and Denton. Councilmember Harper asked about the volunteers at the Fire Department. Chief Thompson said there 12 right now. Councilmember Stapleton asked what type of vehicle they were looking at. Chief Thompson said an E-series super Ford and that they had gone to Texas A&M doing research. They have asked Horton and Road Rescue for estimates. Councilmember Shikle said the council has an obligation to the citizens to relieve their tax burdens but if there's a disaster involving a family member the amount of money seems minimal at that time. All Councilmembers were in agreement about the importance of the Fire Department's service.

City Manager Fairburn said we had thought about $135,000 for storm sirens for the City but that has to fall by the side due to the difference in the Fire Department's budget.

Councilmember Shikle called for a break at 8:35 p.m.

Councilmember Shikle called the meeting back to order at 8:50 p.m.

City Manager Fairburn said there were no major changes in the Police Department's budget. The Animal Shelter is outside the city limits and is needing approximately $2,000 in repairs due to foundation problems and drainage. He said there is another option. He has talked with the Upper Trinity people and they have agreed to lease some of their property for a modest fee. We could have the dirt work done and a building erected for $137,000 and it could be funded over time. Chief Ristagno said they are requesting replacement of 2 vehicles – one being the 94 police car which was wrecked earlier this year and due to be phased out (that's why it's not been repaired) and the other being the Animal Control vehicle. That vehicle is a low mileage vehicle but is a 1991 and has cost quite a bit of money for repairs during this past year. He explained that the difference in money asked for the Canine support was that this dog actually belongs to the City and not to the handler so the City will need to pay for his food, insurance, vet bills, etc. The decrease in Professional Services is due to the raise in Canine support and the decrease in Vehicle Maintenance is in anticipation of replacing 2 vehicles.

City Manager Fairburn was asked why the Worker's Compensation amounts were lower this year. He said we had been given a lower rate experience modifier this year as well as lower rates. The question about the raises in salaries was explained by a 2% increase due to ranges and the other 3% is actually a raise. The unemployment rate is higher because of the rate assigned us by the State and not due to any claims because we have had none this past year. The health insurance is higher due to the 17% raise when the contract was renewed in May and we anticipate another increase in next May.

Chief Ristagno explained how the Police Auction figures come about. Vehicles are impounded and if the owner's do not claim them within 10 days they become the property of the Police Department. When the Department schedules the auctions they must notify the owners and then they have the option to get their vehicle or assign it to the City to sell. The auction price has to be enough to pay for the towing and storage fees. Any additional monies becomes the property of the City of Lake Dallas if the owner has not contacted the Department within 90 days of the auction. The process is state regulated.

Councilmember Shikle said Councilmember Milan had an emergency come up and she would have to leave immediately. The council would then be short of quorum and could no longer discuss business.

F. Adjourn

Motion was made by Councilmember Harper to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:20 p.m.

Councilmember Bobby Shikle

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in regular session on August 12, 1999 at 7:35 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember 1
Bobby Shikle	Councilmember 2
Ken Stapleton	Councilmember 3
Michael Minnis	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Manager Stewart Fairburn, City Attorney David Berman, Police Lieutenant James Lowery, Building Official Truman Harp, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. **VISITORS/CITIZENS AGENDA:**

Letitia De Burgos, 47 Lake Vista Circle, had some pictures she had taken of water run-off on her street during a rain to show to Council. She said there was a sharp edge into her driveway for 2 months due to the street repair work and that it was hard on her car's tires. She cannot see how the drainage is going to work when the streets are finished because of a creek that needs to be cleaned out so the water can run into it.
Mayor Wohr said we would have someone sent out from the Street Department to look at the problem. Someone from staff will write her a letter and let her know what will be done.
Since no one else presented themselves to speak, Mayor Wohr closed the Citizen's Agenda.

E. **BUSINESS**:

Mayor Wohr asked council if it would be all right with them to change the agenda around to hear the public hearings first due to the large amount of people at the meeting. He requested that speakers limit themselves to 3 minutes.

2. **Public Hearing on issuing Special Use Permit to the Swisher Cemetery Association for lots which have been donated to or purchased by the Swisher Cemetery Association: Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, 14, and 15**

Chuck Graham, 1013 Kings Manor, said he was not against the cemetery. He said over the past few years they have raised elevations, not checked the deed restrictions, covered up half the street and damaged the drainage on Meadowbrook. He said he's been before the Council twice and still has no answers. He doesn't know how to resolve it.

Mary Purser, 725 Main Street, said the community cemetery has been in existence since 1883 and the original land was donated strictly for burial. They have been looking to the future through the donations and purchase of the other lots by paying for the back taxes. The existing housing additions were

developed long after the cemetery was there. They currently have less than 80 burial spaces left at this time and have a lot of demand for family plots. They have been made aware of the flood plain in the area and know there are codes that will have to be met. She said she didn't know if helping Mr. Graham with the road is the solution either. Within 90 days the cemetery will be designated with a historical marker.

Letitia De Burgos, 47 Lake Vista Circle, said all that needs to be done is go to the Texas Historical Commission. They can tell you what can and cannot be done and what the rules are for a pioneer cemetery.

Howard DeWeese, 209 S. Shady Shores, said he had been caretaker of the cemetery for many years. Once, when the cemetery association had purchased several lots and after the paperwork had been completed by the City he had taken the paperwork to Denton to be recorded. He said he had looked at that paperwork and did not see any deed restrictions. He said there had been a false report of some graves being in the right of way.

Patsy Farrow, 508 Main Street, said that everyone in the cemetery association is a volunteer and they don't get paid for their work. She said if anyone has a problem and don't like the way things are done they should volunteer. It's a thankless job and takes a lot of hard work.

Barbara Miller, 404 West Shady Oaks Circle, Shady Shores, said she owns several lots in the subdivision that's been jeopardized by the acquisition of residential lots by the cemetery association. She said she's been to several meetings and keeps hearing the same things over and over again. It seems to her that the cemetery personnel and volunteers seem to resent this because of their status as a pioneer cemetery. She said the subdivision is 39 years old and they've waited a long time to develop those lots. They are not complaining that the cemetery wants to grow, they're simply saying that their growth and development has prohibited 51 lot owners from developing their property. If there is not more area for them to incorporate without destroying a subdivision then they need to stop.

Carolyn Green, 201 N. Shady Shores Road, said it seems to here that this isn't so much about he cemetery as it is about Meadowbrook – is it a street or isn't it a street? She hears contradicting stories. She said the cemetery was there long before the 39 years ago that the subdivision went in. She says she understands why they're upset about the development. If it's a question about the street, why hasn't the City fixed the street?

Mayor Wohr closed the public hearing.

3. **Consideration and Action on issuing Special Use Permit to the Swisher Cemetery Association for lots which have been donated to or purchased by the Swisher Cemetery Association: Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, 14, and 15**

There was Council discussion regarding encroachment; drainage and a retaining wall; elevations; other ingress/egress for the subdivision; had the surrounding property owners been notified; deed restrictions; whether there are grave sites already on these lots. The City Attorney was asked if it was a possibility that the City could be taking on more liability regarding the street by granting the permit. City Attorney David Berman said if we own the street the City is responsible for it and has an obligation to either fix the street or to post signs stating the road is hazardous or close the road. He also said the City cannot be held responsible for enforcing, or violating, deed restrictions. City Manager Fairburn said a survey has been ordered which will show if there has been an encroachment on the right or way and the cemetery association may have to put up a retaining wall. The road situation has no effect on the lots in question. Notice had been mailed to property owners and notice had been placed in the newspaper. It is doubtful that anyone has been buried on City property. Council asked the cemetery association if they had tried to purchase Lot 13. The answer was they have tried but the cost was too high. The map in the packet showed all the lots as part of the cemetery but the tax office shows them as separate lots. It was determined that the lots have not been replatted and that the map for the packet was probably incorrect.

Mayor Wohr recognized Patsy Farrow, 508 Main Street, who said the cemetery association had been told by a previous mayor that there was a 6' utility easement there which does not encroach on the road. Mayor Wohr said that could be but would also have to be checked out.

Motion was made by Councilmember Shikle to grant a Special Use Permit to the Swisher Cemetery Association for Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, 14 and 15. Seconded by Councilmember Harper.

Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a short recess at 8:30 p.m.

Mayor Wohr called the meeting back to order at 8:50 p.m.

4. **Public Hearing on issuing Special Use Permit to operate a private club at property located at 212 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey, zoning district C-3**

Odie Harrelson, 907 Vista Oaks Court, said we have 4 schools, 4 churches and 17 establishments. What signal does that send to everybody in this town and all the kids. This City Council shouldn't have anything to do with another club and more alcohol in the City.

Bobby Griffith, 155 West Overley, said he's lived here approximately 20 years and he's the one trying to get the special use permit. He said they would be closing two clubs and opening one. He said he was sure there would be other questions and he would like the opportunity to address them.

Mayor Wohr said he would let the rest of the public hearing take place and then if Council had any questions he would then have an opportunity to speak again.

James Lively, 527 Oak Lake, said personal and religious feelings aside and look at this from a business point of view. He said if Denton and Lewisville went 'wet' we would lose a lot of business so we need a better tax base here. He suggested a medical center here with a minor emergency room. We need something to bring in tax dollars.

Gary Johnson, 609 Cain, and also represents his aunt, Eva Johnson of 209 Main who resides in a nursing home, said he would like to see something in the center of our town that would attract future businesses that would bring the kind of clientele to help our town to grow. He said he had been to the P & Z meeting and he doesn't agree that to have the building occupied is the main concern. He urged Council to deny the permit.

Frank Barnard, 328 Betchan Street, said he was not there as a Planning and Zoning representative but as a private citizen. His input is from having watched the building be empty over the past 2 years and that the Denton County Economics Development had only been contacted by 2 people regarding that building. The rent was too high and the building was in bad shape. He said he's always fought any additional C-3 zoning but this property is already zoned C-3. If the permit is issued the businesses around the club would probably benefit as those that were around the old location did. He said it's close to the police department but he hasn't heard and bad reports about the previous location. He said he does not want to see the building be vacant another 2 - 3 years. He said he hopes Council considers issuing the permit

George Kristich, 303 Lakeview, said he's lived here about 8 years and hasn't seen a lot of growth. This man is only asking to move his established business and expand it. He believes the permit should be granted.

Bobby Griffith, 155 West Overley, said he'd heard most of these arguments at the Planning & Zoning Commission meeting and they all have their own ideas of what to do. The building's been vacant 2 years. They're worrying about property values but when his business was at 112 Hundley the property was only 50% occupied and after he'd been there awhile it was 100% occupied. If he moves into the Main Street address, Allsups, Bogey's, the Mexican restaurant will welcome him for the additional business it will bring them. He said they are improving Main Street because the building was vacant and rat infested but they have cleaned out the building. He also said he was totally offended and insulted that the Councilmembers and Department Heads received a letter in opposition to him and stating he was a convicted felon. He said there is nothing further from the truth. It is an absolute lie. If that is what the opposition is going to resort to then we've got big trouble.

Marge Johnson, 905 Vista Oaks, if he doesn't get his permit then what? We've already closed down one and the other won't be able to open.

Carolyn Green, 201 N. Shady Shores, if he were a convicted felon then he couldn't get a liquor license. She asked about what part of the building would be a club. Mr. Griffith said the left half will be office space. Could be used by an insurance company, dentist, etc. He said he's had about 6 people contact him regarding office space there.

Mayor Wohr closed the public hearing.

5. **Consideration and action on issuing Special Use Permit to operate a private club at property located at 212 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey, zoning district C-3**

The question was raised as to how this item could have been posted as an agenda item before the actual meeting by the Planning and Zoning Commission when the outcome was unknown. City Manager Fairburn said if the item would not have passed it would have been stricken from the Council agenda. Council asked to see the minutes of the meeting. The rough draft was furnished since the Planning and Zoning Commission approves prior month's minutes at their first regular meeting of the following month. There was Council discussion and questions of Mr. Griffith regarding the liquor licenses of Chalker's and Moonlighters; how many square feet allotted to office space; higher traffic in areas where children walk; keeping a local businessman in business here; attracting new business to the City with a large empty building sitting here; local business was approximately 60%; and closing times.

Motion was made by Councilmember Minnis to approve a special use permit to operate a private club at property located at 212 Main Street with the condition that the permit does not exceed 50% of the building. Seconded by Councilmember Shikle.
Ayes: Councilmembers Shikle and Minnis
Noes: Councilmembers Milan, Stapleton, and Harper

Motion Failed

Mayor Wohr called for a short recess at 9:42 p.m.
The council went into Executive Session at 9:55 p.m.

6. **Executive Session: The City Council will have an executive session to discuss with their attorney on drainage and road easements and options for Garza Beach Subdivision according to Government code 551.071.**

Executive Session was closed at 10:20 p.m.
Council returned to the regular meeting at 10:22 p.m.

7. **Action, if any, from Executive Session**

Motion was made by Councilmember Minnis to direct the City Attorney to enter into an agreement for purchase of 20' strip of road right-of-way not to exceed the sum of $15,000 and to develop a mutually agreeable contract with Laird Lind and J-Don Properties. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Stapleton, Minnis, and Harper
Noes: Councilmember Shikle

Motion Passed

12. **Consideration and Action on appointment of Elsie Lacy to the Library Board due to the resignation of Matt Flanagan**

Motion was made by Councilmember Minnis to appoint Elsie Lacey to the Library Board. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

13. Consideration and Action on appointment of Marjory Johnson to the Board of Adjustment

City Manager Fairburn pointed out that this is an alternate position.
Motion was made by Councilmember Minnis to appoint Marjory Johnson to fill the vacancy on the Board of Adjustment. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

1. Consideration and Action on Reports

a. Boards and Commissions
b. Financial, including Accounts Payable
c. Departments, including City Manager

Councilmember Minnis asked Planning and Zoning Alternate Frank Barnard where the Commission was regarding the Comprehensive Plan. He said they would have another workshop soon. City Manager Fairburn said there have been 3 public hearing workshops: one dealing with the Swisher Corridor; one with Main Street; one with the Denton Drive, Frontage Road. The Commission will review the North Texas Planning Class' rough draft at their workshop this month. There will need to be another city-wide public hearing for more input before there is a draft document for a Council/Planning and Zoning meeting. Then there will be input on the draft document before Planning & Zoning finishes it up. Mayor Wohr said it was a good thing Parks and Recreation will have CoServ for a sponsor for the Fall Fest. The application was accepted for the Park Master Plan and we will be advised in January if we are to receive the grant.
Questions asked about the financial reports were answered. Inquiries have been made about costs from 3 web site companies.
Motion was made by Councilmember Minnis to accept the July reports and to pay the bills. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

8. Consideration and Action on approval of bids for paving Boliver Avenue

Motion was made by Councilmember Milan to approve the bid for paving Boliver Avenue for Gentry Paving. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

9. **Consideration and action on adopting a resolution to authorize the City Manager to enter into an Interlocal agreement with TxDOT, known as the 'State' and their administrator, known as the City of Lewisville, for the performance, administration and maintenance of the traffic signal located at Swisher Road and Interstate 35 East service road, that lies within the City of Lake Dallas; and providing an effective date**

Motion was made by Councilmember Minnis to adopt a resolution to authorize the City Manager to enter into an Interlocal agreement with TxDOT and the City of Lewisville for the maintenance of the traffic signal located at Swisher Road and Interstate 35 East service road. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

10, **Consideration and action on adopting City Council Policy and Procedures**

Motion was made by Councilmember Milan to table item number 10 until the next regular meeting. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

11. **Consideration and action on setting up a Charter Review Committee**

Motion was made by Councilmember Minnis to table this item until the next regularly scheduled City Council Meeting in September. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Stapleton, Minnis, and Harper
Noes: Shikle

Motion Passed

14. **Consideration and Action on authorizing City Manager to renew contract with United Dental Care with renewal date of September 1, 1999**

There was council discussion regarding complaints, no co-pay by the City, and participation was not required by all employees. **Motion** was made by Councilmember Milan to authorize the City Manager to renew the contract with United Dental Care as of September 1. Seconded by Councilmember Harper.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

15. **New Business**

a) Workshop regarding policies and procedures with City Manager and getting organized and the City Manager evaluation and information to Council from City Manager in September.
b) How many budget meetings and workshops should be scheduled
c) Park equipment at next regular meeting
d) Cost of sidewalk for Shady Shores

16. Approval of minutes of meetings July 15 and 26, 1999

City Manager Fairburn said the minutes for July 26 had not been reviewed yet. **Motion** was made by Councilmember Milan to approve the minutes of the meeting on July 15, 1999. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

G. Adjourn

Motion was made by Councilmember Minnis to adjourn. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:40 p.m..

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on August 4, 1999 at 7:32 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Mike Minnis	Councilmember, Place 4
Betty Harper	Councilmember, Place 5

Ken Stapleton, Councilmember, Place 3, was excused.

Staff present were City Manager Stewart Fairburn, Building Official Truman Harp, Public Works Director Johnny Webber, and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. BUSINESS:

1. **Consideration and action on a change order removing tack oil as a requirement between stabilized base and asphalt top course for the street maintenance and bond package street repairs**

Brad Tribble of Kimley-Horn & Associates, Inc. introduced himself as the Special Project Manager from their firm for the street bond and maintenance programs and said the roadways he usually works with are urban roadways. Carl DeZee and Kerry Risser were also here to represent Kimley-Horn & Associates, Inc. He said he had sent a letter to City Manager Fairburn regarding the issue of tack coat and prime coat and the clarification on the appropriate applications. He said there had been some direction given to the contractor that may or may not have been applicable to the application of tack coat prior to the placement of asphalt. In most cases tack coat is intended to be almost a 'glue' between one pavement course and another course that's going to be laid on top. He explained that the amount of water put into an asphalt emulsion makes the difference between tack coat and prime coat. Prime coat is something that is put down over a treated sub-grade and there are 3 general purposes for a prime coat. It is applied over the top of a treated sub-grade to seal in the water which has to go through a chemical reaction with the material used in the sub-grade to keep all the water from evaporating out – this is the primary reason to use a prime coat. Another option is called the 'wet cure' method which is where you continuously apply water to the treated sub-grade so it has plenty of water as it goes through hydration (the chemical reaction of the cement and water) and it sets up very hard. Another reason for having prime coat is it can be a temporary wearing surface before you put down the asphalt and it can seal in those fine aggregates and smooth out the sub-grade. If there's not a long time between treating your sub-grade and putting down your asphalt you may not need to apply a prime coat. It is primarily up to the contractor. He said there were plusses and minuses for leaving the road open for some time. A lot of the minuses is inconvenience and sometimes it can create some dusting problems and the road might become a little rough. A good thing

about leaving the road open for a while is that if there is anywhere that your base has failed you can find it before you put your asphalt down. If you find a base failure before the asphalt has been put down it can be fixed easily. In the natural process of cement stabilizing sub-grade you get shrinkage cracks and if that is allowed to sit for about a week before the asphalt then it won't affect the asphalt. He said he has met with the contractor and he has shown more responsiveness and has submitted a schedule as of last Friday. He then asked for questions from Council.

There was concern about Hundley where tack coat had been used and it was bleeding through. Mr. Tribble explained that the tack coat had not set up before the asphalt trucks came through. He said some of the problems will be repaired and since there was concern about an extended warranty that we could address that issue also. He said there is a two year maintenance bond on the contract but it can certainly be negotiated. Mr. Tribble said that the areas which have already been paved where tack coat was used and given time to set up that there should be no problems. City Manager Fairburn said we were looking at the areas of Hundley and Meadowbrook very carefully because those areas may not have allowed enough time for the tack coat to set thereby causing bleed-through.

A question was raised about the contract calling for tack oil and if it is not used will that break the contract. He was also asked if the contractor had broken their contract by being off the job for a lengthy time without putting a protective coating over the streets. Mr. Tribble agreed that probably a protective coating should have been put down. The Council was concerned with the length of time that the residents on Kingswood and Thompson had problems with the dust and the fact that the contractor was not watering the streets. Mr. Tribble said it was a choice the contractor made in not putting down the prime coat.

Question was raised about whether the contractor has been paid for the work he has performed correctly to this point. Mr. Tribble said he's been paid for very little work and there is some in dispute. The contractor has been paid for some of the work performed on his May estimate; he said he can be paid for the work he has done without tack oil if the City accepts them. City Manager Fairburn said the contractor has submitted a second pay request but we have not paid it yet because some things were in dispute since they haven't been accepted. Other questions were, "If we vote to accept the change order then we can go ahead and pay the second estimate?" and "Could the delay be caused by non-payment?"

City Manager Fairburn said that in the June meeting Kimley-Horn said that tack oil was needed. Since that time they have talked with other firms and looked at how they have done streets and it has been determined that tack oil is not needed. The City of Corinth did their streets without using tack coat. Public Works Superintendent Webber has talked with one firm and Mr. Tribble has talked with Reynolds Asphalt, Jagoe-Public, and Koch Chemicals. Mr. Tribble said that the tack oil could have been done, just not immediately before the laying of the asphalt.

Council was concerned with paying Kimley-Horn for the original engineering and does not want to pay for re-engineering. Core samples will be done on the streets which have already been done and will also be done on streets before paving. The contractor knows that if the streets don't pass core tests it will mean they will have to be re-done. He will have to wet cure or prime coat the streets in order to achieve stabilization. Kingswood will be fine graded and cracking is usually a result of natural shrinkage which won't affect the pavement.

Mr. Tribble said the areas that don't meet the spec's right now are at the end of Hundley and they will be fixed properly. Lake Vista will get a new overlay. Timing on streets which would have to be redone would take approximately 2 days to re-mix and prepare and then they should be left open for about a week before paving. The roads will need to be closed at least 2 hours when the prime coat or wet cure is applied

to prevent dusting. The new schedule does not have all the start dates on them and this information had been furnished to City Manager Fairburn by the contractor. The schedule also shows Saturday and Sunday dates which can be changed if Council wishes.

A five year maintenance bond was also suggested by Council. Mr. Tribble said that the contractor also has a payment bond and performance bond. The performance bond says he will perform and if not, the surety can get another contractor to complete the work so the present contractor surely doesn't want the surety to find out he's not doing the job right. The surety has been notified by the City Attorney and by Kimley-Horn. If the contractor doesn't follow through now then we can contact the attorney. The City would experience severe delays if the bonding company needs to find another contractor to complete the job this contractor has started. Any legal fees incurred by the City would have to become part of the damages asked for in order to recoup monies paid to attorneys. The payment to the contractor can be resolved on Denton and Dobbs by taking core samples. The contractor is aware that school starts soon and Hundley is not complete in that area.

Council expressed disappointment with the engineering firm in the writing of the contract to include tack oil and the design of the streets and the amount of money the City has spent. Mr. Tribble apologized for the delays and changes and said he would be in charge of this contract until its completion and take responsibility for proper roadwork completion. There can be a trade-out or credit if there is a substantial difference by not using tack oil. There were alternate bids included in the contract package.

Motion was made by Councilmember Milan to accept a change order removing tack oil as a requirement between stabilized base and asphalt top course from this date forward for the streets currently under construction and those to be constructed for the remainder of Phase 1 of the Street Bond Project contracted with Peachtree. **Motion was amended to include** and direct city staff and the engineering firm to aggressively pursue the 5 year maintenance bond extension for all streets with identified problems. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan and Minnis
Noes: Councilmembers Shikle and Harper
There being a tie vote Mayor Wohr was called to vote and his vote was 'Aye.'

Motion Passed

Rod Courtney, 162 Kingswood Road, told Council that nine out of ten calls you get are often trouble and negative calls. He said he wanted to be the other number, one, to tell them how much he appreciated them hiring Dave Owens, because he thinks he's made a big difference. He said he's spoken to him out on the job and he's observed him and he thinks they're on the right track.

E. Adjourn

Motion was made by Councilmember Shikle to adjourn the meeting. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:30 p.m.

Steve Wohr, Mayor

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in workshop session on July 26, 1999 at 8:00 p.m., (due to the delay of one councilmember) with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. Roll call was taken by Mayor Wohr and he following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Ken Stapleton	Councilmember, Place 3
Mike Minnis	Councilmember, Place 4
Betty Harper	Councilmember, Place 5

Mayor Wohr said the Council had requested specifically that the City Secretary and City Manager not be present. He said we have an action item on the agenda which we will do at the end of the meeting.

B. **Consideration and action on resolution to authorize the City Manager to enter into an Interlocal Agreement with TxDOT, known as the 'State' and their Administrator, known as the City of Lewisville, for the performance, administration and maintenance of the traffic signal located at Swisher Road and Interstate 35 East service road, that lies within the City of Lake Dallas ; and providing an effective date.**

Motion was made by Councilmember Shikle to table Item B until Council has ample time to study over this and bring it back at the regular meeting the 2nd Thursday of August. Seconded by Councilmember Stapleton .
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Carried

C. **Workshop to discuss city council direction.**

1. There is concern that the city should be run on more of a business structure. Discussion brought requests for policy and procedures for the employees and that the policy should be read by each employee yearly. The Council agreed that they should look over the policy and procedures manual, job descriptions, and organizational chart; time accountability, vacations, sick time and comp time are other areas to be looked into. It was decided that this could be done in another workshop session. Mayor Wohr said he will have the City Secretary contact Lewisville and Denton regarding their manuals.

2. A workshop meeting with the City Manager explaining Council concerns and direction was discussed.
3. A suggestion was made that public works employees should keep work orders for what is done, how long it takes, and material used; the police officers on patrol should account for calls made and areas patrolled; guidelines for Code Enforcement from the time a permit is issued until completion of a project; reports from department heads should go to the City Manager who could report monthly to the Council.

4. Concern was raised about city vehicles at employee's homes during the day plus relatives riding with the employees in city vehicles.

5. Response time of staff to answer Council questions.

6. Structure for the Council meetings. was another area of concern. Discussion about guidelines for the Council was brought up and as an attempt to move the meetings along faster it was decided to direct the City Manager to address those concerns brought to Council through the Citizen's Agenda; Mayor Wohr will call on the councilmembers by place number during the discussions on action and business It was decided the councilmembers should put in their motions what they want done by staff and that the City Secretary should read back each motion made. There should be a time limit on citizen input. The request for department heads to be at the meetings is not needed.

7. The discussion was summarized as follows: The Council needs to work on three areas –
   1) Structure of Council
   2) Structure of Council and Manager
   3) Structure of policies and organization

Mayor Wohr called for a short break at 9:15 p.m.
Mayor Wohr called the meeting back to order at 9:35 p.m.

Mayor Wohr said we have talked about some structural changes and now move on to discussing specific goals.

Councilmember Shikle said he would like to see the City continue with the repair of our streets and upgrade the first opinion to newcomers to our town. He would like to see each and every street fixed back up since they have been neglected and he feels this was promised over 20 years ago.

Mayor Wohr said some beautification could be done along with the streets being fixed and mentioned the Keep Lake Dallas Beautiful Committee.

Councilmember Milan said her goal is to see community volunteers. Councilmember Minnis gave some background information on the community service program. Councilmember Milan asked that this item be addressed when we lay out the guidelines. She said she would also like to see new business come in but we need to clean up Main Street, put up a sign welcoming people to Main Street, the Marina, etc.

Mayor Wohr said he was sure some businesses would be willing to pay for a sign and we could contact TxDOT regarding a sign for the exit off the interstate.

Councilmember Harper said her goals were new businesses, beautification of the city, and parks. She would like to see us put in some of the wooden equipment with the use of volunteers. She said we could start a program for a yard of the month or business of the month as a step toward a beautification program She would also like to see the Police Department work more with the kids.

Councilmember Stapleton said his main goal was the parks. He would like to see it done through donations from businesses and/or individuals and their names be placed on the equipment purchased with their monies.

Mayor Wohr thinks Parks & Recreation Board should be reorganized – they have been focused on getting master plan done and as a result recreation lacking. Mayor Wohr said Council should be directing the Parks and Recreation Board as well as the Planning & Zoning Commission.

Councilmember Minnis said his biggest goal was to get some ground work done such as meetings over before 1 or 2 am and to see that staff gets direction. He said everyone complains that the Street Department doesn't patch the streets good enough. He also said the city has some money available for parks now and we can also take up donations. He said the only thing we have for recreation now is a contract with Beth Keel for a gymnastics program and not every kid is into that type of program. Maybe we could create a part-time recreation director position. Planning &Zoning is already working on planned development along Swisher Corridor as an entrance to the City. It will be the most important economic development for the next couple of years and we have too much C-3 zoning area development. We could feasibly get some funds if we adopt a policy to pursue grant monies for redevelopment.

Laird Lind, 735 Carlisle Drive, said the city can re-zone property.

Councilmember Stapleton said he has three priorities - 1)streets; 2) parks; and 3) lot of people have come to him about a sidewalk on Shady Shores from at least the Thousand Oaks entry down to the City Park.

Mayor Wohr's goals: we absolutely have to complete the streets; need to develop long term budget plan within the next 6 months; what kind of businesses do we want; and what to do without raising taxes. To generate a tax base we need to develop Main Street. He also said we need to make a plan and designate areas for certain kinds of business and development. The Hundley exit misses everything on Main Street. We need to generate sales tax.

There was further discussion about economic development. This included the Swisher Road extension, the Squier property annexation, liquor stores, entertainment tax on video games and pool tables, rezoning of railroad property, and restaurants.

Councilmember Milan asked if councilmembers were free to start now to make requests of the City Manager in writing. Mayor Wohr said at the next council meeting we can do written directives.

There was council discussion about the meeting between the City Manager, City Attorney, and engineers regarding the streets project which was scheduled for July 28 and whether Council should schedule an emergency meeting.

Councilmember Shikle said they had asked for daily reports. Mayor Wohr said Building Official Harp had not turned them in. Councilmember Shikle said he would call staff tomorrow and request documentation from the City Attorney as to what the qualifications were for the job of the street project manager and the duties so he can see if we're on the right track. Councilmember Minnis said he has asked City Manager Fairburn for a weekly update but if the problem is severe enough he would like for City Manager Fairburn to call the councilmembers. Mayor Wohr said we need specifics from the contractor. If the contractor says he's not going to live up to the contract, then we need to take other action.

Mayor Wohr will drop off notes to city hall at the next council meeting about items to be addressed by staff.

Councilmember Harper asked if Council has to put on an agenda to turn the parks requests to the Parks & Recreation Board. Mayor Wohr: said he would have City Manager Fairburn put it on the Parks & Recreation's agenda. There was further discussion about putting in a large playground structure.

Councilmember Minnis brought up his concern for the newsletter format. He would like to see 1 page devoted to Council actions and 1 page to Streets; not about code violations, trash pickup.

D. Adjourn

Motion was made by Councilmember Shikle to adjourn the meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, Minnis, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:25 p.m.

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucks

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in special called meeting on July 15, 1999 at 7:30 p.m., with notice of the meeting given as required by Title 5; Chapter 551.041 of the government code.

A. The following members were present and constituted a quorum:

Steve Wohr	Mayor
Kyla Milan	Councilmember, Place 1
Bobby Shikle	Councilmember, Place 2
Ken Stapleton	Councilmember, Place 3
Mike Minnis	Councilmember, Place 4

Councilmember Harper was excused.

Staff present were Acting City Manager and Police Chief Nick Ristagno, Building Official Truman Harp, Public Works Director Johnny Webber, City Attorney David Berman. and City Secretary Beverly Lucke.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

Kathy Pinnell, 409 Boliver, spoke about the safety and drainage in the Garza Beach area citing it had taken 14 minutes for a fire truck to get there the last fire; there are no fire hydrants; water pressure is low; water stands in ditches and small children could fall into the ditches and be harmed. Mayor Wohr said we are trying to work with the developer to get the drainage problem solved and the water pressure is something to take up with the LCMUA.

Wendell Hawkins, 411 Boliver, said he wanted to expressed the same concerns Mrs. Pinnell had. He said conditions have worsened since the past litigation with the developers. The flooding has gotten worse and he would like to see the developer do something. Mayor Wohr said the street is the city's but it would not be wise to pave it before the construction is done and we are attempting to solve the drainage issues.

Teresa Hall, 501 Hundley, has a neighbor who lives behind her who has trash and vehicles on his property and that she has contacted the city and been told they are working on it. She said she had called Councilmember Minnis and that Councilmember Minnis and Building Official Harp had come out and looked on July 5 or 6. Her landlord, John Davis, is ill and can't do anything about the situation at this point. She feels the neighbors are trying to retaliate by calling the police department about cruelty to her dog and that one day the dog's leash had been removed and he had been taken to animal control. Councilmember Minnis asked her to give Mr. Davis' phone number to city staff and they can contact him about the trash. Mayor Wohr told her the problem is criminal acts with the dog but the police department can't do anything if no one sees something being done.

Crystal Hayes, 305 Boliver, wanted to express concern about the intersection at Stadium and Boliver. She said it is a blind corner because of the hedges and the narrow streets. She said it is dark in the area because there is only one street light and it's covered by trees. She said the street numbering system is not good. She had called a plumber and he couldn't find her home. She said she had called and talked with Building Official Harp about that situation but nothing was resolved.

Mayor Wohr said he would have Code Enforcement check out the hedges to see if they were in compliance with our ordinances; he suggested that the homeowners of the area turn a request in to the city for more street lights.

Laird Lind, 735 Carlisle, said he intends to go to the Planning and Zoning Commission meeting next month and that their plan is to dedicate over 15' for streets. He said they will try to address any concerns the residents have.

Mayor Wohr closed the Citizen's Agenda at 8:23 p.m. because no one else presented themselves to speak. He also called for a break before the executive session would start.

E. BUSINESS:

1. Executive Session: The City Council will have an Executive Session to consult with their attorney and realtor(s) regarding acquisition of easements and options for Garza Beach Subdivision according to Local Government Code 551.071 and 55.072

The Council went into Executive Session at 8:50 p.m.
Executive Session ended at 10:25 p.m. and a short break was called for.
Council returned to regular session at 10:45 p.m.

F. Business

1. Action, if any, on Executive Session

Motion was made by Councilmember Minnis to direct the City Attorney to explore negotiations to resolve the safety and drainage issues at Garza Beach with Rick Muenks. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

Mayor Wohr took an informal moment for the Garza Beach residents to tell them the city was trying to resolve the problems there but council was unable to say anything at this time or it would break the attorney/client privilege. He asked to change the order of the items on the agenda.

10. Consideration and action on contract renewal with Beth Keel for the gymnastics program

Beth Keel, 107 Silktree Court, said she brought 30 students with her to the Lake Dallas gymnastics and cheerleading program and has 90 students at this time. She said the contract is up in September but she would like to know it was going to be renewed before that time so that she would not have to look for another place to hold the classes.
There was council discussion and questions for Ms. Keel about the contract being workable, the amount of monies brought in for the city's portion, the insurance coverage and equipment storage.
Motion was made by Councilmember Shikle to authorize the City Manager to enter into a contract renewal agreement with Beth Keel for the gymnastics program. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

5. **Consideration and action on designating department heads**

There was council discussion regarding the charter and definition of department administrators, the chain of command, checks and balances of all the departments. Chief Ristagno said the City Manager, Police Chief, and City Secretary and their duties are already defined in the charter.
Motion was made by Council Member Minnis to direct city staff to draft a command structure and enumeration of department heads and the duties and responsibilities of the respective departments thereof to be presented back to the council in ordinance form at the next regular meeting. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

7. **Consideration and action on directing staff to contract for an inspector to oversee the day-to-day activities involving the street and drainage projects. Tabled from July 7 meeting.**

Council discussed how much staff involvement was necessary or had been done. Building Official Harp said he hasn't had that much time and that he knows a man who lives in the city and has 5 ½ years in road construction and would be willing to work for the city for $2000 per month. Mayor Wohr has one person who he has contacted who would give us another person to consider. Building Official Harp said he has note after note about what has been done on the street projects but he missed bringing it with him to the meeting. Mayor Wohr asked that he turn the reports to Chief Ristagno on Friday or to City Manager Fairburn on Monday so the information can be given to the City Attorney. There was discussion about the streets that have been done which have no radius. We need daily reports and need to move on this as quickly as possible. The contract needs to be looked over closely as to the city's options.

Mayor Wohr called for a short break at 11:55 p.m.
Mayor Wohr called the meeting back to order at 12:10 a.m.

There was more discussion as to the completion date of November for all the projects; the need to hire a project manager -- who could be hired for a 30 day period and renew the contract or go with another person; if nothing is happening in 1 ½ weeks the council should have a special meeting because this is a number one priority. Council Member Minnis said this needs to be given to our City Attorney and demand that the contract be adhered to or we take legal recourse.
Motion was made by Councilmember Shikle to direct staff to take immediate action on hiring someone for a period of 30 days not to exceed $2500; the job description to be set forth by our City Attorney and all direction be given to this person that it comes from the City Attorney; all qualificatons come from the City Attorney; and staff be authorized to take action to hire this person immediately after the City Attorney turns in the qualifications that he's looking for and also the job description for him. The staff has the authority to hire this person immediately and get him out here and start work on this project. Seconded by Councilmember Minnis.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

3. **Preliminaty discussion on council direction and discussion for establishing a workshop esssion on council direction**

Mayor Wohr said he would also like to see some priorities for the next year, next 6 months, next 3 months; what do you expect from staff; how do you want to handle the Citizen's Agenda. There was discussion about the length of time spent on the Citizen's Agenda and the length of the overall council meetings. Everyone needs to bring something to the table about what they expect. With vacations happening they selected a date available to all Councilmembers. The meeting was decided to be on Monday, July 26.

4. **Consideration and action on setting up a Home Rule Charter Review Committee**

Motion was made by Councilmember Minnis to direct city staff to compile all the necessary papers and documents that explain how to establish a charter review and amendment committee and put them in their mailboxes as soon as possible and let the Councilmembers bring back at the August regularly scheduled meeting a list of names that they would like to be appointed to that committee and if you don't bring names to the August meeting that doesn't disqualify you from submitting names as soon as you can. Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

6. **Consideration and action on posting 'No Swimming' signs at Willow Grove Park**

There was council discussion on different terminology and the strength of signs without penalties or other forms of enforcement.
Motion was made by Councilmember Minnis to table this item until staff can get a legal rendering on whether or not posting Willow Grove ad 'No designated swimming area' would satisfy what we're trying to accomplish. Motion died for lack of a second.
Motion was made by Councilmember Shikle to post a 'No Swimming' sign at the main entrance to Willow Grove Park. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Shikle, Stapleton, and Minnis
Noes: Councilmember Milan

Motion Passed

8. **Consideration and action on approval of minutes for July 7, 1999**

Motion was made by Councilmember Minnis to accept the minutes with an addition to Item 7 discussion on page 3: "Councilmember Minnis said with the monies saved it would be real feasible to put a sidewalk on one side of Shady Shores Road from Kingswood to the houses behind Kings Manor." Seconded by Councilmember Milan.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

9. New Business

a) The workshop scheduled for July 26
b) Sidewalks on Shady Shores once the bigger issue of the bond can be resolved
c) TU issue - we are into 15 year franchise agreement and we could possibly get someone from TU to come to a meeting and also discuss street light placement
d) Request for resumè of project manager hired to be placed in councilmembers boxes
e) The contract information that councilmembers received was paragraph 9.03 which referenced paragraph 9.10 which was not included with the information

G. Adjourn

Motion was made by Councilmember Milan to adjourn the meeting. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Milan, Shikle, Stapleton, and Minnis
Noes: None

Motion Passed

Meeting was adjourned at 1:23 a.m.

Steve Wohr, Mayor
City of Lake Dallas

Beverly Lucke
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 8, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Johnson welcomed Councilmember Mike Harrenga from the Town of Hickory Creek and former Lake Dallas Councilmember Bruce Martin to the meeting.

E. PRESENTATIONS/PROCLAMATIONS

There were no presentations or proclamations for the meeting tonight.

F. REPORTS:

Boards and Commissions
There were no reports made.

G. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

Renata Johnson, 5404 Prince Drive, said there is a 5-year-old boy, Isaiah, in her neighborhood who lives with his grandparents because his parents are addicted to alcohol and drugs. The grandparents are on social security and the grandmother died last August from breast cancer. The little boy thinks the grandfather is his father. Renata said she had an idea about some NASCR bedding and maybe Isaiah will go back to his own bed instead of sleeping with his grandfather. She said Isaiah's room is designed like an old ladies room. Renata knows a lady who is an interior decorator who lives in Highland Village and she will

come on a weekend and decorate his room so Isaiah will go back and sleep in his own room. Renata said she hopes the story could be mentioned in the newspapers.

Mayor Johnson said she thinks this is a nice Christmas story. She said that Renata's daughter, Charlotte, is here because she is going to participate in our awards program.

No one else came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner listed all the items on the Consent Agenda. He then listed the items under Business.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for November 3, November 10, 2005 meetings.**
2) **Consideration and Action on approval of November Financials.**
3) **Consideration and Action on approval of an Ordinance for a facility use agreement with the Lake Cities Soccer Association for the purpose of using a city owned facility for recreational activities.**
4) **Consideration and Action to approve of the disposal of surplus property, 1995 4-door Ford [Code Car].**
5) **Consideration and Action on approval of a Resolution directing publication of notice of intent to issue certificates of obligation.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino. [see below for vote]

Councilmember Hammond said he was not at the November 3 meeting as the Minutes reflect.

Motion to amend the November 3 Minutes was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Vote on Amended Motion for approval of Consent Agenda with corrected November 3 Minutes:

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration of first reading to adopt a Resolution to authorize execution and delivery of a sales tax remittance agreement and a project agreement with the Lake Dallas Community Development Corporation and approving expenditure of funds by the corporation in connection therewith.**

Approval of the first reading was given by the City Council. Second reading is set for the January 12 City Council meeting.

2) Consideration and Action on approval of an Ordinance for a proposed rate increase by Waste Management.

Motion for approval of an Ordinance for a proposed tax increase by Waste Management was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

City Manager Earl Berner said that Waste Management had indicated that the 1.5 % fuel surcharge would drop off the rate increase if the price of diesel fuel drops by next quarter.

3) Public Hearing on approval of an application for the exemption from the 80% masonry requirement for Joy Pools, 5002 South Stemmons.

No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) Consideration and Action on approval of an application for the exemption from the 80% masonry requirement for Joy Pools, 5002 South Stemmons.

Marjory Johnson said she wants to encourage the Council not to pass this. This is not really the spirit of the ordinance. The reason was for businesses that had a specific theme, e.g., a Babe's or a Cracker Barrel, etc
Motion to approve the exemption from the 80% masonry requirement for Joy Pools, 5002 South Stemmons with the additional requirement regarding additional trees for screening was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmember Connors
Noes: Councilmembers Marino, Hammond, Fletcher, and Martin

Motion Failed

5) Public Hearing n approval of a replat of Block 7,lots 7, 8, 9, 10, 17, 18, 19 & 20 and Block 8 Lots 1, 2, 3, 17, 18 & 19 into Block 7, Lot 7R, Lake Dallas Shores, City of Lake Dallas, Denton County, Texas.

Clif Garrett, 608 Shore Drive, owner of the property, said the reason for the replat is because taxation on separate lots is under the highest tax bracket in the county. The replat will cut his property taxes dramatically.

No one else came forward to speak so Mayor Johnson closed the Public Hearing.

6) Consideration and Action on approval of a replat of Block 7,lots 7, 8, 9, 10, 17, 18, 19 & 20 and Block 8 Lots 1, 2, 3, 17, 18 & 19 into Block 7, Lot 7R, Lake Dallas Shores, City of Lake Dallas, Denton County, Texas.

Motion to approve Item J-6 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

7) Consideration and Action on approval of a Clean Fleet Vehicle Model Resolution.

Motion to approve Item J-7 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

8) Consideration and Action on appointment to Keep Lake Dallas Beautiful Committee.
(Gary Johnson app)

Motion to appoint Gary Johnson as the second alternate to the Keep Lake Dallas Beautiful Committee was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

9) Consideration and Action on approval of the Second Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for Mutual Support of the Lake Cities Volunteer Fire Department.

Motion to approve Item J-9 was made by Councilmember Hammond. Second by Councilmember Marino.
[vote disregarded due to amendment to Table Action]

Motion to amend the original motion to table this item until the January 26 City Council meeting was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None
Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner said he had just a few items.

The Fire Department has passed out their EMS report covering the last several months. We'll be working on the strategic plan over next few months with the Lake Cities Council of Governments and that group can bring back the information to their specific councils.

At the January 12 meeting there will also be special meetings of the 4a board and 4b board along with the city council on the certificates of obligation issue. Leroy Grawunder will be here to help us through that and Boyd London will be here to assist with the financing portion.

Upper Trinity has paved Lakeview where they tore it up to put in the new main. Mercedes homes will be hauling off trees from their subdivision.

The report on Johnny Webber's grandchildren is that one will be released to go home tomorrow and other one next week. The doctors are anticipating 100% recovery for both of them.

L. NEW AGENDA ITEMS

Councilmember Hammond said he would like to have an action item at the January 12 for meeting for nomination of two members to the future Lake Cities COG. In January that item should be workshopped and then call for action at a later date.

Councilmember Marino said he had received a call from some people involved with the jet ski races. Someone else is interested in having endurance races and boats here in April. They'll be coming in and give a brief presentation.

City Manager Earl Berner asked if it is understood that there will not be a December 22 Meeting.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed.

The meeting was over at 8:26 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on November 29, 2005 in the Linwood Gilliland Community Room of Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:07 PM by Councilmember Marino.

A. RECEPTION (for neighboring Lake Cities Mayors and City Councils)

B. ROLL CALL

Present from the City of Lake Dallas were city council members Tony Marino, Carol Ann Connors, Karl Hammond, and Richard Martin. Mayor Johnson and Councilmember Fletcher were absent due to illnesses.

Also in attendance was City Secretary Beverly Weikum.

C. INVOCATION

Councilmember Hammond gave the invocation.

D. WELCOME AND INTRODUCTIONS

Everyone in attendance introduced themselves: Shannon Bryan, city council member from the City of Corinth; Jeff Price, Mayor, and city council members Mike Harrenga, Randy Wahl, Karen Clarke from the Town of Hickory Creek; city council members Polly Carter and Nita Watkins from the Town of Shady Shores; and Lake Dallas resident Robbie Robertson.

Later arrivals included Mayor Vic Burgess and Councilmember Randy Monden from the City of Corinth and Mayor Olive Stevens, Councilmembers Betty Brown, Patty Durkin, and Ann Falkenburg from the Town of Shady Shores.

E. MAIN DISCUSSION:

1. Purpose of meeting.

Councilmember Hammond said that back in August he had seen an article in the paper regarding the formation of a local council of governments and it struck his interest. He said he does not have twenty years background in this area but he thought it was very fresh and exciting opportunity for them to get together. He spoke of the TML conference where there were some seminars about this particular topic.

2. Type of organization.

He said he would like a mix of strictly a community, networking organization and cited examples such as the Fourth of July parade and the library. He said it could be strictly an information flow and maybe some training. Another direction could be an economic/tourism development with the focus on more than just our little piece of the area. Each one of us brings a little something different to the table.

3. Mission statement.
Karl Hammond had handouts and said these two organizations were very mission-driven. He said that the communities working together could accomplish what one community cannot develop alone. What's good for one city will eventually be good for at least one of the other cities. He said we're not talking about forming one city or about forming another layer of government. There's a value of Lake Cities communities together in some things.

4. Expected outcomes.
He said that his own personal vision is that each of us takes something back to their own city. His main focus is to get as many people in the room to talk about this and go back to their city or council and maybe pass a Resolution. He said he'd like to get some ideas on the table and get everyone thinking about things.

5. Frequency of meetings.
He said he envisioned that maybe two members from each city would meet as a group and kind of work out some details. He doesn't know if we need to get into all the little details right here and now. He would just like to get something formed soon.

6. Question/Answer roundtable.
There was discussion about just putting some information out and deciding whether we want to do this monthly, quarterly, or perhaps even annually.

Communication about the fireworks would be beneficial since it is not economically feasible for each of the cities to put on a fireworks display. The fire department funding is another area that could benefit and we all have the library we share. Having quarterly meetings was suggested.

There was discussion about asking city managers to attend as liaisons so something that council wouldn't be aware of wouldn't be overlooked. While the cities may not all agree on everything involved they are able to express their sentiments. It was also suggested that our County Commissioner be asked to participate.

It was suggested that each town take one quarter to host the meeting. This is good for the four cities who are individual and unique in their own ways. Each city wants its own identity and it is a positive thing for the cities to get together and share.

During some discussion about the tourism and economic development it was suggested that the Chamber of Commerce be made aware of the alliance. Each city's Economic Development Corporation should be involved with the Chamber of Commerce. Many of the city officials attend Chamber meetings so perhaps we could invite some of the Chamber members to attend various city council meetings. Perhaps Oak Point and Little Elm could be invited to participate in at least annual meetings.

Mayor Stevens said she's been through this before many years ago. She said we did have success in the beginning with the mayors meetings. She said that a long time ago the mayors got together and three voted to have one town and one city hall but they didn't get

everything figured out and the other mayor opposed it and after that the idea kind of died out. She said they weren't against one another but just got busy and didn't follow through with it. She said if we talk with one another then we could get some ideas about what we can do together.

There was discussion about the Spirit of Christmas joint efforts plus we could probably get better entertainment if we got together on the festivals. All the cities have separate parks. There is only one telephone company without competition plus cable TV, the water department, etc.

7. Consensus of next Action.
We can all attend each other's council meetings. If we want to know what's going on in other cities the council meetings are open meetings and subject to open records requests.

Hickory Creek meets monthly on the third Tuesday and Shady Shores meets on the first Monday. Corinth meets on the first and third Thursdays and Lake Dallas meets on the second and fourth Thursdays.

The consensus is that we all would like to more forward. We should go back to our respective cities and decide the direction we want to go and appoint two from each council. They will be open meetings so others can attend but two members from each city should be appointed to this new council. We should have the first meeting in January or February and then go from there. There are some things we need to get down in writing and in the meantime each council can decide on two people to serve for these meetings.

F. ADJOURNMENT
Tony Marino adjourned the meeting at 8:00 PM.

Tony Marino, Co-Chair

Karl Hammond, Co-Chair

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 10, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Leo Valencia of North Central Texas Council of Governments, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Hammond said there will be a celebration for Veteran's Day at the American Legion on November 11. The Boy Scouts of America will also be participating and the program starts at 5 PM.

E. PRESENTATIONS/PROCLAMATIONS

Mayor Johnson read a Veteran's Day proclamation.

Leo Valencia of the North Central Texas Council of Governments gave a presentation about the future of North Central Texas. He discussed the CLIDE awards and the issues of transportation, water supply, air quality, and environment in this area. He gave some website addresses to go to for reference as well as applications to participate in the awards program.

F. REPORTS:

Boards and Commissions

Gary Johnson, 609 Cain, gave a report for the Parks and Recreation Board. He said the Parks Board hasn't had a quorum for four months. The Keep Lake Dallas Beautiful Committee will take over the tree lighting at 6 PM December 3. There will be a final workshop on 4th Monday at 7 PM so the board members can work on assembling crafts for the children.
His report for the Lake Cities library board was to say that they continue to grow and appreciate the support received from City of Lake Dallas.

G. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Visitors Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner said there are two items on the Consent Agenda. He said the budget numbers are not yet entered on the financials. We're trying to hold back on spending. The only business item is the votes for the DCAD board.

I. CONSENT AGENDA:

1) Consideration and Action on approval Minutes for October 27, 2005 meeting. (City Secretary)

2) Consideration and Action on approval of October Financials. (City Manager)

Motion to approve Consent Agenda Item #1 was made by Councilmember Connors. Second by Councilmember Hammond.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Motion to approve Consent Agenda Item #2 was made by Councilmember Connors. Second by Councilmember Martin.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and Action on approval of a Resolution casting votes for the election of the Denton Central Appraisal District Board of Directors. (City Secretary)

Motion to approve the Resolution to cast votes for the Denton County Appraisal District Board of Directors as two for Shirley Haisler, two for Jeff Low, two for Steve Mossman, two for Charles Stafford and two for Rick Woolfolk was made by Councilmember Connors. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

K. CITY MANAGER REPORT

Saturday 16 trees were planted in City Park as part of a Community Development Corporation project. The Lake Cities Fire Department were available to water the trees at the time of planting.

The Employee Christmas Recognition Dinner will be December 16 at the American Legion beginning at 6:30 with dinner at 7. There will be white elephant gift exchange.

They have started the relocation of utilities on Swisher Road. It has been delayed due to a DART right of way approval.

The display board at the back of the Council Chambers is what the 4-A board purchased. It has been used at two marketing shows. The first was at the Dallas Chamber show and it was fairly successful. Interest has been expressed in doing a dinner boat on the lake and they would have to sublease from the marina. The other trip was to San Antonio. There were 2500 participants. The fishing lures have been a big hit. We came away from the San Antonio show with good information. He said he had a meeting with a developer today who is interested in the railroad property as well as the Swisher property.

L. NEW AGENDA ITEMS

Mayor Johnson said we will not have another regular November meeting. We will have meeting on the 29th with the other area cities.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 8:15 PM.

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson
Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on November 3, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7: 32 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Police Chief Nick Ristagno, Acting City Manager, and Charmaine DuPree, Acting City Secretary.

B. BUSINESS:

1) **Consideration and Action on approval of a site plan for the Ship Inn, 201 Main Street.**

Motion to approve site plan for the Ship Inn was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

C. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, ~~Hammond,~~ Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 7:34 PM.

Marjory Johnson, Mayor

Charmaine DuPree
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 27, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Connors was out of town and unable to attend the meeting.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Councilmember Fletcher reminded everyone of the Citizens on Patrol. If you get an application in by Monday morning and you can be qualified before the next Tuesday class. He said it's a sixteen hours and eight weeks process. It's an opportunity to help our city.

E. PRESENTATIONS/PROCLAMATIONS

Texas Municipal Court Week

Mayor Johnson read the proclamation that declared the week of October 31 through November 4 as Municipal Court Week. She thanked Melena Wheat, our Court Clerk who was in attendance, and told her we appreciate what she does.

F. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

Jeff Low, 7557 South Highway 377, Crossroads, Texas, said he was there to ask the Council to support him as a board member for the Denton Central Appraisal District. He said he would like to push for some change up there. He provided a brief resume` plus a list of employees and their salaries. He had seven examples of property values and what he considered to be glaring discrepancies. He said he feels there are a lot of problems up there. He's seeking votes and asked the City Council to pass this information on to the school board members. He said his phone number is on the letter so they can call if they want more information.

Chief Jason Collier, Lake Cities Fire Department, had a year end update on fire department which he handed out to the City Council. He said he put some information in the report on the call volume plus the financial information. Chief Collier invited the Councilmembers to sign up for the citizens fire academy and gave an overview of the activities. There was discussion about the fire prevention poster contest. All four mayors are judges and the second graders participate in this contest. The grand prizewinner gets pizza party at the fire station for the entire classroom, plus that morning the fire department picks the winner up at his home and takes him to school.

G. AGENDA BRIEFING

Earl Berner, City Manager listed the six items on the Consent Agenda, the three business items, and the workshop items. He said the Council policies and procedures haven't been updated since 2000.

H. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for October 13, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of September Financials. (City Manager)**
3) **Consideration and Action on revision of Longevity Pay section of the Personnel Manual. (City Secretary)**
4) **Consideration and Action on approval of a Resolution directing publication of notice of intent to undertake projects. (City Manager)**
5) **Consideration and Action on approval of a Resolution expressing official intent to reimburse costs of projects. (City Manager)**
6) **Consideration and Action on approval of an Ordinance amending Ordinance 05-13 to allow for budget amendments. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action to approve a Resolution adopting an ethics policy for elected and appointed officials for the City of Lake Dallas. (City Manager)**

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action to approve a Resolution adopting an elections ethics policy for elected officials of the City of Lake Dallas.**

Motion to accept Item I-2 was made by Councilmember Martin. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of revised Council Policies and Procedures Manual. (City Manager)

Motion to accept Item I-3 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. WORKSHOP:

1) Senior Citizen program(s) for the Linwood Gilliland Community Room.

Earl Berner, City Manager, said that Chief Ristagno has contacted the cabinet people so we can get a closet for them to lock up their items. Betty Harper and Thanna Bounds have been contacted and they are going to circulate the information to see about generating interest in getting the program started again.

There was discussion about putting out some flyers to the churches as well as making it a project for the events coordinator. The Council will keep working on it and get something going.

2) Hosting of reception for neighboring cities.

There was discussion about meeting and coming up with a mission statement. Perhaps we could have quarterly meetings with the other cities. This could be an economic development situation for everybody. City Manager Earl Berner can arrange a date and time. Invitations can be sent out and we can serve coffee and cookies.

K. CITY MANAGER REPORT

City Manager Earl Berner said we neglected to put the site plan approval on the agenda for the Shipp Inn. We could call a special meeting next Thursday for that item only.

Chief Ristagno has been working on the emergency preparation. He has a manual from Denton County for a reference guide. We need to pick a date and he will come and talk with Council.

The pond's been drained almost completely at Thousand Oaks Park. We will clear some trees out and put the aerator in. We've been repairing some sidewalks in Thousand Oaks & Kings Manor.

On October 26 Councilmember Marino, Jerry Conner, and City Manager Earl Berner attended the Business Show at Dallas Market Hall. He said we gave out about 200 brochures. We have two or three solid leads that might end up a benefit to us.

Next Tuesday through Thursday he'll be in San Antonio regarding some economic development interests.

Next Monday is Halloween.

On Arbor Day, November 5, we'll plant sixteen trees in City Park through a Community Development Corporation program.

We have failed to receive a response from two Parks Board members, Jeff London and Chris Patterson. Robert Thomas is moving to Fairfax, Virginia so he has resigned from the Parks and Recreation Board and Keep Lake Dallas Beautiful Committee.

Joni Vaughn's father passed away this week.

Roz Sleigh is doing better.

We need to amend our City Charter. Since we can only do that every two years we will workshop those items concerned.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 8:37 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 13, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was unable to attend.

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. PRESENTATIONS/PROCLAMATIONS

There were no presentations or proclamations.

F. REPORTS:

Boards and Commissions

No one was present to give reports.

G. VISITORS/CITIZENS AGENDA:

David Goodnight, 403 Springtree Road, said he's lived here for about ten years. Some years we've had rain and some years we haven't. About 2 weeks ago his son was refereeing a girls soccer game at City Park. He said he was stunned at shape of the field there. He said that several years ago he asked the city manager why we didn't have water out there and was told that the cost from LCMUA was too prohibitive. He said he's seen many improvements at the park but no water. He said he wants it on an agenda for irrigation for the park.

Earl Berner, City Manager said we have added water to the park as part of the Community Development Corporation project.

Margaret Tisdale, 509 Howard said she appreciates all the road work that's been done but she and her husband walk in the mornings and some evenings and have noticed huge cracks in the street on Prince Drive and also on Howard. She said it would be nice if we could repair what we have. She also said that all the construction behind them for the new subdivision has made the sand problem unbelievable. She said they have stacked all those trees back directly behind the residences bordering the project and she fears fire.

City Manager Earl Berner said they have had the contractor add a second tanker. He said we had to wait for the weather to cool down but this month we're going to start sealing cracks on the streets.

H. AGENDA BRIEFING

City Manager Earl Berner said there won't be financials because we're closing out for the end of the year. He listed the other items under the consent agenda and then the item under Business. He then listed the workshop items and mentioned the Executive Session.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for September 22 and September 29, 2005 meetings. (City Secretary)**
2) **Consideration and Action on approval of September Financials. (City Manager)**
3) **Consideration and Action on approval of Third Quarter 2005 Investment Funds report. (City Secretary)**
4) **Consideration and Action to approve a Resolution for the annual review of the Investment Policy. (City Secretary)**

Motion to approve Consent Agenda items 1, 3 and 4 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action to approve or deny the filing of Atmos Energy Corporation filing of tariffs for gas services provided to customers in the City of Lake Dallas. (City Manager)**

James Johnson of Atmos was in attendance. He said it was good to be back in the area. He explained how the Lake Cities had become part of his territory again.
Motion to deny the Atmos request for the tariff increase was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

K. WORKSHOP:

1) City Council Rules of Order and Procedure.
This will be on a future agenda.

2) Senior Citizen program(s) for the Linwood Gilliland Community Room.
This will be on a future agenda.

3) **Property Tax allowances for senior and/or disabled citizens.**
Earl Berner, City Manager said he had discussed this with Councilmembers Martin and Fletcher sometime last spring. He said we can set whatever rate we'd like to. Flower Mound is $90,000 and Corinth is $5,000. Councilmember Connors said that Denton's is $15,000. He said he will put a report together on this. He said each $10,000 increment is about $1500 off our tax base so it does have an impact on our revenue. We need to act by April.

There was discussion about including disabled citizens as well as how to determine what the definition for 'disabled' would determine receipt of the tax allowance. City Manager Earl Berner said most jurisdictions do not allow deductions for the disabled.

Whatever number that is used needs to have a basis for that number – whether it be based on basic home value or some other determination.

Marj asked if we had an average income in the demographics. Currently two hundred forty-one homes are taking advantage of the $10,000 deduction. The deduction must be applied for because it is not automatic. There was discussion about factoring in for inflation and perhaps the situation should be addressed annually. Should the deduction be figured by a percentage or by a dollar amount.

We will have this on the agenda for November's meeting.

Mayor Johnson closed the regular meeting at 8:00 PM.

L. EXECUTIVE SESSION:

1) City Council to convene into a closed session in accordance with the Government Code, Section 551.074, Personnel, to discuss the Annual Performance Review of the City Manager.

Mayor Johnson called the regular meeting back to order at 8:21 PM.

M. ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.
No action was taken.

N. Consideration and Action on renewal of employment agreement with City Manager.

Motion to extend Mr. Berner's contract for two more years at a salary of $72,000/year and keep all other contract items the same was made by Councilmember Fletcher. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

O. CITY MANAGER REPORT

The City of Lake Dallas was recognized at the Texas Economic Development Council's annual conference in San Antonio last week. We were one of five cities of similar size that submitted accomplishments for the past year. We received recognition for our new hotel.

City Manager Earl Berner said we should get a trophy case for our lobby and put some of our plaques in it.

He said we need to have a new City Council picture. He recommends that one be done each year.

P. NEW AGENDA ITEMS

The Mercedes project on Lakeview should park their equipment further from the established residences.

The dumpster screening issue needs to be addressed again.

Waste Management should be observant as to where they place the emptied dumpsters.

Temporary banners should adhere to the length of time allotted.

We need to have a workshop to discuss hosting a reception for the neighboring cities.

Q. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

The meeting was over at 8:35 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on September 29, 2005, in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Johnson said that Roz Sleigh is scheduled for surgery next Thursday.

E. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Citizen's Agenda.

F. BUSINESS:

1) Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2005- 2006 for the City of Lake Dallas. (City Manager)

Motion to approve Item F-1 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2005-2006. (City Manager)

Motion to approve that the property taxes be increased by the adoption of a tax rate of $0.64935 was made by Councilmember Martin. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

G. ADJOURNMENT

Motion to adjourn was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 7:33 PM.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 22, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:00 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, Accounting/Human Resources Department Administrator Joni Vaughn, and Beverly Weikum, City Secretary.

Councilmember Connors was ill and did not attend.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

There were no announcements.

E. PRESENTATIONS/PROCLAMATIONS

There were o presentations or proclamations.

F. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING

Earl Berner, City Manager said there are five items on the consent agenda and listed the items. Under the Business section there are the second of two public hearings for the proposed property tax rate and the budget. Then there is a budget workshop.

H. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for September 8, 2005 meeting. (City Secretary)**
2) **Consideration and Action to approve the FY 2006 Economic Development Corporation Strategic Plan. (City Manager)**
3) **Consideration and Action to approve the FY 2006 Community Development Corporation Strategic Plan. (City Manager)**
4) **Consideration and Action on approval of final plat for the Oaks at North Lakeview.**
5) **Consideration and Action on approval of revision to the Personnel Manual by updating Section C – 3 regarding sick leave bank membership. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Hammond. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Hammond, Fletcher and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) Public Hearing on proposed property tax rate. (2nd of two)

No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) Public Hearing on proposed Budget FY 2006. (2nd of two)

No one came forward to speak so Mayor Johnson closed the Public Hearing.

J. WORKSHOP:

1) Budget FY 2005-2006

There are no changes from last budget preparation that was given out at the last City Council meeting.
We need to plan a workshop soon so that next year we can check into allowing a higher exemption for the elderly and handicapped in our city. We need to find out what the economic effect would be. We need to be careful about an extra burden on the young with lesser incomes who reside here, too.

Mayor Johnson announced that next week we are having a special meeting on the 29th and that will be date of our official votes on the property tax rate and budget.

K. CITY MANAGER REPORT

City Manager Earl Berner said that the Float & Fly [model planes] event is October 1.
October 8 is the next quarterly cleanup and the Keep Lake Dallas Beautiful Committee is sponsoring cleaning up with other cities around Lake Lewisville.
The revisions to zoning ordinances are coming up. The Planning & Zoning Commission will review them one more time and then in November we can schedule a public hearing.
The road project is nearing completion. They were back this week to do some repairs. We will do a walk thru with them and the engineer to develop a punch list next week.
We've embarked on a stronger effort on possible code violations in the Harbourtown area. He said that he and Harold drove around there on Tuesday and noticed a lot of violations.
He had an item for emergency preparedness but we will discuss that at the staff meeting in the morning.
The new slide is up and being used at Rave Theater.

The School District will take care of the sagging nets at the tennis courts.
Mayor Johnson asked Mr. Berner to be sure to pass on a letter the City has received about the street repair and commendations to our Street Department.
The leak on Cain is fixed. The pool in Harbourtown is being filled up because they are unable to maintain it. Earl said because they can't maintain it.
The Spirit of Christmas has made arrangements for the time they will need to use the Linwood Gilliland Community Room this year.
We need to have a preliminary report on disaster preparedness and schedule a workshop. Right now our major preparedness is through the County. We need to work out something for our city. Chief Ristagno said we need to get the Fire Department involved in the plan. We recently passed a resolution (NIMS) regarding terrorist caused disasters and homeland security. They've done their required training for this.

L. NEW AGENDA ITEMS

Councilmember Martin said at the last meeting Councilmember Marino brought up the Linwood Gilliland Community Room and seniors use of this room. He said he would also like to get that on an agenda.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 7:55 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 8, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, City Attorney David Berman, Fire Chief Jason Collier, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Councilmember Hammond. He asked that everyone observe a moment of silence in remembrance of the hurricane victims in the Gulf before he gave the prayer for the meeting.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

The pledges of allegiance were led by Mayor Johnson.

C. ANNOUNCEMENTS

Mayor Johnson said the vote for the property tax will be in a City Council Meeting on September 29, 2005, at 7:30 PM at City Hall, 212 Main Street.

E. PRESENTATIONS/PROCLAMATIONS

Mayor Johnson read a proclamation for Patriot Day which declared September 11, 2005 as Patriot Day.

F. REPORTS:

Boards and Commissions

Gary Johnson, 609 Cain, gave reports for the Parks and Recreation Board and also the Library Board.

He said the situation is dire for the Parks Board. Members are resigning and as a result during the past two months they have not been able to meet quorum for their meetings. They are down to five members on paper and the outlook seems that the number will decrease. He is asking everyone to consider joining the Parks Board. Their regular meetings are on the first Tuesday of every month at 7:30 PM.

He said that the Lake Cities Library had successful anniversary in August. He thanked all those at the city for taking part in the event. We have a new library director, Rebecca Belknap. We are in need of new members on the Library Board, too.

G. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

Earl Berner, City Manager, said first item is the Executive Session. The Consent Agenda is for approval of Minutes and the August financials. Under Business there will be public hearings on the tax rate and the budget and to announce the date and time of meeting the meeting to adopt the property tax rate and the FY 2006 Budget. There is an item for approval of the employee health care proposal.

Mayor Johnson closed regular meeting at 7:40 PM.

I. EXECUTIVE SESSION:

1) The City Council to convene in closed session under Section 551.071, Texas Government Code, for the purposes of consultation with the City Attorney and Section 551.074, Texas Government Code, to deliberate on an evaluation of fire chief.

Councilmember Connors came out and asked Chief Collier to come into the meeting at 8 PM. Chief Collier came out from the meeting at 8:18 PM.

Mayor Johnson called the regular meeting back to order at 8:20 PM.

J. ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

No action was taken on this item.

K. CONSENT AGENDA:

1) Consideration and Action on approval Minutes for August 25, 2005 meeting. (City Secretary)

2) Consideration and Action on approval of August Financials. (City Manager)

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

L. BUSINESS:

1) Public Hearing on proposed property tax rate. (First of two)

No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) Consideration and Action to announce the meeting to schedule and adopt the property tax rate.

Motion to have the meeting to schedule and adopt the property tax rate at the City Council meeting on Thursday, September 29, at 7:30 PM, at 212 Main Street was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

3) **Public Hearing on proposed budget FY 2006 (First of two)**
No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) **Consideration and Action to schedule and announce the meeting to adopt the FY 2006 Budget. (City Manager)**
Motion to have the meeting to adopt the FY 2006 Budget at the City Council meeting on Thursday, September 29, at 7:30 PM, at 212 Main Street was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

5) **Consideration and Action on approval of Health Care insurance plan for employees. (City Manager)**
Motion to approve the Aetna PPO 500 plan as the health care insurance plan for City employees was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

M. CITY MANAGER REPORT

City Manager Earl Berner said he didn't prepare anything because he thought we would have more discussion on the public hearings. He said that Rodney Dryden of Wellspring Insurance Agency would come and talk with the employees about the insurance plan on Tuesday September 13.

N. NEW AGENDA ITEMS

Councilmember Marino said that during the last couple of years he has had seniors talk to him about using the Linwood Gilliland Community Room for senior citizens day. He said he thinks it's time to get something going for the seniors at least once a month. Mayor Johnson suggested we schedule a workshop on the meeting after the taxes and budget meetings. We can use the media to help get the word out.

O. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 8:28 PM.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 25, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. **ROLL CALL**

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, Chief Jason Collier of the Lake Cities Fire Department, Accounting/Human Resources Department Administrator Joni Vaughn, and City Secretary Beverly Weikum.

B. **INVOCATION**
Mayor Johnson gave the invocation.

C. **PLEDGE OF ALLEGIANCE:**
1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. **ANNOUNCEMENTS**
The Duck Inn will celebrate its 60th anniversary on September 1 from 4 PM to 10 PM. They will be giving prizes for costumes and Walt Garrison will make an appearance. They are rolling back the prices on catfish dinners.

E. **PRESENTATIONS/PROCLAMATIONS**
There were none.

F. **VISITORS/CITIZENS AGENDA**
No one came forward so Mayor Johnson closed the Citizens Agenda.

G. **AGENDA BRIEFING**
City Manager Earl Berner said we have a large agenda. He listed the items under the Consent and Business agendas. He said we would also have workshops on the Budget and Rules of Order for the City Council.

H. **CONSENT AGENDA:**
1) **Consideration and Action on approval Minutes for August 11, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of a site plan for a monument sign at Montserrat Jesuit Retreat House. (Planning & Zoning Commission)**
3) **Consideration and Action on approval of a site plan for Main Street Commercial/Retail/Loft Residential by Terry Lantrip. (Planning & Zoning Commission)**

4) **Consideration and Action on approval of the budget FY 2006 as submitted by the Community Development Corporation. (City Manager)**
5) **Consideration and Action on approval of the budget FY 2006 as submitted by the Economic Development Corporation. (City Manager)**
6) **Consideration and Action on approval of an Ordinance to amend the building fee schedule. (Community Development Department)**
7) **Consideration and Action on approval of an Ordinance authorizing the payment of fees, citations, and permits by credit cards. (Municipal Court)**

Councilmember Hammond asked that Item 3 be pulled from the Consent Agenda. There was discussion about submittal of items requested by the Planning & Zoning Commission.
Mayor Johnson asked that items 5, 6 and 7 be pulled from the Consent Agenda.
There was discussion about the consultant fees in item 5.
There was minimal discussion about the building fee schedule in item 6.
There was discussion about acceptance of credit cards for payment plus developing a policy for the acceptance of credit cards.

Motion to approve Consent Agenda Items 1, 2 and 4 was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

Motion to approve Item H-3 on the conditions that the City's technical requirements are met was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

Motion to approve Item H-5 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

Motion to approve H-6, an Ordinance to amend the building fee schedule, was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None
Motion Passed

Motion to approve Consent Agenda Item H-7 for an Ordinance to authorize payment of citations and fees by credit cards was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

I. **BUSINESS:**

1) **Consideration and Action on property tax rate and to set dates for public hearings regarding property tax rate. (City Manager)**

Motion to hold public hearings to discuss the proposed property tax rate of $.64535 per $100/valuation, which would increase tax revenues, be held at the 7:30 PM City Council meetings on September 8 and September 22 in the City Council Chambers at 212 Main Street, Lake Dallas, Texas was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

2) **Consideration and Action on setting date(s) for public hearing on FY 2006 budget.**

Motion to hold a public hearing on the Budget FY 2006 be scheduled for the September 22 City Council meeting at 7:30 PM at 212 Main Street, Lake Dallas, Texas was made by Councilmember Fletcher. Second by Councilmember Martin.

Amended motion to have the Public Hearings on September 8 and September 22 was made by Councilmember Hammond. Second by Councilmember Connors.

Vote on Original Motion:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

Vote on Amended Motion:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

3) **Consideration and Action on approval of the City of Lake Dallas portion of funding for the FY 2006 Lake Cities Library budget. (City Manager)**

Motion to approve the Library Budget, Item I-3 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

4) **Consideration and Action on approval of the City of Lake Dallas portion of funding for the FY 2006 Lake Dallas Fire Department budget. (City Manager)**

After considerable discussion of compromise options for the Fire Marshal/EMS position and pay increases the City Council approved the budget as submitted.
Motion to approve Item I-4 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

5) Consideration and Action on approval of an Ordinance amending Ordinance 04-18 to allow for budget amendments. (City Manager)

Motion to approve Item I-5 was made by Councilmember Fletcher. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin

Noes: None

Motion Passed

J. **WORKSHOP:**

1) Budget FY 2006.

City Manager Earl Berner said we have provided a change summary for a revised budget. He said it didn't change all that much.

There was discussion about the revenue from the hotel/motel tax and tourism. The $25,000 for the Storm Water Consultant fee will be obligated under the FY 2005 funds. Through the budget amendment Ordinance passed earlier in this meeting the Public Works capital projects will be completed in the FY 2005 budget.

The cost for the tornado warning sirens is $54,000 for two and it is in the capital portion of the budget. This can be paid out over time.

If we do not have a tax increase this year we would have to cut the capital items first and then the personnel costs. The proposed tax increase amounts to approximately $18/year for the average home.

There was discussion about the capital items in the Parks budget. A question as asked about the impact of waiting six months before implementing the salary adjustments. The health insurance costs are up.

2) City Council Rules of Order and Procedure.

We should plan to work on this at an October meeting after budget.

J. **CITY MANAGER REPORT**

City Manager Earl Berner is going to publish this as the draft budget.

We met again on Swisher Road regarding the utility easements. There is going to be a delay of about a month.

Upper Trinity has started work on the forced main.

We had a pre-construction meeting for the River Oaks Park. They should start September 6.

He's been working on a zoning ordinance with Linda Jordan of Schrickel, Rollins and Associates. They will be bringing that to the Planning & Zoning Commission. We would also like to have the Councilmembers and the Economic Development Corporation members involved in the work session.

K. **NEW AGENDA ITEMS**

There were no new agenda items.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 8:42 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 11, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. **ROLL CALL**

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, Accounting/Human Resources Department Administrator Joni Vaughn, and City Secretary Beverly Weikum.

B. **INVOCATION**

Councilmember Hammond gave the invocation.

C. **PLEDGE OF ALLEGIANCE:**

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. **ANNOUNCEMENTS**

Police Chief Nick Ristagno into introduced a new police officer, Drew Mackenzie Paschall. He worked for us in 1995-96 and went on to the Montague County Sheriff's Department and then to Kosovo. Police Chief Nick Ristagno said he is an excellent police officer.

E. **PRESENTATIONS/PROCLAMATIONS**

Sgt. Wes Frazier gave a demonstration and computer presentation for new laptops. He said that whenever you go on the internet it will come up on the City's home page. He told them that if they need to save anything he'll have to get them flash cards because when you turn the laptop off it will return to the original state. They have the capability to do presentations from the laptops. He said if they had any questions he would be glad to assist them.

F. **REPORTS:**

Boards and Commissions

Pat Phillips, Keep Lake Dallas Beautiful Committee, said they've discussed a lot of things at their meetings. Tuesday night they donated the Christmas star to Parks and Recreation Board. They've decided on the iris for their logo and we have a grower here in Lake Dallas. They are doing some research on it to determine if we can be filed with the State of Texas as the Iris Capital of Texas. They plan to order up to $200 worth of various colors of iris bulbs to use as door prizes and in gift bags for promotions. They are getting prices for a banner to advertise the fall cleanup and let everyone know we're here. They plan to coordinate the fall cleanup with the City of Lewisville so we can clean up both sides of the lake at the same time. They hope to get some help from the coast guards and the marina. They are hoping for 100 people to help this year. The cleanup is scheduled for 9 AM to 12 PM on October 8. One of the committee members is working on posters to take to the schools in an effort to try to bring kids in to help. There are two artists slated for their next meeting to discuss the cost of

painting murals. They need some guidelines on the theme for the City and suggestions are appreciated. They are also working on an 'Adopt a Spot' program for those spots that need extra attention. They are having trouble letting all the businesses know that they are here. A mascot lady was there last week from Lewisville and gave them a lot of ideas and information about selecting a mascot. They will determine programs to work with the new budget.

G. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner gave the Agenda Briefing.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for July 28, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of July Financials. (City Manager)**
3) **Consideration and Action on approval of a letter of acceptance with TXU and a settlement agreement. (City Manager)**
4) **Consideration and Action on approval of a Resolution to raise the Charter Communication franchise fee from 3% to 4% of gross revenue. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Martin
Noes: Councilmember Hammond

Motion Passed

J. WORKSHOP:

1) Budget FY 2006.

The budget submitted by the Lake Cities Library was discussed first. No one had any changes to recommend.

The budget from the Lake Cities Fire Department was discussed next. There was discussion about the fire marshal position and it was determined that the overtime would be eliminated if that position was permitted. The other costs associated with initiating that position would be the truck, equipment, uniforms and training. They currently have three other vacancies. There was discussion about the formula used for reaching the budget numbers for the four cities.

Mayor Johnson thanked the representatives from the fire department for being available to answer questions and for all that they do for the community.

City Manager Earl Berner said that the Community Development and Economic Development Corporations both approved their 2006 budgets at their last meetings. Approval of these budgets will be action items on the next City Council Agenda.

City Manager Earl Berner discussed the revised budget from what had been presented at the last meeting. He said the property tax in the 06 budget column is 5 one hundredths under the rollback rate. He said he's met with Mercedes Homes and we've added in fees for those homes they have scheduled to build during this next budget year. He's added another $23,000 from the Park Investment account into the operating capital for Parks.

There was discussion about the salary increases. It represents a 2.2% cost of living adjustment and he said he wants to extend the step plan out to offer a 20-year cycle for the employees. The cost for the step plan this year would be $7,000. There was discussion about the recommendations for promotions. City Manager Earl Berner said we would like to add two new employees: a Community Development Director and a Special Events Coordinator. The new hotel/motel tax would fund the Special Events Coordinator. Those positions would be filled about mid-term in the budget year.

There was discussion about the police department's arrests record. We are making more felony arrests than class c arrests. Police Chief Nick Ristagno said we'll be implementing the new programs in the near future. Swisher and Lakeview improvements will take the animal control property that we are on so we need to do something soon about another site and structure.

City Manager Earl Berner said his goal is to try to keep the budget to this tax rate. We still don't have the figures for the health insurance. He said we can delay moving the person from part time to full time in the Parks Department for about 6 months. We're adding campsites at Willow Grove Park and an RV dump station through 4b's budget. He said we are about 15 – 18 fire hydrants short for prescribed distances in the City and that Lake Cities Municipal Utility Authority is doing about 3/year and $8500 is our match for that project. Our match would mean installation of a total of six hydrants for this year. If we could continue at that rate the project would be complete in three years. The City Council High School Award should be continued. We can put that in the City Council portion of the budget.

We will have another workshop in two weeks. We will put the 04-05 support services figures in for ease in comparison plus a column to reflect the percentage of change.

2) City Council Rules of Order and Procedure.
Councilmember Connors had a handout that is Denton's ethics and election ethics policies. She said that she doesn't think any of the current council has a problem with ethics but there were some things that have happened on past councils that have concerned her.
She said we already have rules for Council order and procedures. There was discussion about someone violating one of these ethics codes and what kind of action Council would take. We can compare Denton's policy with ours and see where we might want to make changes. It would be good to read our rules to refresh our memories from time to time. There was discussion about putting an addendum in the next election packets regarding the laws about election signs. We can workshop this again at the next Council meeting. This policy could also be extended on to the boards and commissions.

K. CITY MANAGER REPORT

City Manager Earl Berner said that he and Councilmember Marino have been trying to get a tour of Upper Trinity's plant scheduled for the Councilmembers. He asked them to think about when would be a good time.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Tony Marino. Second by Karl Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 9:10 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 28, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

Councilmember Fletcher arrived at 7:47 PM.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Councilmember Connors said that Greg Tierney had asked her and Carolyn Green to come to the Duck inn for a television interview with Channel 8 last Saturday. Today they met with the Dallas Morning News about the 60th anniversary for the Duck Inn.

Chief Ristagno introduced a new officer, Tim McNicklaus, who currently is in training with Officer Sleigh. Tim is a resident of Lake Dallas and his wife, Michelle, who was in the audience, got married on April 30 of this year.

Councilmember Marino said the Jet Ski race is this weekend.

E. PRESENTATIONS/PROCLAMATIONS:

There were no presentations or proclamations.

F. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Visitors Agenda.

G. AGENDA BRIEFING

City Manager Earl Berner said the Agenda is not too difficult tonight. There are two site plan approvals, a Resolution to allow for direct deposit of payroll checks, and an agreement for a contractor for building inspections. Under business there is an action item for an Ordinance approval, a new lease on the current animal shelter; and presentation of FY 2006 Budget.

H. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for July 14, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of a site plan for Technicians on Wheels, 718 Hundley, to allow for temporary storage containers. (Planning & Zoning Commission)**
3) **Consideration and Action on approval of a site plan for parking lot expansion for Golden Distributors, 400 North Stemmons Freeway. (Planning & Zoning Commission)**
4) **Consideration and Action on approval of a Resolution allowing for employees to choose direct deposit of payroll checks at Northstar Bank. (City Secretary)**
5) **Consideration and Action to authorize the City Manager to enter into an agreement with an independent contractor to perform building inspection duties. (City Manager).**

Councilmember Connors asked to pull items H –1 and H-5 from Consent Agenda.

Motion to approve Items H-2, 3, and 4 of the Consent Agenda was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

Motion to approve Consent Agenda item H-1 with corrections was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

Motion to approve Consent Agenda item H-5 was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance adopting the National Incident Management System (NIMS). (Chief Ristagno)**

Motion to approve Item I-1 was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of a lease agreement for the Animal Shelter.
Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

3) Presentation of Budget FY 2006. (City Manager)
City Manager Earl Berner gave copies of the budget to the Councilmembers. Yesterday we received the certified tax roll FY 2005 and the assessed value is $273,000,000. The first page of the handout is the revenue page. The $1,946,400 for property tax revenue includes a 5.6% tax increase. He said the franchise fees appear to be going down and the thinking is that the cause for that could be deregulation. We are proposing to raise Charter Cable's fee from 3% to 4%. We'll also present another version of updated fees and charges.

The Admin budget is down quite a bit because we've taken some things out of Admin and put these amounts in different categories. Support Services will be a department for the utilities and insurance and other building costs instead of splitting costs between departments. He said the staff has done a responsible job of keeping expenses down. The Debt Services has gone up a little bit.

This will be a light year for Capital Expenditures. In Parks we are planning to spend $36,000 for additional campsites, a dump station, and showers at Willow Grove Park. In the Pubic Works yard we would like to pave the area where they travel, in an effort to keep the dust down, and create some bins on hard surface so some materials that are stored in the yard don't get mixed together. The ultimate goal is to provide perimeter landscaping there also.

There has been discussion about ending the consultant fees for 4a and 4b and applying those funds to community development, i.e., hire a director to do planning, zoning, and economic development. He said $21,000 has been added for operations and maintenance in the parks money for a full-time parks person instead of the part-time person.

He said he estimated seven months for hotel occupancy tax revenue. We will not hire the person for special events until we start getting the revenue.

He said that when he looked at the pay plan he was mortified at the step plan. He provided a revised pay plan that carries the step plan out for 20 years. The revised pay plan includes several promotions. This budget implements the step plan plus 2.2% COLA. The step plan would be effective on the employee's anniversary date. There was discussion about no step plan increase if the City could not afford those increases.

There will be a 35% increase in the health care premiums if we stay with Aetna. The man we deal with said he has several other options we can look at. We'll know more about this as time goes on.

He said the budget estimates FY 2005 are based on where we were at July 1. That reflects a surplus of $18,000 but he feels we could add another $25,000 to that number by year end.

In Animal Services he has included $24,000 for architect fees for a new shelter. That prompted Council discussion about funding for a new animal shelter. There was also discussion about funding for tornado sirens.

The Fire budget is based on the 'Mayors formula' from last year.

It was determined that the Councilmembers should review this budget and talk with City Manager Earl Berner prior to the next meeting.

J. CITY MANAGER REPORT

City Manager Earl Berner said the Street Rehab project is underway. He handed out a schedule to the Councilmembers.

We had a request from Shady Shores councilperson about what the cost would be for us to do code enforcement for them. He said he provided them a price but they have not yet responded.
Harold Clark is currently doing our code enforcement and he's doing a real good job.
He said that Hickory creek voted to reject the fire department budget.

K. NEW AGENDA ITEMS

We'll need good statistics for pubic relations about our new budget.
The new police department programs will start soon.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 8:50 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 14, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, City Engineer Tom Hoover, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

C. ANNOUNCEMENTS

Councilmember Connors gave the information about Bruce Martin's son's funeral arrangements. Frank Graham (321-6102) and Carol Ann (498-9694) are coordinating the food. They have a lot of family coming in on Sunday.

Councilmember Marino said the Jet Ski Races are on July 31 at Willow Grove Park. The races start at 10 AM and last until 3 or 4 PM.

E. PRESENTATIONS/PROCLAMATIONS:

Lake Cities Library Proposed Budget

Carol Stowe, Treasurer, introduced the other Library Board members who were in the audience. She said it's been a real blessing that the City of Lake Dallas has supported the library for 30 years. She invited everyone to come to the anniversary celebration on August 20.

She discussed the information on the handout that had been given to the Councilmembers. She discussed the usage, budget and funding statistics that had been compiled for the four cities involved in the library funding. They still receive some funds from Denton County plus donations and contributions from various entities. They are looking at what their options might be for future expansion.

There was discussion about the method of determining city usage by the number of library cards that have been issued. It doesn't seem that each card issued to members to a family in the same household should be counted independently. Due to last year's discussions they've gone through the patron files and got rid of a lot of the really old numbers.
The library has approximately $30,000 in the bank but it is not specifically dedicated money for the building.

F. REPORTS:

Boards and Commissions

Elsie Lacey, Keep Lake Dallas Beautiful Committee, gave a report on their attendance to the 38th Annual Keep Texas Beautiful Conference. They brought back a Silver Star Affiliate award for filing their annual report. They were also presented with a banner that they will use in parades and booths. They were told that cities are going to have to look ahead and plan ahead at least twenty years. They are thinking about partnering with Keep Lewisville Beautiful regarding implementing a lake cleanup project. She also told about grant availability.

Gary Johnson, Parks Board, said that Councilmember Marino had already announced the Jet Ski event. He said they have received many favorable comments about the July 4th event. He thanked the staff, City Manager, Chief, and City Council because it was a cooperative effort and said they are very appreciative of the program.
Mayor Johnson asked him to thank the Parks and Recreation Board for all their efforts during the 4th of July event.

G. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner said there were two items on the Consent Agenda. Under Business there is a bid to award for streets program and a bid for the River Oaks Park improvements. The other item under Business is a site plan approval that will be going before the Board of Adjustment on Monday, July 18.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for July 7, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of June Financials. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and Action on awarding of bid for 2005 Street Rehabilitation Projects. (City Manager)

Tom Hoover gave his report on the bid opening. He said they have done the reference check on Quality Excavation and received. He said it will take about two weeks to get the bonding in place and that within two to three weeks from today we should see some equipment on the streets. He said we need to start looking at some maintenance programs for some of the first streets.

Motion to award the bid for the 2005 Street Rehabilitation Projects to Quality Excavation in the amount of $175,679.75 WAS MADE BY COUNCILMEMBER FLETCHER. Second by Councilmember Martin.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

2) Consideration and Action on awarding bid for River Oaks Park improvements. (Community Development Corporation)

Motion to award the bid for River Oaks Park Improvements to J & J Hardscape Construction in the amount of $50, 275 for the base bid and pavers and attempt to negotiate the price for Alternate #3 was made by Councilmember Fletcher. Second by Councilmember Hammond.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of a site plan for the Lake Cities Business Park.

City Manager Earl Berner said the P & Z has given approval on condition that the variance is approved at the Board of Adjustment on Monday. He said we have a letter from the consultants that requests kind of a conditional/nonconditional approval. If they get a variance the site plan is approved but if they don't get the variance they will adjust the building to meet our code and would like the site plan approved for that option.

Motion to approve the site plan for the Lake Cities Business Park contingent upon approval of the variance by the Board of Adjustments or if the variance is not approved by the Board of Adjustments we'll approve it based on our current zoning ordinances. Second by Councilmember Martin. WAS MADE BY COUNCILMEMBER FLETCHER.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner said we have the new microphones and laptops installed. The laptops should be hooked up by the next Council meeting.

There was a meeting this week with the utilities for the Swisher Road relocation. They will be submitting their plans and locations over the next three or four weeks. They will start the relocations in August and should be completed sometime in October or November.

We also met this week regarding the settlement with Resort Realty. We should be ready to sign around the 1st of August.

He said his plan is to bring the budget to the July 28 meeting. He thinks we'll have to have a small tax increase to do the things we want to do.

L. NEW AGENDA ITEMS
None

M. ADJOURNMENT
Motion to adjourn was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

The meeting was over at 8:45 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 9, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Alan Fletcher was unable to attend the meeting.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Fire Chief Jason Collier, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS/PROCLAMATIONS

Three new police officers were introduced to the City Council and audience. Their names are Alan Sawyer, Paul Jaworski and Officer Bruno, who was brought in by Officer Williams.

Councilmember Connors read a proclamation for the Duck Inn. It has been a part of our community since 1945.

Mayor Johnson said there would be no Executive Session tonight because the City Attorney could not be here. There will be no item H, I, or J.

H. EXECUTIVE SESSION:

1) The City Council to convene in closed session under Section 551.071, Texas Government Code, for the purposes of legal consultation regarding Lake Cities Fire Department Interlocal Agreement.

I. ACTION, IF ANY, FROM EXECUTIVE SESSION.

J. WORKSHOP:

City Attorney David Berman, City Council orientation.

L. CONSENT AGENDA:

1) Consideration and Action on approval Minutes for May 26, 2005 meeting. (City Secretary)

Motion to approve the Minutes of the May 26 Minutes meeting was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

M. BUSINESS:

1) Public Hearing on changing the retirement requirements with TMRS from 25 years of service to 20 years of service.

Carolyn Green, 201 North Shady Shores, asked how many employees are going to retire when this is passed.

2) Consideration and Action on an Ordinance to allow employees to retire with 20 years of service regardless of age, as approved in the Fiscal 2005 Budget, rather than the current 25-year requirement. (City Manager)

Motion to approve Item M-2 to adopt an Ordinance allowing employees retire with twenty years of service at any age was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

3) Consideration and Action on an Interlocal Agreement with Lewisville concerning the 800 Megahertz Radio service.

Motion to approve an Interlocal agreement with the City of Lewisville to provide for the use of the Lewisville 800 Megahertz Radio system was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

4) Consideration and Action to renew a law enforcement mutual aid task force agreement with cities in the North Texas area.

Motion to approve the Resolution authorizing a law enforcement mutual aid agreement with other cities in the North Texas area was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

5) Consideration and Action to make appointments to the Parks and Recreation Board.

The City Council took no action on this item.

6) Consideration and Action to remove/appoint to 4a/4b Boards.

Motion to table this item until the next meeting was made by Councilmember Hammond. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

7) **(addendum) Consideration and Action on appointment of one or two alternates to the Board of Adjustment.**
The City Council took no action on this item.

Q. ADJOURNMENT

Motion to Adjourn was made by Councilmember Connors. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

The meeting was over at 8:45 PM.

Beverly Weikum, TRMC
City Secretary

Marjory Johnson, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 26, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and Acting City Secretary Joni Vaughn.

Councilmember Harper arrived at 7:40 PM

B. INVOCATION

Councilmember Ken Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

Mayor Johnson requested to move Item K-2 before Oaths

K. BUSINESS:

2) Consideration and Action to award scholarship. (City Manager)

Motion to award the scholarship was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

D. OATH OF OFFICE TO ELECTED OFFICIALS

Before the Oaths were given, Councilmember Stapleton and Harper shared some parting sentiments.

Mayor Johnson swore into office Councilmembers Marino, Hammond and Martin.

E. RECEPTION FOR OUTGOING COUNCILMEMBERS

Meeting was adjourned for a brief reception.

Meeting reconvened at 8:00 pm.

F. ANNOUNCEMENTS

Carolyn Green made an announcement regarding the Memorial Day Service on Monday, May 30th at 9:00 am at Swisher Cemetery. The service will move to the Veteran's Memorial at City Park.

G. PROCLAMATIONS

Mayor Johnson asked to hold the proclamation until the next meeting.

H. VISITORS/CITIZENS AGENDA

Katherine Thompson, 535 Oak Lake – Katherine thanked the Council for the scholarship. She stated that she had learned a lot about the City and the Council from attending the Council meetings. She found the meetings interesting and fun.

I. AGENDA BRIEFING

City Manager Berner briefed the Council on the Agenda Items

J. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for May 12 and 16, 2005 meetings. (City Secretary)**
2) **Consideration and Action on approval of a Resolution for the canvass of the May 7 election. (City Secretary)**
3) **Consideration and Action on approval of 2005 Interlocal Agreement for Property Tax Collection with Denton County. (City Secretary)**
4) **Consideration and Action on approval of an Interlocal Cooperation Agreement between Lake Dallas and Denton County, Texas for the widening of Swisher Road at the railroad tracks. (City Manager)**
5) **Consideration and Action on approval of a site plan for Pappa's Family Restaurant. (Planning & Zoning Commission)**
6) **Consideration and Action on approval of a site plan for the Ship Inn. (Planning & Zoning Commission)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

K. BUSINESS:

1) **Consideration and Action on selection of Mayor Pro-Tem.**

Motion to appoint Councilmember Fletcher as Mayor Pro-Tem was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

L. CITY MANAGER REPORT

City Manager Earl Berner reported that the June 9th meeting would include some Budget preparation and he asked the Fire Chief to make a presentation of the Fire Budget. City Manager Berner will present an estimate of the status of the 2005 Budget and some recommendations for the 2006 Budget. He would also like to solicit suggestions from Council on what they would like for 2006. The City Attorney will be present to give a brief orientation to new council members before they attend the TML Orientation August 26th and 27th in Irving. There is a housekeeping item from the 2005 budget to be addressed; an ordinance for TMRS regarding the 20-year retirement that was approved with the 2005 Budget needs to be passed. There will also be discussion of a policy regarding curbs, gutters, and sidewalks. City Manager Berner reported that the Council laptops are ready accept for the anti-virus software. City Secretary Weikum had surgery Wednesday and is home and doing well. He expressed that the Mayfest was not as successful as hoped; however there should be approximately a $1600 surplus after all bills are paid. City Manager will be on vacation from May 27th through June 5th. Chief Ristagno will be in charge during his absence.

Mayor Johnson requested that the City Attorney's orientation be placed at the beginning of the agenda for next meeting.

Councilmember Fletcher requested an Executive Session for next meeting regarding the Fire Department.

M. NEW AGENDA ITEMS

Mayor Johnson requested an item for the appointment and removal of 4A and 4B Board members as well as for the Parks and Recreation Board and Planning and Zoning Commission.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher and Martin
Noes: None

Motion Passed

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a meeting on May 16, 2005 in the Lake Dallas City Hall, 212 Main Street, for the purpose of canvassing the votes of the May 7, 2005 election. Notice of the meeting was given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 6:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2

Councilmembers Marino, Stapleton, Fletcher, and Harper were not in attendance.

Also present were: Earl Berner, City Manager and City Secretary Beverly Weikum.

B. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

C. BUSINESS:

1. **Discussion and Action on approval of a Resolution for the Canvass of Election held May 7, 2005.**

Mayor Johnson read the results of the May 7, 2005 Election.
City Council, Place 1: Tony Marino 218 and Gary Johnson 138
City Council, Place 3: Karl Hammond 181 and Ken Stapleton 161
City Council, Place 5: Richard Martin 206 and Betty Harper 158
Proposition 1: For 187 and Against 112
Proposition 2: For 237 and Against 92
Proposition 3: For 227 and Against 97
Proposition 4: For 202 and Against 104
Proposition 5: For 111 and Against 160
Proposition 6: For 228 and Against 77
Proposition 7: For 169 and Against 140
Proposition 8: For 175 and Against 134
Proposition 9: For 156 and Against 155

Tony Marino is hereby declared to have been elected to the office of City Council Place 1. Karl Hammond is hereby declared to have been elected to the office of City Council Place 3. Richard Martin is hereby declared to have been elected to the office of City Council Place 5.

Propositions One, Two, Three, Four, Six, Seven, Eight, and Nine are declared to have been approved for the Home Rule Charter of the City of Lake Dallas. Proposition Five was not approved.

2. Oath of Office to Elected Officials.
No oaths of office were accomplished.

D. ADJOURNMENT

Mayor Johnson adjourned the meeting at 6:45 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 12, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

B. INVOCATION

Councilmember Ken Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Mayfest starts tonight. There will be entertainment and vendors on Saturday from 10:30 AM to 7:00 PM and on Sunday from noon until dark. The carnival open is open until midnight. Mayor Johnson said she gave recognition to Chief Ristagno and the staff for the Kids N Cops event. They did a very good job.

E. PRESENTATIONS:

Motorcycle Safety and Awareness Month

Mayor Johnson read the proclamation.

F. REPORTS:

Boards and Commissions

Richard Martin, Parks and Recreation Board, said the only other thing is the National Jet-ski event on June 25 and 26.

The spaces they've marked off at the Mayfest site are full.

Gary Johnson, Library Board, said he doesn't have the dates but that in August a 30th anniversary celebration will be held. Ongoing things they'll be talking with the Council about blocking off part of a street.

Alan Fletcher said the Economic Development Corporation had just had the groundbreaking ceremony for the new Best Western Hotel on Swisher Road.

G. VISITORS/CITIZENS AGENDA

No one came forward so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner gave the Agenda Briefing. He said that Jean Hooker, Atmos Energy Corporation, is here to speak with us.

I. CONSENT AGENDA:

1) Consideration and Action on approval Minutes for April 26, 2005 meeting. (City Secretary)

2) Consideration and Action on approval of April Financials. (City Manager)

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher

Noes: None

Motion Passed

J. BUSINESS:

1) Public Hearing on application for Special Use Permit for 209 Main Street, City of Lake Dallas, Denton County, to allow mixed use of residential/commercial use, Chapter 122, Zoning, Article XIII, Special Use Permits, Section 122-571 (16). (Planning & Zoning Commission)

Gary Johnson, 609 Cain, said he has a couple of concerns. One is the presence of a two-story building facing Main Street and how that will look as far as future developments are concerned. He is also concerned about office space instead of retail as the commercial use. He said we have a need for the sales tax revenue that retail businesses could provide in an effort to lessen the tax burden on property owners.

Mayor Johnson closed the Public Hearing when no one else came forward.

2) Consideration and Action on approval of an Ordinance to approve a Special Use Permit for 209 Main Street, City of Lake Dallas, Denton County, to allow mixed use of residential/commercial use, Chapter 122, Zoning, Article XIII, Special Use Permits, Section 122-571 (16). (Planning & Zoning Commission)

Motion to approve Agenda Item J-2 was made by Councilmember Stapleton. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher

Noes: None

Motion Passed

3) Consideration and Action on approval of an Ordinance approving Atmos Energy Corporation gas reliability infrastructure program rate adjustment in the City of Lake Dallas. (City Manager)

Jean Hooker, Atmos Energy, explained that the residential rate was reduced by two cents to $.29 and that the commercial rate was raised by those two cents by the Texas Railroad Commission.

Motion to approve Agenda Item J-3 was made by Councilmember Stapleton. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher

Noes: None

Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner had handouts of the fire department's budget. He thinks we should invite Chief Collier to do a presentation at our June 9 meeting. He said the first page shows the revenues they have calculated based on the formula derived at the Mayors meeting last August or September.

He said he had received a call from CGI communications about doing a video of the City and this is sponsored by TML. It will take about twelve weeks and will be an Internet video that would be linked to our website. We will have editorial control over that. They make their money off banner ads. They provide twenty-five banners to start with complete with the hardware, etc. If we don't like the program we can terminate in the specified amount of time.

In addition to the budget session at the June 9 meeting Mr. Berner suggests an orientation for the two new Councilmembers as well as the existing Councilmembers with our City Attorney about "mays and may nots."

He reminded everyone that Mayfest is this weekend.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

The meeting was over at 7:55 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on April 26, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Earl Berner, City Manager, and Beverly Weikum, City Secretary.

Councilmember Stapleton was absent.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

The Chamber of Commerce Banquet is April 28.
The Mayfest starts May 12.
The Kids & Cops Open House/Cook-out is May 7.
Election Day is May 7

E. PRESENTATIONS:

Lake Cities Library

Casey Cavalier from the Lake Cities Library Board gave handouts to the Councilmembers and gave a presentation based on the handouts.

F. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING

Earl Berner, City Manager, gave his agenda briefing. He said that due to time constraints we were unable to advertise soon enough to reschedule the public hearing under Business Items 1 and 2 for tonight's meeting. These items will be on the May 12 City Council Agenda.

H. CONSENT AGENDA:

1)Consideration and Action on approval Minutes for April 14, 2005 meeting. (City Secretary)

Motion to approve Item H-1 was made by Councilmember Connors. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Connors, Fletcher, and Harper

Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on application for Special Use Permit for 209 Main Street, City of Lake Dallas, Denton County, to allow mixed use of residential/commercial use, Chapter 122, Zoning, Article XIII, Special Use Permits, Section 122-571 (16). (Planning & Zoning Commission)** ***THE PUBLIC HEARING WAS ADVERTISED FOR APRIL 28 SO WE CANNOT HAVE THIS PUBLIC HEARING ON APRIL 26. THE PUBLIC HEARING AND ACTION WILL BE SCHEDULED FOR MAY 12 MEETING.***

2) **Discussion on approval of an Ordinance to approve a Special Use Permit for 209 Main Street, City of Lake Dallas, Denton County, to allow mixed use of residential/commercial use, Chapter 122, Zoning, Article XIII, Special Use Permits, Section 122-571 (16). (Planning & Zoning Commission)** ***SEE BUSINESS ITEM I – 1 EXPLANATION.***

Mayor Johnson said that there will be no action on these items tonight. The items will be on the May 12 City Council Agenda.

3) **Consideration and Action recommendation of board member for North Central Texas Council of Governments 2005-2006 Executive Board. (City Secretary)**

Motion to recommend Tony Marino as board member for the North Central Texas Council of Governments 2005-2006 Executive Board was made by Councilmember Fletcher. Second by Councilmember Harper.

Ayes: Councilmembers Marino, Connors, Fletcher, and Harper

Noes: None

Motion Passed

4) **Consideration and Action to designate the date of the Official Canvass of the votes in the May 7 election. (City Secretary)**

Motion to set the meeting to canvass the voting of the May 7 election at 6:30 PM on May 16 was made by Councilmember Marino. Second by Councilmember Harper.

Ayes: Councilmembers Marino, Connors, Fletcher, and Harper

Noes: None

Motion Passed

J. CITY MANAGER REPORT

The groundbreaking ceremony for the new hotel is at 6 pm on May 12.

The city limit sign on the northbound side by the overpass has been changed and now reads "Lake Dallas" instead of "Hickory Creek."

An entrepeneur came in last week with the probability of building an extended stay forty-room motel/hotel across from the library on Shady Shores. The area is zoned for hotels/motels. The man has at least one other hotel like this so we'll check it out. Our municipal code limits the stay to a maximum of thirty days.

The former Jolly Roger is undergoing renovations by a new owner. It will be a karaoke bar & grill.

Mr. Berner handed out the tentative budget schedule. At the June 9 Council meeting he would like to discuss where we are this year and where we think we'll be at end of year.
Mayor Johnson thanked him for the budget schedule.

K. NEW AGENDA ITEMS

The workshop on the Council Policies and Procedures will be held at a May meeting after the election.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 8:02 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 14, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Earl Berner, City Manager, Police Chief Nick Ristagno, Richard Dallof, Building Official, David Berman, City Attorney, Darrell Nora, TML Attorney, and Beverly Weikum, City Secretary.

B. INVOCATION

Councilmember Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Johnson said we need to know who will be coming to the Volunteer's Dinner April 19.

Carolyn Green said that this Saturday is the citywide cleanup day and the Keep Lake Dallas Beautiful Committee is having a cleanup at Willow Grove Park in preparation for putting in a hiking/biking trail. Caps with the City logo on them will be given to the first fifty people there. There will be other prizes and breakfast and juices will be available. It lasts from 9 AM until noon.

Councilmember Harper said she had a nice compliment from Arlington attorney who had eaten at the Lake Dallas Café. He said he really enjoyed the meal and the small town atmosphere.

E. PROCLAMATIONS:

1) Friends of the Family
2) 9-1-1 Recognition Letter from Governor and Mayor

Mayor Johnson read and signed both proclamations.

F. VISITORS/CITIZENS AGENDA

Gary Johnson, 609 Cain, expressed concern with the sale of beer at upcoming Mayfest. He said this should be a family oriented event.

Don Smith, 5312 Princess Court, said he is concerned about the PUD to be considered for the rezoning of Lakeview property. He said he has spoken with Councilmember Fletcher and he had assuaged some of the concerns he'd had, but he still has some issues with it. This property is currently surrounded by R-1-10000, R-1-7200 and R-1-6000 zoning. He said he doesn't think this will enhance the property. The access to this property is primarily going to rely on the new road but until then Lakeview will suffer and Lakeview can't handle the traffic it has today. The widening of Lakeview is going to be a burden on the taxpayers.

Mayor Johnson closed the Citizen's Agenda when no one else came forward to speak.

G. REPORTS (Boards & Commissions)

Richard Martin, Parks and Recreation Board, said plans for the Mayfest are moving right along. They have been in contact with the national Jet-Ski Association about their event this summer. The board has been talking about the 4th of July and having the parade and fireworks closer to the same time.

Mayor Johnson said he should contact Lynn Yeargin and let the Chamber of Commerce know.

Carolyn Green, Community Development Corporation, said the kitchen is complete, thanks to Chief Ristagno. She said the Board has a lot of other things in the works.

H. AGENDA BRIEFING:

City Manager Earl Berner gave the agenda briefing.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of 1st Quarter 2005 Investment Report and March Financials. (City Secretary & City Manager)**
2) **Consideration and Action on approval of Minutes for March 24, 2005 meeting. (City Secretary)**
3) **Consideration and Action to waive the fee for licensing of the carnival for the Mayfest celebration. (City Manager)**
4) **Consideration and Action on 2005 default rates for Consumer Price Index Adjustment to Municipal Telecommunications Right-Of-Way Access Line Rates as presented by the Public Utility Commission of Texas. (City Secretary)**

Councilmember Stapleton asked that Item 4 be pulled from the Consent Agenda.
Motion to approve Consent Agenda items 1 through 3 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Motion to approve Consent Agenda Item I-4 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper.
Noes: None
Absentions: Councilmember Stapleton

Motion Passed

J. BUSINESS:

1) Consideration & Action on an Ordinance for a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district. (City Manager)

Mayor Johnson closed the regular meeting at 8:37 PM so the City Council could go into closed session per Section 551.071 of Texas Government Code to seek confidential legal advice from the City Attorney [on any agenda item listed herein]. Regarding Item J-1, proposed zoning change of 37.3 acres, Tract 21, Abstract 424A, N. French to PUD, and J-5, Resort Realty Settlement agreement.

Mayor Johnson called the regular meeting back to order at 9:20 PM.

Motion to approve an Ordinance for a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district with the addition of having the developer extend the stub of road to Swisher Road was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) Consideration and Action to approve rules and rates for the Community Kitchen and the Linwood Gilliland Community Room. (City Manager)

Motion to approve Agenda Item J-2 as presented was made by Councilmember Stapleton. Second by Councilmember Harper.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) Consideration and Action to approve a Resolution concerning the long-range water supply planning for the service area of Upper Trinity Regional Water District. (City Manager)

Motion to approve Item J-3 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) Discussion on the proposed Lake Cities Fire Department. (City Manager)

City Manager Earl Berner handed out the preliminary fire department budget to the Councilmembers. There was discussion about the amount of the increase for this next budget year and what new items were being added to the budget.

Mayor Johnson thanked City Manager Earl Berner for getting the budget from the fire department so early in the year.

ADDITIONAL ITEM PER ADDENDUM:

J. BUSINESS:

5) Consideration and Action on approval of settlement of the Resort Realty Company v. City of Lake Dallas, Civil Action No: 0:02-CV-00148.

Motion to approve the settlement agreement of Resort Realty Company v. City of Lake Dallas, Civil Action No: 0:02:CV-00148 subject to a $24,000 grant towards Lakeview improvements, $25,000 for conservation efforts, including the mutually agreed upon exhibits, and authorizing Mayor Johnson to approve the modifications and sign the final settlement agreement with the legal counsel was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Johnson closed the open meeting at 9:27 PM

Councilmember Marino went home ill at 9:30 PM.

K. EXECUTIVE SESSION:

Per Addendum: The City Council to convene in closed session under Section 551.071, Texas Government Code, for the purposes of legal consultation with City Attorney regarding Lake Cities Fire Department Interlocal Agreement.

Mayor Johnson called the regular meeting back to order at 10:22 PM.

L. ACTION, IF ANY, FROM EXECUTIVE SESSION.

No action was taken.

M. CITY MANAGER REPORT:

City Manager Earl Berner gave an update on the equipment purchase list: the Laser Fiche has been purchased and training accomplished; the striper for Public Works has been purchased and we used some of the money that we saved on something else they had purchased. The consultant suggested laptops for the council dais and they will be installed. One other thing we've done is at the property yard is to order a wrought iron gate with a remote to open/close is on order and should be installed soon.

Basketball goals are starting to reappear so he's asked Richard to send letter to those with the portable goals to tell them the goals can't be on the right-of-way. It will also be put in the newsletter.

We have received quotes on shirts with the City logo on them at a cost of $20/each. Employees will pay for their own shirts. An order sheet will be passed around over the next week or so if anyone is interested in purchasing one of these shirts.

N. NEW AGENDA ITEMS

Code of Ethics for the City Council was discussed. The Council does have a policy manual that addresses ethics.

There was Council discussion about the April 28 regular meeting and the annual Chamber of Commerce Banquet, which is on the same night. The City Council will cancel its April 28 regular meeting and schedule a special meeting for 7:30 PM on April 26.

O. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Connors, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 10:30 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 24, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmembers Carol Ann Connors and Ken Stapleton were absent.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Richard Dallof, Building Official, David Berman, City Attorney, Darrell Noga, TML Attorney, and Joni Vaughn, Acting City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizen's Agenda.

F. PRESENTATION

Flower Mound regarding Lake Ralph Hall and the Upper Trinity Regional Water District.
Upper Trinity Regional Water District concerning future water supplies.

Representatives of Flower Mound and the Upper Trinity Regional gave presentations Water District. Views were given about the future water supply for the users of the Upper Trinity Regional Water District.

G. AGENDA BRIEFING

City Manager Earl Berner gave his agenda briefing.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of an Ordinance for the Budget Amendment at the March 10 meeting. (City Secretary)**
2) **Consideration and Action on approval of Minutes for March 10, 2005 meeting. (City Secretary)**
3) **Consideration and Action on granting approval to the Economic Development Corporation for the purposes of borrowing funds for the potential purchase of real property. (City Manager)**
4) **Consideration and Action on approval of a Land Use Plan by Schrickel, Rollins and Associates for the Economic Development Corporation and Community Development Corporation. (City Manager)**
5) **Consideration and Action to approve the sale by auction of 1981 Ford F350 Truck with a sewer cleaning machine on it; a W. E. Grace 1966 or 1967 pull-type broom; and a pull-type rubber-tired wobble wheel roller [year model unknown]. (City Manager)**
6) **Consideration and Action to approve contracts with wrecker services WWWVSC and S & J VSF to hold auctions. (Police Chief)**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district.**

Jennifer Heil, Mercedes Homes, 11494 Luna Road #210 in Dallas spoke about the zoning change request. They are interested in building homes on some of this property.

Randy Squier, 560 North Lakeview, said he would like to see bigger lot sizes. He also questioned if there had been a traffic survey and had Council considered the odor from the sewer plant and all the oak trees.

Jeanette Harmon, 72 Lake Ridge, asked if Kingswood's roads would be affected. She had concerns about the noise level and environmental effect.

Patsy Wilder, 611 North Lakeview, expressed concerns about the size of the lots. She said the smell is bad, there is no city sewer, the road is in bad condition, and there could be a definite problem with runoff from that area. She asked if perhaps a park could be put there. We've lost some wildlife in the area.

Jan Spencer, 611 North Lakeview, said she agrees with Randy Squier and Patsy Wilder. She asked the City Council to please listen to their requests.

Mike Fahey, 144 Kingswood, said he agrees with the other speakers. He said the smell is bad. He asked that Council approve the zoning at R-1-10000.

Gene Tisdale, 524 Howard, said he agrees with Randy Squier. He doesn't want any more traffic in that area.

Mayor Johnson closed the public hearing at 9:00 PM.

2) **Discussion on an Ordinance for a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district. (Planning & Zoning Commission)**

The background of this property was discussed. The odor and road problems will be addressed. We also need commercial development in this area. There will be some parkland on part of this property. Perhaps we can compromise and work with Mercedes Homes. Mayor Johnson said this will be an action item on the April 14 City Council Agenda.

3) **Consideration and Action to set date and arrangements for the Annual Volunteer's Dinner in April 2005. (City Secretary)**

Motion to set the date of Tuesday, April 19, at 7:00 PM was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

4) **Consideration and Action to amend Resolution #021005.2 changing Early Voting hours and dates. (City Secretary)**

Motion to approve Item I-4 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

5) **Consideration and Action on selection of a member for the Denton County Transportation Authority Board of Directors. (City Secretary)**

Motion to select F. E. "Skip" Kalb was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Johnson closed the regular meeting at 9:43 PM.

J. **EXECUTIVE SESSION:**
The City Council to convene in closed session under Section 551.072, Texas Government Code, for the purposes of consultation with a City Attorney on a matter of deliberation regarding real property.

Mayor Johnson called the regular meeting back to order at 10:32 PM.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION.

No action was taken.

L. CITY MANAGER REPORT

City Manager Earl Berner said the kitchen should be done within two weeks.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 10, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Ken Stapleton was absent.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Richard Dallof, Building Official, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. PROCLAMATION (S)

Mayor Johnson read a proclamation for the Boys & Girls Club proclaiming the week of April 3, 2005 through April 9, 2005 as Boys and Girls Club week in Texas.

F. VISITORS/CITIZENS AGENDA

Jeanette Harmon, 72 Lake Ridge, Kingswood Mobile Home Park, said she would like the Council to change the code for the mobile home parks. For some time now the aging condition of Kingswood hasn't mattered to anyone. She would like to propose that any replacements in the park be 1990's year models or newer.

G. REPORTS:

Boards and Commissions

Richard Martin reported for the Parks and Recreation Board. He said there have been a few more people that have contributed money or supplies to the carnival. The Jetski event is set for July 31.

Kathleen Gilliland, Keep Lake Dallas Beautiful Committee, said they have been receiving cell phones for that project. The Willow Grove Park cleanup is April 16 from 9 until noon. There are several groups who have already made commitments for the cleanup: Technicians on Wheels, Float & Fly, the Parks and Recreation Board, the Fire Department,

Texas Waste Management, Sonic and the I-HOP. There will be a $100 prize for group that has the most people participating for the three hours and a $100 prize for the group that picks up the most trash. There will be two $25 prizes to be announced during the clean up and the first 50 people to show up will get a cap with the City logo on it. We have two more applicants for our committee.

H. AGENDA BRIEFING

City Manager Earl Berner said that the February financials, the February 24 Minutes, an Ordinance to amend the definition of 'Masonry' for accessory buildings, appointments to the Keep Lake Dallas Beautiful Committee and Parks and Recreation Board are under the Consent Agenda. Also under the Consent Agenda is an amendment to the Budget to implement a TIP line/940-497-INFO. It is a confidential line that will ring in Sgt. Frazier's office. We are hoping this money will help with the apprehension and conviction of criminals in the City. Under Business we have a pubic hearing and Special Use Permit Ordinance for a Church on Main and Carlisle.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of February financials. (City Manager)**
2) **Consideration and Action on approval of Minutes for February 24, 2005 meeting. (City Secretary)**
3) **Consideration and Action on approval of an Ordinance to amend Section 122-2, "Definitions," of Article I, "In General," Chapter 122, "Zoning," of the City of Lake Dallas Municipal Code to amend the definition of "masonry" for accessory buildings in residential districts. (City Manager)**
4) **Consideration and Action on approval of a Budget Amendment in the amount of $6,000 to institute a reward program for tips on crimes committed in Lake Dallas. (City Manager)**
5) **Consideration and Action on appointments to Keep Lake Dallas Beautiful Committee [Pat Phillips and Robert Thomas]. (City Manager)**
6) **Consideration and Action on an appointment to the Parks and Recreation Board [Robert "Chris" Patterson]. (City Manager)**

Councilmember Connors asked that Item 5 be pulled from the agenda.

Motion to approve Items I-1, 2, 3 4 and 6 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

Motion to Approve Item I-5 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

J. BUSINESS:

1) **Public Hearing to consider proposed Special Use Permit to operate a church at 703 Main Street, Lake Dallas, Denton County, Texas. (Building Official)**

Marion Palmer, 1713 Morning Glory, Corinth, pastor of Lifespring Fellowship Church spoke. He said the current Sunday morning attendance is about thirty people. Right now they are only leasing the front building and their two to three year goal is an attendance of one hundred people.

2) **Consideration and Action to approve an Ordinance to allow a Special Use Permit to operate a church at 703 Main Street, Lake Dallas, Denton County, Texas. (Building Official)**

Motion to approve Item J-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner called Council's attention to the two new chairs at the dais, which are for staff. He said that in two weeks the kitchen should be complete. The new part-time parks/maintenance person started this week. During spring break the Public Works Department will widen out the street at Main & Falcon to facilitate turning. An arrest warrant has been issued pertaining to the Willow Grove Park barriers. He asked Council to check the I-35 service road area for the pile that is gone. Work should be beginning on I-35 within about three to four weeks.

Mayor Johnson complimented City Manager Earl Berner about the article in last week's Sun about our audit. She said the four mayors will meet next Thursday about the fire department funding.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 7:55 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 24, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

B. INVOCATION

The invocation was given by Councilmember Stapleton.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
The Pledges of Allegiance were led by Mayor Johnson.

D. ANNOUNCEMENTS

There were no announcements.

E. VISITORS/CITIZENS AGENDA

Mayor Johnson welcomed some students from North Central Texas College.
No one came forward to speak so Mayor Johnson closed the Citizen's Agenda.

G. AGENDA BRIEFING

City Manager Earl Berner gave the agenda briefing.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for February 10, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of an Interlocal Cooperative Agreement with Denton County for the removal and transport of construction debris from the frontage of I-35E. (City Manager)**
3) **Consideration and Action to accept the 2004 Annual Racial Profiling Statistical Report.**

Motion to approve the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Johnson commended Police Chief Nick Ristagno on the good report.

I. BUSINESS:

1) Consideration and Action on approval of an Ordinance to abandon an 8-foot by 51.3 foot portion of the unbuilt Carrollton Street. (City Manager)

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

J. WORKSHOP:

1) Lakeview Rehabilitation and Extension.

City Manager Earl Berner said we need to be prepared for more traffic on North Lakeview.
Tom Hoover gave an estimate of approximately $1.3 million to prepare Lakeview for a much larger volume of traffic. This should be planned to be accomplished in phases.
We should check out the possibility of getting a grant. We should also see if we can get any monetary assistance from Mercedes and Upper Trinity.
The City Manager should find out if the utilities will be underground and bring information back to the City Council regarding this street and also check into repair of other streets.

K. CITY MANAGER REPORT

City Manager Earl Berner said that Public Works had repaired the entrances to Willow Grove Park at Thompson Lane and Lakeland.
The building custodian will start mid-March.
The Resort Realty project has been help up until the end of March.

L. NEW AGENDA ITEMS

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 10, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Alan Fletcher was not present due to a death in the family.

Also present: City Manager Earl Berner, Police Chief Nick Ristagno, Tom Hoover, City Engineer, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Ken Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the Pledges of Allegiance.

C. ANNOUNCEMENTS

There were no announcements.

D. VISITORS/CITIZENS AGENDA

Debbie Pierce, 512 Atchison, thanked the Council for paving their road. She said it was great. Her concern is that Waste Management is picking up trash at early, early hours (from1:00 to 5:00 AM) at Daniels and the ISD. She has talked with Oscar at Waste Management and has talked with Richard Dallof at the City and has been told that if she can call when the trucks are picking up trash then the Police Department could issue a citation. She requested that the police try to could be around ISD or Daniels around 3 AM on Monday it would be a bighelp.

Mayor Johnson said she would give the request to the City Manager and have him talk with the Chief and someone will contact her.

F. REPORTS:

Boards and Commissions

Richard Martin, Parks and Recreation Board, thanked the Council for giving them the chance to have the Mardi Gras parade. It was a good event. They are working on the carnival and it looks as if they may have a good sponsor.

Kathleen Gilliland, Keep Lake Dallas Beautiful Committee, said there a few changes. They will meet every month on the second Tuesday at 7:30 PM. They are proceeding with thecell phones project; have started an art contest for the high school for the KLDB logo—there will be $50 First Prize and the Second Prize is $25. They have challenged the students with "what is beautiful about Lake Dallas" in the logo. Marcia Rios will publish a monthly article in the Lake Cities Sun. The cleanup of Willow Grove Park on April 16 will offer $200 in prizes. The group who gets the most people to participate will win a prize and the group who gets the most trash will also win a prize.

Mayor Johnson said the 4-a Board approved a grant for the hotel that will be on Swisher Road.

G. AGENDA BRIEFING

City Manager Earl Berner said the first two items on the Consent Agenda are housekeeping. The third item sets the May election. The last item on the Consent Agenda is the contract with the county. The ISD is going to have an election so we'll be under budget because we'll be able to split some of the costs.
Under regular business we have the Atmos item and then the repave/rehab of some streets. The Workshop concerns the hours of operation at Willow Grove Park.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of January Financials. (City Manager)**
2) **Consideration and Action on approval of Minutes for January 27, 2005 meeting. (City Secretary)**
3) **Consideration and Action on approval of a Resolution calling the May 7, 2005 General Election and Charter Amendment Election. (City Secretary)**
4) **Consideration and Action on approval of a Resolution to contract election services with the Denton County Election Administration for the May 2005 election. (City Secretary)**

Motion to approve all Consent Agenda Items with the exception of number 3 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Harper
Noes: None

Motion Passed

Motion to approve Item 3 on the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.

Motion to amend the previous Motion by making the change of the Parks and Recreation Board to seven members (not 5) and two alternates and delete Proposition 7 was made by Councilmember Connors. Second by Councilmember Marino.
Amended Motion:
Ayes: Councilmembers Marino, Connors, Stapleton, and Harper
Noes: Non

Motion Passed

Original Motion:
Ayes: Councilmembers Marino, Connors, Stapleton, and Harper
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action on proposed rate increase for gas service by Atmos Energy Corporation. (City Manager)

Motion to approve Item I-1 was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Harper
Noes: None

Motion Passed

2) Consideration and Action to determine street rehabilitation projects. (City Manager)

Motion to approve Agenda Item I-2 in order to repave and rehab various streets in Lake Dallas was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Harper
Noes: None

Motion Passed

J. WORKSHOP:

1) Review of rules and restrictions at Willow Grove Park. (City Manager)

The hours aren't in the Ordinances but they are posted and if you are not camping you are supposed to leave the park by 10:00 PM. After discussion it was determined that the hour should be changed to 12:00 AM. The sign will be changed and a memo sent out to advise the officers of the change.

K. CITY MANAGER REPORT

The Keep Lake Dallas Beautiful Committee was receptive to the adopt-a-street suggestion at the last Council meeting.
At the next Council meeting we will have an interlocal cooperative agreement with Denton County to move the dirt on the I-35 frontage area for a cost of $200.
Thanks to Richard Martin and the Parks and Recreation Board for the Mardi Gras celebration being a success with such a short time to work on it.
The equipment is coming in for the kitchen.
Next week the Planning & Zoning Commission has the rezoning for the Resort Realty property.
The Tasers are now on the streets.
He went to a meeting this morning in Lewisville about the Lake bridge. There has been some delay. The bridge is still under design.
Next month we should have Tom Hoover look at Lakeview Drive and then we should workshop it to discuss about how far we want to extend it and talk with Denton County.
We will want to have more access for the Resort Realty area construction.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Connors, Stapleton, and Harper

Noes: None

Motion Passed

The meeting was over at 8:20 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LA[illegible] DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 27, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Ken Stapleton called in to say he was unable to attend tonight.

Also present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. VISITORS/CITIZENS AGENDA

Richard Martin, 610 Thompson, gave an update on the Parks and Recreation Board. Work on the carnival is moving along well. He said tonight Mr. Tierney was going to talk about a Fat Tuesday Mardi Gras celebration.

Greg Tierney, 503 Main Street, asked for an unofficial blessing to have a parade on February 8. He said he had a number of float commitments for a parade to start at 5:45PM at City Hall and then proceed to the Duck Inn. He said they are planning on having a masquerade party and would like to have not quite a quorum for the judging. There will be a petting zoo and a bounce house. The Gumbo Kings will perform from 8 PM until 11 PM.

Ali Hemmati, 723 Hundley, said he is building a house at 711 Hundley and is doing some fence work. They did not realize there was a height restriction of 36" for front fences. He said they could adjust for that but the posts for the driveway will be over 5' high. In looking at different houses he has seen some drives where the entrance posts are over 5' high and he thinks our code should be changed. We could do it for the beauty of the community. He said he would like to make his $200,000 house look better. He said visibility shouldn't be

hampered by the posts and gave Mayor Johnson some pictures to look at and pass around to the Councilmembers. He feels his entrance will enhance the neighborhood.

Mayor Johnson asked him to meet with the City Manager.

F. AGENDA BRIEFING

City Manager Earl Berner said the four items under the Consent Agenda are mainly housekeeping. Under business: the Auditor will present the financial report; the proposed hotel site plan will be presented and they would like to start construction around end of March; the part-time maintenance person is also on this agenda. We should probably postpone the workshop item since Councilmember Stapleton isn't here.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for January 13, 2005 meeting. (City Secretary)**
2) **Consideration and Action on approval of 4th Quarter 2004 Investment Report. (City Secretary)**
3) **Consideration and Action on appointment of Carolyn Green, Gary Johnson, Tony Marino and Terry Tuck to two-year terms for the Community Development Corporation. (Community Development Corporation)**
4) **Consideration and Action on revision to the Personnel Manual by recognizing short-term liability option when determining sick leave, comp time, and/or vacation time to be used. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

H. BUSINESS:

1) Consideration and Action on acceptance of 2004 Financial Audit. (City Manager)

Motion to accept the 2004 Financial Audit was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

2) Consideration and Action on approval of proposed site plan for proposed hotel. [Planning & Zoning Commission]

Motion to approve Item H-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

3) **Consideration and Action on approval of adding a permanent part-time position to City Staff to perform mainly janitorial and light maintenance duties. (City Manager)**

Motion to approve Item H-3 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

I. WORKSHOP:

1) **Review of rules and restrictions at Willow Grove Park. (City Manager)**

With the approval of the Councilmembers this item is to be moved to the next meeting agenda.

J. CITY MANAGER REPORT

City Manager Earl Berner said that Upper Trinity has some chemicals they can use to help eliminate the odor problem for their facility.
The County can help with the removal of the dirt pile on I-35. It will cost about $400.
We have put up new 'welcome' signs and the public works people are replacing stop and street signs.
The work on the kitchen continues. They will start the sheet rocking tomorrow.
Chief Ristagno has talked with some state officials in an effort to have TxDOT replace the city limit signs with Lake Dallas instead of Hickory Creek.
City Manager Earl Berner said the city attorney has prepared the propositions for the Charter Amendments and we'll be discussing them at the next meeting.

K. NEW AGENDA ITEMS

The Planning & Zoning Commission should do a review of our Municipal Code for the requirements on posts for gates.
Along south Main Street it looks as if people are tossing their litter out when they are returning from the lake. Perhaps we can get someone to adopt that street? The Keep Lake Dallas Beautiful Committee was mentioned.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:10 PM.

Marjory Johnson, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 13, 2005 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present: City Manager Earl Berner, Police Chief Nick Ristagno, and Acting City Secretary Joni Vaughn.

Councilmember Connors was absent.

B. INVOCATION

Councilmember Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS

There were no announcements

E. VISITORS/CITIZENS AGENDA:

Greg Tierney, owner of Duck Inn, 503 Main Street, spoke regarding a family-oriented Mardi Gras Celebration for Denton County. Mr. Tierney suggested a short parade beginning at City Hall and ending at Duck Inn. Mr. Tierney has been in contact with a number of organizations who would like to participate. He would like some assistance from the City with street closures and help from the Park Board.

Mayor Johnson suggested to Richard Martin, Chairman of the Parks Board, that Mr. Tierney's suggestion be put on the Park Board agenda for discussion.

Richard Martin, 610 Thompson, agreed that the idea for a Mardi Gras Celebration was a good idea and would put it on the Parks agenda. Mr. Martin also spoke in favor of the proposed development for the J.V. Thompson subdivision.

Steve Wohr, 715 Lakeland, also spoke in favor of the development for the J.V. Thompson subdivision.

Greg Tierney, 503 Main Street, said as a business owner, he supports the development in J.V. Thompson subdivision.

Mayor Johnson closed the Citizen's Agenda.

F. REPORTS:
Boards and Commissions

Richard Martin, Chairman of the Parks and Recreation Board, reported that the Board is working on another carnival for May 13th – 15th.

Kathleen Gilliland, Keep Lake Dallas Beautiful Committee, reported that the next meeting will be February 8th at 7:30p.m. at City Hall. KLDB has a new project; collecting used cell phones. Also, Saturday, April 16th is the Willow Grove Park Clean-up.

Carolyn Green, Chairman of the Community Development Corporation, reported that Phase 1 of the Parks plan is almost complete. Work will begin soon on the walking and bike trails.

Councilmember Fletcher expressed concern that once completed, the bike and walking trails might be misused by people with four-wheelers and motorcycles.

Mrs. Green assured Councilmember Fletcher that no motorized vehicles or Horses would be allowed on the trails.

G. AGENDA BRIEFING:

City Manager Earl Berner gave an overview of the agenda items to be voted on.

Mayor Johnson commented on a letter she had received from a citizen who had received a traffic citation. The letter commended Officer Louderback for his professionalism in handling the matter.

Chief Ristagno stated that Officer Louderback would receive a copy of the letter and a copy would be placed in his personnel file.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for December 6, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of December 2004 financials. (City Manager)**

Motion to approve was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Fletcher, Marino, Stapleton and Harper
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of proposed site plan for Unified Aircraft expansion. (Board of Adjustment)**

Motion to approve was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Fletcher, Marino, Stapleton and Harper
Noes: None

Motion Passed

2) **Consideration and Action on approval of proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots. (Planning & Zoning Commission)**
Councilmember Marino recused himself.

Motion to approve was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Fletcher, Stapleton and Harper
Noes: None
Abstained: Councilmember Marino

Motion Passed

3) **Consideration and Action on entering into a joint study with other lake cities to consider the development of a multi-jurisdictional animal facility. (Chief of Police)**

Chief Ristagno recommended the Council appoint a committee to enter into discussion of the matter with the other cities. Councilmember Fletcher asked that prior joint contracts be kept in mind when the committee is negotiating. It was suggested that Chief Ristagno, City Manager Berner, and Mayor Johnson make up the committee.

Motion to approve was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Fletcher, Marino, Stapleton and Harper
Noes: None

Motion Passed

4) **Consideration and Action on proposed Charter Amendments for May ballot. (City Manager)**

Motion to approve was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Fletcher, Marino, Stapleton and Harper
Noes: None

Motion Passed

J. CITY MANAGER'S REPORT

City Manager Earl Berner reported that the Administration Department had a new part-time employee, Michele Van Stavern. Michele will initially be assisting in the front office with Community Development and Municipal Court. After the Court Clerk returns from Maternity Leave, Michele will be assisting the City Secretary and Accounting Clerk. The Equipment Finance Contract has been completed and the purchase of equipment is under way. Construction for the new hotel will begin around the end of March. The hotel will be at the back of the property with two retail centers at the front of the property. Construction on the retail centers should begin in April. Staff met with the owner of 11 vacant lots in Harbourtown He will be starting construction soon of the first four homes. Work has begun on the Community Room Kitchen. The floor has been completed. The kitchen should be completed in mid-February. New rental fees and policies will need to be discussed. Staff would like to add a part-time employee to handle the janitorial duties for the building.

K. NEW AGENDA ITEMS

Councilmember Stapleton requested a review of the hours of operation at Willow Grove Park be put on the next agenda.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Fletcher, Marino, Stapleton and Harper
Noes: None

Motion Passed

Meeting was adjourned at 8:00 p.m.

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 9, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was absent.
Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Connors said the December Texas Highways issue had a wonderful article in it about our Lone Star Tamale restaurant operated by David and R-O Owen.

Richard Martin said the tree lighting event went well and that maybe it will be bigger and better next year.

Mayor Johnson introduced some girls who are Lake Dallas High Steppers. They had participated in the Macy's Thanksgiving parade this year. They said it was a great experience to be in the parade, walk the streets, and enjoy seeing all those things in New York City. They were able to meet Katie Couric.

E. VISITORS/CITIZENS AGENDA

Jim May, Spirit of Christmas, thanked the City Council for allowing them to use the Linwood Gilliland Community Room for organizing all the gifts for the program this year. He said they are ready for the wrapping on Friday night. More than 350 children will be receiving gifts this year. There are over 3000 gifts to be wrapped. The Elementary School had 4800 cans of food donated and the High School had 4200 cans. There are three other schools that will be contributing food. This year he found someone who donated 2,000 gift boxes. The Thanksgiving food distribution was handled by all the churches. The coats and jackets have already been distributed.

The wrapping starts at 6 PM and lasts until all the gifts are wrapped. If they receive more canned goods than can be used for the families the rest will be taken to the Food Pantry. The Corinth Parks Department will transport the food December 10. Lake Dallas Officer Deb Roach will spend the night at the intermediate school Friday night.

F. AGENDA BRIEFING

City Manager Earl Berner said that a couple of the items on the Consent Agenda are housekeeping items [the two rezoning items were approved by Council action but Ordinances had not been made]. He said that last year in November we had to get a loan for operating expenses and that so far this year we have not had to borrow. We can auction off a couple of the older cars since new vehicles have been purchased. It is time for the annual renewal of Lake Cities Soccer Association agreement and the Court Clerk is requesting the purchase of new computer.

Under regular business is a public hearing for a replat; a presentation by John Klaiber for Waste Management's proposed rate increase; the equipment finance contract bids and ordinance and a budget amendment.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for November 11, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of November 2004 financials. (City Manager)**
3) **Consideration and Action on approval of an Ordinance for a 1996 zoning change for Lot 2 of Sundown Acres from R-1-10000 Single-family Dwelling District to R-1-7200 Single-Family Dwelling District. (City Secretary)**
4) **Consideration and Action on approval of an Ordinance for an August, 2004 zoning change for Tracts 13 and 13A of Abstract 0958A McCarroll from R-1-6000 Single-Family Dwelling District to C-2 Commercial District. (City Secretary)**
5) **Consideration and Action to approve the sale, by auction, of one used 1989 Chevrolet Celebrity and one 1998 Ford Crown Victoria. (City Manager)**
6) **Consideration and Action on approval of an Ordinance for a facility use agreement with the Lake Cities Soccer Association for the purpose of using a city owned facility for recreational activities. (City Secretary)**
7) **Consideration and Action to authorize the purchase of a new computer for Municipal Court from the Municipal Court Technology Fund. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, Fletcher, and Harper

Noes: None

Motion Passed

H. BUSINESS:

1) **Pubic Hearing on proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots.**

Jackie Kovsky, 311 Surf, read a letter from Carl & Linda Thomas of 736 Thompson Drive. They were out of town and unable to be at the meeting. The letter stated that they were against allowing the replat. They also submitted a petition which had been signed by ten people stating they lived within two hundred feet of the property and were opposed to the replat.

Jackie Kovsky said she has lived in this house for over 50 years. Her husband died and she had planned on staying here the rest of her life. Thompson is a narrow little road and all these new houses would cause a drastic increase in the number of cars and people on this road. She is asking that we ask the builder to back off the total number of homes.

Paula Blackshear, 721 Thompson, said she would be right next to this property. She said Thompson is a very narrow road. She said you can barely get two cars side by side on that street and it dead ends and that seven more houses would be too many more for that small an area to be practical. She thanked the Council for their consideration.

Tony Marino, 727A Main Street, said this is property that his parents bought a year ago. It's part of their potential retirement. The property is zoned R-1-4000 and has been vacant for many years. It had previously been used for boat storage or for mobile homes. He said they had looked at it for town homes or condos. They have been doing research to see what would be best for the neighborhood and the City. John Allen would be the builder. He's been building quality custom homes and would build affordable custom homes. He showed Council an idea of the potential type of housing that is being proposed. He said that tax revenues and building costs would mean more money for the City. He said he appreciated Council's time and consideration.

Mayor Johnson closed the public hearing when no one else came forward to speak.

2) **Discussion on approval of proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots. (Planning & Zoning Commission)**

There was discussion about the road being narrow and that the majority of roads in the City are pretty narrow. There could be a lot more mobile homes on that property than the proposed seven homes. We also have to take into consideration everyone's rights which includes the property owners.

Tony Marino said they would probably start off with 1300 or 1400 square foot homes and they would be one-story, brick homes. He said they'd be willing to give up some of the property as easement for the street so the road could be widened if that would help.

Lakebridge Estates has 1500 to 3500 SF homes and the lots are about the same size as the proposed lots in the replat.

Mayor Johnson said that if the property owner gives up some of his property to widen the road some of the current property owners may not want to give up part of their yards for easement for a wider street. She also mentioned that the end of Thompson and Glen Rhea will have additional parking areas with the implementation of the Parks Plan.

Mayor Johnson said there will be another opportunity to speak on this item on the Citizen's Agenda at the next next meeting.

3) Consideration and Action to propose an Ordinance for a proposed rate increase by Waste Management. (City Manager)

John Klaiber, Waste Management, said the contract as established years ago provides for an annual rate increase and the contract also provides for an automatic increase if the increase is less than 4%. The rate increase is tied to the CPI. The most recent CPI for the D/FW area is 2.2% which means they do have the ability to do an automatic increase on the next bills.

Motion to approve the Ordinance for the proposed rate increase by Waste Management was made by Alan Fletcher. Second by Carol Ann Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

4) Consideration and Action on acceptance of a bid for the Equipment Finance Contract. (City Manager)

Motion to approve the Ordinance authorizing the execution of a finance contract for the acquisition of equipment, the selection of Northstar as the financing entity and, to authorize the Mayor to execute all contracts and documents related to this financing was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

5) Consideration and Action on approval of an Ordinance for the contract on the Equipment Finance Contract. (City Manager)

Motion for the approval of the Ordinance for the Equipment Finance Contract was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

6) Consideration and Action on approval of an Ordinance for a Budget Amendment for the Equipment Finance Contract. (City Manager)

Motion to approve the Ordinance for a Budget Amendment for the Equipment Finance Contract was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Earl Berner reminded the Councilmembers of the dinner on December 17 and said there would be a Chinese gift exchange.

He said that on one of the tours of the City they noticed that some of the entrance signs are not very up-to-date so we have ordered more and will install them.

There has been communication with Resort Realty and the Swisher Road extension. We will split the $8300 cost for a survey. Mayor Johnson said that cost is an Economic Development Corporation expenditure.

We are in the process of hiring the part-time clerk for the administration side. The kitchen work is underway and the utility lines are in. Chief Ristagno has ordered the equipment. The framing will begin next week and the week after that the flooring is scheduled.

The 4b meeting for next Monday is probably going to be cancelled. We have had conversation with the director of the Boys and Girls Club and they've been trying to get the electricity to work. They have a $2360 bid for half of the building and we are assuming the other half of the building will be about the same. Their budget is strained so they are asking if Council will let them use the money the Club is putting in savings. He said his personal feeling is that it's the City's building and we should pay for it ourselves but we are under a tight budget. He's looking for guidance. Mayor Johnson said she thinks it would be good for them to go ahead and use that money for the repairs but she would like to see that money come through us and perhaps we should have a bank account with the City's name on it. City Manager Earl Berner said he will convey that to them.

J. NEW AGENDA ITEMS

After the first of the year we should look at the Dial-A-Ride situation again. It looks as if the County is going to take it over again.

There was discussion about the pile of dirt on I-35. The county will be willing to bring the equipment to load out the dirt if we'll pay for the gas and do the manpower. City Manager Earl Berner said we'll need to find a place to dump it. John Klaiber said maybe they can help.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 8:35 PM.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 11, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Harper arrived at 7:38 PM.
Also present were City Manager Earl Berner, Police Chief Nick Ristagno, City Attorney David Berman, and City Secretary Beverly Weikum.

B. INVOCATION

The invocation was given by Councilmember Ken Stapleton

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Richard Martin said the Annual Christmas Tree-Lighting will be on December 4 at 7:00 PM. Councilmember Ken Stapleton will read a Christmas story. Santa Claus will be there.

Mayor Johnson read a proclamation recognizing November 11 as Veterans Day and proclaiming the week of November 11 – 18, 2004 as Veterans Recognition Week.

E. VISITORS/CITIZENS AGENDA

Margaret Tisdale, 509 Howard Drive, said she wanted to thank each of them for all their hard work and all the work on the streets. She said that Atchison looks really great.

Jim May and wife Sue Jean, from the Spirit of Christmas, presented a certificate to thank them for all the service the City has done: providing the Linwood Gilliland Community Room and the Santa last year and for providing the room again this year. They handed out t-shirts for the Spirit of Christmas this year. They said there were 93 runners this year. December 10 is the wrapping date this year.

F. AGENDA BRIEFING

City Manager Earl Berner said the Consent Agenda consists mostly of housekeeping items and appointments plus the financials for October and an Ordinance to amend the fees for liquor licenses. We had overcharged last year and will need to refund approximately $2,000. Chief is requesting funds from the Court Security Fund to install more cameras and monitors. On the public part of agenda we have an application for exemption to the 80%

masonry requirement, scheduling for November and December activities, and then the workshop on proposed Charter Amendments.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for October 14, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of October 2004 financials. (City Manager)**
3) **Consideration and Action on appointment of Earl Berner to the Fire Board. (City Secretary)**
4) **Consideration and Action on appointment of Robert Thomas to the Parks and Recreation Board. (Parks and Recreation Board)**
5) **Consideration and Action to amend Article I, "In General," of Chapter 10, "Alcoholic Beverages," of the Lake Dallas Municipal Code of the City of Lake Dallas, Texas by amending Section 10-32, "Fee." (City Secretary)**
6) **Consideration and Action on approval of an expenditure to be made out of the Municipal Court Security Fund. (Chief of Police)**
7) **Consideration and Action on appointments to the Community Development Corporation (4-b Board).**

Motion to approve the Consent Agenda was made by Councilmember Alan Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Johnson closed the regular meeting at 7:43 PM.

H. EXECUTIVE SESSION:

The City Council to convene into closed session under Section 552.071 (2), Texas Government Code, for the purposes of seeking confidential legal advice from the City Attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 552, Texas Government Code.

Mayor Johnson called the Regular Meeting back to order at 8:20 PM.

I. ACTION, IF ANY, FROM EXECUTIVE SESSION.

No Action was taken.

J. BUSINESS:

1) **Pubic Hearing on application for exemption to the requirement of 80 percent masonry for exterior surfaces [Code of Ordinances Section 122-409] for the structure located at 209 Main Street, City of Lake Dallas, Denton County, Texas.**

No one came forward so Mayor Johnson closed the Public Hearing.

2) **Discussion on approval of an application for exemption to the requirement of 80 percent masonry for exterior surfaces [Code of Ordinances Section 122-409] for the structure located at 209 Main Street, City of Lake Dallas, Denton County, Texas. (Planning & Zoning Commission)**

There was Council discussion about hardy board and asking the Planning & Zoning Commission to discuss approved uses for this type of building material for storage buildings. There was also discussion that this building could be grandfathered. City Manager Earl Berner will check the circumstances and code with the Building Official to determine if this is the proper action. We should advise Mr. Lantrip of the findings and, if necessary, issue a refund.

3) **Consideration and Action to determine date for a second November meeting, if necessary. (City Manager)**

Motion not to have another November meeting was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) **Consideration and Action on Holidays schedule for November and December. (City Manager)**

Motion to let the City Manager make the decision and advise the Councilmembers about the time and place for the employees recognition dinner and to have only one meeting in December, December 9, was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

K. **WORKSHOP:**

1) **Process and scheduling for proposed Charter Amendments for ballot on May 2005 election.**

Council discussion included a proposition which would allow the Mayor to be counted as part of a quorum and to allow a vote to the Mayor in the absence of quorum or a tie situation. There was also discussion about term limits. It was determined that we should have a proposed proposition that would require that a councilmember resign if said councilmember officially files to run for a council seat other than reelection for their current place. Councilmembers in cities that have three-year terms are required to resign when they run for another seat.

Consider abolishing the Appeals Board since it has only been used once since the City became a Home Rule city.

There was discussion about the Parks and Recreation Board and possibly decreasing the number of members [five regular and two alternates like the other boards and commissions]. There was also discussion about the chair of that board being able to vote. The Parks board adopted a set of guidelines that says the chair does not have a vote. The board should write a

Mission Statement. The verbiage in the Charter should be reviewed and the Parks and Recreation Board can discuss it at their next meeting. Setting term Limits for Councilmembers was discussed. There are advantages as well as disadvantages to term limits. Citizens could ultimately decide on the term limit situation.

The Councilmembers determined they did not want four-year terms. They discussed removal of term limits for the boards and commissions.

There was discussion about removal of the requirement that the City Manager must reside in the city. This requirement could be in conflict with the State code.

The City has to advertise the tax rates and other budget figures twice each fall at budget time to satisfy requirements of the State and Charter. We could remove the Charter requirement to publish the ad for the budget and save some of the advertising expense.

L. CITY MANAGER REPORT

City Manager Earl Berner said that on November 16 at 7:00 PM there will be a meeting for the Swisher Road property owners with Denton County representatives regarding the existing and middle section rights of entry for the road expansion project. The City Secretary should post a possible quorum for the City Council for that meeting.

On December 6 at a meeting of the Economic Development Corporation, Schrickel, Rollins and Associates will do a presentation on the land use plan. We are inviting the City Council, the Planning & Zoning Commission, and the Community Development Corporation to this meeting. We will post possible quorum so the open meeting requirements will be met. We want to get as much input as we can and Schrickel, Rollins and Associates will put that in the plan which will be presented to the public in January.

We are assisting the engineers in franchise and re-location of utility lines on the Swisher Road extension.

We met with Mercedes Homes to determine a settlement. We proposed a 6-acre block instead of a 200' strip and they are agreeable if they get the same yield for the residential portion. The cost of the survey will be split.

Financing on the equipment bids are out and responses are due back 12/1. We've already purchased computers and the squad cars are on order.

The speed buttons have been set at River Oaks Way Park.

There's been a lot of discussion and action on the tax exemption for seniors throughout the State. This item will be work-shopped.

M. NEW AGENDA ITEMS

There is a fire ant problem at Willow Grove Park. We've treated that area once and Johnny will be going back for the next treatment soon.

Are there any rules and/or regulations about odor emissions from a water treatment plant? The success of that property being developed to our advantage depends on "which way the wind's blowing."

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:10 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 14, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION

The invocation was given by Councilmember Stapleton.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance

D. ANNOUNCEMENTS

Mayor Johnson introduced Earl Berner, City Manager, and said the Reception will be held at the end of the meeting.

E. RECEPTION TO WELCOME EARL BERNER, CITY MANAGER

F. AGENDA BRIEFING

City Manager Earl Berner said most of agenda is housekeeping or normal items. Item I-6 is for appointments of those with prior one-year terms to two-year terms. Item I-7 is a reimbursement Resolution that covers purchases of items approved in the budget. There will be no action on item J-1.

G. REPORTS

Richard Martin, Parks and Recreation Board Chair, said we're going to have a new member and the board has started work on the carnival.

H. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for September 23 and September 30, 2004 meetings. (City Secretary)**
2) **Consideration and Action on approval of September Financials and 3rd Quarter 2004 Quarterly Investment Report. (City Secretary)**
3) **Consideration and Action on approval of a Resolution naming signatories for the bank accounts at Northstar Bank of Texas (City Secretary)**
4) **Consideration and Action on approval of a Resolution naming representatives for TexPool investment accounts. (City Secretary)**
5) **Consideration and Action on approval of a Resolution naming representatives for LOGIC investment accounts. (City Secretary)**
6) **Consideration and Action on term appointments to the Economic Development Corporation. (City Secretary)**
7) **Consideration and Action on approval of a Reimbursement Resolution to permit expenditure of General Funds for the acquisition of selected equipment approved in the FY 2005 Budget subject to reimbursement from Equipment Finance Contract (EFC) funds when they become available.**

Motion for the approval of the Consent Agenda was made by Councilmember Connors. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action to approve an Economic Development Corporation expenditure.**

There was no action taken on this item.

K. WORKSHOP:

1) **Hear plans and proposal from Terry Lantrip for downtown district projects and to seek guidance from the City Council.**

Terry Lantrip said that some of the ordinances we have might not be useful now. He said there has been discussion about an overlay district.

Mayor Johnson said we've asked the consultants to try to come up with something that will be for unique situations.

Terry questioned the Ordinance regarding the 80% masonry requirement for existing structures. He gave the Councilmembers handouts outlining his plan. He said he wants to make sure that someone next door doesn't bring in something that doesn't complement his structures.

L. CITY MANAGER REPORT

There was no report.

M. NEW AGENDA ITEMS

All Councilmembers, instead of just some Councilmembers, should be notified when something is going on. Does this need to be an agenda item or discussed with Mr. Berner?

Concern was expressed about the pocket bikes. This could be handled through discussion with City Manager Earl Berner and Police Chief Nick Ristagno.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 7:48 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on September 30, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 8:00 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno and City Secretary Weikum.

B. INVOCATION

Councilmember Stapleton gave the Invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

The American Legion and VFW Auxiliaries are sponsoring a Safety Fair from 10 AM to 2 PM on Saturday at City Park. It would be a nice event to go to.

E. AGENDA BRIEFING

Interim City Manager Ristagno said that if Council approves the contract with Earl Berner he will start on October 12.
Items H-4 and H-5 are the budgets approved and recommended by the Economic and Community Development Corporations.

F. VISITORS/CITIZENS AGENDA

Gary Johnson, 609 Cain Street, said this is the third time he has spoke on this issue. The proposed tax rate resulted in a 9.2% increase. It's better than a 13% increase, but the budget still needs some trimming. He asked the Council to be fiscally responsible. There are a lot of people on fixed incomes.

Mayor Johnson closed the Citizen's Agenda when no one else came forward to speak.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for September 20, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of Minutes for June 13, 2002 meeting. (City Secretary)**

Councilmember Connors asked that Item G-2 be pulled from the agenda.
Motion to approve Item G-1 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Motion to approve Item G-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2004-2005 for the City of Lake Dallas.**

Motion to approve Item H-1 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

2) **Consideration and Action on approval of an Ordinance setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2004-2005.**

Motion to approve an Ordinance to set the general fund tax rate at $0.52961 and I & S tax rate at $0.10224 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, and Fletcher
Noes: Councilmembers Stapleton and Harper

Motion Passed

3) **Consideration and Action on approval of a contract for City Manager position.**

Motion to accept the contract for the City Manager was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) **Consideration and Action on approval of Community Development Corporation Budget and Strategic Plan for 2004-2005.**

Motion to approve Item H-4 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Bonnie Brown, Post Office Box 25, City of Lake Dallas, said she now resides in Hickory Creek, but ass a long time property owner here she would agree with Gary. There was a tax increase just last year. She appreciates what they've done on the budget, she appreciates Richard's presentation, and she's sure we need those things but everything else [groceries, fuel, etc.] has increased, too. She said we need to watch the City's budget just like we have to watch our own. Being a property owner here in town she sees some other property owners here in town with rental properties and there is a problem with vacancies that she hasn't had in years. The more taxes they have to pay the more they have to increase their rentals. This is not the time to raise the taxes for the budget.

Robbie Robertson, 718 Thousand Oaks, said he has sat on council and hopes they don't have to raise taxes next year. He's been on the fire board for fifteen years. He told Council they have a great a staff and complimented Mr. Huckaby on his presentation. He said the fire allocation formula needs to be changed and that with the situation we're in, they don't have a choice and are doing a great job holding it at a 9% increase. He doesn't think the employees of this town should be subsidizing the city. He said he appreciates all they are doing and he supports this.

Linda Barnard, 5315 Kings Manor said she echoes everyone else's comments. It was a great presentation. She said we do need more services and equipment, but, she thinks the property values on homes in Lake Dallas have been inflated. She would like to see more commercial property here and said it is great to hear we have more prospects. She owns multiple rental properties that have been empty for over a month and at least one that's been empty for over a year. She said she can sympathize and appreciates all the work but with the way the economy is right now the tax increase may not be the answer.

Gene Tisdale, 524 Howard, said he noticed in the budget that the police department has the biggest end of it. He said he appreciated Mr. Huckaby showing us the budget. He feels there is a drug problem in the Kings Manor area and that it is affecting his street. He thinks he'll be able to get his property rented after taking care of the drug problem.

Neta Griffen, 702 Hundley, said they have done a lot of cuts. She said Johnny and his crew need updated equipment to do their work. We have a good police department now and they deserve a raise just as the city staff does. The police department is doing a good job. She lives on Hundley and wants to thank Richard for doing the job that he's been doing. She thinks there's a drug problem on Hundley, too. She thinks there are still some places for some cuts, but they have done well.

Neal Malone, 607 Cain, said it was quite a relief when he saw the 9% tax increase instead of the 13%. He said that is a little more realistic to him. He thinks more effort needs to be done to create our commercial business. For nearly 9 years on the parks board he worked with city employees very closely. The activities could not have happened without Johnny and his crew working side by side with them. The city staff in the office is always helping. We have as good a police department as there is anywhere. They need a raise and should get what equipment they need. Let's help our city as much as we can.

Mr. Whitaker, 713 Hundley, said taxes might not be the answer, but beautification programs might. He said we have more businesses closing and that the appraisal district has tripled his valuation. He said the city is not going to grow any more and that the city has needed new equipment for years. There are people who are residents and property owners. Don't tax these people out of business.

Alice Chandler, 101 Donald Lane, said she agrees we need to give our officers an increase. She said there is a drug problem near where she lives. She doesn't agree with the tax increase unless they can do something about the drug problems. She thinks that is dragging the property value down.

Russell Crow of Flower Mound said they own the Montesorri school on Dobbs road. He said each child going to their school is not going to public school and using those school taxes.

Rod Courtney, 162 Kingswood, told the Council he appreciates what they do. He said he knows what they're going through. It's difficult to tell people you're going to raise their taxes. He thinks they should give out as much information for the 4a and 4b meetings because if these people would come to some of those meetings they would be more acceptable to the tax increase.

Mayor Johnson said the 4a Board meets on the first Monday of the month and the 4b Board meets on the second Monday. She said they are all public meetings and invited everyone to come. The4a board is for economic development. The 4b board is for community development and they just received $150,000 in parks grants.

Robert Thomas, 738 Winding Oak Bend, said he does appreciate all the work that's gone into the budget. He's newly retired. He said he would appreciate it if each of them could go over the budget one last time before they vote next time. Is there a way the 9% can be brought down? He said they are not just fighting the city council, they're looking at the school system and Denton County, and each little bit is chipping away at them.

Mayor Johnson closed public hearing at 9:07 when no one else came forward to speak.

3) Consideration and Action on setting the date of September 30 to vote on proposed tax rate. (Consultant)

Motion to approve Agenda Item H-3 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) Public Hearing to discuss proposed Budget FY 2005. (Consultant)

Robert Thomas, 738 Winding Oak Bend, said that perhaps if he had been given the information he probably wouldn't have got up and said some of the things he said earlier. He certainly is not looking for help by hurting our city.

Gary Johnson, 609 Cain, asked how this tax rate compares with the rollback figure.

Mayor Johnson said it is under the rollback rate.

Mayor Johnson closed the pubic hearing when no one else came forward to speak.

I. NEW AGENDA ITEMS

There were no new agenda items.

J. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:45 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 23, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:31 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Lt. James Lowery, Acting City Manager, Richard Huckaby, Consultant, Richard Dallof, Building Official, Johnny Webber, Public Works Superintendent, Joni Vaughn, Accounting, and City Secretary Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

There were no announcements to be made.

E. PROCLAMATIONS [Friends of the Family]

Mayor Johnson read and signed the proclamation.

F. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Johnson closed the Citizen's Agenda.

G. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for September 9, 2004 meeting. (City Secretary)

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to allow the Spirit of Christmas to use the Linwood Gilliland Community Room from December 5 through December 10. (City Secretary)**

Motion to approve Item H-1 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Public Hearing on proposed tax rate of $0.65635. (Consultant)**

Carolyn Green, 201 N. Shady Shores, said she was not here to say that she approves or disapproves the tax increase or budget but to say "thank you" to the Council, Bev, Joni, Chief Ristagno, and others for all their hard work in compiling this budget. She wants to remind all those in audience that when the City Council votes to increase our taxes they are also increasing their own. She thanked Mr. Huckaby for his presentation. She said the employees are dedicated and loyal and that they give us services that we don't always pay for. She thinks the 5% increase is good for our employees and again thanked them for all their hard work. She said she's been here 34 years and never known a Council that has worked as hard as this one to get to a level to benefit all their citizens.

Richard Martin, 610 Thompson, said he is a member of the Economic Development Corporation and chair of the Parks and Recreation Board and works a lot with these people. He said he knows how hard they have worked on this budget and after this presentation they have worked long hard hours and have dropped it down. He knows a lot of things that are going on because of the Economic Development and Community Development Corporations. We do need some equipment here in the city and more police are needed. He thanked the City Council for their efforts.

Patrick Connors, 754 Texas Oak Trail, thanked Richard Huckaby for the presentation and said it cleared up a lot of things for him. He said he appreciates what Council has gone through. He thinks this tax increase is to address the needs of the future and that the issue with the reserves is troubling. He said he is on the board of Lake Cities Municipal Utility Authority and one of the biggest things they had trouble with keeping personnel. They have implemented a program with merit and their services have increased with employees that stay. He said it will take a lot of work to get commercial businesses here. The budget is something that needs to happen and hopefully you'll vote for it and make it part of the community.

Gary Johnson, 609 Cain Street, spoke against the tax increase because he thinks there's some fat in it. He had pages with 178 signatures reflecting one with no opinion, one for the tax increase and 176 against it. He said there are some things that are nice to have but may not be necessary. As a former councilmember he knows some of the agony they are going through but he urges them to trim things just as he did. He works for a school district and they gave a 3 ½ percent raise for employees. The tax increase makes it harder for some of our business owners to stay here and we need our commercial retail base. Please, either make it no tax increase or just as little as possible. He gave his handout to the Councilmembers.

5) Consideration and Action on approval of Economic Development Corporation Budget and Strategic Plan for 2004-2005.

Motion to approve the Economic Development Corporation Budget and Strategic Plan for 2004-2005 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. STAFF REPORT

An update on the street repairs: Kingswood is completed and they are now working in Kings Manor. They seem to be doing a good job. The City Manager will start October 12. The 2004 Budget ends today. They are planning a photo-op with the ISD on the Tennis Courts completion. The Mayor received a 'thank you' card from some Kingswood residents about the streets. Copies will be made and placed in the Councilmembers boxes.

J. NEW AGENDA ITEMS

There were no new agenda items.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:12 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on September 20, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:00 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno, Richard Huckaby, Consultant, and City Secretary Weikum.

Mayor Johnson closed the regular meeting at 7:01 PM.

B. EXECUTIVE SESSION:

The City Council to convene into closed session to deliberate the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.

Mayor Johnson called the regular meeting back to order at 10:37 PM.

C. ACTION, IF ANY, FROM EXECUTIVE SESSION.

No action was taken.

C. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Harper.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 10:37 PM.

Marjory Johnson
Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Hall met in a regular meeting on September 9, 2004 in the Lake Dallas City Hall, 21 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:31 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 4

Also present were Interim City Manager Ristagno and City Secretary Weikum.

B. INVOCATION

Councilmember Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Mayor Johnson announced the beginning of the City Council Student Award Program is underway.

Mayor Johnson said we regret to inform you that we are re-scheduling the Pubic Hearing [Item J-1] due to transcription error on the agenda. We will publish another notice in the Sun and post another hearing on the budget and tax hearing for the regular meeting on September 23 and the actual vote will be on September 30 at a special meeting.

E. PROCLAMATIONS

Mayor Johnson read a proclamation to Designate the Day of September 11, 2004 as Always Remember 9-11 Day.

F. AGENDA BRIEFING

Interim City Manager Ristagno said that Item J-2 regarding the library funding is in response to the presentation made by Lake Cities Library at the last meeting. The Workshop is for discussion about Agenda planning.

G. REPORTS and PRESENTATIONS

Mayor Johnson asked Neal Malone to come forward. She and the Councilmembers presented Mr. Malone with a Certificate of Appreciation for his many years of service to the Parks and Recreation Board and also to the Community Development Corporation.

Carolyn Green had the replica of the $150,000 check for the Texas Parks and Wildlife grants that were awarded to the Community Development Corporation earlier this month. She presented the check to the audience and City Council. She said the 4b board will be matching this fund so that's $300,000 for parks improvements. She said the voters put this in place by voting to increase the sales tax in 2002. She reminded the audience to not go across the highway and spend their money and asked that they please shop in Lake Dallas.

Kathleen Gilliland, director for Keep Lake Dallas Beautiful Committee, said this is a new organization and needs more members and alternates. She invited everyone to come to the meeting in the Council Chambers on September 28 at 7:30 PM.

Richard Martin, Chairman of the Parks and Recreation Board, said we are going to miss Neal Malone a lot. Right now they are working on the Christmas tree lighting, which will be December 4 around 7 PM. Ken Stapleton will be doing the reading as he has done for the past seven years. They've been talking about a parade but don't have all the details all worked out yet.

H. VISITORS/CITIZENS AGENDA

Gary Johnson, 609 Cain Street, said he had come to the meeting expecting to voice comments on the tax hearing and was dismayed that there's not going to be one. There was an increase last year and he understood that because we had gone several years without an increase. He pleads with the city council not to pass a tax increase. He thinks we can do a better job and that there's some fat that can be trimmed.

Marge Seefeld, 59 Lakeridge, asked a question about the road repairs in Kingswood. She lives on a circle and they only went to her driveway and not to the stop sign and they told her they're not going to do all of that.

Mayor Johnson said staff will look into that.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for August 26, 2004 meeting.**
2) **Consideration and Action on approval of August Financials.**
3) **Consideration and Action on renewal of employee health insurance coverage.**

Motion for the approval of the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

J. BUSINESS:

1) **Public Hearing on setting the date to vote on proposed tax rate.**

There was no public hearing. See announcements above regarding agenda error.

2) **Consideration and Action on Lake Cities Library funding plan as presented at August 26 meeting.**

Motion to approve Item J-2 was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

K. WORKSHOP:

1) Agenda Planning for Council Meetings.

There was discussion about giving the public every opportunity to respond on our agenda items. The item could be read at first meeting and then have it as an action item at the following meeting. Public Hearings would be exempted. We should make an effort not to move away from consent agenda items for the 'business as usual' items. Those items that most impact the City are Ordinances so we could require Ordinances to have two readings unless it's a 'housekeeping' amendment. It was suggested that perhaps the city manager be responsible for reviewing the agenda and making the determination as to which items would appear at two meetings. It should always be a councilmember or the staff that puts an item on an agenda. We do not need an action item for this process to be followed.

L. STAFF REPORT

Chief Ristagno said he will check on the streets in Kingswood. He said he had talked with Tom Hoover yesterday because there was some problem with dust.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

The meeting was over at 8:10 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 26, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno, Building Official Dallof, David Berman, City Attorney, Richard Huckaby, Consultant, and City Secretary Weikum.

Councilmember Stapleton was excused at 8:30 PM.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Chief Ristagno announced the Kids N Cops Back to School Dance will be tomorrow night. There will be cotton candy, popcorn, and sodas. He said that Councilmember Marino will bring some donated candy bars.

Mayor Johnson said we received grant from Texas Parks & Wildlife for City Park. It is a $50,000 matching grant. We are waiting to hear about the $100,000 grant application for Willow Grove Park.

Mayor Johnson said that on August 31 at 7:00 PM there will be a meeting in the Linwood Gilliland Community Room for Main Street planning. Dessert & coffee will be served.

E. AGENDA BRIEFING

Interim City Manager Nick Ristagno said there was nothing to report.

F. REPORTS and PRESENTATIONS
No one came forward with a report.

Mayor Johnson asked Vicki Carusi to come forward. The Mayor gave Vicki a certificate of appreciation for the eleven years she had served on the Library Board and the two years she served on the Community Development Corporation Board.

G. VISITORS/CITIZENS AGENDA
No one came forward to speak so Mayor Johnson closed the Citizen's Agenda.

Mayor Johnson announced that the City Council would go into the Executive Session after the Consent Agenda so the City Attorney would not need to sit through the regular business meeting.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for August 10 and August 12, 2004 meetings. (City Secretary)**
2) **Consideration and Action on amending Section 7 of Chapter 1 of the City of Lake Dallas Personnel Policies and Procedures Manual. (Police Chief)**
3) **Consideration and Action on accepting the resignation of Neal Malone from the Parks and Recreation Board and the Community Development Corporation effective September 8, 2004. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Johnson closed regular meeting at 7:39 PM and the City Council went into the first scheduled Executive Session.

I. BUSINESS:

1) **Public Hearing on proposed zoning change to Tracts 13 and 13A of Abstract 0958A McCarroll property in the City of Lake Dallas, Denton County, Texas from R-1-6000 Single-Family Dwelling district to C-2 Commercial district.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) **Consideration and Action on proposed zoning change to Tracts 13 and 13A of Abstract 0958A McCarroll property in the City of Lake Dallas, Denton County, Texas from R-1-6000 Single-Family Dwelling district to C-2 Commercial district. (Planning & Zoning Commission)**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

3) **Consideration on presentation of the Lake Cities Library Financial Plan and Annual Outlook. (City Manager)**

Casey Cavalier, Lake Cities Library Board, gave handouts of the presentation for the financial plan of the library. He said the library will be thirty years old next year. The library plans to do more outreach for the seniors next year. He said if a library card hasn't been used in three years it is de-activated. Sometime this year they will look at a capital funding program. They also plan to look at a different funding formula for the four cities. The funding for the library will be an action item on the next City Council agenda.

4) **Consideration and Action on the High School Awards Program for $1,550. (Police Chief)**

Motion to approve Item I-4 was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Johnson closed the regular meeting at 9:17 PM. The City Council moved to Item J –2.

J. EXECUTIVE SESSION:

[This item followed item H-1, 2, and 3]

1) **The City Council to convene into closed session under Section 552.071 (2), Texas Government Code, for the purposes of seeking confidential legal advice from the City Attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 552, Texas Government Code.**

Mayor Johnson called the regular meeting back to order at 8:40 PM.

2) **The City Council to convene into closed session to deliberate the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.**

Mayor Johnson called the open meeting back to order at 9:37PM and moved to Item K-2.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION.

K-1: Mayor Johnson said Council would take no action on this item.
[Council moved to Item I-1]

K-2: Mayor Johnson said Council would take no action on this item.

L. STAFF REPORT

There was no staff report.

M. NEW AGENDA ITEMS
We should schedule a discussion on the next meeting agenda to address how meetings and agenda items should be handled.

N. ADJOURNMENT
Motion to adjourn was made by Alan Fletcher. Second by Betty Harper.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 9:44 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 12, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the Town Hall Meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:03 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno and City Secretary Weikum.

B. ANNOUNCEMENTS

Interim City Manager Ristagno said the Kids 'N Cops Back to School street dance will be on Friday, August 20 from 7 PM to 10 PM here in the parking lot. There will not be a car show that night.

Carolyn Green invited everyone to come to the August 31 meeting of the Community Development Corporation and Economic Development Corporation and the business and property owners on Main Street to discuss what we're going to be doing. She said the corporations would appreciate any input and comments. The meeting starts at 7 PM.

Mayor Johnson asked those who wished to speak tonight to limit their comments to three minutes.

C. TOWN HALL DISCUSSIONS:

1) **Crime and drug prevention and education.**

Gene Tisdale, 524 Howard, said that he had had some cars shot up in his yard. He said he is glad to say we have a Police Chief who slowed the perpetrators down. He referenced the section in the Sun that lists police calls each week. He said we need to take these people off the street and keep them from doing things over and over. He said he doesn't think that he was any more of a target than anyone else and they only did it because they could. He showed pictures of the guys that have been arrested. It took him 3 weeks to get pix of who was hounding him. We need a system [he knows it's against the law] – he knows he's running out of time but he has a lot more to say. In reply to a question about how he would fix the problem, Mr. Tisdale said he would block off Howard Lane because King's Manor is where the druggies are. If Howard is blocked off then they wouldn't be able to use that street to get to the lake.

Chief Ristagno said we would need to get with our engineer and some other citizens about blocking off the street but that he would suspect that with the fire and ambulance access required that it would be difficult to accomplish this solution.

In response to a question Police Chief Nick Ristagno said that in 2003 Corinth, with twenty-one officers, answered 5,330 calls while Lake Dallas answered 5,217 calls with ten officers.

There was discussion about adding two police officers plus fill an opening from last year; a Neighborhood Watch program; and a Citizens on Patrol unit. The citizens involved would have to be trained by the police department.

Patrick Holland, 701 Lakebridge Drive, said he works as an undercover police officer in Addison. He would like to express some concerns about the proposed hotel because if it is an extended stay hotel the crime rate will go up. He lives undercover in a hotel built in 1999 in Addison and they have run into a lot of sex offenders and clandestine drug labs in the hotel rooms. He said the cleanup process of these drug labs is very costly.

Mike Powell, 320 Ashley Oak Lane, handed out a suggested 'City Council Scholarship Award Program' to the Councilmembers. He said this was an idea of what he and some other residents had come up with. H said that once you bring the children in, the parents will come, too.

2) **Recreation and transportation issues.**
Carolyn Green said the 4b corporation has a lot of plans that include parks, streets, and infrastructure.

Mayor Johnson said everyone should come to some 4b meetings. She said the City will be doing some street work soon. More streets will be done later on.

3) **I-35 expansion and signs.**
In some of our planning we are trying to get some signs on I-35 for our exit. There will probably be one more exit on the southbound side for City of Lake Dallas after the Swisher Road exit. The plan is that Turbeville and Hundley will be joined together by a tunnel under I-35. We'll lose some frontage due to the expansion of the highway but shouldn't hurt too many of our buildings. The process will take from13 to 15 years.

If we can get some signage out and pull some traffic off the highway maybe they would use some other businesses besides just the ones they pulled off for. TX DOT has certain criteria we have to meet for some of these signs and the businesses have to be open a certain number of hours per day.

Item 6 was also discussed here because it relates to signage, also. Denton Drive could be changed to Lake Dallas Drive so the exit would say Lake Dallas. The other street mentioned for a name change is Church. We could make Church Street an extension of Main Street and rename it so that on the service road we can erect a monument sign for Main Street and direct traffic into town.

4) **Swisher Road extension**
There was Council discussion about the proposed toll bridge across Lake Lewisville. The county is purchasing land and completion is somewhere in the five year range. It's going to totally affect the traffic through Lake Dallas and give us a lot of opportunities. Traffic through town will help our sales tax revenue. The whole corridor is ground level until it gets to the lake.

Roy Perches, 106 Hillcrest, asked what input the City of Lake Dallas has on this project. He understands the plan for this project is about 60% complete. He has no information about any research about noise pollution, etc.

Mayor Johnson said we have very little input as most of the studies were done before any of these people were on council. We have nothing to say about anything.

5) **Seniors and disabilities**
There was discussion about programs and transportation for seniors. The Linwood Gilliland Community Room is available for senior activities. We do not have a senior planner and the kitchen is in the planning stages. There are seniors' activities available in Denton until we can afford to do something like that here. The funding of Dial-A-Ride is prohibitive for the City since their costs skyrocketed several years ago. There is a company in Denton that may possibly provide affordable senior transportation by going through the county with more cities participating. Meals on Wheels is available and the Goldenagers meet once a month at the Methodist church.

6) **Renaming some streets**
This was discussed with item 3.

7) **Open forum for other topics**
Marcia Rios, Lake Cities Sun, asked if there had been any progress toward the downtown merchant's association in Lake Dallas.

The Main Street area businesses will be drawn together. Right now the only outlet available is the Lake Cities Chamber of Commerce. With the 4a/4b boards we have money available to help area businesses. The Economic Development Corporation hosted a business owners meeting this year and plan to do another next year.

There will be a joint 4a/4b meeting at 7:00 PM on August 31 in the Linwood Gilliland Community Room. We are inviting the Main Street area businesses and there will be desserts and coffee.

Marg Seefeld, 58 Lakeridge, said that in1980, 1981 and 1982 it was so beautiful to drive across the lake at Christmas time and see the lights of Lake Dallas. For years now it looks so cold. There wouldn't have to be a lot of lights, just enough to make it look warm and welcoming.

Mayor Johnson invited her to come to the August 31 meeting.

The citizens were asked to bring items of interest to the office so they could be copied for the City Council. They were invited to visit the City's website, lakedallas.com. We need people to serve on several boards and commissions and we could use volunteers during our events even if they don't want to be on a board or committee. If our Parks Grant is approved we will need our citizens help.

C. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

The meeting was over at 8:10 PM.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on August 10, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:32 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno, Building Official Dallof, Richard Huckaby, Consultant, and City Secretary Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Chief Ristagno said the Back to School Dance will be Friday, August 20, at 7:00 PM.

E. AGENDA BRIEFING

Interim City Manager Ristagno said the agenda is pretty much explanatory.

E. REPORTS

No one came forward with reports.

G. VISITORS/CITIZENS AGENDA

No one came forward to speak on the Citizens Agenda so Mayor Johnson closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for July 19, 22, and 26, 2004 meetings. (City Secretary)**
2) **Consideration and Action on approval of July financials and Second Quarter Investments Report. (City Manager)**
3) **Consideration and Action on approval of a Resolution to amend authorized representatives for the TexPool Participant Services. (City Secretary)**
4) **Consideration and Action on approval of a Resolution to amend authorized representatives for the Local Government Investment Cooperative. (City Secretary)**
5) **Consideration and Action on accepting the resignation of Vicki Carusi from the Lake Cities Library Board and Community Development Corporation effective August 31, 2004. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on proposed Ordinance of the City of Lake Dallas to amend paragraph (b) of Article VIII, "C-1 Restricted Business District," Section 122-323, Height and area regulations;" paragraph (b) of Article VIII-A, "C-1-A Business District," Section 122-343, "Height and area regulations;" paragraph (b) of Article IX, "C-2 Commercial District," Section 122-363, "Height and area regulations;" paragraph (b) of Article X, "C-3 Commercial District," Section 122-403, "Height and area regulations," of Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of buildings or structures height.**
No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) **Consideration and Action on proposed Ordinance of the City of Lake Dallas to amend paragraph (b) of Article VIII, "C-1 Restricted Business District," Section 122-323, Height and area regulations;" paragraph (b) of Article VIII-A, "C-1-A Business District," Section 122-343, "Height and area regulations;" paragraph (b) of Article IX, "C-2 Commercial District," Section 122-363, "Height and area regulations;" paragraph (b) of Article X, "C-3 Commercial District," Section 122-403, "Height and area regulations," of Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of buildings or structures height. (City Manager)**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) **Public Hearing on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance. (Police Chief)**
No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) **Consideration and Action on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance. (Police Chief)**
Motion to approve Agenda Item I-4 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5) **Consideration and Action on acceptance of the Goals and Objectives 2005 Final Report. (Consultant)**
Richard Huckaby handed out the Final Report on the Goals and Objectives for 2005. He gave a visual presentation of the booklet which included budget figures and tax rates plus projections and history. There was Council discussion about the decision to raise taxes.
Motion to approve Agenda Item I-5 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

6) **Consideration and Action to set proposed tax rate, take record vote and schedule Public Hearing for September 9, 2004. (Consultant)**
Motion to approve Agenda Item I-6 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7) **Consideration and Action on appointment for vacancy on the Community Development Corporation effective September 1, 2004. (City Secretary)**
Mayor Johnson said she thinks we should get a recommendation from the board and ask the applicants to attend the meeting.
Motion to table Item 7 until after the next Community Development Corporation meeting was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: Councilmember Stapleton

Motion Passed

Mayor Johnson announced at 8:26 PM that the Council would take a five-minute break before going into the Executive Session.

J. EXECUTIVE SESSION:

1) **The City Council to convene into closed session to deliberate the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.**

Mayor Johnson called the regular meeting back to order at 9:20 PM.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION.

Motion to take no action from the Executive Session was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

L. STAFF REPORT

Interim City Manager Ristagno said there was nothing to report.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:20 PM.

Marjory Johnson
Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 12, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the Town Hall Meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:03 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno and City Secretary Weikum.

B. ANNOUNCEMENTS

Interim City Manager Ristagno said the Kids 'N Cops Back to School street dance will be on Friday, August 20 from 7 PM to 10 PM here in the parking lot. There will not be a car show that night.

Carolyn Green invited everyone to come to the August 31 meeting of the Community Development Corporation and Economic Development Corporation and the business and property owners on Main Street to discuss what we're going to be doing. She said the corporations would appreciate any input and comments. The meeting starts at 7 PM.

Mayor Johnson asked those who wished to speak tonight to limit their comments to three minutes.

C. TOWN HALL DISCUSSIONS:

1) Crime and drug prevention and education.

Gene Tisdale, 524 Howard, said that he had had some cars shot up in his yard. He said he is glad to say we have a Police Chief who slowed the perpetrators down. He referenced the section in the Sun that lists police calls each week. He said we need to take these people off the street and keep them from doing things over and over. He said he doesn't think that he was any more of a target than anyone else and they only did it because they could. He showed pictures of the guys that have been arrested. It took him 3 weeks to get pix of who was hounding him. We need a system [he knows it's against the law] – he knows he's running out of time but he has a lot more to say. In reply to a question about how he would fix the problem, Mr. Tisdale said he would block off Howard Lane because King's Manor is where the druggies are. If Howard is blocked off then they wouldn't be able to use that street to get to the lake.

Chief Ristagno said we would need to get with our engineer and some other citizens about blocking off the street but that he would suspect that with the fire and ambulance access required that it would be difficult to accomplish this solution.

In response to a question Police Chief Nick Ristagno said that in 2003 Corinth, with twenty-one officers, answered 5,330 calls while Lake Dallas answered 5,217 calls with ten officers.

There was discussion about adding two police officers plus fill an opening from last year; a Neighborhood Watch program; and a Citizens on Patrol unit. The citizens involved would have to be trained by the police department.

Patrick Holland, 701 Lakebridge Drive, said he works as an undercover police officer in Addison. He would like to express some concerns about the proposed hotel because if it is an extended stay hotel the crime rate will go up. He lives undercover in a hotel built in 1999 in Addison and they have run into a lot of sex offenders and clandestine drug labs in the hotel rooms. He said the cleanup process of these drug labs is very costly.

Mike Powell, 320 Ashley Oak Lane, handed out a suggested 'City Council Scholarship Award Program' to the Councilmembers. He said this was an idea of what he and some other residents had come up with. H said that once you bring the children in, the parents will come, too.

2) **Recreation and transportation issues.**
Carolyn Green said the 4b corporation has a lot of plans that include parks, streets, and infrastructure.

Mayor Johnson said everyone should come to some 4b meetings. She said the City will be doing some street work soon. More streets will be done later on.

3) **I-35 expansion and signs.**
In some of our planning we are trying to get some signs on I-35 for our exit. There will probably be one more exit on the southbound side for City of Lake Dallas after the Swisher Road exit. The plan is that Turbeville and Hundley will be joined together by a tunnel under I-35. We'll lose some frontage due to the expansion of the highway but shouldn't hurt too many of our buildings. The process will take from13 to 15 years.

If we can get some signage out and pull some traffic off the highway maybe they would use some other businesses besides just the ones they pulled off for. TX DOT has certain criteria we have to meet for some of these signs and the businesses have to be open a certain number of hours per day.

Item 6 was also discussed here because it relates to signage, also. Denton Drive could be changed to Lake Dallas Drive so the exit would say Lake Dallas. The other street mentioned for a name change is Church. We could make Church Street an extension of Main Street and rename it so that on the service road we can erect a monument sign for Main Street and direct traffic into town.

4) **Swisher Road extension**
There was Council discussion about the proposed toll bridge across Lake Lewisville. The county is purchasing land and completion is somewhere in the five year range. It's going to totally affect the traffic through Lake Dallas and give us a lot of opportunities. Traffic through town will help our sales tax revenue. The whole corridor is ground level until it gets to the lake.

Roy Perches, 106 Hillcrest, asked what input the City of Lake Dallas has on this project. He understands the plan for this project is about 60% complete. He has no information about any research about noise pollution, etc.

Mayor Johnson said we have very little input as most of the studies were done before any of these people were on council. We have nothing to say about anything.

5) **Seniors and disabilities**
There was discussion about programs and transportation for seniors. The Linwood Gilliland Community Room is available for senior activities. We do not have a senior planner and the kitchen is in the planning stages. There are seniors' activities available in Denton until we can afford to do something like that here. The funding of Dial-A-Ride is prohibitive for the City since their costs skyrocketed several years ago. There is a company in Denton that may possibly provide affordable senior transportation by going through the county with more cities participating. Meals on Wheels is available and the Goldenagers meet once a month at the Methodist church.

6) **Renaming some streets**
This was discussed with item 3.

7) **Open forum for other topics**
Marcia Rios, Lake Cities Sun, asked if there had been any progress toward the downtown merchant's association in Lake Dallas.

The Main Street area businesses will be drawn together. Right now the only outlet available is the Lake Cities Chamber of Commerce. With the 4a/4b boards we have money available to help area businesses. The Economic Development Corporation hosted a business owners meeting this year and plan to do another next year.

There will be a joint 4a/4b meeting at 7:00 PM on August 31 in the Linwood Gilliland Community Room. We are inviting the Main Street area businesses and there will be desserts and coffee.

Marg Seefeld, 58 Lakeridge, said that in1980, 1981 and 1982 it was so beautiful to drive across the lake at Christmas time and see the lights of Lake Dallas. For years now it looks so cold. There wouldn't have to be a lot of lights, just enough to make it look warm and welcoming.

Mayor Johnson invited her to come to the August 31 meeting.

The citizens were asked to bring items of interest to the office so they could be copied for the City Council. They were invited to visit the City's website, lakedallas.com. We need people to serve on several boards and commissions and we could use volunteers during our events even if they don't want to be on a board or committee. If our Parks Grant is approved we will need our citizens help.

C. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:10 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on August 10, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:32 PM.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno, Building Official Dallof, Richard Huckaby, Consultant, and City Secretary Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS

Chief Ristagno said the Back to School Dance will be Friday, August 20, at 7:00 PM.

E. AGENDA BRIEFING

Interim City Manager Ristagno said the agenda is pretty much explanatory.

E. REPORTS

No one came forward with reports.

G. VISITORS/CITIZENS AGENDA

No one came forward to speak on the Citizens Agenda so Mayor Johnson closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for July 19, 22, and 26, 2004 meetings. (City Secretary)**
2) **Consideration and Action on approval of July financials and Second Quarter Investments Report. (City Manager)**
3) **Consideration and Action on approval of a Resolution to amend authorized representatives for the TexPool Participant Services. (City Secretary)**
4) **Consideration and Action on approval of a Resolution to amend authorized representatives for the Local Government Investment Cooperative. (City Secretary)**
5) **Consideration and Action on accepting the resignation of Vicki Carusi from the Lake Cities Library Board and Community Development Corporation effective August 31, 2004. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on proposed Ordinance of the City of Lake Dallas to amend paragraph (b) of Article VIII, "C-1 Restricted Business District," Section 122-323, Height and area regulations;" paragraph (b) of Article VIII-A, "C-1-A Business District," Section 122-343, "Height and area regulations;" paragraph (b) of Article IX, "C-2 Commercial District," Section 122-363, "Height and area regulations;" paragraph (b) of Article X, "C-3 Commercial District," Section 122-403, "Height and area regulations," of Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of buildings or structures height.**
No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) **Consideration and Action on proposed Ordinance of the City of Lake Dallas to amend paragraph (b) of Article VIII, "C-1 Restricted Business District," Section 122-323, Height and area regulations;" paragraph (b) of Article VIII-A, "C-1-A Business District," Section 122-343, "Height and area regulations;" paragraph (b) of Article IX, "C-2 Commercial District," Section 122-363, "Height and area regulations;" paragraph (b) of Article X, "C-3 Commercial District," Section 122-403, "Height and area regulations," of Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of buildings or structures height. (City Manager)**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) **Public Hearing on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance. (Police Chief)**
No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) **Consideration and Action on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance. (Police Chief)**
Motion to approve Agenda Item I-4 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5) **Consideration and Action on acceptance of the Goals and Objectives 2005 Final Report. (Consultant)**
Richard Huckaby handed out the Final Report on the Goals and Objectives for 2005. He gave a visual presentation of the booklet which included budget figures and tax rates plus projections and history. There was Council discussion about the decision to raise taxes.
Motion to approve Agenda Item I-5 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

6) **Consideration and Action to set proposed tax rate, take record vote and schedule Public Hearing for September 9, 2004. (Consultant)**
Motion to approve Agenda Item I-6 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7) **Consideration and Action on appointment for vacancy on the Community Development Corporation effective September 1, 2004. (City Secretary)**
Mayor Johnson said she thinks we should get a recommendation from the board and ask the applicants to attend the meeting.
Motion to table Item 7 until after the next Community Development Corporation meeting was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: Councilmember Stapleton

Motion Passed

Mayor Johnson announced at 8:26 PM that the Council would take a five-minute break before going into the Executive Session.

J. EXECUTIVE SESSION:

1) **The City Council to convene into closed session to deliberate the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.**

Mayor Johnson called the regular meeting back to order at 9:20 PM.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION.

Motion to take no action from the Executive Session was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

L. STAFF REPORT

Interim City Manager Ristagno said there was nothing to report.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:20 PM.

Marjory Johnson
Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on July 26, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno, Consultant Richard Huckaby, Building Official Dallof, Johnny Webber, Joni Vaughn, and City Secretary Weikum.

B. ANNOUNCEMENTS

C. VISITORS/CITIZENS AGENDA
Councilmember Fletcher said they are leaving Friday and will be gone about ten days.

D. WORKSHOP:
1) Budget FYE 2005
Richard Huckaby gave everyone handouts of the proposed budget preliminary. He said the Certified Tax Roll has been received and it had gone down a little. Mr. Huckaby went through his presentation of the handout explaining the graphs and references. He spoke about successive tax increases for at least the next five years and the reserve balance. He said he can write the EFC contract and the RFP.

There was discussion about hiring the two additional officers on April 1 instead of October 1 and doing the salaries increase in January instead of October. Mr. Huckaby said the employees salaries here are not competitive with others in the area. There were discussions about the revenues and various expense line items.

Mayor Johnson called for a break at 9:25 PM.

Mayor Johnson called the meeting back to order at 9:35 PM.

Mr. Huckaby said that by starting the raises at January 1 the City would realize $14,000. The 5% salary increase costs us $57,000 for the year. If we approve the tax increase then we have to have the 'vote of record' and schedule the public hearing which coincides with regular meeting on September 9. He will prepare the budget to submit to the City Secretary by August 23 after the vote of record on August 12. The budget needs to be on file with the City Secretary so people can look at it. He said he will do a budget summary and prepare a visual presentation for the public hearing. The City's tax increase will amount to an average of $5 per month per homeowner. The City's tax amount is about 26% of what the ISD tax amounts to. The Budget approval will be placed on the September 23 agenda.

E. STAFF REPORT
Interim City Manager Ristagno said that Lake Cities Municipal Utility Authority has a new fire hydrant program and they will be installing them throughout the three cities. They can afford to place 3/city/year. The City of Lake Dallas has 25 areas and the MUA has asked if we would consider funding 3 additional hydrants per year. It would cost us $7500 for next year for three hydrants.

F. NEW AGENDA ITEMS

The City Council has a special meeting scheduled for August 10 and the next regular meeting is August 12. Mr. Huckaby suggested that August 12 have the 'vote of record' and asked when they would be ready to look at the City Manager resumes. It was determined that an executive session should be scheduled for the August 10 meeting.

Councilmember Harper was called out of the meeting due to a family emergency at 10:00 PM.

G. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher.
Noes: None

Motion Passed.

The meeting was over at 10:05 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 22, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Also present were Interim City Manager Ristagno, Building Official Dallof, and City Secretary Weikum.

Councilmember Harper was out of town.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE

a) United States Flag
b) State of Texas Flag
[Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible]

Mayor Johnson led both Pledges of Allegiance.

D. ANNOUNCEMENTS

Mayor Johnson said we have scheduled a special meeting for August 10 and will try to have a clear agenda for the August 12 Town Hall meeting. July 26 is a budget workshop at 7:30 PM.

E. AGENDA BRIEFING

Interim City Manager Ristagno asked Council to pull Item #3 on the Consent agenda and table it. He said that the two replacement agreements for the meeting tonight have been placed by the Council seats.

F. REPORTS:

Boards and Commissions

No one came forward to give reports.

G. VISITORS/CITIZENS COMMENTS

Tony Snider, 5301 Princess Court, said that a couple of weeks ago there was a newspaper printout and it did not include his street in the list. He said his street is getting bad.

Mayor Johnson told him that Princess is an alternate and is part of the bid package that will be addressed during the meeting tonight.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for June 24 and 28, 2004 meetings. (City Secretary)**
2) **Consideration and Action on approval of June Accounts Payable and Financials. (Interim City Manager)**
3) **Consideration and Action on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance. (Police Chief) – pulled per Chief – see agenda briefing*****
4) **Consideration and Action on approval of an Ordinance amending Section 78-56, "Fee and Duration," of Article II, "Itinerant Merchants," of Chapter 78, "Peddlers and Solicitors," of the Lake Dallas Municipal Code. (City Council)**
5) **Consideration and Action on acceptance of withdrawal of Special Use Permit application for Lot 13, Block A of the Oak Lakes Subdivision by the Swisher Cemetery Association. (Planning & Zoning Commission)**
6) **Consideration and Action to approve a site plan presented by Silestone located on Overly Drive. (Planning & Zoning Commission)**
7) **Consideration and Action to approve an Ordinance to amend Paragraph (a) of Section 34-33, "Municipal Court Technology Fund, Fee; Restrictions," of Article II, "Municipal Court," of Chapter 34, "Courts," of the Lake Dallas Municipal Code. (City Secretary)**
8) **Consideration and Action on approval of a Resolution granting approval of Denton Central Appraisal District Resolution on a proposal to acquire real property and improvements in Denton County. (City Secretary)**
9) **Consideration and Action on approval of a warrant service agreement with the City of Corinth. (Police Chief)**

Motion to pull Item H-3 and table it was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher.
Noes: None

Motion Passed

Motion to approve Items H-1, 2, 4, 5, 6, 7, 8, and 9 was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Public Hearing on approval of an Ordinance amending Article III, "Fences," of Chapter 22, "Buildings and Building Regulations," of the Lake Dallas Municipal Code of the City of Lake Dallas, by amending Section 22-246, "Height Restrictions." (Planning & Zoning Commission)**

Mayor Johnson closed the Public Hearing when no one came forward to speak.

2) **Consideration and Action on approval of an Ordinance amending Article III, "Fences," of Chapter 22, "Buildings and Building Regulations," of the Lake Dallas Municipal Code of the City of Lake Dallas, by amending Section 22-246, "Height Restrictions." (Planning & Zoning Commission)**
Motion to approve Agenda Item I-2 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

3) **Public Hearing on approval of an Ordinance to amend Subsection (a) of Section 122-7 ("Zoning Districts Established") of Article I ("In General") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code to establish 15 categories of Zoning Districts by Adding "C-1-A," "M-A," and "PUD" as zoning district classifications; to repeal Article XVI ("Group Housing Projects") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code and to replace it with a new Article XVI, establishing and providing regulations for the "PUD" Planned Unit Development District. (Planning & Zoning Commission)**
Mayor Johnson closed the Public Hearing when no one came forward to speak.

4) **Consideration and Action on approval of an Ordinance to amend Subsection (a) of Section 122-7 ("Zoning Districts Established") of Article I ("In General") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code to establish 15 categories of Zoning Districts by adding "C-1-A," "M-A," and "PUD" as zoning district classifications; to repeal Article XVI ("Group Housing Projects") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code and to replace it with a new Article XVI, establishing and providing regulations for the "PUD" Planned Unit Development District. (Planning & Zoning Commission)**
Motion to approve Item I-4 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

5) **Consideration and Action on award of contract for bids and alternate bids on Street Rehabilitation for Year 2004 (Atchison, Countess Court, Donald Street and Queen Court plus others). (Interim City Manager)**
Tom Hoover said that state law has limited the amounts for change orders so we had to go out for a bid with alternates. We received three bids. The apparent low bidder was Driveway Maintenance, Inc. JRJ was the second and PavCon was the third. Tom said he called the references from Driveway Maintenance and received good reports. He called their bonding agent and same company has bonded them for almost twenty years. The bonding company highly recommended them. The pre-construction meeting would take place in about two weeks and then the contractor would have 45 days to complete the project. Someone from his company will be on site so they will be able to watch the work in progress.

Motion to approve the contract for bids for all streets: Atchison, Countess Court, Donald Street, Queen Court, Adolphus, Crest, Duchess South, Lake Ridge, Oakwood, Pecan, Princess South, Princess North, Shore, and Stockard, was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

6) **Consideration and Action on approval of a Resolution to support the Upper Trinity Regional Water District in pending litigation. (Interim City Manager)**

Tom Snyder, Upper Trinity Regional Water District, gave a brief presentation about the reason for the Resolution. Johnny Harris, Lake Cities Municipal Utility Authority, is on the board and was present at the meeting.
Motion to approve Agenda Item I-6 was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, and Stapleton
Noes: Councilmember Fletcher

Motion Passed

7) **Consideration and Action on approval of Ordinance and contract to renew the Boys and Girls Club lease of city property. (Interim City Manager)**

Barry Fisher, Executive Director, of the Boys and Girls Club, Denton, was in attendance to answer any questions.
Motion to approve Agenda Item I-7 was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

8) **Consideration and Action on appointment of members to the Keep Lake Dallas Beautiful Committee. (City Secretary)**

Motion to appoint Elsie Lacy and Vicki May was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

J. STAFF REPORT

Interim City Manager Ristagno said it appears that our Willow Grove Park grant is looking promising.

K. NEW BUSINESS

Councilmember Connors said as a future agenda item for later in the fall and after budget she would like to have a Charter Review Board workshop scheduled.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None
Motion Passed

The meeting was over at 8:30 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on July 19, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:45 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno, Richard Huckaby, Consultant, Joni Vaughn, Johnny Webber, Richard Dallof and City Secretary Weikum.
Councilmember Stapleton was absent.

B. ANNOUNCEMENTS
None

C. VISITORS/CITIZENS AGENDA
Margaret Tisdale, 509 Howard, thanked the City for mowing the Kings Manor Ditch and said it looks nice.

D. WORKSHOP:

1) Budget FYE 2005

Richard Huckaby said the primary purpose tonight is to start on the budget and worksheets in the other package. One of the major issues is increased service for the 4a and 4b by the City Manager and City Secretary. They are logging their time now but haven't for prior service. He said he's thinking about $25,000 for each board. Another issue is a 5% pay increase for staff effective in October. He had several models for the Council to look at: 1) no tax increase and all enhancements; 2) no tax increase and no enhancements; 3) tax increase and all enhancements (raise taxes incrementally); 4) tax increase with some limited enhancements.

Mr. Huckaby gave his presentation which corresponded with the budget workshop handouts he had furnished. He discussed an equipment finance contract which is a five-year note. He said he can write the ordinance. He said the reserves are dangerously low at the present time. He discussed the projected budgets for the next 5 years. Mayor Johnson wants to know what the final line is for fire department and the library.

Mr. Huckaby said he will try to get departmental budgets for the Council soon.

E. STAFF REPORT
No staff report was made.

F. NEW AGENDA ITEMS
There were no new agenda items discussed.

G. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 9:50 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on June 28, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:32 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno, Richard Huckaby, Consultant, Building Official Richard Dallof, Public Works Supervisor Johnny Webber, Accounting Clerk Joni Vaughn, and City Secretary Weikum.

B. ANNOUNCEMENTS

There were no announcements.

C. VISITORS/CITIZENS AGENDA

No one came forward to speak to Mayor Johnson closed the Citizens Agenda.

D. WORKSHOP:

1) Goals and Objectives

Richard Huckaby said we've made a projected speculative budget and asked that all refer to the booklet as he discussed the vision statement, population statistics, and his projections. He said that unless the EDC becomes successful the sales tax growth won't grow that fast. Lake Dallas cannot do any more sales tax rate increases unless the state law changes. Tax rolls are certified at December 31, 2003 for this year. We spend about $250,000/month in expenses. We need to establish three months worth of expenses as a reserve balance. We have two economic development corporations that are using the city side and he said Council might think about the corporations paying the city more for executive services. He said Joni has real good records that go back at least five or six years and that Richard also has good records. He said that Lake Dallas has 1.7 officers per 1000 population and that the recommended national average is 3 officers per 1000 population.

There was a short discussion about The Lake Cities finding a solution for the funding of the fire department.

Mr. Huckaby said the goals he put in for 2005 for the staff are rather broad. During discussion it was determined that some of the staff goals could be funded by the 4a and 4b boards. Mr. Huckaby said he would make a book for the consultant for the corporations.

In answer to a question about his philosophy on tax increases Mr. Huckaby said the council exists to perform certain governmental functions. He said your citizens think they have adequate police and fire protection and they have come to expect more and more from parks. He said most people don't expect to get something for nothing. Don't let your employees subsidize the city – you should keep their pay competitive. He said Lake Dallas is thinking about redevelopment and that's a good thing.

There was council and staff discussion about some of the goals in the book. Some of the goals added by the council were sidewalks, straighten Main and extend to the service road, monument signage on I-35, the Kings Manor drainage ditch, and improvement of downtown lighting. There was more discussion about code enforcement software, paperless agendas programs and workstations for the Councilmembers, upgrading of our telephone system, and a Citizens on Patrol and/or neighborhood crime watch is programs. Chief Ristagno said each person who wants to help in either of those programs would have to undergo extensive background checks and they would be readily identified by shirts, signs on cars, etc. He said we would have to train an officer to train the people.

Mayor Johnson called for a five-minute break at 9:50 PM.
Mayor Johnson called the meeting back to order at 10:00 PM.

There was discussion about using Pay-Pal or taking credit cards for court payments; an improved microphone system in council chambers; and a recreation coordinator. Cross training isn't a lot of cost but we really need to get that accomplished.

Mr. Huckaby said we competitive employment package for a city manager. He said this is a $70,000 to $75,000 per year position. In looking through the resumes we have received he said there are at least three candidates but he doesn't know if they continue to remain interested. He said that the candidate will expect to run the city.

Mr. Huckaby said the next budget meeting will show us what it's going to cost to do these things. The Councilmembers will go through the budget and try to prioritize the items.

E. STAFF REPORT

There was nothing to report.

F. NEW AGENDA ITEMS

We can't have a budget meeting on July 12 because of the 4a/4b meetings so we will meet on the 19th of July and if we need another meeting we'll schedule it at that time. Mayor Johnson said there will not be a regular council meeting on July 8.

G. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 10:35 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 24, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4

Also present were Interim City Manager Nick Ristagno, Building Official Richard Dallof, and City Secretary Weikum.
Councilmember Betty Harper was out of town and Councilmember Stapleton was absent.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGES OF ALLEGIANCE – United States of America and State of Texas
Mayor Johnson led the Pledges of Allegiance.

D. ANNOUNCEMENTS
The 4th of July events on July 3 are a parade at 8:30 AM and events beginning at 6 PM. There will be music with a DJ, a talent show at 7 PM, and live singing after the talent show before the fireworks begin.

There will be Jet Ski Races, if the Corps of Engineers issues the permit, on July 11. The races start at 10 AM and last until 4 or 5 PM.

E. AGENDA BRIEFING
Interim City Manager Ristagno had no additional information on any agenda items.

F. VISITORS/CITIZENS COMMENTS
No one came forward to speak for Mayor Johnson closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for June 10, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of amending budget item for Linwood Gilliland Community Room kitchen by adding $5,500. (Interim City Manager Ristagno)**
3) **Consideration and Action on purchase of software and hardware for the Municipal Court and Police Department. (Interim City Manager Ristagno)**
4) **Consideration and Action on removal of building from site at 214 Gotcher. (Planning & Zoning Commission)**
5) **Consideration and Action to appoint Mayor Johnson as a City representative to the Lake Cities Fire Board. (Mayor Johnson)**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Fletcher
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) Consideration and Action on approval of the City Newsletter design. (Councilmember Fletcher)

Motion to enthusiastically approve the design for the newsletter was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Fletcher
Noes: None

Motion Passed

I. WORKSHOP:

1) Chapter 78, Peddlers and Solicitors, of the Lake Dallas Municipal Code. (Interim City Manager)

There was discussion about requiring a $250 annual fee with a $200 annual renewal fee and still keep the monthly fee in place plus keep the $25/each additional seller effective. People will have an option as to which permit they want. They must have a valid sales tax certificate. We should have the Ordinance ready for the second July council meeting making it effective August 1.

2) Discussion on amending Section 22-246, Height Restrictions of Article III, Fences, of Chapter 22, Buildings and Building Regulations of the Lake Dallas Municipal Code. (Building Official)

Discussion determined that this will be an action item for approval of an Ordinance at the second July meeting. The Planning & Zoning Commission will have this as an action item on their July agenda.

3) Discussion and consideration on amending Article XVI ("Group Housing") of the Comprehensive Zoning Ordinance (Chapter 122 of the Municipal Code) to repeal the Group Housing zoning classification and to adopt Planned Unit Development zoning regulations. (Interim City Manager)

This item will go to the Planning & Zoning Commission as an Ordinance at their July meeting and come before the City Council at their second July meeting as an action item.

4) Discussion and review of proposed Town Hall Meeting.

The meeting will be July 13 at 7 PM in the council chambers. We'll conduct it much like a public hearing. A person speaks, Councilmembers put in their input, and then discussion between council and visitors will be held. The seating arrangement will be changed and the podium will be moved to the side again.

J. STAFF REPORT

There was nothing to report.

K. NEW BUSINESS

After the land use study is completed we'll have a downtown theme. We need to create an overlay district for use on Main Street, Denton Drive, and Swisher Road.

Councilmember Connors thanked Chief Ristagno for putting the Texas flag up in front of the building.

Councilmember Marino will be out of town for an NEA conference in Washington, DC next week.

Interim City Manager Ristagno said the workbook he handed out is from Mr. Huckaby and is intended for Saturday's meeting at 8 AM. Mayor Johnson asked Interim City Manager Ristagno to contact Councilmember Ken Stapleton regarding Saturday's meeting.

The meeting that was scheduled for Monday night has been cancelled.

Mayor Johnson said she would like to have a group picture of the council made at the last meeting in July. The men should wear suits and ties. Mayor Johnson said she would like to start a wall of past mayors and asked staff to locate the pictures. Councilmember Fletcher said he could scan and print the pictures at his cost.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Fletcher.
Noes: None

Motion Passed

The meeting was over at 8:15 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 10, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno, Richard Dallof, Building Official and City Secretary Weikum. Councilmember Stapleton had called in to say he would be unable to attend.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance to the United States Flag and to the State of Texas Flag.

D. ANNOUNCEMENTS

The car show is Saturday at City Hall and the proceeds go to the Kids & Cops program. It will be from 10 AM to 4 PM and there will be no road rally.

E. AGENDA BRIEFING

Interim City Manager Ristagno said the Swisher replat was passed by the Planning & Zoning Commission. He said no action taken by the Planning & Zoning Commission on items 3 and 4 and he recommends that Council does the same.

F. REPORTS:

Boards and Commissions

Neal Malone, Parks and Recreation Board, said the Mayfest was a very successful event. The owners of the carnival were very pleased with it. Richard Martin picked up the $1,000 donation from Wal-Mart. He thanked Richard after he called him to the podium for recognition. Neal said Richard had a lot of people helping him and good police force behind him plus the City Council. We don't have all the reports in but we made some money and he wants to thank the staff, too.

The Fourth of July events will be on the 3rd and Jeff London is in charge of that. We will have a Workshop on June 22. We only have a few entries for the talent show at this time. He invited Kathleen Gilliland to come to podium. She said that only three applications have been turned in for the talent show from the over 200 that have been given out. She is going to the basic training in Austin next week at the Keep Texas Beautiful seminar. By being a member of Keep Texas Beautiful, we're also a member of Keep America Beautiful. Last year was their fiftieth anniversary and they planted lots of flowers and picked up lots of trash.

G. VISITORS/CITIZENS COMMENTS

Andre Villareal, 147 FM 407W, Argyle, a representative for 'Day Stay for Adults' in Denton, came to provide a public information service. He said they already serve several people from Lake Dallas. This agency is for adults 18 years of age or older. Their location is 2109 W. University Drive and they are open from 7:30 – 5:30 Monday through Friday and the cost is $40/day unless the person is eligible under Medicaid. They are a non-profit agency and receive money from United Way. The participants are able to socialize with the staff and other visitors. There is a registered nurse or LVN there to administer medications and they serve good meals.

Debbie Pierce, 512 Atchison Drive, said that Atchison needs paving. She said that two businesses have been put in and a new home so there's been a lot of digging.
Mayor Johnson said it's one of the streets that is out for bid now and said Ms. Pierce could watch our website for the agenda postings to see when the bids will be awarded.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for May 25 and May 27, 2004 meetings. (City Secretary)**
2) **Consideration and Action on approval of May Accounts Payable and Financials. (Interim City Manager)**
3) **Consideration and Action on approval of a site plan for Northstar Bank. (Building Official)**
4) **[Addendum] H - 4. Consideration and Action on approval of a Resolution naming bank Signatories for the Northstar Bank operations and payroll accounts.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher and Harper
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Public Hearing on a proposed replat of Lot 3A of Block 1 of the Swisher Road Addition – North into Lots 3 and 4.**

Kim Parrish, 303 Wallford Lane, said she knew that property was going to be commercial when she bought her home in Jackson Ranch. She asked for consideration regarding lights, noise, etc. from fast food restaurants or similar businesses.

Ray Gillary, O'Reilly Auto Parts, 301 Swisher Road, said that they have worked diligently to get the light problems resolved. They have been talking with KJ's about both stores scheduling deliveries before 10:30 PM as another courtesy to the area residents. They also want reputable renters and no fast food in the new development.
Mayor Johnson closed public hearing when no one else came forward to speak.

2) **Consideration and Action to approve a replat of Lot 3A of Block 1 of the Swisher Road Addition – North into Lots 3 and 4. (Building Official)**
Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

3) **Public Hearing on an application for a Special Use Permit for the Swisher Cemetery Association for Lot 13, Block A, of the Oak Lakes Subdivision in the City of Lake Dallas, Denton County, Texas.**

Mayor Johnson closed the public hearing because no one came forward to speak.

4) **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit for the Swisher Cemetery Association for Lot 13, Block A, of the Oak Lakes Subdivision in the City of Lake Dallas, Denton County, Texas. (Building Official)**

Motion to take no action on Item I-4 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

5) **Consideration and Action on appointment of City Council Liaisons to Planning & Zoning Commission, Parks and Recreation Board, Board of Adjustment, Keep Lake Dallas Beautiful. (City Secretary)**

Motion to appoint Councilmember Fletcher as liaison to the Keep Lake Dallas Beautiful committee, Councilmember Connors as liaison to the Parks and Recreation Board, and Councilmember Marino to the Planning & Zoning Commission because Councilmember Marino asked to resign from the Parks and Recreation Board was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

6) **Consideration and Action on appointment of an alternate to Planning & Zoning Commission. (City Secretary)**

Motion to appoint Tina Martin as an Alternate to the Planning & Zoning Commission was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Johnson closed the regular meeting at 8:00 PM.

J. EXECUTIVE SESSION:

1) **The City Council of the City of Lake Dallas to meet in closed session for deliberations regarding real property.**

Mayor Johnson called the regular meeting back to order at 8:15 PM.

K. ACTION, if any, from Executive Session.

Motion to take no action was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

L. WORKSHOP:

1) Town Hall meeting preparations.

The Town Hall meeting will be July 13 at 7 PM in the Council Chambers. Some of the items to be discussed will be crime and drug prevention and education; seniors and disabilities; recreation and transportation issues; the Swisher Road extension and I-35 expansion and signs; renaming some streets; and last an open forum for discussion of other topics. People will be allowed 5 minutes unless they need more time. We can get input and generate agenda items or set up additional meetings depending on the topics. We will invite all boards and commissions members, run an ad in the paper and the newsletter.

M. STAFF REPORT

Chief Ristagno said staff met with Mr. Huckaby all afternoon yesterday to discuss the budget. Mr. Huckaby would like to schedule workshops with the Council and has three tentative dates: June 28, July 19, and, if needed, July 26 at 7 PM. The Saturday meeting is for Goals and Objectives and we'll do that from 8 AM until 2 PM in the Linwood Gilliland Community Room. We will have something to eat in the morning and lunch will be brought in. Councilmember Harper won't be here June 26 so Mayor Johnson asked her if she would make a list of her goals and objectives.
Chief Ristagno said he noticed during the Memorial Day ceremony at City Park that the markings on the parking lot are nearly gone and it needs to be restriped. The Public Works Department has a budget account used mostly for pothole maintenance that has enough funds in it to pay for the restriping of the parking lot. The ADA painting will be addressed during this time.
The well monitoring issue at the public works yard has all been resolved.
The Swisher Road repair not been done because of all the rain. Andrews Paving will be doing the work.

N. NEW BUSINESS

Jet Ski racing will be coming to Lake Dallas at Willow Grove Park. It will be discussed at Monday night's 4-B meeting. Neal asked for a list of what the Parks and Recreation Board can do.
Councilmember Marino said he's planning on reserving camping spaces.

O. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None
Motion Passed

The meeting was over at 8:32 PM.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 27, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Also present were Interim City Manager Ristagno, Richard Dallof, Building Official, and City Secretary Weikum.
Councilmember Harper had called in and asked to be excused.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS
The Memorial Day services begin at 9:00 AM at Swisher Cemetery and goes on to the memorial at City Park and then breakfast at the VFW.
The Lake Cities Educational Foundation's golf tournament is June 7.

E. AGENDA BRIEFING
Interim City Manager Ristagno said we had a contract renewal with Mark Burroughs to be discussed. There would be a presentation by Richard Huckaby. Item H-4 is an item regarding city management services. Items H-5 and 6 are regarding setbacks and the Planning & Zoning Commission recommended passing the amendment to the Ordinance. Items H-7 and 8 are the replat for the Northstar Bank. Items H-9 & 10 are in error so they will be brought back in the immediate future with corrections; Items H-11 & 12 are for a Special Use Permit.

F. VISITORS/CITIZENS COMMENTS
Gene Tisdale, 524 Howard, said he was here last Tuesday to talk about drugs and 9,10,11 & 12 yr-old kids being involved. He said all we need from the purest form of government is 100% of their commitment and public commitment that they would support this program. We want to help that 70% of the kids that are not doing drugs. We want our parks where the kids can play. We need to get the proper information out to the kids.

G. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for May 13, 2004 meeting. (City Secretary)**
2) **Consideration and Action Consideration and Action on rejection of all bids for RFP for Municipal Court Software package. (Interim City Manager Ristagno)**
3) **Consideration and Action on approval of a Resolution authorizing the City Secretary to issue a Water Well Permit for 607 Carlisle. (Building Official)**

4) **Consideration and Action on approval of an Interlocal Agreement contract with Denton County for property tax collection. (Interim City Manager Ristagno)**

Motion to approve these items was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action on selection of Mayor Pro-Tem.**

Motion to appoint Tony Marino was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on approval of renewal of the contract with Sawko & Burroughs as the City's Property Tax Attorney. (Interim City Manager Ristagno)**

Mr. Burroughs gave a short presentation.
Motion to approve the renewal of the contract, as amended, with Sawko and Burroughs as the City's Property Tax Attorney was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

Motion to amend the contract to automatically renew unless either party gives a thirty-day cancellation notice was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

3) **Receipt of proposal from Mr. Richard Huckaby for certain city management services. (Interim City Manager Ristagno)**

Mr. Huckaby said when he retired in Corinth he formed a consulting service for assisting cities. He has been asked to assist the city with their 2005 budget. He has a proposed contract for with a cover letter that details the scope. He said the city's budget officer is Interim City Manager Nick Ristagno so the work he would do is prepared for Chief Ristagno and it would be Interim City Manager Ristagno's presentation. The budget work starts almost immediately and he will develop a schedule. He will prepare the budget document in the form we need which includes Ordinances and submit the various notices in the form as required by state law. There will be a budget briefing for the public hearing and finally some brochures which would be a summary of the budget proposal and could be in a tri-fold form and also needs to be on the website. Mr. Huckaby said he would assist the Council in screening, checking references and education claims of the candidates for the city manager position.

4) **Consideration and Action for city management services. (Interim City Manager Ristagno)**

Motion to approve the services offered by Mr. Huckaby was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Stapleton
Noes: Councilmember Fletcher

Motion Passed

5) **Public Hearing to consider amending Article XIX, "Manufactured Homes, Generally," Division 2, "District R-1, 4000, Manufactured Home Residential," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

6) **Consideration and Action to approve an Ordinance amending Article XIX, "Manufactured Homes, Generally," Division 2, "District R-1, 4000, Manufactured Home Residential," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code. (Building Official)**

Motion to approve agenda item H-6 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

7) **Public Hearing on a proposed replat of Block A, Lots 12, 13 and 14 and Block B, Lots 8 [south 20 feet], 9, 10, 11 and 12 into one lot. Barmarchar Sites.**

Kyle Hoag was present to answer any questions.
No one came forward to speak so Mayor Johnson closed the Public Hearing.

8) **Consideration and Action to approve the replat of Block A, Lots 12, 13 and 14 and Block B, Lots 8 [south 20 feet], 9, 10, 11 and 12 into one lot. Barmarchar Sites. (Building Official)**

Motion to approve Agenda Item H-8 was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

9) **Public Hearing on a proposed replat of Lots 3 and 4 of Block 1 of the Swisher Road Addition – North into one tract.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

10) **Consideration and Action to approve the replat of Lots 3 and 4 of Block 1 of the Swisher Road Addition – North into one tract. (Building Official)**

Motion to take no action was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

11) Public Hearing on a Special Use Permit to operate a church at 523 Hundley.
Bob McDonald, 1422 Bogard Lane, Lewisville (owner of Ace Hardware on Thompson and the property on Hundley) has owned the property on Hundley for years. His tenant, Rev. Lister, would like to put a church in that building.

Rev. Tyrone Lister, 1728 Timber Ridge Circle, Corinth, said he's available to answer any questions.

Mayor Johnson closed the Public Hearing when no one else came forward to speak.

12) Consideration and Action to approve an Ordinance for a Special Use Permit to operate a church at 523 Hundley. (Building Official)
Motion to approve Agenda Item H-12 with a revision to Section 1 changing the one-year period to a two-year period was made by Councilmember Stapleton. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

I. WORKSHOP:

1) Chapter 78, Peddlers and Solicitors, of the Lake Dallas Municipal Code. (Interim City Manager)

There was discussion about making this a 2-part ordinance: one for those doing business for an extended period of time and one for those for shorter terms. We may have to change some of our definitions in the code.

Terry Davis, Dusty's BBQ, said he had asked Hickory Creek about their permit fee. He said he doesn't have a problem with paying for a permit but he feels it should be less costly and not have to be renewed monthly.

Staff will check on other cities Ordinances to see what processes other cities use and get the information to the Councilmembers prior to the second June meeting.

2) Topics to be discussed at proposed Town Hall Meeting.
After some discussion about various topics [crime and drug prevention and education; seniors and disabilities; recreation and transportation issues; the Swisher Road extension and I-35 expansion; renaming some streets] it was decided to workshop this item on the next few agendas. The meeting will be July 13 and we will advertise the meeting in the newspaper. The Community Development Corporation will be notified about this meeting.

J. STAFF REPORT

Interim City Manager Ristagno said the carnival was a success. We need to book them for next year for the same weekend.

We're required to have the old city gas pump sites tested. We will be reimbursed by TCEQ. Testing is underway now. There are very low levels of gas additive and they expect that by next test it should be cleared up.

Lori Farney brought in the $8500 from the Thousand Oaks Homeowners Association for River Oaks Park equipment. The equipment is on order and should be installed by the first week of July.

The Willow Grove Park trails grant has been submitted and should be in the State's possession. We will follow up with letters of support.

June 12 is the Car Show and will benefit the Kids & Cops program.

The Model Airplane event is on June 19 and is an all day event.

The Kidz Fish is on June 5 at 8:30 AM.

K. NEW BUSINESS

We need to have a council goal-setting workshop.
Concern was expressed about the street cut made recently on Swisher Road. It was not repaired to standards but that will be taken care of.
We should add the pledge to the Texas flag to our agendas. We don't have Texas flag in front of our building. We only have the one flagpole.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Stapleton, and Fletcher
Noes: None

Motion Passed

The meeting was over at 9:00 PM

Marjory Johnson
Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on May 25, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Wohr called the meeting to order at 7:04 PM.

A. ROLL CALL:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno and Beverly Weikum, City Secretary. Councilmember Stapleton was absent.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

There will be a reception in the Linwood Gilliland Community Room after the meeting.

E. VISITORS/CITIZENS AGENDA

Gene Tisdale, 524 Howard, congratulated everyone on their campaigns. He said he's attended some of the council meetings this past year. He appreciates the council's efforts toward health, safety, and beautification. He said that recently he's been touched by the information about drug use by kids as young as 9, 10, 11 and 12. He said he is also concerned about the mothers of these children and there should be a phone number they can call to find out their legal rights when they're pushed into this situation. He thinks it would be good to have a program so these mothers can get information either by telephone or on-line. He feels that the City Council, schools, and churches should all get involved in this program. He told Mayor Wohr that he appreciated him working for the city.

Bonnie Brown, Post Office Box 25, Lake Dallas, or 8560 S. Stemmons, Hickory Creek, said thanks to everyone who ran for office. She encouraged those who ran to get involved in the committee process. She said that, individually, Chief has talked with a lot of us about the drugs in our town. She spoke about an incident at one of her rental properties where it took over one and a half years to get some individuals out of her park and they have already been released. They spent less time in jail than it took to get them. We need to stop this. The parents are responsible for providing an environment. We can't leave this to just the Police Department. We have to all get involved.

F. BUSINESS:

1. **Discussion and Action on approval of a Resolution for the Canvass of Election held May 15, 2004.**

Motion to approve the canvass was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

2. Oath of Office to Elected Officials.
Mayor Wohr swore in Marjory Johnson as the Mayor of the City of Lake Dallas. Mayor Johnson swore in Carol Ann Connors as Councilmember, Place 2 and Alan Fletcher as Councilmember, Place 4.

3. Discussion and Action on selection of Mayor Pro-Tem.
No action was taken on this item.

G. STAFF REPORT

There was no staff report.

H. NEW BUSINESS

There was no new business.

I. ADJOURNMENT TO RECEPTION FOR OUTGOING COUNCILMEMBERS.

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 7:35 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 13, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Wohr called the meeting to order at 7: 35 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Ristagno, and City Secretary Weikum.

B. INVOCATION
Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS
Mayor Wohr read a letter from Kathleen Gilliland: "I appreciate the Linwood Gilliland Community Room. I wouldn't change a thing. But, I am concerned about this ending here. I ask you to consider creating a 'Wall of Honor.' All elected officials who follow Linwood's tradition of 10 years, or more of service, should have their pictures placed there. It would comfort me to see this lone picture in the presence of such good company."

There was an article in the Denton Record Chronicle about our new website. There are a lot of new features and it is a major improvement from the previous site. People can sign up to get email updates. The FAQ section will be added to as time passes.

There is a computer terminal here in the lobby at City Hall.

E. AGENDA BRIEFING
There was no agenda briefing.

F. REPORTS:
Boards and Commissions
Neal Malone, Parks and Recreation Board, said he had been at the carnival and they were shutting down because of the rain. We have 59 booths signed up for.

G. VISITORS/CITIZENS COMMENTS
Rod Courtney, 162 Kingswood, said he has a history of having been on the council and we all knew Judge Moseley in Denton County. He told about how he met Jeff Krueger and said that when Mr. Krueger was a county commissioner the City was lucky enough to get $100,000 designated for use on Shady Shores Road. Mr. Courtney said he thinks Mr. Krueger has some good ideas for the city and that he's a good budget man. He thinks Mr. Krueger could help us

get money through grants or other means with his connections. Mr. Courtney asked the Council to give favorable consideration to his proposal.

Terry Davis, 425 South Denton Drive, said he lives in Brown Mobile Home Park and would like to continue living here and keep his business here. He thinks the permit fee of $75/month is too expensive for a monthly itinerant merchant permit. He said it would cost him $25/month more for each assistant he would add. He said the renewal application each month is complicated.

Mayor Wohr said we could put it on an agenda and do a workshop on it. This situation was not anticipated when we established the fee.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for April 22, 2004 meeting. (City Secretary)**
2) **Consideration and Action on approval of April Accounts Payable and Financials. (Interim City Manager)**
3) **Consideration and Action to approve date of May 25 at 7:00 PM for Canvass of May 15, 2004 Election and Reception for outgoing Councilmembers. (City Secretary)**
4) **Consideration and Action to approve an Ordinance amending Section 74-36, Subcommittees, of Article II, Parks and Recreation Board, of Chapter 74, Parks and Recreation, allowing for the creation of a Keep Texas Beautiful committee. (Interim City Manager)**

Councilmember Stapleton asked that Item 1 be pulled from the Consent Agenda.
Motion to approve Items 2, 3 and 4 of the Consent Agenda was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Councilmember Stapleton requested that a sentence be added at the beginning of the third paragraph under Item G. "Councilmember Stapleton asked for and received permission to address the citizen from Mayor Pro-Tem Marjory Johnson."
Motion to approve H-1 with the change was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Receival of proposal from Mr. Jeffrey Krueger for city management services. (Interim City Manager)**

Mr. Krueger gave a presentation to the City Council. He said that Lake Dallas has the leadership, the staff, and the citizenry in place to grow and prosper. He thinks with his budget experience, his abilities, and his contacts we can all work together to build a better Lake Dallas.

2) Consideration and Action on approval to re-start quarterly newsletters for the community. (Councilmembers Johnson and Fletcher)

Motion to approve a quarterly newsletter with Option 'D,' the four-page flyer that will be in the newspaper was made by Councilmember Marino. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

J. WORKSHOP:

1) Issues to be addressed during the next two years.

At the next regular meeting we will have a workshop to determine topics for a Town Hall meeting.

K. STAFF REPORT

Carnival preparation has taken most of the week. Saturday & Sunday is when the booths for arts and crafts will be set up.
Last weekend was the Kids N Cops event.

L. NEW BUSINESS

We are doing a traffic count and it can also determine speeds on River Oak Way and the information received will probably come back to council regarding speed humps due to the park and playground on that street.
There will be another proposal for city manager services on the next regular council meeting agenda and there will be action item on the proposals.
Chief Ristagno told Mayor Wohr that it's been an honor to work for you as a mayor.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:30 PM.

_____
Steve Wohr, Mayor

_____
Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 22, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Marjory Johnson called the meeting to order at 7:36 PM.

A. ROLL CALL

Marjory Johnson	Mayor Pro-Tem
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Interim City Manager Nick Ristagno, Building Official Richard Dallof, and City Secretary Weikum.
Steve Wohr, Mayor, and Tony Marino, Councilmember 1, were out of town.

B. INVOCATION
Mayor Pro-Tem Marjory Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Pro-Tem Marjory Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS
There were no announcements.

D-1 PROCLAMATION (Addendum)
Mayor Pro-Tem Marjory Johnson read a proclamation that declared May 2004 as Motorcycle Safety and Awareness Month in Lake Dallas, Texas.

E. PRESENTATIONS
Awards to Employees
Mayor Pro Tem Johnson, Councilmember Alan Fletcher, Councilmember Betty Harper, Councilmember Ken Stapleton, and Police Chief Nick Ristagno stood at the podium area and asked Stephanie Madrid to come forward. Mayor Pro-Tem Marjory Johnson read a letter written by Police Chief Nick Ristagno that commended Stephanie for all the help she's been to the Police Department every year with the Kids N Cops program since it began. She is Officer Vikki Chandler's daughter.

Officer Vikki Chandler was called forward next. Mayor Pro-Tem Marjory Johnson read a letter written by Police Chief Nick Ristagno that gave a history of Officer Chandler's employment with the City of Lake Dallas. She joined the Police Department in October 1998, as Animal Control Officer and became a police officer in September 2001. She has dedicated herself to promoting the Kids N Cops program from the time she was Animal Control Officer to the present. She was presented with the Chief's Award.

Sgt. Michael Sparby & Officer Joe Wheat were called forward. Mayor Pro-Tem Marjory Johnson read a letter from Police Chief Nick Ristagno that commended them for their efforts. They were recognized for saving the life of someone who had fallen into the water at the marina on February 26. They both received the prestigious Life-Saving Award.

F. AGENDA BRIEFING
There was nothing to report.

G. VISITORS/CITIZENS COMMENTS
Casey Cavalier, Library Board member, introduced himself to the Council. The Library thanks the City Council for getting the directional signs placed that had been donated by the Chamber of Commerce. They made about $1000 on the Friends of the Library book sale. This is national library week and during this week the Denton County funding situation has come up. The Library is trying to work through it.

David Shershen, 166 Kingswood Drive, said he feels it is his duty to appear before council. He's disgusted. He thinks that some elected officials think they have special privileges and that they can live above the law. When it comes to a point when neighbors who pay taxes have complaints against an official and send out city staff to look at those complaints and are told that there's no obvious violation he thinks it's time to ask the City Council to launch an internal investigation of city staff and hold closed door hearings to investigate for possible ethics violations. He had some pictures that he presented to the City Council. He said the neighbors are disgusted and willing to testify. He said he would ask for a resignation but that would be political, so he's not. Thank you.

CORR: COUNCILMEMBER STAPLETON ASKED FOR AND RECEIVED PERMISSION TO ADDRESS THE CITIZEN FROM MAYOR PRO-TEM JOHNSON. 05-13-04

Councilmember Stapleton asked if he had a name involved with this person. Mr. Shershen said he had several and then he went out and looked at it himself.

Mayor Pro-Tem Marjory Johnson closed the Citizen's Agenda when no one else came forward to speak.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for meeting of April 8, 2004. (City Secretary)**
2) **Consideration and Action to award bid to Southwest Parks and Playground for River Oaks Park playground equipment in the amount of $29,516. (Interim City Manager)**
3) **Consideration and Action to approve an expenditure of $37,578 for lighting of the new Lake Dallas ISD tennis courts. (Interim City Manager)**
4) **Consideration and Action to approve a site plan for La Parrilla Vargas, 207 Main Street. (Building Official)**
5) **Consideration and Action to approve a site plan for Swisher Road Business Park. (Building Official)**
6) **Consideration and Action to approve an adjustment to the police budget by authorizing eleven sworn positions. (Chief of Police)**
7) **Consideration and Action to determine 2004 CPI adjusted maximum rates to municipal telecommunications right-of-way access line rates. (City Secretary)**

Councilmember Stapleton requested that Item H-7 be pulled from the Consent Agenda.
Motion to approve Items H-1, 2, 3, 4, 5 and 6 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Motion to approve Item H-7 was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Fletcher and Harper.
Noes: None
Abstentions: Councilmember Stapleton

Motion Passed

I. SCHEDULED BUSINESS:

1) **Consideration and Action to approve expenditures and activities brought by the Parks and Recreation Board for the Mayfest celebration. (Interim City Manager)**

Motion to approve expenditures and activities brought by the Parks and Recreation Board for the Mayfest celebration and do so based on what the Acting City Manager finds appropriate was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

2) **Consideration and Action on approval of an ordinance for a proposed zoning change to Tract 20 of Abstract 424 of the Nathaniel French Survey from R-1-10000 Residential Zoning District to C-1-a Business District. [tabled on December 13, 2001] (Mayor Pro-Tem Marjory Johnson)**

Motion to deny Item I-2 was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

J. **STAFF REPORT**

Interim City Manager Ristagno said the major issues right now are the Mayfest in mid-May and the Kids N Cops program on May 8. He complimented the Parks and Recreation Board and Richard Martin for all their assistance on the Mayfest. He said he is anticipating large crowds at both events.
The building foundation has been shored, piered, and stabilized. It will need to sit awhile before we begin working on the kitchen. The plumbing for the kitchen will be free except for the materials.

K. **FUTURE AGENDA ITEMS**

We should look at possibility of putting speed bumps or humps on River Oaks Way due to the concern of many citizens. We should confirm that we have plenty of signage in that area.
We should schedule a workshop on the first meeting in May to discuss what issues we need to look at for next 2 years and then schedule a town hall meeting after the election.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

The meeting was over at 8:00 PM.

Marjory Johnson, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 8, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Marjory Johnson called the meeting to order at 7:32 PM.

A. ROLL CALL

Tony Marino	Councilmember 1
Marjory Johnson	Mayor Pro-Tem
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Also present were Interim City Manager Nick Ristagno, Tom Hoover, City Engineer, and City Secretary Weikum.

Steve Wohr, Mayor, arrived at 7:58 PM.
Betty Harper, Councilmember 5, was absent due to surgery earlier today.

B. INVOCATION

Councilmember Ken Stapleton gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS

Betty Harper is in room 509 at Denton Regional Medical Center and doing well.

E. AGENDA BRIEFING

No briefing was required.

F. REPORTS:

Boards and Commissions

Neal Malone, Parks and Recreation Board, said Keep Texas Beautiful will be on agenda. Kathleen Gilliland will be the director and she already has a committee. She and her committee will be in charge of the yard of the month program.

Richard Martin, director of the Mayfest, said they will be distributing posters and flyers in stores in Lewisville and Denton along with coupons for $5 off the $15 charge to ride all day long. Coupons will also be given out in the parking lot while the carnival is set up. The flyers that will be distributed in the schools will also have $5 off coupons included. Flyers have been mailed to the food vendors as well as the arts and crafts vendors. We'll also put flyers and posters in restaurants and convenience stores in town.

Gary Johnson, Library Board, said there will be a book sale next week-end in the Linwood Gilliland Community Room.

G. VISITORS/CITIZENS COMMENTS

Rod Courtney, 162 Kingswood, thanked the City Council for planning to review the ordinances for R-1-4000 zoning. At the Kingswood homeowners meeting this week they voted on a priority list for roads to be repaired. Oakwood is first and Pecan is second. Because the City Ordinances override Kingswood's by-laws they are going to try to be under the umbrella of the city. The association also asked him to give their thanks to the council.

Charles Gaynier, 22 Oakwood, said there are drainage problems on Oakwood where it drains down to Pecan. He remembers that at the last meeting they had mentioned the concrete drainage channels. He thanked the Council for their consideration.

H. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of March 25 and April 1, 2004 meetings. (City Secretary)**
2) **Discussion and Action on approval of March Accounts Payable and Financials. (Interim City Manager)**
3) **Discussion and Action to approve a Resolution for the authorized signatories for North Star Bank. (City Secretary)**
4) **Discussion and Action to approve the quarterly investment fund report for the first quarter 2004. (City Secretary)**
5) **Discussion and Action to approve a Parks and Recreation Board member as Keep Texas Beautiful representative to attend training sessions and other meetings as required. (City Secretary)**

Motion to approve the Consent Agenda as written was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, and Fletcher
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Discussion and Action to determine streets to be re-paved. (Interim City Manager)**

Tom Hoover gave an overview of the streets and estimated costs for repair and/or overlay. He said he would take Council direction and prepare the bid documents and start the process.

Motion to submit a directive to have bids submitted to pave Adolphus and Stockard, Oakwood and Pecan; bid for overlays on Shore and Crest; and bid for cul de sacs for Countess north, Duchess south, Princess north and Princess south, Queen south; and bid for approaches for Countess north and Queen south; and the remaining streets be submitted for alternate bids was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, and Fletcher
Noes: None

Motion Passed

2) **Discussion and Action on salaries for Interim City Manager and other employees as necessary. (Mayor and City Council)**

Mayor Pro-Tem Marjory Johnson asked Council for approval to move this item to the end of the agenda. They agreed.

3) **Discussion and Action on placement of library signs at various locations in the City. (Interim City Manager)**

Motion to approve Agenda Item I-3 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, and Fletcher
Noes: None

Motion Passed

Mayor Wohr arrived at 7:58 PM and apologized for being late.

4) **Discussion and Action on approval of a contract with a consultant for specified projects. (Mayor and City Council)**

Motion to not approve Item I-4 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

5) **Discussion and Action to award a contract for the Economic Development Corporation/Community Development Corporation Comprehensive Land and Thoroughfare Planning Study. (Interim City Manager)**

Motion to approve Item I-5 was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

2) **Discussion and Action on salaries for Interim City Manager and other employees as necessary. (Mayor and City Council)**

Motion to approve Agenda Item I-2 based on previous pre-set percentages was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

J. STAFF REPORT

An ad has been placed with TML for a city manager.
Everything is on schedule for the carnival.
The repair for the foundation started yesterday and the lift should be completed tomorrow.
Next year's budget should include repairs to floors and walls.
A bid was awarded to Wright Environmental for well monitoring and they are negotiating with TCEQ in order for TCEQ to reimburse us for the cost.
We are still working on the kitchen plans and hope to have a report for the 4-b meeting on Monday.
Should the city manager search be an item on each agenda? Mayor Wohr said it could be included in the staff reports.

Mayor Wohr asked Chief Ristagno to talk with the parks consultant within the next few days to determine when the City Park grant is due. The River Oaks Park bid award was tabled at the last 4-b meeting.

K. NEW BUSINESS

Councilmember Stapleton asked if the other Councilmembers has read the article in the Sun about the March 25 Council meeting.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None
Motion Passed

The meeting was over at 8:15 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special called meeting on April 1, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were Police Chief Nick Ristagno and City Secretary Weikum.

B. INVOCATION
Mayor Wohr gave the Invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Wohr led the Pledge of Allegiance.

D. VISITORS/CITIZENS COMMENTS
Please complete Comment Card and give to City Secretary before the meeting.
Kathleen Gilliland, 703 Payton Street, said she needs some help from someone to know what has been done and how she can proceed with the Keep Texas Beautiful program. We have to do this to qualify for the grant. The training is in June and we have to have that to qualify for Keep Texas Beautiful and to qualify for the grant. She said it has to be approved by the Parks and Recreation Board and the City Council.

E. SCHEDULED BUSINESS:

1) Discussion and Action on termination of contract with the City Manager.
(Mayor Pro Tem Johnson and Councilmember Fletcher)

Motion to approve Item E-1 was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) Discussion and Action on appointment of interim City Manager.
(Mayor Pro Tem Johnson and Councilmember Fletcher)

Motion to appoint the Chief of Police, Nick Ristagno as Interim City Manager was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) Discussion and Action on City Manager search.
(Mayor Pro Tem Johnson and Councilmember Fletcher)

Motion to put action into place to begin posting the job at the same as last time [salary range, etc.] and to post the job opening with TML at the beginning of the next cycle was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr closed the open meeting at 7:43 PM.

J. EXECUTIVE SESSION:

1) City Council to convene into a closed session in accordance with the Government Code, Section 551.074, Personnel, to discuss the reassignment and duties of interim City Manager.

Mayor Wohr called the open meeting back to order at 8 PM.

K. RECONVENE:

1) Action, if any, from Executive Session.

Motion was made by Councilmember Johnson to direct the Interim City Manager to have Counsel for the City prepare a contract for consulting with Ray Kendall for a six month period and assign all other duties to the new acting city manager, Chief Ristagno. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

M. FUTURE AGENDA ITEMS

Councilmember Marjory Johnson requested approval to move the Volunteer Dinner from 7:00 PM to 7:30 PM on the same day, April 19. She will do decorating.

Councilmember Fletcher thanked the Mayor for the letter to TXDOT regarding the mound of trash and dirt on the access road easement.

Councilmember Harper thanked Chief because she had a compliment on Officer Vikki Chandler this past week for the way she handled a situation at the school.

Councilmember Johnson said that someone that Officer Debbie Roach had assisted sent her a bouquet of roses for her help.

Councilmember Harper asked to be excused for next Thursday's meeting because she is scheduled for surgery at 6:00 AM that day.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None
Motion Passed

The meeting was over at 8:05 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 25, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present were City Manager Ray Kendall, Police Chief Nick Ristagno, Tom Hoover, City Engineer, and City Secretary Weikum.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. PROCLAMATIONS

The proclamation was not received.

E. ANNOUNCEMENTS

There were no announcements.

F. AGENDA BRIEFING

City Manager Ray Kendall said the public hearing for paving streets is for input regarding those that are highlighted on the map on the easel. At the next meeting the Council will decide which streets will be paved.
The item on the consent agenda regarding manufactured homes fees was on a public hearing at the last meeting.

G. VISITORS/CITIZENS COMMENTS

Please complete Comment Card and give to City Secretary before the meeting.

Neal Malone, 609 Cain, said this month was an anniversary for City Manager Ray Kendall so all the members of the park board wished to thank him for all his help. He said they appreciate all the help he has been to the board and presented him with a clock.
Mayor Wohr said the staff of the city also does a lot of things they don't get recognized for.

Rod Courtney, 162 Kingswood Drive, would like the Council to look at our Code Book at some sections he believes are in conflict with other sections with regard to carports in mobile home communities. He referenced Sections 122-721, 122-912, 122-846, and 122-842. He said there are 33 carports in Kingswood right now and that not all of them meet the code restrictions.

Mayor Wohr said this is something we could put on a workshop and it would be nice if some of the Kingswood homeowners could give us some feedback.
Mr. Courtney said he would try to get a committee together and go thru the ordinances and make some suggestions. The Homeowners Association will have a meeting this weekend.

City Manager Ray Kendall said there are three streets in that Kingswood that are on the map for the street repairs and asked Mr. Courtney to bring that up at their meeting also. Mr. Courtney thanked Johnny Webber's crew for repairing potholes in Kingswood.

Charles Gaynier, 22 Oakwood Drive, said he is in favor of what Mr. Courtney said. He's been speaking with Richard Dallof and had contracted with a company to build his carport and he has a conflict with the 14' restriction.

Mayor Wohr said this will have to go through the Planning and Zoning Commission first. This will need to be published in the paper and posted prior to meeting.

H. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of March 11, 2004. (City Secretary)**
2) **Discussion and Action to approve a Resolution opposing any school finance or tax system reforms that would negatively affect city revenues and economic development efforts. (City Manager)**
3) **Discussion and Action to approve a site plan for Enrique's Place, 219 Main Street. (Building Official/Planning & Zoning Commission)**
4) **Discussion and Action to revise manufactured home inspection fees and change Ordinance 03-21 accordingly. (Councilmember Johnson)**

Motion to approve the Consent Agenda was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) Public Hearing to discuss which streets should be paved. (City Manager)
City Manager Ray Kendall said the cost for the last streets we had paved was 40 – 50% less than what was anticipated. There are about fourteen streets listed now but the City only has enough money to do seven or eight. In Kingswood we'll have to put concrete gutter down the center of the streets we repair because these streets are used to carry water and it would ruin them without the gutters.

Councilmember Alan Fletcher said some of the streets in Kings Manor are in decent shape and asked if there was a way we could just repair the cul de sac's.

Tom Hoover said he proposes to have a bid item for localized repair for those areas.

Tony Snider, 5301 Princess, showed the Council some pictures he had taken of his street. He said his street gets worse every week.

April Scoggin, 5303 Princess, also showed the Council some pictures of the street and said they can't back their pickup out of their driveway without landing in a crater.

Jody Gorgonis, 5300 Princess, said he has a big truck and can dodge the holes and tracks mud from the street into his driveway. He said the water has gotten under the pavement.

Mayor Wohr closed the Public Hearing and said this will be an action item at the next Council meeting and asked Tom Hoover about the time frame.

Tom said it takes four weeks to start the project and award the bid. Construction would start sometime in June or July.

2) **Discussion and Action to add lighting to illuminate City Hall and determine which option to install. (Mayor Wohr)**

Motion to approve Item I-2 with option two of Jerry Owens Electric was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) **Discussion and Action to select date for the Annual Volunteers' Dinner. (Councilmember Johnson)**

Motion to approve Item I-3 and set the date of April 19 at 7:00 PM in the Linwood Gilliland Community Room was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) **Discussion and Action to approve the Lease with Union Pacific for the use of the land for the May Fest Carnival May 10-17, 2004.**

Motion to approve Agenda Item I-4 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr closed open meeting at 8:30 PM.

J. **EXECUTIVE SESSION:**

1) **City Council to convene into a closed session in accordance with the Government Code, Section 551.074, Personnel, to discuss the Annual Performance Review of the City Manager.**

Mayor Wohr called the open meeting back to order at 10:05 PM.

K. RECONVENE:

1) Action, if any, from Executive Session.

Motion to take no action was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Due to the late hour Mayor Wohr suggested skipping items L & M. Council agreed.

L. CITY MANAGER'S REPORT

M. AGENDA ITEMS FOR NEXT MEETING

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 10:05 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 11, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Harper was absent due to health problems.

Also present were City Manager Ray Kendall, Police Chief Nick Ristagno, Building Official Richard Dallof, and City Secretary Weikum

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

The First Annual Business Reception hosted by the Economic Development Corporation is March 22 at 5:30 PM. There will be a presentation and discussion about the sales tax. Food will be served after the presentation.
The Kids & Cops Spring Fling Street Dance is Friday night at 7:00 PM.

E. REPORTS:

Boards and Commissions:

Neal Malone, Parks and Recreation Board, said it appears we will have a full board now. We need money for events that are coming up and asked the Council if they knew anyone who would make contributions.

Richard Martin, Parks and Recreation, said we plan to have a carnival behind City Hall. We can have 100 spaces available for vendors. We will have talent from the schools. The carnival will set up May 10. They have the world's tallest transportable ferris wheel.

Gary Johnson, Library Board, had handouts for the Councilmembers and asked if there were any questions regarding the report. He said the library has hired a new promotions and program director and it is a 40-hours [25-hours/week per correction from Gary Johnson received March 23] per week job.

F. VISITORS/CITIZENS AGENDA

Tony Snider, 5301 Princess Court, said that Princess Court needs to be repaired. He said he has pictures of the damage that Waste Management trucks cause every Monday.

City Manager Ray Kendall said there will be a public hearing at the next meeting on the streets to be repaired.
Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of February 26, 2004. (City Secretary)**
2) **Discussion and Action on approval of February Accounts Payable and Financials. (City Manager)**
3) **Discussion and Action to accept the 2003 yearly Racial Profiling Statistical Report. (Chief of Police)**
4) **Discussion and Action to approve the sale, by auction, of one used 1999 Crown Victoria police vehicle. (Chief of Police)**
5) **Discussion and Action to approve the sale, by auction, of one used Public Works Dodge pickup truck. (City Manager)**
6) **Discussion and Action to approve a contract with Denton County Elections Administration for the May 2004 General Election. (City Secretary)**

Motion to accept the Consent Agenda was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action to consider waiving of fees for the Friends of the Library April book sale in the Linwood Gilliland Community Room. (City Secretary)**

Motion to approve Item H-1 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

2) **Discussion and Action to approve awarding a bid to Wright Environmental to install an additional monitor well and monitor all groundwater wells for the next four quarters in the Public Works yard. (City Manager)**

Motion to approve Item H-2 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

3) **Discussion and Action to award a bid to Power Lift Foundation Repair to install 15 steel pipe piers under the east and southeast ends of City Hall to life the foundation and keep it in a stabilized position. (City Manager)**

Motion to approve Agenda Item H-3 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

4) **Discussion and Action to appoint a member/alternate for the Planning & Zoning Commission. (City Secretary)**

Motion to move Karl Hammond from an alternate to a regular commissioner and appoint Gordon McQuillin as an alternate commissioner was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

5) **Discussion and Action to make appointments to Economic Development Corporation board. (City Secretary)**

Motion to appoint Carol Ann Connors and Richard Martin to the Economic Development Corporation was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

6) **Discussion and Action to appoint a member/alternate for the Parks and Recreation Board. (City Secretary)**

Motion to appoint Gary Daniels to the Parks and Recreation Board was made by Councilmember Stapleton.
Motion died due to lack of a second.
Motion to appoint Gary Daniels and Mark A. Snider to the Parks and Recreation Board was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

7) **Discussion and Action to allow the Parks and Recreation Board to hold a Carnival during the week of May 10, 2004 and to waive all required license and permit fees. (City Manager)**

Motion to approve Item H-7 was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

8) Public Hearing on format for items on City Council Agendas.
Gary Johnson, 609 Cain Street, expressed his appreciation for this item being a public hearing item. He appreciates the efforts being made to keep the citizens informed. He would like to see increased opportunities for discussion. If it's not a workshop or a Citizen Agenda item then a citizen cannot participate in the discussion.

Carol Ann Connors, 754 Texas Oak Trail, said that Denton has cards for sign-in to speak on the Citizen's Agenda and/or write comments about an agenda item and state whether they are for or against the item.

Mayor Wohr closed the public hearing

9) Discussion and Action on format for items on City Council Agendas. (Councilmember Fletcher)
Motion to approve Item H-9 was made by Councilmember Fletcher. Second by Councilmember Stapleton. [1) Each agenda item should indicate the sponsor of the item, which may not be the staff person who places the item on the agenda. 2) The city manager will provide a synopsis of each agenda item that may affect the public before the citizen's agenda so that a citizen then can discuss the item during the citizen's agenda. 3) If the agenda item will affect the public and/or is a new/modified ordinance, then the first time it appears on the agenda it will be for discussion only (no action to be taken) and the item will appear again on a subsequent agenda as a discussion and action item. The only exceptions would be for pubic hearing items and/or items, which had a workshop in a meeting preceding the meeting to vote on it.]
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

Staff should begin work to provide sign-up cards for Council meetings.

I. WORKSHOP

1) Discussion on permit fees applicable to mobile home parks. (Councilmember Johnson)
There was discussion about other cities and fees that they charge. The general opinion was that the $200 fee that was adopted when the new fee schedule became effective October 1 is too high. The city inspector only comes out one time to do the inspection. It was agreed that an extra fee should be charged if the inspector has to come back out for a subsequent inspection.
Richard Dallof had a presentation about the fees. The manufactured home permit fee was established to defray the actual cost incurred by the building official and administrative assistant to inspect a mobile home for health and safety reasons.

Mayor Wohr suggested that the city charge the $47 inspection fee plus the $59 manufactured home permit upon move-in inspection. Another fee could be charged if we have to go back out if the first inspection didn't meet specifications.

There was discussion about determining a fee that covers our costs.

City Manager Ray Kendall said this will be an action item on the next agenda.

J. CITY MANAGER'S REPORT

City Manager Ray Kendall said our sales tax was up 41 or 42 percent last month over the same month in 2003.

He said we have looked at about fourteen streets that should be repaved but we can't do all of them. He asked the Council and Mayor to go out and look at these streets. We'll have public hearing at the next meeting and in April the Council will make a decision on which streets should be paved. We have $175,000 in the budget for street projects.

K. NEW BUSINESS

There was no new business.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher.
Noes: None

Motion Passed

The meeting was over at 9:15 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 26, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION

Mayor Pro-Tem Marjory Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Marjory Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS

Mayor Pro-Tem Marjory Johnson announced that the Parks and Recreation Board will be providing a carnival on May 13 through May 16.
Police Chief Nick Ristagno said the Kids & Cops is hosting the Spring Fling Dance on March 12 at 7:00 PM.
Councilmember Fletcher said his daughter's team won at the nationals cheerleading event.
Mayor Wohr arrived at 7:33 PM.

E. PROCLAMATION

Mayor Wohr read the proclamation for March 2004 being American Red Cross Month in City of Lake Dallas to coincide with National American Red Cross Month.

F. VISITORS/CITIZENS AGENDA

Mayor Wohr closed the Visitors/Citizens Agenda when no one came forward to speak.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of February 12, 2004. (City Secretary)**
2) **Discussion and Action to approve a Resolution calling the May 15, 2004 General Election. (City Secretary)**
3) **Discussion and Action to approve amendment to Council Rules and Procedures. (Councilmember Fletcher)**
4) **Discussion and Action to allow Schrickel, Rollins and Associates to apply for a Recreational Trails Grant from Texas Parks & Wildlife for Willow Grove Park. (Community Development Corporation)**

Councilmember Johnson asked that Item G-3 be pulled from the Consent Agenda.

Motion to approve Items G-1, 2 and 4 was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Motion to table Item G-3 and put on the next meeting with a public hearing was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Public Hearing to approve an Ordinance for a Special Use Permit to allow the installation of a ground monument sign for a private school located at 102 Dobbs Road [Legal description: Lot 1, Houghton Addition]. (Building Official)**

Kristy Hubbert, 2018 Glen Manor Road, Corinth, said she has supported this school for two years and supports it for the sign.

Carissa Acker, 2200 Shenandoah Trail, Denton, said she supports the school and thinks that placement of the sign would be a good thing.

Debra Wise, 3110 Windridge Lane, Corinth, is in support of the school having a sign in front of it.

Tye Wise, 3110 Windridge Lane, Corinth, is in support of the sign. He said he has seen drawings of the sign.

Mickey Hubbert, 2018 Glen Manor Road, Corinth, said he is in full support of the school. He said the quality of the school is good.

Laird Lind, 735 Carlisle, said it is not an issue of the school or the quality of the school. He thinks this is becoming something that is indiscreet and that it could cost the neighbors (Phillips Groves) $1000.00 in the property value of their home. He said it's a commercial entity and it's going from discreet to not so discreet.

Phillip Groves, 332 S. Shady Shores, Shady Shores, said that the subject property is directly across from his property and that he can't add much to what Laird Lind has already said. He is concerned that his property values are going to be impacted.

Clyde Edwards, 3011 Kiln Drive, Corinth, said the sign is not a discreet sign. He said it could be lit all night long and since it is right next to his property he is not too happy about that. He said he is totally against the sign. He thinks it will affect everyone's property values. He said the City had sent out thirty-two letters for notification.

Mayor Wohr called for a short break so the City Secretary could get the list of persons who were notified of this item.

Mayor Wohr called the meeting back to order at 8:09 PM.

Mickey Hubbert, said he lives less than a mile from the school and his son goes there. He doesn't think the sign will damage property values.

Russell Crow, 5316 Colonial Drive, Flower Mound, said they had the unanimous backing of the Planning & Zoning Commission. He had illustrations of the sign and placement on the grounds of the school. He said there are no objections by any other property owners close to them. They feel the sign should not be a problem.

Phillip Groves said that we're forgetting that in April 2003 they chose to move their business and knew the zoning was R-1-7200 so they used a Special Use Permit as a vehicle to get their school there. He said he doesn't want to go out his back door and see that sign.

Clyde Edwards questioned why there were only twelve names and someone had told him they sent notification letters out to thirty-two.

Mayor Wohr closed the public hearing at 8:17 PM.

2) **Discussion and Action to approve an Ordinance for a Special Use Permit to allow the installation of a ground monument sign for a private school located at 102 Dobbs Road [Legal description: Lot 1, Houghton Addition]. (Building Official)**

Mayor Wohr recapped the City Council consensus to refund the $500 application fee and have Mr. and Mrs. Crow reapply for the original Special Use Permit and add the sign to the application. Then staff should re-notify and re-advertise and go through the entire process of Special Use Permit approval by going before the Planning & Zoning Commission and then City Council.

The City Council took no action on this item and directed Staff to proceed with the refund and reapplication process.

3) **Discussion and Action to approve an Ordinance amending Ordinance 03-06 to change a Special Use Permit on Lot 1, Houghton Addition, 102 Dobbs Road. (Building Official).**
Motion was made to not approve agenda item H-3 by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall said he had nothing to add.

J. NEW BUSINESS

Councilmember Johnson said she would like to look at mobile home permit fees again and would like to have it put on an agenda as a workshop item.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:50 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 12, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

City Manager Ray Kendall said a computer is being installed in the lobby with access to the City's home page and agendas, etc. He thanked Sgt. Frazier for his efforts in getting that accomplished.

E. REPORTS:

Boards and Commissions

Neal Malone, Parks and Recreation Board, said they are still in the planning stages on a lot of activities. The airplane flying that we had last year in Willow Grove Park will be the week-end of June 19 this year. Instead of doing the park cleanup this year they plan to plant a couple of trees. Willow Grove Park is not in very bad shape. The Fireworks event will be on July 3 because that's a Saturday.

City Manager Ray Kendall said the 4b Board approved the spec's for River Oaks Park request for quotes.

Carolyn Green, Community Development Corporation, said the 4b Board approved the Master Plan for the City Park and she would like to have it on display in the lobby so the citizens can see it. They have a vacancy on the board and 4 members of the board voted for Cliff Elton.

Vicki Carusi, Library Board, left a copy of their report with each councilmember. Their biggest challenge is the County funding which is fifty per cent of their budget and it's looking as if they could lose that funding. She also handed out a copy of the 2003 and 2004 budget. She asked the Councilmembers to ask the county commissioners to continue the funding.

F. VISITORS/CITIZENS AGENDA

Terry Davis, 425 S. Denton Drive #10, said he's been trying to open a small business here in Lake Dallas. He express concern with the itinerant merchant's license. The $75 fee is only for thirty days instead of a year. This is very expensive on top paying for a lease.

City Manager Ray Kendall said the concern is that other restaurants have to pay property tax. He said he would information to Mr. Davis and we'll get it on an agenda to look at it.

Carolyn Green, 201 N. Shady Shores Road, said that the Council raised the permit fee for mobile homes to move into the city three or four months ago by 300%. When a mobile home moves into Lakehaven Estates, it is blocked up, tied down, all utilities hooked up and then building inspector comes out and makes a one-time inspection. She feels being penalized. She said that Lakehaven Estates takes care of their own streets but the City takes care of Kingswood's streets.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meetings of January 8 and 22, 2004. (City Secretary)**
2) **Discussion and Action on approval of January Accounts Payable and Financials. (City Manager)**
3) **Discussion and Action to approve the purchase of a Porta Mole Culvert Cleaner System with tandem-axle trailer, 525-gallon water tank, high-pressure pump, etc., and approve an Ordinance to modify Budget by $800. (City Manager)**
4) **Discussion and Action to approve extending Waste Management's Solid Waste Contract (Ordinance) with the City for one additional year (a total of six years) in exchange for a $4,000 contribution to the City Park Grant Application. (City Manager)**

Councilmember Ken Stapleton asked to pull item 4.

Motion to approve Consent Agenda Items 1, 2, and 3 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Consent Agenda Item G-4:
Motion to extend Waste Management's Solid Waste Contract with the City for one additional year in exchange for a $4,000 contribution to the City Park Grant Application was made by Councilmember Marino. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, and Fletcher
Noes: Councilmembers Stapleton and Harper

Motion Passed

H. SCHEDULED BUSINESS:

1) Discussion and Action on acceptance of the annual Audit FY 2003. (City Manager)

Motion to approve the Audit for FY 2003 was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) Discussion and Action to approve an Ordinance to add provisions regulating banner signs, special event signs and portable temporary signs. (Building Official)

Motion to approve Item H-2 which is the Ordinance to add provisions regulating banner signs, special event signs and portable temporary signs was made by Councilmember Johnson. Second by Councilmember Marino.
The vote was taken after an amended motion had been made, seconded and approved. See below.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: Councilmember Stapleton

Motion [as amended] Passed

Motion to amend the fist motion with the revision as read by the Mayor was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion [amendment] Passed

3) Discussion and Action to appoint a replacement for the Library Board. (City Secretary)

Motion to appoint Casey Cavalier was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) Discussion and Action to make appointments to Community Development Corporation board. (City Secretary)

Motion to appoint Cliff Elton to the 4-b Board was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, and Fletcher
Noes: Councilmembers Stapleton and Harper

Motion Passed

5) Discussion and Action to make appointments to Economic Development Corporation board. (City Secretary)

Motion to table until the next city council meeting (March 11 after 4- has had a chance to review and make their recommendation from the applications was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6) Discussion and Action to make appointments to Parks and Recreation Board. (City Secretary)

Motion to appoint James Jolly to the Parks and Recreation Board was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. WORKSHOP

1) Discussion on format for items on Council Agendas. (Councilmember Fletcher)

Councilmember Alan Fletcher said we need to look at how items are put on our agendas. The agendas should be able to make the citizen's are aware of the items. We should have a sponsor for these agenda items. He said that some councils have a reading at one meeting and the next meeting they have the second reading and action. This gives the staff/council time to do any required research. Each agenda item should have a sponsor.
There was discussion about having an agenda packet available for public viewing.
When we are contemplating an ordinance change or adding a new one it should be read twice. Perhaps the City Manager report could be at the beginning of the agenda after the reports. We could help the citizens keep informed by posting each agenda item description on the website plus have copies of these sheets available in the lobby with the agenda.
Perhaps there could be a brief synopsis of the agenda items after the announcements. That would not require a change in council policies and procedures.

J. CITY MANAGER'S REPORT

City Manager Ray Kendall said that since auditor didn't give us a synopsis he wanted to mention that we ended up with $196,000 (that's also counting restricted funds).

J. CITY MANAGER'S REPORT

City Manager Ray Kendall said that since auditor didn't give us a synopsis he wanted to mention that we ended up with $196,000 (that's also counting restricted funds). According to the financials year to date through the first four months we are ahead of what we were last year after 4 months. The auditors will recommend we have 2 – 3 months of operational reserves so that if we ever had a some sort of disaster, etc. we could operate the city for awhile. We may have to borrow money again this year, too.

The sales tax revenues received in February was $86,000 with $43,000 to general fund. That's up from February 2003.

The city offices are closed on Monday.

K. NEW BUSINESS

There was no new business.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:38 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 22, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present: City Manager Ray Kendall, Police Lieutenant James Lowery, and Acting City Secretary Joni Vaughn.

Councilmember Johnson and Councilmember Marino were absent.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

There were no announcements

E. VISITORS/CITIZENS AGENDA:

Julie Lee spoke regarding basketball goal code violations and establishing "Kid Friendly" zones in neighborhoods.

Mike Hageman, Lake Cities Soccer Association, presented the City of Lake Dallas with a $6,000 donation toward the City's portion of the park grant.

John Klaiber, Waste Management of North Texas, presented the City of Lake Dallas with a $6,000 donation towards the Linwood Gilliland Community Room kitchen.

F. CONSENT AGENDA:

1) **Discussion and Action on appointment of Kathleen Gilliland to the Parks and Recreation Board. (City Manager)**
2) **Discussion and Action on approval of contract with Economic Development Services for one year. (City Manager)**
3) **Discussion and Action to approve sending out Requests for Bids for City Hall foundation repair contractor. (City Manager)**
4) **Discussion and Action to remove J. W. Lively from the Economic Development Corporation due to lack of attendance. (Councilmember Johnson)**
5) **Discussion and Action to approve City Manager's attendance at City Manager's Problem Solving Clinic. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Stapleton, Fletcher and Harper
Noes: None

Motion Passed

G. SCHEDULED BUSINESS:

1) **Public Hearing on approval of a proposed draft site master plan for City Park Plan and a Resolution authorizing submittal of a Texas Parks and Wildlife Small Communities grant application for matching funds. (City Manager)**
2) **Discussion and Action on approval of a proposed draft site master plan for City Park Plan and a Resolution authorizing submittal of a Texas Parks and Wildlife Small Communities grant application for matching funds. (City Manager) (Action on master plan was tabled at 4b meeting 1/12/04)**

Linda Jordan, of the consulting firm Schrickel, Rollins and Associates, Inc. gave a presentation regarding the proposed draft site master plan for City Park and submittal of a grant application for park funds.

Motion to approve the item was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. CITY MANAGER'S REPORT

City Manager Ray Kendall had Tom Hoover, City Engineer, available to answer any questions regarding Summer Street. City Manager Kendall recommended that Council look at an April/May time period to do another six to eight streets. City Manager Kendall will going the to ICMA meeting in Denton next Thursday and Friday.

I. NEW BUSINESS

Councilmember Fletcher noted that there was to be an Agenda Workshop on the next agenda.

J. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:20 PM.

Steve Wohr, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 8, 2004 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:32 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

City Manager Ray Kendall said the Board of Adjustment meeting has been cancelled. The applicant has decided to use the Special Use Permit process so the item will go before the Planning & Zoning Commission and City Council.

There will be a 4b meeting at 7 PM on January 19 about Downtown Development. He invited the City Council and public to attend.

E. PRESENTATIONS [Girl Scout Troop 990]

Mayor Wohr asked the girl scouts to do their cheer again since he missed them at last month's meeting. He then presented each scout with a certificate.

F. REPORTS:

Boards and Commissions

Gary Johnson, Parks Board, thanked everyone for their participation in the tree lighting ceremony. They are planning a big event for May. This year for Arbor Day they are going to plant trees instead of cleaning up Willow Grove Park because the park looks good. He's also on the library board and said they've been discussing some things and he will have more facts and figures at a later date. Since the County funding may change the library may have some unique challenges. They meet on the 4th Monday at 7 PM.

The vice president of the model airplane club that had their low flight at Willow Grove Park last year has offered to help with trimming some of the brush. They can contact Gary to discuss it.

The 4a Board will host an annual business community reception on March 22 at 5:30 PM.

G. VISITORS/CITIZENS AGENDA

Jon Wilson, 726 Summers, apologized for missing the last meeting. He said he was not aware of a sales tax on services. City Manager Ray Kendall said that went into effect recently.

Mr. Wilson thinks the City has a worse contract for trash pickup than the previous contract.

Mr. Wilson appreciates the street paving being done but has complaints about how Summers was done. He said no one has called him to answer his questions.

City Manager Ray Kendall apologized that the engineer did not call him back. The contractor and engineer have agreed to go back and put another foot on each side of the road.

Mayor Wohr closed the Citizen's agenda when no one else came forward to speak.

H. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of December 11, 2003. (City Secretary)**
2) **Discussion and Action on approval of December Accounts Payable and Financials. (City Manager)**
3) **Discussion and Action to approve 4th quarter 2003 quarterly investment funds report. (City Secretary)**
4) **Discussion and Action to close Betchan Street access to the city hall parking lot. (Police Chief)**
5) **Discussion and Action to approve an amending ordinance regarding itinerant merchants, peddlers, and solicitors. (Police Chief)**
6) **Discussion and Action to approve amending ordinance increasing the towing permit fee from$15.00 to $75.00. (Police Chief)**
7) **Discussion and Action to approve an amending ordinance regarding license fees for sign contractors. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Discussion and Action to accept proposal for Professional Sanitarian Services. (City Manager)**

Motion to approve the item with New Dimension as our sanitarian service was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

J. CITY MANAGER'S REPORT

City Manager Ray Kendall thanked the Mayor and Councilmembers on behalf of the employees for the recognition dinner.

Ridgewood & Church streets are about to be paved. Summers will be addressed regarding the width.

Some clarification is obviously needed on the trash service. They have added service. The last two weeks of December and first two weeks of January they are picking up everything that's set out for Monday pickup. He said the normal rule for the trash cart is to fill up the cart and two additional bags. If you have more than that you need to get an additional cart at a cost of $5/month. If you do need a bulk pickup, call the local number and if you schedule it properly they will pick up the trash in three days. They also will furnish roll-offs for our quarterly trash clean-ups – which saves us a lot of money. And, they have donated $6,000 for the kitchen in the community room. He doesn't think we are receiving less services.

Mayor Wohr said he wanted to especially thank Carolyn Green for her efforts in organizing the appreciation dinner.

K. NEW BUSINESS

There was discussion about scheduling a workshop to discuss the ways the agenda items are handled. Some items may need additional study and research for any economic impact on the businesses in our community and help the Councilmembers become more informed with the item.

Our webpage hasn't had the agenda for the past 2 meetings. We are getting a completely new website. There was discussion about the Councilmembers email process.

If the Parks and Recreation Board has an opening Kathleen Gilliland would like to participate.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

The meeting was over at 8:21 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 11, 2003 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:31 PM.

A. ROLL CALL

Marjory Johnson	Mayor Pro-tem
Tony Marino	Councilmember 1
Ken Stapleton	Councilmember 2
Alan Fletcher	Councilmember 4

Mayor Wohr was unable to attend. Councilmember Harper arrived at 7:35 PM.
Also present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION
Tom Davenport, Lake Dallas ISD, gave the invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Pro-Tem Marjory Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS
City Manager Ray Kendall said there would be no Planning & Zoning Commission meeting next week.
The Employee Recognition Dinner is at the Duck Inn on December 19 at 7:00 PM.
We have some special guests for the Visitors & Citizens Agenda this evening.

E. REPORTS:
Boards and Commissions
Neal Malone, Parks and Recreation Board, said the tree lighting was best we've ever had. He gave a special thank you to all the staff for their assistance in the preparations. The choir from middle school did a good job and the tree was beautiful. We need to thank Larry Anderson for delivering Santa Claus, complete with police escorts and a special thanks to City Manager Ray Kendall for his guiding hand. The next event coming up is the cleanup at Willow Grove Park. We need more people to help with that project. The date of the MayFest needs more research so we don't conflict with the ISD and Police Department events. We still have vacancies to fill for the board.

F. VISITORS/CITIZENS AGENDA
Chris Curry, 212 Hillcrest, talked about the new Waste Management contract and the new containers. He had recently purchased a $90 trashcan at Lowe's that is nearly the exact same as the containers furnished by Waste Management. He would like to ask them to honor emptying it as well as the Waste Management container. He called for a bulk pickup early in a week but it was not completely taken care of until Friday and then only after he had made several phone calls. He asked Council

to look at that idea of emptying the homeowner's containers that are a close replica to Waste Management's. He said he has talked with Waste Management and they are open to it.

Richard Martin, 610 Thompson, said he had comments about the dumpster thing. He Has pictures from all around town. His concern is to have them placed inside a fence because a lot of them are overfilled. He passed the pictures out for Council to look at. It will be discussed more during the workshop item.

Girl Scout Troup #990, Lake Cities area. The girls are working on a merit badge: My Community. They needed to address six different events. One was a concern with speeding and cars going too fast in neighborhoods so they came in and talked with City Manager Ray Kendall about the possibility of installing speed bumps on some streets. City Manager Ray Kendall explained the disadvantages of the speed bumps installation. 'Children at Play' signs as well as more police patrols would be more effective. The Girl Scouts performed a cheer about their community and received a standing ovation.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of November 13, 2003. (City Secretary)**
2) **Discussion and Action on approval of November Accounts Payable and Financials. (City Manager)**
3) **Discussion and Action to approve an Ordinance for a facility use agreement with the Lake Cities Soccer Association for the purpose of using a city owned facility for recreational activities. (City Secretary)**
4) **Discussion and Action to approve a site plan for Video Plus property. (City Manager) / (Planning & Zoning Commission)**
5) **Discussion and Action to allow modifications to a cell tower located at 601 South Denton Drive. (City Manager) / (Planning & Zoning Commission)**
6) **Discussion and Action to approve the purchase of a Ford pickup truck for Public Works from HGAC and sell existing Dodge. (City Manager)**
7) **Discussion and Action to approve the purchase of a Porta mole Culvert Cleaner System for Public Works. (City Manager)**
8) **Discussion and Action to hire Quality Consultants for material testing of the asphalt and base preparation for streets to be paved. (City Manager)**
9) **Discussion and Action to appoint Gary Johnson as the third representative from Lake Dallas to the Lake Cities Library Board.**

Motion to approve all of the items of the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Mayor Pro-tem Johnson, Councilmembers Marino, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) Pubic Hearing on a contract with Lake Dallas ISD to develop tennis courts in Lake Dallas City Park.

No one came forward to speak so Mayor Pro-Tem Marjory Johnson closed the Public Hearing.

2) Discussion and Action to approve a contract with Lake Dallas ISD to develop tennis courts in Lake Dallas City Park. (City Manager)

Motion to approve Item H-2 was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher, and Harper

Noes: None

Motion Passed

3) Discussion and Action to change streets to be paved based on utility construction by LCMUA.

Mayor Pro-Tem Marjory Johnson said this is a "Non-item" because the utility district has postponed the utility construction.

I. WORKSHOP:

1) Discuss and determine screening requirements for all non-residential trash dumpsters. (City Manager)

Councilmember Harper read a note from Greg Tierney, Duck Inn, which said he did not support constructing walls around current dumpsters. The note said that better location of dumpsters is acceptable.

Gene Tisdale, 524 Howard, said he didn't know that there's a $2000 fine attached to non-compliance with the ordinance.

City Manager Ray Kendall said on new construction we are requiring new business to put 3 sides and asking them to put a gate. Ordinance does provide that they can be fined up to $2,000/day, which is in accordance with State laws.

Margaret Tisdale, 509 Howard, said they have driven around town looking at dumpsters and her feeling is that the people who dump the dumpsters may not place the dumpsters back down within the screened area. And, she said, there's usually trash spread around the outside of the dumpsters and screened areas.

Marsha Rios, Lewisville, said the dumpsters look horrible. The charm and beauty of the town isn't a real nice town to look at with all those dumpsters around.

Richard Martin, 610 Thompson, said that perhaps code enforcement needs to go around and ask these businesses to move their dumpsters off the streets.

Karl Hammond, 5427 Kings Manor, said he is appalled that we have a lot of ordinances on the books that have never been enforced. He thinks we need to enforce the laws we already have. If citizens don't like it they can go thru proper channels to see about getting things changed.

The ordinance has been in effect since 1986 we have been enforcing it for the past three years. All of the new or remodel businesses have volunteered to do the gate during this same time frame. The question now is how can we get those with non-residential dumpsters who did not screen their dumpsters bring their dumpsters into compliance with this ordinance. It has been suggested that these businesses be given one year to screen their dumpsters and that fees attached to the process be waived. Waste Management should be contacted about who is responsible for opening and closing the gates on trash pickup days on the 4-sided screened areas plus the placement issue.

J. CITY MANAGER'S REPORT

This month's sales tax receipts were only $70 more than last year's. Now that we have the trash service system we have $24,000 per year more franchise fees due to us because of people hadn't been paying for trash service.
Next week the street contractor will begin digging up the streets and they will be paved between Christmas & New Year's Day, depending on the weather.

K. NEW BUSINESS

There have been requests for Christmas lights on Main Street.
In the Beck Addition there has been a request for a street light since the one that is on Wildwood has had a tree grow up around it and the light isn't bright enough. The citizen should send a written request to the City Manager.
Do 'Children at Play' signs make an impact? There are some trouble spots that might need those signs. It is a lot more effective deterrent to have patrol car go through the area at various times of the day and night.
Tomorrow night the Spirit of Christmas will be wrapping gifts at the Intermediate School and all volunteers to help are welcome.
We should make Certificates for the Girl Scout Troop that was here tonight and invite them to another meeting so the certificates can be presented to them.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 9:20 PM.

Marjory Johnson, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 13, 2003 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:33 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember Alan Fletcher had called to say he was unable to attend the meeting. Also present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

The Annual tree lighting is at 7 PM on December 6.
The Employee Recognition Dinner will be December 19 in the Linwood Gilliland Community Room and catered by the Duck Inn.

E. REPORTS:

Boards and Commissions

Neal Malone, Parks and Recreation Board, said that this month the Board is preparing next year's schedule. He showed the pictures that were published in the Sun Newspaper showing the yard of the month for residential and commercial. They still need to get refreshments for the tree lighting and one of the board members has asked someone at the school who is an expert on crafts to be there. The FallFest may get changed to a SpringFest due to conflicts with all the churches and other cities who are having their fall festivals. The Christmas tree may have a faulty trunk. We still have two vacancies on the board and need two alternates.

Councilmember Johnson said that Bob Bearden with the State Comptroller's Office in Austin will be at the joint 4a and 4b meeting November 17 at 7 PM.

F. VISITORS/CITIZENS AGENDA

Gene Tisdale, 524 Howard Drive, said you can't believe everything you read in the paper. It said he had got 300 signatures, but there were about 30 other people who were involved in that project. There is a group of citizens who are Interested in finding way they could help the city. These citizens have two concerns: taxes and

little petty crime that is going on in the city. They will try to put something together.

Mayor Wohr thanked him for bringing people out to participate in the Council meeting.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of October 23, 2003. (City Secretary)**
2) **Discussion and Action on approval of October Accounts Payable and Financials. (City Manager)**
3) **Discussion and Action to approve a Resolution for the annual review of the Investment Policy. (City Secretary)**
4) **Discussion and Action to appoint Richard Martin to the Parks and Recreation Board. (City Manager)**
5) **Discussion and Action to approve Estrada-Hinojosa Investment Bankers to provide Continuing Disclosure Services to Municipal Securities Information Repositories. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action to award the bid for paving of city streets. (City Manager)**

Motion to award the bid for street paving of Church, Galbraith, Mosley, Myers, Ridgewood and Summers Streets to JRJ for $81,803.15 was made by Councilmember Johnson. Second by Councilmember Stapleton.

Motion to amend the motion to have a change order issued that would include Nick Street not to exceed 25% of the bid was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

Vote on original motion as amended:
Ayes: Councilmembers Marino, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2) Discussion and Action on election of Board of Directors of Denton Central Appraisal District. (City Secretary)

Motion to cast our eleven votes for Charles Stafford was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Harper
Noes: None
Motion Passed

I. WORKSHOP:

1) Discuss and determine screening requirements for all non-residential trash dumpsters. (City Manager)

Since all the Councilmembers were not present it was determined that this item be placed on the December or January agenda.

J. CITY MANAGER'S REPORT

The city's sales tax receipts of $46,000 for this month is up from last year's $41,000. We have been trying to keep our costs and expenses in line due to the cash flow problem. With the poly-cart changeover: the good news is that 143 new customers have signed up who have not paid for service in the past and the bad news is that 106 paying customers did not get carts and we don't understand why. Waste Management has identified these customers but there may still be a few who are paying customers and didn't get a cart. The 4b board had presentation from Mr. Davenport and the proposed tennis courts to be built in City Park at the last 4b meeting. 4b has been asked to pay for the lighting and 4b has given their consensus. This will be on 4b's first December meeting as a public hearing and action item. There will be a public hearing and action item on the City Council's December 11 meeting.

K. NEW BUSINESS

We should inquire about an audit of our tax rolls to ensure that we have all our properties on the tax rolls.
Reminder about the Spirit of Christmas: gift wrapping is on December 12th at the Intermediate school beginning at 6 PM.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was over at 8:20 PM.

Steve Wohr, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 23, 2003 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

B. INVOCATION

Mayor Wohr gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

Councilmember Marino said the Spirit of Christmas is looking for volunteers to help again this year. Please contact Jim May or Tony Marino. There are also applications available to volunteer for the City Boards and Commissions.
Mayor Wohr said the Spirit of Christmas also needs people to help wrap the gifts and deliver them.
Carolyn Green provided information about the Fun Run for Spirit of Christmas.

Mayor Wohr read a proclamation from the Friends of the Family designating October as Relationship Violence Awareness Month.

E. PRESENTATIONS

Mayor Wohr presented Carolyn Green with a certificate thanking her for all the many years she has provided entertainment for various City functions. Carolyn received a standing ovation when she came forward to receive her certificate.

F. VISITORS/CITIZENS AGENDA

Mayor Wohr said the Council would deviate from their normal course tonight. He addressed those items that had been items H5 & 6. H said he had put it on the agenda almost 2 years ago and since he sponsored it he took it off the agenda. Many people called him and didn't understand the reasoning. The Citizens Agenda is the place to discuss items that are not on the agenda. He said that if citizens were here for the zoning change or screening ordinance please wait and speak on those items at the time they are addressed on the agenda. He said we generally allow each person 5 minutes to speak regarding an item. He asked that the citizens please hold their comments to the issue and be civil to our staff and our council.

Jon Wilson, 726 Summers Lane, said he thinks matters like these should be ironed out before they are put in place. He believes this ordinance would be unnecessary because we already have codes in place.

Gary Johnson, 609 Cain, said his concern is on the 4b appointments. He said we have no vacancies on that board. There had been two people with attendance problems but one resigned and the other has resolved the problem.

Gene Tisdale, 524 Howard said he doesn't think the item should have been dropped from the agenda and thinks it should be voted on tonight. He took it as a personal tax on those people with rental properties. He said he has pages of petitions filled out by many people who didn't want the ordinance to pass.
Mayor Wohr said he would like to copy the list that so we can put it in our records in case this issue should come up again.

Diane Tisdale, 524 Howard, said she thinks it's only for the money and referred to the $2,000/day fine. She hopes the Council has some feelings for the citizens.

Margaret Tisdale, 509 Howard, said she and her husband are property owners and have lived here since 1972. They have rental property here, too. The City inspector already has more than he can do and she doesn't think the city can afford to hire someone else to help. She also mentioned the $2,000/day fine.

Bob Davis, 73 Lakeridge, asked why the Council wants to fine the citizens $2,000/day. His subject matter tonight is communication. His 'I pick Nick' sign he's wearing is nothing against the City Manager. He said Nick communicates through his police force and it's a kinder and gentler police department. He said the last five years the city has had a kinder, gentler Council. He said he would like to have the item back on the agenda tonight.

Linda Barnard, 5315 Kings Manor, said she didn't particularly object to this at the previous City Council meeting, but she does now. This ordinance would specifically target a certain area of the city. She knows that fire safety is of utmost importance to everyone. This ordinance will only add financial burden to residents and the city and cause resentment.

Donna Wood, 3736 Cottonwood Springs, The Colony, said they have rental property on Thompson Drive. She wants to stress that most landlords have a lot of liability to their renters. It would be a financial impact.

Mayor Wohr called Clyde Edwards name from the list for his opportunity to speak.
Diane Tisdale said she had put his name on the list, but he's not here.

Mike Minnis, 204 Oakwood, said it would be nice to get some closure to this issue and asked Mayor Wohr to bring it back up tonight.
Mayor Wohr said he did talk with the city attorney and that he had indicated that if one or more councilmembers wanted it brought back on the agenda that it was a possibility.

John Alexander, 5514 Castle Court, said he's a homeowner and has no rental property. He said once you get past the renters and move on to the homeowners, requiring annual certificates of occupancy, he'll move out.

Mayor Wohr closed the Citizens Agenda at 8:25 PM.

Councilmember Ken Stapleton asked to put the item on the agenda. Councilmember Marjory Johnson agreed.

H – 5. Public Hearing on requiring a Residential Certificate of Occupancy upon change in occupancy and/or ownership.
Mayor Wohr closed the public hearing when no one else came forward to speak.

H – 6. Discussion and Action to approve an Ordinance by adding a new Section 22-3, "Certificate of occupancy required," in Article 1, "In General," of Chapter 22, "Buildings and Building Regulations."

Motion was made by Councilmember Fletcher to approve an Ordinance requiring a Residential Certificate of Occupancy upon change in occupancy and/or ownership. Second by Councilmember Johnson.
Ayes: None
Noes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Motion Failed

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of October 9, 2003. (City Secretary)**
2) **Discussion and Action to approve an Ordinance amending Section 86-33, Duty of owners, "Occupants to provide and maintain containers, maintain premises," of Article II, "Collection and Removal" of Chapter 86, "Solid Waste," by changing paragraph (1) regarding portable containers. (City Manager)**
3) **Discussion and Action to approve an amendment to the Bylaws of the Economic Development Corporation to reflect requirements regarding attendance and dismissal of board members. (City Manager)**
4) **Discussion and Action to approve an amendment to the Bylaws of the Community Development Corporation to reflect requirements regarding attendance and dismissal of board members. (City Manager)**
5) **Discussion and Action to approve a contract with Meridian Alliance Group, LLC for installation of ground monitoring well in the City Public Works Yard and approve an Ordinance to amend the budget accordingly for its cost. (City Manager)**
6) **Discussion and Action to approve the Community Development Corporation expense for repair of the Lake Cities Library roof. (City Secretary)**

7) **Discussion and Action to approve the Community Development Corporation expense for Master Site Plans for the City Park and Willow Grove Park improvements. (City Secretary)**
8) **Discussion and Action to approve the Community Development Corporation expense for River Oaks Way Park. (City Secretary)**

Motion was made by Councilmember Johnson to approve the Consent Agenda. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr called for a five-minute break at 8:45 PM.

Mayor Wohr called the meeting back to order at 8:55 PM.

H. SCHEDULED BUSINESS:

1) **Public Hearing on proposed zoning change for Block 11, Lots 1, 2 and 3 of the Old Town Garza property from C-3, Commercial District, to C-1, Restricted Business District. (City Manager)**

Margaret Tisdale, 509 Howard, asked where this property was and was told it is the former City Hall.

Gene Tisdale, 524 Howard, asked for descriptions of the zoning districts and asked what the future plans are for the property.
Mayor Wohr discussed the difference in the zoning and said we don't have any plans for the property at this time. He was told if someone wanted to have apartments overhead they would have to come before the City Council.
Mayor Wohr's reply to why the City would rezone just one little corner was that zoning is the only control over a property that a City has.

Mayor Wohr closed the public hearing when no one else came forward to speak.

2) **Discussion and Action on proposed zoning change for Block 11, Lots 1, 2 and 3 of the Old Town Garza property from C-3, Commercial District, to C-1, Restricted Business District. (City Manager)**

Motion was made by Councilmember Fletcher to approve item H-2. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

3) **Public Hearing on proposed Ordinance amending Section 122-1132 (c), Location of Required Screening, of Division 2, Screening, of Article XXV, Screening, Landscaping and Tree Preservation, of Chapter 122, Zoning, regarding commercial dumpsters. (City Manager)**

Gene Tisdale, 524 Howard asked if this applied to any dumpster anywhere in City of Lake Dallas.
Mayor Wohr replied that it is for all commercial dumpsters.

Donna Wood, The Colony, said they have no screening around their mobile home park. Is this singling out specific areas?
Mayor Wohr said this would apply to all commercial dumpsters and the owners will have a year to comply with the ordinance.

There was discussion about the gate being opened on trash pickup day; who repairs the gate when the wind catches it while it's open; messes that could occur because people won't get all the trash inside and it will end up between the dumpster and the screening and make a larger mess and could be a potential health hazard.

Jon Wilson, 726 Summers Lane, said the dumpsters at Ace Hardware and the marina are not screened and he'd like to see them left like that and let the company's keep their prices down.

Winston Harper, 390 S. Lakeview, said he was in Denton today. They have dumpsters there that are not screened and they are visible from Carroll Street. He said there are some things in life that are necessary and we're a small town. He said the merchants in this town are struggling. We shouldn't be putting any more on our merchants. We should try to encourage business here, not discourage it.

Russell Wood, 701 Thompson mobile home park, said we should look at other places that already have them enclosed. You're going to have odor and a mess.

Barbara Davis, 600 Block of East Hundley, said her dumpsters have the doors on the sides.

Mayor Wohr said we may have to look at those dumpsters that are in the back of a property and make exceptions. He said there are situations where we do get complaints.

Jon Wilson said he thinks some of this beautifying Lake Dallas needs to be only where it is needed and not as a blanket statement.

Margaret Tisdale, 509 Howard, said the average citizen wouldn't know what an ad was talking about when it is published in the paper about ordinance and zoning changes.
Mayor Wohr said that the City doesn't have the resources to send agendas to everyone.
Mayor Wohr closed the public hearing.

4) **Discussion and Action to approve an Ordinance amending Section 122-1132 (c), Location of Required Screening, of Division 2, Screening, of Article XXV, Screening, Landscaping and Tree Preservation, of Chapter 122, Zoning, regarding commercial dumpsters. (City Manager)**

Motion to approve item H-4 was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmember Fletcher
Noes: Councilmembers Marino, Johnson, Stapleton, and Harper

Motion Failed

5) **Discussion and Action to nominate and approve citizens for the 4B (Community Development Corporation) Board. (City Manager)**

Motion was made by Betty Harper to appoint Neal Malone, Gary Johnson, Tony Marino, and Carolyn Green to one year terms and Vicki Carusi, Kathy Pannell, and Betty Harper to two year terms. Second by Councilmember Stapleton.

Motion was made by Councilmember Stapleton to **amend** the motion that was placed on the table to read the one year appointments in the place of the stated two year appointments [Vicki Carusi, Kathy Pannell, and Betty Harper reappointed to a two year term to expire 2005] and the two year appointments in place of the stated one year appointments [Neal Malone, Gary Johnson, Tony Marino, and Carolyn Green reappointed to a one year term to expire 2004] as stated above. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Vote on Original motion (as amended)
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall said he has nothing to add other than his report.

J. NEW BUSINESS

Thank you for the letter regarding the trash on I-35.
The Christmas Employee Recognition Dinner will be at 7 PM on December 19 at the Duck Inn.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 9, 2003 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 PM

A. ROLL CALL
Present were:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present were: City Manager Ray Kendall, Lt. James Lowery, City Secretary Weikum, and Tom Hoover, City Engineer.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS
There were no announcements.

E. VISITORS/CITIZENS AGENDA
Aldena Gregory, 603 E. Hundley, said she was there to speak for Sadie Carter, who is about 96 years old and has no family or anyone around to help her. Now that the City is not funding Dial-A-Ride it costs Sadie $10 each way to go to a doctor's appointment in Lewisville instead of riding free. She thinks we should allocate some of our tax money for Dial-A-Ride to help our seniors. She feels the seniors should have an opportunity at least once a week to be able go to the grocery store, drug store, or a doctor.

Mayor Wohr thanked her for her input.

Bry Kinney said she just opened Curves, a new business, at 312 South Shady Shores and wanted to introduce herself.
Mayor Wohr said we have a vested interest in them doing good.
Councilmember Johnson invited her to come to the Chamber of Commerce meetings on Wednesday mornings at 7:15.

F. REPORTS:
Boards and Commissions
Neal Malone, Parks and Recreation Board, said that last Tuesday night they had their elections. He's the new chair and the co-chair is Karl Hammond. He said that FallFest was one of the best they've ever had and that we ended up in the black. The next thing is the tree lighting in December. Progress is being made on the Christmas tree and we hope to have it in for the tree lighting program. There will be

a photographer in the vestibule and Councilmember Stapleton will be the storyteller again. They are appointing committees for the events during next year. Recruitment is the problem right now – they are five members short on the board. Neal said he visited with all of the vendors and did not hear even one criticism. Neal thanked the Council for giving him the opportunity to work again.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of September 25, 2003. (City Secretary)**
2) **Discussion and Action on approval of September Accounts Payable. (City Manager)**
3) **Discussion and Action on approval of September Financials. (City Manager)**
4) **Discussion and Action on approval of 3rd quarter investment funds report. (City Secretary)**
5) **Discussion and Action to approve an Ordinance to amend Section 86-51, Residential rates; Section 86-52 Commercial rates; and Section 86-53, Industrial rates; of Article II, Collection and Removal, Chapter 86, Solid Waste of the Lake Dallas Municipal Code. (City Manager)**
6) **Discussion and Action to approve borrowing for general fund to cover October and November expenses. (City Manager)**

Motion was made by Councilmember Johnson to approve the Consent Agenda with the exception of Item G-6. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Motion to approve Item G-6 [resolution] by borrowing from Northstar Bank was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action to approve amendment to solid waste collection agreement dated January 22, 1998 with Waste Management. (City Manager)**

Motion was made by Councilmember Stapleton to approve agenda item H-1 as presented. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Public Hearing and Workshop for requiring a residential Certificate of Occupancy upon change in occupancy and/or ownership. (City Manager)**

The City Council spoke informally first and then asked for citizen participation.
City Manager Ray Kendall said about a year ago council asked staff to look into what could be done regarding property that may or may not be up to health and safety standards. He said we are offering alternatives: the minimum cost of any inspection is $47 and we're recommending the c/o cost be $50. There was discussion about frequency requirements and having the initial fee be a lesser amount and any re-inspection fees be more costly. There was concern about the required safety and health codes. We would be able to track rental units through information from the utility companies.

Linda Barnard, 5315 Kings Manor, said she has several issues with this and feels the fee is too high.

Diane Tisdale, 524 Howard, said she's had fourteen tenants move out this year.

Gene Tisdale, 524 Howard, asked who requested this up to come before Council.

Mayor Wohr said the fire department had asked what could be done after the deaths of two people in separate fires that occurred in one year.

Tanyia Pine, manages Ashley Village Apartments at 155 West Overly, said she is opposed to this.

Joe Tisdale, 509 Howard, said it would be all right with a more reasonable fee.

Margaret Tisdale, 509 Howard, said that most of their renters are there from 5 – 15 years, so she doesn't have a problem with the c/o requirement, just the fee amount.

Rod Courtney, 162 Kingswood Drive, agrees with the idea. He wondered if there could be a 2 tier fee. Or, when you make the inspection that should be the lower fee but if the inspector needs to come back for re-inspection, then charge the higher fee at that time. He thinks we should take our time to work out something reasonable.

We need to develop a multi-family inspection regulation and find out what other cities are charging.

3) **Discussion and Action to approve an Ordinance requiring a residential Certificate of Occupancy upon change in occupancy and/or ownership. (City Manager)**

Motion was made by Councilmember Fletcher to table item H-3. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) Discussion and Action to approve addition of workplace violence policy to City's Personnel Policies and Procedure Manual. (City Manager)

Motion was made by Councilmember Stapleton to approve the insertion of policy recommended by City Attorney Berman with the following change: in line 6, the sentence beginning with "Also, we must not . . . willfully [to be inserted into sentence] damage . . . etc., etc." Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5) Discussion and Action to approve a new street sign design. (City Manager)

Motion was made by Councilmember Stapleton to approve agenda item H-5 using the recommended rendition as presented [new logo on reflective white with blue lettering]. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6) Discussion and Action to nominate and approve citizens for the 4B (Community Development Corporation) Board, Planning & Zoning Commission, Board of Adjustment, and Parks and Recreation Board. (City Manager)

Motion was made by Councilmember Johnson to appoint Ben Gilbert and Diane Byers as 2002-2004 appointments; Cliff Elton, Robert Northrup, and Peggy Shelton as 2003-2005 appointments; Karl Hammond as alternate and any application received as second alternate for the Planning & Zoning Commission. Appoint Matt Flanagan, John Flaming, Steven Bertrand as 2002-2004 appointments; Sandy Payne and Bruce Martin as 2003-2005 appointments; and appoint four alternates as applications received for the Board of Adjustment. Appoint Tina Martin and Gary Johnson as 2002-2004 appointments; Neal Malone, Karl Hammond, Tony Robinson, Theresa Pierce, and Jeff London as 2003-2005 appointments; and 4 other members and 2 alternates upon receipt of applications for the Parks and Recreation Board. Appoint J. W. Lively, Karl Hammond, and Beverly Weikum as 2002-2004 appointments; Marjory Johnson and Alan Fletcher as 2003-2005 appointments for the Economic Development Corporation. Appoint Vicki Carusi and Julia Lee to the Library Board. Appoint Robbie Robertson to the Lake Cities Fire Board and City Manager as alternate. Do appointments for Community Development Corporation at next City Council Meeting. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7) **Discussion and Action on request of Spirit of Christmas regarding Linwood Gilliland Community Room. (Councilmember Johnson)**

Motion was made by Councilmember Marino to allow the Spirit of Christmas use the Linwood Gilliland Community Room starting December 8 until they're done with the wrapping. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall said Chief Collier would like to meet on November 15 from 8 AM until 12 PM with all councils to discuss the formulas for the fire department budget. There will only be one regular meeting in November and one in December due to the holidays.

J. NEW BUSINESS

Appreciation was voiced for fixing the streets and curbs on Lakebridge.
Johnny is checking with TxDOT about moving the pile of trash to Mr. Bounds' pit.
It would be nice if a light on one of the light posts in the parking lot were situated to shine on the front of the building.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 10:45 PM.

Steve Wohr, Mayor

Beverly Weikum

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 25, 2003 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 PM.

A. ROLL CALL
Present were:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Tony Marino	Councilmember 21
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present were: City Manager Ray Kendall, Lt. James Lowery, Building Official Richard Dallof, and City Secretary Weikum.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
No one was absent.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS
Carolyn Green reminded everyone about the Lake Dallas FallFest on October 4.

E. VISITORS/CITIZENS AGENDA
Jim May, Chair of the Lake Cities Spirit of Christmas, said the organization wants a secure place to store the gifts for two weeks prior to Christmas each year and would like to use the Linwood Gilliland Community Room. He said they will still be at the schools to do the wrapping because they can have the cafeteria and gymnasium at the same time.
Mayor Wohr said we will check the schedule for other events. The cleaning fees were mentioned.

Rod Courtney, 162 Kingswood, said he likes the podium positioned where it is now.

F. PROCLAMATION
None

G. WORKSHOP:

1) **Discussion on changes to the City's Personnel Policies and Procedures.**

Councilmember Ken Stapleton said a policy for 'Violence in the Workplace' is pretty much standard these days and he thinks the city should have it.
There was discussion about where it would fit in the current Employee Personnel Manual.
City Manager Ray Kendall will look it over and said he will discuss it with the department heads and city attorney.

H. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for September 11, 2003 meeting. (City Secretary)**

Motion was made by Councilmember Johnson to approve item H-1. Second by Councilmember Harper.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Discussion and Action to approve an Ordinance to amend Section 78-51 of Chapter 78, Peddlers and Solicitors, of the Lake Dallas Municipal Code. (City Secretary)**

Motion was made by Councilmember Fletcher to approve item H-2, but make it after 9 AM and end time to be 30 minutes before sunset. Second by Councilmember Johnson.
Motion to amend the standing motion to read from the hours of 9 AM to 6 PM was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Vote on Original Motion:
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) **Discussion and Action to transfer Code Enforcement function to Police Department from Community Development. (City Manager)**

Motion was made by Councilmember Fletcher to approve item H-3. Second by Councilmember Stapleton.
Motion to amend: was made by Councilmember Marino to transfer the field code enforcement function to the Police Department from Community Development and retain the administrative portion in the Community Development Department. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

Vote on Original Motion:
Ayes: Councilmembers Marino, Johnson, and Fletcher
Noes: Councilmembers Stapleton and Harper

Motion Passed

4) **Discussion and Action to approve a Resolution governing attendance requirements for the City of Lake Dallas boards and commissions. (City Manager)**

Motion was made by Councilmember Fletcher to approve H-4. Second by Councilmember ~~Fletcher~~ JOHNSON.
Ayes: None
Noes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper

Motion Failed

5) **Discussion and Action to approve an Ordinance to amend Article II, Alarms, of Chapter 38, Emergency Services, Division 1, by changing Sections 38-34(a)(1) and (2), Section 38-35, Section 38-37(a) and 38-39(b), (c), (g), and (h); and Division 2, Section 38-61(a), (b), and (c), Section 38-63 (a), (b), (c), and (d) of the Lake Dallas Municipal Code concerning general, local, and CATV alarm systems, to add an annual alarm permit fee and false alarm fees. (City Manager)**

Motion was made by Councilmember Fletcher to approve item H-5. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6) **Discussion and Action to allow the City of Corinth to use the City of Lake Dallas stage for their FallFest.**

Motion was made by Councilmember Johnson to approve item H-6. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. **SCHEDULED BUSINESS:**

1. **Discussion and Action to approve a site plan for commercial use at 101 Lakeview. (Building Official)**

Motion was made by Councilmember Stapleton to approve agenda item I-1. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Public Hearing to hear comments about amending Article 1, In General, of Chapter 122, Zoning, by amending Section 122-7, Zoning Districts Established. (City Secretary)**

Rod Courtney, 162 Kingswood, asked if the Mayor would give the audience the differences on these items. He also asked if citizens could get a council packet so they wouldn't have to ask so many questions.
Mayor Wohr said they could discuss any item anyone is interested in. He also said we can certainly make a copy for those citizens who are concerned as long as we know prior to the meeting.

Mayor Wohr closed the public hearing when no one else came forward to speak.

3. **Discussion and Action to approve an Ordinance amending Article 1, In General, of Chapter 122, Zoning, by amending Section 122-7, "Zoning Districts Established." (City Secretary)**

Motion was made by Councilmember Stapleton to approve agenda item I-3.
Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. **Public Hearing to hear comments about amending Chapter 122, Zoning, by removing certain fee amounts to become part of the Building and Code Fee Schedule attachment to a new Ordinance. (City Manager/Building Official/City Secretary)**

Gene Tisdale, 524 Howard Drive, and
Rod Courtney, 162 Kingswood, both said they think the new fees for mobile homes inspections is too high.
Mayor Wohr said we are still lower with our permit fees than the other cities around us.
Mayor Wohr closed the public hearing when no one else came forward to speak.

5. **Discussion and Action to approve Ordinances: (City Manager/Building Official/City Secretary)**

a) **Adopt a new fee schedule for building permits.**
b) **Amend Section 22-2, "Electricians License" of Chapter 22, "Buildings and Building Regulations.**
c) **Amend Section 22-123(a), "Application for Certificate of Occupancy" of Chapter 22, "Buildings and Building Regulation," Division 3, Boarding Houses, Lodging Houses, and lodging Units.**
d) **Amend Section 122-802, "Manufactured Home Permit; Required, Cost" of Chapter 122, "Zoning."**
e) **Amend Section 122-916, "Manufactured Home Permit; Required Cost" of Chapter 122, "Zoning," Division 2, R-1, 4000C, Commercial Manufactured Home Residential District.**
f) **Amend Section 122-1021, "Required" of Chapter 122, "Zoning," Article XXIII, Building Permits.**

g) **Amend Section 122-1023, "Separate Permits" of Chapter 122, "Zoning," Article XXIII, Building Permits.**

Motion was made by Councilmember Fletcher to approve items I-5 (a), (b), (c), (d), (e), (f), and (g). Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6. **Discussion and Action to determine which streets should be repaired this fall using 1998 Street Bond Funds, hire Thomas Hoover Engineering, LLC to develop bid specifications, issue a Request for Bids for repair and paving of streets and Request for Bids for quality control testing of work and manage the project. (City Manager)**

Jon Wilson, 726 Summers said that Summers and Donald are the most atrocious ones streets and have bad potholes.
Mayor Wohr told Mr. Wilson he was welcome to put on the agenda for the next meeting.
Motion was made by Councilmember Johnson that we repair Church, Ridgewood, Galbraith, Moseley and Myers at this time and then reassess after that. Second by Councilmember Marino.
Motion to amend was made by Councilmember Johnson to add Summers to the list as long as the total price is under $250,000. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes None

Motion Passed

Vote on Original Motion:
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7. **Discussion and Action to approve an Ordinance to amend Article I of Chapter 22, Buildings and Building Regulations, of the Lake Dallas Municipal Code to add a new Section 22-3, to require a certificate of occupancy for change in use or occupancy of land and structures. (City Manager)**

Motion was made by Councilmember Stapleton to deny agenda item I-7. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

8. **Discussion and Action to nominate and approve citizens for the 4B (Community Development Corporation) Board, Planning & Zoning Commission, Board of Adjustment, and Parks and Recreation Board. (City Manager)**

Motion was made by Councilmember Stapleton to approve I-8.
Motion died for lack of a second.

Motion was made by Councilmember Harper to table this item until the next meeting. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

J. CITY MANAGER'S REPORT

City Manager Ray Kendall said he had given each Councilmember a binder containing the current budget. There will be an amendment to the budget because Summers was added to the list of the streets to be repaired.
He said he asked Carl Deaton, auditor, to show the designated funds separately in the audit.
City Manager Ray Kendall said we need to get some energetic persons to serve on our boards and commissions. We're having a problem with attendance.

K. NEW BUSINESS

We need a workshop on the next meeting to discuss the certificates of occupancy and allow the citizens to give public input.
On future street projects we should schedule public hearings for 30 days prior to Council action.
Mayor Wohr asked City Manager Ray Kendall to contact the man who left during the meeting tonight.
We should put the Spirit of Christmas and the Linwood Gilliland Community Room on as an agenda item. We need to determine what alternatives there might be.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 10:15 PM PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 11, 2003 in the Lake Dallas City Hall, 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7: 30 PM.

A. ROLL CALL

Present were:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present were: City Manager Ray Kendall, Acting Chief of Police Lt. James Lowery, Building Official Richard Dallof and Acting City Secretary Joni Vaughn

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

All members present.

B. MINUTE OF SILENCE FOR SEPTEMBER 11, 2001 VICTIMS.

C. The invocation was given by Mayor Wohr.

D. The Pledge of Allegiance was led by Mayor Wohr.

E. ANNOUNCEMENTS

Mayor Wohr made an announcement regarding Texas First Responders Day.
Councilmember Johnson made an announcement regarding Chief Ristagno's Reception on September 21st and his return to work part-time on September 22nd.

F. VISITORS/CITIZENS AGENDA

Vikki Carussi, 224 Pembrook, a representative of the Library Board, made a request to the City of Lake Dallas for a $1200.00 increase of funds to the Library for the 2004 Budget.

G. REPORTS:

Boards and Commissions

Carolyn Green reported the 4B Budget was on the Consent Agenda.
Councilmember Fletcher reported that 4A had been doing advertising with the Rave, and would be advertising in Blacks' Guide.

H. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of August 28, 2003. (City Secretary)**
2) **Discussion and Action on approval of August Accounts Payable. (City Manager)**
3) **Discussion and Action on approval of August Financials. (City Manager)**
4) **Discussion and Action to approve a Regional Warrant Service Agreement with the Town of Marshall Creek Police Department. (Interim Police Chief)**
5) **Discussion and Action to approve site plan for haunted house and maze tent for the Lions Club. (Building Official)**
6) **Discussion and Action to approve an Ordinance providing for the Dismissal of TXU Gas Company's requested increase in rates if company fails to remove increases for pipeline services from its requested distribution rates. (City Manager)**
7) **Discussion and Action on approval of RFP for audit of FY 2003. (City Secretary)**
8) **Discussion and Action to allow Kingsley Management Corporation DBA DirtyWorx to haul trash on City streets. (City Manager)**
9) **Discussion and Action on approval of Community Development Corporation FY 2004 budget. (Community Development Corporation Chair)**
10) **Discussion and Action on approval of Economic Development Corporation FY 2004 budget. (Economic Development Corporation Chair)**

Motion to approve Consent Agenda Items H1-H11 (Addendum) made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, Harper
Noes: None

I. SCHEDULED BUSINESS:

1) **Public Hearing on proposed Special Use Permit to operate a non-profit children's program/club at 111 Lakeview, Lake Dallas, Texas; Lots 8 and 9 of Block A of the Garza Beach Estates. (Building Official)**

Donna Campbell, 113 Lakeview, spoke in opposition to the proposed children's club at 111 Lakeview.

Lee Hughes, 110 Pearl Lane, spoke in opposition to the proposed children's club at 111 Lakeview.

2) **Discussion and Action to approve a proposed Special Use Permit to operate a non-profit children's program/club at 111 Lakeview, Lake Dallas, Texas; Lots 8 and 9 of Block A of the Garza Beach Estates. (Building Official)**

Motion to deny the proposed Special Use Permit made by Councilmember Stapleton. Seconded by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher
Abstain: Councilmember Harper

3) **Discussion and Action on approval of an Ordinance adopting Budget for Fiscal Year 2003-2004 for the City of Lake Dallas. (City Manager)**

Motion to approve the Budget for Fiscal Year 2003-2004 with the addition of a $1200 increase to the Lake Cities Library made by Councilmember Johnson. Seconded by Councilmember Stapleton.
Ayes: Councilmember Marino, Councilmember Johnson, Councilmember Stapleton, Councilmember Fletcher, Councilmember Harper
Noes: None

4) **Discussion and Action on approval of an Ordinance setting the property tax rate of $0.57980 for Fiscal Year 2003-2004. (City Manager)**

Motion to approve made by Councilmember Johnson. Seconded by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, Harper
Noes: None

J. **EXECUTIVE SESSION:**

1) **The City Council to convene into Closed Session in accordance with Section 551.072, Texas Government Code, to deliberate the purchase, sale, exchange, lease, or value of real property.**

K. **ACTION, if any, from Executive Session.**

Motion to begin the process of rezoning the property in question to C-1 made by Councilmember Johnson. Seconded by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, Harper
Noes: None

L. **CITY MANAGER'S REPORT**

The City Manager reported that upon checking with the City Attorney, he found it is acceptable for the 4B Corporation to pay for the Library roof repairs if the 4B Board approves. He also reported the City is opposing the Red Lion Bar; TABC has questions regarding the Red Lion and there have been problems with them in other cities. City Manager Kendall also reported that although City has budgeted for foundation repairs, the engineer believes the measures the City has taken have had some positive results in stopping the shifting and the City will wait until Spring to pursue any further repairs. Employees will be signing up for new benefits on the 16th. City Manager Kendall reported that school crossing signs were being changed to lime green. Councilmember Johnson interjected that there was a problem with the school lights on Hundley.

M. NEW BUSINESS

Mayor Wohr asked for crosswalks to be repainted.
Councilmember Stapleton requested a workshop item on the next agenda to discuss the Personnel Manual.
Councilmember Fletcher asked for curb repair on Lake Bluff in Lakebridge Estates.
Councilmember Harper said a citizen had asked her for an extra school crossing guard at the Primary school.

N. ADJOURNMENT

Motion to adjourn made by Councilmember Fletcher. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, Harper
Noes: None

Steve Wohr, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 28, 2003 in the Lake Dallas City Hall, 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Present were:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present were: City Manager Ray Kendall, Lt. James Lowery, Acting Chief of Police, Building Official Richard Dallof, and City Secretary Weikum.
Councilmember Harper arrived at 7:45 PM.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

B. The invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. ANNOUNCEMENTS

Mayor Wohr read a presentation for Bob McDonald (not present) of Ace Hardware for their donations to help make the sand volleyball court at Willow Grove Park possible. Councilmember Marino will deliver the certificate.

E. PRESENTATIONS

F. VISITORS/CITIZENS AGENDA

Robert Medigovich spoke about the waste disposal contract that will be ending soon. He represents CWD and their company does The Colony, Allen, Frisco, to name a few cities. If we plan to put our contract out for bid they would like a chance to bid. A recycling program is available.
Mayor Wohr said Council will direct questions through the city manager.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of August 11 and August 14, 2003 meetings. (City Secretary)**
2) **Discussion and Action to accept bid from Andrews Paving to pave Willow Grove Park road. (City Manager)**
3) **Discussion and Action to accept proposal from Alpha Testing to perform construction materials testing for the paving of Willow Grove Park road. (City Manager)**

4) **Discussion and Action to approve Rodney Dryden, Wellspring Insurance Agency, as the City's Agent of Record. (City Manager)**
5) **Discussion and Action to accept proposal from David K. Young Consulting to Administer City's Section 125 Plan with Fixed Savings Accounts. (City Manager)**
6) **Discussion and Action to pay for a HMO Dental Insurance Plan for city employees and provide an option to upgrade to a PPO Dental Insurance Plan at employee cost. (City Manager)**
7) **Discussion and Action to accept proposal from Hartford Life Insurance Company for life insurance and long term disability insurance for city employees. (City Manager)**
8) **Discussion and Action to accept proposal from an Insurance Company for major medical insurance for city employees. (City Manager)**
9) **Discussion and Action to amend Article 1, In General, of Chapter 10, Alcoholic Beverages, of the Lake Dallas Municipal Code of the City of Lake Dallas, by amending Section 10-32, Fee. (City Manager)**
10) **Discussion and Action on approval of a Resolution to acquire license plates for exempt vehicles. (City Secretary)**
11) **Discussion and Action to amend Sections 38-32(a) and 38-62 of Article II, Alarms, of Chapter 38, Emergency Services providing an increase in the alarm permit fee, providing for an annual fee for renewal of alarm permits, providing a penalty fee for not obtaining an alarm permit, and providing for a service charge for repeated false alarms. City Manager)**
12) **Discussion and Action to approve proposed streetlight agreement between Oncor Energy Delivery Company and the City of Lake Dallas. (City Manager)**
13) **Discussion and Action to modify the City's Personnel Policies and Procedures Manual to add a Sick Leave Bank policy for employees. (City Manager)**

Motion to approve the Consent Agenda with the exception of item G-8 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

Consent Agenda Item G-8. Motion to accept the proposal from Aetna for a major medical insurance program was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:
1) **Public Hearing on approval of a proposed replat of Lot 9 and Lot 10 of Block 1 of Gotcher Addition and Tracts 23 and 24 of Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza into one lot.**

No one came forward to speak so Mayor Wohr closed the Public Hearing.

2) **Discussion and Action on approval of a proposed replat of Lot 9 and Lot 10 of Block 1 of Gotcher Addition and Tracts 23 and 24 of Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza into one lot. (Planning & Zoning Commission/Building Official)**

Motion to approve agenda item H-2 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

3) **Public Hearing on approval of a Special Use Permit to allow a mixed use of apartments and retail, personal services, and light commercial uses in the 100 block of Market Street. [Legal description: Lot 9 (south 70' of east half) and Lot 10 (east half) of Block 1 of the Gotcher Addition, Tracts 23 and 24 of the Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza]**

No one came forward to speak so Mayor Wohr closed the Public Hearing.

4) **Discussion and Action on approval of a Special Use Permit to allow a mixed use of apartments and retail, personal services, and light commercial uses in the 100 block of Market Street. [Legal description: Lot 9 (south 70' of east half) and Lot 10 (east half) of Block 1 of the Gotcher Addition, Tracts 23 and 24 of the Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza] (Planning & Zoning Commission/Building Official)**

Motion to approve item H-4 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

5) **Public Hearing to discuss Proposed Tax Rate of $0.57980. (City Manager)**

Mayor Wohr closed the Public Hearing when no one came forward to speak.

6) **Discussion and Action to schedule and announce meeting on September 11, 2003 to adopt Proposed Tax Rate of $0.57980. (City Manager)**

Motion to announce a meeting on September 11 to adopt the proposed tax rate was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

7) **Public Hearing to discuss Proposed Budget for FY 2004. (City Manager)**

No one came forward so Mayor Wohr closed the public hearing.

Mayor Wohr closed the Regular session at 7:53 PM.

I. **EXECUTIVE SESSION:**

1) **The City Council to convene into Closed Session in accordance with Section 551.072, Texas Government Code, to deliberate the purchase, sale, exchange, lease, or value of real property.**

Mayor Wohr called the regular meeting back to order at 8:33 PM.

J. **ACTION, if any, from Executive Session.**
Motion was made to take no action by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

K. **CITY MANAGER'S REPORT**
City Manager Ray Kendall said the new podium is solid oak, was hand made, and cost $150.
We got the flags cleaned because when Congressman Burgess had his town hall meeting here he noticed that the flags were filthy.
He discussed the library request for additional funds in the 2004 budget year and stated we have spent over $2400 for repairs this year and are facing having to re-roof the building. We already have a quote of $7000 for the repair with a guarantee of 10 years. He has budgeted $1400 for repairs. He said he will send them a letter. It will be on 4b agenda.

L. **NEW BUSINESS**

M. **ADJOURNMENT**
Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 8:40 PM.

Steve Wohr, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 14, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Present:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Ray Kendall, Lt. Lowery, Acting Chief of Police, and City Secretary Weikum.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

B. The invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. ANNOUNCEMENTS

City Manager Ray Kendall said the VFW is planning a luncheon on September 11 to honor the policemen and firemen. They would like the councils of the Lake Cities Area to help serve. It will be at noon.

Mayor Wohr thanked the City staff for making sure the community room was clean and nice for the meeting last night with Congressman Burgess.

E. VISITORS/CITIZENS AGENDA

No one came forward to speak.

F. REPORTS:

Boards and Commissions

Chris Fahey said the board had discussed the many pros and cons of 4th of July festival at last meeting. For the FallFest they have the duties set up. The judges for the chili cook-off will be Councilmembers Johnson, Harper and Marino. There will be a "people's choice" award where people can go by and test the chili and put ticket in a jar to vote for the best chili. The Parks and Recreation Board has another meeting set up for next week.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of July 24, 2003. (City Secretary)**
2) **Discussion and Action on approval of July Accounts Payable. (City Manager)**
3) **Discussion and Action on approval of July Financials. (City Manager)**
4) **Discussion and Action on approval of a Resolution adopting a Parks, Recreation and Open Space Master Plan for the City of Lake Dallas. (City Secretary)**
5) **Discussion and Action to approve a Local agreement with Denton County Criminal District Attorney for the disposition of forfeited contraband seized under Chapter 59 of the Texas Code of Criminal Procedure. (City Manager)**
6) **Discussion and Action to approve RFP for audit services for fiscal year 2003. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action to extend the garbage and trash collection services contract with Waste Management for five years commencing December 1, 2003. (City Manager)**

Motion to extend the contract for garbage and trash collection services with Waste Management for five years commencing December 1, 2003 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Discussion and Action to modify Section 86-37, Authorized garbage and trash collection and contractor(s) to require all removal of trash and waste to be done only by a contractor(s) designated by the City. (City Manager)**

Motion to approve Item H-2 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3) **Discussion and Action to accept a proposal to conduct an appraisal of the property at 303/305 Alamo Street. (City Manager)**

Motion to table this item until the next meeting and discuss in executive session was made by Councilmember Stapleton. Second by Councilmember Harper.
Ayes: Councilmember Harper
Noes: Councilmembers Marino, Johnson, Stapleton, and Fletcher

Motion Failed

Motion to enter into the contract with Jackson Clabom, Inc. was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: Councilmember Harper

Motion Passed

4) **Discussion and Action to set proposed tax rate, take record vote and schedule Public Hearing for August 28, 2003. (City Manager)**

Motion to approve agenda item H-4 specifying the rate spelled out at $0.57980 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5) **Discussion and Action to appoint a person for vacant position on Community Development Board (4B). (City Manager)**

Motion to appoint Tony Marino to the position on the Community Development Corporation was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall said that other than his written report he doesn't have anything unless they have questions.

J. NEW BUSINESS

There was discussion about the situation of Special Use Permit applications and lead-time before action. There should be an easier way for people to determine our procedures for permits and applications.

Traditionally, in the past when we assign employees to new duties, we have raised their compensation. Is the Council interested in doing that for Lt. Lowery in the Chief's absence? City Manager Ray Kendall said you could pay them the difference between their current salary and the beginning salary for the other position. Mayor Wohr said he would like to see him have the title of Acting Chief of Police. City Manager Ray Kendall said a memo had been sent out stating that Lt. Lowery is the Acting Chief of Police.

Could we have an agenda item for next meeting addressing employees and a policy for a sick leave pool?

It would be good for a press release to be sent to the paper explaining the tax rate and increase.

There was discussion about the Friends of the Library and deposit and floor-cleaning fee for their book sales.

There was a question about items that go before the Board of Adjustment that have not been before the Planning & Zoning Commission and/or City Council. It was determined that the procedure is proper.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

The meeting was over at 9:00 PM.

CITY OF LANE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting for the purpose of a budget workshop on August 11, 2003 in the City of Lake Dallas City Hall, 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:05 PM by Mayor Pro-Tem Marjory Johnson.

A. ROLL CALL

Present were:

Marjory Johnson	Mayor Pro-Tem
Tony Marino	Councilmember 1
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr arrived at 7:15 PM.

Also present were: City Manager Ray Kendall, Lt. James Lowery, Acting Chief of Police, Building Official Richard Dallof, Public Works Superintendent Johnny Webber, Joni Vaughn and City Secretary Weikum.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

B. VISITORS/CITIZENS AGENDA

Jennifer Delmare, 155 W. Overly Apt 2402, Lake Dallas is planning to open a non-profit daycare for children and needs to open by the 18th because she has 26 people waiting and more on a waiting list. The location is 111 Lakeview Drive and they are in the process of having changes made to bring the building up to code. She needs help to get this through to get a place for these kids.

Justine Henry said she was going to say the same thing as Ms. Delmare said.

C. BUDGET WORKSHOP

City Manager Ray Kendall said would have handouts for the Councilmembers after the presentation. His presentation included the current financial status, results of last year's audit, budget adjustments in April, and cash flow projections. He said the biggest revenue we have is property taxes. He's recommends the City have a property tax increase of 1.8 cents which would produce additional income of approximately $70,000. He commented on the sales tax revenue; franchise fees; the storm water management program and Waste Management's offer to do the billing for us; building permits and some fee increases; annual alarm system fees plus false alarms; the liquor licenses and surcharge fees; and municipal court and citation fees. The Economic Development and Community Development Corporations will reimburse the City for some of its expenses.

Waste Management has agreed to donate $6,000 for the community room kitchen. CenturyTel has also agreed to give $6,000 towards cost by giving $2,000 this year and $4,000 next year.

City Manager Ray Kendall discussed the expenses portion of the proposed budget. He discussed the health insurance and dental program. He said the City doesn't offer a long-term disability plan for our employees. He addressed the storm water management program and fire department budget.

Councilmember Stapleton left for a previous appointment at 8:00 PM.

City Manager Ray Kendall said the police department is still planning to buy a new vehicle and will pay for it out of their auction account. The Pubic Works Department will continue to have three full-time employees plus two seasonals. The department does need a new truck because the 1990 Dodge costs too much in repairs.

D. Discussion and Action to Specify Changes to Proposed Budget.
Motion to take no action was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion passed

D. ADJOURNMENT
Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 8:55 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on July 24, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.
The meeting was called to order at 7:30 PM by Mayor Pro Tem Johnson.

A. ROLL CALL

Present:

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Mayor Wohr arrived at 7:31 PM. Also present were City Manager Ray Kendall and City Secretary Weikum.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
Betty Harper was out of town on vacation.

B. INVOCATION
The invocation was given by Councilmember Ken Stapleton.

C. PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by Mayor Wohr.

D. ANNOUNCEMENTS
Councilmember Marjory Johnson said that she had missed someone during the recognition of those who helped with the 4th of July festival at the last meeting. She asked Karl Hammond to come forward to receive his Certificate of Appreciation.

E. VISITORS/CITIZENS AGENDA
No one came forward to speak.

F. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of July 10 and July 17, 2003. (City Secretary)**
2) **Discussion and Action on approval of Quarterly Investment Report. (City Secretary)**
3) **Discussion and Action to require the pre-approval of the City Manager and/or Council for all expenditures except fixed salaries, benefits and taxes. (City Manager)**
4) **Discussion and Action to establish a minimal value of $1,000 for capital items. (City Manager)**
5) **Discussion and Action to approve the expenditure and Budget Amendment of $1,980 to install root barriers around south and east walls of City Hall. (City Manager)**
6) **Discussion and Action to approve the expenditure and Budget Amendment of $600 to send City Manager, Police Chief and City Secretary to seminar in October, 2003. (City Manager)**

Motion to approve Consent Agenda items 1, 2, 4 and 5 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

Motion to approve Item F-3 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

Motion to approve Item F-6 was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

G. SCHEDULED BUSINESS:

1) **Public Hearing to accept the proposed Parks, Recreation and Open Space Master Plan developed for the City of Lake Dallas by Schrickel, Rollins and Associates, Inc.**

Suzanne Sweek of Schrickel, Rollins and Associates gave a presentation on the final draft of the Parks, Recreation and Open Space Master Plan. She said that the Master Plan should be updated every year by adopting priorities and amendments instead of re-doing the entire plan. There was discussion about grant applications and current priorities.

2) **Discussion and Action to accept the proposed Parks, Recreation and Open Space Master Plan developed for the City of Lake Dallas by Schrickel, Rollins and Associates, Inc. (City Manager)**

Motion to approve the Parks, Recreation and Open Space Master Plan was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

3) **Discussion and Action to modify and/or accept the proposed Lake Cities Fire Department Budget for Fiscal Year 2004. (City Manager)**

Motion to accept the proposed budget including a freeze in salary increases was made by Councilmember Fletcher. Second by Councilmember Marino.

Motion to amend the existing motion on the table to strike the provision about freeze in salary increases and replace that line to read to reduce the proposed budget by $100,000 was made by Councilmember Stapleton. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher.
Noes: None

Motion Passed

Vote on original motion:
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher.
Noes: None

Motion Passed

Mayor Wohr closed the open meeting at 9:20 PM.

H. **EXECUTIVE SESSION:**

The City Council to convene into Closed Session in accordance with Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property.

Mayor Wohr called the open meeting back to order at 9:45 PM

I. **ACTION, IF ANY, FROM EXECUTIVE SESSION.**

Motion to approve the expenditure for an appraisal of the old city hall was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

J. **CITY MANAGER'S REPORT**

City Manager Ray Kendall referenced Item 1 of his report because of his concern in the repair a major drainage pipe on private property.
He said the quarterly cleanup was down about twenty to thirty loads. We are giving some thought to having a spring cleanup with brush only in May.
He reminded about the August 11 budget workshop and said that on August 14 we will have to establish a tax rate and take a vote. He said he will try to have the budget packet to them by end of the week of August 4. We still don't have the employees health costs and he's looking at a better dental program with the city paying the premiums instead of pay increase and he would like to look at a long-term disability program.

K. **NEW BUSINESS**

Are they doing a renewal of the property on at that piece of land that we rezoned to residential on Main?
Chief Ristagno is ill and we should send something to him.

L. **ADJOURNMENT**

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None

Motion Passed

The meeting was adjourned at 10:10 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on July 17, 2003 at 8:35 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. **ROLL CALL**

Marjory Johnson	Mayor Pro-Tem
Tony Marino	Councilmember 1
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Ray Kendall and City Secretary Weikum.
Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
Mayor Wohr was out of town on vacation. Ken Stapleton was absent.

B. **VISITORS/CITIZENS AGENDA**
No one came forward to speak so Mayor Pro-Tem Marjory Johnson closed the Visitors Agenda.

C. **SCHEDULED BUSINESS:**

1) **Discussion and Action on approval of a site plan for Lakeview Custom Pools.**

Lance Hill, 1600 Buena Vista, Denton, is the owner and said that summertime is busy time for them and they are planning a grand opening for August 15.
Motion to approve item C-1 was made by Councilmember Fletcher. Second by Councilmember Marino.
Amended motion was made by Councilmember Fletcher to approve the site plan with the condition that a permanent certificate of occupancy will not be issued until such time as they pave the parking area and comply with the code for screening requirements. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Fletcher, and Harper.
Noes: None

Amended Motion passed

Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Fletcher, and Harper.
Noes: None

Original Motion passed

2) **Discussion and Action on approval of an Ordinance to amend Chapter 6, Advertising, Article II, Signs, Section 6-47, Portable, temporary signs and Section 6-32 'Definitions.'**

Motion was made by Councilmember Fletcher that we move in the path recommended by the Planning & Zoning Commission that we do a study on the sign regulations and take no action on this item. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion passed

3) **Discussion and Action on approval of a site plan for Barfly's Sports Bar and Grill.**

Motion to approve item 3-C was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion Passed

D. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Fletcher, and Harper
Noes: None

Motion passed

Meeting was over at 8:42 PM.

Marjory Johnson, Mayor Pro-Tem

Beverly Welkum, TRMC - City Secretary

Executive Session:
As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

This building is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours ahead of meeting. To make arrangements, call 940-497-2226 or (TDD) 1-800-RELAY-TX (1-800-735-2989) to reach 940-497-2226.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on July 10, 2003 at 7:35 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Marjory Johnson	Mayor Pro-Tem
Tony Marino	Councilmember 1
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
Steve Wohr, Mayor, was absent due to illness.

Staff present: City Manager Ray Kendall and City Secretary Weikum.

B. Councilmember Stapleton gave the invocation.

C. Mayor Pro-Tem Marjory Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS
City Manager Ray Kendall said that Wednesday, August 13, Congressman Burgess will have a town hall meeting here at 7 PM.

Mayor Pro-Tem Marjory Johnson gave out Certificates of Appreciation to the Town of Hickory Creek, the Lake Cities Lions Club, the Lake Cities Chamber of Commerce, Northstar Bank of Texas, and Friends of the Lake Cities Lions Club for their help in providing funding for the 4th of July fireworks.

Mayor Pro-Tem Marjory Johnson had Certificates of Appreciation for Carolyn Green, Tina Martin, Nick Ristagno, James Lowery, Lynn Yeargin, Tony Robinson, Jeff London, Neal Malone, Shelley Kristich, Karl Hammond, and Johnny Webber and the Public Works Staff for their hard work in the success of the annual 4th of July festival.

E. VISITORS/CITIZENS AGENDA
No one came forward to speak.

F. REPORTS:
Boards and Commissions
Vicki Carusi, Lake Cities Library Board, had a handout. She said they are pleased with the change and are getting ready to open the reference desk. They are back in full force with their regular hours, puppet theater and story times. This is their first report so she told Council if they want to see anything different to please call or email Jill or any of the board members.

Neal Malone, Parks and Recreation Board, said that Ace Hardware had been contacted on Tuesday about the horseshoe pits at Willow Grove Park. They contributed two sets. He said he's had a request for us to put one in at City Park.

F. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of June 26, 2003. (City Secretary)**
2) **Discussion and Action on approval of June Accounts Payable. (City Manager)**
3) **Discussion and Action on approval of June Financials. (City Manager)**
4) **Discussion and Action on re-appointment of Neal Malone to the Parks and Recreation Board.**
5) **Discussion and Action on approval of an Ordinance to amend Article IV, Willow Grove Park, of Chapter 74, Parks and Recreation, of the Lake Dallas Municipal Code. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher and Harper.
Noes: None

Motion Passed

G. SCHEDULED BUSINESS:

1) **Public Hearing to discuss the Proposed 2004 Fiscal Year Lake Cities Fire Department Budget.**

Chief Jason Collier of the fire department gave a presentation regarding the budget and funding amounts.
When no one else came forward to speak Mayor Pro-Tem Marjory Johnson closed public hearing.

2) **Discussion and Action to approve and/or modify the Proposed Lake Cities Fire Department 2004 Fiscal Year Budget. (City Manager)**

There were questions from the City Council that Chief Collier and Robbie Robertson answered. They will have more information at a later date.
Motion was made by Councilmember Stapleton to table Item G-2 until the next regular meeting. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

3) **Discussion and Action to approve proposed 2004 fiscal year budget/tax rate meeting schedule. (City Manager)**

Motion to approve agenda item G-3 was made by Councilmember Stapleton. Second by Councilmember Marino.
Motion was made to amend the motion on the table to reflect August 11. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Amended Motion Passed

Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher and Harper
Noes: None

Original Motion Passed

H. CITY MANAGER'S REPORT

City Manager Ray Kendall said that today's Sun Newspaper had an article that said the City of Lake Dallas' sales tax revenue was up over June of last year. They failed to say that this increase was due to the 4a/4b sales tax. The general fund is down 1.4% from last year but June's receipts are about 4% more than last year. The owner of the newspaper said when they run the article again they will give the numbers as related to funds. It would give the wrong impression to our citizens since the 4a and 4b sales tax monies cannot be used by the general fund.

He said that outside the door is a trash container that could be used for trash pickup in the City.

City Manager Ray Kendall said we've been asked about the placement of more freestanding signs like the one at Hundley and Denton Drive. Our ordinance allows them for up to twelve months. He said he has concerns about the freestanding signs and that we should amend that ordinance to control or prohibit the use of freestanding signs.

There is a new business that wants to locate on the access road where the fence company was. The item will be on the Planning & Zoning Commission agenda next Thursday and they are requesting a special Council meeting after the P & Z meeting so they can get started on their pool site work. We can schedule a meeting for 8 PM on July 17.

I. NEW BUSINESS

The next regular agenda should have an item on it to approve the leadership skills training.

J. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Marjory Johnson, Councilmembers Marino, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:20 PM.

Marjory Johnson, Mayor Pro-Tem

Beverly Weikum, TRMC - City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on June 26, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, and Acting City Secretary
Joni Vaughn

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. ANNOUNCEMENTS

City Manager Ray Kendall announced there would be a Public Hearing regarding a proposed fare increase for the Dial-A-Ride program in the Council Chambers at Lewisville City Hall on July 7th at 7:00 p.m. Councilmember Johnson suggested someone from Council should attend.

City Manager announced the meeting at Lantana Golf Club on July 9 for Economic Development Corporation legislative changes.

City Manager made announcement about the Fourth of July festivities and the Road Rally on June 28th.

E. VISITORS/CITIZENS AGENDA

There was no one to speak on the Citizen's Agenda.

City Manager Ray Kendall asked permission to move the City's sign from the Library to City Hall. Permission granted. Sign will be moved.

F. CONSENT AGENDA:

1) **Discussion and Action to excuse the attendance of <u>all present</u> .**
2) **Discussion and Action to add Councilmember Harper as Council Liaison to Parks and Recreation Board.**
3) **Discussion and Action on approval of Minutes for meeting of June 12 and June 14, 2003. (City Secretary)**

<u>Motion</u> to approve Consent Item #3 was made by Councilmember Johnson.
Second by Councilmember Stapleton.
<u>Ayes:</u> Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
<u>Noes:</u> None

<u>Motion Passed</u>

G. SCHEDULED BUSINESS:

1) Discussion and Action regarding portable buildings at Middle School. (City Manager)

City Manager reported that according to City Ordinances portables are not normally allowed in this location; however in this situation it is necessary for safety reasons. Tom Davenport, LDISD Superintendent, spoke on behalf of LDISD. Mr. Davenport apologized to the Council that the school district had not kept the City more informed on what was going on with their building process. He said it was an oversight on their part. Mr. Davenport confirmed the City Manager's comment that the portables were in the front of the school property due to safety concerns. Hopefully, construction will be completed within one year and the portables will then be removed. The portables will be skirted. Mr. Davenport asked that the City hold the school district accountable during the building process. Councilmember Fletcher asked if there might be a sign erected indicating the portables are a temporary construction situation. Mayor Wohr asked that an informational brochure be compiled so that the City might have something to give to people who inquire about what is taking place on the property. Mayor Wohr asked for approximately 100 copies.

Motion was made for no action to be taken by Councilmember Stapleton. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

2) Presentation by the Denton County Transportation Authority. (City Manager)

No one was present to give the presentation.

3) Discussion and Action on a sign for the Lake Cities Library. (City Manager)

No one was present from the Lake Cities Library so no action was taken.

4) Discussion and Action to select a Vision Statement from recommendations made by the City of Lake Dallas Boards & Commissions. (City Manager)

Motion was made to accept the Vision Statement proposed by the Economic Development Corporation by Councilmember Fletcher. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

5) Discussion and Action on Warrant Amnesty Program with Hickory Creek and Corinth and our Municipal Courts for August 2003. (Chief of Police)

Motion was made to approve the Warrant Amnesty Program by Councilmember Johnson. Second by Councilmember Stapleton.

Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

6) **Discussion and Action to approve removal of tree on east end of City Hall parking lot. (City Manager)**

Motion was made to remove the tree at the City's expense by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, and Fletcher
Noes: None
Abstain: Councilmember Harper

Motion Passed

7) **Discussion and Action concerning retaining wall behind Kings Manor. (City Manager)**
Motion made to take no action by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Wohr directed City Manager Ray Kendall to notify the property owner.

8) **Discussion and Action on selection of members for Appeals Board. Tabled at June 12 meeting.**
Councilmembers placed their recommendations in a basket. Mayor Wohr drew names for the following five (5) members and (3) alternates:
Members: Cliff Elton, Matt Flanagan, Ben Gilbert, Carolyn Green, Teri McCool
Alternates: John Bradshaw, Lori Farney, Jim Tankersley
Motion was made to accept as drawn the new Appeals Board by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

H. CITY MANAGER'S REPORT

City Manager Ray Kendall reported that sales tax was down 11.5% this month and down 10% from last year. He also stated that 4B Corporation should be able to repay the City next month for the expense of building the Community Room.

City Manager Ray Kendall indicated that the Fire Services District budget would be discussed at the next Council meeting. He asked Councilmembers to bring their personal calendars so that a budget schedule could be approved by Council. He asked Council for their thoughts on increasing Fines and Fees for the City.

I. NEW BUSINESS

Councilmember Stapleton has information on the TEAM building programs within a 50-mile radius. There are classes in Dallas on July 7th and October 9th and are $199 and $249, respectively.

Councilmember Johnson will work with Councilmember Stapleton to decide on the classes.

Mayor Wohr will be absent on July 24th.

Councilmember Harper will be absent on July 24th, also. She will be out of town from July 21st through the 26th or 27th.

Mediation regarding Resort Realty will be on July 9th. Mayor Wohr and Councilmember Johnson will attend.

J. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Meeting adjourned at 8:40 p.m.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on June 14, 2003 at 11:15 AM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Ray Kendall & City Secretary Weikum

B. VISITORS/CITIZENS AGENDA
No one came forward to speak.

Mayor Wohr closed the open meeting at 11:20 AM.

C. EXECUTIVE SESSION:
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to deliberate on an evaluation of the City Manager.

Mayor Wohr called the open meeting back to order at 1:10 PM.

Mayor Wohr said the Councilmember Johnson had been excused early because of prior commitment.

D. ACTION, if any, from the executive session.
Motion was made by Councilmember Stapleton to approve funding to implement a mandatory employee growth training program designed to enhance a team building positive work force to be implemented within the next thirty days. The City Manager to establish specific policies for each of the departments together with the City Council. City Manager to be re-evaluated in the next sixty days. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

E. NEW BUSINESS.

F. ADJOURN.
Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 1: 20 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special workshop session on June 14, 2003 at 8:38 AM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, Richard Dallof, Johnny Webber, and City Secretary Weikum

B. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

C. CONSENT AGENDA:

1) Discussion and Action to excuse the attendance of Ken Stapleton.

Motion to excuse Ken Stapleton was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper

Noes: None

Motion Passed

D. WORKSHOP:

1) Discussion pertaining to goals and objectives for the City of Lake Dallas and review of vision statement recommendations.

Mayor Wohr said that Councilmembers and staff all have an idea of something they would like to have for our City.

City Manager Ray Kendall said we should set objectives and establish priorities. He said these items in his presentation are not in any particular order or priority.

Health insurance & other benefits:

We will be sending out RFP's for Major medical, dental (employee currently pays entire premium), and long-term disability (which is not available to employees at this time). The bids should be back July 17 and ready for approval at July 24 council meeting. We're going to have to change the amount of the deductibles and the employees understand. This will also put us on a fiscal year so any future increases will occur during budget planning.

Street overlays:

We have $254,000 available. We may not be able to afford the interest cost if we were to issue bonds. He asked for Council input regarding what they view as the top ten streets to be done. City Manager Ray Kendall said he and Johnny had driven around town and that's how he arrived at the list he previously presented to the Councilmembers. Church Street expansion and curbing for Harbourtown were discussed.

Audit services:
We need to go out for bids again this year as required by the Home Rule Charter.

Trash services:
City Manager Ray Kendall said he would recommend Monday/Tuesday pickup and the use of standard Carts. He thinks we should increase the franchise fee to 10%. We could offer an optional recycling program that would be customer paid. We will negotiate for free roll-offs for the quarterly cleanups. There was discussion about the use of poly-carts and recycling.
City Manager Ray Kendall said they would like to extend Waste Management's contract for two to three years because we don't know what might happen. The contract ends in November. There was discussion about commercial customers who are not using dumpsters and therefore don't pay commercial rates.
There was discussion about screening requirements for dumpsters. All site plans that come before the City are required to provide screening for dumpsters.

Residential property Certificates of Occupancy:
Usually, anyone buying a home in Lake Dallas has a third-party inspection.

- Owner use to new owner occupancy
  fee waived with 3rd party certified inspection
  fee waived if occupancy stays the same
- Owner use to rental occupancy
  fee waived with 3rd party certified inspection
  fee waived if occupancy stays the same
- Rental use to owner occupancy
  fee waived with 3rd party inspection
  fee waived if occupancy stays the same
- Rental use to new renter occupancy
  city inspection is required unless one has been conducted for the property within preceding year
  fee waived if occupancy stays the same

The inspection fee would be $35 and re-inspection fee of $25. The fees would be paid by the property owner, as would the compliance repairs. There was discussion about water heater inspections and health and safety issues.

Storm water management program:
The time frame for approval of the City's program and obtain the permit will be around August. We'll need to establish a citizen advisory board; implement a storm water ordinance; provide for new storm water inspection fees; prohibit & remove non-storm water discharge; control erosion & sediment; create a storm water district; fund a storm water management program; establish rates (we will need to hire a rate consultant); determine a procedure to bill our customers.
Funding requirements:

1. NCTCOG strategy for managing storm water is $1800.
2. NCTCOG public works program & manual is $5000.
3. Consultant to implement program with staff will be $10,000 to $15,000.
4. Rate consultant cost is $15,000 to $25,000.

This project needs to be in the 2004 budget. Whether churches and other exempt property tax entities will be exempted from this charge will be a Council decision. Commercial properties should pay higher rates than residential. We have to start funding drainage ditches – construction and/or maintenance.

Planned Development District:
This would allow for the phased development of land in a manner that will permit flexibility and encourage a more creative, efficient and aesthetically desirable design and placement of buildings, open spaces, and circulation patterns. This will utilize special site features such as topography, useable open space, landscape features and that will maintain the integrity and value of surrounding areas.

Vision/Mission statements:
Recommended by the Economic Development Corporation and Parks and Recreation Board.
"Lake Dallas' vision is to be a proud community with unique charm, built on strong family and community values, with exciting lakeside, recreational, and tourism assets,
supported by a diverse and profitable business base."

Recommended by the Community Development Corporation
"Lake Dallas' vision is to be a proud Metroplex community with unique charm, built on strong community values, with exciting lakeside, recreational, and tourism assets, supported by a diverse and profitable business base."

Code enforcement:
City Manager Ray Kendall asked if this is a Council priority. He gave some background on Building/Code revenues and expenses from 2000 and the current year. Code enforcement is now complaint driven and is interfering with building inspections and permit issuance which are revenue generating activities.
There was discussion about getting inspections for builders done in a timely manner; checking for standing water due to the threat of the West Nile Virus; code enforcement should be handled in a proper manner; as our City ages everything changes (property conditions and values, crime, drug offenses). Our economic development could have an impact on what types of businesses we have on our main streets.
City Manager Ray Kendall said no one has the time in Administration to manage code.
There was discussion about whether another entity needs to be created and funded.
We should workshop a plan that develops a simple plan for the complaint processes that should include consistency in the procedures.

Budget guidelines:
City Manager Ray Kendall asked council about increasing fees for permits and inspections, licenses, etc. as opposed to a property tax increase. We are allowed to charge one-half of the surcharge that TABC charges on liquor fees over what we have been charging for our annual liquor licenses. There could be an increase in municipal court fines. We can request an increase of franchise fees for waste services.

The Fire Department's increase is so high this year that it alone would call for a property tax increase of 6.2 cents per $100 tax value. There was discussion about educating the citizens for the need of a property tax increase for the fire department. We can tell them their alternatives such as response time and a better ISO rate. There are tragedies that have happened in the past when we did not have a fire department that could respond quickly. There is also the issue of the property tax rollback rate to be considered.

Salary increase percent:

City Manager Ray Kendall recommended keeping the step increase plan in place. He said he will give them different versions of salary increases and he said that perhaps we could also provide dental and/or long-term disability. The COLA was mentioned. City Manager Ray Kendall said we can do a 5 year replacement on capital purchases and also request a postponement of some items. With legislative changes there could be a chance that 4-b money can't pay for the kitchen in the community room. How would we get funding. If we had a business build the kitchen we could name the room after them. City Manager Ray Kendall said he is asking the 4b board to pick up the cost of maintaining the parks and that would result in about $24,000 annual savings.

Tax Rate Increase:
The appraised values are up $20 million which results in $114,000 additional revenues.

OTHER OBJECTIVES:
Screen commercial dumpsters
Comprehensive plan update (4a and 4b Corporations)
Parks master plan grant funding
Sidewalk program near schools
Additional I-35 Lake Dallas exit
Lewisville Lake Bridge project
Expansion of Swisher road
Economic development projects
Expansion of Lake Dallas city limits.

There was discussion that the 4b corporation is already in debt and can they afford to take on parks maintenance next year. Maybe we should try to get an 'On The Border' or 'El Felix' and the City could try to provide some offsite parking.

There was discussion about Shady Shores needing to comply with the storm water program but they have no professional means of accomplishing that. It was suggested that we should put on a Kids'n'Cops program for them. It's a window of opportunity but it's not going to be there forever.

We should have an action item about pursuing the negotiation of the trash contract.

There was discussion about the portables at the ISD that were moved this past week. Perhaps we could get the school district involved with the sidewalks.

E. NEW BUSINESS

For the 4th of July parade – maybe we could all fit in a couple of cars and participate in the parade.

F. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper.
Noes: None
Motion Passed

The meeting was over at 11:15 AM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on June 12, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

Mayor Pro-Tem Marjory Johnson called the meeting to order.

A. ROLL CALL

Steve Wohr	Mayor arrived at 7:34 PM
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. The invocation was given by Councilmember Marino.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Marjory Johnson.

D. ANNOUNCEMENTS
None

E. PRESENTATIONS
Parks Board Member, Neal Malone
Mayor Pro-Tem Marjory Johnson asked Mr. Malone to step forward and she read the Certificate of Appreciation.
Mayor Pro-Tem Marjory Johnson asked Council's permission to move to item I-1.
Mayor Wohr arrived at 7:34 PM and signed the certificate.

F. REPORTS:
Boards & Commissions
Neal Malone talked about the 4th of July activities. He said they need judges for the parade entrants. The next thing is FallFest and it should be in the planning stages now. He said he would be ready for re-appointment to the Parks and Recreation Board after thirty days. Lynn Yeargain is adding a pet parade and she's buying the awards.

G. VISITORS/CITIZENS AGENDA
Michael Bucher, 5410 Kings Manor, said he had come before the Council 18 months ago to discuss the retaining wall in the Kings Manor Drainage Ditch. He said part of it was done but not all of it. They didn't do the section that he was complaining about. He's selling his house right now and losing about $10,000 because it hasn't been done and his yard is eroding. He has to keep moving his back fence forward.
Mayor Wohr said he was unaware that it had not been resolved and asked City Manager Ray Kendall to take a look at it next week and discuss it with Tom Hoover, the City Engineer.

H. CONSENT AGENDA:

1) **Discussion and Action to excuse the attendance of _____.**
2) **Discussion and Action on approval of Minutes for meeting of May 22, 2003. (City Secretary)**
3) **Discussion and Action on approval of May Accounts Payable. (City Manager)**
4) **Discussion and Action on approval of May Financials. (City Manager)**
5) **Discussion and Action on approval of a Resolution to appoint Mayor Olive Stephens to the Denco Area 9-1-1 District Board of Managers. (City Secretary)**
6) **Discussion and Action on approval of the 2003 Interlocal Agreement with the Denton County Tax Office for Property Tax Collection for the City of Lake Dallas. (City Secretary)**
7) **Discussion and Action to approve the bid for a top for a park table at Willow Grove Park. (Parks and Recreation Board)**
8) **Discussion and Action to appoint Tony Marino as liaison to the Parks and Recreation Board. (City Manager)**

Motion to approve Items 2 through 7 was made by Councilmember Johnson. Second by Councilmember Harper.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

Motion to excuse Councilmember Stapleton was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

Motion to approve the appointment of Tony Marino as liaison to the Parks and Recreation Board was made by Councilmember Harper. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

I. SCHEDULED BUSINESS:

1) **Discussion and Action to accept a donation from the Lake Cities Lions Club for the 4th of July Fireworks Show. (City Manager)**

Members of the Lake Cities Lions Club and individual Lions donated $1,500 toward the cost of the fireworks presentation this year.
Mayor Wohr thanked each of them and said we appreciate them helping us carry on this tradition. Councilmember Johnson said the Chamber of Commerce had a meeting Wednesday and said they would give us $500 and Northstar Bank will give $500 toward this event.
Motion to accept the donation from the Lake Cities Lions Club was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

2) **Discussion and Action on a request by Dave Snider to place banners on City property promoting the Annual Beat the Road Rage Rally. (Chief of Police)**

Motion to approve the request by Dave Snider to place banners on City property promoting the Annual Beat the Road Rage Rally was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

3) **Public Hearing on amending Section 122-571, Uses Permitted by Special Use Permit.**

No one came forward to speak so Mayor Wohr closed the Public Hearing.

4) **Discussion and Action on amending Section 122-571, Uses Permitted by Special Use Permit. (Planning & Zoning Commission)**

Motion was made by Councilmember Johnson to approve Item I-4. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

5) **Discussion and Action to approve the proposed Purchasing Procedures for City of Lake Dallas. (City Manager)**

Motion to approve Item I-5 was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

6) **Discussion and Action to allow the City Manager the general authority to contract for all budgeted items not exceeding $25,000. (City Manager)**

Motion to table this item to the next regular meeting which is June 26 was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

7) **Discussion and Action concerning proposed TXU Gas Company 2003 rate increase of ten percent. (City Manager)**

James Johnson with Oncor was there representing TXU Gas. He was available for any questions.
Motion was made to postpone the rate increase for ninety days to allow a study of the rate increase and to adopt the Resolution as amended was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

8) **Discussion and Action on the sale, by auction, of one used 1996 Crown Victoria police vehicle. (Chief of Police)**

Motion to approve Item I-8 was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

9) **Discussion and Action to increase the Deposit and Floor Cleaning fees for the use of the Linwood Gilliland Community Room and add a fee for Lake Dallas City employee's use. (City Manager)**

Motion to approve Item I-9 was made by Councilmember Fletcher. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

10) **Discussion and Action on appointment of Appeals Board Members. (Tabled at last meeting) (City Secretary)**

Motion to table Item I-10 was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

J. CITY MANAGER'S REPORT

City Manager Ray Kendall said he had given them a special report on the Fire Department Board Meeting. They have decreased their initial budget by $300,000. It will still require a 30% increase in our cost for fire services. He said we're facing two years of increases. He said the good news is than an ISO analyst will come in and because of the quality of fire protection the insurance rates should offset any tax increase we might have to do. We will look at their budget the first meeting in July. City Manager Ray Kendall asked for their specific questions so he can get them to the fire dept before the July meeting.
City Manager Ray Kendall discussed the meeting that he and Councilmembers Johnson and Tony attended about the legislative update. He encourages all Councilmembers to look at the information they brought back.

K. NEW BUSINESS

Councilmember Johnson referenced the note from the Lake Cities Girl Scout Troup 1295. They have been invited to the next Planning & Zoning Commission meeting and she will present them with a Certificate of Appreciation.
There was recognition for the Police Department and for the good teamwork during the recent murder investigation and all the media on the premises. Mayor Wohr said we looked professional and well prepared and it reflects well for our Police Department.
Mayor Wohr said that something very, very unusual happened toward the end of the Legislative Session. We lost the North Texas Drug Task Force by the strike of a pen. He said he would like to see it come back.
Councilmember Marino said he had met with the North Texas Yamaha owner and drove around Willow Grove Park. He was considering jet ski races but that had already been started by the marina owners.
The flight club will be at Willow Grove Park next Saturday.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Fletcher, and Harper
Noes: None

Motion Passed

The meeting was over at 9:25 PM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on May 22, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

Mayor Pro-Tem Marjory Johnson called the meeting to order in the Mayor's absence.

A. ROLL CALL

Steve Wohr	Mayor - arrived at 7:35 PM
Tony Marino	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum

B. The invocation was given by Councilmember Stapleton.

C. Mayor Pro-Tem Marjory Johnson led the Pledge of Allegiance.

D. ANNOUNCEMENTS
Mayor Pro-Tem Marjory Johnson said Kathleen Gilliland called today and said some people had given her some money at the time of Linwood's death for her to use whatever way she wished. She donated $500 to be used for construction of the kitchen in the Linwood Gilliland Community Room.

City Manager Ray Kendall said there is a Memorial Day ceremony at 9 AM at Swisher Cemetery on Monday morning.

E. PROCLAMATION – Click It or Ticket
Mayor Pro-Tem Marjory Johnson read the proclamation. Mayor Wohr arrived during this time.

F. VISITORS/CITIZENS AGENDA
Vicki Carusi, 224 Pembrook Street, gave a report on the library remodel project. The current phase in nearly complete. She invited everyone to come the Open House at 10 AM on May 31. Remodeling has included one large room, offices, restrooms and kitchen plus new wood floors. They still need additional shelving. The ESL classes have been held at the Methodist church. They will resume the children's story times and puppet shows. The Denton County Library Board has chosen their library for the May meeting. She said she had received a copy of HB 2912 and stated that it could affect how the 4b board can spend its money by cutting funding for libraries.

Jeanette Harmon, 72 Lakeridge, said she wants the code violations at Kingswood fixed. She wants the job descriptions of all the department heads. She told the city council that some old trailers that have been brought in with laminated siding and there's been a recall made on that kind of siding. She also brought to code enforcement's attention that there are four homes on Oakwood with a lot of trash in front of them. She thinks the landlords should be more responsible.

Mayor Wohr suggested that City Manager Ray Kendall and himself should meet with the Kingswood Homeowners Association in an effort to remedy the situation.

Norma McAlavy, 25 Oakwood, said she was interested in how soon Mr. Kendall allows the notices to be carried out. She asked what steps are taken if a violation is not corrected? City Manager Ray Kendall said that normally violators have ten days to conform to code. He said if they don't take care of it by the specified time they will be issued a citation and will need to either pay the ticket or come to court.

Mrs. McAlavy asked if the City has an ordinance that says we can tarp cars, trailers, boats, etc., and put them in a yard and make it legal. She thinks there should be a state law or city ordinance that landlords have to keep the homes up.

Mayor Wohr again suggested a meeting with the Kingswood Homeowner's Association and said maybe that will help revitalize the homeowners' association.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of May 8, 2003. (City Secretary)**
Motion to approve item G-1 was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action on appointments to Planning & Zoning Commission and/or Parks and Recreation Board. (City Secretary)**

Motion to appoint Gary Johnson to the Planning & Zoning Commission and Karl Hammond to the Parks and Recreation Board was made by Councilmember Stapleton. Second by Councilmember Johnson.
There was Council discussion.
Motion was amended to read that Robert Northrup be moved from Alternate to Regular on the Planning & Zoning Commission and appoint Hammond and Johnson as alternates on the Planning & Zoning Commission; and to appoint Hammond and Johnson as regular members on the Parks and Recreation Board.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Discussion and Action on selection of members for Appeals Board. (City Secretary)**

Motion to appoint the members that we select was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: None
Noes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper

Motion Failed

Mayor Wohr suggested that we bring this back at another meeting.

3) **Discussion and Action on approval of a site plan for Unified Aircraft Services, 500 N. Stemmons. (Building Official)**

Motion to not approve agenda item H-3 was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) **Discussion and Action to revise fees for the use of Willow Grove Park. (City Manager)**

Motion to approve item H-4 was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5) **Discussion and Action concerning Dial-A-Ride and approve a budget amendment to cover costs. (City Manager)**
Mr. Greg Anderson from the City of Lewisville spoke and explained how the funding was based and how the criteria are determined to be able to use the transportation. He said that in about a year and a half there will be a change since the transportation authority election in September could affect this program.
Motion to not approve agenda item H-5 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6) **Discussion and Action to establish a date and location for the City Planning Retreat. (City Manager)**
Motion was made to have the council planning retreat on June 14 at 8 AM here at City Hall. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7) **Discussion and Action to increase the size of Queens Court cul-de-sac repair to include 90% of circle for a total cost of $4,200. (City Manager)**
Motion was made by Councilmember Stapleton to approve agenda item H-7 as detailed in the recommendation. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall asked if there were any questions about his written report. He said he wants to thank Chief and Sgt. Frazier for installing the sound and video in the Council Chambers. He asked the Mayor and Councilmembers to make a top ten list of streets to be repaired from the list he prepared for them. He said he will compile those lists and it will come back on the agenda. Some upcoming events are a Planning & Zoning seminar in Dallas and a Legislative update in Arlington on June 5.

J. NEW BUSINESS

Mayor Wohr thanked everyone who participated in the Kids N Cops. Mayor Wohr thanked City Manager Ray Kendall for helping. Mayor Wohr said the barnyard animals were a very good addition to the program.

Councilmember Marino said he asked the owner of North Texas Yamaha if he'd be interested in using our parks. He said he'd be interested in finding out what the process would be. He also mentioned Willow Grove Park as a camping area for people who come to the NASCAR races. These would be items for the Parks and Recreation Board.

Councilmember Johnson said she went to the Corinth Council and spoke on their Citizen's Agenda about the funding for the fireworks. She also congratulated Chief Ristagno for obtaining the 1996 Tahoe to use for transporting Max.

The City Council sang Happy Birthday to Councilmember Harper.

Councilmember Stapleton said that a street cut has been done on Meadowbrook. Mayor Wohr said the utility companies are supposed to bore under, instead of cut through, those streets that we have had refurbished over the past few years.

Councilmember Fletcher said he had a call from a citizen about the situation with commercial dumpsters. We don't have a screening requirement. City Manager Ray Kendall said we can look into it but it will have to go to P & Z initially. Councilmember Fletcher also asked what the complaint process will be if a citizen calls the Councilmembers. They should call Code and staff will make a copy and put it in their boxes. He also thanked City Manager Ray Kendall for sending the letter to TxDOT.

Mayor Wohr said TxDOT did get the bridge fixed, too. He said he has talked with Northstar Bank and they are getting ready to present a site plan for their new construction.

City Manager Ray Kendall said we need a meeting with the fire department before our workshop. Councilmember Johnson said that Chief Jason Collier asked to meet with her next week. They will try to arrange a meeting with Mayor Wohr, Robbie Robertson, Chief Collier, Councilmember Marjory Johnson, and City Manager Ray Kendall.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was over at 8:55 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on May 8, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. The invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. ANNOUNCEMENTS

The annual Kids 'N Cops event is May 10 from 11 AM to 3 PM. This is an annual cookout, festivities, food, and candy. It's intended for the kids but is for their parents, too.

E. PROCLAMATION – National Police Week

Mayor Wohr read the National Police Week proclamation.

F. REPORTS:

Boards & Commissions

Chris Fahey, chair of the Parks and Recreation Board, gave a report of their May 6 meeting. They thanked Waste Management, Sonic and Romano's for the supplies and/or food provided for the Willow Grove Park cleanup on April 19. She also thanked Councilmembers Gary Johnson, Marjory Johnson, & Alan Fletcher as well as City Manager Ray Kendall.

Councilmember Fletcher reported that in the last 4b joint meeting with Parks, a representative from Lake Cities Soccer Association said there's a good chance we'll lose the soccer teams to other fields.

Councilmember Marjory Johnson, 4a board, said an ad the 4a board is paying for is running at the Rave and it looks pretty good.

Robbie Robertson, fire board said there will be a fire board meeting on May 12. He hopes they can firm up budget so they can present it to us within a couple of weeks. He asked if there would be a meeting with the Lake Cities mayors again this year.

Mayor Wohr said it's going to happen.

G. VISITORS/CITIZENS AGENDA

Jeanette Harmon, 72 Lakeridge in Kingswood Estates, said she has brought some of these problems up in the past. They don't think the problems are being taken care of in the mobile home park and feels the values are going down. She thinks we need to get tougher on code violations and maybe issue citations. Two empty trailers have been sitting there almost a year. She objects to old trailers being moved in. This is ongoing problem.

Norma McAlavy, 25 Oakwood, said there are a lot of good people in Kingswood Estates. One landlord there doesn't tell the renters about their responsibilities to the city codes and the homeowners association She reported what she thought were code violations several homes in Kingswood. She asked that the city help them upgrade their park. She thinks the rentals should be checked out to see if they are livable.

H. ELECTION BUSINESS:

1. **Discussion and Action on approval of a Resolution for the Canvass of Election held May 3, 2003.**

Motion to approve the canvass for the election was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Oath of Office to Elected Officials.**

Mayor Wohr asked Betty Harper, Councilmember 1, Ken Stapleton, Councilmember 3, and Tony Marino, Councilmember 1, to come forward individually to take their Oaths of Office.

3. **Discussion and Action on selection of Mayor Pro-Tem.**

Councilmember Stapleton said he appreciated serving as Mayor Pro-Tem over the past year.
Motion to nominate Councilmember Marjory Johnson as Mayor Pro-Tem was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Stapleton, Fletcher, Harper, Marino and Johnson
Noes: None

Motion Passed

4. **Outgoing Councilmember's Recognition Social Function. (addendum)**

Mayor Wohr called for a break at 8:20 PM after thanking Councilmember Gary Johnson for all his hard work and efforts during his term in office. Cookies and punch were served in the lobby of City Hall.

Mayor Wohr called the meeting back to order at 8:52 PM.

I. WORKSHOP:

Planning & Zoning Commission, Community Development and Economic Development Corporations members to participate in discussion with City Council about planned development and/or mixed use zoning about a project on Market Street introduced by Terry Lantrip.

Those in attendance were Ben Gilbert and Cliff Elton of the Planning & Zoning Commission, Councilmembers Harper, Marjory Johnson, and Fletcher plus Vicki Carusi and Gary Johnson, and Beverly Weikum from the 4a & 4b corporations and City Engineer, Tom Hoover. Terry Lantrip said he appreciates all our time and how the city is trying to help find a zoning district for his project.
City Manager Ray Kendall said a new zoning district will probably come to the City Council on the last meeting in June.
We should form an ad hoc committee with two councilmembers and two zoning commissioners to start working on ordinance. City Manager Ray Kendall said we should have the city attorney provide a model ordinance for that committee.

J. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of April 24, 2003. (City Secretary)**
2) **Discussion and Action on approval of April Accounts Payable. (City Manager)**
3) **Discussion and Action on approval of April Financials. (City Manager)**
4) **Discussion and Action to donate up to $2,000 to the Lake Dallas Independent School District for painting of the Falcon emblem. (City Manager)**
5) **Discussion and Action to authorize the City Manager to issue a purchase order to Andrews Paving & Construction to repair the Queens Court cul-de-sac for $1,800.00. (City Manager)**
6) **Discussion and Action to approve continuing with Aetna Group Health Insurance through September 30, 2003 and approve Budget Amendment. (City Manager)**

Motion to approve all the consent agenda items with payment of $2,000 to the I.S.D. was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Tom Davenport, Superintendent of the Lake Dallas Independent School District said they will be going to other cities to request funds. He thanked the City Council for what they've done because it says a lot for the community.
Mayor Wohr thanked Mr. Davenport for participating in the Boy Scouts of America.

K. SCHEDULED BUSINESS:

1) **Discussion and Action to consider allowing the Friends of the Library use/rental of the Linwood Gilliland Community Room for June 12, 13 and 14 for a book sale. (City Secretary)**

Motion to approve agenda item K-1 was made by Councilmember Stapleton. Second by Councilmember Johnson.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2) **Discussion and Action concerning 786 Texas Oak Trail. (City Manager)**

Dan Gill, 786 Texas Oak Trail, asked to approach bench to provide the Councilmembers with packets. He then gave his account of the problem that started several years ago and referenced his handout.

At 9:32 PM Mayor Wohr said that Councilmember Stapleton would like to be released from the meeting at this time.

City Engineer, Tom Hoover, gave his findings from his inspection of the reported problem.

Council instructed the City Manager to follow up on this item by contacting Pulte.

3) **Discussion and Action on Judo Can Martial Arts placing banner on City Park fence. (Parks and Recreation Board)**

Motion not to approve item K-3 was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4) **Discussion and Action on recommendation for Local Elected Official to serve on North Central Texas Council of Government's 2003-2004 Executive Board. (City Secretary)**

No Action was taken on this item.

5) **Discussion and Action to establish a date and time for the Vision Planning Workshop. (City Manager)**

Motion to hold a visionary meeting on Monday May 19 at 7 PM was made by Councilmember Johnson. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

L. CITY MANAGER'S REPORT

City Manager Ray Kendall referenced a couple of things in his written report: the status of the veterans memorial at City Park and a report on water and electric to camp sites at Willow Grove Park. City Manager Ray Kendall said the parts are coming in for the AV equipment. He also discussed a planning retreat and the proposed budget for the fire department.

M. NEW BUSINESS

Arrows to help the traffic flow at the parking lot in City Park are needed.
Lake Cities Printing does all the city business cards and the stationery.
TxDOT says they have no other place to put the materials they store on the north side of town.
The north overpass was damaged about a year ago and hasn't been repaired.
There is no activity on the railroad property at this time due to partnership problems.
The Northstar Bank is moving forward with their plans.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was over at 10:12 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on April 24, 2003 at 7:31 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Ken Stapleton	Mayor Pro-Tem
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr was absent and excused.
Staff present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. The invocation was given by Mayor Pro-Tem Stapleton.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Stapleton.

D. VISITORS/CITIZENS AGENDA

Christopher A. Hicks, 7708 Moss Point Court in Denton, said he's been talking with Bonnie Brown Garcia about some property she owns on Denton Drive by the ballet school. The property is zoned C-1 and would need to be zoned C-2 for him to open his small boat dealership.
Mayor Pro-Tem Stapleton asked him to follow the re-zoning application process.

Danny H. Gill, 786 Texas Oak Trail, said there is a problem on Texas Oak Trail. The easement has failed, sidewalks have caved in, and driveways are starting to cave in. On April 7 his driveway collapsed about a foot. He has talked with code enforcement and utility officers and they have been out to look at the problem. He was told that his water sprinkler system was causing this. He has had his driveway repaired. He said we need to work together on this to get the problem solved and he would like to be on the agenda for the next council meeting. Mayor Pro-Tem Stapleton asked City Manager Ray Kendall to look at it and check with the City Engineer to get a report for Mr. Gill and the Councilmembers.

Wes Eversole, 1370 Forest Creek Drive, Lewisville, said he is the Assistant Superintendent for the Lake Dallas ISD. He wants to share the plans to paint a falcon on the water tower adjacent to Lake Dallas High School. The falcon will have a 35' wingspan on the tower. The cost is around $11,000. He said the ISD will front the money but is soliciting any contributions from cities, businesses, and citizens. If it were to become an action item he would be happy to come back with a presentation.

E. **WORKSHOP:**

1. Planned Unit Development for Market Street. (Building Official)

Mayor Pro-Tem Stapleton said the Submitter has asked that this be moved to after the agenda items. It was agreed to move forward with the business items first.

Terry Lantrip, 275 Market, said he has been here for eighteen years and a property owner for seventeen years. The project he has is not a new concept – it is commercial on the first floor with residential above it. He wants somewhere for his print shop as well as some shops to lease out on the main level with nice apartments on the second level. He said he would like to see extensive landscaping ordinance. He's thinking about the 1920's look for the building facades. His current building was built in 1908. We will schedule a joint meeting with the Planning & Zoning Commission on May 8 to workshop this project.

F. **CONSENT AGENDA:**

1) **Discussion and Action on approval of Minutes for meeting of April 10, 2003. (City Secretary)**
2) **Discussion and Action on approval of report of First Quarter 2003 Investment Funds. (City Secretary)**
3) **Discussion and Action on approval of site plan for 'Your Barber Shop' on Denton Drive. (Building Official)**
4) **Discussion and Action on approval of an Ordinance for budget amendments to FY 2003 Budget. (City Manager)**
5) **Discussion and Action on approval of a health care plan for City staff. (City Manager)**

Motion to approve the Consent Agenda items was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Mayor Pro-Tem Stapleton, and Councilmembers Fletcher and Harper

Noes: None

Motion Passed

G. **SCHEDULED BUSINESS:**

1) **Public Hearing on approval of a Special Use Permit to operate a child care facility at 102-A Dobbs Road, Lake Dallas, Texas; Lot 1 of the Houghton Addition. (Building Official)**

Phillip Groves, 332 S. Shady Shores, Shady Shores, said he thinks this business is entirely inappropriate for this area. He thinks it would take some major changes to conform to minimum parking & fire codes. He's not a resident but has always tried to be a good neighbor.

Joe Neitzel, 407 S. Shady Shores Rd., Shady Shores, said he owns property immediately across the street. He said he never received notification from the city.

Doug Hubby, 1330 Bogard Lane, Lewisville, said his son attends Yardley Montessori School. He does agree it may be a commercial endeavor but it is a school. It's an option instead of the public school system. There's a home environment and his support would be with Laura Leigh.

Cindy Nelson, 812 Lake Bluff Drive, said we have something we can be very proud of here in Lake Dallas. Having something this good in Lake Dallas is a good draw. It's on a huge lot. Dobbs goes all the way through so there's not going to be any effect on the traffic.

Julie Coker, 2001 Wentworth Court, Argyle, said she was at the Planning & Zoning Commission meeting last week. Most schools are in residential areas instead of commercial or industrial areas. She thinks Yardley is the best. It has a calm and peaceful environment. Her son tested at 3rd & 4th grade levels and he's only 5.

Christie Houghton, 102-A Dobbs Road, said she's been a citizen of Lake Dallas for 25 years. She's watched this town grow and she thinks it would be an awesome thing for the city. Her home is a very natural setting.

David Reed, organizing pastor in Corinth, 788 Texas Oak Trail, said his purpose is to say how thrilled he was to meet Laura Leigh and he's excited about the Montessori teaching. He lives within two hundred feet of the location and they are in favor of this. It will provide quality education.

Mrs. Reed, 788 Texas Oak Trail, said she's a certified teacher and teaches in the Lake Dallas system. She knows Laura Leigh Crow. The house is large and so is the lot. Montessori is an excellent learning tool.

Frank Blagg, 375 S. Shady Shores Road in Shady Shores, said he is concerned about what the future expansion of the school is going to be and wondering about the need for traffic control at Dobbs and Shady Shores. What future influence would this school have on future zoning changes in the neighborhood? He would like to see the presentation.

Assad Hussain, 5502 Briar Oaks, said he owns the property right behind this property and access to his property is thru 102-A Dobbs Road. His concerns are not against the school. Mrs. Crow has assured them that they can work something out. He has concern about how it will affect the value of his property.

Laurie Scharber, 33 Oak Circle, Hickory Creek, said she's worked for a day care before. This is much more than a day care – it's a school.

Mr. Gill, 786 Texas Oaks Trail, said he thinks it's a wonderful idea. He thinks it would be great to build up the individual needs of the people.

Laurie Snider, 2141 Pembrook Place, Denton, said she enrolled her son a few months ago and he is really flourishing.

Russell Crow said they own the Yardley Montessori and gave a presentation. He said they are currently at 703 Main and have 17 students. They are usually closed during the summer months. He had site plan and visuals. They will fill in the swimming pool and make it into a rock garden. He said ADA spec's will have to be conformed to. They will have classrooms, an office, storeroom, and library.

Mayor Pro-Tem Stapleton closed the public hearing when no one else came forward to speak.

2) **Discussion and Action on approval of an Ordinance allowing for a Special Use Permit to operate a child care facility at 102-A Dobbs Road, Lake Dallas, Texas; Lot 1 of the Houghton Addition. (Building Official)**

Motion to approve the Ordinance was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Mayor Pro-Tem Stapleton, and Councilmember Fletcher.
Noes: Councilmember Harper.

Motion Passed

3) **Public Hearing on approval of a proposed replat of Lots 13 and 14 (Part of each), Block 1 of the W. D. Franks University Camp addition into one tract. (Building Official)**

No one came forward to speak. The owner was available for any questions.

4) **Discussion and Action on approval of a proposed replat of Lots 13 and 14 (Part of each), Block 1 of the W. D. Franks University Camp addition into one tract. (Building Official)**

Motion to approve the replat was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Mayor Pro-Tem Stapleton, and Councilmembers Fletcher and Harper
Noes: None

Motion Passed

H. CITY MANAGER'S REPORT

City Manager Ray Kendall said this Saturday at 9 AM we'll celebrate Arbor Day and do a clean-up of Willow Grove Park. Waste Management has donated some trash bags and gloves for that project. May 1 at noon National Prayer Day will be observed at City Hall's flagpole. The Chamber of Commerce will have its annual banquet the evening of May 1. He asked if there were any questions about his written report. He said he would like to add announcements to the agenda after the Pledge of Allegiance. Mayor Pro-Tem Stapleton thinks a change of the agenda will be good.

I. NEW BUSINESS

There was a compliment for Police Chief Nick Ristagno and his department and Officer Wheat for handling the Boys and Girls Club affair. They felt he was very courteous.
We should have an item on the May 8 agenda about the ISD's proposal.
Sometime in June we can discuss the objectives.
Saturday, May 31, from 8:30 to noon we should try to schedule a joint meeting of the 4a and 4b corporations, the Planning & Zoning Commission, the Parks and Recreation Board, and the City Council for a vision planning workshop.

J. ADJOURNMENT

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Mayor Pro-Tem Stapleton, Councilmembers Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:20 PM.

CITY OF LAKE DALLAS

Ken Stapleton, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular business meeting on April 10, 2003 at 7:35 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember place 1
Marjory Johnson	Councilmember place 2
Ken Stapleton	Councilmember place 3
Alan Fletcher	Councilmember place 4
Betty Harper	Councilmember place 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Mayor Wohr read a proclamation designating April 14 through April 18, 2003 as Environmental Crime Prevention Week.

E. REPORTS:

Boards & Commissions

Chris Fahey, Chair of the Parks and Recreation Board, said they had discussed the purchase of a pine tree for City property but there is nothing budgeted for this purchase. The purchase of 2 picnic tables and 1 bicycle rack were approved at the April meeting. There is money in the budget for Willow Grove Park so the pump-out and removal of the restroom can come out of that account. There is a parks cleanup at Willow Grove Park scheduled from 8 AM until 2 PM on April 26. The Kid Fish at the marina is June 7. She handed out some information about a chili cook-off to the Councilmembers. The Public Hearing for the Parks Master Plan only had an audience of park board members, Councilmembers, and staff. The consultants are planning another Public Hearing for May.

F. VISITORS/CITIZENS AGENDA

No one came forward to speak.

G. CONSENT AGENDA:

1) **Discussion and Action on approval of Minutes for meeting of March 27, 2003. (City Secretary)**
2) **Discussion and Action on appointment of Julia Lee to the Lake Cities Library Board. (City Secretary)**
3) **Discussion and Action on approval of the March Accounts Payable.**
4) **Discussion and Action on approval of March Financials. (City Manager)**

Motion to approve the Consent Agenda was made by Councilmember Stapleton. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

H. SCHEDULED BUSINESS:

1) **Discussion and Action to consider raising telecommunications right of way access line rate. (City Manager)**

Motion to approve Item H-1 was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None
Abstention: Councilmember Stapleton

Motion Passed

2) **Discussion and Action to consider applying a Homestead Exemption with 2003 Property Tax bills. (City Manager)**

Motion that we do not approve Agenda Item H-2 was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. CITY MANAGER'S REPORT

City Manager Ray Kendall said he had given them a written report and would discuss the highlights. We have added another sheet to the financials. The health insurance company is proposing a 50% increase this year. Budget amendments will be on the next agenda. Hickory Creek will donate $2000 toward the fireworks this year and Corinth has no money budgeted for fireworks. The annual Chamber of Commerce banquet is May 1.
Mayor Wohr said he appreciates the memo on the priorities. They should be compiled and on the agenda for an upcoming council meeting.

J. NEW BUSINESS

Mayor Wohr said he would like Andrews Paving to clean up the rusty mess they left on the City Park parking lot.
We need to obtain clarification on the memo about 8-liners to determine what the final outcome will be.
Please put an item number on the agenda item cover sheets.
Should the automobile storage business have their fence slatted?
There is an upcoming candidate forum for all Councilmembers and opponents of all four cities on April 15. The Lake Cities Sun will moderate the event.

K. ADJOURNMENT

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 8:20 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in its regular business meeting on March 27, 2003 at 8:15 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. DEDICATION OF LINWOOD GILLILAND COMMUNITY ROOM (7:30 pm)

1. **Invocation:**
   The invocation was given by Mayor Wohr.
2. **Honor Guard:**
   The colors were presented by the Color Guard of the VFW. The Pledge of Allegiance was led by Tyger and the National Anthem was sung by Misty Rae.
3. **Spirit of Christmas Presentation**:
   A plaque was given to Kathleen Gilliland by Marvourene Matthews in appreciation for all the years that Linwood Gilliland had been Santa for the Spirit of Christmas program.
4. **Mayor's Remarks**:
   Mayor Wohr read a poem that Kathleen Gilliland had requested be read. The poem was written by Chuck Ekleberry, Councilmember Marjory Johnson's brother.
5. **Reception**:
   Mayor Wohr announced that there was cake and punch to be served. There would be time to visit before the council meeting adjourned in the Council Chambers.
6. **Adjourn to Council Chambers**

B. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Ray Kendall, Police Chief Nick Ristagno, and City Secretary Weikum.

C. PROCLAMATION

Denton County Friends of the Family: April is Sexual Assault Awareness Month

Mayor Wohr read and signed the proclamation.

D. VISITORS/CITIZENS AGENDA

Carolyn Green, 201 North Shady Shores, said she wants a sound system for the council chambers soon.

E. CONSENT AGENDA:

1. Consideration and Action on approval of an Ordinance amending Section 122-83 "Private garages; covered carports" of the Lake Dallas Municipal Code. (City Secretary)
2. Consideration and Action on approval of a Resolution naming signatories for the bank accounts at Northstar Bank of Texas. (City Secretary)

3. Consideration and Action on approval of Resolution naming representatives for TexPool and LOGIC investment accounts. (City Secretary)
4. Consideration and Action on approval of auction of miscellaneous City of Lake Dallas property. (City Secretary)
5. Consideration and Action on approval of Minutes for March 13, 2003 meeting. (City Secretary)

Motion to approve the Consent Agenda was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

F. SCHEDULED BUSINESS:

1. Consideration and Action on approval of a contract with city manager. (Council)

Motion to approve Agenda Item F-1 was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson. A comment was made that the changes look fine and severance pay does need to be defined.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of proposed final plat plan for 11.218 acres described as parts of Block C, Block D, Block G, Block J, and Block M of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924 (Legacy Oaks). (P & Z)

Motion to approve Agenda Item F-2 was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of payment of the difference between the cost for the AV system for Council Chambers and the amount budgeted to be paid by the Economic Development Corporation and Community Development Corporation of the City of Lake Dallas. (Council)

Motion to approve Item F-3 was made by Councilmember Marjory Johnson . Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. Consideration and Action on approval of the Linwood Gilliland Community Room policies and procedures. (City Secretary)

Motion to approve Item F-4 was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

G. NEW BUSINESS
The 4a Board approved an advertising contract for the Rave Theater.

The Parks Board will be having its first Saturday trade days beginning in May. All businesses will help and there will be booths at the parks. We might be able to promote the trade days for the Parks and Recreation Board.

Someone should contact TX DOT about getting rid of the pile of junk on the north side of the north bridge across I-35.

The worst street in Lake Dallas right now is Atchison. We need to look at the list of other streets that need to be repaired.

H. CITY MANAGER'S REPORT
City Manager Ray Kendall thanked the mayor and council for hiring him. He said there were some handouts on the table by the door. There is talk about improving I-35 and any comments should be made to HNTD Corporation by April 10. Mr. Kendall said there is a survey about the parks on table, too. He asked Harold Clark, Public Works employee, about the project he is involved in for our troops. The American Legion Post in Lake Dallas is a drop-off point for items that the troops can use.

Mayor Wohr said that John Polster, consultant for Denton County, responds to volume. He said we're a small community but we could put on some pressure about our part of I-35. Some people from UNT want improvements to the bridge across I-35 from UNT to the Radisson.

I. WORKSHOP:
1. Discussion regarding City Manager direction and objectives. (Council)

J. ADJOURNMENT
Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None
Motion Passed

CITY OF LAKE DALLAS, TEXAS

Stephen Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on March 13, 2003 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: Interim City Manager Ristagno and City Secretary Weikum

B. Mayor Wohr gave the Invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. VISITORS/CITIZENS AGENDA
No one came forward to speak.

E. REPORTS:

1. Boards and Commissions

Chris Fahey, chair of Parks and Recreation Board, referred to her two handouts she had given Council. The first one is a copy of what was given to the consultants for the Parks Master Plan. There was discussion about Willow Grove Park and City Park. The second handout is a list of the events schedule for the year which includes the Police Department events, The Easter Egg Hunt and First Saturday trade days.

F. BUSINESS:

1. Consent Agenda:

a) Consideration and Action on approval of February financials and accounts payable.
b) Consideration and Action on approval of Minutes for February 27 and March 6, 2003 meetings.

Motion to approve the consent agenda was made by Councilmember Marjory Johnson. Second by Councilmember Ken Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. Discussion on providing for Certificates of Occupancy for changes in the use or occupancy of land and structures.

There was discussion on this issue regarding the responsibility for public safety. We should schedule a workshop on this and have Building Official Dallof in attendance.

3. Consideration and Action on approval of use of Community Development Corporation funds for electricity and water for Willow Grove Park campsites.

Motion to approve agenda item F-3 was made by Councilmember Marjory Johnson. Second by Councilmember Ken Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr closed the regular meeting at 8:18 PM.

G. EXECUTIVE SESSION:
The City Council to convene into closed session to deliberate the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.

Mayor Wohr called the regular meeting back to order at 9:47 PM.

H. ACTION, IF ANY, FROM EXECUTIVE SESSION.
Motion was made by Councilmember Marjory Johnson to accept the package of Ray Kendall and offer him the position of City Manager. Second by Councilmember Stapleton. Logistics to be worked out at a workshop in a future city council meeting.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. STAFF REPORTS
The Volunteer Dinner will be scheduled for the first Thursday in April. It will be in the Linwood Gilliland Community Room.
Council had approved part-time clerical help for the city secretary. This can be addressed by the new city manager.

J. NEW BUSINESS
We need to talk with the library board about raising the size of the board members and the appointment of members.
Someone from Halliburton needs 5 to 6 acres with or without a building as a location for some oilfield process. Trucks would be coming in and out each morning and evening.

K. ADJOURNMENT
Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:53 PM.

Stephen Wohr, Mayor

Beverly Weikum, TRMC/City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on March 6, 2003 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Betty Harper, Councilmember 5, ARRIVED AT 8:05 PM.

B. VISITORS/CITIZENS AGENDA
No one came forward to speak.

Mayor Wohr closed the open meeting at 7:45 PM.

C. EXECUTIVE SESSION:
The City Council to convene into closed session to deliberate on the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.

Mayor Wohr called the open meeting back to order at 12:37 PM.

D. ACTION, IF ANY, FROM EXECUTIVE SESSION.
Motion was made by Councilmember Marjory Johnson that we direct the acting city manager to explore the availability of the candidates. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None
Motion Passed

F. ADJOURN
Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None
Motion Passed

Meeting was adjourned at 12:44 AM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on February 27, 2003 at 7:32 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. **ROLL CALL**

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: Interim City Manager Nick Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. **VISITORS/CITIZENS AGENDA**
Robert Medrogvich, Community Waste Disposal said he knows the city's contract with Waste Management expires this year. He asked for an opportunity to bid on this service. They do recycling but they do not have their own landfill. They can use equipment that would not include the use of 10-wheel trucks.

E. **REPORTS:**
None

F. **BUSINESS:**
1.**Consideration and Action on approval of audit for Year End September 30, 2002.**
Motion was made by Councilmember Stapleton to approve agenda item F-1. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on dissolution of the Economic Development Committee originally formed in 2000.**

Motion was made by Councilmember Fletcher to approve item F-2. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. **Submission of Racial Profiling Report for calendar year to the City Council.**

Interim City Manager Nick Ristagno went over the statistics while the Councilmembers read through their copies.
No Council action was taken.

4. Public Hearing on proposed replat of Tract 32 of Cobb Survey, Abstract 284.
Tony Marino, 305 Lakeview, asked council approval. He said the replat will not affect the density. The two lots are on a little over one-half an acre.

5. Consideration and Action on approval of a replat of Tract 32 of Cobb Survey, Abstract 284.
Motion was made by Councilmember Gary Johnson to approve agenda item F-5. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6. Consideration and Action on approval of a site plan for the Lake Cities Municipal Utility Authority.
Motion was made by Councilmember Marjory Johnson to approve the site plan for the Lake Cities Municipal Utility Authority. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7. Consideration and Action on approval of a site plan for James D. Currey.
Motion was made by Councilmember Marjory Johnson to approve the site plan on item F-7. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

8. Consideration and Action on approval of a site plan for the Lake Cities Library.
Motion was made by Councilmember Gary Johnson to approve agenda item F-8. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

9. Consent Agenda:
a. Consideration and Action on approval of Minutes for meetings of January 23 and February 13, 2003.
b. Consideration and Action on approval of a Resolution authorizing bank signatories for checking account at Northstar Bank of Texas for the Economic Development Corporation.
c. Consideration and Action on approval of a Resolution authorizing bank signatories for checking account at Northstar Bank of Texas for the Community Development Corporation.
d. Consideration and Action on approval of a Resolution providing for an Interlocal agreement and Additional Party Agreement with Local Government Investment Cooperative (LOGIC) for investment of some of the City of Lake Dallas funds.

e.Consideration and Action on entering into an agreement with a Storm Water Management firm.

Motion was made by Councilmember Marjory Johnson to approve the Consent Agenda. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 7:55 PM.

The City Council went into Executive Session at 8:20 PM.

G. EXECUTIVE SESSION:

The City Council to convene into closed session to deliberate on the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.

Mayor Wohr called the open meeting back to order at 9:35 PM.

H. ACTION, IF ANY, FROM EXECUTIVE SESSION.
No action was taken.

I. STAFF REPORTS:
Mayor Wohr asked Interim City Manager Ristagno about the community room project. He replied that it probably won't be done by March 5. It was decided that the dedication should be done before it is used by anyone else. The Chamber of Commerce breakfast for March 5 will be held in the Council Chambers.

J. NEW BUSINESS:
The Council is hosting the March 5 Chamber breakfast.
Does Barfly's have all their permits and what is the possibility of getting them to change their name?
The fence isn't up at the U-Kart-It.
We need to find the previous city manager's file on the trash business.
Richard Dallof is responding to the letter about the Kings Manor reported code violations.
We need to see about getting the ISD's construction company to repair Hundley to its original condition when the project is completed.
There were a lot of calls in response to the Denton Record Chronicle's headline about the City of Lake Dallas laying off 40 people when, in fact, it was the Lake Dallas ISD.
A resident expressed concern about the lack of sanding during the recent ice storm. There was little traffic on that day and there had been sanding at major intersections. The more sanding that is done would entail larger clean-up efforts when the ice is gone.
O'Reilly's said that the corporate headquarters had no idea the Lake Dallas store would be doing as well as they are doing.

K. ADJOURN

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:55 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on February 13, 2003 at 7:30 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Ristagno and City Secretary Weikum.

B. Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA
No one came forward to speak.

E. REPORTS:
1. Boards and Commissions
Chris Fahey, Chair of the Parks and Recreation Board, said they are working on adding more activities during the year. They have been discussing a quarterly city-wide garage sale that would include businesses having sidewalk sales and coincide with the Trade Days weekend. They have also discussed awards for a 'yard of month' for businesses and housing plus perhaps awards for best Halloween and Christmas decorations. They turned in a list of some ideas they had for the Parks Master Plan to the consultant at the 4b meeting. Some of the events include a motorcycle rally in May and radio controlled model airplanes in June. Both of these events would be held at Willow Grove Park. She said she is trying to contact a carnival to come here for FallFest. She said some people have driven out into the park area at City Park. Mayor Wohr said that could be discussed during New Business.

Mayor Wohr said perhaps Lake Dallas could play a bigger role in the twinkle light parade. They raise money for Toys for Tots with that event. We could have part of the route and have our park decorated and a place where people could view the parade. He also suggested that we have a civil war re-enactment at the 4th of July celebration.

F. **BUSINESS:**
1. Consent Agenda:
a. Consideration and Action on approval of January financials and accounts payable.
b. Consideration and Action on approval of 4th quarter 2002 investments report.
c. Consideration and Action on approval of Minutes for January 9, 2003 meeting.
d. Consideration and Action on appointment of Robert Northrup as an Alternate on the Planning & Zoning Commission.

e. **Consideration and Action on appointment of Theresa Pierce to the Parks and Recreation Board.**
f. **Consideration and Action on approval an Ordinance ordering an election to be held on May 3, 2003, for the purpose of electing City Councilmembers for the Place Numbers 1, 3 and 5; proposing amendments to the Home Rule Charter of the City of Lake Dallas and ordering an election to be held concurrently with the General Election on May 3, 2003.**
g. **Consideration and Action on approval of a Resolution for a contract with the Denton County Elections Administration for the May 3 election and early voting.**
h. **Consideration and Action on appointment of Election Judges for the May 3, 2003 election.**
i. **Consideration and Action on approval of contract with C & C Engineering, Inc. for plan review for the Lake Dallas Middle School.**

Steve Blackman with C & C Engineering said he would like to give the Council some background on their company. He said they are working for the city and making sure that all codes are enforced- federal, state, energy code, etc. on the Lake Dallas ISD project. They will do a preliminary plan review tomorrow and see if they can save the ISD any money. He said they are going to be onsite and under Richard's direction and could help enforce any requirements of the City. He said his staff is familiar with the storm water requirements by the EPA. They are Dallas-based, civil engineers with twenty-three years in the business. They did all of the Fort Worth ISD bond programs. They have also done residential, high-rise, and retail work. They have lots of experience and hope to have long relationship with us.

Motion to approve the Consent Agenda items was made by Councilmember Marjory Johnson. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

Mayor Wohr closed the open meeting at 7:55 PM.

G. EXECUTIVE SESSION:

The City Council to convene into closed session to deliberate on the appointment, employment, and duties of the city manager pursuant to the Texas Government Code section 551.074, Personnel Matters.

Mayor Wohr called the meeting back to order at 10:05 PM.

H. ACTION, IF ANY, FROM EXECUTIVE SESSION.

I. WORKSHOP:

1. **Review of Home Rule Charter revision (if necessary).**

No one had any other revisions other than those on the election order.

2. **Discussion on development of mission statements and directives for city's boards and commissions.**

The Boards and Commissions are appointed positions and should take direction from the elected city council. The Comprehensive plan is a very important document and needs to be reviewed and updated by the Planning & Zoning Commission. The commission should be able to make recommendations to the city council consistent with the city's vision. The Parks and Recreation Board should develop a stage plan for accomplishment of the priorities set for the city. They should seek the guidance of the City Council and be able to set out long and short-term plans and development consistent with the city's vision. The importance of a mission statement is so they can see what they are supposed to do.

We should dissolve the original Economic Development Committee at the next regularly scheduled meeting and invite the remaining committee members to attend.

The Council Liaisons and the Mayor will go to Parks and Recreation Board and to the Planning & Zoning Commission about their mission statements.

J. STAFF REPORTS

Interim City Manager Ristagno said the Centurions want to camp at Willow Grove Park in May. The Lake Dallas Falcons, a radio controlled airplanes club, want to do an activity in Willow Grove Park in June. The 4th of July Fire Works will be at Willow Grove this year.

There is no money budgeted in Parks for improvements at Willow Grove.

He gave Council an update on the progress being made on the community room.

The Spring Break Street Jam Dance will be held in the parking lot on March 14 from 7 PM to 10 PM.

K. NEW BUSINESS

The Stables has a new owner and name. It's called Barfly's.

There are some options to keep people from driving onto City Park. We may be able to pour some curbing or possibly install some type of chain gate.

L. ADJOURN

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

The meeting was adjourned at 10:30 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on January 23, 2003 at 7:30 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Ristagno and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. VISITORS/CITIZENS AGENDA

Kathleen Gilliland, 703 Payton, gave her thanks to everyone for all that was done when Linwood passed away. She said he was always proud to serve and proud of the people he served with. Naming the community room after him was not expected but would have been a source of pride for him as it is for his family.
Mayor Wohr said he appreciates her sacrifices over the years.

E. WORKSHOP:

1. Garza Beach/Legacy Oaks replat and site plan review.

Tom Hoover and Neil Hellums were in attendance so they could answer any questions.
Mayor Wohr asked if there was anyone here who hadn't spoken at the last meeting.

Trevor Benton, 318 Texas Drive, said he would like a street to go through at the end of his block to Lakeview.
Mayor Wohr explained that the city does not own the land that the boat canal is on. The city only purchased an easement because that was the only way to direct the water for drainage issues. The only ways the City can get property is if it is given to us or through using eminent domain. This developer doesn't need another street to develop his plan.
Mr. Benton said he would like to have something done with Boliver Street and the boat canal.
Mayor Wohr said we have his name and address and will advise him if something comes up that would impact the street.

Tommy Williams, 315 Boliver, said he thinks that road needs to be there to keep people from turning around in their driveways.

Mayor Wohr closed the workshop on E -1 and asked Council's permission will move to items F-1 & F-2.

F. **BUSINESS:**

1. **Consideration and Action on approval of a proposed replat for 11.218 acres described as parts of Block C, Block D, Block G, Block J, and Block M of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.**

Motion was made by Councilmember Stapleton to approve Agenda Item F-1 as originally submitted to this Council. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

2. **Consideration and Action on proposed site plan for 11.218 acres described as parts of Block C, Block D, Block G, Block J, and Block M of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924 (Legacy Oaks).**

Motion was made by Councilmember Stapleton to approve Agenda Item F-2 as originally presented to Council. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

E. **2. Lake Cities Library remodel plans.**

Vicki Carusi explained the floor plan, which was included in the packet given to the council. She said the items in blue will be done at a later date. She said they have budgeted $20,000 and most work will be done by volunteers and employees. It's going to be a month before they are able to start. She said they have to expand to keep their accreditation with the State of Texas. They have to buy 2500 books and will be expanding the computers through a donation process.

F. **3. Consideration and Action on approval of 4b Strategic Plan for 2003 Calendar Year.**

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-3. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

4. **Consideration and Action on approval of the proposed budget for the 4b Lake Dallas Community Development Corporation.**

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-4. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

5. **Public Hearing on approval of hiring a consultant for Parks Master Plan and community center room.**

Mayor Wohr confirmed that the Community Development Corporation had decided to opt out of using a consultant for the community room.
Carolyn Green said since none of the members on the board have any expertise in working up a master plan for the parks they would like to go forward with hiring a consultant.

6. **Consideration and Action on approval of hiring a consultant for Parks Master Plan and community center room.**

Motion was made by Councilmember Stapleton to approve the hiring of a consultant for Parks Master Plan. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

7. **Consideration and Action on approval of 4a Strategic Plan for 2003 Calendar Year.**

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-7. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

8. **Consideration and Action on approval of the proposed budget for the 4a Lake Dallas Economic Development Corporation.**

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-8. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

9. **Public Hearing on a proposed replat of Tract 32 of Cobb Survey, Abstract 284.**

10. **Consideration and Action on a proposed replat of Tract 32 of Cobb Survey, Abstract 284.**

No action was taken on Items F – 9 and 10 since there was no quorum at the previous Planning & Zoning Commission meeting. The replat will need to be rescheduled.

11. **Consideration and Action on approval of an Ordinance to amend preliminary plat filings.**

Motion was made by Councilmember Fletcher to approve Agenda Item F-11. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

12. **Consideration and Action on approval of a revision to the site plan for the Cornerstone Wash I, LLC on Swisher Road.**

No action was taken because the item had not been heard at the previous Planning & Zoning Commission meeting.

Mayor Wohr called for a break at 8:35 PM.

Mayor Wohr called the meeting back to order at 8:40 PM.

G. WORKSHOP:

1. City Manager Search.

There was discussion about running ads soon; which process should be used this time; what skills and qualifications should be required; a list of questions to ask the prospects. At our next regular meeting we'll have an executive session about what we are expecting of the city manager.

H. STAFF REPORTS

Interim City Manager Ristagno said he is getting bids for electricity at Willow Grove and has received a bid of $3,000 for plumbing. We need to get restrooms and showers resolved.
He gave Council an update on the progress in the community room.

I. NEW BUSINESS

The flagpoles are up at City Park.
Ivan Bounds has asked for Council's help to get the VFW to add some names because they were local veterans.
What are we going to do with the original Economic Development Committee? There was discussion about dissolving the committee and inviting the past members to come to the 4a meetings and see if they would be available for ad hoc committees.
We may need to schedule a Saturday workshop with all the boards and discuss mission statements. Parks may need some direction about what to take to the 4b board. We could workshop in Council first and then schedule another workshop with the other boards.
We have received our copyright on the logo. It will require council action if anyone other than the City wants to use it.

J. ADJOURN

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Nays: None

Motion Passed

The meeting was adjourned at 9:25 PM.

Steve Wohr, Mayor

Beverly Wehkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on January 9, 2003 at 7:30 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Also Present: City Attorney David Berman; TML attorney Darrell Noga; Interim City Manager Nick Ristagno and City Secretary Weikum.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA:

Amy O'Neal, 415 Springtree Road in Jackson Ranch, said there is an area where the water flow is damming up. There are dead trees and brush that fall and dam up the water. She feels the problem with erosion is due to houses being built behind them. They used to have a retention pond but it is not there any more. The drainage problem is getting worse. She asked the City to help with this problem.

Mayor Wohr said we will look into this. If it's common property we may be able to help. We can't go on private property. Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

With Council approval Mayor Wohr went to the public hearing on Garza Beach since there were a lot of residents here for the Public Hearing.

H – 8. Public Hearing on a proposed replat of 11.218 acres described as Block C, Lots 1 through 10 and 23 through 32, Block D, Lots 1 through 10 and 23 through 32, Block G, Lots 1 through 10 and 23 through 32, Block J, Lots 1 through 10 and 23 through 32, and Block M, Lots 1 through 10, of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.

Neil Hellums, Justin, TX, said he appreciates all the work that the P &Z has done on this. He handed out changes made for January 2 P & Z meeting. The corner lots have been brought into compliance. They changed the street right of way and will be asking for a variance. There will be a thirty-foot street plus a ten-foot easement on each side of the street. The average size of the lots is 7357 SF. The minimum lot depth is 108'. It is zoned R-1-6000 which doesn't require masonry but they will use R-1-7200 spec's

which requires 80% masonry. Tom Hoover has done all the engineering. They would like to do this in two phases.

Mayor Wohr thinks another street should be done on the property that adjoins another housing development. He said the three dead-end streets create a serious safety problem. Mr. Hellums said that part hadn't been addressed in their replat application.

Bob Woods, 405 Stockard, said he's in favor of the replat. He's lived there for 19 years and he's used to it. As a property owner he's in favor of the replat.

Pam & Wendell Hopkins, 411 Boliver, said they support the zoning commission's approval of the plat. They believe a new street down the canal would route more traffic into their area and would be catastrophic for the street maintenance and kids playing. It would give non-residents a place to cruise. The temporary street is seven feet from their house. The safety issue would be eliminated – kids walk around that turn and cars wouldn't be able to see them. It's a relatively quiet neighborhood and it would keep traffic off their one-lane streets. There's never been a street there and never should be. The temporary street should be gone.

Laird Lind, 735 Carlisle, said he owns 2 houses in Stockard, said he can't add much to what the mayor has said. There has been about $5 million in construction done in that area. He and John Donahue have given up ½ lot on both ends that they were kind of planning a street to start at Texas and go to Lakeview. He would like this to be reviewed. He said they have no issues with the Clanceys trying to develop but he feels it shouldn't be at the expense of the neighboring property.

David Tumlin, 304 Stockard, said if we put another road in it would ease the maintenance on Stadium.

George Richardson, 320 Texas Drive, said he would like to see a road put in there. He thinks that would increase the value of the homes. He also referred to safety issues. If we would have to get out in a hurry, it's not going to happen.

Norman Sumlin, 411 Stockard, said Frances Coxwell lived there for 50 years and they've lived there 14 months. He said he has a 4-year-old and he likes Stockard the way it is. It's quiet.

Van Stevens, 328 Texas Drive, said he is basically not opposed to new development or the street. His concern is with safety and drainage. He doesn't know if it would benefit anyone to have the other street. As long as the fire trucks can get there, he's not concerned about how they get out. He said they have no problem with water coming off that property now.

Mayor Wohr said that for years we've had people come up and say something needs to be done about Boliver. He said if that's what the property owners want, he has no problem with it, but this is what you will always have.

Mayor Wohr closed the public hearing when no one else came forward to speak.

H – 9. Consideration and Action on a proposed replat of 11.218 acres described as Block C, Lots 1 through 10 and 23 through 32, Block D, Lots 1 through 10 and 23 through 32, Block G, Lots 1 through 10 and 23 through 32, Block J, Lots 1 through 10 and 23 through 32, and Block M, Lots 1 through 10, of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.

David Berman said the City purchased an easement for drainage. We have opinion letters from other attorneys. He gave copies to the Council. He said we can turn it down or table it and schedule a workshop with the developer.

Motion to approve the replat was made by Councilmember Marjory Johnson. Second by Councilmember Gary Johnson. Before the vote was taken Councilmember Marjory Johnson made a **Motion** to withdraw the motion on the table. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Motion to table Agenda Item H-9 and schedule a workshop for the next regular council meeting was made by Councilmember Marjory Johnson. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr called for a minute break at 8:50 PM.

Mayor Wohr called the meeting back to order at 9:05 PM.

Mayor Wohr closed the public meeting at 9:06 PM.

E. EXECUTIVE SESSION:
The City Council to convene into closed session for consultation with attorney pursuant to the Texas Government Code Section 551.071 to deliberate on settlement proposal regarding Resort Reality vs. City of Lake Dallas.

Mayor Wohr called the regular meeting back to order at 9:50 PM.

F. ACTION, IF ANY, FROM EXECUTIVE SESSION.
No action was taken.

G. REPORTS:

1. Boards & Commissions
Chris Fahey, Parks and Recreation Board, said Charles Thomas resigned due to his work schedule. The Board has decided not to have CASI chili cook-off. They have an agenda scheduled for this year: Keep City of Lake Dallas beautiful was discussed. It would be competition for a "yard of the month" sign. A gazebo at the park would be nice in case we are able to schedule monthly entertainment.

She reported on City Park, Community Park, Thousand Oaks Park and Willow Grove Park. We would like to have the fireworks on the 4th of July at Willow Grove.

H. **BUSINESS:**

1. **Consideration and Action on approval of a Resolution to name the community room in City Hall the Linwood Gilliland Community Room.**

Motion to approve Agenda Item H-1 after the reading of the Resolution was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on appointment of one person to 4B Community Development Corporation.**

Motion to appoint Rod Proctor was made by Councilmember Gary Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. **Consideration and Action on approval of a Resolution approving the Articles of Incorporation of the 4A Economic Development Corporation; appointing the members of the initial Board of Directors; authorizing certain designated persons to act as incorporators; authorizing and approving the Bylaws.**

Motion to approve Agenda Item H-3 was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of a Resolution approving the Articles of Incorporation of the 4B Community Development Corporation; appointing the members of the initial Board of Directors; authorizing certain designated persons to act as incorporators; authorizing and approving the Bylaws.**

Motion to approve Agenda Item H-4 was made by Councilmember Stapleton. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5. **Public Hearing on a proposed replat of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355.**

Mayor Wohr closed the public hearing when no one came forward.

6. **Consideration and Action on a proposed replat of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355.**

Motion to approve Agenda Item H-6 was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7. **Consideration and Action on approval of a site plan for Tract 17 of the J. W. Simmons Survey in Abstract 1163.**

Jerry Goodell, said he is the representative for the family that wants to add a supplemental business on their property. They would pre-mix concrete at one yard at a time for small projects. They anticipate that the volume of traffic will be 4 – 8 yards/day. They only have 4 trailers. This location hasn't been successful for 10 or 15 years. Sales will take place inside of the existing bldg. He read a letter from Ann Russell, a residential neighbor at109 W. Hundley in which she states that their business is not an issue to her. The Planning & Zoning Commission unanimously approved it with the addition of an eight-foot board on board fence. They would be open from 8 to 5 Monday through Saturday.

Councilmember Marjory Johnson asked to hear from the City Attorney. He said he is not sure this is a permissible use.
Motion was made by Councilmember Fletcher to approve Item H-7 with the fence. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, Stapleton, and Fletcher
Noes: Councilmembers M. Johnson and Harper

Motion Passed

10. **Consideration and Action on approval of a site plan for the replat of 11.218 acres in Garza Beach Estates in the MEP & PRR Survey in Abstract 924 (Legacy Oaks).**

Motion was made by Councilmember Marjory Johnson to table this item. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

11. **Consideration and Action on approval of a site plan for Lake Cities Municipal Utility Authority.**

Motion was made by Councilmember Marjory Johnson to approve the site plan. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

12. Consideration and Action on approval of an Ordinance amending paragraph (5) Screening Alternate E of Section 122-1133, Screening standards of the Lake Dallas Municipal Code.

Motion was made by Councilmember Marjory Johnson to approve Agenda Item H-12. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

13. Consideration and Action on appointment of a regular member to the Planning & Zoning Commission.

Motion to appoint Cliff Elton as a regular member of the Planning & Zoning Commission was made by Councilmember Stapleton. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

14. Consent Agenda:

a. Consideration and Action on approval of December financials and accounts payable.

b. Consideration and Action on approval of Minutes for December 12, 2002 meeting.

c. Consideration and Action on appointment of alternate Bruce Martin as a regular member of the Board of Adjustment.

Motion to approve Consent Agenda Item H-14 was made by Councilmember Gary Johnson. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

I. WORKSHOP:

1. City Manager Search.

There was no discussion on this item.

2. Discussion about administrative assistants.

There was discussion about hiring someone on a temporary part-time basis to help in the City Secretary office. We also need to try to get all our records scanned to CD's. We may want to keep the employee on after the city manager is hired. We need to have a very clear job description.

J. STAFF REPORTS

With the use of volunteers it may be difficult to meet the March timeline. The plumbing, A/C, and electrical will be major. We need to address foundation problem before we finish the second part of the community room.
The Vanderhoof dedication can be done when the weather warms up. Johnny will spot paint the fence whenever he sees an area that needs paint.
Bernadette's artwork is not part of the budget.

The Willow Grove road overlay can be accomplished as either a 1" or 2" overlay. The Corps will have some requirements we'll need to follow.
Interim City Manager Ristagno said he will be buying a Christmas tree to plant on the city property.

K. NEW BUSINESS

Mayor Wohr and Interim City Manager Ristagno will discuss Amy O'Neal's situation at Jackson Ranch. Richard has been coordinating with Corinth's building department.
Councilmember Harper said that all the equipment that is going in behind the school is going to tear up Hundley Drive.
Interim City Manager Ristagno said we have the same problem with Upper Trinity. When they finish the construction they will come back and repair Lakeview.
We should place a porta-potty at City Park.
We need a place where someone who is out of work can check to see if there are any jobs or work available that will enable them to earn some money while unemployed. Ace Hardware and the library were suggestions.

L. ADJOURN

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was adjourned at 11:25 PM.

Steve Wohr, Mayor

Beverly Weikum TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on December 12, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

Mayor Wohr acknowledged Councilmember Harper's arrival at 7:36 PM.

D. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Wohr closed the Citizens' Agenda.

E. REPORTS:

1. Boards & Commissions

Neal Malone, Parks and Recreation Board, said the board is trying to get events organized for 2003. There were over 100 people at the Christmas Tree Lighting. He thanked the Fire Department and city staff for all their help and Councilmember Stapleton for reading the story. The photographer made some beautiful pictures. Councilmember Gary Johnson was leader in the craft room. Our Santa Claus was good. We have a problem getting to enough people to help. The elementary school and high school choirs both performed that night. He thinks next year we should contact a radio station and sponsor a toy drop here, too. He said it would help if the food places in town could stay open later than they usually do on that night.

2. Denton County Economic Development Commission report by Tony Marino.

Tony is our liaison to the Denton County Economic Development Commission. He handed out packets and gave the City a CD ROM for the Councilmembers to look at. Since we have our new economic development corporations going, he thinks it would be beneficial to work with Denton County. Tye DeBerry is in charge of the Denton County office but she wasn't able to be here tonight.

F. **BUSINESS:**

1. **Consent Agenda:**
   a. **Consideration and Action on approval of November financials and accounts payable.**
   b. **Consideration and Action on approval of Minutes for November 14, 2002 meeting.**

Motion was made by Councilmember Stapleton to approve the consent agenda items and pay the bills. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance for street abandonment in Garza Beach Estates.**

Motion was made by Councilmember Stapleton to approve agenda item F-2 with the legal description attached. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. **Public Hearing on a proposed replat of Lots 1 through 32 of Block I, Lots 1 through 32 of Block L and Lots 1 through 16 of Block O of Garza Beach Estates and Tract 10 of MEP & PRR Abstract 0924A.**

No one came forward to speak so Mayor Wohr closed the public hearing.

4. **Consideration and Action on approval of a proposed replat of Lots 1 through 32 of Block I, Lots 1 through 32 of Block L and Lots 1 through 16 of Block O of Garza Beach Estates and Tract 10 of MEP & PRR Abstract 0924A.**

Motion was made by Councilmember Stapleton to approve agenda item F-4 as presented. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5. **Consideration and Action on approval of a site plan for the replatted lot belonging to the Lake Dallas Independent School District.**

Motion was made by Councilmember Stapleton to approve agenda item F-5 as presented. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6. **Public Hearing on the proposed rezoning of Tract 32 of Cobb Abstract 0284A from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Mayor Wohr stated that Councilmember Marjory Johnson had requested to be excused from discussion on this item.
Tony Marino, 305 North Lakeview, said he is the owner of the property and requested the property be rezoned. Everything around it is R-1-7200 single family residential.
Mayor Wohr closed the public hearing when no one else came forward.

7. **Consideration and Action on approval of an Ordinance for the rezoning of Tract 32 of Cobb Abstract 0284A from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Motion was made by Councilmember Fletcher to approve agenda item F-7. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, Stapleton, Fletcher and Harper
Noes: None
Abstentions: Councilmember Marjory Johnson

Motion Passed

8. **Consideration and Action on approval of an Ordinance for facility use agreement with the Lake Cities Soccer Association.**

Motion was made by Councilmember Stapleton to approve the contract as detailed in agenda item F-8. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

9. **Consideration and Action on approval of an Interlocal Cooperation Agreement with Denton County regarding concurrent jurisdiction over platting process on land within the City's Extraterritorial Jurisdiction (ETJ) located within the County.**

Motion was made by Councilmember Marjory Johnson to approve agenda item F-9. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 8:08 PM.
Mayor Wohr called the meeting back to order at 8:29 PM.

Mayor Wohr asked permission of the City Council to move some things around on the workshop items. They moved to item G-4.

G. **WORKSHOP:**

4. Review of petition for street repairs in Kingswood Mobile Home Park.
Margaret Seefeld, # 59, Kingswood Mobile Home Park, said that getting the petition circulated was a fun project. She & Mary Bell walked around the park and got signatures. She said they just want some of the really large holes filled. Pecan & Lakeridge have some really large potholes. When Kingswood Drive got repaired it turned out good. They would appreciate Council's consideration of their request. Mayor Wohr said he appreciates them using the democratic process. He said we will definitely look at the streets in Kingswood. In a long-term view we will probably have to go back and re-do some of the other streets there. After the first of the year, Tom Hoover, the City Engineer, Chief Ristagno and Mayor Wohr will take a drive around. We'll start addressing some of the smaller streets. Some of the potholes may be able to be handled immediately.
Councilmember Harper said she has had a request from the board at Kingswood about paving in front of the mailboxes.

5. Review of Lake Cities Library proposed amended contract for lease of building.
This is the 2nd item on the workshop.
Vicki Carusi said the board appreciates the roof getting repaired. She said she's here to answer any questions concerning the revised lease agreement the board had submitted since they had a couple of concerns with the lease agreement we had. There was discussion about the many meetings several months ago when members of the library board was part of council discussion in getting the current contract done. The contract and ordinance were approved at the August 22 meeting and signed by Mayor Wohr. It has not been signed by the library board and needs to be signed for the library to legally start using the whole building.
There was discussion about renovations the library board wants to do with the building and ADA compliance. A suggestion was made that they hold back on some of the renovations they want to do. The meetings about the contract were taking place during the budget meetings. We have to take on a fiscal conservatism. It was determined that there had been some miscommunications. They were invited to come back and we can workshop the building improvements.

1. City Manager Search.
It was decided to wait until after the first of the year to begin actively pursuing this project. We need a workshop for guidelines and prepare for the city manager search. We need to determine if we're going to take input from the department heads and from the mayor. We should address the administrative needs during January.

2. Goals for the City of Lake Dallas.
This will be discussed in a future meeting.

3. Review of proposed Charter amendments.
The amendments have already been approved earlier this year and need to be put back on an agenda. This should be discussed in a separate workshop meeting. The proposed amendments should be given to the Councilmembers a week before the workshop so they can be studied prior to the meeting.

H. EXECUTIVE SESSION:
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.071 to deliberate on settlement proposal regarding Resort Realty vs. City of Lake Dallas.

I. ACTION, IF ANY, FROM EXECUTIVE SESSION.
There was no executive session since the attorney was unable to attend the meeting.

J. STAFF REPORTS
Interim City Manager Ristagno reported the following:
We have made $2700 since we entered into the contract regarding the auction of vehicles. The police department is considering replacing the cameras in our cars.
The rehabilitation of Stadium, Overly and Cain is complete and looks good. Andrews should do Lakebridge, too. The parking lot was finished today. Briar Oaks will be repaired by Lake Cities Municipal Utility Authority.
The Vanderhoof plaque is in and we can have a ceremony in March at City Park.
The logo can be hung behind council table.
Larry Anderson has a friend who's an electrician and a plumber so we can get power and water at Willow Grove Park. We may be able to use some 4B money on the road at Willow Grove. He said he will talk with Tom Hoover about it and he will coordinate with the Corps of Engineers about the restrooms.
We have started cleaning the Community Room and will have an auction in January.
We had a request from a retired employee (Margaret Coulter), who was here for almost 30 years, about getting her old desk.
The 4a/4b meetings are next Monday.
The sidewalk grant has been submitted and the ISD has agreed to fund $20,000 is the grant is awarded.
We have three candidates for our new officer position. He will be assigned to the middle school primarily.
The Garden Homes should be starting up soon.
We have replats coming up for the railroad property and the Lakeview Kennels.
He's been asked to do the cooking for a benefit dinner for Gene Tyree. Mr. Tyree has been diagnosed with stomach cancer and they have no insurance. It will be held at the VFW Post on January 5.
The employee Christmas party is tomorrow night and Council is invited.
After the first of year we'll schedule a meeting with Heil and start discussing trash service.
Johnny Harris arranged a meeting with Upper Trinity regarding the storm water project. We should look into getting a price from a consultant.
Randy Squiers has contacted us about re-negotiating his contract.

K. NEW BUSINESS

Councilmember Marjory Johnson had a request from a high school senior who needs to stage a mock trial. Could they use the council chambers for about an hour on December 14.

It was reported that the gates have been open at City Park recently. They have been open for street repair equipment to use for parking when the machines are not working.

Mayor Clarke's sent a letter to the Sun. We should state our stance on the 4 Lake Cities becoming one city – Corinth.

Mike Minnis called and has a 14' Christmas tree complete with ornaments which he needs to find a home for. It is too tall for the community room because the ceilings will be 11' high.

L. ADJOURN

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper

Noes: None

Motion Passed

Meeting was adjourned at 10:47 PM.

Steve Wohr, Mayor

Beverly Welkum TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on November 14, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Harper was excused.
Staff Present: Interim City Manager Ristagno and Acting City Secretary Vaughn.

B. Invocation was given by Councilmember Stapleton.

C. Pledge of Allegiance was led by Councilmember Stapleton.

D. Visitors/Citizens Agenda:
Georgina Gougeon, 717 Cain Street, Lake Dallas asked to approach Council with information. She informed Council that the Lake Cities Police Departments will be doing children's fingerprinting at Albertson's this Saturday from 10:00 AM to 7:00 PM.

Ms. Gougeon also stated that she has been asked to be the spokesperson for a group of people who would like the City to make Chief Ristagno the City Manager, Lt. Lowery the Chief of Police, Sgt. Frazier the Lt. Of Police and hire a patrol officer. She would be willing to bring petitions from citizens making this request.

Mayor Wohr thanked Ms. Gougeon for bringing this idea to Council. He also thanked her for her work with Albertson's and the fingerprinting for children.

Ms. Gougeon thanked Chief Ristagno for his assistance with the fingerprinting campaign.

Mayor Wohr closed the Citizen's Agenda.

E. Reports:
Chris Fahey gave a report for the Parks and Recreation Board. Mrs. Fahey reported that the Board met on November 5th. Five of the nine members were present. Jerry Conner gave a presentation on the 4A & 4B sales tax. Campsites at Willow Grove Park are now available. Mrs. Fahey is planning to plant pansies and spring bulbs in the flower box around the sign at City Park. She said that the Board discussed the 2003 Fallfest/Chili Cookoff. The board has several concerns regarding holding the Chili Cookoff in conjunction with the Fallfest. The Tree Lighting will be held on Saturday, December 7th at 6:00 p.m. at

the Fire Station. There will be entertainment and a photographer. The fire trucks will not be available due to a conflict of schedules.
Mayor Wohr conferred with Chief Ristagno about blocking off Alamo Street in front of the old City Hall for the Tree Lighting. Council suggested to Mrs. Fahey that she contact the Boys and Girls Club to let them know of the Tree Lighting.
Councilmember Fletcher stated that he had made contact with a gentleman who organizes Antique Weekends and he will provide Parks and Council with the information.
Mrs. Fahey reported that the Board should have a recommendation for the Council on the Parks Master Plan by December or January.

F. Business:

1. Consent Agenda

A. Consideration and Action on approval of October Financials and Accounts Payable.

B. Consideration and Action on approval of Minutes for October 21 and October 24 and November 5, 2002 meetings.

Motion was made by Councilmember Stapleton to accept Consent Agenda Item 1A and 1B. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton and Fletcher
Noes: None

Motion Passed

2. Consideration and Action on approval of amendment to the Investment Policy to include investments with Logic.

Motion was made by Councilmember Stapleton to approve Agenda Item F-2 as presented. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton and Fletcher
Noes: None

Motion Passed

3. Consideration and Action on approval of an Ordinance for a zoning change for Tracts 86, 86A, 86B, 89, and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district. [Tabled at October 24 meeting].

Motion was made by Councilmember Stapleton to approve item F-3 as presented. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

G. Workshop:

Council agreed to delay workshop until the next meeting.

H. Staff Reports:
Mayor Wohr complimented Interim City Manager Chief Ristagno on the new flagpole outside the building.

Councilmember Fletcher commented about the new addition of equipment on the Railroad property. Chief Ristagno reported that the equipment is part of a federally funded project, but the City may be able to discuss with them something more aesthetically pleasing.

Mayor Wohr would like to meet with Jerry Conner and Chief Ristagno next week regarding the 4A/4B Sales Taxes.

Councilmember Fletcher would like to see yearly average on Police Department Report to Council. Chief Ristagno stated that they would see if new computer software could generate that information. Councilmember Fletcher expressed his appreciation to Roz Sleigh for her assistance with the Website photographs.

Mayor Wohr asked Chief Ristagno to compose a construction sequence for the proposed Community Room.

Chief Ristagno reported he is checking on TXDOT grants for sidewalks.

Councilmember Stapleton reported that there are loose bricks behind the old Community Center that need to be collected.

I. New Business:
No meeting Thanksgiving week.
Councilmember Johnson asked that the Charter Revisions be reviewed again. She also recommended that the Council work with the Parks and Recreation Board to rewrite the requirements for that Board.

J. Adjourn
Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher
Noes: None

Motion Passed

The meeting was adjourned at 8:30 PM.

Joni Vaughn
Acting City Secretary

Steve Wohr, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on November 5, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Ristagno and City Secretary Weikum.

B. Visitors/Citizens Agenda:
No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

C. Business:

1. Consideration and Action on approval of an Ordinance for a zoning change for Tracts 86, 86A, 86B, 89, and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district. [Tabled at October 24 meeting].

Mayor Wohr called for a short break.
Mayor Wohr called the meeting back to order and with the Council's approval moved to other items on the agenda.

2. Consideration and Action on approval of a contract with VSC Management.
Motion was made by Councilmember Fletcher to approve this item. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. Consideration and Action on appointment of board member to the 4b Corporation.
Motion was made by Councilmember Fletcher to appoint Vicki Carusi. Second by Coucilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. Consideration and Action on approval of a Resolution amending bank signatories at Northstar Bank of Texas.
Motion was made by Councilmember Stapleton to approve Agenda Item C-4 as presented. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

5. Consideration and Action on approval of a Resolution amending authorized representatives for TexPool Participant Services.
Motion was made by Councilmember Stapleton to approve Agenda Item C-5 as presented. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

1. Consideration and Action on approval of an Ordinance for a zoning change for Tracts 86, 86A, 86B, 89, and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district. [Tabled at October 24 meeting].
Motion was made by Councilmember Stapleton to approve item C-1 as presented. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

D. Staff Reports:
Interim City Manager Ristagno said the City Park Plaque is 10" x 10" and won't fit on front of the City Park sign. The Parks and Recreation Board agreed it would be all right to place the plaque on the back of the sign.
He said he has received estimates of $6,000 to $7,000 for electricity at the campsites at Willow Grove Park. There would be six (6) 30 amps hook-ups and we do our own trenches.
He discussed the City Hall Parking Lot seal. Now it's not tracking because it's cooler. The provider of the material said if they put a proper mix on top of this it should stop the problem. We need to contact Tom Hoover regarding this situation.
We had talked at one time about asphalting the back of City Hall when we did Betchan and didn't get it done. Tom Hoover said he had anticipated $100,000 bid on the rehabilitation of Stadium, Janet, Cain and Overly and the bid came in at $78,000. The law provides that we can go 25% over on alternates. We can get Andrews Paving to give us an alternate and perhaps get the back paved, too.
There are two concrete streets failing and the maintenance bond has expired. Tom Hoover will look at these, too.
The Library roof can get done by end of week for $800.
We have some maintenance issues with the Boys & Girls Club and the Library. Should they be able to call us to change light bulbs, filters, etc? Those things should be their responsibility.
He asked authority to set up the city manager office similar to his and also work on the city secretary office. We expect the new council chairs any day.

He said the middle school anticipates 2 years construction and we have authorized on-site construction trailer parking on part of the east end of City Park.
He requested that Councilmember Stapleton read the Christmas story at the Tree Lighting again this year.

E. New Business:

There was discussion about the possibility of bringing in some kind of contract person for the storm water project and an administrative person to help the city secretary. Mayor Wohr said he thinks COG is going to come up with a basic plan for the smaller cities.
We need a list from the goal setting workshop so we can see where we are.
Interim City Manager Ristagno said the budget should be a priority. We should determine whether our revenues are accurate and the Public Works people have said that some of the things they asked to be budgeted are not on the budget.
Councilmember Marjory Johnson said there are some school changes that are coming due to the State of Texas' Robin Hood plan. She has been asked to write letters to Jane Nelson & Myra Crownover about the cutting of some school programs. She said we're losing PE and music at the primary level. Councilmember Harper said they're trying to cut expenses out at administrative level. Cutting special programs is down at the bottom.

F. Adjourn

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:17 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on October 24, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Ristagno, Char DuPree, and City Secretary Weikum.

B. INVOCATION was given by Mayor Wohr.

C. PLEDGE OF ALLEGIANCE was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA:

Vicki Carusi, library board representative said she would turn the discussion over to Betty Brown and Jill Rael about the roof leaking at the library.
Mayor Wohr said it would be discussed during New Business tonight. He thanked Sgt. Frazier for beginning work on getting the roof repaired. He said we will have to check into the roofing and rust and insurance issues.
Betty Brown said we need your help expeditiously and gave the Councilmembers a handout.
Mayor Wohr closed the Citizens' Agenda when no one else came forward to speak.

E. BUSINESS:

1. **Consideration and Action on award of a bid for construction of Rehabilitation of Stadium, Cain, Janet and Overly Streets in Lake Dallas.**

Tom Hoover said we opened bids yesterday. Andrews Paving bid had a slight difference but they were the low bidder at $78,018.33. They will pass a newsletter out to the residents involved prior to street construction. There will be a preconstruction meeting with Andrews Paving before they begin.
Motion was made by Councilmember Stapleton to award the contract for construction of Rehabilitation of Stadium, Cain, Janet and Overly Streets to Andrews Paving. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance amending the front setbacks for C-1-A Business district.**

Motion was made by Councilmember Marjory Johnson to amend the front setbacks for C-1-A Business district. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. **Consideration and Action on approval of an Ordinance providing for drilling and mining restrictions within the City of Lake Dallas.**

Motion was made by Councilmember Fletcher to approve Item E-3. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. **Public Hearing on a proposed zoning change for Lot 1-R of the I.C.C. Addition from M-1 Light Industrial district to C-1-A Business district.**

Mayor Wohr gave some background on this item. He closed the Public Hearing when no one came forward to speak.

5. **Consideration and Action on approval of an Ordinance for a zoning change for Lot 1-R of the I.C.C. Addition from M-1 Light Industrial district to C-1-A Business district.**

Motion was made by Councilmember Stapleton to approve Agenda Item E-5. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

6. **Public Hearing on an application for a Special Use Permit to operate a church at 625 South Denton Drive.**

Mayor Wohr closed the Public Hearing when no one came forward to speak.

7. **Consideration and Action on approval of an Ordinance for a Special Use Permit to operate a church at 625 South Denton Drive.**

Motion was made by Councilmember Gary Johnson to approve Agenda Item E-7. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

8. **Public Hearing on a proposed zoning change for Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district.**

David Jackson, United Mortgage, 2000 South Stemmons, Lake Dallas, said he and his partners (Tracey Daniels is one of the partners) are in the process of purchasing this property. They have outgrown their building due to recent mergers and acquisitions. They want to put an office building on this property as well as some retail.
Mark Donaldson, 3216 Staghorn Circle, Denton, said he had been contacted by Mr. Jackson last week to look at the land for a mixed use zoning. Mr. Jackson would provide for a through street continuing from Goliad south to Carlisle from Betchan.

Mayor Wohr said our concern is the ability for a city to fix the zoning so the land is developed in the best interests of the city as well as the owner. An office building backed up to residential is more palatable that straight retail. He asked if they knew which lots would be used for which use.

Harold Brandt, Dallas, said he is a representative for the railroad. Donland is interested in selling the property and it appears they have a deal. The contract has not been signed but it should happen before the end of the year.
Tracy Daniels, Daniels Air Conditioning, said he wants to keep investing in this town he loves. He said that whatever they do is going to be nice.

They could furnish a preliminary plat plan within two weeks.

9. Consideration and Action on approval of an Ordinance for a zoning change for Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district.

Motion was made by Councilmember Fletcher to table this item until November 5. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

10. Public Hearing on approval of an Ordinance creating a Planned Development zoning area.

Mayor Wohr closed the Public Hearing when no one came forward to speak.

11. Consideration and Action on approval of an Ordinance creating a Planned Development zoning area.

Motion was made by Ken Stapleton to not approve Agenda Item E-11. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

12. Public Hearing on a proposed replat for Lots 1A & B, 4A & B, 5A, 8A & B, 9A & B, 10A & B, 11A & B, 12A & B, 13A, and 19A and B of Harbourtown Villas.

Larry Schneider, 1016 Ellison Park Circle, Denton, said there are some drainage issues on some existing lots that have properties behind them. All water will drain to the front of the property except the last 10 or 12 feet from the back of the lot on a few of the lots. He will put in a concrete flume that will take care of the rest of the lots and the drainage issues.
He said this was replatted in 1999 by the City and it involved changing the layout of the street. The curb and gutter never got changed. He said the city manager agreed that the City would change the curb and gutter and do the street repairs.
Mayor Wohr closed public hearing when no one else came forward to speak.

13. Consideration and Action on approval of a replat for Lots 1A & B, 4A & B, 5A, 8A & B, 9A & B, 10A & B, 11A & B, 12A & B, 13A, and 19A and B of Harbourtown Villas.

Motion was made by Councilmember Marjory Johnson to approve the replat. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

14. Public Hearing on a proposed zoning change from R-2 Two-Family dwelling district to Planned Development (P-D) zoning district for Lots 1A-R & B-R, 4A-R & B-R, 5A-R, 8A-R & B-R, 9A-R & B-R, 10A-R & B-R, 11A-R & B-R, 12A-R & B-R, 13A-R, and 19A-R and B-R of Harbourtown Villas.

Mayor Wohr closed the Public Hearing when no one came forward to speak.

15. Consideration and Action on approval of an Ordinance for a zoning change from R-2 Two-Family dwelling district to Planned Development (P-D) zoning district or Group Housing Project (GHP) zoning district for Lots 1A-R & B-R, 4A-R & B-R, 5A-R, 8A-R & B-R, 9A-R & B-R, 10A-R & B-R, 11A-R & B-R, 12A-R & B-R, 13A-R, and 19A-R and B-R of Harbourtown Villas.

Motion was made by Councilmember Marjory Johnson to rezone to GHP all of the lots listed in Item E-15 and change Section 2, Item 5 about side yards of "not less than six (6) feet on the opposing side [instead of seven (7) feet]. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

16. Public Hearing on a proposed replat of Tracts 1 and 2 of the First Highway Addition into one tract.

Mayor Wohr closed the Public Hearing when no one came forward to speak.

17. Consideration and Action on a proposed replat of Tracts 1 and 2 of the First Highway Addition into one tract.

Motion was made by Councilmember Fletcher to approve item E-17. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

18. Public Input on approval of a site plan for Lot 1-R, Block A of the First Highway Addition.

Discussion was about fencing and landscaping if the metal or wood fence is used; or, no shrubbery if a masonry fence is used. Mr. Lee said he hopes to be finished by the end of March.

Mayor Wohr closed the public input when no one else came forward to speak.

19. Consideration and Action on approval of a site plan for Lot 1-R, Block A of the First Highway Addition.

Motion was made by Councilmember Fletcher to approve item E-19 with the amendment to the site plan of a four (4) foot fence from the front of the building to the gate. Second by Councilmember Harper.
Motion was made by Councilmember Stapleton that the motion be amended to reflect all changes as detailed in the minutes concerning this site plan. Second by Councilmember Marjory Johnson.
Vote on Amended Motion
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Motion as amended: the fence will be a brick wall that is four (4) feet tall from the front building line of the building to the gate and made of material that does match the construction of the building.
Vote on the Motion as amended
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

20. Consideration and Action on appointment of five (5) members to serve as the 4a Sales Tax Corporation of the City of Lake Dallas.

Motion was made by Councilmember Marjory Johnson to appoint Marjory Johnson, Alan Fletcher, J. W. Lively, Paul Fiala, and Beverly Weikum to the 4a Sales Tax Corporation of the City of Lake Dallas. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

21. Consideration and Action on appointment of seven (7) members to serve as the 4b Sales Tax Corporation of the City of Lake Dallas.

Motion was made by Councilmember Fletcher to appoint Gary Johnson, Betty Harper, Jim Tankersley, Kathy Pinnell, Carolyn Green, Linwood Gilliland, and Neal Malone to the 4b Sales Tax Corporation of the City of Lake Dallas. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

22. Consideration and Action on approval of Minutes for October 10 meeting.

Motion was made by Councilmember Marjory Johnson to approve the Minutes of the October 10 meeting. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

F. WORKSHOP:

1. **Trash Analysis.**
2. **Storm Water Report.**

Mayor Wohr said that in light of the regrouping, we need to put this on a later agenda.

G. CITY MANAGER REPORT

H. NEW BUSINESS

Mayor Wohr said there is a very good artist in town who paints windows for Halloween. The cost is $80 for the front of the building and it can be done tomorrow. He said his daughter's (Lindsey) Leadership School class will come and clean them later.
Mayor Wohr has talked with someone about the library roof who said we're wasting our time if there are a lot of rusty panels. He concurred that if the panels are solid we can brush some roofing repair material on it "in house" and it will be a lot more cost effective.

Councilmember Stapleton said his friend David has expressed a desire to come to the Tree Lighting and do pictures as a 'for profit' offer. He has offered to pay the City so much per each picture to be designated for the Parks Department.
Interim City Manager Ristagno said if we open to one vendor we'd have to open to all vendors. Council was in agreement with the arrangement.

I. ADJOURN

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:50 PM.

Steve Wohr, Mayor

Beverly Wolkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on October 21, 2002 at 7:30 PM at the Lake Dallas City Hall with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. VISITORS/CITIZENS AGENDA

Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

C. WORKSHOP:

1. 4a/4b sales tax corporations and procedures.

Jerry Conner of Economic Development Services gave a handout to those present.
There was discussion about having firm guidelines in place for the board members.
Money from the corporation can reimburse the City for administrative expenses incurred.
The Economic Development Committee doesn't need to be disbanded. They could possibly act as a committee under a corporation. Each corporation board must elect a president and a secretary at their first meetings.
During the discussion about members for the boards it was decided to have applicants fill out applications for future appointments. This time it was decided to have two Councilmembers on each of the corporations. They discussed other people to contact before the next council meeting when appointments will be made to the first corporations.

Mayor Wohr closed the regular meeting at 10:10 PM.

D. EXECUTIVE SESSION:

The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to deliberate on employee evaluation, duties, or dismissal of City Manager.

Mayor Wohr called the regular meeting back to order at 11:10 PM.

E. ACTION, if any, from the executive session.
Motion was made by Councilmember Marjory Johnson to accept the resignation of the city manager. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Council directive to proceed as the last time a city manager resigned as regards to Police Chief Ristagno as interim city manager and percentage wage increases for the Police Chief and City Secretary.

F. CITY MANAGER REPORT.

G. NEW BUSINESS.

H. ADJOURN.
Motion to adjourn was made by Councilmember Ken Stapleton. Second by Councilmember Alan Fletcher
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None
Motion Passed

The meeting was adjourned at 11:15 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on October 10, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Present:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Gary Johnson was excused. Staff Present: City Secretary Weikum. City Manager Layton was ill.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA:

Carolyn Green, 201 North Shady Shores, said she wanted to remind everyone of the groundbreaking for the Veterans Memorial at Lake Dallas City Park at 4 PM on Friday.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. PRESENTATIONS

Mayor Wohr told Shelley Kristich that this is a small token of appreciation for her going through thousands of pounds of books. He said there are kids all over the playground enjoying it. He told her thank you and we really appreciate you. There's a very small percentage of people who volunteer.

E. REPORTS:

1. Boards and Commissions

Neal Malone, Parks and Recreation Board representative, said the FallFest went good. He told Shelley thanks from the Parks Board, too. The next event is the tree-lighting.

F. BUSINESS:

1. Consideration and Action on approval of September Financials, Third Quarter Investment Report, and Accounts Payable.

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-1 and pay the bills. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Interlocal Agreement and Contract for Fiscal Year 2002-2003 Dial-A-Ride Service.**

Motion to not approve Agenda Item F-2 was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

3. **Consideration and Action on approval of Minutes for the September 26, 2002 meeting.**

Motion was made by Councilmember Marjory Johnson to approve the Minutes of the September 26 meeting as amended. Second by Councilmember Fletcher.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

4. **Consideration and Action on amending the fee schedule for building permits.**

Motion was made by Councilmember Stapleton to approve Agenda Item F-4. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

5. **Consideration and Action on recommendations from the Economic Development Committee regarding 4a/4b issues.**

Motion was made by Councilmember Marjory Johnson that we approve the Economic Development Committee recommendation regarding professional consulting services. Second by Councilmember Fletcher.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

G. **WORKSHOP:**

1. **4a/4b sales tax corporation's procedures.**

Jerry Conner of Economic Consulting Service thanked the Council for approving the vote and said he appreciates the faith they have in his firm. He said the City wants to spend money wisely and he's here to help us. He said most corporations go to their bank and explain about the election. You should be able to borrow enough money to sustain you thru March. Another option is to take money out of general fund and then repay. Most towns borrow so there's a paper trail. Some funds will go to the city for the use of equipment, copies, phones, the city secretary's time at meetings and preparation of the minutes, etc. It's not an open fund but the City should receive some remuneration from the corporations. The first thing to do to distribute money is to establish criteria for grants that will need to be filled out. Once a year the board will consider the applications and then dole out the grant monies. Usually the criteria is based on what good it is to the community. The community has to be very strict about how it spends its funds. There will be annual reviews by the governing body of the City.

We must have quorums for the board meetings. There is no provision in the law for alternates for the corporations. Their meetings are all open meetings. There should be a citizen's agenda at the beginning of each meeting. The 4a and 4b corporations can also go into an executive session.

Mr. Conner said he plans to meet first with the Mayor, then the City Manager, and then the Council. He would like to see both boards in place by January 1. We should schedule a workshop and at the next regular meeting agenda items should be in place to appoint the boards of directors for the corporations. A workshop will be scheduled Monday October 21 at 7:30 PM so appointments can be made at the October 24 regular Council Meeting.

The question was asked if we can borrow against the corporation funds for the completion of the community room. Mr. Conner replied that we can as soon as the board is in place.

2. Trash Analysis.
Mayor Wohr said he's talked with the City Manager on this, but would rather wait until he's here to discuss it with the Council.

H. CITY MANAGER REPORT

I. NEW BUSINESS

Mayor Wohr read thank you cards from Tina Martin and Cheryl Smith.
He read a letter from Gene Carey, Mayor of Lewisville, expressing his regrets for not being able to attend the dedication of our new building.
He showed the Council the Certificate of Congratulations on the opening of our new building.

Councilmember Marjory Johnson said we need to set a date to host a Chamber of Commerce breakfast. in our new Community Room. March 5 was the date decided upon.

John Schuh, Lake Dallas citizen, had suggested that the City have a memorial for the man who died when the building was first being renovated. It would be good idea for small plaque in the Community room especially since that is the area where his death occurred.

Councilmember Fletcher said that Quality Salvage on the I-35 Service Road looks awful. Something should be done to clear up the displays at the front of the building.
He asked that any corrections on the Councilmembers web pages or more info on their bio be put in his inbox. He only has one park picture. We have no pictures for the staff, library, other parks and the boards and commissions. He asked that we encourage everyone to have their picture on the website. The website will go live sometime next week.

Councilmember Harper said she got a call today that a case of the West Nile virus was reported in Hickory Creek. It was a horse that was being boarded.

J. ADJOURN

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:00 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 26, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as requested by Title 5: Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Present:

Ken Stapleton	Mayor Pro-Tem
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr was excused. Staff Present: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. The Invocation was given by Mayor Pro-Tem Stapleton.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Stapleton.

D. VISITORS/CITIZENS AGENDA:

Mayor Pro-Tem Stapleton closed the Citizen's Agenda when no one came forward to speak.

E. PROCLAMATION.

Mayor Pro-Tem Stapleton read a proclamation proclaiming the week of October 6 – 12, 2002 as Fire Protection Week.

F. BUSINESS:

3. **Consideration and Action on approval of Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for mutual support of the Lake Cities Volunteer Fire Department.**
Motion was made by Councilmember Marjory Johnson to approve the Interlocal Agreement for the Lake Cities Volunteer Fire Department. Second by Councilmember Gary Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of expenses made from the Municipal Court Technology Fund.**
Motion was made by Councilmember Marjory Johnson to approve Item F-4 as stated. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

5. **Consideration and Action on approval of a Regional Warrant Service Agreement with the Town of Trophy Club.**
   Motion was made by Councilmember Fletcher to approve Agenda Item F-5. Second by Councilmember Marjory Johnson.
   Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
   Noes: None

Motion Passed

6. **Consideration and Action on approval of an Interlocal Agreement and Contract for Fiscal Year 2002-2003 Dial-A-Ride Service.**
   Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-6. Second by Councilmember Fletcher.
   Ayes: None
   Noes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper

Motion Failed

Mayor Pro-Tem Stapleton asked that this item be added to the agenda of next regular meeting.

7. **Consideration and Action on approval of Minutes for meetings on June 27, July 11, July 25, August 8, August 20, August 22, August 27, September 5, September 12, September 16, and September 17, 2002.**
   Motion was made by Councilmember Fletcher to approve Agenda Item F-7 with changes to the August 22 minutes on item F-5. The approval of the zoning change from C-1 to C-3 shows Councilmember Stapleton and Councilmember Marjory Johnson as 'yes' when they were both noes. Second by Councilmember Harper.
   Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
   Noes: None

Motion Passed

G. WORKSHOP:

1. **2002-2003 Budget.**
   There was discussion about the amount of revenue budgeted for building permits. The fees have been raised.
   Our estimates reflect balances as of July 31 or August 31.
   The street funding and street bond money are not included in the general budget. They are listed separately.

Mayor Pro-Tem Stapleton called for a quick break at 8:05 PM.
Mayor Pro-Tem Stapleton called the meeting back to order at 8:20 PM.

Mayor Pro-Tem Stapleton said with the permission of the Council he wanted to recognize 1st Class Boy Scout Richard Downs who is in attendance tonight and working on his citizenship and community merit badge.

F. 1. **Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2002-2003.**

Motion was made by Councilmember Fletcher to approve the Budget, Agenda Item F-1. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

2. **Consideration and Action on approval an Ordinance setting the property tax rate for Fiscal Year 2002-2003.**

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-2. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

H. **CITY MANAGER REPORT**

City Manager Layton gave handouts to the Councilmembers. The Economic Development Committee met Monday. Mr. Conner has more services available. We probably won't start receiving the additional sales tax money until about March. The 4-a Corporation needs 5 members and the 4-b needs 7. Applications should be completed for this process. We should let the EDC make the recommendation on what we should do regarding the use of a consultant or not.

I. **NEW BUSINESS**

The hole in the street on Lakebridge is really getting bad. We have the same problem in Jackson Ranch.
The school zone signs are all messed up on Main Street.
A resident had expressed concern about the condition of some property on Moseley Street.

J. **ADJOURN**

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 8:42 PM.

Ken Stapleton, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 17, 2002 at 7: 35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; chapter 551.041 of the Texas Government Code.

A. **ROLL CALL**

Ken Stapleton	Mayor Pro-Tem
Marjory Johnson	Councilmember Place 2
Alan Fletcher	Councilmember Place 4
Betty Harper	Councilmember Place 5

Mayor Wohr was absent and Councilmember Gary Johnson was ill. Staff Present: City Manager Layton and City Secretary Weikum.

B. **VISITORS/CITIZENS AGENDA:**
Carolyn Green, 201 North Shady Shores, said the dedication was very nice and complimented everyone involved in the preparations. The said she wanted to publicly apologize for her public outburst at the last budget meeting.

C. **BUSINESS:**
1. Approval of a Resolution for the Canvass of the Election held September 14, 2002.
Motion was made by Councilmember Fletcher to approve Item C-1, the Canvass of the Election held September 14, 2002. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

D. **WORKSHOP:**
1. 2003 Budget
City Manager Layton said the only real changes were to the salaries and that reflects the 3% increase at January 1, 2003.

E. **CITY MANAGER REPORT**
The bid process for the street projects should start next week. Tom Hoover said they just got the surveys done last week.
They will start crack-sealing on Hundley next Thursday.
There were some parts missing on the new playground. Hope to have them installed prior to the delivery of the chips on Thursday morning. Extra chips were ordered for use on Community Park.

F. **NEW BUSINESS**
There was discussion about FallFest and the attendance figures of past years in comparison to the attendance at the recent back-to-school dance in our parking lot. More thought should be given to charging more for the vendors that come into our cities for events.

G. **ADJOURN**

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Mayor Pro-Tem Stapleton, Councilmembers M. Johnson, Fletcher & Harper
Noes: None

Motion Passed

The meeting was adjourned at 8:20 PM.

Ken Stapleton, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on September 16, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call

Steve Wohr	Mayor
Gary Johnson	Councilmember Place 1
Marjory Johnson	Councilmember Place 2
Ken Stapleton	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Betty Harper	Councilmember Place 5

B. Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
No one came forward to speak. Mayor Wohr recognized visiting Mayors and past Councilmembers as well as other members of the community.

E. Presentations.
Mayor Wohr presented a plaque to Michael Minnis. The Mayor referenced Mike's involvement with the Community Service Program and said Mike had also served on the Council and has been continuously involved with the city.

Mayor Wohr presented a plaque to Dave Snider and thanked him for the many projects he has been involved with over the years and said we are glad to have him here as a corporate citizen.

Mayor Wohr had plaques for Cheryl Smith for her assistance with the landscaping project and for Bob Altman for his support for the City. They were not present due to health problems.

Mayor Wohr presented a plaque to Carolyn Green for her years of support for the City Council and staff.

Mayor Wohr spoke of prior councils vision and appreciation for our new facility. Councilmembers Gary Johnson, Marjory Johnson, Stapleton, Fletcher and Harper each made statements of appreciation.

City Manager Layton presented the City Council with a plaque for appreciation from the City Staff.

Rod Courtney, past mayor, said we want to thank the Mayor and Councilmembers for all they have given us.

F. Adjournment to Building Dedication Reception.

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

The meeting was adjourned at 8:10 PM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 12, 2002 at 7:45 PM at the Lake Dallas City Hall with notice of the meeting given as requested by Title 5: Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Present:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. VISITORS/CITIZENS AGENDA:

John Schuh, 737 Harbour Town Drive, asked if there is a schedule for getting streets repaired. He is concerned abut Harbour Town and Cain. He also said the City has a nice building but had hoped for some trees in the landscaping.
City Manager Layton said those streets are on the next bid process which will be soon.
Mayor Wohr thanked Mr. Schuh and said this is the wrong time of the year to plant trees, but it is in the plan.

Tammy Atkinson, Boys and Girls Club, thanked the Council for their support and all done that's been done for the Boys & Girls Club. She then presented a Certificate of Appreciation to the City.

Margaret Thompson, 535 Oak Lake, asked if her street is scheduled for the next bidding.
City Manager Layton said it is not on the list at this time.

Mayor Wohr said he's a citizen, and he stepped down to podium. He said it's been a pleasure to serve in a City with a police force that is as dedicated as they are. They are so headed in the right direction. They're so intertwined in doing things for the citizens. He had a beautiful glass plaque to give to Chief Ristagno from the men and women of the Lake Dallas Police Department.
Members of the department present: Roz and Benny Sleigh, Debbie Roach, Karen McDaniel, Kathy Smith, Joy Longville, Fred Johnson, Sarah Wilkinson, and Wes Frazier.
Police Chief Ristagno said he's proud to be their chief. He said wouldn't be able to do all that gets done for the City without all of their help.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. **REPORTS:**

1. Boards and Commissions

Chris Fahey, Parks and Recreation Board, said that at the September 3 meeting they had updates on the playground equipment and sign for City Park. We'll be able to have camping there at Willow Grove soon. Jeff London was absent so there was no report on events fees. They approved a CASI sanctioned chili cook off for 2003. The Cowtown Pod gave them the 3rd week-end in October. They would like it to coincide with FallFest. A suggestion about holding a soccer tournament at the same time as FallFest was also brought up. Hickory Creek is planning an event for November. There is a possibility that some of their Parks people will help us with our FallFest and we could then help them in November. A survey that was done this summer showed that the number 1 item requested was a place for the kids to roller-skate. Only 4 people signed for skateboard park but 19 signed up for skating. A community swimming pool was rather high on the list.

F. **BUSINESS:**

1. Public Hearing on Property Tax Rate.

Mayor Wohr opened the Public Hearing.
No one came forward to speak so Mayor Wohr closed the Public Hearing.

2. Public Hearing on FY 2003 Budget.

Carolyn Green, 201 North Shady Shores, said as long as the employees get an increase in salary she's pleased with the budget.
Mayor Wohr closed the Public Hearing when no one else came forward to speak.

3. Consideration and Action on approval of August Financials and accounts payable.

Motion was made by Councilmember Marjory Johnson to approve August Financials and accounts payable and pay the bills. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

4. Consideration and Action on appointment(s) of an Alternate to the Board of Adjustment.

Motion was made by Councilmember Stapleton to appoint Bruce Martin and Sandy Payne as Alternates to the Board of Adjustment. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

5. Consideration and Action on appointment to the Economic Development Committee and appointment of an Alternate.

Motion was made by Councilmember Fletcher to remove Bob Altman as a regular member of the Economic Development Committee and appoint Michael Graham as a member instead of an alternate. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

6. **Consideration and Action on approval of a Resolution adopting the annual Investment Policy.**
Motion was made by Councilmember Marjory Johnson to approve the annual Investment Policy. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

7. **Consideration and Action on approval of the standard audit engagement letter with Pingleton, Howard and Company.**
Motion was made by Councilmember Fletcher to approve agenda Item F-7. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

8. **Consideration and Action on a "Compromise, Settlement and Release Agreement" with Oncor (successor to TXU Electric) and TXU Gas.**

James Johnson w/Oncor/TXU, as a result of a lawsuit filed in June by Denton and 36 other cities they have decided to settle. They will issue a check to the cities that did not enter into the suit as part of the settlement regarding the franchise fees. Our portion for electric is $3,859.87 and for gas $6,238.43 or $10,090.30. They ask that the city review and sign the settlement agreement and thereby agree that the issue is done and settled and the city will not sue them or join in a suit against them. On the settlement for gas the option is there to increase the franchise agreement from 2% to 4% if the city opts to do that.

Motion was made by Councilmember Stapleton to approve the compromise settlement and release agreement as detailed in agenda Item F-8. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

9. **Consideration and Action on approval of an Ordinance amending the existing Electric Franchise between the City and Oncor Electric Delivery Company.**
Motion was made by Councilmember Fletcher to approve agenda Item F-9. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

10. **Consideration and Action on approval of an Ordinance amending the existing Gas Franchise between the City and TXU Gas Company.**
Motion was made by Councilmember Marjory Johnson to approve the increase in franchise fees to 4% on Item F-10. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

11. **Consideration and Action on fees and waiving of fees for Lake Dallas Independent School District construction, modifications, and tennis courts.**
Motion was made by Councilmember Fletcher to approve Item F-11 which would be the waiving of fees for Lake Dallas Independent School District construction, modifications, and tennis courts. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

G. WORKSHOP:

1. 2002-2003 Budget.

City Manager Layton gave budget handouts to the Councilmembers. He said Jerry Conner told him that we can use 4a/4b money for the training for our Economic Development Corporations. This budget surplus does not include the increase in Franchise Fees for Gas. We have set up a special funds account to track the accounts that have dedicated fund amounts. Mayor Wohr asked Chief to see if we could work something out with Hickory Creek and our jail. Police Chief Ristagno said he is in negotiation right now with Trophy Club about doing their warrants. There was council discussion about Shady Shores and their current police protection and court system, or lack of same. Question was asked about the most recent COLA numbers. There was discussion about how the fire department and our new building came from 'windfall' of subdivision growth through building permits over the past years during which the city did not raise the ad valorem tax. We have also incurred a 70% increase in health care this year and we are operating on the 1980's sales tax numbers. City Manager Layton will check with other cities and see what they are planning for their employees.

H. CITY MANAGER REPORT

City Manager Layton gave the Councilmembers his typed report.

I. NEW BUSINESS

We had a compliment from Dave Snider about the playground equipment and Willow Grove Park improvements.
We should proceed with changing the zoning change from C-1 to C-1-A on the railroad property.
The election committee is having a Watch Party at Duck Inn Saturday night.

J. ADJOURN

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 10:30 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on September 5, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meting given as required by Title 5: Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Present:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Layton, Police Chief Nick Ristagno, and City Secretary Weikum.

B. VISITORS/CITIZENS AGENDA

No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

C. PROCLAMATION

Mayor Wohr read the proclamation for Patriots Day.

D. BUSINESS:

1. Consideration and Action on approval of an Ordinance adopting the Municipal Court Building Security Fee.

Motion was made by Councilmember Marjory Johnson to approve Item D-1. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

E. WORKSHOP:

1) 2003 Budget

City Manager Layton handed out more budget information. There was discussion about fine amounts, warrant fees, failure to appear fees, and collection fees on warrants. We can raise the fines by contacting the judge and asking for her approval. We should use a different schedule for fine amounts, i.e. $120 or $115 instead of $118 or $150 instead of $148 or $152.

The next discussion was about building permits. It was suggested that the fee changes could be done administratively. Staff has checked permit amounts of other cities of our size and in our area.

We didn't get the grant for the parks so we do not have to budget the matching funds for that project.

Street repairs

City Manager Layton said we should have some kind of fund balance for the accounts that carry forward each year because they are dedicated funds, i.e., Kids and Cops, court technology fund, auto auction, and the other related dedicated funds.

The pay plan that was implemented last year could cost the City $85,000 in two years. This will keep the employees at competitive wages with other cities and help slow employee turnover. The Cost of Living Adjustment this year may be a little difficult to swallow due to the change in the economy. The adjustments should be made to the pay plan and not to individuals.
Margaret Tisdale asked about the street department. She said there are pot holes and cracks in a lot of streets.
The Public Works Department tries to take care of problems with the streets. The crew also takes care of mowing lawns, drainage problems, and parks so they don't focus entirely on street problems. If we have 4a/4b money we can start budgeting money to hire outside help to do some park projects.
We may need to do an incremental property tax raise. A small tax increase at this point isn't that bad. We've added the fire department and now the new city hall and it might be time to tell the people we need to raise the taxes because we're using fund balance to support these items. This year may not be the time to do it.

F. City Manager Report

G. New Business

H. Adjournment

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:37 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 27, 2002 at 7:45 PM at Lake Dallas City Hall. 212 Main Street, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Ken Stapleton	Mayor Pro-Tem Stapleton
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Betty Harper	Councilmember 5

Mayor Wohr and Councilmember Fletcher were absent.
Staff present: City Manager Layton, Lt. James Lowery, and City Secretary Weikum.

B. Invocation was given by Mayor Pro-Tem Stapleton.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Stapleton.

D. Visitors/Citizens Agenda:
Mayor Pro-Tem Stapleton closed the Citizens Agenda when no one came forward to speak.

E. Proclamation
Mayor Pro-Tem Stapleton said we would wait until the Mayor was present for this item.

F. Business:
1. Consideration and Action on scheduling a Public Hearing on September 12 on a proposal to increase total tax revenues from properties on the tax roll.
Motion was made by Councilmember Gary Johnson to approve Item F-1. Second by Mayor Pro-Tem Stapleton.
Ayes: Mayor Pro-Tem Stapleton, and Councilmembers G. Johnson, M. Johnson, and Harper.
Noes: None

Motion Passed

G. Workshop:
1. 2003 Budget
There was discussion about the pay scale and step plan. We are calculating the collection of the property tax at 100% per Mary Horn's recommendation last year.
Part of the reason for a larger shortfall than we had last year could be due to not selling the building that the Boys and Girls Club is using. There was an explanation given of the priority 3 and 4 items. There was some opposition to the truck for Public Works. The Police Department is requesting 2 police cars. The Court Technology fee is set at a $4/citation maximum. We will work on securing the court building security fee.
The Library funding was discussed. The City isn't in a position to furnish the building and help fund the utilities. The $1500 for municipal court equipment is for computer replacement. We need to check into the additional 25% collection fee on warrants.

The MDT's are like laptops that the officers can use to enter the data while they're in the car. It saves them from having to come in to the squad room and do the reports instead of being out on the street and visible to the public. The auction fund will be explained when the Chief returns. The Parks and Recreation Board should be working on trying to get some events to come to our city. They may have a chili cook-off coming for next year. Our Franchise fee from Waste Management should be going up since they have more houses identified to bill.

Mayor Pro-Tem Stapleton called a break at 9:21 PM.

Mayor Pro-Tem Stapleton called the meeting back to order at 9:33 PM.

We will check into the animal services and mechanical game machines as well as building permit fees and citation amounts. Staff is doing some comparisons now. We can do another workshop after the information is compiled. We should check into the possibility of using our jail for revenue.

H. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Mayor Pro-Tem Stapleton.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:58 PM.

Ken Stapleton, Mayor Pro-Tem

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 22, 2002 at 7:35 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Layton, Police Chief Ristagno, City Attorney, Robert Dillard III, and City Secretary Weikum.

B. Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:

Rick Allen, 768 Texas Oak Trail, said he would like to apply for the position open on the Planning and Zoning Commission. There was a short discussion among the Councilmembers and Mr. Allen.

Rod Courtney, 162 Kingswood, said he just noticed what he wanted to speak about is already on the agenda. He said we have a very good committee working for us now for the 4a/4b sales tax election. He said he has had nothing but favorable comments about this election. We need more retail here. We need to keep the businesses we already have and give them as much help as we can. If the County comes in and brings us to our cap for sales tax then we won't be able to have a say in how the money gets spent. He would like to see some identification at the entrances to our city. He suggested a restaurant out over lake at Willow Grove Park. He said Lori Farney is doing a great job.

Carolyn Green, 201 North Shady Shores asked to be excused from the Citizens Agenda since Rod had said everything she wanted to say.

Mr. Napoli said he had signed the wrong paper.
Mayor Wohr encouraged everyone to come out and vote for the 4a/4b election. He said it's a very important part of things for the City of Lake Dallas. A lot of people are very positive about it. He said he really believes the city will benefit a good deal from this additional sales tax revenue.

Mayor Wohr closed the Citizens Agenda when no one else came forward to speak.

E. **Business:**

1. Consideration of an address by Mr. Hacthmann and Mr. Olsen who will be representing Ben Warren of Unified Aircraft Services, Inc. regarding the Payless Cashways property.

Mr. Hacthmann said they would like to purchase the warehouse and move an existing business into town. They have a government contract and the other side of the company is construction. They have 3 restaurants and 2 hotels. He's looked at the area here and seriously looking at some type of hotel in this area.

Ron Olsen said he manages the vehicle processing facility in Lewisville. Soldiers turn their cars in to them for shipment overseas. When they complete there tours they come back and pick up their vehicles at the processing facility. These service people use the facilities in Lewisville since they have to fill up with gas and get their cars washed and sometimes they shop. Some service members go to restricted places and they can't take their cars. These cars have to be stored inside. They have 51 in Lewisville. They want to transfer the entire operation to the Payless site and think it will be a great benefit for Lake Dallas.
It's a tax exempt business because it is a government contract. They have a 5 year contract. They will transfer their 18 employees to this site. They can screen the fences in the front.

Mr. Dillard said the zoning ordinance does allow the nonconforming use that's there but it does provide storage would have to be in a fully enclosed building or screened. In order to obtain this use they would have to apply to the building inspector for a permit or certificate of occupancy. The ordinances are what they are. There can be no structural alterations at all

Mayor Wohr said we can't take any action at this time. According to our counsel this don't need council action. You will need to meet with the building official and city manager as far as the use and what type of screening is involved. If you want to build another building or something else that would change the picture.

2. Consideration and Action on approval of a Resolution in support of the Election Committee for the 4a/4b election in September.

Motion was made by Councilmember Fletcher to approve a Resolution in support of the Election Committee for the 4a/4b election in September. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. **Consideration and Action on a proposal by the Hoover/Klein Group for engineering, bidding, and construction management of a street repair project for Cain, Janet, Overly, and Stadium Streets.**

Motion was made by Councilmember Fletcher to approve Item E-3. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. Public Hearing on an application for a proposed zoning change for Lots 1 and 2, Block A, First Highway Addition from C-1 Commercial zoning district to C-3 Commercial zoning district.

David Shershen, Lake Dallas, said the City Council has to decide the future of this town. We must obey the rules and ordinances. He's in favor of rezoning the property to C-3. He says it was C-3 before and it was a political move that changed it. No one's tried to rent that as it is. The 4a/4b is great. The council needs to take a favorable approach to businesses. We need to put aside personal ideals and views and politics and vote for the community. He said he commends the Mayor and Councilmembers for this building.

David Goodnight had signed up but he had to leave before the public hearing.

Odie Harrelson, 907 Vista Oaks Court, said we already have plenty of this property. Our town has a bad reputation and we've got to stop it. They're coming from everywhere because of the reputation Lake Dallas has right now. You've been doing a good job and keep it up. He's definitely against the rezoning. It's been turned down 3 times. We don't need that type of business.

J. W. Lively, 527 Oak Lake Drive, said he had some signatures from the last time this property was up for rezoning. He said right now we have 22 beer and liquor stores in Lake Dallas. We need to keep the businesses in town vibrant whether it's Papa's, dry-cleaning, or liquor. David had said the council needs to vote on the future of the City of Lake Dallas. He said this is a beautiful building and he's glad his money is paying for it. It won't bring any more sales tax dollars because someone will go out of business. To vote no on this is for the future of Lake Dallas.

Carolyn Green, 201 N. Shady Shores, said she thinks we should rezone this and she doesn't agree that it will mean we will rezone more and more C-3. We've taken some away at Jackson Ranch. We have 2 more businesses going out of business right now on Main Street. People are going to go where they have to go to get something to drink. . If Mr. Lee will clean that corner up that would be nice. It's the very first inch of Lake Dallas and she's tired of seeing it sitting there with the paint wearing away and grass growing up.

Joe Napoli, 802 Lakebluff, said if you want to do something good for the community, get rid of some of the rat traps on Main Street. More liquor stores, we don't need them.

Diane Byers, 699 Lakeland Court, said she was on the Planning and Zoning Commission the first 2 times this came up and they turned him down. They told him to get these things in line and he did, both times. She thinks we need to look at what kind of example we're setting for other businesses. We have a reputation. This man wants to move out of a rental into a piece of property he owns. That's good business sense. His plans are very attractive and it would be a nice thing for people driving into town to see. We have to capitalize on what we have. He's not asking to go into a new neighborhood. It's not going to bring this city down to allow him to move into his property that he owns. We should allow a currently viable business to relocate his business and allow him to grow and increase the sales tax base in this city. The law of supply and demand will handle any increases in liquor stores. We need the businesses more than they need us. Hickory Creek and Corinth are getting new businesses.

Mayor Wohr called for a break at 8:53 PM.

Mayor Wohr called the meeting back to order at 9:10 PM.

Larry Jones, 2811 Timbercrest Lane, Highland Village, said he is a fellow Denton County resident and representative for Mr. Steven Lee, owner and operator of D & J Liquors. His purpose is to seek their vote for the zoning change. He's there because he's a public relations consultant for JR, Inc. He is at the meeting on Mr. Lee's behalf to assist him in realizing his goals and dreams. Mr. Lee has operated his business here for 19 years. He is a citizen of USA. He has continually contributed to the city through annual donations to the Parks and Recreation Board, Spirit of Christmas, holiday dinners and has sponsored several youth sports teams. Mr. Lee wants to relocate and expand his current business. This would more than double his current space and would increase sales. The growth and expansion of Corinth has generated competition for our city. His business will have an upscale appearance and easier access to his building. This will eliminate that 'abandoned building' look. Please make a positive decision. Screening could be accomplished.

Rod Courtney, 162 Kingswood, said he's highly in favor of the rezoning.

J. W. Lively said he thinks Council should say we are glad that you are going to expand your business but just not another liquor store. He said he is against taxes, but he's for this 4a/4b sales tax. We are losing tax dollars already since Corinth and Hickory Creek are selling beer and wine grocery stores.

Mayor Wohr closed the public hearing at 9:40 PM.

5. **Consideration and Action on approval of an Ordinance for a zoning change for Lots 1 and 2, Block A, First Highway Addition from C-1 Commercial zoning district to C-3 Commercial zoning district.**

Motion was made by Councilmember Harper to approve Item E-5. Second by Councilmember Stapleton. BGW BGW

Ayes: Councilmembers G. Johnson, ~~M. Johnson,~~ ~~Stapleton,~~ Fletcher and Harper

Noes: ~~None~~ BGW M. JOHNSON and STAPLETON

Minutes as corrected BGW

Motion Passed

6. **Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Lake Cities Library. (Tabled at earlier meetings.)**

Motion was made by Councilmember Marjory Johnson to approve the contract with the Lake Cities Library with the change to 5 years, taking out item 7 and changing the per square foot to $7.00. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

7. **Consideration and Action on a list of Park Rules including a camping fee submitted by the Park and Recreation Board for Willow Grove Park.**

Motion was made by Councilmember Stapleton to extend the meeting at 10:43 PM.

Motion was made by Councilmember Fletcher to approve Item E-7 with the typos corrected. Second by Councilmember Stapleton.
Motion to amend the sitting Motion was made by Councilmember Stapleton to strike out all wording after "sunrise," -- Section 11 would then read "Quiet hours will be maintained from 10 PM to sunrise. Second by Councilmember Harper.
Vote on amendment
Ayes: Councilmembers Stapleton, Harper and G. Johnson
Noes: Councilmembers M. Johnson and Fletcher
Motion Passed

Vote on Motion as amended
Ayes: Councilmembers G. Johnson, Stapleton and Harper
Noes: Councilmembers M. Johnson and Fletcher

Motion Passed

8. **Consideration and Action on appointments to the Planning and Zoning Commission.**

Motion was made by Councilmember Marjory Johnson to appoint Cliff Elton and Rick Allen as alternates to the Planning and Zoning Commission.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: none

Motion Passed

9. **Consideration and Action on approval of a dental program for city employees effective September, 2002.**

Motion was made by Councilmember Fletcher to approve Item E-9. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

10. Consideration of a report by the City Manager concerning solid waste.
City Manager Layton said he is in the process or reviewing this subject. He is currently doing a house count.

F. **WORKSHOP:**

1. 2003 Budget
There was Council discussion about some items. A meeting for budget workshop should be held August 27 at 7:30 PM.

G. **City Manager Report:**

H. **New Business:**

A resident on Beck Street had emailed the Councilmembers about problems on his street.

Susan Terrill has contacted the City about one or some Councilmembers participating in the Leadership Lake Cities tour on October 16 from 10 AM until noon.

When the parking lot is redone there will be more marked handicapped spaces.

The Library is hosting a volunteer appreciation dinner on August 31 from 1 to 3 PM.

I. **Adjourn**

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:23 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on August 20, 2002 at 7:30 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:**

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Layton and City Secretary Weikum.

B. **Visitors/Citizens Agenda**
No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

Mayor Wohr closed the open meeting at 7:35 PM.

C. **Executive Session:**
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss personnel matters relating to City Council and City Manager goals.

Mayor Wohr called the public meeting back to order at 11:16 PM.

D. **Action, if any, from Executive Session:**
Council directive was given to adopt the time schedule for city goals to be set out and be provided in writing at the August 22, 2002 meeting.

E. **New Business:**

F. **Adjourn.**
Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:23 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on August 8, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff present: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

Cynthia Cheadle, Papa's Restaurant, said their main concern is the traffic that is not coming thru the city. She asked what can she do to bring in more business and what can the City do to help them continue to be a business in the city.

There was discussion about re-routing traffic off Carlisle and the long range plans of TX Dot getting more exit ramps off I-35. Business hours, flyers, and promotional programs were discussed.

E. Reports:

1. Boards and Commissions

No one was in attendance from any Boards or Commissions.

Councilmember Fletcher Alan said the election committee was starting to work on some ideas for yard signs and flyers. They meet on Tuesday nights at 7 PM at the fire station. Lori Farney is doing an unbelievable job. The EDC was involved in getting the election push-started so now it's in the hands of the election committee. There should be a resolution of support for the election committee. The next EDC project will be a 'shop Lake Dallas' project.

Mayor Wohr closed the public meeting at 8:00 PM.

F. EXECUTIVE SESSION:

The City Council to convene into closed session pursuant to the Texas Government Code Section 551.071 for consultation with an attorney to discuss possible litigation.

Mayor Wohr re-opened the public meeting at 9:10 PM.

G. Action, if any, from Executive Session.
There was a staff directive to allow city staff to cooperate with counsel for our city.

H. Business:

1. Consideration and Action on approval of July Financials and accounts payable.
Motion was made by Councilmember Marjory Johnson to approve the July Financials and accounts payable and pay the bills. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

2. Consideration and Action on amendment to Section 92, Chapter 14, of the Lake Dallas Municipal Code. (arcades) To add a definition of an arcade.
Motion was made by Councilmember Marjory Johnson to approve Item H-2. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Boys and Girls Club. (Tabled at July 25 meeting).
Motion was made by Councilmember Fletcher to approve Item H-3 with the term of the contract to be through August 15, 2004 and with the sentence added to paragraph 2, Terms and Fees of the License Agreement that in the event a permanent club facility is not built on those premises within 5 (five) years those funds would become the property of the City of Lake Dallas. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

4. Consideration and Action on a Statement of Understanding with the Denton County Branch of American Red Cross regarding emergency mass care shelters. (Tabled at July 25 meeting)
City Manager Layton said he has visited with the school district and the Red Cross. The school district received the survey and they are in the process of responding so we need take no action.
Motion was made by Councilmember Marjory Johnson to take no action. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:25 PM.

Mayor Wohr called the meeting back to order at 9:45 PM.

I. **WORKSHOP:**

1. 2002-2003 Budget.

We should check into our fees for the Court Technology and Animal Services and donations. We have not heard back from Hickory Creek about collecting their warrants and Corinth has made inquiries about animal control. $341,000 of money we have in street bonds is included in the expense. The pay plan that was implemented last year was discussed. We are one of 40 out of 377 cities in the state that do not pay social security for their employees. The employees should be asked how it would affect them. We should try to get down to the discretionary funds. The Police Department is asking for 2 vehicles because the sergeant/canine vehicle has 144,000 miles on it and the other unit is a 1998 with 88,000 miles. The community development vehicle really needs to be looked at. Unit 380 could probably go to code and then dispose of the Celebrity.

2. Review of City/City Manager Goals.

We need to have a good goal-setting workshop. We have had no reply to a June reminder sent to the U. S. Corps of Engineers on Willow Grove. The 4a/4b issue has been handled. The Library issue and the Boys & Girls issue have been solved. The solid waste issue needs to be addressed soon because the timing is crucial. The finishing of City Hall should be addressed in this budget. We need some enlightenment on the storm water issue. The feasibility of a multi-use ordinance should be looked into. We need to try to schedule six additional city events each year. A sidewalk on Shady Shores may be as simple as walking with Tom Hoover. We need a list of commercial properties. The sign for City Park needs to be done. We will have a workshop for goals on August 20 and a workshop for the budget on August 22.

J. **City Manager Report:**

There's a lot of concern about the West Nile Virus. - The Chief has said we can use biological tablets in standing water. The County is no help. Corinth isn't going to spray anywhere but their parks.
Donna Russell has been advised about the parking lot. She doesn't understand what happened that it did not set up but will find out and advise us.

K. **New Business:**

The City website is basically finished except for pictures. We need pictures of all the Councilmembers and the building.
The 'Back to School Dance' will be scheduled at a later date.

L. **Adjourn**

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

The meeting was adjourned at 12:15 AM.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on July 25, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Gary Johnson was on vacation. Staff present was City Manager Layton, Police Chief Ristagno, David Berman, City Attorney,and City Secretary Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Brittney Case read a letter that Jeanette Harmon had written about code concerns in Kingswood. Due to health problems she did not want to stand. Copies had been given to the Councilmembers.

Councilmember Stapleton thanked the staff & City Council for the flowers for his father's funeral.

Robbie Robertson and Lonnie Britton, the City's Fire Board members gave a report. Mr. Robertson explained the Fire Board membership. He thanked Mayor Wohr for his participation in the Fire Board meetings regarding the funding for the fire department. They have come up with a more equitable plan. Lake Dallas is currently down to 25% from 28% on their portion of the funding.

Mayor Wohr said that instead of being based on meter drops only the funding takes population, property values, and the fire department's records for call volume to develop a formula to divide the cost equally among the four cities.

Mr. Robertson said that currently they have one ambulance staffed. They will have an engine and ambulance housed here in Lake Dallas. The second one will be housed in Corinth. Almost all of their people are paramedics. He said they have good relationship with Denton & Lewisville for backup. Lonnie is a Captain on Denton's Fire Department.

Mayor Wohr closed the Citizen's Agenda when no one else came forward.

Mayor Wohr and the Councilmembers decided to take some of the items out of agenda order during Business.

E. **Business:**

(1) 9. Consideration and Action on approval of an Ordinance calling the 4a/4b Sales Tax election for September 14, 2002.

Jerry Conner of Economic Development Services, Irving, said his firm has worked with the Economic Development Committee. They have come to the conclusion that the only way to obtain funding for programs for amenities for the City is the 4a/4b sales tax. The City Attorney has the ballot wording and Ordinance prepared. He said this is a sales tax that most residents won't pay and it is a tax what other cities have taken advantage of it. We have a 1% cap left and Denton County could take it from us for mass transit.

Lori Farney introduced herself and said she feels this is a wonderful opportunity for the city. She said they are looking for citizens who are for this increase and they want to educate the voters about the sales tax. They will meet at the fire station Tuesday night at 7:30 PM.

Motion was made by Councilmember Fletcher to approve the Ordinance for the September 14 election including the changes discussed. Second by Councilmember Marjory Johnson.

Ayes: Councilmembers M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

(2) 7. Consideration and Action on review of a site plan for Kwik Industries on Swisher Road.

Ron Berlin, 8235 Douglas, Dallas, said someone from Kwik Industries will also address Council tonight. He gave the background on the property since he has owned it. He told of the drainage issues he had addressed to make it a usable, if irregular, tract of land. The site is not large enough for a full service car wash. This lot is bordered on west by railroad tracks. They've given easements on both sides of Swisher Road for the road extension. They have worked with Upper Trinity. In January he was here to request that the zoning not be changed to C-1-a.

Eric Smith, 4725 Nall Road, Dallas, said they have received some written comments from the Building Official and some from the Fire Chief. Kwik Industries is taking care of all the issues.

Motion was made by Councilmember Marjory Johnson to approve the site plan for Kwik Industries on Swisher Road. Second by Councilmember Fletcher.

Ayes: Councilmembers M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

(3) 8. Consideration and Action on review of a site plan for California Carwash on Swisher Road.
Tim Peters, 924 W. Oak Street, Denton, presented the carwash proposal. He said it would be completely brick on outside with a gabled metal roof and generous landscaping. They have state of the art of equipment and use high quality chemicals. They have addressed all the issues brought by the Building Official and Fire Chief. They have addressed run-off. There will be adequate shade to protect the customers from the sun. It uses less water than washing a vehicle at home. It will be very well lighted and there will be uniformed attendants. They will share the common area drive with the neighbors. they feature fund raisers from time to time. They believe it is a permitted use.
There was Council discussion that included Mr. Peters, Mr. Berlin and the City Attorney.
Motion was made by Councilmember Marjory Johnson to approve the site plan for California Carwash on Swisher Road. Second by Councilmember Fletcher.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Mr. Berlin said he would like to propose the donation of $8,000 for a monument sign with the two stipulations being that the City coordinate the erection of a masonry sign wherever the City would deem necessary and that any extra funds would go to the Parks after the plans for these projects are approved.

(4)1. Public Hearing on an application for a Special Use Permit to operate an Adult Amusement Center at 205 Main Street, Tract 20, Wright Survey, Abstract 1355A.
Cheryl Aslany, 1209 Rockledge Drive, Garland, said the Planning and Zoning Commission had rejected them. Issues had been brought up. She said they are asking for an equal opportunity to open a business like the gambling we already have in the city. They won't sell any alcohol so they won't have problems. They would be adding jobs. They will give to the charities with the city's permission. She said they would be bringing in people who would spend tax dollars elsewhere in town.

They were told that parking would be a real issue and that we've have a number of residents voice their concerns thru letters.

Brittney Case, Corinth, said works for a day care in Lake Dallas and doesn't want to see it in our community.

Tina Martin, 610 Thompson, said she doesn't want to see the kind of people she's talking about bringing into town. This is not what our city needs.

Rick Ashley, 748 Cedar Leaf Circle, aid he lived here from1989 to1993 and moved back in 1996. He said he doesn't want this type of nonsense in this town. If this gets past the Council he will fight it to the hilt. We need to bring businesses in here that are for families. We don't need businesses like this or some we have.

Mayor Wohr closed the public hearing when no one else came forward to speak.

(5) 2. Consideration and Action on approval of an Ordinance for a Special Use Permit to operate an Adult Amusement Center at 205 Main Street, Tract 20, Wright Survey, Abstract 1355A.
Motion was made by Councilmember Stapleton to not approve Ordinance as detailed in Agenda Item E-1 and 2. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

(6) 3. Consideration and Action on revocation of Resolution 052302.01, Moratorium on M-1 Light Industrial Zoning Districts.
Motion was made by Councilmember Fletcher to provide for a revocation of Resolution 052302.01, Moratorium on M-1 Light Industrial Zoning Districts. Second by Councilmember Harper.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed.

Mayor Wohr called for a break at 9:15 PM.
Mayor Wohr called the meeting back to order at 9:30 PM.

(7) 4. Public Hearing on a proposed replat of Lot 1 into Lots 1R and 2R of the I.C.C. Addition.
Dave Jones, Tri-Star Construction Company said the owners are out of town. He said he would be happy to answer any questions.

Mayor Wohr closed the public hearing when no one else came forward to speak.

(8) 5. Consideration and Action on approval of a proposed replat of Lot 1 into Lots 1R and 2R of the I.C.C. Addition.
Motion was made by Councilmember Fletcher to approve this item. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

(9) 6. Consideration and Action on review of a site plan for Silestone of Dallas on Overly Drive.
Motion was made by Councilmember Fletcher to approve this agenda item. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

10. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Lake Cities Library. (Tabled at the May 30 meeting.)
Motion was made by Councilmember Fletcher to table Item E-10 until the second regular meeting in August. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None
Motion Passed

11. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Boys and Girls Club.
Motion was made by Councilmember Fletcher to table Item E-11 until the first regular meeting in August. Second by Councilmember Harper.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

12. Consideration and Action on a Statement of Understanding with the Denton County Branch of American Red Cross regarding emergency mass care shelters.
Motion was made by Councilmember Fletcher to table this item until the next regular meeting. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

13. Consideration and Action on selecting a representative for the Denco Area 9-1-1 District Board of Managers.
Motion was made by Councilmember Marjory Johnson to appoint Harlan Jefferson. Second by Councilmember Harper.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

14. Consideration and Action on appointments to the Planning and Zoning Commission.

Motion was made by Councilmember Harper to table the action on appointments to the Planning and Zoning Commission until the Planning and Zoning Commission makes a recommendation to them to remove two people. Second by Councilmember Fletcher.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

15. Consent Agenda:

a) Consideration and Action on approval of an Ordinance amending the height restriction on accessory buildings.

b) Consideration and Action on agreement renewal with Denco Area 9-1-1 District establishing the Lake Dallas Police Department as a Primary Safety Answering Point.

Councilmember Harper requested item E-15-a be pulled from the Consent Agenda.
Motion was made by Councilmember Fletcher to approve Consent Agenda Item E-15-b. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Harper to accept the Ordinance (Item E–15-a) with the height of accessory buildings shall not exceed twenty-five feet. Second by Councilmember Stapleton.
Ayes: Councilmembers Stapleton and Harper
Noes: Councilmembers M. Johnson and Fletcher

Motion Failed

Mayor Wohr closed the regular meeting at 10:47 PM.

Mayor Wohr opened the Executive Session at 10:49 PM.

F. **EXECUTIVE SESSION:**
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.-074 to discuss matters relating to personnel issues in regards to the Public Works Department.

Mayor Wohr closed the Executive Session at 11:05 PM.

Mayor Wohr opened the Regular Meeting at 11:06 PM.

G. Action, if any, from the Executive Session:

Motion was made by Councilmember Marjory Johnson to hire an additional person full-time in the Public Works Department. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

H. City Manager Report:

City Manager Layton handed out his report. He said the moving of furniture from the Wells Fargo Bank is scheduled for next Tuesday. He discussed the railroad property and problems with getting the mowing accomplished by them. The City mows the easements. He will talk to the architect who did the building about the design for the sign that will be donated.

I. New Business:

Removal of the 'Food Fare' sign was discussed. Perhaps it can be removed free of charge and then donated to the American Legion or VFW. There was discussion about the other sign that had been donated to the City. We need to find a location to hold a back-to-school dance.

J. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Stapleton.
Ayes: Councilmembers M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:24 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on July 11, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4

Councilmembers Stapleton and Harper were excused.
Staff present: City Manager Layton, Police Chief Ristagno, and Acting City Secretary Vaughn.

B. The Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

E. Reports:
1. Boards and Commissions
Councilmember Gary Johnson said he was at a Library Board meeting as council liaison. They are beginning work on their budget and expressed interest in expanding to the rest of the building. They would like to meet with someone from the City regarding some repairs to the roof and bathrooms.
Mayor Wohr said he and City Manager Layton are meeting with the Boys and Girls Club on Tuesday to discuss the building.
Mayor Wohr said it appeared that quite a bit of money was raised for the Veterans memorial through the sale of hats. We may need to change the scheduling of the entertainment to coincide with the fireworks displays. The location change needs to be explored.

F. Business:
1. Consideration and Action on approval of June financials and accounts payable.
Motion was made by Councilmember Marjory Johnson to approve the June financials and accounts payable. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher
Noes: None

Motion Passed

2. **Consideration and Action on appointment of election judges for September 14 Special Election. (Hazel & Linwood)**

Motion was made by Councilmember Marjory Johnson to appoint Hazel Byers as Election Judge and Linwood Gilliland as Alternate Judge for the September 14 election. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher
Noes: None

Motion Passed

3. **Consideration and Action on approval of a contract with the Denton County Elections Administration for the September 14, 2002 Election.**

Motion was made by Councilmember Fletcher to approve Item F-3. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher
Noes: None

Motion Passed

4. **Consideration and Action on review of street program and selection of streets to be advertised for bid for repairs.**

Motion was made by Councilmember Fletcher to put Janet, Stadium, Cain, Harbourtown, and Overly out for bid based on the recommendations of the city engineer and city manager. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher
Noes: None

Motion Passed

G. **City Manager Report:**

There is a breech on Hundley that allows water to run onto a homeowner's property. Council directive to City Manager Layton was to contact Mr. Hundley and the homeowner regarding the drainage problems so no more damage is done to the street. Briar Oaks looks as if a utility cut was made and it has caused the road to drop. The contractor's liability has long since run out. We will have to fix it.
Lakebridge and Vista Oaks has a big hole developing there. The curb is breaking up. We need to find out what's causing this.
We need to schedule a workshop on August 6 where we can address the goals and start on the budget process.
The consultant for the Economic Development Committee should have the ballot wording done and the city attorney should review it. The City Council needs to approve the Ordinance at the July 25 meeting.
Charter revisions have been approved months ago. There should be another charter revision made to change language about getting bids to be whatever state law allows.
The completion date for the parking lot will be a week to ten days after the cut is made. The landscaping can be done about the same time. The architect has asked where we want the flagpole.

The building dedication should be scheduled for the first council meeting in August. We should mail out invitations, advise the Chamber of Commerce, and invite past mayors and councilmembers.

H. New Business

There's an abandoned house on Lakeview near Hundley that needs some code enforcement.

We should keep the semis from parking on the grass on Main Street. They should be screened and parked on gravel or hard surface.

A Texas Waste Management tandem axle truck was turning onto Betchan off Main Street recently. We might be able to contact Larry Anderson about the trash receptacle placement so we can keep those big trucks off the smaller street.

Citizens have complained that they are having trouble contacting the city manager. We may need to implement an 'In-Out' Board. The cell telephone should also help.

There was discussion about what TX Dot will be doing with I-35E when they do construction work in the near future. If citizens have questions we should direct them to complete open records requests so we have records of what has been asked and what the answers have been.

I. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher

Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor

Joni Vaughn, Acting City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on June 27, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Ken Stapleton	Mayor Pro-Tem
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Mayor Wohr was excused.
Staff present: City Manager Layton, Police Chief Ristagno, and Acting City Secretary Vaughn.

B. Invocation was given by Mayor Pro-Tem Stapleton.

C. The Pledge of Allegiance was led by Mayor Pro-Tem Stapleton.

D. Visitors/Citizens Agenda:
Gaylon Rochelle, 202 Briar Creek, Hickory Creek, would like to have a table at the 4th of July to have a petition about the Public Utilities Commission. Mayor Pro-Tem Stapleton referred her to the City Manager.

Carolyn Green, 201 N. Shady Shores, said she is selling patriotic caps for $8.00 to benefit the Veterans memorial in the new City Park.

Margaret Tisdale, 509 Howard Drive, said thanks for the patchwork that is being done on the streets.

Mayor Pro-Tem Stapleton closed the Citizen's Agenda when no one else came forward to speak.

E. Presentations
The presentations have been postponed until a later date.

F. Reports:
1. Boards and Commissions
Councilmember Marjory Johnson gave a report on the July 15 Economic Development Committee meeting.

Councilmember Gary Johnson gave a report on the Parks and Recreation Board. Things are ready for the 4th of July celebration.

G. **Business:**

1. Public Hearing on an application for a Special Use Permit for expansion of an arcade at 611 South Denton Drive.

Bob Altman, 308 Georgian Oak Court, showed a drawing of the expansion plan. He said he wants to add a 'no smoking' section to his present business location.

Carolyn Green, 201 N. Shady Shores, said it's for the welfare of the citizens.

Mayor Pro-Tem Stapleton closed the public hearing.

2. Consideration and Action on approval of an Ordinance for a Special Use Permit for expansion of an arcade at 611 South Denton Drive.

Motion was made by Councilmember Fletcher to approve Item G-2 with the stipulation that the Special Use Permit last for one year from the time of approval. Second by Mayor Pro-Tem Stapleton.

Ayes: Mayor Pro-Tem Stapleton and Councilmember Fletcher.

Noes: Councilmembers G. Johnson and Harper

Abstentions: Councilmember Marjory Johnson

Motion Failed

3. Public Hearing on an application for a Special Use Permit to operate a private club at 5008 S. Stemmons.

Frederick Gilani, 111 Lakehill Court, Hickory Creek, is requesting a Special Use Permit so he can create a sports bar and grill. He thinks he has the right property and location. It would be a neighborhood establishment. They would serve breakfast whenever they are open. They also plan to serve popular American food such as burgers, pastas, salads, and lots of appetizers.

Mayor Pro-Tem Stapleton closed the public hearing.

4. Consideration and Action on approval of an Ordinance for a Special Use Permit to operate a private club at 5008 S. Stemmons.

Motion was made by Councilmember Fletcher to approve. Motion dies for lack of a Second.

Motion to deny the approval was made by Councilmember Gary Johnson. Second by Councilmember Marjory Johnson.

Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, & Harper

Noes: Councilmember Fletcher

Motion Passed

5. Consideration and Action on approval of a preliminary site development plan for O'Reilly Auto Parts project on Swisher Road.

Motion to approve Item G-5 was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper

Noes: None

Motion Passed

6. **Consideration and Action on TXU Gas Distribution North Texas Metroplex Rate increase.**

Motion to approve Item G-6 was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

7. **Consideration and Action on authorizing advertisement for bids for repairs to Janet Street and Stadium Drive.**

Motion to table until next meeting with Tom Hoover was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

8. **Consideration and Action on naming an elected official to serve on the Planning Council for the North Central Texas Council of Governments Regional Emergency Management Planning Program.**

Motion to nominate Steve Wohr was made by Councilmember Marjory Johnson. Second by Councilmember Harper.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

9. **Consideration and Action on review and comments on Denco Area 9-1-1 District Fiscal Year 2003 draft financial plan.**

Motion to approve the Denco Area 9-1-1 District Fiscal Year 2003 draft financial plan was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

10. **Consideration and Action on approval of a Property Tax Collections Attorney Contract Renewal with Sawko & Burroughs.**

Motion to approve the Property Tax Collections Attorney Contract Renewal was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

H. City Manager Report:

Council chamber chairs were discussed and decided upon. The lobby furniture issue was addressed.
The Planned Development needs to go to the Planning and Zoning Commission and then will come forward to the Council.
The landscaping issue is not on order yet.

I. New Business

There was a complaint at 315 Bolivar about neighbor problems and drainage problems. Councilmember Harper and Councilmember Gary Johnson have gone to visit the resident. We don't know what, if anything, the city can do about this, since this is private property. City Manager Layton said staff has been made aware of this problem and we have looked at this situation.
There have two other complaints about cut brush that has not been removed from 2 lots in the old section on Bolivar and cars parked without registrations. At the back of Stadium there an empty lot that has trash and an old couch that's been there for quite some time.
Tommy Williams spoke about the problems he was having with his neighbors about cars. He also spoke about having to call police officers out because of kids he thinks are on drugs. He said he had been told to put in a French drain to solve the drainage problem. He said there's an old trailer across the street that he thinks is being used for drug activity.
The Commissioners Court has an evening meeting and they travel around and have it in other cities. Councilmember Marjory Johnson would like to invite them to come and have a meeting in our City Hall.
A workshop will be set up while the city secretary is gone on vacation.
Councilmember Gary Johnson will be out of town from July 20 through August 5.
Mayor Pro-Tem Stapleton apologized for his recent absences of the past two meetings. He asked for the council's understanding and forgiveness.

J. Adjourn

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Mayor Pro-Tem Stapleton, Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

Meeting was adjourned.

Steve Wohr, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, Acting City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on June 13, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was excused. Staff present was City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. Invocation was given by Mayor Wohr.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda
Margaret Tisdale, 509 Howard, said her issue tonight is the condition of Atchison Street, Donald Street and Summers Lane, as well as Overly in front of Ashleye Village Apartments, and Overly just before you get to Kings Manor Drive.

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. Business:
1. Consideration and Action on approval of the Denton Central Appraisal District proposed 2003 Budget.
Motion was made by Councilmember Marjory Johnson to approve the DCAD Budget for 2003. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

2. Consideration and Action on appointing Council Member Marjory Johnson as Council Liaison to the Planning and Zoning Commission. (Tabled 5/23/02)
Motion was made by Councilmember Fletcher to approve Item E-2. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, and Fletcher
Noes: Councilmember Harper.

Motion Passed

3. Consideration and Action on appointment of Councilmember Gary Johnson as Council Liaison to the Library Board.

Motion was made by Councilmember Marjory Johnson to approve Gary Johnson as Council liaison to the Library Board. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None
Motion Passed

4. Consideration and Action on appointment to the Board of Adjustment.

Motion was made by Councilmember Gary Johnson to approve Bruce Martin for the Board of Adjustment. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson and M. Johnson
Noes: Councilmembers Fletcher and Harper
Motion Failed

5. Consideration and Action on approval of an Inter-Local Agreement for tax Collection between the City of Lake Dallas and Denton County.

Motion was made by Councilmember Marjory Johnson to approve the Inter-Local Agreement for Tax Collection between the City of Lake Dallas and Denton County. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher, and Harper
Noes: None
Motion Passed

6. Consent Agenda:
a. Consideration and Action on approval of May financials and accounts payable.
b. Consideration and Action on approval of Minutes for May 9, 23, and 30 Council meetings.

Motion was made by Councilmember Fletcher to approve Consent Agenda Items 6-a and b. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None
Motion Passed

F. Workshop:

1. City Facility Planning/Progress.
The floor will be stripped tonight. The signage should be up soon. The concrete contractor has been postponed until the water is done.

2. City Hall Public Open House scheduled for June 15.
Staff will be in attendance. The Police Department will be serving food and drinks. We'll do a regular building dedication later.

3. City Council Goals.
We don't have a date scheduled for the projected budget workshop.
We need to refocus on the street projects.
The park equipment is on order and should be here in about six weeks.
A mock-up of a park sign is being made for the Parks and Recreation Board.
The Corps of Engineers tells us that approval is expected any day for Willow Grove Park activities.
The Economic Development Committee is trying to find a campaign chairman for the 4a/4b sales tax election.

We should have a special goals meeting. The goals discussed in the February 19 meeting were 30 - 60 - 90 day goals and we're past them because we have never had a workshop. A workshop should be scheduled every quarter and receive a City Manager report every meeting. The preparation of Council packets by the city manager should also be discussed during the workshop.

G. City Manager Report:
1) Mr. Layton recommended that we tell Bernadette that we're not interested in her pictures. We've had some interest from Cen-Tex again for the Payless property. Something needs to be put in place regarding certificates of occupancy particularly when there is a change of ownership.

Mr. McNatt owns nine lots in Harbourtown that is zoned for duplexes. He's been approached about putting in Garden Homes. We need to see if we can get a planned unit development ordinance in place.

It's two weeks before the fireworks event. This year there's an additional charge of $4,000 for insurance that has to be paid before we can schedule the fireworks.

H. New Business

We need to talk with the city attorney about Video Plus as well as the Payless/Centex issues. We may need to have an executive session.

Our zoning signs are getting hard to read and should be replaced.

We have a police department we can be proud of.

We are missing a bunch of signs that say 'No outlet to the lake' in various places around town. They should be replaced.

I. Adjourn

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher and Harper
Noes: None

Motion Passed

The meeting was over at 9:55 PM.

Steve Wohr, Mayor

Beverly Weikum
Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on May 30, 2002 at 7:55 PM at Lake Dallas City Hall. 212 Main Street, with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmember Stapleton was excused.
Staff: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. Visitors/Citizens Agenda

No one came forward to speak so Mayor Wohr closed the Citizens Agenda.

C. Business:

1. Workshop with Boys and Girls Club of Denton County and the Lake Cities Library regarding contracts for facility use.

Councilmember Marjory Johnson asked for update since she had missed the previous meeting. There was discussion by members of the Library Board, the Boys and Girls Club, and the Councilmembers. The Boys and Girls Club's summer session ends August 9. The fall session begins on August 19.

2. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Boys and Girls Club.

Motion was made by Councilmember Marjory Johnson to continue the lease until August 18 with the same terms as we have now. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher & Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Lake Cities Library.

Motion was made by Councilmember Fletcher to table Item C-3 until the last meeting in July. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher & Harper
Noes: None

Motion Passed

D. Workshop:

1. City Facility Planning/Progress.

Authorization of administrative decision of the City Manager to purchase some chairs for Council; and authorization for lobby furniture to be purchased plus office furniture for the Chief's office. Police Chief Ristagno has offered to donate a washer and dryer for jail use plus a Christmas tree for the lobby.

We have a contractor to put the curb in. The rains have slowed that down. Johnny Webber will have triple bypass in about a week. City Manager Layton said he's been with Tom Hoover and doesn't know if the parking lot can be done by Flag Day.

Mayor Wohr said he would like to coordinate the new City Hall Open House for June 15 with the Road Rally. Perhaps that day we can begin fund raisers to get our community room completed. The sooner we can get that up and running, the better. We need cash for the air conditioners.

E. City Manager Report:

F. New Business:

Councilmember Marjory Johnson said she was here yesterday and the day before. She said the employees who were here have done a great job. They were very efficient. She said the Kids & Cops Open House was awesome. It gets bigger and better every year.

G. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher & Harper
Noes: None

Motion Passed

The meeting was adjourned at 9:10 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 23, 2002 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Councilmembers Marjory Johnson and Ken Stapleton were excused.
Staff: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Carolyn Green, 201 N. Shady Shores, referred to Items 7 & 8 on agenda. She said she's getting mixed messages from the Library Board, the Council and the Mayor of Corinth. She said she's been made to sound like she's against the Boys and Girls Club but she isn't. She's been told that the summer reading program may not be able to be here because of the space. Has anyone given any thought to giving the 'old' city hall to the Boys and Girls Club?

Mayor Wohr closed the Citizen's Agenda when no one else came forward to speak.

E. Business:

1. Public input on approval of a preliminary site development plan for Silestone located on Overly Drive.
No one was here to speak on this item. Mayor Wohr said we had input from Chief Collier of the Fire Department and he's okay with the way it's laid out. The drainage has been addressed.

2. Consideration and Action on approval of a preliminary site development plan for Silestone located on Overly Drive
Motion was made by Councilmember Fletcher to approve Agenda Item E-2.
Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, Fletcher & Harper
Noes; None

Motion Passed

3. Consideration and Action on approval of a Resolution to extend the moratorium on M-1 properties for 90 days.
Motion was made by Councilmember Fletcher to approve Agenda Item E-3.
Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, Fletcher, & Harper
Noes: None

Motion Passed

4. Consideration and Action on approval of the Lake Cities Fire Department formula to determine each participating city's funding percentage for the interlocal agreement.
Motion was made by Councilmember Fletcher to approve Agenda Item E-4.
Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

5. Consideration and Action on approval of an Ordinance to amend the 2001-2002 Budget to include an expense of $1000 for funding of the North Central Texas Council of Governments newly established Regional Emergency Management Planning Council.
Motion was made by Councilmember Harper to approve Agenda Item E-5.
Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

6. Consideration and Action on report from a representative of Economic Development Services.
Paul Fiala, Chairman of the EDC said that Jerry Conner is here to talk to Council about the survey that had been mailed out. It had been their intention, as the EDC, to approve the report and go forward last Monday but they didn't have a quorum. The EDC will take formal action at their next meeting.
Jerry Conner, Economic Development Services said they do a lot of surveys for various reasons. They wanted to get true citizen input. Most of those who returned the surveys had voted in the last election. He said a 16% return is a very good percentage for a mailout survey. This is a trend survey. This is good news. He said there is more good news. Everyone "wants to do all these things," but, the bad news is that "they don't want to pay for all these things." They ran an official uninformed ballot and an informed ballot in the survey also. He said the people in Lake Dallas need to be educated about taxes and the differences between ad valorem, sales tax, property tax, city tax, and state tax. New and improved entryways were liked, as were additional parks and recreation areas. Who's going to be in charge of the money was a big question.

They (Mr. Conner's company) were concerned that we lost 2% after they were informed about the sales taxes but said we're still in good shape. Mr. Conner said there were no responses in the 20 - 30 age group so that tells us that either they don't vote in our city or they don't care. If your older population takes the time to fill this out they will also be the first people to the polls to vote.

He discussed the gross retail sales for the City of Lake Dallas since 1988. He said our economy is going to need a kick-start. He said that, as consultants, we don't believe you have a choice at this time if you want to continue to be a quality community but to go for the 4a and 4b sales taxes. He said it's not going to be easy to pass and that it's going to take some leadership by our citizens. We're going to have to do a lot of education in this town. He said that if we choose to go the step further, we could hire his people to educate the people on the tax.

Motion was made by Councilmember Fletcher to approve Agenda Item E-6 contingent upon the approval of the Economic Development Committee.
Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, Fletcher, and Harper
Noes: None

Motion Passed

Mayor Wohr called for a 5 minute break at 8:34 PM.
Mayor Wohr called the meeting back to order at 8:51PM.

Mayor Wohr said that since everyone's here we're going to run the next 2 workshop items together and give everyone an opportunity to talk back and forth -- Items 7 and 9 are open now.

7. Workshop with Boys and Girls Club of Denton County regarding a contract.

9. Workshop with the Lake Cities Library regarding a contract.

Dr. Jean Keller from UNT, a guest for the Boys & Girls Club spoke first. She thanked Council for the partnership and said they would like to continue the relationship here in Lake Dallas.

City Manager Layton said he made a recommendation to the Council based on a meeting a couple of months ago with the Library people and Boys and Girls Club.

Cecil Carter of the Library Board said he had concerns. In previous meetings they have been cooperating with the Boys and Girls Club. They support them.

Mayor Wohr closed the workshop after more discussion.

8. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Boys and Girls Club.
Motion was made by Councilmember Harper to table this item until a special meeting next week. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, Fletcher and Harper
Noes: None

Motion Passed

10. Consideration and Action on approval of an Ordinance and contract for use of City facilities by the Lake Cities Library.
Motion was made by Councilmember Harper to agree with the Ordinance and contract subject to approval at the special meeting to be held next week. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, Fletcher and Harper
Noes: None

Motion Passed

11. Consent Agenda:
a) Consideration and Action on accepting Councilmember Marjory Johnson's resignation as liaison to the Parks and Recreation Board and appoint Councilmember Gary Johnson as liaison to the Parks and Recreation Board.
b) Consideration and Action on appointing Councilmember Marjory Johnson as liaison to the Planning and Zoning Commission.
Motion was made by Councilmember Harper to accept Councilmember Marjory Johnson's resignation as liaison to the Parks and Recreation Board and appoint Councilmember Gary Johnson as liaison to the Parks and Recreation Board. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, Fletcher and Harper
Noes: None

Motion Passed

Motion was made by Councilmember Fletcher to approve Consent Agenda Item 11-b. Motion died for lack of a second.

Motion was made by Councilmember Harper to table Item 11-b until Councilmember Marjory Johnson was present. Second by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson and Harper
Noes: Councilmember Fletcher

Motion Failed

12. Consideration and Action on approval for a grant application with the Texas Parks and Wildlife Department for a Trails Grant.
Motion was made by Councilmember Harper to approve the grant application with the Texas Parks and Wildlife Department for a Trails Grant.
Ayes: Councilmembers G. Johnson, Fletcher and Harper
Noes: None

Motion Passed

F. **Workshop:**

1. City Facility Planning/Progress.
This will be part of the City Manager report.

2. Discussion on City Council Planning/Progress of City Council.
This was not addressed since all the Councilmembers were not present.

G. **City Manager Report:**
He gave the Councilmembers his typed preparation. He had a good meeting with Tom Hoover and the asphalt contractor this afternoon. We'll move dispatch and another person next Tuesday.

Mayor Wohr said we may need the community room by September. Let's see where we are and who we can get to maybe finish it off. The floor can stay concrete right now so we would need A/C units and a dropped ceiling.

Police Chief Ristagno said the only other real issue is the chairs for the council and court. We can use the blue chairs we already have but we may have to buy some more. He said we may want to consider some waiting room furniture.

H. **New Business:**

I. **Adjourn**
Motion to adjourn was made by Councilmember Gary Johnson. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, Fletcher and Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:45 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on May 9, 2002 at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff: City Manager Layton, Police Chief Ristagno, and City Secretary Weikum.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

Linwood Gilliland, 703 Payton, said some recent storms had affected two trees at his son's house and they needed to be cut down. It's dangerous and appreciates how the city took care of the problem. He then referred to an article in the Sun Newspaper about tall grass and enforcement of the City code. He said there are some people who are not going to mow until they receive a ticket or are told to mow. He asked that we do enforce the code because it will help everyone's property values. He suggested that we try to help those who can't do it themselves.

Mayor Wohr said that we're hoping that our new city hall will be an example and perhaps people will follow that example.

E. Reports:

Boards & Commissions

Chris Fahey, Parks and Recreation Board, said Frank Moore brought a picture of a monument sign to last Tuesday's meeting. It has a place for names of the prisoners of war and those killed in action who are from Lake Dallas. The Board approved a cover for the playground equipment. It was suggested that the parking lot be made for one-way traffic to alleviate confusion when many cars are there. The Sonic provided breakfast and Checkers Pizza provided lunch for the workers at the Willow Grove clean up. Thanks the councilmembers who participated. The 4th of July preparations are progressing. They plan to award plaques instead of trophies this year. Fees for special use permits at events will be discussed at the next meeting. She handed out suggestions for ordinances and rules for Willow Grove Park. City Manager Layton gave them a copy of letter he had written to the Corps of Engineers. Rod Proctor has resigned as chairman.

F. **Business:**

1. Oath of Office to elected officials.

Mayor Wohr was sworn in by City Secretary Weikum. Councilmembers Gary Johnson, Place 1, Marjory Johnson, Place 2, and Alan Fletcher, Place 4 were sworn in by Mayor Wohr.

2. Consideration and Action on selection of Mayor Pro-Tem.

Councilmember Marjory Johnson thanked the Council for the past year and nominated, as a motion, Councilmember Stapleton. Second by Councilmember Gary Johnson.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

3. Consideration and Action on authorizing the Lake Dallas Police Department to submit for a COPS Grant.

Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-3. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

4. Public input on approval of a preliminary site development plan for O'Reilly Auto Parts located on Lot 2, Block 1 of Swisher Road Addition – North.

Ron Coombs said he is the surveyor for this property and he prepared site plan. He did talk with O'Reilly and said they did stress that they do want to work with the city. They will do whatever is required regarding the landscaping, screening and lighting. There may be some lighting on the west side in a parking area. He said he doesn't know what the hours will be for this store.

Mayor Wohr closed this item and moved to item 5.

5. Consideration and Action on approval of a preliminary site development plan for O'Reilly Auto Parts located on Lot 2, Block 1 of Swisher road Addition - North.

Motion was made by Councilmember Gary Johnson to approve Agenda Item F-5. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

6. Consent Agenda:

a) Consideration and Action on approval of April Financials and accounts payable.

b) Consideration and Action on approval of Minutes for April 11, 25, and 29, 2002 meetings.

Councilmember Fletcher asked that the Minutes of April 29 show that he did not vote because he was not in attendance. Councilmember G. Johnson asked that page 5 of the April 25 Minutes reflect M. Johnson and not J. Johnson had voted. **Motion** was made by Councilmember Marjory Johnson to approve the Consent Agenda with corrections to the two sets of Minutes. Second by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

G. **Workshop:**

1. City Facility Planning/Progress.

The final punch list hasn't been done. We have to go through the ADA inspection before we move in. There is an issue we're facing about the water line. The plumbers are saying if we don't go to the 2-inch line we will be facing a lot of stoppages. LCMUA will credit the 1-inch against a 2-inch so the cost would be about $9,000 instead of $11,000. We will get with the architect and an engineer.

It would be nice to have the Open House in June on Flag Day. The first thing to move will be communications and that is planned for the last weekend in May There are some rooms that have built INS but we haven't made arrangements for chairs or offices. The expectation is that we'll use what we have right now. We need furniture for the lobby.

Mark Johnson said that Nokia is being pressured to get out of a building and they have a lot of chairs to dispose of. He will see if they will be able to help us.

City Manager Layton is discussing the parking lot with the engineers.

2. Discussion on City Council Planning/Progress of City Council.

Councilmember Fletcher said he asked for this to be put on the agenda. It's a lot easier to accomplish your goals if you discuss them and he would like to see us lay out some hard goals for the city and set out time lines and address them every meeting.

We should set up a workshop to determine goals for the first 6 months for this next year and goals for the second 6 months. We should have a workshop with just this item on the agenda.

H. **City Manager Report:**

City Manager Layton gave handouts to the Councilmembers.
He said we are going to do a little bit different on the City Park sign.
He had placed maps on the wall about the toll bridge. The toll plaza will not impact us. It will be a 5-lane road that is designed for traffic no faster than 45 miles per hour. There are no funds or plans for any screening or buffer zones. By the end of the week he should have all the schematics for the 6 lanes of I-35 between Lake Lewisville and Boeing. He's been told that all the exit/entrance ramps have been approved. The bids go out in September for construction to begin in January.
He reported about meeting with Upper Trinity about repairs to Lakeview Drive north of Howard. He said he's looked at the streets on the inventory. The most complaints are about Stadium and he said he can fix that street, in house. He said he thinks he can 'prep' that street in the amount of the time that Upper Trinity will be bringing in their asphalt.

I. **New Business**

There was discussion about a letter received about the procedures during public hearings. Perhaps we should give a one-minute rebuttal for each the 'yeas' and the 'nays' or we could ask them additional questions during council discussion. This could be addressed during a workshop and the council policies and procedures could be updated to include this item.

The library's summer reading program starts in the first part of June. The Boys and Girls Club is operating under a contract with the city until the middle of June and we're trying to resolve any conflict.

Councilmember Marjory Johnson said she would like to resign as liaison for Parks Board and would like for Council to appoint Councilmember Gary Johnson as he already attends their meetings. Councilmember Gary Johnson said he would like to be the liaison. Councilmember Marjory Johnson said she would like to be appointed liaison to the Planning and Zoning Commission.

Councilmember Stapleton said he thinks our new city manager has done a good job. He would like an agenda item next meeting for feedback from the City Manager on how he thinks council is doing and maybe Council can provide some feedback to him on how he is doing. City Manager Layton said he would like to wait until June.

The porta-potties at the Park are in bad condition. The Soccer Association should be contacted.

J. **Adjourn**

Motion to adjourn was made by Councilmember Marjory Johnson. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

Meeting was adjourned at 9:45 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS
SEAL

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on April 29, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Marjory Johnson	Mayor Pro-Tem
Gary Johnson	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Steve Wohr and Councilmember Alan Fletcher were excused.
Staff present: City Manager Layton and City Secretary Weikum.

B. Visitors/Citizens Agenda

No one came forward to speak so Mayor Pro-Tem Johnson closed the Citizens Agenda.

C. Business:

1. Consideration and Action on employee health care renewal.

No action was taken on this item.

2. Consideration and Action on approval of a Resolution allowing the City of Lake Dallas to participate in the Texas Building and Procurement Commission Cooperative Purchasing Program.

Motion was made by Councilmember Stapleton to approve Agenda Item C-2. Seconded by Councilmember Harper.

Ayes: Mayor Pro-Tem Johnson and Councilmembers G. Johnson, Stapleton, and Harper
Noes: None

Motion Passed

D. New Business

E. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Harper.

Ayes: Mayor Pro-Tem Johnson, Councilmembers G. Johnson, Stapleton, and Harper
Noes: None

Motion Passed

The meeting was adjourned at 7:50 PM.

Mayor Pro-Tem Johnson

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on April 25, 2002 at 7:30 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff: City Manager Jim Layton, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda

John Schuh, 737 Harbour Town Drive gave the Councilmembers copies of an article from the Dallas Morning News. It concerned a code misunderstanding about manufactured homes and mobile homes in the Dallas area. He definitely does not want to see double-wides next to him. He also expressed concern about what type of trash disposal is to be provided for apartments and other multi-family housing units.

Mayor Wohr said if there's an immediate problem, we could ask our building inspector to go down with him and take a look at the problem and then he could report to council.

Mr. Schuh said he had been to a county transportation meeting and they were talking about light rail. He just wondered if we have been discussing light rail right through here.

Mayor Wohr said he's been to about 5 or 6 of those meetings but it is now in the early stages of planning. They will put them where they have customer base. They might run a light rail system up these tracks but they would have to somehow have to connect with some of the universities. It is still 10 or 12 years out.

Chris Fahey, 144 Kingswood, said she had reported a dead beaver carcass laying on Shore drive 2 weeks ago to the Police Department and was told they would contact animal control. She said the carcass is still there.

Mayor Wohr closed the citizen's agenda when no one else came forward to speak.

E. Proclamations

TxDOT - Click It or Ticket Texas

Mayor Wohr read the proclamation. He said it's a pretty important thing and the statistics differences with seat belt use are impressive.

F. Business:

1. Consideration and Action on approval of a health care plan for City Staff. (This item was tabled at the April 11 council meeting.)

City Manager Layton handed out sheets with the alternative costs. He said he met with all the employees except for a few who met with Chief or Joni. His biggest concern is the out of pocket expense for the city as well as the employees who have dependent coverage. We felt that if we increased the co-pays on visits/outpatient/hospital it would bring the cost down. The employees were in agreement with that strategy. He has queries into the TML right now and suggests a special meeting early next week with nothing on the agenda except the health care and the resolution. If there's the slightest chance we can get better coverage for the employees council was willing to have another meeting on Monday.

Motion was made by Councilmember M. Johnson to accept Aetna's alternative 1-A for group medical benefits unless it's determined differently by Monday night. Seconded by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

2. Public Hearing on approval of an Ordinance for a proposed zoning change to Tracts 75 and 76 of Abstract 0924A MEP and PRR property (612 Main Street) from C-2 Commercial District to R-1-7200 Single-Family Dwelling district.

Laird Lind, 735 Carlisle Street, has been asked by Toni Smith to address council. As the application indicates it's an attempt to rezone it back to what it was in 1969 before converting it to a daycare center. It has been vacant for several years and attempts to lease it have been futile. There is a buyer for the property if it is rezoned to residential. The valuation will be more once the property is in use. The Planning and Zoning Commission approved the rezoning unanimously at their meeting last week.

Mayor Wohr closed the public hearing.

3. Consideration and Action on approval of an Ordinance for a proposed zoning change to Tracts 75 and 76 of Abstract 0924A MEP and PRR property (612 Main Street) from C-2 Commercial District to R-1-7200 Single-Family Dwelling district.

Motion was made by Councilmember Marjory Johnson to approve the zoning change to Tracts 75 and 76 of Abstract 0924A MEP and PRR property (612 Main Street) from C-2 Commercial District to R-1-7200 Single--Family Dwelling district. Second by Councilmember Fletcher.

Ayes: Councilmembers M. Johnson, Stapleton, & Fletcher

Noes: Councilmembers G. Johnson and Harper

Motion Passed

4. Public Hearing on an application for a proposed replat of Tract 3 of the H. H. Swisher Survey Abstract Number 1220. If approved, part of Tract 3 would become Lot 2, Block 1 of Swisher Road Addition - North.

Mayor Wohr closed the public hearing after hearing from Frank Atwater, Koombs Survey, Inc. who did the survey of the property, had answered questions from the Council.

5. Consideration and Action on approval of an application for a proposed replat of Tract 3 of the H. H. Swisher Survey Abstract Number 1220. If approved, part of Tract 3 would become Lot 2, Block 1 of Swisher Road Addition - North.

Motion was made by Councilmember Stapleton to approve Agenda Item F-5. Second by Councilmember Marjory Johnson.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

6. Public Hearing on an application for a proposed replat of Tract 3A of the J. W. Simmons Abstract 1163A. If approved, Tract 3A would become 2 lots to be designated Lots 1 and 2 of Block A of KWIK Addition.

Eric Smith, KWIK Industries, said they plan to use one lot for a laundry and sell the other lot for future development. He discussed the road and the shared approach for both businesses. He said they had taken the plat to the county and they approved it.

Mayor Wohr closed the public hearing

7. Consideration and Action on approval of an application for a proposed replat of Tract 3A of the J. W. Simmons Abstract 1163A. If approved, Tract 3A would become 2 lots to be designated Lots 1 and 2 of Block A of KWIK Addition.

Motion was made by Councilmember Stapleton to approve Agenda Item F-7. Second by Councilmember Fletcher.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

8. Public Hearing on an application for a proposed replat of Lots 1 - 3 and 11 - 13, Block 7 of Lake Dallas Shores Addition. If approved, these lots would be come one lot designated as Lot 1R of Block 7 of Lake Dallas Shores Addition.

John Donahue said there's a shed and carport on the property now but that they will be removed. The taxable valuation right now is $15,000. It will be worth much more after the house is built on the property. They don't plan to bother any trees on the property.

Mayor Wohr closed the public hearing

9. Consideration and Action on approval of an application for a proposed replat of Lots 1 - 3 and 11 - 13, Block 7 of Lake Dallas Shores Addition. If approved, these lots would be come one lot designated as Lot 1R of Block 7 of Lake Dallas Shores Addition.

Motion was made by Councilmember Fletcher to approve Agenda Item F-9. Second by Councilmember Gary Johnson.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Mayor Wohr called for a 5-minute break at 8:45 PM.
Mayor Wohr called the meeting back to order at 8:55 PM.

10. Consideration and Action on approval of an Ordinance amending Article VIII-A, C-1-A Business District, Section 122-338, Exterior Surfaces; Article VIII, C-1 Restricted Business District, Section 122-329, Exterior Surfaces; Article IX, C-2 Commercial District, Section 122-368, Exterior Surfaces; Article X, C-3 Commercial District, Section 122-409, Exterior Surfaces; and Article XII-A MA Marina District, Section 122-549, Exterior Surfaces; of Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of reasoning for exemption.
Motion was made by Councilmember Fletcher to approve Agenda Item F-10. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

11. Consideration and Action on approval of an Ordinance amending Article III, R-1-10000 Single-Family Dwelling District, Section 122-85, Accessory Buildings; Article IV, R-1-7200 Single-Family Dwelling District, Section 122-133, Accessory Accessory Buildings; of Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of setbacks.
Motion was made by Councilmember Marjory Johnson to approve Agenda Item F-11. Second by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

12. Consideration and Action on approval of an Ordinance amending Ordinance No. 01-23 adopting the FY 2002 Budget.
Motion was made by Councilmember Fletcher to approve the Ordinance subject to the approval of any funds over $15,000 spent for City Hall Landscape are subject to Parks and Recreation Board approval. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

13. Consideration and Action on appointment(s) to the Planning and Zoning Commission and specifying regular and alternate members.
Motion was made by Councilmember Marjory Johnson to appoint Diane Byers as a regular and to move Peggy Shelton and Linwood Gilliland to regular members and to move Frank Barnard and Lance Wilson to alternates. Second by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

14. Consideration and Action on approval of an Ordinance amending Chapter 110, Vegetation, Sections 110-31 through 110-36.
Motion was made by Councilmember Fletcher to amend Section 110-33 Required minimum compliance and remove the last sentence which is, "Their removing and cutting at least once in every 30 days shall be deemed a compliance with this article and to use every precaution to prevent them growing on such premises so as to become a nuisance." Second by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson and Fletcher
Noes: Councilmembers Stapleton and Harper

Motion Passed

G. Workshop:

1. City Facility Planning/Progress.

H. City Manager Report:
City Manager Layton gave the Councilmembers a handout to read and said if anyone had any questions to call him. He said the EDC project is about 2 - 1/2 weeks behind schedule. There was discussion about the focus group meeting held at a recent Economic Development Committee meeting. There was also discussion about the sales tax issues.

I. New Business
Councilmember Fletcher questioned the amount spent on attorney fees. There was discussion about using TML more often and minimizing the calls to the City Attorney. We should continue to have the City Attorney review the Ordinances. We could call other cities to see how they are handling certain issues. There is an advantage in the fact that Mr. Berman has been with the City for a long time.

Councilmember Harper said she has had a couple of complaints. A lady on Bolivar Street said someone is buying and selling used cars out of his house and has a car up on blocks which means people are parking on the street instead of their driveway. Councilmember Harper said she went down there tonight and there were 2 cars parked on the street but she couldn't find the 2 junk cars in the driveway. She said she's had some complaints about an old junk car on Dolphin and Thompson. The vehicle on blocks was not there. There is a vacant lot with tall grass and weeds and an antenna.
City Manager Layton said we have already sent the letter out on the latter complaint.

Councilmember Gary Johnson said he had a visit from James Stanford and he was complaining about people parking in front of a gate. All the other Councilmembers have been by there, too. Councilmember Gary Johnson said he asked Mr. Stanford to come to the council meeting but he said his wife was having surgery today so he could not attend the meeting.
Chief Ristagno said there is an issue in that area regarding the street as well as a driveway on the Stanford's property. The Stanford's did have a 'no parking' sign there and then Mr. Stanford had someone's car towed. Chief Ristagno had to call Dave Snider and tell him he couldn't do that.

Chief Ristagno asked if the boat canal at the end of Bolivar is ours. If we move a little of the wall there we could solve the problem in that area.

Chief Ristagno said the school district and the police department are writing a grant for a school resource officer. The action item will be on the next agenda.

Chief Ristagno said that Hickory Creek called about Lake Dallas entering their warrants since the county won't do it for them unless pay them $50/warrant. They had 4200 warrants outstanding so he and City Manager Layton decided we could do it for about $10/warrant. We'll have to enter into an agreement with them.

The Kids & Cops program is May 18.

J. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Second by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

The meeting was adjourned at 11:51 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on April 11, 2002 at 7:30 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff: City Manager Jim Layton, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Presentations:
Mayor Wohr gave plaques from the City of Lake Dallas for ten years of service.
Mayor Wohr gave the first plaque to Police Chief Ristagno. He said it is hard to keep good people for such a long time in small communities.
Chief Ristagno told Officer Roz Sleigh that it is our honor and pleasure to have you serve these past ten years. We appreciate all the hard work done for the City both professionally and personally.
Chief Ristagno told Sgt. Wes Frazier thank you for his ten years of service. He said it's an honor and pleasure to have you serve the city. He also presented Sgt. Frazier with "The Chief's Award" for going above and beyond the call of duty. Chief Ristagno referenced the building of city hall and said Sgt. Frazier had run wires, helped with the design of the emergency system, the computer system, and repaired the parking lot lights. Chief said he had missed a couple of other things. Sgt. Frazier has, for years, set up our police cars when we purchase new ones. We appreciate his dedication to the City. He also gave gift certificates to Sgt. Frazier and his wife, Debbie, because most of this work was done during off-duty hours.

E. Visitors/Citizens Agenda
Carolyn Green, 201 N. Shady Shores, referred to Item 4 on consent agenda. She feels that a promise was insinuated by the Council a year ago that when school was out this building would be turned over to the library and the portable building would be gone. Her suggestion is that the Boys and Girls Club use the 'old' city hall when the new city offices are open. She's been trying to get people to donate to the club. The library facilities and the summer reading program are wonderful things for the children. The Boys and Girls Club is very important, too.

F. Reports:

Holly Crow, Higginbotham & Associates, asked if everyone had a copy of the proposal she submitted. This year Aetna's increase is 79%. This is mostly due to the medical trend: rising cost of medical procedures and prescriptions. Aetna offers some alternate plans with higher deductibles. They solicited quotes from other carriers and cost is quite a bit lower. But, these are preliminary rates and have no consideration for the underwriting. She recommended that we look at some alternate plans with Aetna.

Council requested that we get feedback from the employees before a decision is made.

Boards & Commissions:
Neal Malone said Shelley Kristich has done a lot of hard work on the City Park playground equipment search. It looks as if it will be a joint operation between the VFW and Legion for the flagpoles at City Park. They would like to put up a plaque as a memorial to all American veterans.
Mayor Wohr said that at one time Wal-Mart was donating money to those who were putting up memorials.
There is a planned clean-up at Willow Grove on April 20. The motorcycle camp-out will be a good breakthrough at Willow Grove Park.

Councilmember Fletcher said a lot of people showed up for the E.D.C. meeting on Monday night. Jerry Conner of Economic Development Services had invited many people to come for the presentation about 4a/4b sales taxes.

G. Business:

1. Consent Agenda:

(a) Consideration and Action on approval of financials and accounts payable through March and Fourth Quarter 2001 and First Quarter 2002 TexPool Reports.

(b) Consideration and Action on approval of minutes for March 14 and 2, 2002 meetings. 28 BGW

Motion was made by Councilmember Marjory Johnson to approve the Consent Agenda. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, J. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of health care plan for May 1, 2002 through April 30, 2003.

Motion was made by Councilmember Stapleton to table Agenda Item G-2 until the next regular meeting. Seconded by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

3. **Consideration and Action on approval of playground equipment for City Park.**
Motion was made by Councilmember Stapleton to approve the purchase of the playground equipment. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

4. **Consideration and Action on modifications to the Lake Dallas Community Center to accommodate both the Library and the Boys & Girls Club.**
Motion was made by Councilmember Stapleton to table this item until we can get a proper project plan on what the modifications will be. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Mayor Wohr called for a break at 9:00 PM.
Mayor Wohr called the meeting back to order at 9:15 PM.

5. **Consideration and Actin on approval of a Resolution adopting new access line rates for telecommunications.**

Motion was made by Councilmember Marjory Johnson to approve the new access line rates at Section 3 rates of $0.37 Residential, $0.82 for Non Residential and $1.26 for Point-to-Point. Seconded by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher & Harper
Noes: None
Abstentions: Councilmember Stapleton

Motion Passed

It was decided to move to Item I before the workshop items.

I. **City Manager Report:**
We have received one estimate for the City Hall greenbelt. It is for 500' of curbing at roughly $15/ft. He's hoping we can find it cheaper than that. The soil is the staggering cost.

Several weeks ago we were invited to Library Board meeting and there was not a very great consensus at that meeting. There was discussion that the board presidents and members of the library and Boys and Girls Club would speak to the mayors. He attended a meeting between the Library and the Boys and Girls Club to see how they could work things out recently. They had indicated to him that they had come to an agreement. There was talk that some volunteers could do most of the work. The library said they would move all their children's activities back here. He said that both Mr. Burgess and Cecil Carter agreed that this is not a long-term situation.

City Manager Layton he met with our county commissioner and the tollway authority at a meeting today about he Swisher Road extension.

Section 110 of our code about high grass and abatement of the nuisance that needs to be amended soon.
Mayor Wohr told Jim he appreciates his hard work. It would be nice to go through our ordinances and see what needs addresses.

He referenced his handout which listed various items that could be covered by the current budget.

H. **Workshop:**

1. City Facility Planning/Progress.

Next week they should be able to finish the ceilings and painting. The color coordination on the outside is being discussed now. They are beginning to stain all the built-ins so they will be going in next week. Tom Hoover is involved in the parking area overlay now.
We don't have a time frame for finishing out the community center. We will need to install a/c units, wiring, flooring and ceiling plus the kitchen issue.

2. Library lease draft agreement.

We could lease the building to the library and they could sublet a portion of it to the Boys and Girls Club. In answer to the question of who is going to pay for the maintenance, it was suggested that we use a landlord/tenant relationship: if the roof needs fixed that's something the City would need to deal with; if it's day to day maintenance then it would be tenant responsibility.

Jill Rael, librarian, said she's happy with the arrangement. She said she's gotten attached to the Boys and Girls Club and some of the kids. She gets along fine with the counselors and has no complaints. They'll probably focus on another building and it probably won't be Corinth. The summer reading program will be somewhere else.

City Manager Layton said both board presidents said it could work by having the two entities share the community center area. This situation could be for as long as 3 years.

We at least want to fund the library as we have been. We need to have some hard facts on the rental. We can stay in the position of landlord and lease to both of them and the electric bill would be divided 3/4 and 1/4 as long as both tenants agree. We could rent per square footage and bill the utilities by the same percentage.

3. Boys & Girls Club lease draft agreement.

This was discussed under item H - 2.

J. New Business

Someone from Jackson Ranch contacted Councilmember Fletcher and is concerned about the people speeding on the main feeder road to get to Thousand Oaks.
Police Chief Ristagno said we've been getting continuing complaints about River Oaks Way and are looking into getting some speed humps because we don't have enough manpower to patrol. Tom Hoover is working on it for us now.
Councilmember Marjory Johnson said Carlisle is becoming a problem again with trailer traffic. We may need to do more signs.
City Manager Layton reported that at the EDC meeting there was discussion about needing more signage to get to the marina.
Police Chief Ristagno said we are getting new city limit signs with the new logo.
Councilmember Fletcher asked if we can start generating some plans for what are we going to do with the old city hall.
Councilmember Marjory Johnson said tomorrow is the Volunteer Appreciation Dinner at 7 PM here in the Community Center.
The Chamber of Commerce dinner, the Road Rally dinner, and our next council meeting are all on the same night. Can we change the next meeting night?

K. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Meeting was adjourned at 12: 05 AM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on March 28, 2002 at 7:35 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Jim Layton and City Secretary Beverly Weikum.

B. Invocation was given by Mayor Wohr.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

E. Proclamations:
Mayor Wohr read a proclamation for the Friends of the Family.

F. Reports:
Lake Cities Library Board regarding possible expansion and Summer Reading Program.
Jill Rael, director of the Library said she was speaking for the library board. She handed out a possible expansion plan. There could be a conflict with the Boys & Girls Club. They would like to have a formal lease agreement with the city and would like to have a meeting about it.

Mayor Wohr thanked her for the invitation to the meeting earlier this week. There's a lot of support for the library. Some of the things discussed were long and short-term plans. There will be some type of interlocal but we don't know how it will be funded at this time. We appreciate all the time you put into the plan, arranging the meeting, plus the food.

Rhonda Howe, children's coordinator, said this year is the first year that they have a program for every single day of the week and it's for different age groups every day. The only day they won't have a schedule is Monday because they're closed. She's excited about the program this year and said children come from all the neighboring cities including Flower Mound. She is staffed only by

volunteers. She is the only paid staff. Her donations come from anywhere she can get them. All the businesses are usually very accommodating.

Bernadette Zahn spoke regarding artwork she is proposing and quoting prices on for the new City Hall. She said she's from the area and has some history from back in the 50's. She's a nature artist by trade. She showed some samples to the Council. The artwork is of the Lake Dallas area. Her recommendations are the color photography.

G. Business:

1. Consideration and Action on approval of conceptual for Overly Drive located in M-1 Light Industrial district currently under moratorium (tabled at March 14, 2002 meeting).

Steve Chambliss and Doug Greenlee presented a site plan which shows where the building will be set. They are here to see if the plan is acceptable and within the parameters we had talked about at an earlier meeting.

A drainage survey needs to be done to see where the water is going to go. This should be given to our Building Inspector.

Since the drawing appeared that they plan to separate the property, they were asked if they had any objection to a different zoning. They said they are not opposed to anything we would require.

They would like to start building within a month. If the plat plan is approved, Council can waive the moratorium. They were advised to contact the Building Official.

Mayor Wohr called for a short break at 8:35 PM.

Mayor Wohr called the meeting back to order at 8:55 PM.

2. Workshop with Parks & Recreation Board members on playground equipment, Willow Grove and Master Park Plan.

Parks members present: Rod Proctor, Tony Robinson, Cliff Elton, Chris Fahey, Tina Martin, Neal Malone, Carolyn Green, and Shelley Kritsich.

There was discussion about the flagpoles and Flag Day being June 14.

Parks has received 2 estimates on playground equipment and fitness equipment but they are still waiting for one from Playwell. After approving a quote it will probably be 4 - 6 weeks before the equipment is in. The parking lot contractor should be contacted about doing the sidewalk. The contract lines on the soccer contract do not agree with the current park plan. Changes to the soccer fields for next year were discussed. When the road is removed the fields can be shifted by doing some dirt work. The Master Plan needs to be reworked. We need a map of Willow Grove Park and think of short, intermediate, and long term goals for it. We talked about doing some primitive type camping planning. Later on we'd like to have camping with RV hookups available. We could have

sand volleyball courts, a fishing pier, swimming area, boat ramp, miniature golf course, baseball facilities, paddle boats, and a fishing area. It all needs to be worked out in one big plan. We need to have a place that will draw people in from across the highway. We should schedule another workshop in June or July.

3. Consideration and Action on playground equipment purchase.
Motion was made by Councilmember Stapleton to table item 3 until the April 11 meeting. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

4. Consideration and Action on appointments and re-appointments to the Parks & Recreation Board.
Motion was made by Councilmember Marjory Johnson to appoint Charles Thomas and Tina Martin to the Parks and Recreation Board and to re-appoint Jeff London for another term. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

5. Consideration and Action on designation of regular members and alternates on the EDC.
Motion was made by Councilmember Marjory Johnson to move Cliff Elton from alternate to regular member. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

6. Consideration and Action on re-appointments to the Board of Adjustment.
Motion was made by Councilmember Marjory Johnson to re-appoint Matt Flanagan, Christie Houghton, and Steve Bertrand and to move John Flaming from alternate to regular member. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Fletcher & Harper
Noes: Councilmember Stapleton

Motion Passed

7. Consideration and Action on approval of an Ordinance rescinding all Ordinances and Resolutions to cancel the May 4, 2002 general election.
Motion was made by Councilmember Stapleton to approve agenda item E-7. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

8. Consideration and Action on approval of an Ordinance amending Article III, "R-1-10000 Single-Family Dwelling District," Section 122-82, "Accessory Uses;" Article IV, "R-1-7200 Single-Family Dwelling District," Section 122-132, "Accessory Uses;" and Article V, "R-1-6000 Single-Family Dwelling District," Section 122-182, "Accessory Uses;" of Chapter 122, "Zoning" of the Code of Ordinances for the City of Lake Dallas, allowing for the changes of accessory uses and setbacks.

Motion was made by Councilmember Stapleton to approve agenda item G-8 with the revisions cited by the Mayor to all three zoning areas. Seconded by Councilmember Gary Johnson.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

9.Consent Agenda:

(a) Consideration and Action on approval of an Ordinance adding the North Central Texas Council of Governments amendments to the building code in the Lake Dallas Municipal Code. (tabled at March 14, 2002 meeting).

(b) Consideration and Action on approval of a Resolution regarding ad valorem taxation of travel trailers. (to exempt travel trailers from taxation)

Motion was made by Councilmember Marjory Johnson to approve the Consent Agenda. Seconded by Councilmember Stapleton.

Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper

Noes: None

Motion Passed

H. **Workshop:**

1. City Facility Planning/Progress.

The painting has started today.

2. Goals for City Manager.

3. Boys & Girls Club extension.

This will be addressed on the April 11 agenda.

I. **City Manager Report**

City Manager Layton handed out an update. He showed his parking lot plan. We need to expand the library but we don't need to throw out the Boys and Girls Club.

There was discussion that the past six months have been bad for fund raising. By April 11 the Library and the Boys and Girls Club should have reached an agreement or will agree to disagree.

J. New Business:

We need to see about getting all those election signs around the Library removed as soon as possible.
Something needs to be done about the new 4-plexes on Cain. The patios and balconies need screening. The back doesn't get regular mowing.
There was discussion about the cost of our logo being put on shirts.
The school cookout will be on April18 so that's when they need the porta-potty.
Denise Bowes is with the 4-H program and said that if we have any projects that the kids can do, she would appreciate it.
Some of our citizens said that the artwork prices seemed quite high and suggested that we might try the college.

K. Adjourn

Motion to adjourn was made by Councilmember Fletcher. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Meeting was adjourned at 11:15 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on March 14, 2002 at 7:40 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Jim Layton, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

Mayor Wohr called for a break at 7:45 PM.

E. Reception for City Management

A reception was given to welcome the City Manager and in appreciation of the Police Chief and City Secretary assuming extra duties during the months the City did not have a city manager.

Mayor Wohr called the meeting back to order at 7:55 PM.

G. Proclamations

Mayor Wohr read a proclamation declaring the month of March 2002 as American Red Cross Month in the City of Lake Dallas.

D. Visitors/Citizens Agenda

Vicki Carusi, 224 Pembrook Street, representative for the Lake Cities Library Board said that they will need money for their next budget year. She said alternate funding is not available to them now. She handed out their 5-year plan and invitations to the March 26 Library Board meeting.

Mayor Wohr closed the Citizen's agenda when no one else came forward to speak.

F. Reports:

1) Boards & Commissions:

Neal Malone spoke for the Parks and Recreation Board since Rod Proctor was unable to attend. Mr. Malone extended appreciation to Chief Ristagno and City Secretary Weikum from himself and the board. A committee is working on getting prices for the playground equipment for City Park. The sign should be done soon. There has been no progress on obtaining the flagpoles. An organization has contacted Parks about having an overnight camp-out at Willow Grove Park on the first weekend in May.

Paul Fiala, EDC, introduced Jerry Conner of Economic Development Services. Mr. Conner had spoken at the EDC meeting last Monday about the 4a/4b sales tax. The committee recommends that we pursue this.

2) Jerry Conner, Economic Development Services, spoke about the 4a/4b sales taxes and gave handouts to the Councilmembers. He said we have 1% available for local option. The 4a is pure economical development and 4b is for economical development plus. September 14 would be a good date for the election if we decide to move ahead. Council will have to adopt an ordinance to call the election no later than 45 days prior to the election. We will need to develop a theme and have a very clear message that the citizens will agree with. They suggest focus groups and they will formulate a message to take forward to the voters and then have a town hall meeting. We need to keep the community informed. They will do mailings to the registered voters to explain what we're doing. This tax will broaden the tax base so the residential homeowners won't be expected to pay more ad valorem taxes.

3) Boys & Girls Club of Denton County

Tammy said she is the new Executive Director at Denton. She has been in the Club for 11 years and gave some of her background. They're asking for an extension just to serve the kids.

Haley Webb, one of the club members, explained why she liked to come to the Boys and Girls Club.

Bobbie La Dew said she lives in Shady Shores and explained her situation. She said the club is working with her and her son. The club has given her a scholarship because she doesn't receive any child support.

Tammy introduced Judge Vic Burgess

Vic Burgess, said he was a member of the Boys club before it was named the Boys & Girls Club. Last year he got a chance to hear kids speak about what it

meant to them. It was a safe haven that wasn't home. You could do fun things and be with your peers. Arts and crafts and other programs were available. He said the club is not going away from this community and that if it's here 3 years from now we'll have a new building here. He said the club would use it during the day and would be amenable to letting those groups who had helped, use it in the evenings. He said any consideration would be appreciated.

Mayor Wohr thanked everyone from the Boys & Girls Club for coming to the meeting.

H. Business:

1. Consent Agenda:

a) Consideration and Action on approval of a Resolution authorizing signatories for the Northstar Bank.
b) Consideration and Action on approval of a Resolution authorizing signatories for the TexPool account.
c) Consideration and Action on approval of a Resolution allowing for direct deposit of employee payroll checks.
d) Consideration and Action on approval of minutes for February 28 and March 7, 2002 Minutes.
e) Consideration and Action on approval of Amendment 02 to Interlocal Corporation Agreement for Operation and Maintenance of Traffic Signals.
f) Consideration and Action on approval of an Ordinance adding the North Central Texas Council of Governments amendments to the Building Code.

Items a and f were pulled from the Consent Agenda.
Motion was made by Councilmember Marjory Johnson to approve the Consent Agenda Items 1-b-c-d and e. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Motion was made by Councilmember Marjory Johnson to approve Agenda Item H-1-a with an additional signatory of Chief Ristagno. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Mayor Wohr said item H-1-f is tabled because we are still waiting for the final draft of the Ordinance.

2. Consideration and Action on appointment of Election Judges for the May 4, 2002 election.
Motion was made by Councilmember Stapleton to appoint Hazel Byers as Election Judge and Linwood Gilliland as the Alternate Judge. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

3. Consideration and Action on approval of funds for Willow Grove Park.
No action was taken at this time. See City Manager's report.

4. Consideration and Action on approval of a plat plan for Overly Drive located in M-1 Light Industrial district currently under a 90-day moratorium.
The owners did not have a plan available.
Motion was made by Councilmember Stapleton to place this item on the agenda for the next regular meeting. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

5. Consideration and Action on TXU rate increase for gas service.
James Johnson, Oncor, gave an explanation about how the rate increase has been postponed at this time. He said 106 other cities are waiting and we should participate with some steering committees that are meeting now.
Motion was made by Councilmember Marjory Johnson to approve the Resolution suspending the change in rate offered by TXU for ninety days. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

I. **Workshop**

1. City Facility Planning/Progress.
There was discussion about water lines and the parking lot.

2. Discussion on exempting travel trailers from taxable property.
It was determined that an Ordinance should be drawn up that would exempt travel trailers from ad valorem taxation and presented at the next meeting.

J. City Manager Report.

City Manager Layton gave handouts to the Council. He has talked with the Corps about Willow Grove Park and has been out there with TXU about setting up electrical service. There is a water meter in place and he recommends we lay a 2" flex line for about 900 feet. If we want another light the cost would be about $100/year. Most of this could be accomplished in house. The sewer is another situation. We'll need to use porta-potties this first summer.
Mayor Wohr said we could spend $2,000 there without it becoming an agenda item.
City Manager Layton said he has attended some meetings regarding the stormwater requirements. The city park and sign construction are being looked at. He's had some dirt taken to City Park with the thoughts of leveling the fields. He's been checking into some Bermuda grass and herbicides.
We have received several quotes for repairs to the backhoe. He has talked with Woody's regarding the greenbelt at the new city hall. We can look at the engineer's aerial and discuss this more at the next meeting.

K. New Business:

The school cookout will be April 5 or 12 and will need a porta-potty.
We need to set up a workshop with the Parks and Recreation Board at the next meeting so some of these ideas for the Parks can be discussed. The Master Plan should also be discussed at that time.

Lakeland Court is having drainage problems. When we did part of the street where there never was one nothing was done about culverts on the sides. It's probably a simple problem to fix. Chief Ristagno can let update City Manager Layton on this issue.

L. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

Meeting was adjourned at 9:55 PM.

Steve Wohr, Mayor

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on March 7, 2002 at 6:05PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: City Manager Jim Layton, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

Councilmember Stapleton arrived at 6:10 PM.

B. Visitors/Citizens Agenda

Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

C. BUSINESS:

1. **Consideration and Action on approval of a Resolution for M-1 Light Industrial district moratorium.**

Motion was made by Councilmember Marjory Stapleton to approve agenda item C-1. Seconded by Councilmember M. Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

D. New Business:

E. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 6:30 PM.

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 28, 2002 at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff: City Manager Jim Layton, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. Mayor Wohr gave the Invocation.

C. The Pledge of Allegiance was led by Mayor Wohr.

D. Visitors/Citizens Agenda:
Linwood Gilliland, 703 Payton, said he said he is concerned about the exemption to the 80% masonry requirement and changing Ordinances.

Mayor Wohr said the Planning and Zoning Commission may review those Ordinances.

Mayor Wohr closed the Citizens Agenda when no one else came forward.

E. Business:

1. Consideration and Action on approval of revised Personnel Manual.
Motion was made by Councilmember Marjory Johnson to approve Agenda Item E-1. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

2. Consideration and Action on approval of City Manager contract.
Motion was made by Councilmember Stapleton to approve Agenda Item E-2 as read. Seconded by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

3. Consideration and Action on review of election workers rate of pay.
Motion was made by Councilmember Marjory Johnson to approve the agenda item and to direct staff accordingly as an administrative item.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

4. Consideration and Action on determining Early Voting hours.
Motion was made by Councilmember Stapleton to approve Agenda Item E-4 with the proper revisions: 8 AM to 5 PM Saturday, April 20; 10 AM to 7 PM on Monday, Tuesday, and Wednesday, April 22, 23, and 24; 7 AM to 7 PM on Thursday and Friday, April 25 and 26; 8 AM to 7 PM on Saturday, April 27. Seconded by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

5. Consideration and Action on approval of an Ordinance with additional Charter Amendments to place on May 4 ballot.
Motion was made by Councilmember Stapleton to approve Agenda Item E-5. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, J. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

6. Consideration and Action on approval of a Resolution for a contract with the Denton County Elections Administration for the May 4 election and early voting.
Motion was made by Councilmember Marjory Johnson to approve Agenda Item E-6. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, & Harper
Noes: None

Motion Passed

7. Consideration and Action on approval of an Ordinance amending Sections 46-41 through 46-87 of Article II and Article III, "Fire Code" of Chapter 46, "Fire Prevention and Protection," of the Lake Dallas Municipal Code to adopt the 2000 Edition of the International Fire Code.
Motion was made by Councilmember Stapleton to approve Agenda Item E-7. Seconded by Councilmember Harper.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

8. Consent Agenda:
(a) Approval of minutes for January 10, 24 and 29, 2002 meetings and February 7, 12, and 19, 2002 meetings.
(b) Consideration and Action on approval of an Ordinance amending Article VIII-A, "C-1-A Business District," of Chapter 122, "Zoning" of the Lake Dallas Municipal Code by amending Section 122-330, "Permitted Uses;" amending Section 122-337, "Site Plan Approval;" and amending Section 122-338, "Exterior Surfaces."
(c) Consideration and Action on approval of an Ordinance amending Article VIII, "C-1 Restricted Business District, of Chapter 122, "Zoning" of the Lake Dallas Municipal Code by replacing Section 122-329, "Exterior Surfaces;" and by adding Section 122-330, "Site Plan Approval."
(d) Consideration and Action on approval of an Ordinance amending Article IX, "C-2 Commercial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-361, "Permitted Uses;" replacing Section 122-368, "Exterior Surfaces;" and by adding section 122-369, "Site Plan Approval."
(e) Consideration and Action on approval of an Ordinance amending Article X, "C-3 Commercial District," of Chapter 122, "Zoning" of the Lake Dallas Municipal Code by replacing Section 122-409, "Exterior Surfaces;" and by adding Section 122-410, "Site Plan Approval."
(f) Consideration and Action on approval of an Ordinance amending Article XI, "C-P Planned Business District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-442, "Application for Rezoning."
(g) Consideration and Action on approval of an Ordinance amending Article XII, "M-1 Light Industrial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-538, "Site Plan Approval."
(h) Consideration and Action on approval of an Ordinance amending Article XII-A, "MA Marina District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-548, "Site Plan Approval;" and replacing Section 122-549, "Exterior Surfaces."
(i) Consideration and Action on approval of an Ordinance amending Article XIII, "Special Use Permits, " of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-571, "Uses Permitted by Special Use Permit."
(j) Consideration and Action on appointment of Alan Fletcher as Council Liaison to the Economic Development Committee.
(k) Consideration and Action on Economic Development Committee appointment. [Georgina Gougeon]
(l) Consideration and Action on Planning and Zoning Commission appointment(s). [Ben Gilbert]

Motion was made by Councilmember Marjory Johnson to approve the Consent Agenda and have the Planning and Zoning Commission review the masonry exemption requirements. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

I. **Workshop:**

1. City Manager Search.
See agenda item E-2.

2. City Facility Planning/Progress.
We still need to consider the water supply lines. The 'green area' will be determined prior to the parking lot resurfacing. Delivery of doorframes is scheduled for next week and then the interior will start getting finished. The jail people have been here and expect to begin the first or 2nd week in April.

3. Review of accessory uses in residential zoning district.
The Planning and Zoning Commission should review the setbacks for all residential districts. The setbacks should be a rational and uniform distance for all zoning areas. The size of accessory buildings should be looked into and they should not be too close to a fence due to safety issues.

Setbacks for boats and RV's should also be addressed under the accessory uses. We can ask the Planning and Zoning Commission to review that in March. It was suggested that if the item in question is 6' in height there would be no restriction; from 6' 1" - 10 ' the item should be parked 5 feet off the fence line; if it's over 10 feet in height it should be placed 7 feet off the fence line.

Mayor Wohr called for a break at 10 PM.

Mayor Wohr called the meeting back to order at 10:10 PM.

4. Review of Amended and Restated Interlocal Agreement with the Lake Cities Volunteer Fire Department.

This year the fire department plans to use a different formula in their budget to determine each city's funding percentage. Instead of just using meter drops, property values and call volume will be considered. This gives us a much more rational funding. The next fire station will be built around Shady Shores and then the next will be in south Corinth near Hickory Creek.

5. Home Rule Charter Revision.

G. Staff Reports:

Aldena Stowe has said she will work the elections but would prefer not to be the Elections Judge any longer. Mayor Wohr suggested that we present a plaque to her at the volunteer dinner this year. Hazel Byers has offered to be the judge this year.

"Fred" was a big hit at the Boys and Girls Club last week.

H. New Business

A trophy and plaque-making place is moving into the old Ace Hardware location.

I. Adjourn

Motion to adjourn was made by Councilmember Stapleton. Seconded by Councilmember Fletcher.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher & Harper
Noes: None

Motion Passed

The meeting was adjourned at 10:30 PM.

CITY OF LAKE DALLAS, TEXAS

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 19, 2002 at 8:10 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Nick Ristagno, and City Secretary Beverly Weikum.

B. Visitors/Citizens Agenda

Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

C. WORKSHOP:

1. City goals and expectations for the City Manager.

Thirty Days:
- 4a/4b Sales Tax for November election
- Short term plan for Willowgrove Park
- Briefing plan for addressing Council - what should be in council packets
- Library/Boys and Girls Club issues
- Greenbelt in front of City Hall/Main Street

Sixty Days:
- Solid Waste feasibility
- Finishing City Hall
- Report on Stormwater to Council
- Multi-use - Ordinance

Ninety Days:
- Solid Waste
- 4a/4b Election plan
- Street projects to be identified
- Six additional city events plus those that Parks plans annually
- Sidewalk on Shady Shores Road
- List of Commercial Properties

120 Days:
- Long term park goals
- Animal Control
- Grants
- 5 - Year Budget plan

180 Days:
Comprehensive Plan
Swisher Road & I-35 access road
Annexation

Mayor Wohr closed the open meeting at 10:25 PM.

Mayor Wohr called the executive session to order at 10:25 PM.

D. EXECUTIVE SESSION:

1. The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues in regards to the City Manager selection.

Mayor Wohr closed the executive session at 10:35 PM.

Mayor Wohr called the open meeting back to order at 10:35 PM.

E. Action, if any, on matters discussed in Executive Session:

Direct the Interim City Manager to contact Mr. Layton regarding the contract.

F. New Business:

The solicitor's permit and Ordinance need to be reviewed.

Barbara Brown has been in Denton Regional since last weekend. She's in very bad health.

There will be a dinner at Neal's at 7 PM on March 2 for the Councilmembers, the Interim City Manager, City Secretary, the new city manager and all the spouses.

Plans should be getting underway for the annual Volunteers' Dinner.

G. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Seconded by Councilmember Gary Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 10:55 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 12, 2002 at 7:40 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Gary Johnson	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Alan Fletcher	Councilmember 4
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Nick Ristagno, and City Secretary Beverly Weikum.

B. Visitors/Citizens Agenda

Mayor Wohr closed the Citizen's Agenda when no one came forward to speak.

C. BUSINESS:

1. **Consideration and Action on approval of an Ordinance ordering an election to be held on May 4, 2002, for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 1, 2 and 4; proposing amendments to the Home Rule Charter for the City of Lake Dallas and ordering an election to be held concurrently with the General Election on May 4, 2002.**

Motion was made by Councilmember Marjory Johnson to approve agenda item C-1.
Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

Mayor Wohr closed the open meeting at 7:42 PM.

Mayor Wohr called the executive session to order at 7:45 PM.

D. EXECUTIVE SESSION:

1. **The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues in regards to the City Manager vacancy.**

Mayor Wohr closed the executive session at 10:55 PM.

Mayor Wohr called the open meeting back to order at 10:56 PM.

E. Action, if any, on matters discussed in Executive Session:

Motion was made by Councilmember Stapleton to offer an employment packet to candidate Jim Layton as City Manager. Seconded by Councilmember Harper.
Ayes: Councilmembers G. Johnson, Stapleton, and Harper
Noes: Councilmembers M. Johnson and Fletcher

Motion Passed

F. New Business:

Mayor Wohr said we should set up a workshop within the next 7 - 10 days to discuss the city's goals and expectations for the City Manager.

Councilmember Harper expressed her thanks to the Chief, Lt. Lowery, Roz and the officers for bringing Fred Jr. to the school. She said the kids really enjoyed him and that it is a great program.

G. Adjourn

Motion to adjourn was made by Councilmember Gary Johnson. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper.
Noes: None

Motion Passed

Meeting was adjourned at 11:10 PM.

Steve Wohr, Mayor

Beverly Weikum

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a special meeting on February 7, 2002 at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Nick Ristagno and City Secretary Beverly Weikum.

B. Mayor Wohr gave the Invocation.

C. Mayor Wohr led the Pledge of Allegiance.

D. Visitors/Citizens Agenda:

Georgina Gougeon, 717 Cain, asked to be appointed to the Economic Development Committee. She thinks there are some possibilities out here that have not been tapped. We have a lot of prime property and need to try to tap into some possibilities and create more revenue for the city.

Mayor Wohr said many hands make life work. Our city depends on its volunteers.

Cliff Elton, 735 Oakdale Avenue, said he was submitting his name for one of the upcoming council seats. He has one philosophy and that is to improve the quality of life in the city.

Mayor Wohr thanked him and closed the citizen's agenda when no one else came forward to speak.

E. Reports:

1. **Boards & Commissions**
2. **Russell Bates, Architect**

Paul Fiala, Economic Development Committee, said we got the RFP's for a consultant back and all their prices are above what was budgeted so we have asked them to re-work their proposals. He should get the new information tomorrow for the Monday E.D.C. meeting. He has talked with the consultants about the 4a/4b sales tax and it won't be able to be on this May's election.

Carolyn Green, 201 North Shady Shores said the parks meeting was canceled last Tuesday because of inclement weather.

Neal Malone, Parks and Recreation Board, said we have a number of items coming up and one is a motorcycle group.

Mayor Wohr said that Parks has a perfect opportunity to use Flag Day to dedicate the flagpoles at City Park.

Russell Bates, architect, said they are hoping to be done by May 1 on Main Street. There should be no delay from weather since the roof is on. The exterior work has caused some delay and we need to make some decisions because there is a time schedule that needs to be adhered to and there is some lead-time involved. He discussed the carpet colors and prices as well as the tiles for the shower areas and bathrooms and entrance. He said the Council table and walls of council chambers have no vinyl on walls but that can be done at a later time. Russell said timing was right and we got a good price on the building.

Mayor Wohr said he would like to break from the regular agenda at this time and took the opportunity to present the outgoing Councilmember plaque and picture to Councilmember Kirby.

He said he really appreciates her and everyone here has been interested in what Council is doing. The Council has been concerned and has worked very, very hard together. It's kind of a shame to see her leave us but we're happy that it's for good reasons and important for her to do the things she has to do.

Councilmember Kirby said she has really enjoyed living in Lake Dallas and being on the Council and has learned more about streets than she really wanted. She thanks everyone for their support.

Mayor Wohr called for a 15-minute break at 8:25 PM.

Mayor Wohr closed the regular meeting at 8:50 PM.

Mayor Wohr called the Executive Session to order at 8:57 PM.

F. EXECUTIVE SESSION:

1. The City Council will meet in Executive Session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues.

2. The City Council will meet in Executive Session pursuant to the Texas Government Code Section 551.074 for consideration of persons to fill vacancies on the City Council, Place 4 and Place 1.

Mayor Wohr closed the Executive Session closed at: 10:15 PM.

Mayor Wohr called the open meeting back to order at: 10:20 PM.

G. Action, if any, on matters discussed in Executive Session.

No action was taken.

H. Business:

1. Consent Agenda:

a. Consideration and Action on approval of January Financials and Accounts Payable and 4th quarter 2001 Investments Report.

b. **Consideration and Action on approval of a Resolution authorizing the City of Lake Dallas 125 Cafeteria Plan from December 1, 2001 through April 30, 2002.**

Item H-1-a was tabled because all the information was not available.
Motion was made by Councilmember Marjory Johnson to approve Item number H-1-b. Seconded by Councilmember Stapleton.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on appointment of City Manager.

This item will be discussed under the workshop item later on this agenda.

3. Consideration and Action on resignation received from Jeff McInnish, Place 4.
Motion was made by Councilmember Kirby to accept the resignation received from Jeff McInnish for Place 4. Seconded by Councilmember Marjory Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

4. Consideration and Action on appointment of Councilmember for Place 4 on the Lake Dallas City Council.
Motion was made by Councilmember Marjory Johnson to appoint Alan Fletcher as Councilmember Place 4. Seconded by Councilmember Kirby.
Ayes; Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

5. Swearing in of Councilmember for Place 4.
Mayor Wohr swore Alan Fletcher in as Councilmember, Place 4.

6. Consideration and Action on resignation received from Kyla Kirby, Place 1.
Motion was made by Councilmember Harper to accept the resignation of Councilmember Kirby for Place 1. Seconded by Councilmember Kirby.
Ayes; Councilmembers Kirby, Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

7. Consideration and Action on appointment of Councilmember for Place 1 on the Lake Dallas City Council.
Motion was made by Councilmember Stapleton to appoint Gary Johnson for Place 1. Seconded by Councilmember Harper.
Ayes: Councilmembers Johnson, Stapleton, Fletcher and Harper
Noes: None

Motion Passed

8. Swearing in of Councilmember for Place 1.
Mayor Wohr said we do have a plaque for Councilmember McInnish and appreciate the work that he did while serving on Council.

Mayor Wohr swore in Thomas 'Gary' Johnson as Councilmember, Place 1.

9. Recognition of outgoing Councilmembers.
Snacks and discussion was done during the earlier break.

I. Workshop:

1. Review of uses in commercial zoning districts C-1, C-2, C-3 and C-1-A.
Mayor Wohr asked if anyone here wanted to talk about the zoning districts.
It was determined some changes should be made as some items are included C-1 and in the C-1-A zoning. We need to consider taking out car washes from C-2 zoning. Car washes should come under the Special Use Permit section due to the new storm water regulations. There should be changes in all commercial zoning regarding the exterior surfaces and site plan approvals.

2. City Manager Search.
We do not have sufficient information to make a decision at this point. We have the 2 new city council members who will need to review the resumes. If need be we can call them back for 2nd interviews. We need to set a meeting for next week to have an executive session regarding the city manager search.

3. City Facility Planning/Progress.
We do not need more discussion since Russell was here and gave full report earlier.

4. Home Rule Charter revision.

Our city attorney says we can appoint a sixth Councilmember to be effective after one year if the charter amendment passes

J. Staff Reports:

Interim City Manager Ristagno gave a report about the jail in the new building. He talked with the TDC and the price has been reduced from $55,000 down to $46,500. We had been hoping for $32,000.

K. New Business

Mayor Wohr said he had a very productive meeting with the Fire Department. The agreement is currently funded from meter drops. Lake Dallas had a high percentage of meter drops. The Mayor had initially proposed something that incorporates property values and traditionally other cities have turned to service calls, but they are hard to get right in our lake cities area. He discussed the population base, property values, and call volume. He thinks it will sell because the numbers stay very nearly the same. The second phase of this is our base service cost. The interlocal agreement allows each city to set up an impact fee for large businesses coming in. We should have a form from them before our next meeting regarding the budget process.

There's a situation developing with the apartment building across from the school that's going to come down -- doors are being left open and it is an empty building. It's a hazard for children. The county commissioners need to have the buildings taken down.

L. Adjourn

Motion to adjourn was made by Councilmember Marjory Johnson. Seconded by Councilmember Stapleton.
Ayes: Councilmembers G. Johnson, M. Johnson, Stapleton, Fletcher, and Harper
Noes: None

Motion Passed

Meeting was adjourned at 12:07 AM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a Special Meeting on January 29, 2002 at 6:30 PM at the Lake Dallas City Hall with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Staff Present: Interim City Manager Nick Ristagno, and City Secretary Beverly Weikum.

B. Visitors/Citizens Agenda:

No one came forward to speak so Mayor Wohr closed the Citizen's Agenda.

Mayor Wohr closed the regular session at 6:35 PM.

C. Executive Session:
The City Council to convene into closed session pursuant to the Texas Government Code Section 551.074 to discuss matters relating to personnel issues.

Mayor Wohr opened the Executive Session at 6:35 PM.

Mayor Wohr closed the Executive Session at 9:15 PM.

Mayor Wohr called the open meeting back to order at 9:16 PM.

D. Action, if any, from the Executive Session, regarding City Manager selection.

No action was taken.

E. New Business:

Someone had called a Councilmember to say we are not progressive enough and ask if someone could still come apply for the City Council vacancies. The caller suggested putting a park like Sandy Lake at the corner of I-35 and Swisher Road.

F. Adjourn

Motion to adjourn was made by Councilmember Kirby. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed.

Meeting was adjourned at 9:25 PM.

Steve Wohr, Mayor

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting on January 24, 2002 at 7:32 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

Meeting was called to order at 7:32 PM by Carolyn Green.

A. Roll Call:

Marjory Johnson	Mayor Pro-Tem
Kyla Kirby	Councilmember 1
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Mayor Wohr was excused. Also present were City Attorney, David Berman, Interim City Manager Nick Ristagno, and City Secretary Beverly Weikum.

C. Invocation was given by Gary Johnson.

C. Pledge of Allegiance was led by Mayor Pro-Tem Johnson.

Mayor Pro-Tem Johnson extended Mayor Wohr's apologies for his absence. He was in New York City to attend a memorial service.

D. Visitors/Citizens Agenda:

Lance Wilson, 509 Briar Oaks Drive, said he's a member of the Church of Latter Day Saints. They have a strong affiliation with the Boy Scouts. They have 15 who are need to get their service awards in order to become Eagle Scouts. If we have anything they could do to help them accomplish some of these things it would be greatly appreciated.

Mayor Pro-Tem Johnson suggested that he contact Chief Ristagno.

Carolyn Green turned the meeting over to Mayor Pro-Tem Johnson. Citizen's Agenda was closed.

E. Business:

1. Public Hearing on approval of an Ordinance for a proposed zoning change to Lots 1,2,3,4,7,8,9,10 and 11 and Lot E of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.

No one came forward to speak on the public hearing so Mayor Pro-Tem Johnson closed the Public Hearing.

2. Consideration and Action on approval of an Ordinance for a proposed zoning change to Lots 1,2,3,4,7,8,9,10 and 11 and Lot E of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.
Motion was made by Councilmember Stapleton to approve the item as read. Seconded by Councilmember Kirby.
Ayes: Councilmembers Stapleton, Kirby, and Harper and Johnson.
Noes: None

Motion Passed

3. Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District. (This property is on the south side of Swisher Road between the Payless property and Phillips 66 station).
Ron Berlin, 7615 Southwestern Blvd., Dallas, Texas 75225, said he's the owner of the two tracts of land under the agenda tonight and to save time he will discuss both properties. He acquired both of these pieces in a partnership in 1999. The south side needed a retention pond. He spent $100,000 on the south side and a substantial amount on north side regarding the drainage system. He worked very closely with Stewart Fairburn, the city, and the building inspector to make it aesthetic. He has worked closely with Hickory Creek because they have larger amounts of land available. He told Council that if they will not change the zoning he will restrict car washes on either side and will not put in a package store on north side. He will consider a sit-down restaurant on the north side that could serve liquor under the C-3. He would like to bring in some retail. He pays a fortune on those properties in property tax. He said we have restricted the developers. He said Lake Dallas will get something commercially on the Payless site. Just be patient. The traffic pattern now is to the West, because that is where the housing is.

George Blackman, 3540 Milton Avenue, University Park, TX said he's a real estate land use attorney representing Crown Partners. He read the descriptions of the properties and stated that both tracts are proposed to be downzoned to C-1-A. He said that Crown Partners are committed to bringing in quality and ad valorem taxes. The title company and the moratorium are hampering present development. They respectfully ask that the zoning not be changed.

Carolyn Green, 201 North Shady Shores, asked why the city was trying to rezone these properties.

Mayor Pro-Tem Johnson said the rezoning was brought about in strict compliance with the Comprehensive Plan which was passed by the Planning and Zoning Commission and adopted by the City Council.

Paul Fiala, 706 Lakebridge Drive, said one of the things we talked in a meeting about a year or so ago is "what do we want to be when we grow up?" Development is one of the things we struggle with and we need the expertise.

Mayor Pro-Tem Johnson said he should invite Mr. Berlin to one of the EDC meetings.

Lance Wilson, 509 Briar Oaks Drive, said he is a member of the P & Z and was one of the members who voted not to rezone. He said he thinks we need to be a little bit more flexible. By bringing in a few businesses it will entice other businesses. When the extension is done we'll have more to work with. Mr. Berlin has shown a willingness to work with the city.

Alan Fletcher, 917 Lake Bluff Drive, said he agrees with a lot of what Lance is saying and some of those things that Mr. Berlin says. We've done rezoning all the way to the lake but agrees that there's going to need to be some negotiation along the line.

Mayor Pro-Tem Johnson closed the public hearing when no one else came forward to speak.

4. Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District.
Motion was made by Mayor Pro-Tem Johnson to deny the zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion to deny passed

5. Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 3A of the H. H. Swisher survey from C-3 Commercial zoning district to C-1-A business District. (This property is between KJ's Fine Wine & Spirits and the entrance to Jackson Ranch subdivision).

No one came forward to speak so Mayor Pro-Tem Johnson closed the public hearing.

6. Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 3A of the H. H. Swisher survey from C-3 Commercial zoning district to C-1-A business District.

Motion was made by Councilmember Stapleton to approve Agenda Item E-6 as read. Seconded by Mayor Pro-Tem Johnson.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

Mayor Pro-Tem Johnson called for a short break at 9:05 PM.

Mayor Pro-Tem Johnson called the meeting back to order at 9:15 PM.

Mayor Pro-Tem Johnson asked Council if it was all right to move to item 8 at this time. Council approved.

7. Consideration of applicants for appointments to the City Council.

Alan Fletcher, 917 Lake Bluff, said he appreciates the opportunity to speak to them. He has lived in Denton County all but 9 months of his life. He married in 1986 and moved to Lake Dallas. They have been married 16 years and have 2 daughters, 15 & 7 years old. He said he's not here for personal gain. His personal gain would be as a property owner and citizen of Lake Dallas. He has this burning desire to leave a positive mark in this world and he's always been interested in politics. Over the years he's learned more about local government and he believes in the power of local government. He would prefer place 4 because he's going to run for that spot. He plans on putting a lot of work in it. He will show up for meetings. He has attended most of the council meetings over the past 9 months. He would like to see more people at the council meetings. He's a member of the EDC so if he's elected or appointed he would like to be appointed as a liaison. He designed the logo and redesigned the city's website. He's a very big believer in people's property rights but sometimes you have to make decisions for the betterment of the entire community. We should protect the rights of property owners. We need to do serious improvements to our streets and parks and believes raising taxes is not the way to achieve that. His goals are to improve the image of the city and help work on increasing pride in our community.

Gary Johnson, 609 Cain Street, said it is a great honor to stand before them and to be considered for an appointment. He's lived here consecutively since November of 1980. He loves his town and wants to see his town grow. He was on the original Board of Adjustment and is currently on the Park Board. He has a great interest in developing the parks to serve the citizens of Lake Dallas. He said he has an accounting degree from UNT and a Masters in special education. He is a Special Education teacher at Ryan in Denton. He will do his best to be objective and fair. He will take the use of the tax dollar very seriously. He would like to see our parks developed more but we need more citizen input. He said that he would attend as many meetings as possible. He's

serious about this and regardless of the outcome at the February meeting, he will run at election time. He will be available to respond to any concerns from council.

Lance Wilson, 509 Briar Oaks Drive, said he's 32 and has been married for almost 11 years. They have 4 children and have been in Texas for 4 years. He moved from Utah and lived in Irving before he came to Lake Dallas. They like the community and the citizens and the city. He thinks our city is like a diamond in the rough. He's on the P & Z and it's been a good opportunity and he's learned a lot. He's done his best to attend all the meetings. He's an alternate on the Economic Development Committee and he sees the struggles the city has. He's an Eagle Scout and a member of the Latter Day Saints. He believes in the importance of families -- that's the core root of any community. He speaks 3 languages and he's a very analytical person and tries to weigh in all the factors. He's the webmaster for Mary Kay and that allows him to work from home 3 or 4 days a week. In closing, he thanked Council for their time.

Mayor Pro-Tem Johnson thanked them and moved to item E-9.

8. Consideration and Action on approval of an Ordinance for a facility use agreement with the Lake Cities Soccer Association for 2002.
Mayor Pro-Tem Johnson asked Mike Hageman if he had anything to say.

Mike Hageman said we still need and want to use the area. He said he hopes it's been a good partnership during the past season. It is his vision to see that it brings more people into the area in trying to provide a recreational activity for the kids. He asked if they could move the location of the portables up to the edge of the parking lot to keep the big trucks from having to drive over the curb and grounds. Mayor Pro-Tem Johnson suggested he talk with the Parks and Recreation Board.

Motion was made by Councilmember Stapleton to approve Agenda Item E-8 with the correction to Item 9 in the contract. Seconded by Councilmember Kirby.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

9. Consideration and Action on appointment of Council Liaison to the Parks and Recreation Board.
Motion was made by Councilmember Kirby to appoint Marjory Johnson as Council Liaison to the Parks and Recreation Board. Seconded by Councilmember Stapleton.
Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper
Noes: None

Motion Passed

F. Workshop:

1. Zoning change to Tract 20 of Abstract 0424A of the Nathaniel French Survey from R-1-10000 to C-1-A.

This will be addressed at a joint workshop at a later date.

2. City Facility Planning/Progress.

Chief Ristagno said that as you walk into the front lobby the seating area will be carpeted and the rest of that area will be tile at an estimated cost of $3300. -There was an add/delete item from square ducts to round ducts Secretary of State that would make the total change be about $1100. He said Johnny Harris of Lake Cities Municipal Utility Authority said he feels the 1 inch line will be a sufficient water line so we shouldn't need a day tank.

3. City Manager Search.

We should have 3 interviews on Tuesday night. The meeting on Tuesday night will start at 6 PM and put an action item on agenda.

4. Home Rule Charter revision.

If we change to number of councilmembers we will have to have a special election unless we can make it effective on the next general election date. The mayor should have a vote. The biggest reason for adding this other member was so we'd be able to have a quorum.

5. Process for appointments and removals for the Economic Development Committee.

The appointments and removals should be appointed by the City Council, just like all the others boards and commissions.

G. Staff Reports:

We'll need to have the May 4 election at the community center in May because we would have to get pre-clearance from the Department of Justice too far in advance of the election.

There is a meeting with the Fire Board on Feb. 1 at 1 PM in references to their budget.

H. New Business

Councilmember Harper said she didn't get to vote in the last election because of a change of address. Aldena approached her and said they couldn't have kept her from voting.

I. **Adjourn**

Motion to adjourn was made by Councilmember Stapleton. Seconded by Mayor Pro-Tem Johnson.

Ayes: Mayor Pro-Tem Johnson, Councilmembers Kirby, Stapleton, and Harper.

Noes: None

Motion Passed.

Meeting was adjourned at 10:55 PM.

Marjory Johnson, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas City Council met in a regular meeting January 10, 2002 at 7:30 PM at the Lake Dallas Community Center with notice of the meeting given as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Steve Wohr	Mayor
Kyla Kirby	Councilmember 1
Marjory Johnson	Councilmember 2
Ken Stapleton	Councilmember 3
Betty Harper	Councilmember 5

Councilmember McInnish was absent. Also present were Interim City Manager Nick Ristagno, and Acting City Secretary Joni Vaughn.

B. Invocation

C. Pledge of Allegiance

D. Visitors/Citizens Agenda

Bob Altman, Hundley Shores Apartments, asked to speak regarding the sign over Main Street. He said he needed three things; council approval, how far to set the sign posts, and what color.

Chief Ristagno asked Mr. Altman to explain the construction of the sign.

Mr. Altman discussed the construction of the sign.

Chief Ristagno suggested that the handling of the sign issues be taken care of administratively.

Carolyn Green, 201 North Shady Shores, commended the council for including the Charter revision as part of their workshop discussion. She reminded the council that the contract with the Boys and Girls Club would expire at the end of the school year.

Mayor Wohr said there was new management of the Boys and Girls Club.

Mrs. Green also spoke on finding a way to get a facility for the Boys and Girls Club.

Travis Gilbert, 327 Bolivar, said he was having a problem with parking issues due to the narrow street.

Councilmember Kirby suggested a parking ordinance.

Chief Ristagno addressed the issue. He will take care of the situation.

Citizens Agenda closed.

E. Reports: Boards and Commissions

Park Board gave a report. April 1st the hope to have the plan completed for the park sign, playground equipment and gazebo. July 1st is the target date to have the gazebo and playground equipment installed. They are looking at lighting issues and getting lighting at Willow Grove Park. August 1st they hope to have a long term plan for Willow Grove Park. Neal Malone is working with Frank Moore to get three flag poles for the new sign donated. There was discussion about a council liaison to the Park Board.

The council would like an agenda item to appoint a Parks and Recreation Board liaison.

There was discussion about using Community Service workers to clean up near the lake.

The Spring Clean-up is April 6th.

F. Business:

1. Consideration and Action on approval of consent agenda.
Motion was made by Councilmember Johnson to accept the consent agenda. Seconded by Councilmember Kirby.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Motion Passed

2. Consideration and Action on appointments to the Economic Development Committee.
Motion was made by Councilmember Kirby to accept Bob Altman for the Economic Development Committee. Seconded by Councilmember Harper.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes: None

Council would like on the next agenda to set up a workshop for EDC policies.

Motion Passed

3. Consideration and Action approval of an Ordinance adopting the 2000 International Fire Code.
Mayor Wohr suggested this item be tabled.
Motion was made by Councilmember Stapleton to table this item. Seconded by Councilmember Johnson.
Ayes: Councilmembers Kirby, Johnson, Stapleton, and Harper
Noes; None

Motion Passed

PUBLIC NOTICE

CITY OF LAKE DALLAS

CITY COUNCIL MEETING

LAKE DALLAS COMMUNITY CENTER
302 SOUTH SHADY SHORES

January 10, 2002

Notice is hereby given as required by Title 5, Chapter 551.041 of the Texas Government Code that the city Council of the City of Lake Dallas will meet in a regular meeting on January 10, 2002 at 7:30 PM at the Lake Dallas Community Center, 302 South Shady Shores, Lake Dallas, Texas. The agenda follows:

A. Roll Call

B. Invocation

C. Pledge of Allegiance

D. Visitors/Citizens Agenda

E. Reports:
Boards & Commissions

F. Business:
1. Consent Agenda:
   a) Consideration and Action on approval of December financials and accounts payable.
   b) Approval of Minutes for December 6, December 10 and December 13, 2001 meetings.
   c) Consideration and Action on approval of a Resolution in support of the Denton Central Appraisal District's construction of a 3,840 square feet addition to their facilities.
2. Consideration and Action on appointments to the Economic Development Committee.
3. Consideration and Action on approval of an Ordinance adopting the 2000 International Fire Code.

G. Executive Session:
1) The City Council to convene into closed session pursuant to Texas Government Code Section 551.074 to discuss city manager applicants with representative from The Waters Consulting Group.

H. Action, if any, from executive session.

Mayor Wohr closed the regular session at 8:25 PM.

Mayor Wohr opened the Executive Session at 8:30 PM.

G. Executive Session:
1. The City Council to convene into closed session pursuant to Texas Government Code Section 551.071 to discuss city manager applicants with representative from The Waters Consulting Group.

Mayor Wohr closed the Executive Session at 8:55 PM.

Mayor Wohr called the open meeting back to order.

H. Action, if any, from executive session.
No action was taken other than to schedule meetings.

I. Workshop:
1) City Facility Planning/Progress.
Chief reported on progress. Mayor would like to meet with Chief and builder regarding the issue of using local businesses for subcontract work.

2) City Manager Search.
No more discussion needed.

3) Home Rule Charter revision.
Mayor made some suggestions for changes to the Charter: six-member council with Mayor as a voting member or seven-member council with Mayor as a voting member. Removing article 4.09 was suggested. Changing article 3.05 was suggested.

J. Staff Reports:
None

K. New Business:

Councilmember Kirby read her letter of resignation.

There was discussion of a February joint meeting, the annual Volunteer Dinner, and finishing the Community Center at the new City Hall with volunteer labor.

L. Adjournment

Meeting was adjourned at 10:25 PM

Steve Wohr, Mayor

Joni Vaughn,
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 8, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
B.W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant

B. INVOCATION

Pastor Rod Collver, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. PRESENTATIONS

Community Relations Coordinator Julie Chapman presented certificates to the Lady Falcons 2011 Varsity Volleyball Team for their outstanding academic and athletic performance.

E. ANNOUNCEMENTS

City Manager Berner announced that the Shop Lake Dallas Campaign has begun and the drawing for the laptop computer donated by Sonic will be held on December 29th at City Hall.

F. REPORTS

Donna Boner gave the Financial Report. Sales tax continues to increase.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Gay Martin, 8 Arrowhead Circle, Hickory Creek, addressed the Council regarding Lake Cities Municipal Water Authority's rates for water. Ms. Martin feels that LCMUA is charging its' customers high rates. She has compared rates from eight other cities. She would like to change water providers and suggested merging with either Lewisville or Denton.

David Shershen, 166 Kingswood Drive, Lake Dallas, encouraged the Council to support the library through membership in the Friends of the Library organization. He also addressed the issue of the odor coming from the wastewater treatment plant.

Gene Tisdale, 524 Howard, Lake Dallas, addressed the Council regarding the issue of the odor coming from the wastewater treatment plant.

Mayor Marino closed the Visitors/Citizens Agenda

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the November 17, 2011 meeting.**
2) **Consideration and Action to approve the November Financials.**

Motion to approve the Consent Agenda consisting of the minutes for the November 17, 2011 meeting and the November Financials was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

I. BUSINESS

1) **Public Hearing on creation of Tax Increment Reinvestment Zone Number One.**

Mayor Marino opened the Public Hearing.

Leroy Grawunder, Jr., bond attorney for McCall, Parkhurst, & Horton, addressed the Council to explain the procedure for the TIF zone.
No one from the public came forward to speak.

Mayor Marino closed the Public Hearing.

2) **Consideration and action to approve an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone Number One; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a termination date for the zone; providing for immediate effective of the zone; and providing an effective date. (City Manager)**

Motion to approve an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone Number One; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a termination date for the zone; providing for immediate effective of the zone; and providing an effective date was made by Councilmember Brooks and second by Councilmember Harper.

Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond.
Noes: None

Motion Passed

3) Consideration and Action to increase the funding level to SPAN. (City Manager)

Deb Roberstson, Executive Director with SPAN and Meals on Wheels, addressed the Council regarding an increase in funding. She explained that ridership had grown. Council discussed some possible restrictions to the type of trips they were willing to fund. Council requested more information from Ms. Robertson before they made any further decisions about funding.

Motion to table the SPAN funding until January when further information will be provided was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

4) Consideration and Action to nominate an elected official to serve on the 2012-2013 North Central Texas Emergency Preparedness Planning Council.

Motion to nominate Councilmember Karl Hammond to serve on the 2012-2013 North Central Texas Emergency Preparedness Planning Council was made by Councilmember Connors and second by Councilmember Harper.

Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

5) Report from John Klaiber with Waste Management regarding rate increase

John Klaiber, Waste Management, reported to Council that rates would be going up January 1st by 6.9% due to rising fuel prices and consumer price index.

City Manager Berner said the Waste Management increase would cut into our revenue from the billing and Council could consider a rate increase to citizens to compensate for that before the next billing. Mr. Berner also mentioned that citizens have been requesting large recycle carts and smaller trash carts and he and Mr. Klaiber have been discussing that. City Manager Berner will bring to Council comparison rates on solid waste contracts from other cities when he brings back the topic of a rate increase on our billing.

Mr. Klaiber distributed a recycling report to the Council.

6) **Consideration and Action to accept an offer to purchase Lots 1, 2, 11, and 12 of Block 4 of the Lake Dallas Shores Addition.**

Motion to table the item for further information was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

7) **Consideration and Action to approve the resignation of Rick Mathews, Council Place 4.**

Motion to approve the resignation of Rick Mathews, Council Place 4 was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks and Mathews.
Noes: Hammond

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that Willow Grove Park boat ramp construction will be under way next week. He is still acquiring right-of-way for the Lakeview project.

J. NEW AGENDA ITEMS

SPAN project, Bid on Lakeview property

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:10 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 17, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.
Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant

B. INVOCATION

Pastor Ben Smith, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino announced that the bond proposition passed on the November 8th election.
City Manager Berner announced that the City's annual Holiday Tree Lighting and Open House will be December 3rd from 5-9 p.m.

E. REPORTS

City Manager Berner reported that the Community Development Corporation voted to accept the bid from Schmoldt Construction and approved a contract with them for the boat ramp at Willow Grove Park. The Parks and Recreation Board has been making preparations for the annual Holiday Tree Lighting and Open House.

Donna Boner gave the Financial Report. Sales tax continues to increase. The auditor conducted his annual audit this week.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the October 27, 2011 meeting.**
2) **Consideration and Action to approve the October Financials.**

Motion to approve the Consent Agenda consisting of the minutes for the October 27, 2011 meeting and the October Financials was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing on a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial, I-35 Corridor. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-401 & 122-661, allows for application to be made.**

Mayor Marino opened the Public Hearing.
James Doolin, 1402 N. Valley Parkway, Lewisville, spoke to the Council explaining his request. City Manager Berner informed the Council that Planning and Zoning Commission had recommended approval the special use permit.
Mayor Marino closed the Public Hearing.

2) **Consideration and Action to approve a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial, I-35 Corridor. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-401 & 122-661, allows for application to be made.**

Motion to approve a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Mathews.
Noes: None

Motion Passed

3) **Public Hearing on a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tracts 13 & 14, and it is zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-321, allows for application to be made.**

Mayor Marino opened the Public Hearing.
Rock Hostetler, 161 Paradise Cove, Shady Shores, spoke to the Council explaining his request. City Manager Berner informed the Council that Planning and Zoning Commission had recommended approval the special use permit.
Mayor Marino closed the Public Hearing.

4) **Consideration and Action to approve a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tracts 13 & 14, and it is zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-321, allows for application to be made.**

Motion to approve a Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to adopt a resolution adopting ethical and training standards for Juvenile Case Managers employed by the City of Lake Dallas.**

Motion to adopt a resolution adopting ethical and training standards for Juvenile Case Managers employed by the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Mathews.
Ayes: Councilmembers Hammond, Mathews, Harper, and Connors.
Noes: None

Motion Passed

6) **Consideration and Action to adopt a resolution casting vote for candidates nominated for Denton Central Appraisal District**

Motion to adopt a resolution to cast votes for Denton Central Appraisal District Board members as follows: Tom Washington, 10 votes made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

7) **Consideration and Action to approve an agreement with Denton County Transit Authority for Highway Signal Interface and authorizing the City Manager to execute the agreement.**

Motion to approve an agreement with Denton County Transit Authority for Highway Signal Interface and authorizing the City Manager to execute the agreement was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, and Mathews.
Noes: None

Motion Passed

8) **Consideration and Action to adopt an ordinance canvassing returns and declaring results of bond election; and containing provisions necessary and incidental thereto.**

Mayor Marino declared the vote on the November 8th election on a bond proposition in the amount of $10,200,000 to be 91 For and 69 Against.

Motion to adopt an ordinance canvassing returns and declaring results of bond election; and containing provisions necessary and incidental thereto was made by Councilmember Harper and second by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, Mathews, and Hammond,.
Noes: None

Motion Passed

9) **Consideration and Action for the approval of Fiscal Year 2011 Asset Forfeiture Audit / Report.**

Motion to approve the Fiscal Year 2011 Asset Forfeiture Audit / Report was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Mathews.
Noes: None

Motion Passed

10) Consideration and Action to adopt an ordinance of The City Council of The City of Lake Dallas, Texas, approving a preliminary project and financing plan for Reinvestment Zone Number One, City of Lake Dallas; calling a public hearing and directing publication of notice of the public hearing; providing for an effective date; and enacting other provisions relating to the subject.

Jeff Gulbas, McCall, Parkhurst and Horton, spoke to Council regarding the Tax Increment Financing District and the preliminary project and financing plan for the Reinvestment Zone.

Motion to adopt an ordinance of The City Council of The City of Lake Dallas, Texas, approving a preliminary project and financing plan for Reinvestment Zone Number One, City of Lake Dallas; calling a public hearing and directing publication of notice of the public hearing; providing for an effective date; and enacting other provisions relating to the subject was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, and Mathews.
Noes: None

Motion Passed

11) Consideration and Action to adopt an ordinance adopting a Master Fee Schedule for the City of Lake Dallas

Motion to adopt an ordinance adopting a Master Fee Schedule for the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, and Mathews.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that Community Development Corporation awarded the contract to Schmoldt Construction for the boat ramp. There is a 180 day time frame to build it so it should be done by mid-May. There will be a pre-construction meeting on Monday. On Tuesday, City Manager Berner and Paris Rutherford will be meeting with NCTC and Unified Aircraft regarding the bond project. The Lakeview project is continuing to move forward

J. NEW AGENDA ITEMS

Waste Management rate increase will be an item. There will possibly be an offer on the Lakeview property for the next agenda. Mayor Marino set December 8th as the next regular Council meeting date.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:30 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 27, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:31 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B.W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Connors was absent.
Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources

B. INVOCATION
Pastor Rod Collver gave the invocation.

C. PLEDGE OF ALLEGIANCE
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
Monday, October 31st will be Trunk or Treat.
The Lake Cities Education Foundation Annual Gala will be Thursday, November 10th at Ashton Gardens. Saturday, November 12th the Community Development Corporation will hold their Arbor Day Tree Planting. November 17th will be the next City Council meeting.

E. REPORTS
City Manager Berner reported that the Community Development Corporation voted to approve installing sun shades at Willow Grove and River Oaks Parks. They will also be adding swings at Community Park and Willow Grove Park.

Donna Boner gave the Financial Report.

F. VISITORS/CITIZENS AGENDA
Mayor Marino opened the Visitors/Citizens Agenda.

Paul Elliot, 499 Liberty Way, Lake Dallas, addressed the Council to bring an update on the situation with Charter Communications cable service in the area. Mr. Elliot reported to Council that he had collected 50 signatures to petition Charter to bring service to their neighborhood, but when he presented the petition he was informed by Charter that the area was in Time Warner's territory. Upon contacting Time Warner, Mr. Elliot was informed that the neighborhood was not in their territory. Mr. Elliot is hopeful the City can communicate with Charter Communications the residents' desire for cable service.

Mayor Marino closed the Visitors/Citizens Agenda

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the September 22, 2011 meeting.**
2) **Consideration and Action to approve the Preliminary September Financials.**
3) **Consideration and Action to approve the 3rd quarter Quarterly Investment Report.**

Motion to approve the Consent Agenda consisting of the minutes for the September 22, 2011 meeting, the Preliminary September Financials and the 3rd Quarter Investment Report was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing on a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview, City of Lake Dallas, Denton County, Texas. The legal description of these properties is Lots 5, 6, 7, 26, 27, 28, Block A, Garza Beach Estates and they are zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-691 (19), allows for application to be made. Year 2011-2012 for the City of Lake Dallas.**

Mayor Marino opened the Public Hearing.
John Lugenheim, 209 Thistle Ridge, Denton, spoke to the Council explaining the project. Mr. Lugenheim explained that some people building an office suite may want to have their residence in the upstairs of their business.
Mayor Marino closed the Public Hearing.

2) **Consideration and Action to approve a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview, City of Lake Dallas, Denton County, Texas. The legal description of these properties is Lots 5, 6, 7, 26, 27, 28, Block A, Garza Beach Estates and they are zoned C-1 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-691 (19), allows for application to be made.**

Motion to approve a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

3) Consideration and Action to approve an ordinance adopting the Freeport Exemption.

Motion to approve an ordinance adopting the Freeport Exemption was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Brooks, and Mathews.
Noes: None

Motion Passed

4) Consideration and Action to approve a fee schedule for day use and boat ramp use at Willow Grove Park.

Councilmember Brooks suggested an interlocal agreement with Hickory Creek for park usage.

Motion to approve a fee schedule for day use and boat ramp use at Willow Grove Park the Investment Policy was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

5) Consideration and Action to adopt an ordinance of the City of Lake Dallas adopting an economic development program for the City and enacting other matters related thereto.

Motion to adopt an ordinance of the City of Lake Dallas adopting an economic development program for the City and enacting other matters related thereto was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Mathews.
Noes: None

Motion Passed

6) Consideration and Action to approve membership in the Dallas Regional Mobility Coalition with a membership fee of $1,500.

Motion to deny membership in the Dallas Regional Mobility Coalition with a membership fee of $1,500 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Mathews.
Noes: None

Motion Passed

7) **Consideration and Action to approve an interlocal agreement with Lake Cities Library.**

Motion to approve an interlocal agreement with Lake Cities Library was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

8) **Consideration and Action to approve the Letter Agreement with Oncor regarding retrospective franchise fees.**

Danny Hodges, Oncor, addressed the Council to explain the background of the issue and the Letter of Agreement.

Motion to approve the Letter Agreement with Oncor regarding retrospective franchise fees was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Hammond, and Mathews.
Noes: None

Motion Passed

9) **Consideration and Action to approve a resolution to affirm commitment to provide funding and/or right-of-way for the I-35E Managed Lanes Project and to appoint a member to represent the City of Lake Dallas on the SB 1420 Committee.**

Motion to approve to affirm the City's support of the I-35 Improvement project and appoint City Manager Earl Berner as the City's representative to the SB 1420 Committee was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

10) **Consideration and Action to authorize City Staff to sell the property at 500 N. Lakeview for fair market value with proceeds to be returned to the 2008 GO Street Bond funds.**

Motion to authorize City Staff to sell the property at 500 N. Lakeview for fair market value with proceeds to be returned to the 2008 GO Street Bond funds was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that he is continuing to work on acquiring Lakeview Drive right of way properties. Bids were received for Willow Grove Park Phase II and the lowest bid came from Schmoldt Construction and was well under budget. We are working with our City Engineer to create a Safe Route to School Plan and we will be meeting with school administration officials for their assistance in developing the plan. Swisher Courts has parking lot paving to be done and then they will be ready to open.

J. NEW AGENDA ITEMS

Mayor Marino called November 17th as the next regular Council meeting date.

K ADJOURNMENT

Mayor Marino adjourned the meeting at 8:18 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 22, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B.W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trunk or Treat Monday, October 31st.

E. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda

F. BUSINESS

1) **Consideration and Action to approve of Minutes for the September 15, 2011 meeting.**

Motion to approve the minutes for the September 15, 2011 meeting was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

2) **Consideration and Action to approve an Ordinance adopting Budget for Fiscal Year 2011-2012 for the City of Lake Dallas.**

Motion to approve an Ordinance adopting Budget for Fiscal Year 2011-2012 for the City of Lake Dallas was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

3) **Consideration and Action on approval to ratify the property tax increase reflected in the FY 2011-2012 Budget.**

Motion to ratify the property tax increase reflected in the FY 2011-2012 Budget was made by Councilmember Conmors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, and Mathews.
Noes: Hammond

Motion Passed

4) **Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2011-2012. (City Manager)**

Motion to approve that the property tax rate be increased by the adoption of a tax rate of .071 which is effectively a 1.123612 percent increase in the tax rate was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

Councilmember Harper asked that the record reflect that this was not an increase in the tax rate over last year.

5) **Consideration and Action to approve the Investment Policy.**

Motion to approve the Investment Policy was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

G. CITY MANAGER REPORT

City Manager, Earl Berner, reported that Budget Books for the new fiscal year had been passed out and that the Bond Committee Orientation meeting was taking place in the Community Room.

H. NEW AGENDA ITEMS

Mayor Marino said he was pleased with the budget process this year and thanked council and staff for their hard work. Mayor Marino also proposed the following meeting dates for the remainder of the year; October 27th, November 10th, December 8th.

I. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:45 pm.

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

Tony Marino, Mayor

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on September 15, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary;
Absent: Councilmembers Connors and Brooks

B. INVOCATION

Pastor Rod Collver of Open Arms Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trinity Trash Bash had a good turnout and so did the Homecoming Parade.

E. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda

F. BUSINESS

1) Consideration and Action to approve of Minutes for the September 8, 2011 meeting.

Motion to approve the minutes for the September 8, 2011 meeting with a correction to page 2, Item 2 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper and Mathews.
Noes: None

Motion Passed

2) **Public Hearing Public Hearing on the proposed property tax rate for the Fiscal Year 2012. (2nd of 2)**
Mayor Marino opened the Public Hearing.
David Shershen, 166 Kingswood, Lake Dallas, thanked the Mayor and Council for the good services provided to the citizens of Lake Dallas.
Mayor Marino closed the Public Hearing.

3) **Public Hearing on proposed budget for the Fiscal Year 2012. (2nd of 2)**
Mayor Marino opened the Public Hearing.
David Shershen, 166 Kingswood, Lake Dallas, spoke on behalf of the Lake Cities Library, requesting that any extra revenue in the budget be used to help the library with their needs.
Mayor Marino closed the Public Hearing.

G. CITY MANAGER REPORT

City Manager, Earl Berner, reported that the Community Development Corporation met on Monday evening, the 12th, and approved a contract with eCivis to help find grant funds. Perhaps once the program is in place, the librarian will be able to find grant funds for the library.

H. NEW AGENDA ITEMS

No new agenda items were brought before Council.

I. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:48 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 8, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Chief of Police; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant; Julie Chapman, Community Relations Coordinator.

Absent: Councilmember Mathews

B. INVOCATION

Pastor Rod Collver of Open Arms Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trinity Trash Bash will be September 17th. Participants will meet at Sonic on Main Street at 9:00 am. 2nd Annual Trunk or Treat will be Monday, October 31st.

E. REPORTS

City Manager Berner reported Planning and Zoning Commission met September 1st and have an item on the agenda tonight. Community Development Corporation will have a meeting on September 12th and Economic Development Corporation will have a meeting on September 19th.

Donna Boner gave the financial report.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA:

1) **Consideration and Action to approve of Minutes for the August 25, 2011 meeting.**
2) **Consideration and Action to approve the August Financial Report**

Motion to approve the consent agenda consisting of the August 25th meeting minutes and the August Financial Report was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper and Brooks.
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing regarding the rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a, from R-1-6000 to PD (Planned Development).**

Doyle Cameron presented his project to Mayor and Council and discussion followed.
Mayor Marino opened the Public Hearing.
Robert Reiter, 201 Lakeview Drive, Lake Dallas, spoke regarding the development and his concern for drainage.
Mayor Marino closed the Public Hearing.

2) **Consideration and Action to approve the rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a, from R-1-6000 to PD (Planned Development).**

Motion to approve the rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a, from R-1-6000 to PD (Planned Development) was made by Councilmember Hammond and second by Councilmember Connors.

Ayes: Councilmembers Hammond, Connors, Harper, and Brooks.
Noes: None

Motion Passed

3) **Public Hearing on the proposed property tax rate.**

City Manager Berner explained that the tax rate would continue to be $.071/$100 as it had been the past few years, but due to an increase in tax revenue from new property added to the tax rolls, the state requires notices be published and hearing be held.

Mayor Marino opened the Public Hearing.
No one came forward to speak.
Mayor Marino closed the Public Hearing.

4) Public Hearing on proposed budget for the Fiscal Year.

City Manager Berner gave a brief explanation of the 2012 Budget.
Mayor Marino opened the Public Hearing.
Robert Reiter, 201 Lakeview, Lake Dallas, spoke regarding the 2012 Budget. Mr. Reiter suggested the Council cut services, if necessary, to maintain a conservative budget.
Mayor Marino closed the Public Hearing.

5) Consideration and Action to schedule and announce the meeting to adopt the proposed tax rate.

Motion to schedule the property tax rate adoption meeting be held on September 22, 2011 and said meeting to be conducted in the Council Chambers of City Hall at the regular meeting time of 7:30 p.m. was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks and Connors.
Noes: None

Motion Passed

6) Consideration and Action to appoint a bond committee.

Motion to approve that a bond committee be established and the following persons be named to the committee: Lori Farney, Danny Everett, Bill Knox and Mike McCaleb was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper and Brooks.
Noes: None

Motion Passed

7) Consideration and Action to approve a joint election agreement and contract for election services with the Denton County Elections Administrator.

Motion to approve a joint election agreement and contract for election services with the Denton County Elections Administrator was made by Councilmember Hammond and second by Councilmember Harper.

Ayes: Councilmembers Hammond, Harper, Connor, and Brooks.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager, Earl Berner, reported that the ads for bids for the Willow Grove Park project should be placed next week. He is continuing to work on the easements for Lakeview Drive. Z Flooring is occupied and will have a grand opening in two to three weeks. Swisher Courts must open by October 20th for the volleyball season. Video Plus has said their project is on hold.

Mayor Marino announced that LCBA will throw out the first pitch Saturday morning at Willow Grove Park. City Manager Berner thanked LCMUA for providing access to water at the park for LCBA.

J. NEW AGENDA ITEMS

No new agenda items were brought before Council.

City Manager Berner announced the property tax rate adoption meeting will be held on September 22, 2011 and said meeting to be conducted in the Council Chambers of City Hall at the regular meeting time of 7:30 p.m.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:15 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 25, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Rick Mathews arrived at 9:00 pm.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Chief of Police; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant; Julie Chapman, Community Relations Coordinator.

B. INVOCATION

Pastor Rod Collver of Open Arms Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trinity Trash Bash will be September 17th. Participants will meet at Sonic on Main Street. Monday, October 31st will be Trunk or Treat.

E. PRESENTATIONS

Community Relations Coordinator Julie Chapman and Mayor Marino recognized Sonic employees for their outstanding accomplishments on the job in conjunction with Sonic's Dr. Pepper Games.

Rodney Dryden, Wellspring Agency, gave a report to Council regarding the employee health care for the next budget year. Mr. Dryden reported a drop in cost and increase in benefit for the City as we transition from Blue Cross Blue Shield to United Healthcare. Mr. Dryden complimented the City Staff for the work they do in stewarding the City's money.

F. REPORTS

City Manager Berner reported that the Economic and Community Development Corporations adopted their budgets. Planning and Zoning Commission has not met in several months. Donna Boner gave the financial report.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Paul Elliott, 499 Liberty Way, Lake Dallas, addressed the Council regarding the lack of cable service available to The Oaks of North Lakeview. The subdivisions' residents are petitioning Charter Communications for cable service in their subdivision.

Mayor Marino closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA:

1) Consideration and Action to approve of Minutes for the July 28, 2011 meeting.

2) Consideration and Action to approve the July Financial Report

Motion to approve the consent agenda consisting of the July 28th meeting minutes and the July Financial Report was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Brooks.
Noes: None

Motion Passed

I. BUSINESS

1) Consideration and Action to approve April Estrada as a board member for the Community Development Corporation.

Motion to approve April Estrada as a board member for the Community Development Corporation was made by Councilmember Harper and second by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond.
Noes: None

Motion Passed

2) Consideration and Action on approval to set the property tax rate and schedule the required public hearings for the property tax rate.

Motion to approve setting a proposed tax rate of $0.71/$100 of appraised value and that the public hearings on this proposed tax rate be held at a regular meeting on September 8, 2011 and a special meeting on September 15, 2011 was made by Councilmember Connors and second by Councilmember Harper.

Ayes: Councilmembers Connors, Harper, Brooks, and Hammond.
Noes: Hammond

Motion Passed

3) **Consideration and Action on approval to schedule the dates for the public hearings on the fiscal year 2012 budget and to schedule the date for the fiscal year 2012 budget adoption.**

Motion to approve that the public hearings on the proposed budget for fiscal year 2012 be held at a regular meeting on September 8, 2011 and at a special meeting on September 15, 2011 and that budget adoption be at the regular meeting on September 22, 2011 was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, and Brooks.
Noes: None

Motion Passed

4) **Consideration and Action to approve an ordinance establishing parental responsibility for the actions of children under the age of seventeen (17) in all city parks.**

Motion to approve an ordinance establishing parental responsibility for the actions of children under the age of seventeen (17) in all city parks was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, and Connors.
Noes: None

Motion Passed

5) **Consideration and Action to approve an amending ordinance changing the afternoon school zone hours for all school zones within the City of Lake Dallas.**

Motion to approve an amending ordinance changing the afternoon school zone hours for all school zones within the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, and Connors.
Noes: None

Motion Passed

6) **Consideration and Action to approve the revised City Council Student Award Program.**

Motion to approve the revised City Council Student Award Program was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors and Hammond.
Noes: None

Motion Passed

7) **Consideration and Action to approve use of the Child Safety Fund for "Safe Routes to School" projects.**

Motion to approve use of the Child Safety Fund for "Safe Routes to School" projects was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Connors.
Noes: None

Motion Passed

8) **Consideration and Action to adopt an ordinance calling a bond election to be held within the City of Lake Dallas on November 8, 2011; making provision for the conduct of the election; and containing other provisions incidental thereto.**

Motion to approve an ordinance calling a bond election, bonds not to exceed 10.2 million dollars, to be held within the City of Lake Dallas on November 8, 2011; making provision for the conduct of the election; and containing other provisions incidental thereto was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, and Harper.
Noes: Connors

Motion Passed

Mayor Marino adjourned the meeting at 8:37 for a brief break.
Mayor Marino reconvened the meeting at 8:50.

J. BUDGET WORKSHOP

City Manager Berner gave an update on revisions to the proposed budget to Mayor and Council. Discussion of the budget followed. Councilmember Harper again expressed his concern about our revenue projection for Municipal Court. Councilmember Hammond suggested that perhaps we could ask the other cities to contribute more towards the fireworks.

K. CITY MANAGER REPORT

City Manager, Earl Berner, said there was nothing new to report on City projects. Regarding private projects, Doyle Cameron's subdivision on Lakeview will come before Planning and Zoning Commission next Thursday and Council the following Thursday. Video Plus has said their project is on hold. Swisher Courts is hoping to open October 20th. Z Flooring is open.

L. NEW AGENDA ITEMS

No new agenda items were brought before Council.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:15 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 28, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order 7:36 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Chief of Police; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant.

Councilmember Brooks arrived at 7:40 p.m.

B. INVOCATION

Pastor Rod Collver of Open Arms Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements or presentations.

E. REPORTS

There were no reports.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. BUSINESS:

1) **Consideration and Action to remove James Jolly as a Community Development Corporation board member.**

Motion to approve removal of James Jolly as a Community Development Corporation board member was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

2) **Consideration and Action to accept the resignation of Harry Cagnetto from the Community Development Corporation board and the Board of Adjustments.**

Motion to accept the resignation of Harry Cagnetto from the Community Development Corporation board and the Board of Adjustments was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

3) **Consideration and Action to approve a resolution appointing one member to the board of managers of the Denco area 911 district.**

Motion to approve a resolution appointing Olive Stephens to the board of managers of the Denco area 911 district was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, and Mathews.
Noes: Hammond

Motion Passed

4) **Consideration and Action to approve a resolution to borrow from Northstar Bank.**

Motion to approve a resolution to borrow from Northstar Bank was made by Councilmember Connors and second by Councilmember Harper. Motion to amend motion to borrow up to $500,000 was made by Councilmember Harper and agreed to by Councilmember Connors.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

5) Consideration and Action to approve the minutes of the July 14, 2011 meeting.

Motion to approve the minutes of the July 14, 2011 meeting was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

H. BUDGET WORKSHOP

City Manager Berner presented the latest budget to Mayor and Council. He explained some of the revenue enhancement staff had suggested. Discussion of the budget followed. Councilmember Harper expressed his concern about our revenue projections and his desire for a more conservative budget. Councilmember Hammond is concerned that we are spending too much. Councilmember Connors would like some time to study the proposed budget before discussing it any further.

J. CITY MANAGER REPORT

City Manager, Earl Berner, said that bank approvals from the release of property have started to come in. Final survey documents that need to be corrected have come in and he is scheduling appointments with the property owners on those issues. We received a letter notifying that our Willow Grove Phase II project had been released by the US Dept of Fish and Wildlife so we now have funding. A kiosk is being added to collect fees at the park. We expect October or November construction. Z Flooring is occupied. Swisher Courts will probably open in late September or early October. Video Plus will be expanding, building 60,000 square feet of warehouse and 15,000 square feet of office.

K. NEW AGENDA ITEMS

No new agenda items were brought before Council.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:00 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 14, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Chief of Police; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant; Char Dupree, Community Development; Becky Ross, Municipal Court; Julie Chapman, Community Relations; Allen Vaughn, Public Works.

B. INVOCATION

Pastor Rod Collver of Open Arms Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements or presentations.

E. REPORTS

1) **Boards and Commissions**
   a) **Lake Cities Fire Department and Lake Dallas Police Department -** Chad Thiessen, Deputy Fire Chief and Lake Cities Fire Marshall and Lt. Wes Frazier, Lake Dallas Police Department gave a presentation on the status of our emergency management procedures, strategies and accomplishments and answered questions from Mayor and Council.

2) **Finance** – Donna Boner gave a report on the Financials.

3) **Charter Communications** – Torrey McGraw, Government Relations Manager, Charter Communications, came to introduce himself to the Mayor and Council and bring them up to date on what is going on at Charter.

4) **NTTA -** Clayton Howell, Assistant Executive Director of Operations, NTTA, came to update the Mayor and Council on speed limits and transactions on the toll bridge. Mr. Howell said the bridge has an average of 300,000 transactions a month.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

David Shershen, 166 Kingswood Drive, Lake Dallas, came to appeal to the Council on behalf of the Lake Cities Library. Mr. Shershen suggested the Mayors of Hickory Creek and Shady Shores get together and suggest that Corinth must pay to use the library if they do not contribute to the full amount of funding requested of them.

Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the Minutes for the June 9, 2011 meetings.**
2) **Consideration and Action to approve the June Financials.**
3) **Consideration and Action to approve the 2nd quarter.**

Motion to approve the Consent Agenda consisting of the June 9th, 2011 minutes, the June financials, and the 2nd quarter investment report was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve of budget amendments.**

Motion to approve of budget amendments was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to approve an amending ordinance establishing a 50 miles per hour speed limit on that portion of the Lake Lewisville Toll Bridge within the City of Lake Dallas.**

Motion to approve an amending ordinance establishing a 50 miles per hour speed limit on that portion of the Lake Lewisville Toll Bridge within the City of Lake Dallas was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, Connors, and Mathews.
Noes: None

Motion Passed

3) Consideration and Action to approve an amending ordinance establishing the same school zone hours for all school zones within the City of Lake Dallas.

School Zone hours are to be 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. in all locations.

Motion to approve an amending ordinance establishing the same school zone hours for all school zones within the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, Connors, and Mathews.
Noes: None

Motion Passed

4) Consideration and Action to approve an agreement with LCBA for the use of Willow Grove Park and City Park.

Motion to approve **an** agreement with LCBA for the use of Willow Grove Park and City Park was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

5) Consideration and Action on approval of the 2011 Interlocal Agreement with Denton County Tax Office for Property Tax Collection.

Motion to approve **2011** Interlocal Agreement with Denton County Tax Office for Property Tax Collection was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

F. REPORTS

1) Boards and Commissions

b) Parks and Recreation – Julie Chapman, Community Relations Coordinator, gave a report on Watercross and Fourth of July. Watercross had 55 racers, the race went well with no accidents and the racers enjoyed themselves, but the public interest was not strong. Fourth of July was well attended and the fireworks were outstanding. We had over $20,000 in contributions, both cash and in-kind donations. Julie has a slide show from the Fourth of July event on YouTube. Julie reported had a successful event season this fiscal year. Keep Lake Dallas Beautiful has achieved the gold level, the highest level of standing with Keep Texas Beautiful. Councilmember Connors asked that we purchase new signs for the Council cars for the parade before next year.

I. BUDGET WORKSHOP

City Manager Berner presented the preliminary budget to Mayor and Council. Staff was present at the table. There are no plans for any salary increases. There has been some increase in the property tax base, but we are still in a revenue shortage. Capital items were discussed. A leased vehicle program has been looked at for city vehicles other than police vehicles, but it will probably be next budget year before that would be implemented. The police department needs to replace two squad cars and needs to begin replacing computers in the squad cars. Chief Ristagno said they may be able to get by with only purchasing one squad car in the next budget year, but will need to get back on the replacement schedule as soon as finances permit so that we don't end up needing to replace a lot of cars all at once. There was discussion from the Mayor regarding hiring a part-time Animal Services worker to help at the Animal Shelter instead of using the Public Works employees to help at the Shelter.

J. CITY MANAGER REPORT

City Manager, Earl Berner, said there was nothing new to report on Willow Grove or Lakeview. Swisher Courts will probably open in August or September. He will be seeking the funding for Phase II of his project in March. Z Flooring expects to open in a week or two. Video Plus will be expanding, building 60,000 square feet of warehouse and 15,000 square feet of office. Doyle Cameron has a contract on 3 ½ acres that the Phillips own on Lakeview. He wants to do a planned development for about 20 homes. We met with the City Attorney regarding the Folley Beach annexation and we will wait to see what Hickory Creek does about releasing the ETJ.

K. NEW AGENDA ITEMS

Budget workshop July 28th.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 10:10 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 9, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Chief of Police; Donna Boner, Finance/Human Resources Director

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager, Earl Berner, announced that there will be a flag retirement ceremony at City Park on Saturday, June 11th from 6:00 – 9:00 pm. Our watercross event is July 2nd and 3rd, followed by our annual Fourth of July Celebration. Mayor Marino announced that Councilmember Brooks is getting married this month and that Neal's has reopened.

E. REPORTS

1) **Boards and Commissions**
   - **a)** William Knox and Jeanie Hughes of the Library Board were present. William Knox presented the library's budget and answered questions for the Mayor and Council.
   - **b)** Jarod Varner, Vice President of Bus Operations for DCTA, gave a presentation/update on the A-train.

2) **Finance** – Joni Vaughn gave a report on the Financials.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the Minutes for the May 12th and 19th, 2011 meetings.**
2) **Consideration and Action to approve the May Financials**

Motion to approve the Consent Agenda consisting of the May 12th and 19th, 2011 minutes and the May financials was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action on approval of "fair share" support to Denton County Children's Advocacy Center in the amount of $11,961.57, to be paid from the Child Safety Fund. (City Manager)**

Motion to approve "fair share" support to Denton County Children's Advocacy Center in the amount of $12,000 from the Municipal Court Child Safety fund was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks, and Mathews.
Noes: None

Motion Passed

2) **Discussion of IH-35E Corridor Aesthetics Plan.**

City Manager Berner presented the IH-35E Corridor Aesthetics Plan to the Mayor and Council.

I. CITY MANAGER REPORT

City Manager, Earl Berner, reported that everything is ready for Willow Grove Park's next phase of construction, but everything is on hold due to the government not releasing funds. The project will start as soon as the funds are released. We are waiting on the final survey instruments for Lakeview Drive and should be ready to start signing on major easements in the next 4-6 weeks. We expect the utility work to be done in August or September and the construction to start in October. We are going to do some road work on Betchan near Z Flooring in anticipation of 18-wheelers going to Z Flooring. Z Flooring expects to open in July and Swisher Courts may be ready to open in August.

J. NEW AGENDA ITEMS

Nomination for the Denco Area 9-1-1 District Board of Managers. Budget workshop July 14th.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:37 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on May 19, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, and Police Chief Nick Ristagno.

Councilmember Connors had an excused absence.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

PROCLAMATIONS

Mayor Marino proclaimed May 15th – 21st as EMS Week.
Mayor Marino proclaimed May 2011 as the Lake Dallas Civility Awareness Month.

D. BUSINESS

1) **Consideration and Action on approval of an Ordinance for the Canvass of the Election held May 14, 2011.**

Motion to accept the results of the May 14, 2011 election and adopt the proposed ordinance canvassing the votes was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks and Mathews.
Noes: None

Motion Passed

2) **Oath of Office to James Harper, Councilmember Place 1; B.W. Brooks, Councilmember Place 3; Karl Hammond, Councilmember Place 5.**

Mayor Marino administered the Oath of Office to Councilmembers Harper, Brooks, and Hammond and presented each of them with a certificate of election.

3) **Consideration and Action to approve a site plan for a monument sign at Joy Pools, 5002 S. Stemmons.**

Motion to approve a site plan for a monument sign at Joy Pools was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Hammond, and Mathews.
Noes: None

Motion Passed

4) **Consideration and Action to appoint a Mayor Pro-Tem.**

Motion to appoint James Harper as a Mayor Pro-Tem was made by Councilmember Brooks and second by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, Harper and Hammond.
Noes: None

Motion Passed

E. VISITORS/CITIZENS AGENDA

No one came forward to speak.

F. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:55 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 12, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present:
Earl Berner, City Manager
Nick Ristagno, Chief of Police
Donna Boner, Finance/Human Resources Director
Joni Mooneyham, Deputy City Secretary
Wes Frazier, Police Lieutenant
Michael Sparby, Police Lieutenant
Eric Louderback, Police Sergeant
Vicki Chandler, Police Sergeant
Paul Jaworski, Police Sergeant
Greg Noseff, Police Officer
Chase Raines, Police Officer
Benny Sleigh, Police Officer
Blake Moore, Police Officer

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. EMPLOYEE RECOGNITION

Mayor Marino read a statement from Chief Ristagno:

On April 9, 2011, Officer Chase Raines of the Lake Dallas Police Department received information that a Denton man may have shot and killed his father somewhere in Denton County. Furthermore, the man was traveling to a residence in Lake Dallas to possibly kill two more individuals including his ex-employer and ex-girlfriend who were at the same location in Lake Dallas. Calls to the Denton County Sheriff's office confirmed that a murder had in fact taken place. Officer Raines immediately transmitted the information to Officer Gregory Noseff, both of the Lake Dallas Police Department, who responded directly to the given address. As Officer Noseff approached the residence, he observed the suspect's vehicle

approaching and he observed the suspect grabbing for the shotgun he had used in the previous murder. As Officer Noseff initiated a felony traffic stop, a stop requiring the apprehension of the suspect at gunpoint, Officer Raines arrived to assist in the felony arrest of the suspect. Fortunately, the suspect was taken into custody without mishap.

This was a situation that could have easily ended in tragedy for all involved. As a result of the ensuing investigation it has been determined that the suspect murdered his father and in all probability came to Lake Dallas to murder his ex-employer and his ex-girlfriend and thereafter may have intended to drive to his mother's house, also in Lake Dallas, where it is believed he would have killed her as well.

Officer Noseff's and Officer Raines' actions required great courage involving substantial risk to themselves while apprehending a murderer in emotional turmoil, and their efforts quite possibly saved the lives of three other human beings.

For selfless acts of courage, Officer Gregory Noseff and Officer Chase Raines are awarded the prestigious Meritorious Conduct Bar, the highest honor bestowed on any member of the Lake Dallas Police Department to this day.

E. ANNOUNCEMENTS

City Manager, Earl Berner, announced that the Mighty Thomas Carnival is underway and that the Community Relations Coordinator, Julie Chapman, has reported pre-sales for carnival tickets were double this year than that of prior years. The Boys and Girls Club Car Show is on Saturday.

F. REPORTS

1) **Boards and Commissions** – William Knox gave a report about changes the library is making to increase efficiency and provide additional services. He also introduced the new librarian, Barbara Thompson, whom he said is responsible for several of these positive changes.
2) **Finance** – Donna Boner gave a report on the Financials.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Tim Chambers, 3300 Oak Point Drive, Crossroads, Texas 76227, was present to speak on behalf of the Children's Advocacy Center of Denton County located at 1854 Cain Dr., Lewisville, Texas 75077. He explained that the Children's Advocacy Center's mission is to provide justice and healing for abused children through interagency collaboration and community education. He reported that the amount of children who suffer abuse is increasing and because of this, they require additional funding. He thanked the City of Lake Dallas for supporting the CAC and recognized City Manager Earl Berner, Police Chief Nick Ristagno, and Police Lieutenant Mike Sparby, for their efforts. He invited everyone to attend the upcoming CAC meetings which are scheduled for May 25th and June 29th.

Mayor Marino closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) Consideration and Action to approve the Minutes for the April 14, 2011 meeting.
2) Consideration and Action to approve the April Financials

Motion to approve the Consent Agenda consisting of the April 14, 2011 minutes and the April financials was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action to approve James Harper as a board member of the Lake Dallas Community Development Corporation.

Councilmember Harper removed himself from voting on this item.

Motion to approve the appointment of James Harper as a member of the Lake Dallas Community Development Corporation Board was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Brooks, and Mathews.
Noes: None

Motion Passed

2) Consideration and Action to reject all police records management bids and to authorize the Chief of Police to enter into an inter-local agreement with Sam Houston State University for the use of the university's CRIMES records management system.

Chief Ristagno explained that as discussed during the FY 2011 budget workshops, the current police records management system is at maximum capacity, no longer supported by the manufacturer, and on the brink of failure. After review of those options available to us, it became apparent that any new system will cost in excess of $100,000.00. In order to comply with government purchasing laws, the City underwent a bidding process in anticipation of entering into a long term lease/purchase program that would make a purchased system more affordable. However, while attending a Police Chiefs Seminar, Ristagno spoke with other chiefs about possible alternatives and learned that Sam Houston State University owns and operates a police records management system available to cities under a user agreement and that pricing is based on a city's population. Our research revealed that the system, called CRIMES, will interface with our existing ticket writers, provides each module necessary for our police records management and we believe would serve the Lake Dallas Police Department for many years into the future without the need to purchase a system. A user based RMS provides several advantages

including no capital outlay or long term lease purchase agreements; new upgrades as they become available; and continued system maintenance for a yearly user fee. A onetime purchase of some hardware would be necessary to utilize the CRIMES software at a cost of approximately $6,000.00. The user fee for cities with a population up to ten thousand is $15,000 per year and it would be prorated for the first year. As a user, we would be entitled to all upgrades and Sam Houston would be responsible for the upkeep of the system. Our current 2011 budget has $12,000 for a records system and we anticipate that CRIMES could go online by July of this year. At a prorated cost of $3,750 plus the hardware cost of $6,000, our 2011 fiscal year cost would total $9,750.

Should we choose to purchase a system from the bid process and enter into a long term lease/purchase agreement with buy-out options at the end of the lease/purchase period, there are two companies that responded to our bid notice; one of them, E Force, proposes a purchase cost of $117,550 and yearly maintenance costs in excess of $8,000 per year after the first 5 years and the second company, CAPERS, proposes a purchase cost of $190,000 and yearly maintenance costs in excess of $33,000 per year after the first five years. Both include the first five years maintenance in the purchase price in anticipation that we would enter into a five year lease/purchase agreement.

CRIMES is a records management system owned and operated by The Sam Houston State University considered to be a State agency and if Lake Dallas chooses this system we would only need to approve an inter-local agreement to participate.

Motion to reject all police records management bids and to authorize the Chief of Police to enter into an inter-local agreement with Sam Houston State University for the use of the university's CRIMES records management system was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond
Noes: None

Motion Passed

3) **Discussion of the Mid-Year Budget Review.**

City Manager, Earl Berner, reported that with preliminary forecasts using conservative revenue numbers and modest efforts to trim expenses, he estimates a deficit of about $62,000. He explained that sales tax receipts are not going to hit projection, but are running about 5% ahead of last year; property tax collections are still coming in and look to be within $20,000 of meeting the budgeted number. Court fines and permits are the major culprits with court fines expected to be about $100,000 below target and permits about 60% below target. The layoffs and elimination of the COLA have helped greatly recover from last year's performance. Berner made projections for the 2012 Budget Year which included the following:

Revenues:

- Property Taxes—the preliminary assessment totals are nearly $100,000 above last year thanks to new construction coming on line. Existing properties are expected to decline no more than 1% after the appeals time. So the net will be an increase of somewhere around $60,000.

- Sales Taxes—again with a 5% increase this year the number is nearing a return to normal levels. The unknown is the plus up from the new businesses—Z Flooring, Daniels AC tenants and Swisher Courts. A new owner/operator of Neal's restaurant and potential at the Duck Inn may also provide a plus. The projection at this time is for a 3% increase in existing sales and a plus of about $20,000 from the new businesses.
- Hotel Taxes—remain essentially the same.
- Franchise Fees—remain the same for this budget year.
- Building Permits and Fees—will be reduced about $20,000 since there are no new projects on the immediate horizon.
- Court Fees—didn't reach the expected level this year but may exceed the $600,000 level in FY2012.

Expenses:

- General Operating Expenses—continued tightening of the belt.
- Salaries—at this time no COLA or Step enhancement is proposed. The two layoffs will be continued at least through mid-year.
- Medical Insurance—Unknown at this time but certainly will be higher.
- Retirement—only a slight increase since we took the big hit last year and under consideration are changes that could affect new hires.
- Travel and Continuing Education—reduced to minimum levels to allow maintenance of certifications.
- Street Lighting—remains the same.
- Utilities—lower through the installation of higher SEER AC units this spring.
- Fire Services—expected increase of 3% (rent on Station #1 will increase 3%). Note that this year we will negotiate the next service contract with Corinth.
- Library Services—expected increase of 3% (Library rent will increase 3%)
- Capital—minimum purchases proposed—two Squad Cars, five year lease purchase @ $15,000 annually for the Police Department Records Management System. Considering a lease program to replace the Code vehicle and one of the CID vehicles, estimated at about $12,000.
- New Programs—Lake Dallas Town Center debt service still to be determined but most likely will not affect this year's budget. 4A and 4B may be able to participate in this project.
- Cash Reserve—we have paid off the cash flow borrowing and hope to avoid that this year. The target remains at three months of expenses, but more realistic for Lake Dallas would be a 10% cash reserve roughly $500,000.

Councilmember Harper asked how much negotiating power we had in regards to the Fire Station contract. Berner replied that the negotiations are usually long and this year it will be important to carefully consider the increase that is requested to make sure we are not being asked to cover the costs of Corinth's new fire station.

Earl Berner said that there has not been word from the City's insurance agent yet, but the outlook for medical insurance is not good.

Councilmember Harper asked what the solution would be to better estimate Court fines and fees so that we are able to come closer to the projected amount. Chief Ristagno replied that he believes we should just be very conservative in our projections.

4) **Discussion of the IH-35 Corridor Master Plan.**
This item was pulled from the agenda by City Manager, Earl Berner.

J. CITY MANAGER REPORT

City Manager, Earl Berner, reported that he is still working toward acquiring the right-of way for Lakeview Drive and there are six remaining. We are still waiting for the funding for the grant for Willow Grove. Swisher Courts should be opened before school starts. Neal's is scheduled to open June 1st. Berner said that over the last few weeks, he has met with a prospective owner of the Duck Inn property and they seem interested. The A-trains are scheduled to start test runs on May 17th. Because of safety concerns, everyone is invited to attend a safety presentation at Lake Dallas City Hall on Friday, May 24th at 7:00 p.m.

K. NEW AGENDA ITEMS

There will need to be a special meeting held on May 19th, 2011 in order to canvass the vote for the May 14th election.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:34 pm.

Tony Marino, Mayor

Joni Mooneyham, Deputy City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 22, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Lieutenant Wes Frazier, Special Events Coordinator Shannon Fields.

Councilmember Brooks was absent.

B. INVOCATION

Daniel Patrick, pastor of First Baptist Church of Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Special Events Coordinator Shannon Fields announced that the KLDB Cleanup was postponed until May 15th due to weather. The Carnival will be May 20-23. Shannon announced she was resigning.

E. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
Gene Tisdale, 524 Howard Street, Lake Dallas, spoke to Council about the anxiety of residents due to the construction work on Lakeview Drive. Mr. Tisdale thanked Mr. Berner and the City for their assistance in coming to a solution for the residents.
Mayor Marino closed the Visitors/Citizens Agenda.

F. BUSINESS:

1) **Consideration and Action on approval of a resolution imposing a fee of $500 for applications for fire code waivers.**

Motion to approve a resolution imposing a fee of $500 for applications for fire code waivers was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper and Mathews.
Noes: None

Motion Passed

2) Consideration and Action on approval of a waiver of the 24' fire lane to 20' for Daniels property at 209 Shady Shores Road.

Motion to approve **a** waiver of the 24' fire lane to 20' for Daniels property at 209 Shady Shores Road was made by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, and Mathews.
Noes: None

Motion Passed

3) Consideration and Action on approval of a waiver of the 24' fire lane to 20' for John Lugenheim's property at 107 & 109 North Lakeview.

Motion to approve a waiver of the 24' fire lane to 20' for John Lugenheim's property at 107 & 109 North Lakeview was made by Councilmember Mathews and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Brooks, and Mathews.
Noes: None

Motion Passed

4) Presentation of Final Report on Lake Cities Town Center by Paris Rutherford, Catalyst Development.

5) Consideration and Action to approve the Lake Dallas Station report and strategy for development.

Motion to approve the Lake Dallas Station report and strategy for development made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

G. WORKSHOP

1) Mid Year Financial Report

City Manager Berner reported on the financial picture as of the end of March, which is the middle of the fiscal year. Revenues are not coming in as we hoped, but expenses are being held down. Mr. Berner believes the City will be close to having a balanced budget at the end of the fiscal year.

H. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that TXDOT is denying our grant request for the Downtown Enhancement Program due to the "head-in" parking. Lakeview Drive is moving along. Mr. and Mrs. Gene Tisdale gave the City easement property for the Lakeview project. More concrete work has been done so that two thirds of the road is now done. Willow Grove Park Phase II plans should be going to the Corp's Fort Worth office in two weeks for approval. Hopefully, the Willow Grove project will be under way by Fall.

2) Private Projects

City Manager Berner reported that the Sonic building is coming along very nicely. Hopefully, we will close on the Swisher property in two or three weeks. Daniels' are still working on their ground so that their building can be brought in. In Harbourtown, Doyle Cameron's building project is moving along rapidly, with only ten homes left to build.

I. NEW AGENDA ITEMS

There will be an executive session on Thursday, April 29th to discuss financial details with Paris Rutherford and his associates.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:25 pm.

Tony Marino, Mayor

Joni L. Vaughn

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 14, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Chief Nick Ristagno and Community Relations Coordinator Julie Chapman.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Saturday, April 30th is the 12th annual Kids 'n Cops Open House and Cookout. May 12th-15th will be the Mighty Thomas Carnival and Boys and Girls Club Car Show. Discounted tickets are being pre-sold on the City's website. Tickets can also be purchased at City Hall.

PRESENTATION

Danny Everett presented Lake Dallas Police Chief Nick Ristagno and Mayor Tony Marino with a $500 donation for Kids 'N Cops on behalf of the Dallas Children's Charities – Dallas Margarita Society at the Thursday, April 14th Lake Dallas City Council Meeting.

E. REPORTS

1) **Boards and Commissions** – City Manager Berner reported that the Community Development Corporation Board approved funds to purchase a security fence to be put up at the end of Wildwood Court in hopes of keeping children off the railroad tracks. Community Relations Coordinator Julie Chapman gave a presentation of recent and future events. Julie reported that the Mardi Gras Celebration was a great success with about 1500 people in attendance and the event was done at a minimal expense to the City. The Texas Trash-Off, sponsored by KLDB and hosted by Sonic was a success with 54 people in attendance and a pick-up truck full of trash collected. Plans are being made for the 2011 Lake Dallas Water Cross Championships on July 2nd and 3rd, followed by our annual Lake Cities 4th of July Celebration. Our

fireworks will be substantially discounted this year due to a credit from last year's fireworks getting wet and not functioning properly.

2) **Finance** – Donna Boner gave a report on the Financials.

F. VISITORS/CITIZENS AGENDA

No one came forward to speak.

G. CONSENT AGENDA

1) **Consideration and Action to approve of Minutes for the March 10, 2011 meeting.**
2) **Consideration and Action to approve of March Financials**
3) **Consideration and Action to the 1st quarter Investment Report.**

Motion to approve the Consent Agenda consisting of the March 10th minutes, the March financials, and 1st quarter Investment Report was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks, and Mathews
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 12 – 15, 2011 and waive the permit fees.**

Motion to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 12 – 15, 2011 and waive the permit fees was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to approve Keri Marie Glover as an alternate board member to the Parks and Recreation and KLDB Board.**

Motion to approve Keri Marie Glover as an alternate board member to the Parks and Recreation and KLDB Board was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve the use of court security funds and approve the bid for the construction of a bullet proof wall for the City Hall front office.**

Motion to approve the use of court security funds and approve the bid for the construction of a bullet proof wall for the City Hall front office was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews
Noes: None

Motion Passed

4) **Consideration and Action to approve Budget Amendments to the current year's budget.**

Motion to approve Budget Amendments to the current year's budget was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that the City received a state energy conservation office grant in the amount of $40,000 to purchase six new heating and air conditioning units for the municipal complex. Two of the six removed were not very old so they were reinstalled at the Library. City Manager Berner has been working toward acquiring the right-of way for Lakeview Drive and is down to the last six. The final plans for the Willow Grove boat ramp should be here by the end of the week. The project will probably start after July 4th.
City Manager Berner reported that Z Flooring is moving very quickly. They are working on the inside now. Swisher Courts floor has been poured and the steel is going up.

J. NEW AGENDA ITEMS

The Mid-Year Budget Review will be presented at the first meeting in May. Mayor Marino would like for the Fire Department and the various franchises come to a council meeting to give an annual report to the Council.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:09 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 10, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Chief Nick Ristagno and Police Lieutenant Wes Frazier.

Councilmember Mathews arrived at approximately 8:50 pm.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. PROCLAMATIONS

Mayor Marino proclaimed March 20th – 26th as Poison Prevention Week.
Mayor Marino proclaimed April 2nd as the Great American Clean Up Don't Mess with Texas Trash-Off Day for Lake Dallas.

F. REPORTS

1) **Boards and Commissions** – City Manager Berner reported that the Board of Adjustment met on February 28th and approved a sign variance for Swisher Courts and a variance for Rex Brown. Julie Chapman reported that the Mardi Gras Celebration was a great success and about 1500 people attended. Julie will bring a detailed report to Council at the next meeting.

2) **Finance** – Donna Boner gave a report on the Financials

G. VISITORS/CITIZENS AGENDA

Blake Merrell, Dorothy Lane, Little Elm, spoke regarding the Channel 5 news report about the toll bridge. Mr. Merrell commended the police department for the good job they are doing patrolling the bridge. Mr. Merrell stated that he lives six houses from the bridge and can hear and see the speeding cars from his home. He would like to see the speed limit lowered to 40 mph on the Lake Dallas side of the bridge. Mr. Merrell is also concerned about boat traffic that speeds under the bridge.

Vann Campbell, 5610 Dorothy Lane, Little Elm, spoke regarding the Channel 5 news report. Mr. Campbell stated that no other agencies patrol the bridge except Lake Dallas. Mr. Campbell reported motorcycles travel at a high rate of speed over the bridge at night. Mr. Campbell is concerned that when he travels the bridge that his jeep will be rear-ended by someone speeding on the bridge causing it to be propelled into the lake. Mr. Campbell expressed his gratitude to Chief Ristagno and the Lake Dallas Police Department for patrolling the bridge.

Babs Troutman, 1502 Pine Hills, Corinth, thanked the City Council, Staff and Community of Lake Dallas. She commended the Council for having outstanding City Staff and employees; they are always courteous to her. Mrs. Troutman requested the Council's support in the matter of the Boys and Girls Club needing an exemption from being required to be licensed as a daycare facility. The Boys and Girls Club wishes to remain a recreational facility.

David Shershen, 166 Kingswood Drive, Lake Dallas, spoke regarding the Channel 5 news Report. Mr. Shershen thanked Chief Ristagno and the Lake Dallas Police Department for providing safety to the community.

H. CONSENT AGENDA

1) **Consideration and Action to approve of Minutes for the February 10, 2011 meeting.**
2) **Consideration and Action to approve of February Financials**
3) **Consideration and Action to accept the Lake Dallas Police Department Racial Profiling Report for 2010.**

Motion to approve the Consent Agenda consisting of the February 10th minutes, the February financials, and the Lake Dallas Police Department Racial Profiling Report was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, and Hammond
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action to approve Lance Whidden to serve as an alternate member of the Board of Adjustment. (City Manager)

Motion to approve the appointment of Lance Whidden as an alternate to the Board of Adjustment was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Brooks
Noes: None

Motion Passed

2) Consideration and Action to approve an ordinance ordering an election to be held on May 14, 2011, for the purpose of electing City Councilmembers for the Place Numbers 1, 3 and 5; proposing an amendment to the Home Rule Charter of the City of Lake Dallas and ordering a Special Election to be held concurrently with the General Election on May 14, 2011. (City Secretary)

Motion to approve an ordinance ordering an election to be held on May 14, 2011, for the purpose of electing City Councilmembers for the Place Numbers 1, 3 and 5; proposing an amendment to the Home Rule Charter of the City of Lake Dallas and ordering a Special Election to be held concurrently with the General Election on May 14, 2011 was made by Councilmember Connors and second by Councilmember Hammond
Ayes: Councilmembers Connors, Hammond, Harper, and Brooks
Noes: None

Motion Passed

3) Consideration and Action to approve Amendment Number 1 to the Voluntary Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals. (City Manager)

Motion to approve Amendment Number 1 to the Voluntary Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, and Hammond
Noes: None

Motion Passed

4) **Consideration and Action to approve a joint election agreement and contract for election services with the Denton County Elections Administrator. (City Manger)**

Motion to approve a joint election agreement and contract for election services with the Denton County Elections Administrator was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper and Brooks
Noes: None

Motion Passed

Mayor Marino adjourned the public meeting at 8:05 pm to go in to Executive Session.

J. SESSION:

1) **The City Council will meet in Closed Executive Session under Section 551.072 (real property) of the Texas Government Code to discuss the purchase/sale of real property located on Swisher Road.**

Mayor Marino reconvened the public meeting at 9:07 pm

K. ACTION, if any, from Executive Session.
No action was taken.

L. CITY MANAGER REPORT
The City Manager had no news to report.

M. NEW AGENDA ITEMS
Councilmember Hammond asked if there would be a mid-year financial review. City Manager Berner said it would probably be the first meeting in May.

N. ADJOURNMENT
Mayor Marino adjourned the meeting at 9:09 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 10, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, and Police Chief Nick Ristagno.

Councilmember Mathews was absent.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Chamber Banquet is February 24th. Mardi Gras will be March 8th with the usual festivities.

E. REPORTS

1) **Boards and Commissions** – no reports
2) **Finance** – Donna Boner gave a report on the Financials

F. VISITORS/CITIZENS AGENDA

No one came forward to speak.

G. CONSENT AGENDA

1) **Consideration and Action to approve of Minutes for the January 27, 2011 meeting. (City Secretary)**
2) **Consideration and Action to approve of January Financials (City Manager)**

Motion to approve the Consent Agenda consisting of the January 27th minutes and the January financials was made by Councilmember Connors and second by Councilmember Brooks.

Ayes: Councilmembers Connors, Brooks, Harper, and Hammond
Noes: None

Motion Passed

H. BUSINESS:

1) Consideration and Action to approve Travis Cattell to serve as an alternate member of the Board of Adjustment. (City Manager)

Motion to approve the appointment of Travis Cattell as an alternate to the Board of Adjustment was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks and Mathews
Noes: None

Motion Passed

I. WORKSHOP

1) Charter Amendments

Council discussed the possibility of charter amendments for the upcoming election if the City has an election. City Manager Berner stated that the staff had no amendments to bring to the table. Councilmember Hammond brought up changing the legal age to serve on council from 21 to 18. Councilmember Connors brought up changing term limits. After council discussion, it was the consensus that the only amendment the council would propose would be changing the age limit to serve to 18 with the reason being if you are old enough to vote you should be able to serve as well. Councilmembers Harper, Brooks and Hammond were in favor of changing the age to 18, Councilmember Connors was opposed, but will let the voters decide if there is an election this year.

J. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that when the City gets their new heating and air conditioning units with from the energy grant, we will replace the unit at the Library with one of the newer units being replaced at City Hall. We are still working on getting right-of-way acquisition for Lakeview Phase II. We are waiting on the engineers to prepare the bid documents for the Willow Grove Park Boat Ramp project. City Manager Berner will meet next week with Paris Rutherford of Catalyst Urban Development, Boyd London of First Southwest, Leroy Grawunder of McCall, Parkhust & Horton, and City Attorney David Berman, to discuss borrowing money for the Swisher Road redevelopment project.

2) Private Projects

Swisher Courts and Z Flooring are both under construction, but little progress has been made in the past two weeks due to the bad weather.

K. NEW AGENDA ITEMS

No new items were requested.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:07 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 27, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Chief Nick Ristagno, Police Lieutenant Wes Frazier.

Councilmember Mathews arrived at 7:32 pm.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced the Lions Club Casino Night will be Saturday, January 29th at the American Legion. Mardi Gras will be March 8th with the parade starting at 5:45 pm. Chamber Banquet will be February 24th. Mayor Marino announced that the Lake Cities Fire Department has a new fire truck. Councilmember Hammond announced that the Lake Cities Library has a new librarian, Barbara Thompson.

E. REPORTS

1) **Boards and Commissions** – no reports
2) **Finance** – no reports

G. VISITORS/CITIZENS AGENDA

No one came forward to speak.

H. BUSINESS:

1) Consideration and Action to approve the minutes for the January 13, 2010 meeting.

Motion to approve the minutes for the January 13, 2010 meeting was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

2) Consideration and Action to approve Mike McCaleb as an alternate member of the Board of Adjustments.

Mike McCaleb introduced himself to the Council and expressed his desire to serve the community.

Motion to approve the appointment of Mike McCaleb as an alternate member of the Board of Adjustments was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews and Hammond.
Noes: None

Motion Passed

3) Consideration and Action to approve April Estrada as an alternate member of the Board of Adjustments.

Motion to approve April Estrada as an alternate member of the Board of Adjustments was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, Connors, Mathews and Hammond
Noes: None

Motion Passed

4) Consideration and Action to approve Terry Tuck as an alternate to the Planning and Zoning Commission.

Motion to approve Terry Tuck as an alternate to the Planning and Zoning Commission was made by Councilmember Hammond and second by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks and Mathews
Noes: None

Motion Passed

5) Consideration and Action to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition. (Planning and Zoning Commission)

Motion to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews and Hammond
Noes: None

Motion Passed

6) Consideration and Action to approve the audits for Fiscal Year 2010. (City Manager)

Carl Deaton, City Auditor, with Hankins, Eastup, Deaton, Tonn & Seay, presented the annual audits.

Motion to approve the audits for Fiscal Year 2010 was made by Councilmember Mathews and second by Councilmember Connors.
Ayes: Councilmembers Mathews, Connors, Harper, Brooks and Hammond
Noes: None

Motion Passed

I. CITY MANAGER REPORT

1) City Projects
City Manager Berner reported that we are continuing to acquire right-of-way for Lakeview Drive Phase II. We have about 38 property owners of the 49 needed. We are still on schedule for clearing utilities from the right-of-way around April 1st with construction two to three months after. Willow Grove boat ramp has cleared the last hurdle and they should be getting the bid documents ready so construction should start in about two months. The Swisher Road project at I-35 will be on the agenda in February. Leroy Grawunder, Boyd London, and Paris Rutherford will be here for the meeting to answer questions. It appears we will be able to get financing for the project so a decision will need to be made as to whether to proceed.

2) Private Projects
City Manager Berner reported that Swisher Courts have poured the piers, form boards are up and they are getting ready to pour the floor. Z Flooring's dirt work is just about done and they are getting ready to put the form boards up.

J. NEW AGENDA ITEMS

1) Charter Amendments – City Manager Berner recommended that we review the need for charter amendments and have them ready to go on the ballot in the event that our election is not cancelled.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:05 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 13, 2011 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, and Police Chief Nick Ristagno.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mardi Gras will be March 8th with the usual festivities. Senior Fitness starts Friday, January 14th.

E. REPORTS

1) **Boards and Commissions** – City Manager Berner reported that Economic Development Corporation's Shop Lake Dallas Campaign had about 500 entrants and the winner was a gentleman with El Centro market. Community Development Corporation met on Monday, January 10th and had discussion with the Lake Cities Soccer Association regarding improvements to the Soccer Fields at City Park.

2) **Finance** – Donna Boner gave a report on the Financials

G. VISITORS/CITIZENS AGENDA

No one came forward to speak.

H. CONSENT AGENDA

1) **Consideration and Action to approve of Minutes for the December 9, 2010 meeting. (City Secretary)**
2) **Consideration and Action to approve of December Financials (City Manager)**
3) **Consideration and Action to approve the 4th Quarter Investment Report. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, Mathews and Hammond
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action to approve the appointment of Travis Cattell to the Parks and Recreation/KLDB Board. (City Manager)**

Motion to approve the appointment of Travis Cattell to the Parks and Recreation/KLDB Board was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks and Mathews
Noes: None

Motion Passed

2) **Consideration and Action to approve the appointment of April Estrada to the Parks and Recreation/KLDB Board.**

Motion to approve the appointment of April Estrada to the Parks and Recreation/KLDB Board was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews and Hammond.
Noes: None

Motion Passed

3) **Consideration and Action to approve Flood Damage Prevention Ordinance.**

Motion to approve Flood Damage Prevention Ordinance was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks and Mathews
Noes: None

Motion Passed

J. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that submitted 20 property owners for their right-of-way acquisition for Lakeview Phase II and we have 29 more to go. We will work on the right-of-way, then the utilities will be moved and hopefully construction will begin in April. We had finished the last hurdle in the engineering process for Willow Grove Park and will begin the bid process and hope to see construction begin in April on that project as well.

2) Private Projects

Alan Bieke is working on the Swisher Courts project. Z Flooring has been grading their site. Roadies plans to open in 2-3 weeks under a new name. The Flying Pig has closed.

K. NEW AGENDA ITEMS

No new items were requested.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:48 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 9, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Councilmembers Harper was absent.

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Chief Nick Ristagno and Police Lieutenant Wes Frazier.

B. INVOCATION

Councilmember Mathews gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements

E. PRESENTATIONS

The presentations were postponed

F. REPORTS

1) **Boards and Commissions** – City Manager Berner gave a report on the Trunk or Treat and Tree Lighting events. A presentation of the annual Tree Lighting event was shown. Councilmember Hammond gave a report on the Library Board. William Knox is the new president of the Library Board and Councilmember Hammond is still functioning as the Treasurer. Librarian Rebecca Belknap is resigning as of the end of the year to take a position in Frisco.
2) **Finance** – Donna Boner gave a report on the Financials

G. VISITORS/CITIZENS AGENDA

No one came forward to speak.

H. CONSENT AGENDA

1) **Consideration and Action to approve the Consent Agenda, which consisted of the November 18, 2010 minutes and the November Financials.**

Motion to approve the Consent Agenda was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Mathews and Hammond
Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000.**

Debbie Pierce, 512 Atchison expressed her opposition to the zoning change.

Dick Calvert, 1001 W. Main, Carrollton, spoke regarding plans he has done for Mr. Phillips property. Mr. Calvert suggested the possibility of a two story building instead of three and also doing less square footage on the commercial buildings.

Any Niewenhuyse, 704 Lakeland Road, expressed her opposition to the zoning change.

Norman Phillips, Lakeview, stated he has three acres on Lakeview and he wants to work within the guidelines of the City to develop the property.

Catherine Arndt, 296 S Lakeview, expressed her opposition to the zoning change.

2) **Consideration and Action to approve a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000.**

Motion to deny a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond and Mathews
Noes: Connors

Motion Passed

3) **Consideration and Action to approve a site plan for the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition.**

Paul Perry and Kevin Zablonski explained their new business plans to the Council and Staff.

Motion to approve a site plan for the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Brooks and Mathews
Noes: None

Motion Passed

4) **Consideration and Action to authorize the Police Chief to enter into a mutual aid agreement with the North Central Texas Regional Telecommunicator Emergency Response Task Force (NCTR-TERT)**

Motion to authorize the Police Chief to enter into a mutual aid agreement with the North Central Texas Regional Telecommunicator Emergency Response Task Force (NCTR-TERT) was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Connors, and Mathews
Noes: None

Motion Passed

J. CITY MANAGER REPORT

1) City Projects
City Manager Berner reported that he has sent out all of the right-of-way letters for Lakeview Phase II. He has received seven responses already and they have been favorable. Mr. Berner plans to work on the right of way acquisitions between now and January. He believes it will take two months for the utility work to be completed and hopes for construction to be started y April. The Corps of Engineers have approved the permit for Willow Grove Park. The bid process for the latest Willow Grove Park project will begin in January. Mark Stein's second report has gone to First Southwest and they are getting numbers together in regards to financing the rail project.

2) Private Projects
Daniels are in their new building. Swisher Courts has closed on the property. They have all of their permits in place and should start construction soon. Z Flooring's site plan was just approved and they are anxious to get started.

K. NEW AGENDA ITEMS

No new items were requested.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:22 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 18, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:53 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmembers Connors and Mathews were absent.

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Lieutenant Wes Frazier. Police Chief Nick Ristagno arrived later.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

The annual Tree Lighting will be Saturday, December 4th. The Employee Appreciation Dinner will be Friday, December 10th at Texas Land and Cattle. Mayor Marino and City Manager Berner have been attending the ICSC at the Gaylord in Grapevine.

PRESENTATIONS

Mayor Marino presented the Lake Dallas Football Team, Coaches and Captains with Certificates of Achievement for their victory in the Battle of the Bridge.

E. REPORTS

1) **Boards and Commissions** – no reports
2) **Finance** – Donna Boner gave a report on the Financials

F. VISITORS/CITIZENS AGENDA

George Kristich, 303 South Lakeview, Lake Dallas, commended the Council for their Lakeview Phase II project, however, Mr. Kristich believes there needs to be even more drainage work done than what is planned. Mr. Kristich handed out packets of information to Council, requesting that they read the material and consider further drainage improvements to the area. Mr. Kristich noted having numerous flooding problems on his property due to the poor drainage in the area. Mr. Kristich requested this issue be placed on a future agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the Consent Agenda, which consisted of the October 28, 2010 minutes and the October Financials.**

Motion to approve the Consent Agenda was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, and Harper
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action approve an application from Cindy Nelson to serve on the Parks board.**

Motion to approve an application from Cindy Nelson to serve on the Parks board was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, and Brooks
Noes: None

Motion Passed

2) **Consideration and Action to approve the Asset Forfeiture Report for Fiscal Year 2010.**

Motion to approve the Asset Forfeiture Report for Fiscal Year 2010 was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve a resolution to request improvements to I-35E.**

Motion to approve a resolution to request improvements to I-35E was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond and Harper
Noes: None

Motion Passed

4) **Consideration and Action to approve a resolution to to borrow an additional $200,000 from Northstar Bank.**

Motion to approve a resolution to request improvements to I-35E was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

I. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that the Corps of Engineers had approved the permit for the boat ramp for Willow Grove Park. We have all of the right-of-way documents for Lakeview Phase II, but fifteen are wrong due to change of ownership that DCAD had not yet recorded.

2) Private Projects

Daniels are in their new building. Z Flooring will be submitting their site plan. Swisher Courts is in the process of closing on the property. The second review of financials by Mark Stein has been completed and passed on to First Southwest.

J. NEW AGENDA ITEMS

No new items were requested.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:34 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 28, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required, by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:35 pm.

A. ROLL CALL

Tony Marino, Mayor

James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Mathews arrived at 7:50 p.m.

Staff Present:
Earl Berner, City Manager
Nick Ristagno, Police Chief
Mike Sparby, Police Lieutenant
Donna Boner, Finance/Human Resources Director
Julie Chapman, Community Relations Coordinator
Joni Mooneyham, Deputy City Secretary
Becky Ross, Municipal Court Clerk
Alan Sawyer, Police Officer
Benny Sleigh, Police Officer
Syd Grant, Police Officer

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Community Relations Coordinator, Julie Chapman, announced that the Halloween Celebration is October 29th at City Hall from 4:00 – 6:00 p.m.

E. PRESENTATIONS

1) Parks and Recreation Board

Mayor Marino presented awards showing appreciation to Harry Cagnetto, Glenn Rodriguez, Roger Rivera, Steve Badyna & John Witter for their volunteer service to the Parks & Recreation Board.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. BUSINESS

1) Consideration and Action on approval of Minutes for the October 14, 2010 meeting. (City Secretary)

Motion to approve Minutes for the October 14, 2010 meeting was made by Carol Ann Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, and Hammond
Noes: None
Absent: Mathews

Motion Passed

2) Consideration and Action on approval of the contract with Stein Planning, LLC in the amount of $7,000. (City Manager)

City Manager, Earl Berner, explained that the City's financial advisors, First Southwest, have asked the City to have the pro forma numbers on the redevelopment of Swisher Road verified by an independent third party. They are not capable of doing this evaluation with their own staff and to insure the independence for them in doing the financing, they want the City to hire the consultant. Stein Planning, LLC was recommended by both First Southwest and Paris Rutherford. He said that he is hopeful if this contract is approved, the study should be completed in early November.

Motion to approve an agreement to engage Mark Stein, Mark Stein Planning, LLC, for an independent analysis of the TIF pro forma, was made by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, and Brooks
Noes: None
Absent: Mathews

Motion Passed

3) Public Discussion on Lakeview Drive Phase II Construction Project. (City Manager)

Mayor Marino read an opening comment explaining that occasionally we, as a City, are faced with difficult issues that can stir strong emotions. He said the council wants to provide everyone an opportunity to be heard with this discussion, but reminded everyone that this is a City Council meeting and as such an official proceeding governed by law.

Mayor Marino opened the discussion
Donna Harrison of 603 E. Hundley Dr. said she moved here years ago. She asked the Council if they felt this construction project would enhance the economic development of Lake Dallas.
City Manager, Earl Berner, and the Council replied that, yes, they think it will greatly enhance the economic development of Lake Dallas.

Robert Reiter of 201 S. Lakeview said that he is against this construction project and he feels that Hundley Dr. should be reconstructed instead.

Margaret Tisdale of 509 Howard read a letter she had written to the Council. She also asked if a traffic study had been completed.

Gene Tisdale of 524 Howard said that since the first phase of Lakeview Dr. was completed he has experienced an increase in his electricity costs and during the project he had to give up 200 ft. of his property.

John McGilvray of 325 Boliver said that this project would change the character of Lake Dallas. He said that he would like to see the road kept at its' current width, and that the potholes that are there currently need to be repaired. He asked City Manager, Earl Berner, if keeping the street its' current width has been considered. Berner replied that, yes, it has been considered; however, it cannot be kept the current width because the City will not receive the bond money from the County in order to pay for these improvements.

Ty Mason of 106 Lakeview Dr. said that he is against this project and feels it would not be right to proceed.

Amy Newenhouse of 704 Lakeland expressed her concern about traffic issues during this construction project. She asked if there would be sufficient temporary openings and if emergency vehicles would be able to access their properties in the event of an emergency. Berner replied that, yes, there will be alternate routes for traffic and emergency vehicles will have access to the properties affected.

Joni McCormick of 108 N. Lakeview Dr. explained that she had just purchased new sod for her property and wanted to ensure that it would be replaced. City Manager, Earl Berner, assured her that if the sod was removed from her property or damaged, it would be replaced. She also said that she thinks the City should communicate more with the residents of Lake Dallas. Berner explained that these plans were started in 2005 and that residents had been notified of several steps throughout the process.

Chad Thiessen, Lake Cities Fire Department, explained that the current width of Lakeview Dr. is not ideal for fire trucks responding to an emergency situation. He said that the impact this project will have to put out fires in the event of an emergency on this road would be a great improvement. He said there are more children on Lakeview and the areas around it now than in past years and that he believes that it is due to the placement of the new elementary and middle schools. He said the increase in the amount of children in the area is not realized by some because this age group does not bring additional cars to the area. He feels this project needs to be completed to ensure children are safe when on Lakeview Dr.

City Manager, Earl Berner, also stated that the speed limit will remain 30 mph as it is now.

Mayor Marino talked about the history of Lake Dallas. He stated that he has been a resident of Lake Dallas for many years and understands that when it comes to a persons' home, there are many emotions involved when it comes to change. He explained that growth is happening around our City, though, and it is important to make these improvements for the benefit of Lake Dallas. He read several statistics starting from when Lake Dallas' name was Garza in the 1920's to the present day to show that change has been happening and will continue to happen and that our job is to have the infrastructure in place to handle that change. He said that there have been constant drainage and flooding problems in this area for years and that many residents are for this project. While he understands that some residents are not for this project, the Council must make a decision based on what it best for the entire City. He also explained that this project has been planned for years. He said he believes there have been at least 15-20 meetings regarding the plans for this construction project over several years and a Bond Election was held.

The Mayor also went on to name a list of key reasons this project is one of the vital improvements for the future of the City of Lake Dallas which included the following:

- Funding for this $2 million dollar project will be received from Denton County Transportation Bonds which can only be used on this project.

- Traffic Safety- project will eliminate bar ditches, and will widen the pavement to 15' lanes.
- Pedestrian Safety – there will be a 4' wide sidewalk so that walkers can get off of the road surface.
- Drainage Improvements – curb and gutters will channel storm waters keeping them in the street, underground piping will collect the storm water and carry the water to proper outlets.
- Trees suitable for growth under utility lines will be replanted by the city with 2.5" to 3.5" caliper.
- Provides a second North/South travel route through the City.

EJ Rodrigues of 329 Texas Dr. stated that she thinks there is an ordinance in place that prevents bicycles, scooters, skateboards, etc. on sidewalks. She said that she thinks a sidewalk would be useless if the children were unable to use "wheels" on it. City Manager, Earl Berner, explained that there is not an ordinance preventing the use of those things on the sidewalk and that it would be allowed. EJ also said that she thinks it is wrong for the City to remove the trees. Mayor Marino explained that for every tree removed on a property, there would be one planted. He said that if a property owner did not wish for a tree to be planted to replace the one that was removed from their property, then they could opt for it to be planted in one of the parks in Lake Dallas. EJ also asked if the power lines could be buried. Berner replied that, no, they could not as this would cost at least one million additional dollars which the City does not have.

Councilmember Brooks said that he has spoken with several residents of Lake Dallas who are in support of this project. He said that he thinks it is important to be proactive rather than reactive in situations like this and he feels this construction project is necessary to ensure the safety of children, which is the most important thing.

Councilmember Hammond said that there is definitely a need for drainage improvements and sidewalks. He asked about the projected capacity of cars on Lakeview Dr. and how the number was determined.

Tom Hoover, City Engineer, explained that the number is strictly capacity and by no means the actual number of cars that are projected to go down the street; only the number of cars it would be able to accommodate daily. He said that the study was done by ITS, which is the County Consultant for all traffic within Denton County. He also said that where the lanes are 9 ft. in width now, they will be increased to 15 ft. in width, which will allow emergency vehicles to respond on this street much easier. He said that the current water pipe lines are 6" in diameter and will be replaced with 12", which will greatly improve drainage issues. Fire Hydrants will be installed every 500 feet per Code Requirements also improving fire-fighting capabilities.

Councilmember Harper said that while no one likes to remove trees, potential safety concerns have been identified with several of the trees on this road. The City cannot just ignore those safety concerns or the requests for improvement made by other citizens of Lake Dallas.

Mayor Marino said that there should be a committee created to decide the "future look" of Lakeview Dr.
Mayor Marino closed the discussion

Mayor Marino adjourned the meeting at 8:36 p.m. for a short break.
Mayor Marino reconvened the meeting at 8:43 p.m.

H. CITY MANAGER REPORT

1) City Projects

City Manager, Earl Berner, reported that we are waiting on the engineer for relocation and right of way plats and he will need to have meetings with residents about the right of way acquisition for the Lakeview Drive Phase II construction project. We are also still waiting on permits from the Corps of Engineers for Willow Grove Park.

2) Private Projects

City Manager, Earl Berner, reported that Daniels AC has been issued temporary occupancy permits. Z-Flooring's subdivision has been approved. Swisher Courts closing has been delayed again.

I. NEW AGENDA ITEMS

No future agenda items.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:46 pm.

Tony Marino, Mayor

Joni Mooneyham, Deputy City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 14, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required, by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:58 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Mathews was absent.

Staff Present:
Earl Berner, City Manager
Nick Ristagno, Police Chief
Donna Boner, Finance/Human Resources Director
Julie Chapman, Community Relations Coordinator
Joni Mooneyham, Acting City Secretary

B. INVOCATION

Pastor Bill Lee gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino announced that he had been involved with the Lake Cities Fire Department Fire Safety Program. He explained that the purpose of the program is to teach young children what to do in the event of a fire-related emergency and that the program has proven to be effective. He expressed his appreciation to the Lake Cities Fire Department for having this program available to young children.

E. PROCLAMATIONS

1) Domestic Violence Month – Mayor Marino proclaimed the month of October as *Domestic Violence Awareness Month* and urged our citizens to work together to eliminate domestic violence from our community.

2) Municipal Court Week – Mayor Marino proclaimed that the week of November 1 – November 5, will be recognized as *Municipal Court Week*, and further extended his appreciation to the City of Lake Dallas Municipal Judges and Municipal Court Clerks for the vital services they perform and their exemplary dedication to our community.

F. REPORTS

1) Boards and Commissions

Julie Chapman reported that WaterFest had great weather this year and all events went as planned. The race hosted over 50 racers from Texas and neighboring states with activities for children and live entertainment. Attendance at this year's event was estimated at 750 daily. Jet Ski races for 2011 have been booked for July 2-3rd to front the Lake Cities July 4th Celebration in hopes that there will be better weather for this event. The promoter will now be taking on the responsibility to plan the extra entertainment features rather than the City. Lake Cities Seniors continue to thrive. For the October 12th Seniors Bingo, the City hosted 37 individuals, which was approximately a 30% increase. The City has welcomed a new soccer league. The Lake Dallas

Soccer League is a group of adult men that have started renting the park from the City on Sundays for their league to play. In mid-September the City partnered with Hickory Creek to participate in the Trinity Trash Bash, a Keep Texas Beautiful sanctioned event. The Bash was a Metroplex-wide waterway clean-up focused on the Trinity River and its' tributaries. Sonic of Lake Dallas hosted over 50 volunteers from both cities for breakfast and registration. The City's Annual Halloween Celebration at City Hall is planned for Friday, October 29th from 4:00 p.m. to 6:00 p.m. This year's 'Trunk-or-Treat' themed venue has been well received and Julie credited the Municipal Court Clerk, Becky Ross, for the suggestion. Over 36 local businesses and organizations will be participating along with traditional hayrides given by the City's Public Works Department. CrossPointe Church will host a bounce house and free hot dogs. The cities of Hickory Creek and Corinth will be joining the Lake Dallas Police Department with their police cruisers on display along with the Denton County Crime Stopper SUV.

Councilmember Connors asked about the financials for WaterFest. She said that this event seems to cost the City more money than it should. Julie explained that this is one of the reasons she has requested that the promoter be responsible for the extra entertainment in order to save the City money, however, the event is still important for the City as it highlights the City and entertains the community. Historically many events seem to cost the city money, but do increase hotel tax and sales tax during the events.

2) Finance

Donna Boner gave a report on the Preliminary September Financials. She said that the Sales Tax Revenue was $76,293.33 with $38,146.67 going to the General Fund, $19,073.33 going to the Economic Development Corporation and $19,073.33 going to the Community Development Corporation. Some property tax revenue is still being received; approximately $6,000.00 was received in the month of September.

City Manager, Earl Berner, reported that the Sales Tax Revenue for September was up 12.5 % in comparison to the same time last year.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

John McGilvray of 325 Boliver Ave. stated that before the City goes out for bid for the proposed Lakeview Drive Phase II project, he would like an item be placed on the agenda for the next City Council meeting so that there can be further discussion with the residents that will be affected before proceeding with the project. He also said that he does not believe an Environmental Study has been done to address the possible consequences of this project to the environment because of the current drainage problems and the loss of trees, which he thinks is necessary. He also requested that the City have the engineer study the possibility of making this road a two-lane road no wider than it is currently. He said he believes that if the road remains the width it is now, the residents would be more in agreement, as they would not experience tree loss to their properties.

E.J. Rodrigues of 329 Texas Dr. said she feels the trees on Lakeview Dr. are a large part of the culture and atmosphere in Lake Dallas. She said that is seems the Lakeview Dr Phase II project is being driven by the toll bridge and her neighborhood is concerned about the increase in traffic on this road since it runs directly through a residential area. She explained that she thinks there are other streets in Lake Dallas that the traffic could be directed from Swisher Rd. to Main St. such as Shady Shores Rd. She also said that she knows that this project has been discussed for 5 to 6 years, but would also like to see an Environmental Study completed and to have an engineer study what the possibilities are to solve the drainage issues without having to widen the street and take out the trees.

Ty Mason of 106 Lakeview Dr. read a copy of a letter that he had given to the City Council in regards to the proposed Lakeview Drive Phase II project. In the letter he explained that his property has several large trees which have been there for many years that are directly in front of his home and are within 6 feet from the current road. He said that when he and his wife purchased this property in March 2008, they requested a disclosure of the seller's utility bill costs from their realtor. He said the disclosure showed that the seller did not ever have a utility bill over $200 per month and that this was one of the main reasons they decided to purchase their property. He does not feel that it is right for the city to remove his trees in order to improve Lakeview Dr. as it would increase his utility costs.

James Jolly of 726 Summers Ln. expressed his appreciation to the Lake Dallas Police Department for their hard work. He also stated that he does not agree with changing the towing ordinance to allow competition. He said he is concerned about the crime at Willow Grove Park at night, but he knows that the Police Department will make sure this issue is taken care of. He also requested that someone contact him and let him know if Citizens on Patrol is still active.

Patricia Snider of 38 Oak Forrest Circle, Denton, TX 76210, owner of Technicians on Wheels and Two Steppin Towing, read a letter that she had written to the Council. She said that if the towing ordinance was changed to allow competition from outside the city limits, it would have a negative impact on their business.

Mayor Marino closed the Visitors/Citizens Agenda.

Mayor Marino adjourned the meeting at 8:38 p.m. for a short break.
Mayor Marino reconvened the meeting at 8:46 p.m.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of the minutes of the September 23, 2010 meeting. (City Secretary)**
2) **Consideration and Action on approval of the Preliminary September Financials. (City Manager)**
3) **Consideration and Action on approval of the Quarterly Investment Report for the 3rd quarter of 2010. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Brooks, Connors, Harper, and Hammond
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve James Jolly as a member of the Lake Dallas Community Development Corporation. (Councilmember Hammond)**

Motion to approve James Jolly as a member of the Lake Dallas Community Development Corporation was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Connors
Noes: None

Motion Passed

2) Consideration and Action to approve a Master Fee Schedule. (City Manager)
City Manager, Earl Berner, explained that this will allow the fees to be taken out of ordinances and make it easier to make changes to the fees if necessary. However, all changes to this Master Fee Schedule, if approved, would still require Council approval and the fee schedule could be reviewed annually during budget time.

Motion to approve a Master Fee Schedule was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Brooks
Noes: None

Motion Passed

3) Consideration and Action to reject an additional one percent fee from Charter subscribers. (City Manager)
Mr. Kevin Allen, of Charter Communications, was present to speak about the option of adding the proposed fee. He explained that the funds received from this fee would be required to be spent on capital projects such as the creation of a local channel for Public Broadcasting, etc. He said that this fee would be passed on to the residents of Lake Dallas on their bills.

City Manager, Earl Berner, explained that this fee will be automatically charged if the City doesn't take any action to reject the fee and that the revenue from this fee would only be approximately $6000.00 annually and it would take a substantial amount of time to have enough funds to implement something that they would be earmarked for. He recommended that the Council reject the fee at this time so that it would not increase the bills for the residents of Lake Dallas.

Motion to approve to reject an additional one percent fee from Charter subscribers was made by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, and Brooks
Noes: None

Motion Passed

4) Consideration and Action to approve an ordinance amending Section 102-152 of Article V, "Speed" of Chapter 102, "Traffic and Vehicles" to change the speed limit on Swisher Road East of Shady Shores Road to 45 mph. (Police Chief)
Police Chief, Nick Ristagno, explained that due to the closing of the Primary school on Shady Shores Road and a new NTTA speed study, NTTA has requested that the speed limit for the Eastern portion of Swisher Road to be increased from 35 mph to 45 mph. He said as an additional result of the study, the speed limit on the toll bridge will increase to 55 mph and if this ordinance amendment is approved, the speed limit of Swisher Rd., within our city limits, will be 45 mph from Shady Shores Road to the Toll Bridge, but will remain 35 mph from Shady Shores Road to Interstate 35.

Motion to approve an ordinance amending Section 102-152 of Article V, "Speed" of Chapter 102, "Traffic and Vehicles" to change the speed limit on Swisher Road East of Shady Shores Road to 45 mph was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Brooks, Connors, Harper, and Hammond
Noes: None

Motion Passed

5) Discussion on changing the towing ordinance to allow competition from outside the city limits. (Councilmember Connors)

Mayor Marino opened the discussion
Councilmember Connors said that due to complaints the City has received regarding Two Steppin Towin and interest shown by other companies, she thinks that there needs to be an open discussion regarding the towing ordinance and whether or not it should be amended to allow competition from outside the city limits.
Dave Snider, owner of Two Steppin Towing, was present to speak on behalf of his company.
Councilmember Harper asked if Two Steppin Towing's fees were in line with what other towing companies are charging for the same services.
Mr. Snider explained that there have been many changes in the Towing industry and that they are now regulated by the Texas Department of Licensing and Regulation (TDLR). In order to stay compliant and ensure that his company strives to do everything correctly, they are working closely with TDLR. He also said that TDLR requires that all towing companies charge the same amount for the fees they collect.
Councilmember Hammond said that if all competitors would be charging the same fees for their services, then opening up the ordinance to allow competition would be void and it would be more beneficial to keep the business within Lake Dallas.
Councilmember Harper said that another benefit of having a local company for towing is that people do not have to travel further in order to retrieve their vehicles.
Mayor Marino closed the discussion

J. EXECUTIVE SESSION

Mayor Marino adjourned the meeting to go into executive session at 9:29 p.m.

1) The City Council met in closed session to perform the annual evaluation of the City Manager under Texas Government Code, Section 551.074.

Mayor Marino reconvened the meeting at 9:48 p.m.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

Motion to renew the City Manager's contract for another 2 years was made by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, and Brooks
Noes: None

Motion Passed

L. CITY MANAGER REPORT

1) City Projects

City Manager, Earl Berner, reported that we are still waiting on permits from the Corps of Engineers for Willow Grove Park. He requested that the Council move the November 11th regular meeting to November 18th and cancel the November 25th meeting due to the Holidays. The Council agreed.

2) Private Projects

City Manager, Earl Berner, reported that Z-Flooring submitted the signed agreement in regards to the Railroad property they plan to build a showroom and warehouse on. Alan Bieke's project has been delayed again due to the re-appraisal requirement after the property was split.

M. NEW AGENDA ITEMS

Further Public Discussion about the Lakeview Dr. Phase II project.

N. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:56 pm.

Tony Marino, Mayor

Joni Mooneyham, Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 23, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro Tem Connors called the meeting to order at 7:31 pm.

A. ROLL CALL

James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2, Mayor Pro Tem
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Mayor Marino was absent. Councilmember Mathews arrived at 7:33.
Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Joni Vaughn

B. INVOCATION

Councilmember Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Connors led the pledges of allegiance.

D. ANNOUNCEMENTS

No Announcements

E. VISITORS/CITIZENS AGENDA

No one was there to speak.

F. BUSINESS:

1) **Consideration and Action to approve an Ordinance adopting the Budget for Fiscal year 2010-2011 for the City of Lake Dallas.**

Motion to approve an Ordinance adopting the Budget for Fiscal year 2010-2011 for the City of Lake Dallas was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Brooks, Mathews and Mayor Pro Tem Connors
Noes: None

Motion Passed

2) **Consideration and Action on approval of an Ordinance setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal year 2010-2011.**

Motion to approve an Ordinance setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal year 2010-2011 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, Mathews, and Mayor Pro Tem Connors
Noes: None

Motion Passed

3) Consideration and Action to adopt a resolution establishing the review of the annual investment policy.

Motion to approve a resolution establishing the review of the annual investment policy was made by Councilmember Brooks and second by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, Harper, Hammond and Mayor Pro Tem Connors
Noes: None

Motion Passed

4) Consideration and Action to approve expenditures from the Court Security Fund for the continued maintenance of the Court's security system.

Motion to approve expenditures not to exceed $500 from the Court Building Security Fund for the continued maintenance of the Court's security system was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, Mathews and Mayor Pro Tem Connors
Noes: None

Motion Passed

5) Consideration and Action to adopt an ordinance approving new rates for Atmos Energy Corporation.

James Johnson with Atmos Energy explained the new rates to the Council.

Motion to approve an ordinance approving new rates for Atmos Energy Corp was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews and Mayor Pro Tem Connors
Noes: Councilmember Hammond

Motion Passed

6) Consideration and Action to approve a new ordinance for (water) well drilling.

Motion to approve a new ordinance for (water) well drilling was made by Councilmember Mathews and second by Mayor Pro Tem Connors.
Ayes: Councilmembers Mathews, Mayor Pro Tem Connors, Harper, Brooks and Hammond
Noes: None

Motion Passed

7) Consideration and Action to approve minutes of September 9, 2010 meeting.

Motion to approve minutes of the September 9, 2010 meeting was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, Hammond and Mayor Pro Tem Connors
Noes: None

Motion Passed

G. CITY MANAGER REPORT

1) City Projects

The Town Meeting regarding Lakeview Phase II will be held on Thursday, October 14th at 6:30 p.m. in the Linwood Gilliland Community Room.

2) Private Projects

Lake Dallas Economic Development Corporation granted funds in the amount of $150,000 to Z Flooring. They desire to build a showroom and warehouse on a corner of the railroad property.

H. NEW AGENDA ITEMS

There were no new agenda items.

I. ADJOURNMENT

Mayor Pro Tem Connors adjourned the meeting at 7:58 pm.

Carol Ann Connors

Carol Ann Connors, Mayor Pro Tem

Joni L. Vaughn

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 9, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Saturday and Sunday, September 11th –12th is Waterfest. The Labor Day Parade went well.

There were 23 floats and the LDHS Band performed.

E. REPORTS

1) **Boards and Commissions** – no reports
2) **Finance** – Donna Boner gave a report on the Financials.

F. VISITORS/CITIZENS AGENDA

No one was there to speak.

G. CONSENT AGENDA

1) Consideration and Action to approve the Consent Agenda.

Motion to approve Consent Agenda was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks, and Mathews
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve a site plan for a monument sign for LDISD at 104 Swisher Road**

Eddie Wynne, from Sign Central Media Advertising, explained the site plan for the sign to the Council.

Motion to approve a site plan for a monument sign for LDISD at 104 Swisher Road was made by Councilmember Mathews and second by Councilmember Connors.
Ayes: Councilmembers Mathews, Connors, Harper, Brooks and Hammond
Noes: None

Motion Passed

2) **Consideration and Action to approve First Amendment to Interlocal Agreement with the City of Lewisville for the maintenance of traffic signals. {Amendment adds the signal at Hundley Drive and Denton/Lake Dallas Drive.}**

Motion to approve First Amendment to Interlocal Agreement with the City of Lewisville for the maintenance of traffic signals was made by Councilmember Harper and second by Councilmember Mathews.
Ayes: Councilmembers Harper, Mathews, Connors, Brooks and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve a new ordinance for (water) well drilling.**
Item Pulled – Ordinance from City Attorney not ready

4) **Consideration and Action to approve a resolution establishing the City of Lake Dallas Employee Benefit Trust.**

Motion to approve a resolution establishing the City of Lake Dallas Employee Benefit Trust was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks and Mathews
Noes: None

Motion Passed

5) **Presentation and Public Hearing on the Fiscal Year 2011 Budget**

City Manager Berner presented the final copy of the budget for fiscal year 2011. No one from the public was in attendance to speak at the Public Hearing. Mayor Marino closed the Public Hearing on the Budget.

J. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that Lakeview Drive Phase I has striping and seeding to be done before completion. Lakeview Phase II has 20 % of right-of-way properties. We met with the utility companies in an effort to make sure things go more smoothly with the moving of the utilities in Phase II. City Manager Berner expressed the desire to take the time to plan properly so that there would be the least amount of disruption for the citizens. He expects construction to begin in January.

Councilmember Connors asked about the Main Street intersection. The design of the intersection is causing motorists some confusion. City Manager Berner and Chief Ristagno will be meeting with DCTA engineers to discuss changes that need to be made to the intersection for safety purposes.

We are still waiting on permits from the Corp. for Willow Grove Park. After we receive the permits, the project should start in about 45 – 60 days.

2) Private Projects

Z Flooring will be coming before the Lake Dallas Economic Development Corporation to request grant funds. They sell floors for athletic facilities. They desire to build a showroom and warehouse on a corner of the railroad property.

K. NEW AGENDA ITEMS

Councilmember Connors would like a discussion item regarding our towing ordinance to be on the agenda. She would like Council to discuss the possibility of opening up towing services to vendors outside the City so there would be some competition.

The Town Meeting to discuss Lakeview Phase II will be on the October 14th agenda.

Councilmember Harper would like a report on where we stand with the redevelopment project.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:10 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 12, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Acting City Secretary Joni Mooneyham, Finance/Human Resource Director Donna Boner.

B. INVOCATION

Councilmember Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

September 4th will be the Labor Day Parade to make up for the 4th of July Parade.
September 11-12 is Waterfest.

E. PRESENTATIONS

Mayor Marino presented Lisa Britten, Sugar Queen Cakes, with a Certificate of Achievement for creating the official State of Texas Cupcake.

F. REPORTS

1) **Boards and Commissions** – Economic Development Corporation and Community Development Corporation are working on their budgets.
2) **Finance** – Donna Boner gave a report on the Financials
3) **Library Board** – William Knox and Cecil Carter presented the Library's Budget. They are asking for $94,800 for the next fiscal year. Mr. Knox and Mr. Carter expressed the need for the expansion of the Library, stating it needed to double in size. Mr. Carter also told Council that in the future the Library would like to have an Interlocal Agreement with the cities.

G. VISITORS/CITIZENS AGENDA

No one was there to speak.

H. CONSENT AGENDA

1) Consideration and Action to approve the Consent Agenda.

Motion to approve Consent Agenda was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond
Noes: None

Motion Passed

I. BUSINESS:

1) Discussion on former right of way on Lake Street.

John Smith, owner of the property at 410 N. Lakeview, came to appeal to Council regarding the fact that his neighbor is making it impossible for him to access the carport on the property. The problem arises from Ordinance 2006-11 when the City abandoned the right-of-way to the property. Mr. Smith was hoping that Council would take action to re-establish the right-of-way. City Attorney David Berman explained that as a result of the City abandoning the right-of-way, the area in question should have been divided equally, down the center, between the two property owners with property abutting the right-of-way and to re-establish the right-of-way a public purpose must be determined. The Council agreed that there is no public purpose. The City no longer has any authority in the matter of the property. City Attorney Berman suggested that Mr. Smith contact his title company or an attorney to deal with this civil matter.

Mayor Marino adjourned the meeting at 8:45 p.m. for a short break.
Mayor Marino reconvened the meeting at 8:54 p.m.

2) Consideration and Action to approve an ordinance prohibiting the possession, use, sale or distribution of synthetic cannabinoids and paraphernalia.

Motion to approve an ordinance prohibiting the possession, use and sale of synthetic cannabinoids was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Brooks, Connors, Harper, Mathews, and Hammond
Noes: None

Motion Passed

3) Presentation of the Fiscal Year 2011 Budget

City Manager Berner presented the latest budget figures, reflecting the latest changes in the insurance premiums. Mr. Berner turned the floor over to Rodney Dryden, Wellspring Insurance Agency, to explain the changes in health care benefits nationwide and how that affects the City and its' employees. The discussion then turned to cost saving measures for the next fiscal year. Councilmember Harper suggested that the City delay the COLA until January 1st and delay the purchase of a new police car and the new computer software in order to save money for the Reserve account. It was agreed that the computer software for the police records was a necessity, but the other software modules and the police car could wait until revenues were looking more favorable.

J. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that the retaining wall for Lakeview Drive Phase I has been finished. They've got additional paving and striping to do and then it will be done. For Phase II, the first set of easements, right-of-way documents, and plats are in hand. We need to set a date for a town meeting to discuss Phase II with the citizens. Signs on the highway for Lake Dallas Drive should be up by mid-September and we will change our signs on Denton Drive at that time. Residents have been notified. We will also change our signs from Church Street to Main Street at the same time.

2) Private Projects

We are still waiting on permits from the Corp. for Willow Grove Park. Daniels is moving along. Swisher Courts picked up their building permits. We will have a pre-construction meeting with them next week. They are planning for a December 1st opening. John Lugenheim's small commercial building on Lakeview is being framed. City Manager Berner is hoping to have firm numbers from First Southwest soon.

K. NEW AGENDA ITEMS

No new items were mentioned.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:47 pm.

Tony Marino, Mayor

Joni Mooneyham, Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 22, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 6:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Police Chief Nick Ristagno, Finance/Human Resources Director Donna Boner, Public Works Superintendent Johnny Webber, Code Enforcement Officer Char Dupree, Municipal Court Clerk Becky Ross, and Special Events Coordinator Julie Chapman.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
Naomi Spinks of 57 Lakeridge in Kingswood spoke in regards to a property at 56 Pecan. Mrs. Spinks stated that the property at 56 Pecan was condemned in 2003 and there have been problems with sewage and mold at the property. Mrs. Spinks would like to know why the City has not done anything further about this property. Mayor Marino told Mrs. Spinks that City Staff would look in to this situation and contact her.
Mayor Marino closed the Visitors/Citizens Agenda.

D. BUDGET WORKSHOP

City Manager Berner gave a report on the 2010 budget and presented a preliminary budget for 2011 as well as a budget calendar for August and September. Discussion with Council and staff followed. There is no step increase planned for employees in the 2011 budget due to budget constraints, but there is a 2% COLA. Mayor Marino suggested the City might need to discuss not granting a COLA for 2011. Mayor gave Council and employees the opportunity to express their opinion on the COLA. The general consensus was for the 2% COLA to stay in the budget. Other items discussed included the capital purchases of a computer records system and a squad car.

F. PRESENTATIONS

Certificate of Achievement was presented to Taylor Lively.

Mayor Marino convened the meeting at 8:10 p.m. for a short break.
Mayor Marino reconvened the meeting at 8:18 p.m.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

E. ANNOUNCEMENTS

Councilmember Connors announced that she and Mayor Marino and Councilmember Brooks were present at Lake Shore Baptist Church on July 4th to receive a Certificate of Appreciation to honor Volunteerism.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of the minutes of the June 24, 2010 meeting. (City Secretary)**
2) **Consideration and Action on approval of June Financials. (City Manager)**
3) **Consideration and Action on approval of the 1st and 2nd quarter Investment Reports. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action on approval of an interlocal agreement with Denton County for funding of Lakeview Phase II. (City Manager)**

City Manager Berner would like to have a Town Meeting regarding this project in September.

Motion to approve an interlocal agreement with Denton County for funding of Lakeview Phase II was made by Councilmember Mathews and seconded by Councilmember Hammond.
Ayes: Councilmembers Mathews, Hammond, Harper, and Connors
Noes: None

Motion Passed

2) **Consideration and Action to adopt an ordinance to change the name of Church Street to West Main Street. (Mayor)**

Motion to adopt an ordinance to change the name of Church Street to Main Street was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Mathews
Noes: None

Motion Passed

3) **Consideration and Action to adopt an ordinance to combine the Parks and Recreation Board and the Keep Lake Dallas Beautiful Committee. (City Manager)**

Motion to adopt an ordinance to combine the Parks and Recreation Board and the Keep Lake Dallas Beautiful Committee was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Berner asked that Julie Chapman give a report on the Fourth of July and upcoming events.

Special Events Coordinator Julie Chapman gave a financial report on the Independence Day festivities. The parade has been rescheduled for Labor Day weekend, Saturday, September 4th. Julie reported that Waterfest has returned to its original promoter, Brian Smith. The two day event will be held at Willow Grove Park on September 11th and 12th. Willow Grove Park will be getting a new online reservation system that will greatly enhance the reservation process. Julie credited Joni Mooneyham for her hard work in bringing this enhancement to the City. Julie shared some new ideas with Council for changes to future events.

James Johnson, our Atmos representative, reported that Atmos would be hosting a luncheon for the Seniors on Tuesday, August 10th. Mr. Johnson said that Atmos employees would be barbecuing outside City Hall for the seniors and invited all city employees and council to join them for lunch that day.

K. NEW AGENDA ITEMS

Councilmember Hammond would like to have an item to consider requiring a garage sale permit.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:50 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 24, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Police Chief Nick Ristagno and Police Lieutenant Wes Frazier.

B. INVOCATION

Councilmember Mathews gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner reported that the Independence Day Celebration would be held on Saturday, July 3rd.

E. PRESENTATIONS

Presentation was rescheduled.

F. VISITORS/CITIZENS AGENDA

No one was there to speak.

G. BUSINESS

1) Consideration and Action on approval of the minutes of the June 10, 2010 meeting.

Motion to approve the minutes of the June 10, 2010 meeting was made by Councilmember Brooks and seconded by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, Harper, Connors, and Hammond
Noes: None

Motion Passed

2) **Consideration and Action on approval of the 2010 Interlocal Agreement with Denton County Tax Office for Property Tax Collection.**

Motion to approve the 2010 Interlocal Agreement with Denton County Tax Office for Property Tax Collection was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

3) **Public Hearing on an application for special use permit for a convenience store and gas station selling alcohol located at 1000 and 1002 S. Stemmons Freeway.**

Mayor Marino opened the Public Hearing. Anu-Bhattari Pouder 1413 Constantina Drive, Denton, TX and her brother spoke to Council regarding the property they are leasing at 1000 and 1002 S. Stemmons and their proposed business at that property. Council members expressed their concern regarding the owner of the property and his unwillingness to comply with city code at the property in the past. Council notified the potential lessees of their intention to keep a close watch on the property. No one from the public was there to speak. Mayor Marino closed the Public Hearing.

4) **Consideration and Action on approval of an application for special use permit for a convenience store and gas station selling alcohol located at 1000 and 1002 S. Stemmons Freeway.**

Motion to approve the special use permit for a convenience store and gas station selling alcohol located at 1000 and 1002 S. Stemmons Freeway for a period of two (2) years providing the property is brought up to city code, including signage, fascia, and resurfacing of the parking lot was made by Councilmember Connors and seconded by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

5) **Public Hearing on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance.**

Mayor Marino opened the Public Hearing. Chief Ristagno explained the juvenile curfew ordinance. No one from the public was there to speak. Mayor Marino closed the Public Hearing.

6) **Consideration and Action on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance.**

Motion to approve the Ordinance to reaffirm and continue the Juvenile Curfew Ordinance was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond
Noes: None

Motion Passed

7) **Consideration and Action on approval of "fair share" support to Denton County Children's Advocacy Center in the amount of $5,912.34, to be paid from the Child Safety Fund.**

Motion to approve the "fair share" support to Denton County Children's Advocacy Center in the amount of $6,000.00, to be paid from the Child Safety Fund was made by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Brooks, Mathews, and Hammond
Noes: None

Motion Passed

8) **Consideration and Action to approve an ordinance to rename Church Street to Main Street.**

Motion to rename Church Street to Main Street was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond
Noes: None

Motion Passed

9) **Consideration and Action to appoint William Knox as a board member of the Lake Dallas Community Development Corporation.**

Motion to appoint William Knox as a board member of the Lake Dallas Community Development Corporation was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, Brooks, and Mathews
Noes: None

Motion Passed

Mayor Marino adjourned for Executive Session at 7:55 pm.

H. EXECUTIVE SESSION

1) **The City Council to meet in Closed Session under Section 551.0729 (real property) of the Texas Government Code to discuss the purchase/sale of real property located on Swisher Road.**

Mayor Marino reopened the meeting at 9:05 pm.

I. ACTION, if any, from Executive Session

Motion to authorize Alex Payne to act as our agent to present a Letter of Intent for 13.3 acres plus or minus at 250 Swisher Road was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors , Harper, Connors, Brooks, and Mathews
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Berner asked for New Agenda Items to be discussed first.

K. NEW AGENDA ITEMS

Mayor Marino asked for a Budget Workshop to be put on the agenda for July 22, 2010. Council decided to start at 6:30 pm and asked for sandwiches to be provided. There will be no meeting July 8, 2010. Mayor Marino would like to keep the meetings to once a month. City Manager Berner said there would need to be two in September due to budget adoption.

J. CITY MANAGER REPORT

City Manager Berner turned this time over to Chief Ristagno. Chief Ristagno gave Council a report on the Command Vehicle that he and Lieutenant Frazier have been working on and provided a brief slide show to show the progress of the vehicle. The vehicle was on display for the Council to view after the meeting.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:20 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 10, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Rick Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

Councilmember Connors was excused.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner reported that the Independence Day Celebration would be held on Saturday, July 3rd. Mayor Marino asked for Char Dupree to be commended for her hard work in regards to Roadies.

E. VISITORS/CITIZENS AGENDA

No one was there to speak.

F. CONSENT AGENDA

1) Consideration and Action to approve the Consent Agenda.

Motion to approve Items 1 and 3 of Consent Agenda was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

Motion to approve Item 2 of Consent Agenda was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond
Noes: None

Motion Passed

G. EXECUTIVE SESSION

1) The City Council to meet in Closed Session under Section 551.0729 (real property) of the Texas Government Code to discuss the purchase/sale of real property located on Swisher Road.

Executive Session was cancelled.

H. ACTION, if any, from Executive Session

I. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that Lakeview Drive should be finished in a couple of weeks. He attended a Precinct 1 transportation meeting and was informed that our Lakeview Phase II is now officially on the County's list of projects to be funded. We will need to sign an interlocal agreement in regards to this funding. The Main Street realignment project is going pretty well.

2) Private Projects

Daniels poured their floor today. Swisher Courts building plans are at Bureau Veritas being reviewed. The Economic Development Corporation approved a grant for Swisher Courts in the amount of $158,000 to assist in their construction. John Lugenheim's small commercial building on Lakeview is under construction.

J. NEW AGENDA ITEMS

No new items were mentioned.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:42 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 27, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember, Place 1
Carol Ann Connors	Councilmember, Place 2
B. W. Brooks	Councilmember, Place 3
Rick Mathews	Councilmember, Place 4
Karl Hammond	Councilmember, Place 5

Staff Present:
Earl Berner, City Manager
Nick Ristagno, Police Chief
Joni Mooneyham, Acting City Secretary
Donna Boner, Finance/Human Resource Director

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Connors gave a reminder about the Memorial Day Celebration. Earl Berner announced that the Fourth of July Celebration will be on July 3rd and it will be sponsored by Bill Utter Ford. There will be a contest by Juno Baby, a Kidzone, Lake Cities Idol will return by popular demand, and Eleanor Springs will perform at 7:00 p.m.

E. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

F. BUSINESS:

1) **Consideration and Action on approval of the minutes of the May 13, 2010 meeting. (City Secretary)**

Motion to approve was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action on approval of a resolution to borrow for General Fund to cover expenses. (City Manager)**

Motion to approve was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Brooks, Connors, Harper, Mathews and Hammond.
Noes: None

Motion Passed

G. WORKSHOP:

City Manager Earl Berner gave a packet of mid-year budget review & preliminary FY 2011 considerations. He explained that the revenues are not coming in as expected. Property Taxes are down. Sales Taxes are down, but should improve with the re-opening of Sonic. Permits and Fees are down about 13% and will most likely remain this way for the next year or so. Court Fees have not been as much as expected, but still more than last year due to the addition of a traffic officer. He said that unfortunately, we were unable to put the new officer on the road as early as planned due to other shortages, so the city lost a few months of revenue. The value of the online payment system for the court has been realized in not having to hire a full time employee. Hotel Taxes are way below last year due to the poor economy and the opening of the hotel in Corinth, but hopefully the summer months will bring an increase. This category will still not reach budget level. He explained that all departments are doing a good job of holding expenses in line and not spending for items unless necessary. Also due to personnel changeover in several areas and the time it takes to hire replacements, the city has realized significant personnel expense savings.

Concilmember Harper asked if a quote for healthcare expenses for the next year had been received.

City Manager Earl Berner explained that the quote would not be received until July and these are only preliminary estimates.

Councilmember Harper asked if employees would be receiving raises next fiscal year.

City Manager Earl Berner said that this is not the year to continue the step increase, but a 2% COLA is proposed.

City Manager Earl Berner said that future capital projects were minimal for FY 2011. One of the projects that will be considered is a City-wide drainage improvement plan involving bank stabilization of storm streams, underground storm sewer systems additions and improvements, repairs/improvements to existing systems- costs not yet determined, but in the millions to be paid from a storm sewer utility fee per dwelling. He said a fee of $2.00 is typical.

Concilmember Connors asked if this fee would be added to the Solid Waste & Recycling Collection bills and Earl Berner said that it would be in the event the project began.

H. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that Lakeview Drive, Phase 1, will be completed soon. The Main St. re-alignment with Church St. has begun. Carlisle Dr. cannot be completed until the engineer and the contractor come to an agreement about the base. Once the engineer has given approval, the contractor can complete the work that needs to be done; however, the work will not begin until the Main St. re-alignment is complete. Harbourtown has completed two homes and have received permits for two more.

Concilmember Connors asked it there was any news about the street name changing from Denton Dr. to Lake Dallas Dr.

City Manager Earl Berner explained that the state has lost the paperwork. He has re-submitted the paperwork three times and is waiting for a response.

2) Private Projects

Sonic has re-opened. Swisher Courts should be obtaining the permits to begin construction soon.

I. NEW AGENDA ITEMS

Police Department Grant Application.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:04 pm.

Tony Marino, Mayor

Joni Mooneyham, Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 13, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Lieutenant Mike Sparby, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, outgoing Special Events Coordinator Shannon Fields, new Special Events Coordinator Julie Chapman, Assistant City Secretary Joni Mooneyham.

Councilmember Mathews arrived at 8:00 PM.

B. INVOCATION

Daniel Patrick, Pastor of First Baptist Church of Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. OATH OF OFFICE TO ELECTED OFFICIALS

E. PRESENTATIONS

Mayor Marino presented Achievement Certificates and scholarships to Lake Dallas High School Seniors John Houdek and Joseph Maggio, Jr. for their participation in the Lake Dallas City Council High School Student Award Program.

Mayor Marino presented an Appreciation Certificate and roses to Shannon Fields in appreciation for her service to the City.

F. ANNOUNCEMENTS

Shannon Fields announced the KLDB Cleanup, the Household Hazardous Waste Cleanup and Arbor Day in Jackson Ranch would all be starting at 9:00 AM on May 15th. The Mighty Thomas Carnival would be May 20-23 and May 22 there will be a car show hosted by the Boys and Girls Club.

G. REPORTS

a. **Boards and Commissions** – No report
b. **Finance** – Finance Director Donna Boner reported on the financials.
c. **Library Board** – Bill Knox gave a report for the Library Board.

H. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Tom Davenport, 1916 Wickersham Lane, Corinth, spoke to Council against alcohol sales at the Fourth of July Celebration.

Gail Stinson, 6 Shore Haven, Hickory Creek, spoke to Council against alcohol sales at the Fourth of July Celebration on behalf of the school district.

Daniel Patrick, 527 Beck, spoke to Council against alcohol sales at the Fourth of July Celebration.

Stewart Lowery, 5409 Queen Court, Lake Dallas, spoke to Council in favor of alcohol sales at the Fourth of July Celebration.

Don, 315 Wolter, Hickory Creek, spoke to Council in favor of alcohol sales at the Fourth of July Celebration.

Sherry Bickers, 221 Addison, Lake Dallas, spoke to Council against alcohol sales at the Fourth of July Celebration.

Phyllis, 5008 S. Stemmons, representing Flying Pig Roadhouse, spoke to Council in favor of alcohol sales at the Fourth of July Celebration.

Mayor Marino closed the Visitors/Citizens Agenda.

Mayor Marino adjourned for a five-minute break at 8:15 pm and reconvened at 8:22 pm.

I. CONSENT AGENDA

1) Consideration and Action to approve the Consent Agenda.

Motion to approve the Consent Agenda was made by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, and Brooks.
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and Action to appoint a Mayor Pro-Tem.

Motion to appoint Carol Ann Connors as Mayor Pro-Tem was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to appoint Glenn Rodriquez to the Lake Dallas Community Development Corporation.**

Motion to appoint Glenn Rodriquez to the Lake Dallas Community Development Corporation was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond.
Noes: None

Motion Passed

3) **Consideration and Action to approve an ordinance of the City of Lake Dallas, Texas, amending the Lake Dallas Municipal Code by amending Section 122-695, ("Special Use Permit Signs"), of Article XVI, ("Special Use Permits"), of Chapter 122 ("Zoning").**

Motion to approve an ordinance of the City of Lake Dallas, Texas, amending the Lake Dallas Municipal Code by amending Section 122-695, ("Special Use Permit Signs"), of Article XVI, ("Special Use Permits"), of Chapter 122 ("Zoning") was made by Councilmember Mathews and seconded by Councilmember Hammond.
Ayes: Councilmembers Mathews, Hammond, Harper, Connors, and Brooks.
Noes: None

Motion Passed

4) **Public Hearing on an application for special use permit for a mobile concession sandwich shop at 105 Gotcher Avenue; Block 2, Lots 1, 4, 5, & 8, Gotcher Addition.**

Mayor Marino opened the Public Hearing.

John Kingston, 1910 Sharon, Corinth, explained his request for Special Use Permit and his plans for his mobile sandwich shop.

No one from the public came forward to speak. Mayor Marino closed the Public Hearing.

5) **Consideration and Action to approve application for special use permit for a mobile concession sandwich shop at 105 Gotcher Avenue; Block 2, Lots 1, 4, 5, & 8, Gotcher Addition.**

Motion to approve application for special use permit for a mobile concession sandwich shop at 105 Gotcher Avenue; Block 2, Lots 1, 4, 5, & 8, Gotcher Addition was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks and Mathews.
Noes: None

Motion Passed

6) Consideration and Action to approve the sale of alcoholic beverages at the Fourth of July event and to utilize the Tennis Courts for that purpose.

Shannon Fields presented the background information regarding the request to have a Beer Garden at the Fourth of July Celebration.

Councilmember Brooks expressed his concern that there was a need to contain the use of alcohol consumed at the park. He suggested moving the Beer Garden to a location other than the tennis courts.
Councilmember Harper stated that the original intent of having an all day long event was to keep it family oriented.
Councilmember Connors reminded Council that she was adamantly against the sale of alcohol at the Fourth of July event last year and she had many people thank her afterwards for taking a stand against selling alcohol at the event. She continues to feel the same way about the issue and is concerned about the liability it might bring to the City.
Councilmember Connors stated that she wants to keep the event a "Family Friendly" event.
Councilmember Mathews expressed his agreement with Councilmember Connors and wants to keep the event family oriented.

Motion to deny the sale of alcoholic beverages at the Fourth of July event and to utilize the Tennis Courts for that purpose was made by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, and Mathews.
Noes: Councilmember Brooks

Motion to deny Passed

K. CITY MANAGER REPORT

1) City Projects
Lakeview Drive should be finished in a couple of weeks. Utilities will be moved on the 17th. The Main and Church Street project will start on the 17th. Willow Grove Park plans finally made their way to the Corps office in Fort Worth for approval. The Main Street Improvement Plan grant application was adjusted and resubmitted last week. The City continues to meet with DCTA. DCTA will assist the City in applying for a grant that could prove to be very helpful.

2) Private Projects
Sonic is trying very hard to get opened by this weekend. Daniels is in the process of pulling permits. Swisher Courts is waiting on their building plans.

L. NEW AGENDA ITEMS

Budget Visioning Workshop

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:55 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 22, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Police Lieutenant Wes Frazier, Special Events Coordinator Shannon Fields.

Councilmember Brooks was absent.

B. INVOCATION

Daniel Patrick, pastor of First Baptist Church of Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Special Events Coordinator Shannon Fields announced that the KLDB Cleanup was postponed until May 15th due to weather. The Carnival will be May 20-23. Shannon announced she was resigning.

E. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
Gene Tisdale, 524 Howard Street, Lake Dallas, spoke to Council about the anxiety of residents due to the construction work on Lakeview Drive. Mr. Tisdale thanked Mr. Berner and the City for their assistance in coming to a solution for the residents.
Mayor Marino closed the Visitors/Citizens Agenda.

F. BUSINESS:

1) **Consideration and Action on approval of a resolution imposing a fee of $500 for applications for fire code waivers.**

Motion to approve a resolution imposing a fee of $500 for applications for fire code waivers was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper and Mathews.
Noes: None

Motion Passed

2) Consideration and Action on approval of a waiver of the 24' fire lane to 20' for Daniels property at 209 Shady Shores Road.

Motion to approve **a** waiver of the 24' fire lane to 20' for Daniels property at 209 Shady Shores Road was made by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, and Mathews.
Noes: None

Motion Passed

3) Consideration and Action on approval of a waiver of the 24' fire lane to 20' for John Lugenheim's property at 107 & 109 North Lakeview.

Motion to approve a waiver of the 24' fire lane to 20' for John Lugenheim's property at 107 & 109 North Lakeview was made by Councilmember Mathews and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Brooks, and Mathews.
Noes: None

Motion Passed

4) Presentation of Final Report on Lake Cities Town Center by Paris Rutherford, Catalyst Development.

5) Consideration and Action to approve the Lake Dallas Station report and strategy for development.

Motion to approve the Lake Dallas Station report and strategy for development made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

G. WORKSHOP

1) Mid Year Financial Report

City Manager Berner reported on the financial picture as of the end of March, which is the middle of the fiscal year. Revenues are not coming in as we hoped, but expenses are being held down. Mr. Berner believes the City will be close to having a balanced budget at the end of the fiscal year.

H. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that TXDOT is denying our grant request for the Downtown Enhancement Program due to the "head-in" parking. Lakeview Drive is moving along. Mr. and Mrs. Gene Tisdale gave the City easement property for the Lakeview project. More concrete work has been done so that two thirds of the road is now done. Willow Grove Park Phase II plans should be going to the Corp's Fort Worth office in two weeks for approval. Hopefully, the Willow Grove project will be under way by Fall.

2) Private Projects

City Manager Berner reported that the Sonic building is coming along very nicely. Hopefully, we will close on the Swisher property in two or three weeks. Daniels' are still working on their ground so that their building can be brought in. In Harbourtown, Doyle Cameron's building project is moving along rapidly, with only ten homes left to build.

I. NEW AGENDA ITEMS

There will be an executive session on Thursday, April 29th to discuss financial details with Paris Rutherford and his associates.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:25 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 8, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:38 pm.

A. ROLL CALL

Tony Marino	Mayor
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Acting City Secretary Joni Mooneyham, Finance/Human Resource Director Donna Boner, Special Events Coordinator Shannon Fields.

Councilmember Harper and Councilmember Connors were absent.

B. INVOCATION

Councilmember Mathews gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced the Carnival would be May 20-23 and May 22 there will be a car show hosted by the Boys and Girls Club.

E. REPORTS

1) **Boards and Commissions** – Special Events Coordinator Shannon Fields announced that April 17th at 9:00 AM will be KLDB's Clean Up in conjunction with Hickory Creek. They will meet at City Park and Tia Carrito's is providing a free breakfast.

2) **Finance** – Finance Director Donna Boner reported on the financials.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the Consent Agenda.**

Motion to approve the Consent Agenda was made by Councilmember Hammond and seconded by Councilmember Mathews.
Ayes: Councilmembers Hammond, Mathews, and Brooks.
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to amend Article II, "Fire Code", of Chapter 46, "Fire Prevention and Protection", of the Lake Dallas Municipal Code by adding Section 46-43 to provide for waivers of provisions of the International Fire Code.**

Motion to amend Article II, "Fire Code", of Chapter 46, "Fire Prevention and Protection", of the Lake Dallas Municipal Code by adding Section 46-43 to provide for waivers of provisions of the International Fire Code was made by Councilmember Brooks and seconded by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to approve revisions to the Community Room facility use and fee schedule.**

Item Pulled

3) **Consideration and Action to approve a contract between the City of Lake Dallas and the Army Corp of Engineers for the use of Willow Grove Park.**

Motion to approve a contract between the City of Lake Dallas and the Army Corp of Engineers for the use of Willow Grove Park was made by Councilmember Hammond and seconded by Councilmember Mathews.
Ayes: Councilmembers Hammond, Mathews, and Brooks.
Noes: None

Motion Passed

4) **Consideration and Action to approve appointing Michael McCaleb to the Parks and Recreation Board.**

Motion to approve appointing Michael McCaleb to the Parks and Recreation Board was made by Councilmember Hammond and seconded by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, and Mathews.
Noes: None

Motion Passed

5) **Consideration and Action to approve changes to the Waste Management Contract on Solid Waste Collection.**

John Klaiber, representative of Waste Management, explained the proposed changes to the contract to the Council.

Motion to approve changes to the Waste Management Contract on Solid Waste Collection was made by Councilmember Brooks and seconded by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported that Lakeview Drive is coming along. Trees have been removed to prepare for the roadwork on the last piece of the road. The section from Swisher to the airport is now done and open. Willow Grove Park Phase II is waiting on Corp approval. All the paperwork has been done on the Downtown Enhancement Program and we are awaiting the decision in June. The Main Street realignment with Church Street should begin around mid-April. Paris Rutherford, with Catalyst, will be at the April 22nd City Council meeting to give his final report.

2) Private Projects

City Manager Berner reported that Daniels' are digging a large hole to clear out some bad dirt and fill in with good dirt so that construction can begin on their project. Swisher Courts' site plan has been approved, they have had a pre-construction meeting, and they are in the process of getting the ground ready for construction. John Lugenheim's project will go forward if the fire lane waiver is approved at the next meeting.

J. NEW AGENDA ITEMS

No new agenda items.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:33 pm.

Tony Marino, Mayor

Joni Mooneyham

Joni Mooneyham, Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on April 22, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn, and Police Chief Nick Ristagno.

Councilmember Connors arrived at 7:45 pm.

B. EXECUTIVE SESSION

1) **The City Council to meet in Closed Session under Section 551.0729 (real property) of the Texas Government Code to discuss the purchase/sale of real property located on Swisher Road.**

Mayor Marino adjourned to Executive Session at 7:32 pm.

Mayor Marino reconvened meeting at 9:15 pm.

B. ACTION, if any, from Executive Session

No action was taken.

D. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:15 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 25, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Special Events Coordinator Shannon Fields.

B. INVOCATION

Pastor Ray Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino announced that the City Secretary had submitted Certification of Unopposed Candidates for the May 8, 2010 election.

E. REPORTS

1) **Boards and Commissions** – Shannon Fields gave a report on Mardi Gras and future special events and activities. Shannon also reported that she had become a Certified Tourism Ambassador.
2) **Finance** – Finance Director Donna Boner reported on the financials.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.
David Fowler, Pro Tow Wrecking Service, 1006 E. Stemmons Frwy, Lewisville, TX 75067, requested the Council consider repealing its towing ordinance requiring a local towing company and contract with a towing company to provide services to the City.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) Consideration and Action to approve the Consent Agenda.

Motion to approve the Consent Agenda was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve an order and resolution to cancel the May 8, 2010 election and declare the unopposed candidates elected.**

Motion to approve an order and resolution to cancel the May 8, 2010 election and declare the unopposed candidates elected was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, Connors and Mathews.
Noes: None

Motion Passed

2) **Consideration and Action to approve the appointment of Darren Roberson to the Lake Dallas Community Development Board.**

Motion to approve the appointment of Darren Roberson to the Lake Dallas Community Development Board was made by Councilmember Brooks and seconded by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, Harper, Connors and Hammond.
Noes: None

3) **Consideration and Action to approve a $3.00 increase to Willow Grove Park RV Campsite fees and a $1.00 increase to Primitive Campsite fees.**

Motion to approve a $3.00 increase to Willow Grove Park RV Campsite fees and a $1.00 increase to Primitive Campsite fees was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews and Hammond.
Noes: None

Motion Passed

4) **Consideration and Action to approve Budget Transfers and Budget Amendment.**

Motion to approve the Budget Transfers and Budget Amendment by Councilmember Connors and seconded by Councilmember Mathews.
Ayes: Councilmembers Connors, Mathews, Harper, Brooks and Hammond.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that Warrant Round Up was a success with 122 warrants being closed and $28,343 in revenue brought in. Municipal Court online payment system is going well. Daniels Air Conditioning have closed on their property and construction should begin soon. Swisher Courts should be closing on their property soon. There was a pre-construction meeting held in regards to John Lugenheim's project. Sonic is under reconstruction. We met with DCTA following the announcement of their capital study. We met with their new director who proposed going back to his board with a series of questions that would change the parameters of what the capital study used to see if it would make a difference in the outcome. The work on Main Street and Church Street will begin as soon as Hundley is finished, approximately 3-4 weeks.

J. NEW AGENDA ITEMS

No new agenda items.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:15 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 25, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

Councilmember Connors was absent because of illness.

B. INVOCATION

Pastor Ray Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced that the Chamber Banquet is February 26th at the Holiday Inn Ballroom in Denton.

E. REPORTS

1) **Boards and Commissions** – no reports

2) **Finance** – Finance Director Donna Boner reported on the financials.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda. No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the Consent Agenda.**

Motion to approve Items G 1-6 and pull Item G 7 was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve the audits for Fiscal Year 2009.**

Motion to approve the audits for the Fiscal Year 2009 was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

2) **Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure, Swisher Courts, located at 501 and 504 Swisher Road.**

No one from the Public came to speak. Allen Bieke gave a brief explanation of his request for an exemption from the 80 percent masonry requirement.

3) **Consideration and Action to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure, Swisher Courts, located at 501 and 504 Swisher Road.**

Motion to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure, Swisher Courts, located at 501 Swisher Road was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Mathews.
Noes: None

Motion Passed

4) **Consideration and Action to approve the site plan for Swisher Courts at 501 and 504 Swisher Road.**

Motion to approve the site plan for Swisher Courts for 501 Swisher Road was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

5) Consideration and Action to approve the preliminary site plan for Lot 26, Block A Garza Beach Estates.

Motion to approve the preliminary site plan for Lot 26, Block A Garza Beach Estates was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews and Hammond.
Noes: None

Motion Passed

Mr. Lugenheim stated he was under the impression this was being accepted as his final site plan and requested the Council change their motion.

Motion to amend the earlier motion from preliminary site plan to final site plan was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmember Brooks, Harper, Mathews and Hammond.
Noes: None

Motion Passed

6) Consideration and Action to appoint James "Bud" Hughes to serve on the Parks and Recreation Board.

Motion to appoint James "Bud" Hughes to serve on the Parks and Recreation Board was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

7) Consideration and Action to appoint Judie Hughes to serve on the Library Board.

Motion to appoint Judie Hughes to serve on the Library Board was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brook, and Mathews.
Noes: None

Motion Passed

8) Consideration and Action to approve a resolution to order the May 8, 2010 election.

Motion to approve a resolution to order the May 8, 2010 election for the seats of Mayor, Council Places 2 and 4 was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews and Hammond.
Noes: None

Motion Passed

9) Consideration and Action to approve the purchase of two ticket writers from the Court Technology Fund.

Motion to approve the purchase of two ticket writers from the Court Technology Fund was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews and Hammond.
Noes: None

Motion Passed

10) Consideration and Action to approve an agreement to participate in FitCities.

Motion to approve an agreement to participate in FitCities was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and Mathews.
Noes: None

Motion Passed

11) Consideration and Action to submit a letter of proposal to expand the Lake Cities Library to Hickory Creek

Motion to submit a letter of proposal to expand the Lake Cities Library to Hickory Creek, Corinth and Shady Shores was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and Mathews.
Noes: None

Motion Passed

12) Consideration and Action to approve a contract agreement with the Thomas Carnival and waive the permit fees

Motion to approve a contract agreement with the Thomas Carnival and waive the permit fees was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and Mathews.
Noes: None

Motion Passed

13) Consideration and Action to approve an agreement with DCTA for the realignment of Main Street.

Motion to approve an agreement with DCTA for the realignment of Main Street was made by Councilmember Hammond and seconded by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper and Mathews.
Noes: None

Motion Passed

Mayor Marino adjourned the regular meeting at 8:40 P.M. called a five-minute break before going into Executive Session.

I. EXECUTIVE SESSION:

1) The City Council to meet in Closed Session under Section 551.0729 (real property) of the Texas Government Code to discuss the purchase/sale of real property located on Swisher Road.

Mayor Marino opened Executive Session at 8:45 pm.

Mayor Marino reconvened regular Council meeting at 9:22 pm.

J. ACTION, if any, from Executive Session

No action was taken on Executive Session.

K. CITY MANAGER REPORT

City Manager Berner reported that Carol Ann Connors had signed the closing papers to sell the Economic Development Corporation property on Swisher to Daniels Air. Daniels' building should be here in about two weeks. Alan Bieke and John Lugenheim have had their site plans approved for their projects. On Lakeview Phase I project, half the connection, from Swisher to the toll Road, has been paved. There has been a series of meetings with Commissioner Coleman and his associates on the funding of Lakeview Phase II. The City has met with county engineers regarding Howard Drive south to Lakeview and their recommendation is to do the project.

K. NEW AGENDA ITEMS

Mayor Marino suggested we develop an incentive program for employees who come up with cost saving measures for the City.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:28 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 14, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

B. INVOCATION

James Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced that Mardi Gras is February 16th. The Chamber Banquet is February 26th at the Holiday Inn Ballroom in Denton. Economic Development Corporation will be sponsoring a table. Lake Cities Lions Club is hosting a Casino Night at Oakmont Country Club on January 30th. Mayor Marino reported a good turnout for the seniors' activity day in the Linwood Gilliland Community Room.

E. REPORTS

1) **Boards and Commissions** – no reports

2) **Finance/Waste Management** – Finance Director Donna Boner reported on the financials. The Northstar Bank short-term loan has been paid.
City Manager Berner reported on Waste Management has turned out better than he thought. It has been a challenging first year, but most of the issues have been resolved. City Manager Berner suggested that we think about an ordinance change that would stipulate landlords being responsible to pay the trash service and then pass their cost on to their tenants because tenants leave and don't pay. Overall, the process is getting better and City Manager Berner would like to continue it.

3) **Online Payment System** – City Manager Berner reported that the online payment system should be up and running February 1st. He met with a vendor regarding a kiosk system for the Lobby that would allow bill payments 24/7. LCMUA also is interested in using the kiosk if we decide to go ahead with it.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Robert Raney, 119 Lake Vista, addressed Council regarding a Code Violation he received for parking his new motor home on his second driveway at 120 Lake Vista. Mr. Raney had checked with the City before he purchased the motor home and was told he could park it there, but there was a misunderstanding in regards to where he lived. Mr. Raney is asking for an exception to be allowed to park in his driveway now that he has purchased this vehicle. City Manager Berner told Mr. Raney that staff would look in to this situation.

Mayor Marino closed the Visitors/Citizens Agenda.

J. CONSENT AGENDA

1. Consideration and Action on approval of Minutes for December 10, 2009 meeting

Motion to approve the Minutes for the December 10, 2009 meeting was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond.
Noes: None

Motion Passed

2. Consideration and Action on approval of December Financials.

Motion to approve the Minutes for the December 10, 2009 meeting was made by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, Connors, Brooks and Mathews.
Noes: None

Motion Passed

K. BUSINESS:

1) Public Hearing on a proposed replat for the new Stockard Subdivision.

Mayor Marino opened the Public Hearing. Clyde Fisher came forward to explain the replat to Council. Mayor Marino closed the Public Hearing.

2) Consideration and Action to approve Resolution to approve a proposed replat for the new Stockard Subdivision. (Planning and Zoning Commission)

Motion to approve Resolution to approve a proposed replat for the new Stockard Subdivision was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Hammond, Connors, Harper, Brooks and Mathews.
Noes: None

Motion Passed

3) **Public Hearing on a proposed site plan for the new Stockard Subdivision**

Item Pulled

4) **Consideration and Action to approve a proposed site plan for the new Stockard Subdivision. (Planning and Zoning Commission)**

Motion to approve an **a** proposed site plan for the new Stockard Subdivision was made by Councilmember Connors and seconded by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, Mathews, and Hammond.
Noes: None

Motion Passed

5) **Public Hearing on proposed site plan for the new Daniels Air Conditioning building.**

Item Pulled

6) **Consideration and Action to approve a proposed site plan for the new Daniels Air Conditioning building. (Planning and Zoning Commission)**

Motion to approve a proposed site plan for the new Daniels Air Conditioning building was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, Mathews, and Hammond.
Noes: None

7) **Consideration and Action to approve accepting the Energy Efficiency and Conservation Block Grant (EECBG) funds. (City Manager)**

Motion to approve accepting the Energy Efficiency and Conservation Block Grant (EECBG) funds was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, Connors, and Mathews.
Noes: None

Motion Passed

I. WORKSHOPS

1) **FitCities** – City Manager Berner and Mayor Marino reported on the FitCities project. They initially saw a presentation on FitCities at the TML conference and then representatives came to City Hall to speak with them. FitCities a non-profit organization to help Texans get fit. There is no cost to the City. After the City adopts a resolution to join, employees are able to log in to the FitCities website and long their hours of exercise. After reaching a certain number of hours exercising, the employee receives a recognition certificate from the governor. A resolution to join will be on the next agenda.

2) **Lake Cities Community Library -** City Manager Berner presented a number of scenarios regarding what could be done in the Library situation. Mayor Marino invited Library Board member Bill Knox of Lake Dallas to the podium to share his views regarding the Library. Mr. Knox expressed his desire for the City to expand the Library and keep it in Lake Dallas. Councilmember Brooks thinks the Council should move forward with a proposal to expand and see what the response is from the other cities.

J. CITY MANAGER REPORT

1) City Projects

City Manager Berner reported the Lakeview Drive project is continuing to move forward. Workers have lined part of the street connection between Lakeview and Swisher. The replacement water line is within 500 feet of completion. We have had no response yet from DCTA. The capital report should be done by the end of the month then the New Members Board will take final action. A rider ship study for this area has not and will not be done.

2) Private Projects

Swisher Courts should be bringing in their site plan next month. City Manager met with owner's representative from the United Aircraft property. They are proposing a site swap. The site would have to be approved by the Federal Government.

K. NEW AGENDA ITEMS

FitCities

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:40 pm.

Tony Marino, Mayor

Joni L. Vaughn

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on January 7, 2010 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:00 pm.

A. ROLL CALL

Tony Marino	Mayor
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, City Secretary Joni Vaughn,

B. BUSINESS

1) **Consideration and Action to approve a resolution supporting the Lake Dallas Community Development Corporation's grant request for downtown streetscape improvements. (City Manager)**

Motion to approve a resolution supporting the Lake Dallas Community Development Corporation's grant request for downtown streetscape improvements was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and Mathews and Mayor Marino.
Noes: None

Motion Passed

C. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:05 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 10, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:02 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Ricky Mathews	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner, Community Development/Code Enforcement Officer Char Dupree and City Attorney David Berman.

Councilmember Connors felt ill and left at 8:40 p.m.

B. INVOCATION

Carol Ann Connors gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. EXECUTIVE SESSION

The City Council to meet in Executive Session for evaluation of the City Attorney and the Municipal Court Judge pursuant to the Texas Government Code Section 551.074.

Mayor Marino adjourned the meeting at 7:05 p.m. to go into Executive Session for the evaluations of the Municipal Court Judge and the City Attorney.
Mayor Marino reconvened the meeting at 7:55 p.m.

E. ACTION, if any, from Executive Session

No action was taken.

I. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Glee Box, 402 Columbia Circle, informed the Council of semi trucks on Hundley Drive associated with the DART construction have been blocking the Beck Addition and obstructing the view for motor vehicles.

John Box, 402 Columbia Circle, stated that the DCTA Railway is about 20' from his back fence and requested a sound wall be put up. He stated that Corinth had been given a sound wall and he would like to have one also. Drainage is an issue in the area as well.

Mayor Marino closed the Visitors/Citizens Agenda.

F. ANNOUNCEMENTS

City Manager Berner announced that the annual Employee Appreciation Dinner would be Friday evening at 7:00 p.m. at Texas Land & Cattle. The Steering Committee for the Swisher Road Rail Station will meet December 17th at 7:30 p.m. after the Planning and Zoning Commission meeting. The City's Mardi Gras Celebration will be February 16th.

G. PRESENTATION

City Attorney David Berman gave the City Council an explanation of a TIF district and other forms of financing.

Meeting was adjourned at 8:35 p.m. for a short break and reconvened at 8:38 p.m.

H. REPORTS

1) City Manager Berner reported that KLDB will be meeting on Sunday, December 13th to do a Litter Index Survey. The Parks Board held the Annual Tree Lighting ceremony on Saturday, December 5th. Julie Chapman has resigned from the Parks Board. Community Development Corporation approved going forward with the Downtown STEP grant nomination. Economic Development Corporation projects, Swisher Courts and Daniels, are coming close to closing.
2) Finance and Human Resource Director Donna Boner gave the Financial Reports.

J. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for November 12, 2009 meeting**
2. **Consideration and Action on approval of November Financials.**

Motion to approve the Consent Agenda was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Mathews, and Hammond.
Noes: None

Motion Passed

K. BUSINESS:

1) **Consideration and Action to approve appointing Ron Shawer to the Keep Lake Dallas Beautiful Committee (City Manager)**

Motion to approve Ron Shawer to the Keep Lake Dallas Beautiful Committee was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and Mathews.
Noes: None

Motion Passed

2) **Consideration and Action to approve Resolution to vote for Candidates to Board of Directors of Denton County Appraisal District. (City Manager)**

Motion to cast all ten (10) votes to Mark D. Chambers was made by Councilmember Hammond and seconded by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper and Mathews.
Noes: None

Motion Passed

3) **Consideration and Action on an interlocal agreement with the City of Lewisville for the maintenance of the traffic signal at Swisher Road and Shady Shores Road. (City Manager)**

Motion to approve an interlocal agreement with the City of Lewisville for the maintenance of the traffic signal at Swisher Road and Shady Shores Road was made by Councilmember Mathews and seconded by Councilmember Hammond.
Ayes: Councilmembers Mathews, Hammond, Harper and Brooks.
Noes: None

Motion Passed

Consideration and Action on approval to amend Article I, Section 10-32 to charge a ten percent (10%) penalty on all renewal payments not received within ten (10) days of the expiration of a Liquor Permit or Beer License. (City Manager)
Item pulled.

5) **Consideration and Action to approve an Ordinance to regulate public and semi-public swimming pools and spas. (City Manager)**

Motion to approve an Ordinance to regulate public and semi-public swimming pools and spas. was made by Councilmember Brooks and seconded by Councilmember Mathews.
Ayes: Councilmembers Brooks, Mathews, Harper and Hammond.
Noes: None

6) **Consideration and Action to amend the Health and Sanitation Ordinance, increasing restaurant permit fees to $50 per year, grocery store permit fees to $50 per year and add a $50 late payment fee and to adopt the Texas Health Code. (City Manager)**

Motion to amend the Health and Sanitation Ordinance, increasing restaurant permit fees to $50 per year, grocery store permit fees to $50 per year and add a $50 late payment fee and to adopt the Texas Health Code was made by Councilmember Mathews and seconded by Councilmember Hammond.
Ayes: Councilmembers Mathews, Hammond, Harper and Brooks.
Noes: None

L. CITY MANAGER REPORT

1. **City Projects**
   City Manager Berner reported that the drainage project on Main Street has been completed. Lakeview Drive construction will resume when things dry out. DCTA is under review. Willow Grove Phase II plans are at the Corp of Engineers for review. The solar light installation has begun and in addition to Willow Grove there will be a light at River Oaks Park and one near the flagpole at City Hall.
2. **Private Projects**
   Swisher Courts and Daniels should be getting plans in within the next couple of weeks.

P. NEW AGENDA ITEMS

Mayor Marino would like a report on the status of the online payment system and to review the Waste Management Billing system put in place last year. Mayor Marino would like the Council to think about items to deal with in the next year.
Councilmember Hammond would like to formally create an committee to explore our options for the library and he is willing to serve on such a committee.

Q. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:07 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni L. Vaughn

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 12, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro Tem Connors called the meeting to order 7:05 pm.

A. ROLL CALL

Carol Ann Connors	Councilmember 2, Mayor Pro Tem
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Mayor Marino and Councilmember Harper were absent.

Staff Present: City Manager Earl Berner, Police Lieutenant Mike Sparby, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

B. INVOCATION

Ray Harper of Covenant Fellowship gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Connors led the pledges of allegiance.

D. BUSINESS

1. **Consideration and Action on approval of an Ordinance for the Canvass of the Election held November 3, 2009. (City Secretary)**

Motion to approve an Ordinance for the Canvass of the Election held November 3, 2009 was made by Councilmember Hammond and seconded by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Connors
Noes: None

Motion Passed

2. **Mayor Pro Tem Connors administered the Oath of Office to Councilmember Place 4, Rick Mathews.**

E. EXECUTIVE SESSION

The City Council to meet in Executive Session for evaluation of the City Attorney and the Municipal Court Judge pursuant to the Texas Government Code Section 551.074.

Item tabled.

F. ACTION, if any, from Executive Session

Item tabled, No action.

G. WORKSHOP – Lake Cities Library Board

William Knox with the Library Board came to discuss with Council the Library's need to expand and keeping the Library in Lake Dallas. Mr. Knox expressed the Library's need to double in size. Currently, the Library has 5000 square feet. Mr. Knox reported that the Town of Shady Shores does not want the Library to move from Lake Dallas, The City of Corinth has not had recent discussion in terms of the Library, and the Town of Hickory Creek has formed a task force to investigate the starting their own Library.

Councilmember Hammond said the Library Board is seeking direction from the Lake Dallas Council. Lake Dallas City Council needs to formulate a plan. He would like to see the City build on to the existing Library and have something like the Emily Fowler Library in Denton.

Councilmember Brooks would like to inquire of other cities to see if they want to support an expansion of the existing Library and also would like for the Library to check in to State grants.

City Manager Berner stated the cities really need to meet and discuss the Library situation.

Councilmember Connors would like to see the existing Library get a "facelift" on the outside.

Councilmember Brooks suggested that this topic be included on the next agenda.

H. ANNOUNCEMENTS

City Manager Berner announced the Tree Lighting would be Saturday, December 5th.

Shop Lake Dallas Campaign has started. 19 businesses are participating and there is a $1,000 cash prize.

I. REPORTS

Finance and Human Resource Director Donna Boner gave the Financial Reports.

J. VISITORS/CITIZENS AGENDA

Mayor Pro Tem Connors opened the Citizens Agenda.

No one came forward to speak.

Mayor Pro Tem Connors closed the Citizens Agenda.

K. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for October 22, 2009 meeting**
2. **Consideration and Action on approval of October Financials.**

Motion to approve the Consent Agenda was made by Councilmember Hammond and seconded by Councilmember Brooks.

Ayes: Mayor Pro Tem Connors, Councilmembers Hammond, Brooks and Mathews.

Noes: None

Motion Passed

L. BUSINESS:

1. **Consideration and Action to approve Joe Canales to the Keep Lake Dallas Beautiful Committee. (City Manager)**
   Motion to approve Joe Canales to the Keep Lake Dallas Beautiful Committee was made by Councilmember Brooks and seconded by Councilmember Mathews.
   Ayes: Mayor Pro Tem Connors, Councilmembers Brooks, Hammond and Mathews.
   Noes: None

   Motion Passed

2. **Consideration and Action to accept the resignation of Donna Walker from KLDB and Library Board. (City Manager)**
   Motion to accept the resignation of Donna Walker from KLDB and Library Board was made by Councilmember Hammond and seconded by Councilmember Mathews.
   Ayes: Mayor Pro Tem Connors, Councilmembers Brooks, Hammond, Mathews.
   Noes: None

   Motion Passed

3. **Consideration and Action to amend Ordinance 89-05 to increase restaurant permit fees to $50 per year, grocery store permit fees to $50 per year and add a $50 late payment fee. (City Manager)**
   Item Tabled.

4. **Consideration and Action on Swisher Road Streetscape concepts presented by Schrickel, Rollins and Associates. (City Manager)**
   Cathy Acuna and James Williams of Schrickel, Rollins and Associates presented the final Swisher Road Streetscape.
   Motion to approve Swisher Road Streetscape concepts presented by Schrickel, Rollins and Associates was made by Councilmember Brooks and seconded by Councilmember Hammond.
   Ayes: Mayor Pro Tem Connors, Councilmembers Brooks, Hammond, Mathews.
   Noes: None

   Motion Passed

5. **Consideration and Action on agreement with Catalyst Development for the proposed study on a transit oriented development at I-35E and Swisher Road. (City Manager)**
   Paris Rutherford, Catalyst Development, gave a brief overview to bring new Councilmember Mathews up to speed.
   Motion to approve an agreement with Catalyst Development for the proposed study on a transit oriented development at I-35E and Swisher Road was made by Councilmember Brooks and seconded by Councilmember Hammond.
   Ayes: Mayor Pro Tem Connors, Councilmembers Brooks, Hammond, Mathews.
   Noes: None

   Motion Passed

M. EXECUTIVE SESSION

The Economic Development Corporation board to meet in Closed Session under Section 551.072 of the Texas Government Code to discuss the purchase/sale of real property.

Mayor Pro Tem Connors adjourned the meeting to go in to Executive Session at 8:12 PM.
Mayor Pro Tem Connors reconvened the meeting from Executive Session at 9:42 PM.

N. ACTION, if any, from Executive Session

No action was taken from Executive Session.

O. CITY MANAGER REPORT

1. **City Projects**

City Manager Berner and Mayor Marino met with DCTA. DCTA wanted to make sure we understood they were fully engaged with us and they suggested that we try to work with Corinth regarding station location.
The City has refinanced the 1998 Street Bonds with a savings of $8,300 per year.
Lakeview Drive is underway. There is a right of way issue that has surfaced and we are working to resolve it.
Community Development Corporation submitted a grant application in 2006 for the Main Street Program, but the grant was lost due to hurricane relief. But, with the addition of stimulus funds, our grant request will be reconsidered. Construction drawings must be ready in February. Grants will be awarded in June and construction must begin by October.

2. **Private Projects**

Daniels got their financing. City Manager Berner sent them the commitment letter for their grant. They are bringing in plans. Swisher Courts is bringing in plans. Both projects should be starting soon.

P. NEW AGENDA ITEMS

Library and tabled items carried over.

Q. ADJOURNMENT

Mayor Pro Tem Connors adjourned the meeting at 9:45 pm.

Carol Ann Connors

Carol Ann Connors, Mayor Pro Tem

Joni L. Vaughn

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 22, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro Tem Connors called the meeting to order 7:30 pm.

A. ROLL CALL

James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2, Mayor Pro Tem
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Mayor Marino was absent attending a TML conference.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Finance/Human Resource Director Donna Boner.

B. INVOCATION

Ray Harper of Covenant Fellowship gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Connors led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced the Education Foundation Gala would be October 24th at Robson Ranch.

E. PROCLAMATIONS

Mayor Pro Tem Connors read a proclamation to recognize and commend the LDISD PTAs.

F. VISITORS/CITIZENS AGENDA

Mayor Pro Tem Connors opened the Citizens Agenda.
No one came forward to speak.
Mayor Pro Tem Connors closed the Citizens Agenda.

G. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for September 24, 2009 meeting**
2. **Consideration and Action on approval of September Financials.**
3. **Consideration and Action on approval of the quarterly investment reports.**

Motion to approve Consent Agenda was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Mayor Pro Tem Connors, Councilmembers Hammond, Harper and Brooks
Noes: None

Motion Passed

H. BUSINESS:

1. **Consideration and Action on approval of a resolution to borrow for General Fund to cover November and December expenses. (City Manager)**
   Motion to approve a resolution to borrow for General Fund to cover November and December expenses was made by Councilmember Hammond and seconded by Councilmember Harper.
   Ayes: Mayor Pro Tem Connors, Councilmembers Harper, Brooks and Hammond.
   Noes: None

   Motion Passed

2. **Consideration and Action to approve a request from SPAN in the amount of $4,276.00 to fund the cost for providing transportation and meals to Lake Dallas Senior Citizens.**
   Motion to approve a request from SPAN in the amount of $4,276.00 to fund the cost for providing transportation and meals to Lake Dallas Senior Citizens was made by Councilmember Hammond and seconded by Mayor Pro Tem Connors.
   Ayes: Mayor Pro Tem Connors, Councilmembers Harper, Hammond, and Brooks
   Noes: None

   Motion Passed

I. CITY MANAGER REPORT

1. **City Projects**
   Lakeview Road construction from Swisher to Howard will begin around the first part of November. A pre-construction meeting was held this week.
   The City made its last payment on the Equipment Finance Contract in September.
2. **Private Projects**
   Swisher Courts is funded. They are in the engineering phase. They hope to start by January 2010. The building on the south side of Swisher Road, north of Mercedes Homes, will house indoor basketball and volleyball on the first floor. The second floor will have a sports bar, locker rooms, meeting areas and banquet facility capabilities. The building on north side of Swisher will house indoor soccer and football and also have a sports bar and banquet facility.

J. NEW AGENDA ITEMS

No new agenda items.

K. ADJOURNMENT

Mayor Pro Tem adjourned the meeting at 7:47 pm.

Carol Ann Connors, Mayor Pro Tem

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 24, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Police Lieutenant Wes Frazier, Finance/Human Resource Director Donna Boner, Special Events Coordinator Shannon Fields.

B. INVOCATION

Ray Harper of Covenant Fellowship gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced the Education Foundation Gala would be October 24th at Robson Ranch. Special Events Coordinator Fields announced the Hazardous Waste Cleanup, Saturday, September 26th in conjunction with the quarterly City Cleanup.

E. VISITORS/CITIZENS AGENDA

Mayor Tony Marino opened the Citizens Agenda.
Kim Stolle, 608 Lakeland, spoke regarding a drainage issue in her neighborhood. Mayor Marino directed her to staff.
Mayor Marino closed the Citizens Agenda.

F. AGENDA BRIEFING

City Manager Berner gave the briefing of the agenda.

G. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for September 10, 2009 meeting (City Secretary)**

Motion to approve Consent Agenda was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper and Brooks
Noes: None

Motion Passed

H. BUSINESS:

1. **Consideration and Action to approve an Ordinance adopting the Budget for Fiscal Year 2009-2010 for the City of Lake Dallas. (City Manager)**

   Motion to approve an Ordinance adopting the Budget for Fiscal year 2009-2010 for the City of Lake Dallas was made by Councilmember Connors and seconded by Councilmember Harper.
   Ayes: Councilmembers Connors, Harper, Brooks and Hammond.
   Noes: None

   Motion Passed

2. **Consideration and Action to approve an Ordinance setting the Maintenance and Operations tax rate ($0.567) and the Debt Service tax rate ($0.143) for Fiscal Year 2009-2010. Total tax rate $0.71.**

   Motion to approve an Ordinance setting the Maintenance and Operations tax rate ($0.567) and the Debt Service tax rate ($0.143) for Fiscal Year 2009-2010. Total tax rate $0.71. made by Councilmember Harper and seconded by Councilmember Hammond.
   Ayes: Councilmembers Harper, Hammond, Connors and Brooks
   Noes: None

   Motion Passed

3. **Public Hearing on a proposed Ordinance for the change in zoning for tracts 25, 26, 28A, 40, 52, 53, 56, 59, 60, and 65 OF Abstract 1355 M. Wright Survey property; and OT Garza Block 1 Lots 1, 2, 3, 4, and 5, Block 2 Lots 1, 2, and 3, Block 3 Lots 1, 2, and 3, and Block 4 Lots 1, 2, and 3, in the City of Lake Dallas, Denton County, Texas. The change in zoning would be from R-1- 6000 Single-Family Dwelling district to C-1 Retail District.**

   Mayor Marino opened the Public Hearing. No one came forward to speak on the Public Hearing. Mayor Marino closed the Public Hearing.

4. **Consideration and Action to approve an Ordinance for the change in zoning for tracts 25, 26, 28A, 40, 52, 53, 56, 59, 60, and 65 OF Abstract 1355 M. Wright Survey property; Gotcher Addition Block 1 Lots 7, 8 (all), and 9 (north 30'), Block 1 Lot 9 south 70' of west half and Lot 10 (north 10' of west half; and OT Garza Block 1 Lots 1, 2, 3, 4, and 5, Block 2 Lots 1, 2, and 3, Block 3 Lots 1, 2, and 3, and Block 4 Lots 1, 2, and 3, in the City of Lake Dallas, Denton County, Texas. The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-1 Retail District**

   Motion to approve an Ordinance for the change in zoning for tracts 25, 26, 28A, 40, 52, 53, 56, 59, 60, and 65 OF Abstract 1355 M. Wright Survey property; Gotcher Addition Block 1 Lots 7, 8 (all), and 9 (north 30'), Block 1 Lot 9 south 70' of west half and Lot 10 (north 10' of west half; and OT Garza Block 1 Lots 1, 2, 3, 4, and 5, Block 2 Lots 1, 2, and 3, Block 3 Lots 1, 2, and 3, and Block 4 Lots 1,2, and 3, in the City of Lake Dallas, Denton County, Texas. The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-1 Retail District was made by Councilmember Connors and seconded by Councilmember Brooks.
   Ayes: Councilmembers Connors, Brooks, Harper, and Hammond.
   Noes: None

   Motion Passed

5. **Consideration and action on Consideration and Action to approve an interlocal agreement with the District Attorney's Office for the disposition of seized property.**
   Motion to approve to approve an interlocal agreement with the District Attorney's Office for the disposition of seized property was made by Councilmember Hammond and seconded by Councilmember Harper.
   Ayes: Councilmembers Hammond, Harper, Connors and Brooks.
   Noes: None

Motion Passed

H. CITY MANAGER REPORT

1. **City Projects**
   With the assistance of Councilmember Brooks the City has entered into negotiations with a realtor for the United Aircraft/Payless Cashways property for a DCTA station.
2. **Private Projects**
   The loan was approved for the Swisher Courts project and the project is moving forward. They are expecting to break ground around the first part of January 2010.

I. NEW AGENDA ITEMS

Annual review of the City Attorney and Municipal Court Judge.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:55 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 10, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Harper was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Police Lieutenant Wes Frazier, Finance/Human Resource Director Donna Boner, Special Events Coordinator Shannon Fields.

B. INVOCATION

Jim Stembridge of Covenant Fellowship gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Special Events Coordinator Fields announced Waterfest on September 12th and 13th at Willow Grove Park. There will be jetski races, live entertainment and children's events. City Manager Berner announced the Education Foundation Gala will be October 24th at Robson Ranch.

E. VISITORS/CITIZENS AGENDA

Mayor Tony Marino opened the Citizens Agenda.
Mayor Tony Marino closed the Citizens Agenda when no one came forward to speak.

F. AGENDA BRIEFING

City Manager Berner gave the briefing of the agenda.

G. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for August 27, 2009 meeting (City Secretary)**
2. **Consideration and Action on approval of August Financials (City Manager)**

Motion to approve Consent Agenda was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond and Brooks
Noes: None

Motion Passed

H. BUSINESS:

1. **Public Hearing on the Fiscal Year 2010 Budget.**
   Mayor Marino opened the Public Hearing on the Budget. No one came forward to speak. Mayor Marino closed the Public Hearing on the Budget.

2. **Consideration and Action on approval of "fair share" support to Denton County Children's Advocacy Center in the amount of $11,631.00, to be paid from the Child Safety Fund.**
   Motion to approve support in the amount of $12,000 was made by Councilmember Connors and seconded by Councilmember Hammond.
   Ayes: Councilmembers Connors, Hammond and Brooks
   Noes: None
   Motion Passed

3. **Consideration and Action on approval of a resolution authorizing the City Manager to sign the Interlocal agreement allowing TXDOT to reimburse Lewisville for traffic signal maintenance.**

   Motion to approve a resolution authorizing the City Manager to sign the Interlocal agreement allowing TXDOT to reimburse Lewisville for traffic signal maintenance. was made by Councilmember Hammond and seconded by Councilmember Brooks.
   Ayes: Councilmembers Hammond, Brooks and Connors
   Noes: None
   Motion Passed

4. **Consideration and action on an ordinance Consideration and action on an ordinance authorizing the issuance of City of Lake Dallas, Texas, General Obligation Refunding Bonds; establishing procedures for the sale and delivery of the bonds; levying an annual ad valorem tax for the payment of said bonds; providing an effective date; and enacting other provisions relating to the subject.**
   Motion to approve an Ordinance Consideration and action on an ordinance authorizing the issuance of City of Lake Dallas, Texas, General Obligation Refunding Bonds; establishing procedures for the sale and delivery of the bonds; levying an annual ad valorem tax for the payment of said bonds; providing an effective date; and enacting other provisions relating to the subject was made by Councilmember Hammond and seconded by Councilmember Connors.
   Ayes: Councilmembers Hammond, Connors and Brooks.
   Noes: None
   Motion Passed

5. **Consideration and action on Consideration and action on rescinding Council's action on September 25, 2008 approval of construction of a Clerk of Court office in front reception area of City Hall.**

Motion to approve rescinding Council's action on September 25, 2008 approval of construction of a Clerk of Court office in front reception area of City Hall was made by Councilmember Brooks and seconded by Councilmember Connors.
Ayes: Councilmembers Brooks, Connors and Hammond
Noes: None

Motion Passed

H. CITY MANAGER REPORT

1. **City Projects**
   Willow Grove Park Phase II plans are almost ready to go to the Corp of Engineers for approval. Contracts are in place for the Lakeview project. City Manager Berner met with DCTA and they are still reviewing our request for a station in Lake Dallas.
2. **Private Projects**
   Polo's restaurant has opened. Quik Trip has opened. Kanapki's sandwich shop has opened. Neal's is to open very soon. City Manager Berner met with the Daniels and they are still interested in the Economic Development Corporation property.

I. NEW AGENDA ITEMS

No new agenda items were discussed.

J. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:55 pm.

Tony Marino, Mayor

Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 27, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:31 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Connors was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Police Lieutenant Wes Frazier, Finance/Human Resource Director Donna Boner,

B. INVOCATION

Councilmember Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced Waterfest on September 12th and 13th at Willow Grove Park.

Councilmember Hammond announced that the Friends of the Library were having a book sale and bake sale on Saturday.

E. VISITORS/CITIZENS AGENDA

Mayor Tony Marino opened the Citizens Agenda.

Mayor Tony Marino closed the Citizens Agenda when no one came forward to speak.

F. AGENDA BRIEFING

City Manager Berner gave the briefing of the agenda and stated that Item H-7 would be addressed out of order, just after H-1.

G. BUSINESS:

1. **Presentation and discussion with Schrickel Rollins regarding the Swisher Road Streetscape Master Plan.**

Cathy Acuna and James Williams with Schrickel Rollins presented the Swisher Road Streetscape Master Plan. Council decided to stay with the star in the City logo as part of the theme for the plan. They did not reach a decision on the entry way monument.

7. **Consideration and Action to approve a health plan for budget year 2010 for the employees of the City of Lake Dallas.**

Motion to approve a health plan for budget year 2010 for the employees of the City of Lake Dallas was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

2. **Consideration and Action on approval of Minutes for August 13, 2009 meeting.**

Motion to approve Minutes for August 13, 2009 meeting was made by Councilmember Brooks and seconded by Councilmember Harper.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

3. **Consideration and Action on approval of an Ordinance to amend Section 122-1267, "Zoning change signs," of Article XXIII, "Amendments," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Motion to approval of an Ordinance to amend Section 122-1267, "Zoning change signs," of Article XXIII, "Amendments," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code was made by Councilmember Hammond and seconded by Councilmember Harper.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

4. **Consideration and Action on approval of an Ordinance regarding the regulation of public swimming pool and spa operation and maintenance regulations in the City of Lake Dallas.**

Motion to approve an Ordinance regarding the regulation of public swimming pool and spa operation and maintenance regulations in the City of Lake Dallas was made by Councilmember Brooks and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

5. **Consideration and Action on approval of a contract with Denton County Elections Administration for the November 3, 2009 election.**

Motion to approve a contract with Denton County Elections Administration for the November 3, 2009 election was made by Councilmember Hammond and seconded by Councilmember Brooks.

Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

6. **Consideration and Action to approve using Court Technology funds to implement online payment for Municipal Court fines.**

Motion to approve using Court Technology funds to implement online payment for Municipal Court fines was made by Councilmember Brooks and seconded by Councilmember Harper.

Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

K. CITY MANAGER REPORT

1. **City Projects**
   City Manager Berner reported that we have had some complaints regarding the new traffic light at Swisher. We are working on the timing issues. Work on Lakeview Drive should begin in 30 days.
2. **Private Projects**
   Work on the railroad crossings is in moving rapidly. We have had no reaction from DCTA on moving Church Street or the request for a train station. QT should open in seven days. Neal's should open in two weeks. The new sub shop, Kanapki's, is open. Polo's will open soon.

L. NEW AGENDA ITEMS

Mayor and Council would like to address a flat fee for the online payment system.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:25 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS TX

Joni Vaughn
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 13, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:31 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Secretary Joni Vaughn, Police Lieutenant Wes Frazier, Finance/Human Resource Director Donna Boner, Accounts Receivable Joni Mooneyham.

B. INVOCATION

Ray Harper, Pastor of the Covenant Fellowship Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced that Waterfest would be September 12th and 13th. Willow Grove campgrounds are already fully booked for that weekend.

E. PRESENTATIONS

1) **Appreciation plaques to outgoing Councilmembers Fletcher and Martin**
Neither Mr. Fletcher nor Mr. Martin was able to be there to receive their plaque. Mayor Marino stated that the plaques would be delivered.

2) **Lake Cities Library**
Cecil Carter presented the 2010-2014 strategic Plan for the Lake Cities Library. Mr. Carter told Council that the Library was considering a move to Cornelius Square in Hickory Creek because the Library has outgrown their current location. However, without increased funding, the Library will not be able to move. The Library is requesting $98,928 from Lake Dallas for the 2010 Budget year if they stay at the current location. They are requesting $141,623 for the 2010 Budget year if they move to Cornelius Square in Hickory Creek. Lake Dallas is contributing $80,000 in the current budget year. Mayor Marino and Councilmember Connors felt the Council needed a workshop to discuss the Library funding. City Manager Berner suggested that maybe the cities should get together for an interlocal agreement on the funding of the Library.

3) Babs Troutman presented Mayor Marino with a signed thank you picture from the Boys and Girls Club to show their appreciation for the City's support of the club.

F. REPORTS

1) Economic Development Corporation
City Manager Berner reported on the impending sale of 20 acres on Swisher Road for the purpose of constructing a commercial recreational facility.

2) Community Development Corporation
Community Development Corporation reviewed the plans for Willow Grove Park Phase II. They signed the documents for the CO Bonds.

3) Parks and Recreation Board
Special Events Coordinator Shannon Fields sent her financials for the 4th of July for Council to look at.

4) Keep Lake Dallas Beautiful Committee
City Manager Berner reported that KLDB did not meet this month.

5) Financial
Finance and Human Resources Director Donna Boner reported that the Sales Tax Revenue for July was $75,123.47 with $37,561.73 going to the General Fund. She said that $18,780.87 went to the 4-a and 4-b corporations.

F. VISITORS/CITIZENS AGENDA

Mayor Tony Marino opened the Citizens Agenda.
Mayor Tony Marino closed the Citizens Agenda when no one came forward to speak.

G. AGENDA BRIEFING

City Manager Berner gave the briefing of the agenda and stated that Item I-7 would be pulled so that it could be worked on a little more.

H. CONSENT AGENDA

1. **Consideration and Action on approval of Minutes for July 9, 2009 meeting (City Secretary)**
2. **Consideration and Action on approval of July Financials (City Manager)**
3. **Consideration and Action on approval of transferring budgeted funds from the Administration department to the Public Works department. (City Manager)**
4. **Consideration and Action to allow the Municipal Court of the City of Lake Dallas to employ/name a Juvenile Case Manager to assist the Court in administering the Court's juvenile docket and in supervising its court orders in juvenile cases. (City Manager)**
5. **Consideration and Action on approval of Jon Curfman to the Parks and Recreation Board. (City Manager)**
6. **Consideration and Action on the sale of one used vehicle and exercise equipment. (Police Chief)**
7. **Consideration and Action on upgrading the court security system. (Police Chief)**

Motion to approve Consent Agenda Items 1,2,3,5,6,7 was made by Councilmember Connors and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

H. 4. Consideration and Action to allow the Municipal Court of the City of Lake Dallas to employ/name a Juvenile Case Manager to assist the Court in administering the Court's juvenile docket and in supervising its court orders in juvenile cases. (City Manager)

Motion to approve Consent Agenda Item 4 and naming Becky Ross as the Juvenile Case Manager was made by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

I. BUSINESS:

1. **Consideration and Action on approval of a Resolution to call a Special Election for the Office of City Council, Place 4, of the City of Lake Dallas to be held jointly with Denton County Elections Administration on November 3, 2009. (City Secretary/City Manager)**

Motion to approve a Resolution to call a Special Election for the Office of City Council, Place 4, of the City of Lake Dallas to be held jointly with Denton County Elections Administration on November 3, 2009 was made by Councilmember Connors and seconded by Councilmember Harper Place 1.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

2. **Consideration and Action on the vote for a candidate to represent the municipalities on the Denco Board of Managers. (City Manager)**

Motion to was made to vote for Olive Stephens to represent the municipalities on the Denco Board of Managers by Councilmember Harper and seconded by Councilmember Connors.
Ayes: Councilmembers Harper and Connors
Noes: Councilmember Hammond

Motion Passed

3. **Consideration and Action to award bid for Lakeview Drive, Phase 1 to contractor. (City Manager & City Engineer)**

Motion to was made to vote for award bid for Lakeview Drive, Phase 1 to Quality Excavating in the amount of $887,493.20 by Councilmember Harper and seconded by Councilmember Hammond.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

4. **Consideration and Action on adoption on second reading resolution approving and authorizing the execution and delivery of a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the corporation in connection therewith; and containing other provisions related thereto. (City Manager)**

Motion to was made to adopt second reading resolution approving and authorizing the execution and delivery of a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the corporation in connection therewith; and containing other provisions related thereto by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

5. **Consideration and Action to adopt an ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2009; levying an annual ad valorem tax and providing for the security for and payment of said certificate; providing an effective date; and enacting other provisions relating to the subject. (City Manager)**

Motion to was made to adopt an ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2009; levying an annual ad valorem tax and providing for the security for and payment of said certificate; providing an effective date; and enacting other provisions relating to the subject by Councilmember Hammond and seconded by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, and Hammond
Noes: None

Motion Passed

6. **Consideration and Action on approval of an Ordinance to amend Section 122-802, Allowed Signs Requiring Issuance of a Sign Permit, of Article XX, Signs, of Chapter 122, Zoning of the Lake Dallas Municipal Code. (Planning and Zoning Commission)**

Motion to was made to approval of an Ordinance to amend Section 122-802, Allowed Signs Requiring Issuance of a Sign Permit, of Article XX, Signs, of Chapter 122, Zoning of the Lake Dallas Municipal Code by Councilmember Harper and seconded by Councilmember Connors.

Ayes: Councilmembers Harper, Connors, and Hammond

Noes: None

Motion Passed

K. CITY MANAGER REPORT

1. **City Projects**
   City Manager Berner reported that we have had some complaints regarding the new traffic light at Swisher. We are working on the timing issues. Work on Lakeview Drive should begin in 30 days.
2. **Private Projects**
   Work on the railroad crossings is in progress. The sale of the Economic Development Corporation property on Swisher Road is pending.
   City has contracted with a company who can lower our electric rates to 7cents a kilowatt hour. This will be a huge savings for the City.

L. NEW AGENDA ITEMS

Councilmember Connors and Councilmember Hammond would like to have charter revisions on next agenda if we are not too late for the November election.
Mayor Marino would like an item regarding the website.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:50 pm.

Tony Marino, Mayor

Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 9, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Police Chief Nick Ristagno and City Secretary Joni Vaughn.

B. INVOCATION

Ray Harper, Pastor of the Covenant Fellowship Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino said he wanted to publicly state that Special Events Coordinator Shannon Fields did an awesome job on the 4th of July event, and also the City Council and our Police Force. The four cities worked together and the fireworks display was truly an awesome event.

Police Chief Nick Ristagno and he had attended the recent meeting of the North Texas Tollway Authority concerning the Lake Lewisville Toll Bridge. There will be a run on Saturday, August 1. We are expecting a crowd of approximately 10,000 people. There will be no pedestrian walk-way after the bridge opens to vehicular traffic approximately a week after the Run.

E. REPORTS

1) Economic Development Corporation

City Secretary Joni Vaughn reported that the Community Development and Economic Development Corporations will meet on July 13. The Community Development Corporation meets at 7:00 pm and the Economic Development Corporation meets at 7:30 pm.

2) Community Development Corporation

City Secretary Joni Vaughn said they meet next Monday night.

3) Parks and Recreation Board
City Secretary Joni Vaughn said the Parks and Recreation Board will not have a meeting this month.

4) Keep Lake Dallas Beautiful Committee
City Secretary Joni Vaughn said she wasn't sure if they were going to meet this month.

5) Financial
Finance and Human Resources Director Donna Boner reported that the Sales Tax Revenue for June was $75,764.75 with $37,882.37 going to the General Fund. She said that $18,941.19 went to the 4-a and 4-b corporations. We also received the TXU annual franchise tax in June in the amount of $204,866.82. Donna gave the Council the information on the Community Development and Economic Development Corporations and the Designated Funds report. The Economic Development Corporation repaid the money it borrowed from the designated park account during June.

F. VISITORS/CITIZENS AGENDA:
Mayor Tony Marino opened the Citizens Agenda.
Mayor Tony Marino closed the Citizens Agenda when no one came forward to speak.

G. AGENDA BRIEFING
Police Chief Nick Ristagno read the items under the Consent Agenda and the items under the Business Agenda. He said that City Manager Earl Berner had asked that in his absence he would like the City Council to table Item I-6, but it is at their pleasure. Chief Ristagno said that due to the Addendum Item I-10 that they may choose not to discuss Items I-7 and I-8 since it is in reference to the individual in item I-10. He said that on the Addendum, Item 9 is in reference to the first reading of a Resolution for the Community Development Corporation borrowing for parks and Main Street projects. He then read Addendum items 10 and 11.

H. CONSENT AGENDA:
1. Consideration and Action on approval of Minutes for June 11, 2009 meeting.
Motion to approve the Minutes for the June 11, 2009 meeting was made by Councilmember Brooks. Second by Councilmember Hammond.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

2. Consideration and Action on approval of June Financials.

Motion to approve the financials was made by Councilmember Brooks. Second by Councilmember Hammond.

Ayes: Councilmembers Harper, Connors, Brooks, and Hammond

Noes: None

Motion Passed

3. Consideration and Action on approval of a minor site plan modification to the site plan for Lake Cities Municipal Authority.

Mike Fairfield, General Manager for Lake Cities Municipal Utilities Authority, said the request is Lot 19 and moving the building due to the Swisher Road widening project. Police Chief Nick Ristagno added that by doing this they will be eliminating the fence.

Motion was made by Councilmember Harper to approve the minor site plan modification to the site plan for Lake Cities Municipal Utilities Authority. Second by Councilmember Brooks.

Ayes: Councilmembers Harper, Connors, Brooks, and Hammond

Noes: None

Motion Passed

I. BUSINESS:

1. Discussion regarding Willow Grove Park

Police Chief Nick Ristagno said that due to a conversation with Mayor Marino and Councilmember Brooks and some citizens that have come to him, with the increased usage of Willow Grove Park in the summer comes increased problems and increased drug use. The only method they've had to enforce down there is marked squad cars and that's not a very effective way of doing it. He said that currently we are getting users from Dallas, Garland, and south Dallas. They have obtained that information by running license plate numbers. Chief Ristagno said they have had five or six arrests over the past few weeks. He said that Willow Grove Park is one of the parks along the lake that has no fee so it's encouraging people to come here. He said that to do undercover is very costly so that the Police Department would like to do is to start a three-prong approach. They would like to regulate the parking down there along the outer road so there will be enough room in case a fire truck would need to go to the park. He said that if there is a drug user or drug dealer caught on the property they would be trespassing, also. Chief Ristagno said that Lt. Sparby is working on an operations plan for the park. He said that signs have been ordered for the park. City Secretary Joni Vaughn said that payment for the signs could come from the designated Willow Grove Park Fund.

2. Consideration and Action on approval of an Ordinance to abandon a 158 foot portion of Goliad Road between Market Street and Sycamore Street.

Motion to approve the Ordinance to abandon a 158 foot portion of Goliad Road between Market Street and Sycamore Street was made by Councilmember Connors. Second by Councilmember Brooks.

During discussion of this item it was mentioned that the City shouldn't set a precedent by giving away land to non-profit organizations or to anyone else.

Brad Clifton, Pastor of the Open Arms Church, said he appreciated the City putting the item on the agenda. and that he could understand the concern about giving the property away instead of selling it. He said that the church's only option is expanding to the west. He said they own the properties on both sides of Goliad. He said that the Lake Dallas ISD purchased the properties they had been looking at for expansion. He said that people in the other surrounding properties are not willing to sell at this time. He said they are not planning their expansion for at least another year.

Police Chief Nick Ristagno said he and City Manager Earl Berner have looked at this street which has 60' Right-of-Way by 158 ' long. He said the roadway is about fourteen feet. He said that would be 9,480 square feet. He said he had taken a sampling of commercial properties on Market Street and they all averaged $3/square foot, which would equal $28,440. He said that's from the 2009 preliminary values set by Denton Central Appraisal District. He said that amount is not set in stone.

The Mayor did not call for a vote on the original motion.

Motion to table this item was made by Councilmember Hammond. Second by Councilmember Harper.

Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

3. Consideration and Action on the nomination of a candidate to represent the municipalities on the Denco Board of Managers.

Motion to nominate Olive Stephens was made by Councilmember Brooks. Second by Councilmember Connors.

Ayes: Councilmembers Harper, Connors, and Brooks
Noes: Councilmember Hammond

Motion Passed

4. **Consideration and Action on approval of an Ordinance to change the street names of San Jacinto Avenue and a portion of Sycamore Street to Falcon Drive.**

Motion to approve an Ordinance to change the street names of San Jacinto Avenue and a portion of Sycamore Street to Falcon Drive was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

5. **Consideration and Action on approval of an Ordinance establishing school zones.**

Motion to approve the Ordinance establishing school zones was made by Councilmember Brooks. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

6. **Reconsideration and Action on building an office for Municipal Court in the Lobby area (Item tabled at the June 11, 2009 meeting)**

Mayor Marino said that City Manager Earl Berner had asked that we table this until the next meeting. The City Council agreed to honor the City Manager's wishes and will wait until the next meeting to take action on this item.

7. **Consideration and Action on determination of excused and unexcused absences of Councilmember Alan Fletcher**

No action was taken on this item.

8. **Consideration and Action on possible declaration of forfeiture of office of Councilmember Alan Fletcher for unexcused failure to attend three consecutive regular meetings**

No action was taken on this item.

Addendum:

9. **Consider on first reading a resolution approving and authorizing the execution and delivery of a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the corporation in connection therewith; and containing other provisions related thereto.**

Motion to accept the reading of the Resolution approving and authorizing the execution and delivery of a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the corporation in connection therewith; and containing other provisions related thereto was made by Councilmember Brooks. Second by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

10. **Consideration and Action on acceptance of the letter of resignation from Alan Fletcher, Place 4, City Council of the City of Lake Dallas.**

Motion to accept the letter of resignation from Alan Fletcher was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: Councilmember Hammond

Motion Passed

Mayor Marino expressed appreciation for Mr. Fletcher's many years of service to the City of Lake Dallas. He said that Councilmember Hammond had asked that we have plaques made up for Mr. Martin and Mr. Fletcher in appreciation for their years of service on the City Council. City Secretary Joni Vaughn said we already have the plaque for Richard Martin.

11. **Consideration and Action on approval of an Interlocal Cooperation Agreement for Property Tax Collections with Denton County Tax Office.**

Motion to approve the Interlocal Cooperation Agreement for Property Tax Collections with Denton County Tax Office was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

1. Toll Bridge Progress and Plans

Police Chief Nick Ristagno said he would like to compliment Special Events Director Shannon Fields for the terrific job she has done putting this together. He said there will be shuttles to parking lots and that the Lake Dallas ISD is supplying seventeen buses and drivers free of charge. The Lake Cities are working together on this project by providing 35 – 40 officers for the event. He said that the committee for the Lake Lewisville Toll Bridge includes people from the North Texas Toll Authority and TxDOT, Denton County, Little Elm and the Lake Cities. Planning has been going on for over a year for this one-day event. There is nowhere to park on the Little Elm side of the bridge. On the Lake Dallas side there will be vendors, 2500 runners for the 5K run and then walkers will be able to walk out on the bridge after the 5K is completed. There will be free water stations on the bridge as well as safety stations.

Chief Ristagno said that, with the new bridge opening, the City of Lake Dallas will get their first stoplight and it will be placed at Shady Shores Road and Swisher Road. The light should be installed later this month.

2. City Projects

Chief Ristagno said the bid opening for the widening of Lakeview Drive north from Howard Drive to Swisher Road is July 15. The project should begin in mid-August.

Chief Ristagno said they were getting prices for sand to provide a beach at Willow Grove Park. The Community Development Corporation will be asking Schrickel, Rollins and Associates, Inc. to include this in the grant. He said that sand to provide a six-inch deep beach 600 feet by 30 feet would be approximately $9,000.

3. Private Projects

K. NEW AGENDA ITEMS

There were no new agenda items.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:45 pm.

Tony Marino, Mayor

Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 11, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 6:00 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmembers Connors and Alan Fletcher were unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Joni Vaughn.

B. INVOCATION

Pastor Ray Harper, Covenant Fellowship Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Tony Marino led the pledges of allegiance.

D. COUNCIL ORIENTATION

David Berman, City Attorney, gave a brief orientation session that would be beneficial to them. Included in the presentation was information related to situations that could, in fact, get the councilmembers into serious trouble. Conflicts of interest regarding agenda items; violation of the Open Meetings Act, agenda posted 72 hours prior to the meeting, a quorum of city councilmembers discussing City business outside of a City Council meeting, which is potential criminal liability – councilmembers can meet one on one – walking quorums or daisy chains are not allowed by the AG – group emails from staff to the entire City Council are acceptable, but for a councilmember to "reply all" is a violation; do not interact with the people speaking on the Citizens Agenda because the item is not on the agenda [it may be placed on a future agenda for council consideration or refer them to a staff member]; the appearance of impropriety to the citizens; you will go to jail if you participate in a closed meeting without having a legal exception for the meeting; closed meetings must have a tape recording of the meeting or a Certified Agenda prepared and no member of the public can listen to the tape recording or look at the Certified Agenda because it's a Class A misdemeanor and those items must be kept confidential for a period of two years before they can be destroyed; Roberts Rules of Orders is not a law it is simply a protocol to be followed. Whoever is chairing of the meeting is the person in control and each member should give appropriate deference to that basic principle and they are the ones who allow you to speak or not to speak and address the people in the audience unless you ask the person chairing the meeting for permission to respond; the Open Meetings Act gives everyone the right to attend a meeting and you cannot prevent them from bringing a tape recorder or video camera to the meeting but if someone in the audience gets disruptive the chair must admonish that person. If they continue the second admonishment that they will be asked to leave or they can be removed the meeting because it is a Class C misdemeanor; the chair can change the order of the agenda or some cities require a motion from the council and a vote to determine which direction the items will be discussed; motion to table is a privileged motion as is an amendment to a motion; you must vote on the "friendly" amendment first and then vote on the main motion with the amendment as voted on; an abstention is not a vote and it is not counted; your attendance at a City Council Meeting is a privilege, according to Texas Law, not a duty and our City Charter states that if a councilmember misses three consecutive meetings that are unexcused it is grounds for removal; the council has the authority to determine whether or not the reason for missing a meeting is excused or unexcused;

Mayor Tony Marino closed the meeting for a short break at 7:05 pm.

Mayor Tony Marino reopened the meeting at 7:12 pm.

E. PRESENTATION

1) Presentation of Certificate of Achievement to Charlotte Johnson

Mayor Tony Marino presented Charlotte Johnson with a Certificate of Achievement for the honor she received from Stephen F. Austin State University. The letter from the Dean of the College of Education said that about 2 percent of their students are on the President's List. Charlotte had maintained a 4.0 GPA in all her courses for the past semester. President's Honor Roll for the end of semester 2008. She is a recipient of the Who's Who Among Students Award. She is the first and only person so far who has taken advantage of the Lake Dallas college scholarship program. Mayor Tony Marino said we are very proud of you.

City Manager Earl Berner invited John Klaiber from Waste Management forward. Mr. Klaiber said he is here to present a donation to support the City's activities, specifically for the 4th of July celebration. He had a check in the amount of $1,500.

City Manager Earl Berner said that John Klaiber called him last night after the storms to say that Waste Management would arrange special pickups for any storm damage that occurred in the City of Lake Dallas and the surrounding cities.

Mayor Tony Marino moved to Item J, the Consent Agenda.

F. ANNOUNCEMENTS

City Manager Earl Berner said the 4th of July celebration will be an all-day event including the Idol competition with fireworks at night.
Mayor Tony Marino mentioned the run at the Lake Lewisville Toll Bridge on August 1.
He said that last night was the first night that we had heard our storm alert sirens so we are aware that they are working. We were fortunate that we did not have as much storm damage as some of our neighbors. He said we probably need to work on the disaster program for our cities. Police Chief Nick Ristagno said that Joe Piatt is working on it at this time.

G. REPORTS

1) Economic Development Corporation

There was no meeting this month.

2) Community Development Corporation

The preliminary FYE 2010 Budget was reviewed at their meeting this month. The board approved borrowing for Willow Grove Park, Phase 1 and some other parks projects as well as the downtown improvements. They approved a contract with Schrickel, Rollins and Associates, Inc. for Phase 2 of the Willow Grove Park and two beautification projects. One of the projects is a bench for the front of the building and a new cigarette smoking receptacle and mark the bench with Beverly Weikum's name and the median strip on Swisher Road to I-35.

3) **Parks and Recreation Board**
Their meeting has been moved to June 28th for a training session on the 4th of July celebration. There will be no alcohol at this event since the licensee is not available plus some other issues.

4) **Keep Lake Dallas Beautiful Committee**
This committee will not have a June meeting. Shannon is at Keep Texas Beautiful training this week and will return tomorrow.

5) **Financial**
City Secretary Joni Vaughn introduced Finance Director Donna Boner to the Council. She said that Donna lives in Lakebridge Estates here in the City of Lake Dallas and that she started work for the City on May 18. Joni said Donna is doing a fantastic job for us. Joni said that Donna would just observe tonight while Joni gives her last financial reports so she'll have an idea of what you want her to do next time.
She asked the Council to look at the financials for the month. She said that the Sales Tax Revenue for the month was $104,730.37 with $52,365.19 going to the General Fund and remainder splits between 4-a and 4-b. She said the investments accounts still look pretty good but it's getting that time of the year when we will start having to use some of those funds. She asked if there were any questions.
Joni said that City Manager Earl Berner will give a report later on revenues during the budget workshop. She said that the TXU franchise check will be here later this month or early next month.

Joni said that the Economic Development Corporation's part of the sales tax was $26,182.59 for the month. She said that their investment account is growing a little bit.

Joni said that the Community Development Corporation's portion of the sales tax was $26,182.59 and that they have $76,000 in their investment account.

A budget amendment will need to be done for the cost of the new building for the Animal Control Shelter. Checks that have been written to the Corinth Veterinary Clinic are paid out of the Animal Rescue Fund, which is funded through donations. If Animal Control finds an injured animal that might be adoptable the ACO takes the animal to the clinic in Corinth. Police Chief Nick Ristagno said that the fund operates the same way as the Kids 'n Cops fund.

The City files monthly reports to the Texas Municipal Retirement System. Sometimes when the payment to TMRS is considerable larger it's due to three pay periods falling during one month instead of the usual two pay periods. Joni said that sometimes if the last payroll it close to the end of a month there may be two months payments reflected for that month's expense.

The checks for payment of repairs to the library after the February incident are in the Library Building account. This account currently shows a credit balance because we deposited the insurance check from the Texas Municipal League in that account to offset the expense.

Mayor Tony Marino welcomed Donna Boner to the meeting.

Mayor Tony Marino then moved to the Presentations, Item E-1

H. AGENDA BRIEFING

City Manager Earl Berner read the items on the agenda for the Consent Agenda and the Business Items and the Budget Workshop.

I. VISITORS/CITIZENS AGENDA:

Neoma Spinks, 57 Lakeridge, said that this is about the house at 56 Lakeridge. The City condemned it in 2003 and it was to be demolished. It has mold all over it and sewage has run all over the property. It belongs to Rod Courtney and he says it doesn't own it that it's still in court. She said she has a paper that says it belongs to him and Pauline. Pauline is dead. He is not paying taxes on it and he's not paying his homeowner's dues. Ms. Spinks said that just because you're an ex-mayor doesn't mean you can get by with stuff like that. She said he moved everything out of the shed and then hauled the shed away. She asked if the City Council can do anything about it. She said that her husband is sick and has been the hospital many times. She said that the doctor said part of his lung condition is due to mold. She also said that they don't mow the grass there either. She said that Char has contacted the owner about mowing the grass many times. She said that Richard had put a sign on the gate and on the door that it was condemned but they keep tearing them down. She said she has heard noises over there and doesn't know if people are going in there or if it may be animals. She is very concerned.

Mayor Tony Marino told her that the City Manager or City Secretary would be in contact with her.

Mayor Tony Marino moved the meeting back to item E-5.

J. CONSENT AGENDA:

1. **Consideration and Action on approval of Minutes for May 14, 2009 meeting**
2. **Consideration and Action on approval of May Financials.**
3. **Consideration and Action on approval of appointment of William Knox to the Library Board.**
4. **Consideration and Action on approval of reappointment of Joni Vaughn as Alternate Magistrate.**

Motion to approve the Consent Agenda was made by Councilmember Hammond. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

Mayor Tony Marino welcomed Mr. Knox to the City of Lake Dallas boards and commissions.

K. BUSINESS:

1. **Consideration and Action on adoption of Resolution authorizing the publication of notice of intent to issue certificates of obligation.**

City Manager Earl Berner said that the C.D.C. has a number of projects including the Willow Grove Park boat ramp, $835,000 including the Boat Ramp Grant, and unspecified projects for City Park and Community Park, $250,000 and then unspecified projects in downtown, $250,000. He said that Marty would explain the process.
Marty Shue, First Southwest Company, financial adviser for the City of Lake Dallas. She explained the procedures required for the Community Development Corporation's notice of intent to borrow. After the length of time has elapsed between the notice of intent and the Resolution to adopt then First Southwest will actively work toward finding purchasers for the debt.
Mayor Tony Marino said that for the record that Councilmember Harper had recused himself and was sitting in the audience during the discussion and voter on this item.
Motion to adopt the Resolution authorizing publication of notice of intent to issue Certificates of Obligation was made by Councilmember Hammond. Second by Councilmember Brooks.
Ayes: Mayor Tony Marino, Councilmembers Brooks and Hammond
Noes: None
Abstentions: Councilmember Harper

Motion Passed

2. Consideration and Action to recommend to 4A and 4B that they require multiple bids from businesses requesting grants.

City Manager Earl Berner said that the Community Development Corporation has accepted this recommendation and they are currently revising their grant application.

Motion to recommend to the 4-a and 4-b corporations that they require multiple bids from business requesting grants was made by Councilmember Brooks. Second by Councilmember Hammond.

Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

3. Reconsideration and Action on building an office for Municipal Court in the Lobby area.

There was discussion about when the Lobby was used for the reception for former City Secretary Beverly Weikum because the Linwood Gilliland Community Room was being used for the election. Building an office for the Municipal Court would take space away from the area. During this economic time it would be fiscally responsible for us to leave things as they are. If we separate court from community development and citizens come for a code issue and only court staff is available, and vice versa, then we are unable to give the kind of customer service that our citizens expect. It might be a better idea to do more cross training of the personnel. Concern was expressed about when some of the staff members were out ill or away for other reasons. If two hundred citations are issued each month that would be equal to about seven people per day who come in to pay their fines. If we implement online payments that would mean even fewer window payments. Privacy should not be an issue only for the court only because we have citizens coming in for building and code issues plus making payments for the trash service. A glass partition between the two departments might resolve the issues. Is the issue a housing or processing of the records? All records should be carefully maintained and locked up.

City Manager Earl Berner said that the Court Security this fund would be used to fund the construction of the office. The Court Technology fund could be used to implement online payments. He said there was a loss of confidentiality of the court information several months ago so his thought was to create a separate place for the court to operate. Mr. Berner said we have a part-time person for the court and one for building and code so we have better coverage for those departments. There have also been some personnel issues. Municipal Court holds court two days a month and that keeps both court staff members busy for the whole day. The part-time employee spends several days per month on Juvenile Case Management.

Councilmember Brooks said he would like more time to study this issue and asked if he could make a motion to table this item. Mayor Tony Marino told him he could do that.

Motion to table Agenda Item K-3 was made by Councilmember Brooks. Second by Councilmember Hammond.
Ayes: Councilmembers Harper, Brooks, and Hammond
Noes: None

Motion Passed

4. Discussion about council attendance.

Mayor Tony Marino said that there have been several articles in the newspaper recently about the current City Council. He said some citizens have asked him about what's going on so he thought it was time to bring this to the table for councilmembers to discuss. He said that Section 3.06.02, Forfeiture, is in our City Charter regarding absences and other issues. He said there was an issue with Richard Martin when he had a heart attack. The City Council granted him a leave of absence but that went above and beyond the term allowed. He said the council dealt with it and unfortunately he had another incident and everything worked out. The Mayor said he wished that Councilmember Fletcher would have been able to be at this meeting. He said that a record of council attendance had been put together by city staff for 2008 and 2009. Looking at the City Charter it depends on how you want to interpret excused absences. There was an article in the Denton Record-Chronicle that reported on the attendance of members of the City Councils of several area cities. After we have been elected to the council he realized that circumstances can come up pertaining to work commitment, health, and travel and that it's almost impossible to be 100% faithful in attendance. He said we are representing the City so if we're not here 50% of the time then we are not fulfilling our obligation to the City and give input for the council. He said that sometimes it's difficult to have quorum if attendance falls below the requirement. Mayor Marino said we are not adhering to our oath of office that we took at our election. He said he fully understands that as an adult we have responsibilities to take care of our families and our children and then if you have the time and ability then you can accept other commitments. He said that as the city attorney stated -- technically, missing three meetings in a row and this one being the 4th that Councilmember Fletcher could be asked to relinquish his spot on council. He said he's not asking the council to go that route, but that it's a pretty serious situation.

Mayor Marino said this is not an action item tonight. It was agreed that council staff should talk with the city attorney because we need to define what an excusable absence would be.

L. CITY MANAGER REPORT

1. City Projects

City Manager Earl Berner said that the traffic light at Swisher & Shady Shores contract has been let. We should know something in a couple of weeks. It will have a mast arm and be painted with shiny black paint.

The I-35E interim improvements to the road going under 2181 and Swisher Road were started today. There are adjustments being made on the Circle K side.

The road rehab projects were completed before the rains came.

The notice for the North Lakeview improvements and Airport road has gone to the Lake Cities Sun to advertise that the bid packets going out with a July 15 due date. Where the road turns west to meet Swisher Road will be 200-300 feet south of the old animal shelter. We will re-do that road to the airport and on that portion Upper Trinity will share cost on a 50/50 basis.

a) Update on DCTA Station for Lake Dallas

City Manager Earl Berner said he has talked with Jim Witt who is the Executive Director for the DCTA. The information is in one of their new member committees and they will decide what obligations we will have for the overhead and upkeep necessary for the users to our station, if we have a station. The committee will have to figure out how much that cost will be. The committee has met once and will meet again during the summer.

M. BUDGET WORKSHOP

City Manager Earl Berner said he had put together a quick budget review for them. The first page is revenue projections – where we stand right now. He has listed the major categories and a projection of where they will end at the end of the FY 2009. The Building Permits have fallen off mostly due to the economy. We've had maybe four or five this year. The Sales Tax revenue is down about seven percent. He is expecting around $25,000 in sales tax from the new QuikTrip station.

The second page is the estimates on expenses. He said that it's difficult to shave expenses because our departments have such small budgets. They're lean and mean to start with Our Fund Balance right now is $669,757. We've come a long way in building the reserves back up.

The Property Tax assessment is up about 5% because we had new construction after the tax year ended last year so we're looking at $50,000 more in property tax this coming year. Permits and fees should reflect a little bit of a rebound because of what's left at Mercedes and the Cameron properties. There are a couple things in the wind for some commercial properties. Mr. Berner said that he and Chief have talked about adding two more officers, one of which would be a traffic officer and most the funding would come from the traffic citations. He did not show any money from grant we have filed for these two officers because we don't know if we will get that grant. He said he expects a little bit of increase in the Hotel Occupancy Tax due to the bridge opening. There should be a small amount of increase in beverage tax, again due to QT.

City Manager Earl Berner said that the most important items are new programs – the two new patrol officers and a vehicle for them and plus their personal equipment and replacement of items that are wearing out for the current officers. He feels that we have outgrown 1-1/2 employee requirement for the Animal Control Shelter. We need two full-time employees there and due to increase in citations to be processed he is asking for another full-time employee for Municipal Court. He said that part of her salary comes from Juvenile Case Management fees the court

receives. He is proposing a 2% cost of living in the pay plan. He said that we have applied for grant assistance through the North Texas Council of Governments for an alternate fuel vehicle for the Code Department. There was discussion about passing one of the police squad cars on the code department since the Police Department will be purchasing new vehicles this year. Chief Ristagno said that historically it's been a good plan. City Manager Earl Berner said that if we get the grant from NCTCOG, we could just reject it. Mr. Berner said that Public Works would replace one of their pickup trucks.

He said that we should be able to build up our cash reserve a little bit again this year and that it will be without a tax increase. He said that the auditors recommend three months funding as a minimum amount to keep in reserve. He said that realistically we need about $750,000 in the fall to make it thru the first three months of our budget year so we're right at the break-even point.

City Manager Earl Berner told the City Council that something to keep in the back of their minds is some future capital items. One major item would be a drainage system for the city. He said we're getting pretty strong storms and each time we do that we have some issues with the water runoff. He said that if you drive down Shady Shores Road after a rainstorm that you will see the drainage ditches running full and water running over the road.

He said that Main Street, Shady Shores and Hundley are all on borrowed time. He said we will keep the patchwork going and that will probably work for three to five years. He estimates that it could realistically cost around $6,000,000 to replace those streets.

City Secretary Joni Vaughn explained how the monthly check to TMRS is calculated. She said that seven percent of an employees gross wages is deducted and remitted to TMRS along with the percentage figure that is funded by the City. She said that the City does not participate in the Social Security program, just Medicare. She said that the Deferred Comp program with Nationwide is employee funded only. The City deducts the amount from the participating employee's paycheck and sends it to Nationwide.

City Manager Earl Berner said we won't get the final numbers from DCAD until July 25. He said that the he planned to bring the finished budget sheets to the first meeting in August. He said that if they have some program they would like to add that they should let us know.

He said that he made an inflationary increase for the Library because we don't have their numbers yet. Denton County participates a little in funding for the library.

N. NEW AGENDA ITEMS

There were no new agenda items.

O. ADJOURNMENT

Mayor Tony Marino adjourned the meeting at 9:17 pm.

Tony Marino, Mayor

Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 14,2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3

Councilmembers Fletcher and Martin were not present for the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Lt. Wes Frazier, and City Secretary Joni Vaughn.

B. The invocation was given by Mayor Marino.

C. PLEDGES OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. PROCLAMATION
Motorcycle Safety and Awareness Month
National Cleaning for a Reason Week
National Police Week
Mayor Marino read and signed these three proclamations. Photos were taken and Mayor Marino congratulated Police Chief Nick Ristagno.

E. PRESENTATIONS
Census 2010
City Manager Earl Berner said that the director for this region was not here to make the presentation tonight.

F. ANNOUNCEMENTS
City Manager Earl Berner said we have the carnival going on through Sunday.
The Chamber Luncheon is next Tuesday and will be the last one until next fall.
City Secretary Joni Vaughn said that this afternoon we hired Donna Booner and the Finance and HR Director and she starts next Monday. She has lived here for twelve years and has twenty years of accounting experience.

G. REPORTS
1) Economic Development Corporation
City Manager Earl Berner said that the 4-A board agreed to approve a grant of nearly $50,000 to QuikTrip for utility relocation.

2) Community Development Corporation
City Manager Earl Berner said the board agreed to a $1,150,000 amount for parks and downtown projects. There will be a $258,000 grant from the Texas Parks and Wildlife for the boat ramp with the City paying $575,000.

3) Parks and Recreation Board
Shannon Fields said they are currently working on the carnival that is larger than their previous carnival. She said they have had lots of advanced sales for the wristbands. The funds raised from this project will go towards the 4th of July celebration.

4) Keep Lake Dallas Beautiful Committee
Shannon Fields said that the new chairman is James Moore. The board is currently working on improvements for the parking lot at City Hall.

5) Financial
City Secretary Joni Vaughn said that the sales tax revenue for April was $68,825.31, with $34,412.67 for the General Fund. The Economic Development and Community Development Corporations each received $17,206.32. The city's investment accounts are looking good. The Economic Development Corporation is building the invest account back up a little. We are still on hold to pay back the funds borrowed from one of the investment accounts. The investment account for the Community Development Corporation is looking good.

The franchise fees are paid at different times during the year. TXU pays annually and usually in June. Waste Management pays monthly and others pay quarterly.
There was a question about Charter Communication's bankruptcy and how that would affect their franchise agreement with the city. City Manager Earl Berner said that we received a copy of court order that said they are releasing funds so Charter can pay the franchise fees

In answer to the question about how much additional revenue would be generated by QuikTrip, City Manager Earl Berner said that the annual sales tax revenue should be $50,000. $25,000 would go to the General Fund and $12,500 each would go to the 4-A and 4-B accounts. The property tax will be about $49,000.

H. AGENDA BRIEFING
City Manager Earl Berner read the item numbers under the Consent Agenda and under the Business Items.

I. VISITORS/CITIZENS AGENDA:

J. CONSENT AGENDA:

1. Consideration and Action on approval of Minutes for April 9, 2009 meeting.
2. Consideration and Action on approval of April Financials.
3. Consideration and Action on the sale of one used police cruiser.
4. Consideration and Action on appointment of Alternate Magistrate.
5. Consideration and Action to approve the license to operate a carnival for May 14-17, 2009 and waive license fees for Thomas Carnival.
6. Consideration and Action to authorize the disposition of outdated electronic items.
7. Consideration and Action on approval of a Resolution affirming support of and partnership with the 2010 Census.
8. Consideration and Action on approval of a Resolution to adopt an Identity Theft Prevention Program.
9. Consideration and Action on approval of an Ordinance to amend Section 122-802, Allowed Signs Requiring Issuance of a Sign Permit, of Article XX, Signs, of Chapter 122, Zoning of the Lake Dallas Municipal Code.

Councilmember Connors asked to pull Item 7 from the Consent Agenda.

Motion to approve Consent agenda items 1, 2, 3, 4, 5, 6, 8, and 9 was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

K. BUSINESS:

1. Consideration and Action on approval of an Ordinance for the Canvass of the Election held May 9, 2009.

Motion to approve the Ordinance for the Election Canvass for the Election on May 9 was made by Councilmember Harper. Second by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

2. Oath of Office to Councilmembers Places 1, 3, and 5.

Mayor Marino swore in James Harper as Councilmember for Place 1 of the City Council for the City of Lake Dallas.

Mayor Marino swore in Brian Brooks as Councilmember for Place 3 of the City Council for the City of Lake Dallas.

Mayor Marino swore in Karl Hammond as Councilmember for Place 5 of the City Council for the City of Lake Dallas.

3. Consideration and Action on appointment of Mayor Pro-Tem.

Motion to appoint Councilmember Connors as Mayor Pro-Tem for the City of Lake Dallas was made by Councilmember Harper. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, and Connors
Noes: Councilmember Hammond

4. Consideration and Action on approval of a Resolution in support of the Honor and Remember Flag and urge the United States Congress to adopt this flag as a national symbol.

Motion to approve the Resolution in support of the Honor and Remember Flag and urge the United States Congress to adopt this flag as a national symbol was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

5. Consideration and Action on appointment of Glen Rodriguez to the Parks and Recreation Board.

Motion to appoint Glen Rodriguez to the Parks and Recreation Board was made by Councilmember Harper. Second by Councilmember Hammond.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

6. Consideration and Action on appointment of Rhonda Dick as an alternate to the Board of Adjustments.

Motion to appoint Rhonda Dick as an alternate to the Board of Adjustments was made by Councilmember Brooks. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

7. Consideration and Action on approval of application for residential storage building exterior surface exemption.

Motion to approve the exemption application for residential storage building exterior surfaces for 512 Howard Street was made by Councilmember Harper. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, Brooks, and Hammond
Noes: None

Motion Passed

8. Discussion about alcohol at City Park on the 4th of July event.
Special Events Coordinator Shannon Fields said that the Parks and Recreation Board would like feedback on having a Beer Garden at the 4th of July event this year. It would be in the basketball court area and people with drinks would have to stay within the confines of that area and not be allowed to wander around with their drinks. Because of the fireworks setup the beer garden would need to close between 7 and 8 pm. Ben E. Keith Distributors have been approached about a 50-50 split of the profits. We could use the Broken Spoke liquor license. This will take Council action since the Lake Dallas Municipal Code prohibits alcohol on any city property. We would also have extra police officers on duty for the event.

Some Council discussion involved the liability this might put on the City of Lake Dallas and would this require additional insurance. Other discussion was that this is a city-sponsored family event and there should definitely not be any alcohol served at the event. In the past we have had pie-eating contests and other events to keep it family-based entertainment. Another point was that since we have so many bars here that we could limit those purchasing drinks to three and they could start serving at 3 pm.

This should be taken to legal and we can discuss it again at the next Council meeting.

L. CITY MANAGER REPORT
1. City Projects
The ice cream shop on Main Street has opened.
QuikTrip plans to open on August 27, or sooner, if possible.
The Lewisville Lake Toll Bridge is still on go for August 1 event.
The Sonic is approved for renovation. They have delayed it until October 2009.

M. NEW AGENDA ITEMS
Councilmember Connors would like for the Economic Development and Community Development Corporations to require grant applicants to get multiple bids for their grant requests.
Councilmember Harper would like an update on a DCTA stop to locate in Lake Dallas.
There may be a budget workshop sometime in May.

N. ADJOURNMENT

Tony Marino, Mayor

Joni L Vaughn
Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 9, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Richard Martin	Councilmember 5

Councilmember Brooks and Councilmember Fletcher were both out of town and unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Lt. Wes Frazier, and Acting City Secretary Joni Vaughn.

B. INVOCATION
Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. PROCLAMATION
Public Safety Telecommunicators Week [April 12-18]
Mayor Marino read the proclamation that was issued by Governor Rick Perry designating April 12 through 18, 2009 as Public Safety Telecommunicators Week.

E. ANNOUNCEMENTS
Kids 'n Cops open house and cookout is April 25 from 11:00 am until 3:00 pm.
The reception for Beverly Weikum's retirement is April 28 from 7:00 pm until 9:00 pm.
The Fun Run for the opening of the Lewisville Lake Toll Bridge is on August 1.

F. REPORTS
1) Economic Development Corporation
City Manager Earl Berner reported that the board approved an ad in the Dallas Business Guide. This guide has widespread circulation.

2) Parks and Recreation Board
Special Events Coordinator Shannon Fields had handouts of the report for the Mayor and Councilmembers. She gave her report on the Lake Dallas Mardi Gras Celebration that was help on February 24, 2009. She said that the weather was beautiful and that we had many new vendors as well as some new sponsors.
Shannon gave a report on the activities and events for the 4th of July celebration. City Manager Earl Berner said that we have received $778 so far from fireworks donations associated with the Waste Management billings.
Waterfest will be on September 12 and 13 this year at Willow Grove Park.

3) Financial
Acting City Secretary Joni Vaughn said that the $778 amount for fireworks donation was as of April 3. To date this week we have received over $1,000. The residents' response shows how much they appreciate the show each year.
In March we received $73,810.70 with $36,905.34 going to the General Fund and the remainder divided between the Economic Development and Community Development Corporations. This month we received $68,825.31. On the sales tax comparison chart we keep it reflects that we are down a little over $20,000 from 2008 at this time. This isn't bad considering the economy. Joni said that we have received 59% of our revenues so far this year. Usually the percentage is a little higher. We have not overspent on our expenses. She said we are doing great in our Investment Account.
The Economic Development Corporation is building their account back up but they still need to repay an investment account either this month or next.
The Community Development Corporation funds are holding steady right now.

G. AGENDA BRIEFING
City Manager Earl Berner read the items to be considered under the Consent Agenda and the Business Agenda. He said that Item 4 under the Business Agenda has been pulled because it is not ready to be discussed yet.

H. VISITORS/CITIZENS AGENDA
Bruce Martin, 707 Shady Shores Road, said that there is a project going on across the United States. He brought and discussed the Honor and Remember Flag that is in remembrance of all fallen soldiers from the American Revolution to the present time. He said he had two things to ask of the City Council. One would be to fly the flag he brought to the Council meeting tonight on their flagpole and the second is to put a Resolution together in support of the 111th Congress first session H. R. 1034.

Glen Rodriguez, Lake Cities Baseball Association, presented Mayor Marino with a ball and jersey and invited the Mayor to a game on Friday evening.

I. CONSENT AGENDA:

1. Consideration and Action on approval of Minutes for March 12 and March 26, 2009 meetings.
2. Consideration and Action on approval of March Financials.
3. Consideration and Action on approval of the First Quarter 2009 Investment Accounts report.
4. Consideration and Action on approval of an Ordinance to set fees for residential & commercial replats performed by the City Manager or his designee.
5. Consideration and Action on approval of an Ordinance to bring the Lake Dallas Municipal Code into compliance with Denton County Final Plat requirements.
6. Consideration and Action on approval of a Resolution to name bank signatories at NorthStar Bank.
7. Consideration and Action on approval of a Resolution to name signatories and account representative for TexPool Investments.

8. Consideration and Action on approval of a Resolution to name signatories and account representative for TexStar investment accounts.
9. Consideration and Action on approval of a Resolution to name signatories and account representative for LOGIC investment accounts.

Motion to approve the Consent Agenda Items was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1. Consideration and Action on approval of a bid to award the 2009 Street Rehabilitation project.

Tom Hoover gave a report on the process for the 2009 Street Rehabilitation project. The bids were opened April 1, 2009. Advanced Paving was the low bidder on the project with a price of $58,637.72. He said that they got good reports on their previous projects. Tom said that he recommends awarding the contract to Advanced Paving.
Motion to award the bid in the amount of $58,637.72 for the 2009 Street Rehabilitation project to Advanced Paving was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, and Martin
Noes: None

Motion Passed

2. Consideration and Action on approval of proposals (1) Swisher Road Streetscape Master Plan and (2) Swisher Road Overlay District zoning ordinance from Schrickel, Rollins and Associates, Inc.

Motion to approve the Swisher Road Streetscape Master Plan was made by Councilmember Harper. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Connors, and Martin
Noes: None

Motion Passed

3. Consideration and Action to submit to the United States Department of Justice Office of Community Oriented Policing, under the Hiring Recovery Program, a grant application for two additional police officers.

Police Chief Nick Ristagno gave a report on this agenda item.
Motion to authorize the City Manager and the Chief of Police to submit a grant application for two officers to the United States Department of Justice – Office of Community Oriented Policing Hiring Recovery Program, and to authorize them to act on behalf of the City in matters related to this application and grant was made by Councilmember Harper. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Connors, and Martin
Noes: None

Motion Passed

4. Discussion about alcohol at City Park on the 4th of July event.
This item was pulled from the Agenda because all the information was not yet available.

K. CITY MANAGER REPORT

City Projects – City Manager Earl Berner said the Lake Dallas Police Department's Child ID event had a good turnout. He said they issued 100 ID's.
He said the shelter is almost done since we are now down to the final two items on the punch list.
Mr. Berner said that we have two new squad cars with the new markings.
Mr. Berner said that the Public Works Department is cleaning up in the Willow Grove Park around the trail area at the end of Lakeland so we'll be able to see the park area from there.
He said the Lake Lewisville Toll Bridge is about 85% completed. The ceremony is scheduled for August 1.
City Manager Earl Berner said that Main Street has been reopened.
Mr. Berner said that the next meeting we can present our mid-year financials and we should schedule our Budget Retreat and Strategy session for after that.
He said that Char DuPree attended a NCTCOG workshop on alternate fuels. There is a grant available so we are considering the replacement of the aging police vehicle that is currently being used as a code vehicle with a "green" car. The grant is available through NCTCOG. Char has sent a letter of intent.
City Manager Earl Berner asked if the City Council had any objections to flying the Honor and Remember flag. He said he would like to start flying it immediately.

L. NEW AGENDA ITEMS

There were no agenda items for the April 23 meeting so the meeting will be cancelled.
Mayor Marino mentioned paperwork to be completed for nomination to positions at NCTCOG.
Resolution in support of H.R.1034 on the May 14 agenda.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:15 pm.

Tony Marino, Mayor

Joni L. Vaughn
Joni Vaughn
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 26, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Fletcher was out of town and unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Lt. Wes Frazier, and Acting City Secretary Joni Vaughn.

B. INVOCATION

Councilmember Connors gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Tony Marino led the pledges of allegiance.

E. REPORTS

1) Community Development Corporation

City Manager Earl Berner gave a report on the March 23 Community Development Corporation meeting.

F. AGENDA BRIEFING

City Manager Earl Berner said we need to pull Item H-1 from the agenda. The wrong Minutes were attached to the cover sheet for the March 12 meeting.
Councilmember Harper commented about Item H-2 by explaining that it was just added language.

G. VISITORS/CITIZENS AGENDA:

Mayor Tony Marino opened the Visitors/Citizens Agenda.
Mayor Tony Marino closed the Visitors/Citizens Agenda when no one came forward to speak.

H. BUSINESS:

1. Consideration and Action on approval of Minutes for March 12, 2009 meeting.

This item was pulled from the agenda.

2. Consideration and Action on approval of an Ordinance to amend Sections 122-93, 122-143, and 122-193 Exterior Surfaces of Chapter 122, Zoning, for R-1-6000, R-1-7200, and R-1-1000 single family dwelling districts.

Motion to approve an Ordinance to amend Sections 122-93, 122-143 and 122-193, Exterior Surfaces, of Chapter 122, Zoning, for R-1-6000, R-1-7200, and R-1-10000 single-family dwelling districts was made by Councilmember Harper. Second by Councilmember Connors.

Ayes: Councilmembers Harper, Connors, Brooks, and Martin
Noes: None

Motion Passed

3. **Consideration and Action on approval of an exemption from exterior surfaces for an accessory building at 309 Wilson Drive.**

Motion to approve an exemption from exterior surfaces for an accessory building at 309 Wilson Drive was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, and Martin
Noes:

Motion Passed

I. CITY MANAGER REPORT

1. City Projects

The Road Rehabilitation Phase 2 bid opening is Tuesday, April 1. We have two prospective bidders at this time.
The Lake Dallas ISD will pave Main Street, westbound, from Lakeview to San Jacinto and the street will be closed for two weeks beginning on Monday, March 30.

J. NEW AGENDA ITEMS

Councilmember Brooks would like to discuss the DCTA Stations in a workshop format.
Councilmember Harper asked if we could unite the Lake Cities area to present a united front.
City Manager Earl Berner said we should to talk with DCTA ourselves.

K. ADJOURNMENT

Mayor Tony Marino adjourned the meeting at 7:47 pm.

Tony Marino, Mayor

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 12, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Connors was ill and did not attend. Councilmember Brooks was out of town.

Staff Present: City Manager Earl Berner, Lt. Wes Frazier, Lt. Mike Sparby, and Acting City Secretary Joni Vaughn.

B. INVOCATION

Mayor Tony Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino said he would like to have the Homeland Security come to a city council meeting to make a presentation. He had been to a meeting with other Lake Cities mayors to hear information on the program.

E. REPORTS

1) Parks and Recreation Board

No meeting to report.

2) Keep Lake Dallas Beautiful Committee

No meeting to report.

3) Community Development Corporation

City Manager Earl Berner reported the cost for Phase II at Willow Grove Park is $835,000 and the Boat Ramp Grant will be $258,700. He also reported there will be a meeting on March 23 at the Lake Cities Library about the proposed plan for the Community Park.

4) Finance

Joni Vaughn reported on the February financials and on the TMRS Legislation before the 81st Texas State Legislature.

F. AGENDA BRIEFING

City Manager Earl Berner read the Consent Agenda and Business Items on the agenda.

G. VISITORS/CITIZENS AGENDA:

David Shershen, 166 Kingswood Drive, read a letter he had previously provided to the Mayor and Councilmembers about consideration for a DART station or terminal in the City of Lake Dallas.

Harry Cagnetto, 902 Vista Oaks, said that the youth football organization needs a home. He said they have looked at having some fields at Willow Grove Park. He said the organization has $5000 a year to fund and develop facilities for the youth. He said that many people will donate labor. Mr. Cagnetto said that there are four hundred kids involved in this organization. The organization would like to co-host a tournament bowl. These football activities should bring quite a bit of activity to Willow Grove Park between June and November. He asked that the City Council give consideration to allowing the football association to make Willow Grove Park its home.

H. CONSENT AGENDA:

1. Consideration and Action on approval of Minutes for February 26, 2009 meeting.

Motion to approve the Minutes for the February 26, 2009 meeting was made by Councilmember Harper. Second by Councilmember Fletcher.
Ayes: Councilmembers Harper, Fletcher, and Martin
Noes: None

Motion Passed

2. Consideration and Action on approval of February financials.

Motion to approve the February financials was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1. Consideration and Action on proposed railroad crossings closings at Betchan Street and at Andrews Transport.

Motion to accept the closure of the Andrews Distributing railroad crossing and to deny the closing of the Betchan Street railroad crossing was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Fletcher, and Martin
Noes: None

Motion Passed

2. Consideration and Action on appointment of Harry Cagnetto to the Community Development Corporation.

Motion to appoint Harry Cagnetto to the Community Development Corporation was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Fletcher, and Martin
Noes: None

Motion Passed

3. Discussion with Boards/Commission applicant.
Mayor and Council had a brief and informal discussion getting acquainted with Mr. Haskins.

J. CITY MANAGER REPORT

1. City Projects
City Manager Earl Berner said the 2009 final phase of the street rehab will have the bid opening in April.

An appraiser is looking at the right of way on North Lakeview. We plan to begin construction at the end of May or beginning of June.
August 1st is the celebration of the opening of the Lake Lewisville Toll Bridge.
We have some new businesses – the Broken Spoke is on the service road; Leola's has been leased to an Italian restaurant; someone may be reopening the Duck Inn soon.
Falcon and San Jacinto have been repaved.
The library is undergoing a renovation due to the water damage last month.
We should consider contracting with Schrickel, Rollins and Associates, Inc. about redeveloping the railroad property and the Swisher Road property.

K. NEW AGENDA ITEMS

Mayor Marino request scheduling a presentation by David McIntire for the Homeland Security programs and proposed a workshop regarding a DART station in the city.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:05 pm.

Tony Marino, Mayor

Joni Vaughn, Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 26, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3

Allen Fletcher and Richard Martin were absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Lt. Wes Frazier and Planning & Zoning Secretary Char DuPree.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mr. Allen Harris, Mayor pro-tem of The Colony, is President of TML - Region 8. He invited Councilmembers to attend the next quarterly TML meeting in Haltom City on March 12, 2009.

No other announcements were made.

E. REPORTS

1) Keep Lake Dallas Beautiful Committee
City Manager Berner stated the next Keep Lake Dallas Beautiful clean up is scheduled for Saturday, April 18, 2009 in Willow Grove Park. In addition the Committee will sponsor the 5K fun run across the new bridge on August 1, 2009 at 8:30 a.m. The fun stroll across the bridge will begin shortly thereafter. The new bridge across Lake Lewisville will open a day or two after the run and stroll.

F. AGENDA BRIEFING

City Manger Berner read the items on the Business Agenda.

G. VISITORS/CITIZENS AGENDA:

Mayor Tony Marino opened the Citizens Agenda.

Bryan Gilliland, 309 Wilson in Lake Dallas, spoke about his research on different exterior surfaces and distributed copies of brochures he had obtained. He further stated that synthetic stucco (EFS) has had some bad reports and several lawsuits filed against the manufacturers.

Mayor Marino closed the Citizens Agenda when Mr. Gilliland finished his comments.

H. BUSINESS AGENDA:

1. **Consideration and Action on approval of the Minutes for the February 12, 2009 City Council meeting.**

   Motion to approve the Minutes for the February 12, 2009 City Council meeting was made by Councilmember Brooks; second by Councilmember Connors.
   Ayes: Councilmembers Brooks, Connors and Harper.
   Noes: None

   Motion Passed

2. **Consideration and Action to approve the use of reserve funds to pay for the repaving of Main Street in front of the Elementary School.**

   City Manager Berner met with the school district. The District stated there was an elevation mistake made in the plans. The district is widening Main Street to provide a left turn lane into the school to avoid a traffic bottleneck in the morning and afternoon when school traffic is the heaviest. Their concern due to the elevation error is the storm water getting into the cracks and undermining the integrity of the surface. Repaving Main Street at the same time as widening the street for the turning lane will alleviate future problems in 3 or 4 years.

   The Council asked what options were available. Mr. Berner said there are three options: (1) have the school district do just what is necessary at this time since there are 3 to 4 years of life use in the current pavement, (2) repave just the section needed to avoid any storm water getting into the cracks, or (3) repave the whole street now in concrete.

   Councilmember Brooks asked who gave the bid price for the repaving and was informed it would be the same contractor being used by the district. Mr. Brooks felt the contract should be re-bid.

   Councilmember Connors felt the school district should pay more of the cost if the additional paving project was approved.

Councilmember Harper stated the additional funds would eat into the City's revenues and the Council agreed that would not be a good thing to do.

The City Council elected not to take any action and let the school district perform the minimum necessary to complete the project without endangering citizens or students. They felt when the Main Street issues are addressed, the repaving should be done with a bond voted on by the community.

3. **Consideration and Action on approval of an Ordinance to amend the Lake Dallas Municipal Code by replacing Section 122-687, Exterior Surfaces, of Division 3, Downtown District, of Chapter 122, Zoning.**

City Manager Berner stated the 100% exterior masonry requirement was being deleted to provide more flexibility for the Downtown District buildings suggested by Carol Ann Connors request during the previous Council meeting.

Motion to amend Section 122-687 of the Lake Dallas Municipal Code was made by Councilmember Connors; second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of an Ordinance to amend the Lake Dallas Municipal Code by changing Sections 122-93, 122-143, and 122-193, Exterior Surfaces of Chapter 122, Zoning, for R-1-6000, R-1-7200 and R-1-10000, Single Family Dwelling Districts.**

Councilmember Harper explained the Planning & Zoning Commission's point of view as liaison to the Commission. The Commission felt the flexibility was good but only wanted to see wood as an acceptable exterior surface in R1-6000 and not in the other single-family home districts.

The Council discussed different exterior surfaces as viable options for property owners as well as reviewing each request for surfaces other than masonry. As a result of this discussion the Council decided to take no action and request the City Manager submit an ordinance that allows a variance review similar to what is available to commercial property owners.

5. **Consideration and Action to appoint Darren Roberson to the Parks and Recreation Board.**

Motion to approve appointment of Darren Roberson to the Parks and Recreation Board was made by Councilmember Harper; second by Councilmember Connors.
Ayes: Councilmembers Connors, Brooks and Harper
Noes: None

I. CITY MANAGER REPORT

1. City Projects discussed by Mr. Berner included the possible opening of an Italian restaurant where Leola's on Denton Drive use to be.
2. Mr. Berner spoke with a serious candidate interested in opening the Duck Inn again.
3. The water tower project through 4A has been put off until fall.
4. The timetable for the boat ramp through 4B is scheduled for late fall.
5. The City will meet with Texas Park and Wild Life in March concerning the grant process.
6. Installation of the two additional streetlights is being worked on by Mark Hinds at TXU.
7. Councilmember Harper is interested in scheduling a workshop to discuss the type of look the City would like to see along Swisher Road once the bridge opens.

J. NEW AGENDA ITEMS

There were no new agenda items.

K. ADJOURNMENT

Mayor Tony Marino adjourned the meeting at 8:09 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Char DuPree
Planning & Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 26, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3

Allen Fletcher and Richard Martin were absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Lt. Wes Frazier and Planning & Zoning Secretary Char DuPree.

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mr. Allen Harris, Mayor pro-tem of The Colony, is President of TML - Region 8. He invited Councilmembers to attend the next quarterly TML meeting in Haltom City on March 12, 2009.

No other announcements were made.

E. REPORTS

1) Keep Lake Dallas Beautiful Committee
City Manager Berner stated the next Keep Lake Dallas Beautiful clean up is scheduled for Saturday, April 18, 2009 in Willow Grove Park. In addition the Committee will sponsor the 5K fun run across the new bridge on August 1, 2009 at 8:30 a.m. The fun stroll across the bridge will begin shortly thereafter. The new bridge across Lake Lewisville will open a day or two after the run and stroll.

F. AGENDA BRIEFING

City Manger Berner read the items on the Business Agenda.

G. VISITORS/CITIZENS AGENDA:

Mayor Tony Marino opened the Citizens Agenda.

Bryan Gilliland, 309 Wilson in Lake Dallas, spoke about his research on different exterior surfaces and distributed copies of brochures he had obtained. He further stated that synthetic stucco (EFS) has had some bad reports and several lawsuits filed against the manufacturers.

Mayor Marino closed the Citizens Agenda when Mr. Gilliland finished his comments.

H. BUSINESS AGENDA:

1. **Consideration and Action on approval of the Minutes for the February 12, 2009 City Council meeting.**

   Motion to approve the Minutes for the February 12, 2009 City Council meeting was made by Councilmember Brooks; second by Councilmember Connors.
   Ayes: Councilmembers Brooks, Connors and Harper.
   Noes: None

   Motion Passed

2. **Consideration and Action to approve the use of reserve funds to pay for the repaving of Main Street in front of the Elementary School.**

   City Manager Berner met with the school district. The District stated there was an elevation mistake made in the plans. The district is widening Main Street to provide a left turn lane into the school to avoid a traffic bottleneck in the morning and afternoon when school traffic is the heaviest. Their concern due to the elevation error is the storm water getting into the cracks and undermining the integrity of the surface. Repaving Main Street at the same time as widening the street for the turning lane will alleviate future problems in 3 or 4 years.

   The Council asked what options were available. Mr. Berner said there are three options: (1) have the school district do just what is necessary at this time since there are 3 to 4 years of life use in the current pavement, (2) repave just the section needed to avoid any storm water getting into the cracks, or (3) repave the whole street now in concrete.

   Councilmember Brooks asked who gave the bid price for the repaving and was informed it would be the same contractor being used by the district. Mr. Brooks felt the contract should be re-bid.

   Councilmember Connors felt the school district should pay more of the cost if the additional paving project was approved.

Councilmember Harper stated the additional funds would eat into the City's revenues and the Council agreed that would not be a good thing to do.

The City Council elected not to take any action and let the school district perform the minimum necessary to complete the project without endangering citizens or students. They felt when the Main Street issues are addressed, the repaving should be done with a bond voted on by the community.

3. **Consideration and Action on approval of an Ordinance to amend the Lake Dallas Municipal Code by replacing Section 122-687, Exterior Surfaces, of Division 3, Downtown District, of Chapter 122, Zoning.**

City Manager Berner stated the 100% exterior masonry requirement was being deleted to provide more flexibility for the Downtown District buildings suggested by Carol Ann Connors request during the previous Council meeting.

Motion to amend Section 122-687 of the Lake Dallas Municipal Code was made by Councilmember Connors; second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks and Harper
Noes: None

Motion Passed

4. **Consideration and Action on approval of an Ordinance to amend the Lake Dallas Municipal Code by changing Sections 122-93, 122-143, and 122-193, Exterior Surfaces of Chapter 122, Zoning, for R-1-6000, R-1-7200 and R-1-10000, Single Family Dwelling Districts.**

Councilmember Harper explained the Planning & Zoning Commission's point of view as liaison to the Commission. The Commission felt the flexibility was good but only wanted to see wood as an acceptable exterior surface in R1-6000 and not in the other single-family home districts.

The Council discussed different exterior surfaces as viable options for property owners as well as reviewing each request for surfaces other than masonry. As a result of this discussion the Council decided to take no action and request the City Manager submit an ordinance that allows a variance review similar to what is available to commercial property owners.

5. **Consideration and Action to appoint Darren Roberson to the Parks and Recreation Board.**

Motion to approve appointment of Darren Roberson to the Parks and Recreation Board was made by Councilmember Harper; second by Councilmember Connors.
Ayes: Councilmembers Connors, Brooks and Harper
Noes: None

I. CITY MANAGER REPORT

1. City Projects discussed by Mr. Berner included the possible opening of an Italian restaurant where Leola's on Denton Drive use to be.
2. Mr. Berner spoke with a serious candidate interested in opening the Duck Inn again.
3. The water tower project through 4A has been put off until fall.
4. The timetable for the boat ramp through 4B is scheduled for late fall.
5. The City will meet with Texas Park and Wild Life in March concerning the grant process.
6. Installation of the two additional streetlights is being worked on by Mark Hinds at TXU.
7. Councilmember Harper is interested in scheduling a workshop to discuss the type of look the City would like to see along Swisher Road once the bridge opens.

J. NEW AGENDA ITEMS

There were no new agenda items.

K. ADJOURNMENT

Mayor Tony Marino adjourned the meeting at 8:09 p.m.

Tony Marino, Mayor

Char DuPree
Planning & Zoning Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 12, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 735: pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff Present: City Manager Earl Berner, Lt. Wes Frazier, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Shannon Fields, and City Secretary Beverly Weikum.

B. INVOCATION

Reverend Ray Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said that Shannon would update them on several items when she gives the Parks and Recreation Board and Keep Lake Dallas Beautiful Committee reports.

He said that February 27 is the Chamber of Commerce's annual dinner. He asked that they let him know in a couple of days so he can make the necessary arrangements.

Mr. Berner said that the Community Development Corporation received a letter of resignation from Gordon McQuillin last week.

Mayor Tony Marino said it was good to have Councilmember Martin back with them and that they had missed him.

E. REPORTS

1) Parks and Recreation Board

Special Events Coordinator Shannon Fields said that Mardi Gras will be on Fat Tuesday, February 24. Mayor Marino will be riding in the parade along with Holly Deitrick, the Grand Marshall. Shannon said there will be float contest, a costume contest, and a mask contest. She said there will be lots of activities for the kids as well as for the adults. The N'awlins Gumbo Kings will be here to perform. So far she has had fifteen entries for floats and expects more the last week. The party stuff and vendors will be in the City Hall parking lot.

2) Keep Lake Dallas Beautiful Committee
Shannon said the spring cleanup will be coordinated with the Great American Cleanup that is scheduled for April 18. She said she was trying to get Hickory Creek and Corinth to have their cleanups on the same day. She said that Hickory Creek does not plan to participate and she is waiting to hear from Corinth about their plans.

3) Economic Development Corporation
City Manager Earl Berner said they are working on an RFQ for the sale of the Swisher Road property. He said they will work on the sale of the property when bridge opens.

4) Community Development Corporation
City Manager Earl Berner said that the corner on Mayberry's project is nearly complete. The trees should be in within the next couple of weeks.
He said we are getting ready to do a master plan for Community Park. He said that due to the library damage, that the meeting will be sometime in March, not February 23.

5) Finance
Finance, Human Resources Director Joni Vaughn said that the first page shows the sales tax revenue received in January. The total was $73,393.70 with $36,696.86 going to the General Fund. The Community Development and Economic Development Corporations each received $18,348.42. She told the Council that the Investment Account is growing due to the property tax dollars coming in by good amounts.

Joni said that page 2 is the banking information for the Economic Development Corporation.

She said that the Community Development Corporation had $67, 335.61 at end of January.

She asked if there were any questions on budget summary or details.

City Manager Earl Berner said that in April we'll be halfway through the year with the completed March financials. He said it looks like we're doing okay with the revenues coming in. He said isn't not great, but all right.

Mayor Marino asked if we were going to do a retreat budget again this year. City Manager Earl Berner said that probably in late May.

F. AGENDA BRIEFING
City Manager Earl Berner said there were five items on the Consent Agenda and read those items. He said that under Business there were also five items and read those items. He said that Mr. Deaton is here regarding the audit. Mr. Berner said that the final item is a Workshop on the Economic Development Corporation and Community Development Corporation grants funding and revenues.

G. VISITORS/CITIZENS AGENDA:
Mayor Tony Marino opened the Citizens Agenda.
Mayor Tony Marino closed the Citizens agenda when no one came forward to speak.

H. CONSENT AGENDA:

1. **Consideration and Action on approval of Minutes for January 22, 2009 meeting.**
2. **Consideration and Action on approval of January financials.**
3. **Consideration and Action to approve a Resolution to amend Resolution 012209.26 to change the date and time of two early voting dates.**
4. **Consideration and Action on approval of the Racial Profiling Report for 2008.**
5. **Consideration and Action on approval of the 4th Quarter 2008 Investment Accounts.**

Motion to accept the Consent Agenda was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1. **Consideration and Action on approval of the Audits FYE 2008 as presented by Carl Deaton.**

Mr. Deaton said he would just hit the highlights. He said that the Revenues and Expenditures were on page 20. He said that the third column was for the Capital Projects Fund and the spending of fiscal bond proceeds. Mr. Deaton said we need Debt Service accounts for making payments on the various bond s. He said that all the other activity falls thru the General Fund.
Mr. Deaton said that page 18 shows the assets and liabilities. He said that at the bottom it shows $813,000 but that some of those funds are already earmarked for various projects. He said that the other reserves shown in detail on page 56 are mostly court and police department funds that are restricted.

He said the city had $669,000 in undesignated funds and in comparing that number to the $3,000,000 we spent over the year that the number reflects a little over 2 months in operating funds. Mr. Deaton said that he's telling school districts and cities that enough money to operate for three months would be a good number to keep in reserves. He said there is no number set in stone but that a lot of accountants are suggesting that kind of reserve. He said that just a few years ago the city was well below where we are now.

Mr. Deaton said the back of report has more detail than they would probably care to look at. That part contains the budget figures vs. the actual figures, etc. He said that page 31 has a note about the disclosure of capital assets that are being tracked. Several years ago the rules changed and now we are depreciating items. He said we have historical costs since inception for those things that are still in existence. Page 32 has the disclosure of long-term debt.

Compensated absences for accrued and unused vacations were discussed by the Council with Mr. Deaton. He said that the only rule he is aware of regarding debt service is the legal debt margin where you are unable to levy enough taxes for higher debt service. Carl said that on page 34 is the information about the TMRS system. He said that they made some changes in some actuarial procedures and that is shown on pages 35 through page 37. He said that the bottom of page 36 and top of page 37 gives the numbers that would have been if they hadn't changed their methodology. The City contributes as well as the employees and the State can change your rate. He said that most of the cities he's aware of have been hurt

by this. He said that these numbers in the report shows that TMRS is going to have to deal with at some time.

Mr. Deaton said that since we began depreciating assets a few years ago we are now required to put in consolidated financial statements. This includes governmental activities for the three funds plus capital assets and long term debt and is on pages 15, 16 and 17. He said he is required to drop the 4a and 4b numbers beside the city numbers on the balance sheets because the city has control over them. Mr. Deaton said that both the Economic Development and Community Development Corporations spent a lot of money last year.

Carl said that the last thing he wanted to call their attention to was pages 5 through 11, which is the required narrative, called Management's Analysis and Discussion. He said that one should get as much information out of that as looking at all the numbers. He said that the middle of page 10 and most of page 11 are economic factors is not historical factors. Carl said it is information provided mostly by Mr. Berner.
Motion to approve the Audits FYE 2008 as presented was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

2. **Consideration and Action on approval of a Resolution provided by the Upper Trinity Regional Water District regarding watershed protection of Lewisville Lake.**

City Manager Earl Berner said Upper Trinity was supposed have a representative here to make a presentation tonight, but no one had come in yet. He said it's not going to require us to do anything beyond what we're going to be doing with the storm water project. There will be no financial funding required on our part.
Motion to approve the Resolution provided by the Upper Trinity Regional Water District regarding watershed protection of Lewisville Lake was made by Councilmember Brooks. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

3. **Consideration and Action on appointment of Christie Northrup to the Board of Adjustments.**

Motion to appoint Christie Northrup to the Board of Adjustments was made by Councilmember Harper. Second by Councilmember Fletcher.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

4. **Consideration and Action on appointment of Roger Rovira to the Parks and Recreation Board.**

Mr. Rovira was unable to come to the meeting tonight. City Manager Earl Berner said that Mr. Rovira has been to the last couple of Parks and Recreation Board meetings. He said that he is very well qualified and shows good interest.

Motion to appoint Roger Rovira to the Parks and Recreation Board was made by Councilmember Brooks. Second by Councilmember Harper.

Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin

Noes: None

Motion Passed

5. **[Addendum]Consideration and Action on appointment of James Harper as liaison to the Planning and Zoning Commission.**

Motion to appoint James Harper as liaison to the Planning and Zoning Commission was made by Councilmember Connors. Second by Councilmember Martin.

Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin

Noes: None

Motion passed

J. **WORKSHOP:**

1. **Workshop to discuss Economic Development and Community Development Corporations budgets and funding grants payable.**

City Manager Earl Berner said he had put together a synopsis of both the Economic Development and Community Development Corporations of their outstanding grants, monthly expenses, and revenues. There is a recap on when we expect some of these obligations to hit and where they would be at that time. In the E.D.C. we've borrowed from the Oaks at North Lakeview account, a $25,000 park contribution, for cash flow fund. He said it looks like at the end of this year we're not going to be able to pay that money totally back. Mr. Berner said it kind of depends on how sales tax comes in. He said that right now we're running about 6% under last year, but that we'll be all right. The 4-a board has a lot on their plate right now. He said he is hoping the property on Swisher Road will sell soon and that the Daniels still have interest in the property on Shady Shores. We have a 'for sale' sign on that property but no one has shown any interest in it yet. The Daniels will not receive funding for the grant that was approved it they do not buy the Shady Shores property.

The QT should open around the first part of August. The Sonic has some sanitary sewer issues. We'll be meeting with them tomorrow.

The boat ramp grant from the State will probably be awarded in the fall. We have a 25% match that will amount to about $90,000. By the time we finish negotiations with the Texas Parks and Wildlife the 4-b board will probably have to borrow those funds. That board has funded grants for the Steel Magnolias and the corner by the Mayberry project. The C.D.C. should end up the year in pretty good shape.

City Manager Earl Berner said that Shannon's working on the changes for the RFQ and we'll determine list of people to send it out to.

War chests need to be built for both corporations. If something good came along and requested funding we'd probably have to go into debt or miss out on an opportunity.

K. CITY MANAGER REPORT

1. City Projects

City Manager Earl Berner said that he and Lt. Frazier met with the ISD and their engineers this week. While they're doing the streets around the new elementary school they discovered a part of Main Street that's in bad shape up. If they join the new pavement to the current Main Street, their new pavement could cause more deterioration in the older part of the street. They will bring something to us about options. We don't know the condition of the undersurface. We have no idea how much the replacement would cost the City.
San Jacinto, Falcon and Market Streets will be closing for ten days to two weeks while the street construction is being accomplished.

Mr. Berner said we have two new squad cars and that the revised logo is on them. He said that they are parked in back if they would like to go look at them.

Public Works got their new chipper late last month. We had a brush only cleanup earlier this month. Next week we have scheduled the street sweeper and leaf removal company. They will be here the 17th through the 19th.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Mayor Tony Marino adjourned the meeting at 8:25 pm.

Tony Marino, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 22, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
B. W. Brooks	Councilmember 3

Councilmember Martin is in the hospital and Councilmember Fletcher was not able to attend.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Shannon Fields, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Harper gave the Invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Councilmember Connors led the pledges of allegiance.

D. ANNOUNCEMENTS

Special Events Coordinator Shannon Fields said that the Mardi Gras event is scheduled for Fat Tuesday, February 24 from 5 pm to 9 pm. There will be a lot of activities for all ages. There is a costume contest with $200 going to the winner. The grand prizewinner for the best float contest will win $1000. The masked contest is for ages 4 through the 4th grade. She has sent forms to the teachers.

City Manager Earl Berner said that February 27 is the annual Lake Cities Chamber banquet. He said that we will get tickets.

He also said that the second class of the Citizens Fire Academy begins on February 24. He said there is one spot left and if anyone is interested in joining they should call the Fire Chief.

Mr. Berner said that the Lions Club is sponsoring a Casino Night on January 23 from 7pm to10pm at the Lake Dallas Point.

E. REPORTS

1) Economic Development Corporation

City Manager Earl Berner said that the 4-a board interviewed Danny Everett for the vacant position on their board. He said that Terry Tuck brought forward some things the board can fund and that he wants to set aside certain percentages for those items. They also discussed the possibility of some funding for the Duck Inn property.

2) Community Development Corporation
City Manager Earl Berner said that the 4-b board also discussed the possibility of providing some funding for the Duck Inn property.
Schrickel, Rollins and Associates, Inc. was at the meeting and said that a grant was approved for the boat ramp application. We were awarded $258,000 instead of the $500,000 we had applied for. The board reviewed the initial proposal on the Community Park Master plan. They will meet with some of the library staff and patrons to get comments on the proposal at a February 23 meeting. The board also awarded the Lake Cities Library $3,000 for a copier/scanner machine which will be used for copying resumes and documents for job applicants.

Mr. Berner said the Parks and Recreation Board and Keep Lake Dallas Beautiful Committee did not have meetings. They have been working on the Mardi Gras event.

3) Finance
Finance, Human Resources Director Joni Vaughn said that in the month of January we received $87,346 in sales tax money. $43,673 went to the General Fund and $21,836 each went to the 4a and 4b boards. She said we are keeping a sharp eye on both the revenues and expenses in view of economy. Joni said that in early April we'll go back and make budget amendments since that will be the end of the first six months.

Joni said that today that Joni Lynn, who does the waste management billing, compared the lists from LCMUA and Waste Management and there is a difference of about 200 addresses. There may be a lot of people who may be receiving trash service and not paying for it.

Joni said that the funds are growing as we take in property tax monies. She said that January will reflect a big jump, but we won't see it on the investment fund balance. Funds are being set aside in the debt service accounts and reserves.

The Economic Development Corporation has a little money but they need to repay funds that were borrowed from the Oaks at North Lakeview Fund.

The Community Development Corporation had $70,000 in available funds at December 31.

No one had any questions for her.

F. AGENDA BRIEFING
City Manager Earl Berner read the agenda items under the Consent Agenda and the Business Agenda.

G. VISITORS/CITIZENS AGENDA
Mayor Marino opened the Visitors/Citizens Agenda.

Mayor Marino closed the Visitors/Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:

1. **Consideration and Action on approval of Minutes for January 8, 2009 meeting.**
2. **Consideration and Action on approval of December financials.**
3. **Consideration and Action on approval of a Resolution to call an election on May 9, 2009 for Council Places 1, 3, and 5.**
4. **Consideration and Action on approval of a contract with Denton County Elections Administration for the May 9, 2009 election.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

I. BUSINESS:

1. Public Hearing on an Ordinance to create a Downtown Zoning District.

Rickey Webb, 408 Alamo said he was wondering how this would help us and asked if it could be rezoned without the owner's consent.
City Manager Earl Berner said that it provides some level of protection. In the first paragraph it states the purpose is to provide a mixed-use environment and could include historical, architectural or cultural value within the district. He said that generally we do not rezone without the owner applying for a rezone. He said that if a property is in contract with someone that they would have to make the application. He said that doesn't sense the Council is going to buy any property and their will be no eminent domain. The Economic Development Corporation does not have the authority to use eminent domain.

Mr. Webb asked how soon the changes will take place and where the money would come from to fund the changes.
City Manager Earl Berner said the change will probably as soon as the two buildings across the street are complete. He said the Community Development Corporation applied for a grant to redo the street. The grant funds had to be used because of hurricane Rita so we have not received any grant funding to date. He said the board could borrow the money to fund it that way. Mr. Berner said the Main Street projects are currently on a pay as you go due to money situation at this time.

Mr. Webb asked if it was going to be something like Flower Mound or Southlake. He also wanted to know what was going to happen to the homes of the residents that are in this district.

City Manager Earl Berner said he sees our downtown to look more like Grapevine. He said that the residents could live there as long as they want. He said there should be increased sales taxes and business property taxes so that should not raise the assessed value on the homes in this area.

Mr. Webb asked about how to file for a historical landmark because he said his house was built in about 1880. It was suggested that he contact the Denton County Historical Commission.

City Manager Earl Berner said that in case anyone has one of the initial maps for the overlay, that at the Planning and Zoning Commission Mr. John Emery asked that his property be included in the area.

2. Consideration and Action on approval of an Ordinance to create a Downtown Zoning District.

The Council discussed the 1850's lakeside theme for the area but asked why the ordinance requires that the structures be 100% masonry. The brick is for architectural appearance as well as being less susceptible to fire. The exterior surfaces for the zoning areas will be discussed at a later meeting to see about putting hardy plank back into the masonry requirements.

The Council could remove #20, Mortuary/funeral parlor, from Section 122-679, Prohibited Uses. Upholstery shops are considered to be closer to manufacturing and we'd like to have retail Uses in this area.

City Manager Earl Berner said that all uses and exterior construction already in this area are grandfathered.

Motion to approve the Ordinance to create a Downtown Zoning District with the addition of Mr. John Emery's property, delete Paragraph 1 of Section 122-687 and delete Item 20 from Section 122-679, Prohibited Uses was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None
Motion Passed

3. Consideration and Action to add to the quarterly Waste Management billings an option to add an additional amount to the check to be used by the Parks and Recreation Board.

Motion to approve addition to the quarterly Waste Management billings an option to add an additional amount to the check to be used by the Parks and Recreation Board for the 4th of July event and fire works was made by Councilmember Brooks. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

4. Consideration and Action on appointment of Danny Everett to one or more boards, commissions, or corporations.

Motion to appoint Danny Everett to the Economic Development Corporation was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

5. Consideration and Action on appointment of Harry Cagnetto to one or more boards, commissions, or corporations.

Motion to appoint Harry Cagnetto to the Parks and Recreation Board and Board of Adjustments was made by Councilmember Brooks. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, and Brooks
Noes: None

Motion Passed

J. CITY MANAGER REPORT

1. City Projects

City Manager Earl Berner said there is not much change from the last meeting.

K. NEW AGENDA ITEMS

Mayor Marino asked if we still have scholarship money for students.

City Manager Earl Berner said we have budgeted money for that but have not had any recent applicants.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:05 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 8, 2009 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

B. INVOCATION

Councilmember Connors gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner stated that the semi annual campaign finance reports are due January 15.
He said that February 27 is the Chamber of Commerce Annual Banquet. It will be at the Circle R Ranch Western Pavilion in Flower Mound, Texas.
The City's Mardi Gras celebration will be on February 24.
The Lake Cities Lions Club will host a casino night on January 24 at the Lake Dallas Point from 7 pm until 10 pm.

E. REPORTS

1) Parks and Recreation Board

City Manager Earl Berner said the planning for the Mardi Gras is underway.

2) Community Development Corporation

City Manager Earl Berner said they will be receiving preliminary plans for Community Park from Schrickel, Rollins and Associates, Inc. at their next meeting.

He said that they have committed to helping with the sidewalks and corner piece [this will set the standard for the Downtown Plan] on the Mayberry project across the street.

3) Keep Lake Dallas Beautiful Committee

Mr. Berner that they did not have a meeting last month.

4) Finance

The financials were not ready at this time.
Finance, Human Resources Director Joni Vaughn said the property tax is rolling in. She said that she and City Manager Earl Berner had a meeting with the auditor today. She said it is still in a preliminary form. Mr. Deaton will be here for the first February meeting. The fund balance is in place. She said that sales tax is holding its own.

Mayor Marino asked that the records reflect that Councilmember Hammond came in at 7:38 pm

F. AGENDA BRIEFING

City Manager Earl Berner read the agenda items business for Business and the Consent Agenda. He said we will not be doing the financials. He said that the last four items are housekeeping due to the change in mayor.

G. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Citizens Agenda.
Mayor Marino closed the Citizens Agenda when no one came forward to speak.

G. BUSINESS:

1. **Consideration and Action on appointment to fill vacancy of Councilmember Place 1.**
   Motion to appoint James Harper as Councilmember Place 1 was made by Councilmember Connors. Second by Councilmember Martin.
   Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
   Noes: None
   Motion Passed

2. **Oath of Office to Councilmember Place 1.**
   City Secretary Beverly Weikum had James Harper read and sign the Statement of Elected/Appointed Officer.
   James Harper repeated the Oath of Office and took his seat at Place 1 of the Council Table.

3. **Consideration and Action on appointment of replacement for Councilmember Place 3.**
   Motion to appoint B. W. Brooks as Councilmember Place 3 was made by Councilmember Martin. Second by Councilmember Connors.
   Ayes: Councilmembers Connors and Martin. Mayor Marino voted to break the tie.
   Noes: Councilmembers Hammond and Fletcher.
   Motion Passed

4. **Oath of Office to Councilmember Place 3.**
   City Secretary Beverly Weikum had B. W. Brooks read and sign the Statement of Elected/Appointed Officer.
   B. W. Brooks repeated the Oath of Office and took his seat at Place 3 of the Council Table.

5. **Consideration and Action on naming Mayor Pro-Tem for the City of Lake Dallas City Council.**
   Motion to name Carol Ann Connors as Mayor Pro-Tem was made by Councilmember Martin. Second by Councilmember Harper.
   Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
   Noes: None
   Motion Passed

6. **Consideration and Action on appointment of Donna Walker to the Library Board and to the Keep Lake Dallas Beautiful Committee.**
   Motion to appoint Donna Walker to the Library Board and the Keep Lake Dallas Beautiful Committee was made by Councilmember Harper. Second by Councilmember Brooks.
   Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
   Noes: None
   Motion Passed

7. **Consideration and Action to add a set amount as late fee on the trash pickup billings that are not paid by their due date.**
Motion to add a $15 late fee and $40 reinstitution fee to the trash pickup billings that are not paid by their due date was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

MotionPassed

8. **Consideration and Action on a Resolution to support the Regional Transportation Legislative Program for the 81st Texas Legislature.**
There was Council discussion about this item. Several items that were in the information sent from the Regional Transportation Legislative Program for the 81st Texas Legislature were questionable and/or vague. City Manager Earl Berner said that if the Council would like that we can send a letter stating that the Resolution was not approved because of unknown taxation.
Motion not to support the Regional Transportation Legislative Program for the 81st Texas Legislative was made by Councilmember Fletcher. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Brooks, and Fletcher
Noes: Councilmembers Connors and Martin

Motion Passed

H. **CONSENT AGENDA:**

1. **Consideration and Action on approval of Minutes for December 11 and December 18, 2008 Minutes.**
Motion to approve the Minutes for December 11 and December 18, 2008 Minutes was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

2. **Consideration and Action to approve revised December financials.**
This item had been pulled from the agenda.

3. **Consideration and Action on approval of a Resolution to change signatories for the NorthStar bank account(s).**
Motion to approve a Resolution to add the Mayor and remove the previous Mayor Pro-Tem Hammond from the NorthStar bank accounts was made by Councilmember Connors. Second by Councilmember Harper.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

4. **Consideration and Action to designate additions/deletions of authorized representatives for the TexStar investment accounts.**
Motion to add Mayor Marino and delete the previous Mayor Pro-Tem Hammond as authorized representatives for the TexStar investment accounts was made by Councilmember Brooks. Second by Councilmember Fletcher.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

5. **Consideration and Action on approval of a Resolution to change authorized representatives for the Local Government Investment Cooperative (LOGIC) investment accounts.**
Motion to approve a Resolution to change the authorized representatives to include Mayor Marino and remove the previous Mayor Pro-Tem Hammond for the Local Government Investment Cooperative (LOGIC) investment accounts was made by Councilmember Harper. Second by Councilmember Connors.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

6. **Consideration and Action on approval of a Resolution to amend the authorized representatives for the TexPool investment accounts and approval of a deletion form for prior representative(s).**
Motion to approve the Resolution to amend the authorized representatives to include Mayor Marino and delete the previous Mayor Pro-Tem Hammond for the TexPool Investment accounts was made by Councilmember Connors. Second by Councilmember Brooks.
Ayes: Councilmembers Harper, Connors, Brooks, Fletcher, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

- **Private Construction projects.**

City Manager Earl Berner said the Mayberry project should be finished and occupied by March 2009. He said that the second half will be an identical building on the back of the property. Construction will begin about six months after completion of the building facing Main Street.

The Sonic project has been delayed by about sixty days.

QT is doing the bidding for a contractor now and plans to start in March and finish in August.

- City Projects

The Animal Shelter construction is finished. They are working on the punch list items at this time. All the animals have been moved.

For Lakeview Drive north of Howard Street we have received the right-of-way plat and should begin about acquiring property as soon as we get the formal plats. Mr. Berner said that sixty days after that we should start and then finish by August.

We plan start the second part of the road rehab in about 45 days.

We have not received any information yet on the boat ramp grant for Willow Grove Park.

- Toll Bridge Opening

NTTA still plans to open the bridge in August and have the celebration in July. A large number of runners are expected for the celebration event. They anticipate as many as 10,000 people to be in attendance for the event. Parking will be a definite problem.

K. NEW AGENDA ITEMS

Parks board needs a camera but that is part of their budget and does not require City Council action. The solid waste billing invoice needs a little more tweaking but also does not require Council action.

A work session for the next regular meeting to look at the Economic Development and Community Development Corporations budgets and monies outstanding was requested.

Councilmember Connors said that this is a new year and a new chapter starting for the City Council. She said that things got a little ugly the past few months and that she would like to see us set apart our grievances. She said she would like to see this Council work together as a team again.

L. ADJOURNMENT

The meeting was adjourned at 8:05 pm.

Tony Marino, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting to canvass the December 13, 2008 runoff election votes on December 18, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Councilmember Marino called the meeting to order at 5:00 pm.

A. ROLL CALL

Tony Marino	Councilmember Place 1
Richard Martin	Councilmember Place 5

Two members of the authority constitute a quorum for purposes of canvassing an election per Election Code Chapter 67, Canvassing Elections; Section 67.004 (a) Procedure for Local Canvass.

Staff Present: City Manager Earl Berner and City Secretary Beverly Weikum.

B. ANNOUNCEMENTS

There were no announcements.

C. VISITORS/CITIZENS AGENDA

No one came forward to speak so Councilmember Marino closed the Citizens Agenda.

D. BUSINESS:

1) **Consideration and Action on approval of a Resolution for the Canvass of the Runoff Election held December 13, 2008.**

Motion to approve the Resolution for the Canvass of the Runoff Election held December 13, 2008 was made by Councilmember Martin. Second by Councilmember Marino.
Ayes: Councilmember Marino and Councilmember Martin.
Noes: None

Motion Passed

City Secretary Beverly Weikum swore Tony Marino in as the Mayor of the City of Lake Dallas.

E. ADJOURNMENT

Mayor Marino adjourned the meeting at 5:05 pm.

Tony Marino, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 11, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:30 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember 1
Richard Martin	Councilmember 5

Councilmember Connors and Councilmember Fletcher were out of town.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said that the Mardi gras will be out next event and is scheduled for February 24.

He said we will need to have at least two councilmembers present for a meeting on December 18 or 19 to canvass the election votes.

Mayor Pro-Tem Hammond said that Mr. Chris Banks, the general manager for Texas Land and Cattle recently passed away. He left three children and a wife. He had no insurance so contributions for the family can be made at the NorthStar Bank.

E. REPORTS

1) Parks and Recreation Board

City Manager Earl Berner said they are working on the plans for Mardi gras along with the Keep Lake Dallas Beautiful Committee. Both committees are in need of new members due to some members resigning because they are moving out of town.

2) Community Development Corporation

At their last meeting the Board funded some improvements for the Steel Magnolias on Gotcher Street; approved brick paving in front of the new building across the street; and the first corner of the Main Street Design plan will be done on the northeast quadrant of Main Street and Gotcher.

3) Keep Lake Dallas Beautiful Committee

This committee did not have a meeting.

4) Finance

Finance, Human Resources Director Joni Vaughn gave an overview on city financials. She said that the Sales Tax Revenue for the month of November was $92,176.48 with $46,088.24 going to the General Fund. Our Investment Account is dwindling somewhat as it usually does this time of year. We have had some tax money coming in. We have received $42,000 plus so far this month. Within the next two weeks we should be getting larger deposits from the County. She asked if there were any questions.

Mayor Pro-Tem Hammond asked about the $400 cost for an office lock. Police Chief Nick Ristagno said it was for Officer Chandler's new office and is a lock like the locks as the rest of the bldg.

Next Joni gave an overview on the Economic Development Corporation. She said they had received $23,044.12 in sales tax revenue for November. Funds available at this time add up to $30,658.75.

She said that the Community Development Corporation received the same amount of sales tax dollars and their total funds available at this time are $73,444.20.

Joni said that Carl Deaton did complete our audit the week before Thanksgiving. He'll be getting back to us at a meeting in January.

She said there were no major changes in the September financials from the ones presented in October.

F. AGENDA BRIEFING

City Manager Earl Berner said there are three items on the Consent Agenda and read those items. He said that under Business we also have three items and read those.

G. VISITORS/CITIZENS AGENDA:

Linda Gilbert, said she was there as a representative for the residents at 425 Carlisle, 603 Carlisle, 601 Carlisle, 610 and 612 Sargent, 352 Betchan, 604, 604A, and 602 Main, and 531 Carlisle. She asked to have an additional two minutes to speak. Mayor Pro-Tem Hammond agreed. She said that she and her husband own two properties in Lake Dallas and that they recently moved to Corinth. She said she has worked thirty years in finance and did a lot of commuting. She said that crossing the lake and seeing all those beautiful trees in the area was always a pleasant sight. She said they had purchased additional property on Carlisle Street for their granddaughters.

She said she was here not because they are opposed to change or growth in a community. She said they are opposed to the City of Lake Dallas Economic Development Corporation and Marc McDougal trying to force them to sell their homes and put in apartments, duplexes and other homes. They feel that $25,000 could be spent on better things. She said that to expedite the process that she had lists to hand out to the City Council later. She said that instead of eminent domain it should be called "Intimate Domain" because of heartless manner that eminent domain can become. Wait around – what goes around comes around. It could be their property today and the city's tomorrow. They are requesting that the program to dropped and to release McDougal from the project. She said that if they want to sell their homes that they will place a sign in their yard. [The list of questions is attached as Exhibit "A"]

She understands they can't answer these questions tonight but that they would like answers. They have a petition going around now. She said that what they are doing does not match our mission statement that is on our website.

David Shershen, 166 Kingswood, said he thought he knew Lake Dallas through his various times of serving on the City Council and other boards and commissions. He said he doesn't recognize this town any more. He finds the council divided, an election going on, residents choking down their turkey dinners on Thanksgiving because of the possible of eminent domain. He said he attended the Open House for the new animal shelter. He said he understands that the budget for Animal Services is $800,000. He said it's just got to the point where he thinks that as leaders the Council needs to be more mindful of the citizens. He said that Lake Dallas is basically landlocked and that we have no other land for development other than the railroad property. He said that apartments would cause more services to be provided. He said that we owe it to the people of Lake Dallas to be much more dedicated to leadership.

Clyde Edwards, 3011 Kiln Drive, Corinth asked to speak later.

Mike Fahey, 144 Kingswood Drive, said this won't take long and that he's going to say the same thing he said in the paper today. He noticed that in talking about doing the biggest event to hit Lake Dallas to be done in executive session. If this character cannot say what he plans to do in front of everyone, he shouldn't be here. He said there's something wrong with the idea of increasing the city tax base to help the city residents by throwing the city residents out of town. Any project done on that end of town should be done on currently vacant property bought from willing ex-property owners. Mr. Fahey said he knows some of those people in that neighborhood. They're nice people, let's not throw them out.

Mayor Pro-Tem Hammond said this item has never been presented to the council. This is a 4-a board item, the Economic Development Corporation. He said that Mr. Marino and Carol Ann Connors are on that board. They are the only ones who have seen that proposal. He said that the rest of Council has not seen the report.

City Manager Earl Berner said that it is public information and that we have made copies and they are available at the Council Table. The Economic Development Corporation meets at 7:30 pm on the first Monday of the month.

Tony Marino, 727A Main Street, speaking as a citizen of Lake Dallas, said this was an unfortunate situation. He said we have copies of the Economic Development Corporation Minutes for the September and November meetings. He said that no one made any mention of eminent domain. Mr. Marino said that was not a goal of the EDC. He said Mr. McDougal was hired to a "Target Area" study. He said the report will be going to the City Council. He said it has not been voted on and nothing has been approved. He said that the Mayor Pro-Tem looks at the agenda and helps determine what goes on an agenda. Mr. Marino said there are tapes of the City Council meetings that can be listened to.

Daniel Patrick, 527 Beck, asked where would we go to see how these boards work. He asked if the Economic Development Corporation makes reports to the City Council or what is the procedure.

City Manager Earl Berner said that in this particular instance, with the scope of the program, that a potential partnership with the city is of such magnitude that it's beyond the scope of the EDC. He said they help with projects in the city to spur economic development. Mr. Berner said that what was presented was more than the scope. We were looking for commercial uses. He said that the initial schedule would have included the presentation for this week's meeting and Council would have had their packets last week.

Mayor Pro-Tem Hammond closed the Citizens' Agenda when no one else came forward to speak.

H. CONSENT AGENDA:

1. **Consideration and Action on approval of Minutes for November 24, 2008 meeting.**
2. **Consideration and Action to approve revised September financials.**
3. **Consideration and Action on approval of the November financials.**

Motion to accept the Consent Agenda was made by Councilmember Martin. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Discussion of code enforcement process and procedures and failure of code enforcement office to follow city code requirements.**

Brian Cogbill, 104 Dobbs Road, said that there seems to be some question in how the government is run. He said he'll go by his list and make the points he wants. He began by reading from the City Charter and stated Lake Dallas is a Council/Manager type of government.
He handed out papers to the Mayor Pro-Tem and Councilmembers. He began reading about definitions, penalties for violations for the code, issuance of permits, contractor's license required. He was listing Articles and Sections of the Municipal Code of the City of Lake Dallas.

Mayor Pro-Tem Hammond asked him to state why he was here.

Mr. Cogbill said he wants enforcement of the municipal code. He said the codes should be enforced as written. He cited paragraphs 22-191, 22-196, 22-198 and 22-201. He said that he had brought to the attention of the code officer and city manager some issues at the residence where he and his family lives. He said those issues have been ignored. He was told that those violations couldn't be determined whether they were health and safety issues or city code violations. He had Mr. Berner and Ms DuPree came to his residence and walked them through and they took pictures of what he's brought up to his landlord. He said there are issues with the electrical and plumbing. He said they basically informed him they weren't experts and forwarded the code inspection to Bureau Veritas. He said that hey said that there appeared to be a violation in all of the pictures. He said he also has copy of an email that was forwarded to Mr. Berman. The question was that they had conducted a code inspection and "issues of concern" were raised and they asked for a legal direction from city attorney about how to proceed.

He said that upon contact with code enforcement and the city manager he was told again that they didn't have the authority to come out, and that he needed to hire a licensed inspector. He said it's obvious to him that a licensed contractor had done none of those things. He said that the wax seals around the toilet and not holding so there is a water leak and methane gas leak. He said he has a wife and two kids. He's asked the city to come out, and according to the code, that's what is supposed to happen. He said that instead code sent a letter to his landlord on October 23 and without his knowledge, until after the fact, those offices of the city met with his landlord. He said that on October 25 he got a notice about vacating the property and on October 28 he got evicted. He said he's still living in that house and city is hiding behind a "tenant/landlord" issue. He said that if code violation is there, a code violation is there.

He said they went to court and he hired an attorney to defend him against the eviction. He said he came to the city and that they had been told that he had lost the case and had ten days to get out so he forwarded a copy of the JP's ruling as it appears on the website. He said there were no grounds for the eviction and he is still living in a household with these issues. He has taken time to come up here and spent $150 or $160 for open records. He said there are 200 violations where they have followed up on violations and issued citations. He said that some of these are tenant/landlord properties. He's asking them to review the code and protect those people who have code issues.

He said that the city is not a bunch of buildings – it is the people. He said that it seems to him that it's the money as far as which rules we follow and that ain't right. He said he is asking them again, to follow their code.

Clyde Edwards, 3011 Kiln, said that he owns the property on Dobbs Road.
He said that some of the things he addressed are true because he created them. He said that the conditions in the lease spells out. Mr. Edwards said he's suing Mr. Cogbill. He has an attorney. He said that the eviction will be imminent and something about animals in the house. Mr. Edwards said he has had electricians out there and that it can be checked out in the police report. Mr. Cogbill won't let him in the house. He had a real estate inspection done, not a bona fide building inspector so when you read that part, keep it in mind. He said Mr. Cogbill has badgered our people. Mr. Edwards said this is a civil issue. He said there is no health hazard and no safety hazard. He said that Mr. Houghton is a licensed electrician. He apologized for this happening and apologized to Mr. Berner and to Char DuPree. Mr. Edwards said that Mr. Cogbill has fifteen citations in the Town of Hickory Creek which the city manager has copies of.

2) Consideration and Action on approval of an Ordinance for the rental agreement with the Boys and Girls Club of Denton County.

Motion to approve the Ordinance for the rental agreement with the Boys and Girls Club of Denton County was made by Councilmember Marino. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Martin
Noes: None

Motion Passed

3) Consideration and Action on closing the City Offices on December 26, 2008.
Motion to close the City Offices on December 26 was made by Councilmember Marino.
Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

- **Private Construction projects.**

City Manager Earl Berner said that the 4b approved funding the sidewalks for Mayberry's new building and the first corner of our downtown façade scheme on Gotcher & Main.

- **City Projects**

Phase 1 of the road rehab has been accomplished. Phase 2 will begin in about 45 days. The Animal Shelter is complete with the grand opening held last Tuesday. The staff getting ready to move in.

- **Toll Bridge Opening**

Mr. Berner said there is nothing new to report. There was another meeting on Wednesday morning. They still don't have a final date selected for when we celebrate.

K. NEW AGENDA ITEMS

Councilmember Marino said that due to turnout at this meeting that he would like to remove the executive session for the McDougal report. He said that if they want to come back it needs to be as a public hearing and stick with the twelve acres and no mention of apartments.

L. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 8:30 pm.

Karl Hammond
Karl Hammond, Mayor Pro-Tem

Beverly Weikum
Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on November 24, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:30 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Alan Fletcher	Councilmember Place 3
Richard Martin	Councilmember Place 5

B. INVOCATION
Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Earl Berner said the annual tree lighting is on December 6. The annual employee appreciation dinner is December 5.

E. AGENDA BRIEFING
City Manager Earl Berner said there are four items under the Business Item and read the items.

F. VISITORS/CITIZENS AGENDA:
Mayor Pro-Tem Hammond opened the Citizens Agenda.

Mayor Pro-Tem Hammond closed the Citizens Agenda when no one came forward to speak.

G. BUSINESS:
1) Consideration and Action on approval of Minutes for November 13, 2008 meeting.

Motion to approve the Minutes for the November 13, 2008 meeting was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None
Motion Passed

2) Public Hearing on application for rezoning of Block 2 Lot 13 (s12'), 16, and 17 (n31') of Gotcher Addition (111 Gotcher Avenue). The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-2 Commercial District.

Mayor Pro-Tem Hammond opened the Public Hearing.

Kay Swihart, owner of 111 Gotcher said they are requesting the rezoning of a residential property to commercial property because they have a spa/salon wanting to lease the property. She said it will bring business to town.

Karen McCown, Denton, Texas, is part owner of Steel Magnolias, a full-service salon/spa. She said they offer body wraps, hair styling manicures and pedicures, but not acrylic. She said they will bring more business to the community and are very excited for the opportunity to do so.

Rachelle Garland, Hickory Creek, said that she and Karen both have established businesses. She said that her clientele is not local people. She said this will bring a lot of traffic into our community.

Mayor Pro-Tem Hammond closed the Public Hearing.

3) Consideration and Action on approval of an Ordinance to allow for the rezoning of Block 2 Lot 13 (s12'), 16, and 17 (n31') of Gotcher Addition (111 Gotcher Avenue). The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-2 Commercial District.

Motion to approve item G-3 was made by Councilmember Marino. Second by Richard Martin:

Motion to add an addendum that a replat be performed within six months of the City Council action today was made by Councilmember Marino. Second by Councilmember Connors.

Vote on the addendum to the original motion:
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

Vote on the original motion:
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action to approve a Resolution to amend Resolution #111308.19 to change the Alternate Judge to Wanda Cox for the December 13, 2008 Runoff Election.

Motion to approve Resolution 112408.20 amending Resolution 111308.19 to change the Alternate Judge to Wanda Cox for the December 13, 2008 Runoff Election was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

H. CITY MANAGER REPORT

- Private Construction projects.

City Manager Earl Berner said the Mayberry project is moving along. They are getting ready to bring forth in December to the 4-b a project for a landscape corner at Gotcher and Main.

- City Projects

The Animal shelter is just about completed. The landscaping should be ready for the grand opening on December 9. Mr. Berner told the councilmembers that at their convenience, someone would like to take each of them through the building so they will be familiar with it.

- Toll Bridge Opening will be a celebration with a four-mile run somewhere around mid-July 2009. They have a $10,000 sponsor. We're working with the Town of Little Elm, Denton County, and the North Texas Toll Authority.

- Christmas Dinner

The dinner will be December 5. Councilmembers Connors, Fletcher, and Martin will not be able to be there.

L. NEW AGENDA ITEMS

The Upper Trinity Regional Water District would like to make a presentation about protecting our watersheds at next month's meeting or at one of the January meetings. They have a sample resolution they would like for us to approve.

Councilmember Connors said we need to address the City Charter about when councilmembers run for a different seat in a city election. The Charter states that if those councilmembers must submit their resignation. She said that it's her understanding that when you are on the council and run for another office and are unsuccessful that you stay on until replaced. She thinks that a letter of resignation should be submitted to the City Council at the time the mayoral race is over.

M. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 7:50 pm.

Karl Hammond, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 13, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:30 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Richard Martin	Councilmember Place 5

Councilmember Fletcher was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum

B. INVOCATION
Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Pro-Tem Hammond led the pledges.

D. ANNOUNCEMENTS
City Manager Earl Berner said that the Shop Lake Dallas campaign starts November 14 and runs through December 5. The drawing for winners will be held at the tree lighting on December 6. The grand prize is a trip for four to Branson, Missouri. Our children's activities will be less this year because we can't use the Linwood Gilliland Community Room due to the runoff election.

E. PRESENTATIONS:
Denton County Transportation Authority had a slide presentation about Quiet Zones. Representatives from DCTA were Scott Neely, Executive Vice President; Dee Leggett, Vice President of Planning; Scott Booker, project presenter and engineer for Campbell Technology; and Robert Kennah, PE with URS Corporation.
They gave out hard copies of the slide presentation to the City Council. The DCTA will pay for the projects involved with establishing gates and signals at all the street/rail crossings. DCTA plans to have the project in operation by the end of 2010. They plan to start moving dirt in February 2009.
City Manager Earl Berner said we will be doing some partnering with Hickory Creek on the Carlisle crossing and with Corinth on the Swisher Road crossing. There was discussion about the impact of the horns on residential areas and the daycare on Carlisle. There will be a Neighborhood Forum at Shady Shores Elementary next month. Dee said she would let us know if there is any feedback at that meeting.

F. REPORTS

1) Financial

Finance, Human Resources Director Joni Vaughn said there are two sets of financials: one for September and the other for October. She said the auditor was here Monday through Wednesday and will be here next week on Thursday and Friday.
Joni said that this year we did away with a special department heading for the fire protection. The account for the contract for fire protection is now in the Administration Department. She said that in a couple of departments there is a negative balance in the telephone account. There were some changes made to the telephone bills and when employees have any personal charges on the cell phones they reimburse the city.

Joni said the Investment Account balance is going down but that's typical this time of year. She said we got a nice surprise today when she contacted the Denton County Property Tax office. She said they had been paying weekly but this month they have started daily payments to cities so we have had $33,000 transferred to us this month.

Joni said that 4a and 4b each received $19,006.17 in sales tax this month. They're total funds amount to $25,032.15. Before too long we need to repay the $24,335 to the Designated Park Account. She said the only regular bill for the Economic Development Corporation is the approximately $6000 per month for the Swisher Road property.

She said that the 4b corporation has $79,650 in available funds at this time.

2) Economic Development Corporation

City Manager Earl Berner said that due to the Attorney General's opinion we have to list each item that will be discussed on the agenda. He said that in addition to the Shop Lake Dallas event that the board heard a presentation and agreed to do a cooperative ad with the Chamber of Commerce for a new directory.

3) Community Development Corporation

City Manager Earl Berner said that the Boat Ramp Grant for Willow Grove Park has been submitted. He said the board has agreed to change out the Christmas lighting theme on this building. The lighting project will be done by Woody's. The board also approved the study of the Library area and Community Park.

4) Parks and Recreation Board

They are in charge of the Christmas Tree Lighting event. We're looking for an extra $450 for carriage rides.

5) Keep Lake Dallas Beautiful Committee

City Manager Earl Berner said the Keep Lake Dallas Beautiful Committee did not have a meeting this month.

G. AGENDA BRIEFING

City Manager Earl Berner said there are five items on the Consent Agenda and read those items. He said there are six items under Business and he read those items.

H. VISITORS/CITIZENS AGENDA:
Mayor Pro-Tem Hammond opened the Citizens Agenda.
Mayor Pro-Tem Hammond closed the Citizens Agenda when no one came forward to speak.

I. CONSENT AGENDA:
1) Consideration and Action on approval of Minutes for October 13, 2008 meeting.
2) Consideration and Action on approval of October Financials.
3) Consideration and Action on approval of revision of the City of Lake Dallas Personnel Manual – Chapter 8, Section 2-a, Alternate 9/80 Workweek.
4) Consideration and Action on approval of a site plan for Lake Cities Municipal Utility Authority.
5) Consideration and Action to appoint Paula Arreguin as a member of the Parks and Recreation Board instead of an alternate.

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

J. BUSINESS:
1) Consideration and Action on approval of a Resolution for the Canvass of Election held November 4, 2008.

Motion to approve the Resolution for the Canvass of Election held on November 4, 2008 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of a Resolution to order a Runoff Election for December 13.

Motion to approve the Resolution to order a Runoff Election for December 13 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of a contract with Denton County Elections Administration for the December Runoff Election.

Motion to approve the contract with Denton County Elections Administration for the December Runoff Election was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

4) Consideration and Action on approval of an Ordinance for a rental agreement with the Boys and Girls Club of Denton County.

Councilmember Connors said that any rental agreement for any period over twelve months needs to include a legal description with it. City Manager Earl Berner said that Ms. Babs Troutman of the Boys and Girls Club would like to have some of the wording changed in the lease. He said we should pull this item from the agenda and bring it back at the December meeting.

Ms. Troutman said they would appreciate it and that they try to be good stewards of the property. She thanked the City Council.

No Action was taken on this item.

5) Consideration and Action on appointment for vacancy on Community Development Corporation board.

City Manager Earl Berner said that the Community Development Corporation board had recommended Jason Thompson be appointed to fill the vacancy.
Motion to appoint Mr. Thompson to the Community Development Corporation Board was made by Mayor Pro-Tem Hammond. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

6) Consideration and Action on approval of a 4% increase in Waste Management services based on fuel prices increase over the previous twelve months.

John Klaiber was there for Waste Management to answer any questions the City Council might have.
City Manager Earl Berner said we have to approve these because it's in the contract. He said it amounts to a 50 cent increase. He said the seniors will get a lower rate, also in the contract. He said that Mr. Klaiber assures him that if the diesel rates continue to drop that they'll come in with a decrease.
Motion to approve the 4% increase in Waste Management services based on the fuel price increases over the previous twelve months was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

K. CITY MANAGER REPORT

- Denton County Appraisal District 2008 Report of Property Value.

City Manager Earl Berner handed out copies of the report from the county. He said he would just highlight a couple of items. He said that a couple of years ago we added exemptions for the disabled and raised the amount on homestead exemptions. He said that took almost $5.6 million off the tax rolls. He said there's some other good information in the report that's interesting to look at.

- Private Construction projects.

City Manager Earl Berner said that Mike Mayberry's project is well underway. He said they are getting ready to pour the patio. He said that the two upstairs apartments are going to be very nice.

QuikTrip will start their construction in about two months.

City Manager Earl Berner said that Sonic plans to start the end of this month.

- City Projects.

Phase I of the road rehab project is just about down. He said there's still a little work to be done on Lakeway. Phase 2 includes Lake Vista in Kingswood.

We are planning the grand opening for the new Animal Shelter on December 9 Between 5:00 pm and 8:00 pm with ceremonies around 7:00 or 7:30 pm. The contractor believes he'll be finished next week.

There was discussion about inviting the local veterinarians, the Chamber of Commerce, other nearby cities and to place an ad in the paper with an open invitation for the residents and any others who would like to attend. There was mention of notifying Bed, Biscuit, and Beyond in Denton (a kennel) and perhaps having a cake made with a dog and cat on it for the grand opening.

- Toll Bridge Opening.

City Manager Earl Berner said we met again this week about the planning for the opening of the toll road. They still haven't set a final date. They expect 10,000 people to show up and will have a situation about the parking availability. The title sponsor is an engineer who is donating $10,000.

- He said we have been thinking about the closing of City Hall offices December 26, which is the Friday after Christmas day. He said we can discuss it in the December meeting.

L. NEW AGENDA ITEMS
There were no new agenda items.

M. ADJOURNMENT
Mayor Pro-Tem Hammond adjourned the meeting at 8:25 pm.

Karl Hammond, Mayor Pro-Tem

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 9, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:32 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Richard Martin	Councilmember Place 5

Councilmember Fletcher was out of town and unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said that this Saturday is the quarterly cleanup and this time we will include household hazardous waste products. On October 31 we have the Halloween celebration on Main Street and in the City Hall parking lot. October 25 is Arbor Day and we will be doing tree planting that morning. The Education Foundation Gala is that evening. We have tables in numbers of ten.

E. REPORTS

1) Boards and Commissions

City Manager Earl Berner said the Economic Development Corporation met and they approved a revision for the application for grants. There will be information to be completed on the back so applicants will know how much they can apply for, etc.

2) Other Reports

City Manager Earl Berner said that the financials are preliminary and can be pulled from the agenda. Finance, Human Resources Director Joni Vaughn said this is preliminary since we have more bills that will have to be entered for FY 2008. Our audit scheduled for the week of November 10.
On the financials for the city it appears that we have a large amount of cash, a lot of that amount is borrowed funds. We are not expecting any more franchise fees. The auditor will adjust any monthly franchise fees we receive in October for September. The new chairs for the Council Chambers we expensed in the City Council budget funds.

She said that the Economic Development Corporation can reimburse the restricted account from the next sales tax payment. Their funds are low. The Community Development Corporation has about $60,000 in their account. The 4a and 4b financials should not change.

F. AGENDA BRIEFING

City Manager Earl Berner said we have four items listed under the Consent Agenda and read them. He said we're going to pull the preliminary September Financials off the agenda. He said that under Business we have five items and he read those items.

G. VISITORS/CITIZENS AGENDA
Mayor Pro-Tem Hammond opened the Visitors/Citizens Agenda. He closed the agenda when no one came forward to speak.

H. CONSENT AGENDA:
1) Consideration and Action on approval of Minutes for September 25, 2008 Minutes.
2) Consideration and Action on approval of September Financials.
3) Consideration and Action on approval of the 3rd Quarter 2008 Investment Accounts Report.
4) Consideration and Action on approval of a Resolution approving the annual Investment Policy.

Motion to approve Items 1, 3 and 4 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

I. BUSINESS:
1) Public Hearing on a grant with the Texas Parks and Wildlife Department's State Boating Access Program.

Mayor Pro-Tem Hammond opened the Public Hearing. Mayor Pro-Tem Hammond closed the Public Hearing when no one came forward to speak.

2) Consideration and Action to pursue a grant with the Texas Parks and Wildlife Department's State Boating Access Program.

Motion to approve pursuing a grant with the Texas Parks and Wildlife Department's State Boating Access Program and to authorize the City Manager to execute all documents was made by Councilmember Connors. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

3) Consideration and Action on appointment for vacancy on Economic Development Corporation board.

Motion to approve the appointment of Michael Lake to fill the Economic Development Corporation vacancy was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

4) Consideration and Action on approval of funding a contribution to the Denton County Children's Advocacy Center.

Motion to approve funding for the Denton County Children's Advocacy Center out of the Municipal Court Child Safety account was made by Councilmember Marino. Second by Councilmember Martin.
Motion to amend the motion to approve the funding of $10,000 was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed as Amended

5) Consideration and Action on appointment of an Alternate for the Planning and Zoning Commission.

Motion to approve Jan Spencer as an alternate commissioner for the Planning and Zoning Commission was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT
City Manager Earl Berner said this is the last City Manager's Report under this format. We'll do what's necessary to appease the Attorney General and will list the items we will talk about.
He said the animal shelter is almost finished. The road rehab work has begun in the Kings Manor area. He said that Police Chief Nick Ristagno, Special Events Coordinator Holly Deitrick, and Councilmember Marino Attended the most recent meeting about the bridge opening celebration. He said the plans are moving along.

Mr. Berner said that he met with QuikTrip in a pre-construction meeting. The will finish the plans, go out for bids, and then begin construction. They plan to open by August. He said that Mayberry should be able to pour the floor for his project next week.

K. NEW AGENDA ITEMS
Public Works Department and potholes that show up after storms.
City Manager Earl Berner said the storm water management plan will help to identify all of the outfall and streams and sources of water and what we have to do to correct them. He said we've done a couple of small projects to correct some immediate problems.

L. ADJOURNMENT
Mayor Pro-Tem Hammond adjourned the meeting at 7:53 pm.

Karl Hammond
Karl Hammond, Mayor Pro-Tem

Beverly Weikum
Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 25, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:43 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2

Councilmember Fletcher was out of town and unable to attend the meeting.
Councilmember Martin was unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION
Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Earl Berner said that the scaled-down WaterFest will be this Saturday from 10:00 am to 5:00 pm at Willow Grove Park. There will be plenty of entertainment and things for the children to enjoy.
Mr. Berner said the Quarterly Cleanup is October 11. We have contracted with Upper Trinity Regional Water District for the Household Hazardous Waste cleanup. The residents need to come to City Hall and get a voucher to participate in this program.

E. REPORTS
1) Boards and Commissions
2) Other Reports
City Manager Earl Berner said there have been no meetings since the last City Council meeting so there is nothing to report.

F. AGENDA BRIEFING
City Manager Earl Berner said there is no Consent Agenda on tonight's agenda. He said there are eight items under Business and read those items.

G. VISITORS/CITIZENS AGENDA
Mike Medigovich, 2010 California Crossing, Dallas, said he was there to drop off information for the City Council from Community Waste Disposal. He said that the current contract expires in November of this year. He said our solid waste contract has not gone out for bid since 1999. He asked for consideration from the City of Lake Dallas.

Mayor Pro-Tem Hammond closed the Citizens Agenda when no one else came forward to speak.

H. BUSINESS:

1) Consideration and Action on approval of Minutes for September 11, 2008 Minutes.

Motion to approve the Minutes was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None
Motion Passed

2) Consideration and Action to approve an Ordinance adopting Budget for Fiscal Year 2008-2009 for the City of Lake Dallas.

Motion to approve the Ordinance to adopt the FY 2008-2009 Budget and approve the FY 2008-2009 Economic Development Corporation and Community Development Corporation Budgets was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

3) Consideration and Action on approval to ratify the property tax increase reflected in the FY 2008-2009 Budget.

Motion to ratify the property tax increase reflected in the budget for fiscal year 2008-2009 was made by Councilmember Marino. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

4) Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2008-2009.

Motion that the property taxes be increased by the adoption of a tax rate of $0.71000 on each $100 of value setting the Maintenance and Operations tax rate at $0.56832 and Debt Service tax rate at !0.14168 for FY 2008-2009 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

5) Public Hearing on proposed rezoning of Block K Lot 19 of the Oak Lakes Subdivision (103 Swisher Road), City of Lake Dallas, Denton County, Texas from R-3 Multifamily Residence District to C-1 Retail District.

Kyle Hogue with G & A Consultants in Lewisville, said he is a civil engineer on the current Lake Cities Municipal Utility Authority's project. This involves incorporating a small lot east of the LCMUA property to the 13-R replat and the rezoning of this same lot.

City Manager Earl Berner asked Mr. Hogue to describe the new structure for the Council. Mr. Hogue said they had just removed the old building. He showed them a drawing of the proposed building with a loading dock at the back. There will be no drainage problems and they plan to tie into the existing utility stub-outs.

City Manager Earl Berner said the drawing shows a proposed metal building. He said that building will be done in the future and will not be metal. It will be split-faced block.

Mayor Pro-Tem Hammond closed the Public Hearing when no one else came forward to speak.

6) Consideration and Action on approval of an Ordinance for the proposed rezoning of Block K Lot 19 of the Oak Lakes Subdivision (103 Swisher Road), City of Lake Dallas, Denton County, Texas from R-3 Multifamily Residence District to C-1 Retail District.

Motion to approve the rezoning of Block K Lot 19 of the Oak Lakes Subdivision from R-3 Multifamily Residence District to C-1 Retail District was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

7) Consideration and Action on appointment of James Moore to the Keep Lake Dallas Beautiful Committee.

Motion to approve James Moore to the Keep Lake Dallas Beautiful Committee was made by Councilmember Marino. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

8) Consideration and Action to approve construction of a Clerk of Court office in the front reception area using Court Security funds. Estimated cost under $20,000.

Motion to approve the construction of a Clerk of Court office in the front reception area for a cost of less than $20,000 out of the Court Security Funds was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Mayor Pro-Tem Hammond, Councilmember Marino, and Councilmember Connors.
Noes: None

Motion Passed

8) CITY MANAGER REPORT

City Manager Earl Berner said that the recent Warrant Roundup has concluded and that we brought in a little over $25,000 and cleared 125 warrants. He said we still have 807 warrants out.
He said that the drainage area in front of the school on Swisher Road appears to be a good skateboarder area. He said we have put in concrete blocks with reinforcing rods since they broke out the first blocks that were put in. These blocks are to avert any possible skateboarding accidents.
City Manager Earl Berner said the parking lots have been re-striped. We had to have the parking lot repainted at City Park because the handicap spaces were needing new paint. He is a local contractor and we had him do the entire parking lot at the park as well as here at City Hall.
Mr. Berner said the road rehabilitation starts next week. He said we switched out some of the streets in the Beck Addition because LCMUA will be doing extensive work there soon. We can do those streets after the water department finishes their construction. We have added Harbourtown, a couple streets in Kings Manor and Lake Street instead of those streets in Beck Addition.
City Manager Earl Berner said that he and Police Chief Nick Ristagno attended the quarterly Fire Advisory Board meeting. When all the department heads and police departments are trained in the 300 and 400 series we may have a table-top emergency game and the councilmembers will be invited to attend and participate. It has not been scheduled yet.
The Education Foundation tickets will be arranged through the Economic Development Corporation.

J. NEW AGENDA ITEMS
There were no new agenda items.

K. ADJOURNMENT
Mayor Pro-Tem Hammond adjourned the meeting at 8:02 pm.

Karl Hammond, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 11, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:30 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond and the Councilmembers stood and asked the audience to stand and observe a moment of silence for all those who died in the September 11, 2001 attacks.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. PROCLAMATIONS

Mayor Pro-Tem Hammond read a proclamation commemorating September 11 as Patriot Day on the 7th year of the terrorist attacks.

E. PRESENTATIONS – Johnny Harris

Mayor Pro-Tem Hammond and the Councilmembers went down to floor to greet Mr. Harris. They congratulated him on his retirement from the Lake Cities Municipal Utilities Authority after thirty years of service and presented him with an engraved clock.

F. ANNOUNCEMENTS

City Manager Earl Berner said that the WaterFest Event has been postponed until September 27. He said that unfortunately the racers have a full schedule thru November so there will be no races.

Mr. Berner said that the Community Development Corporation voted to have the annual Arbor Day on October 25. The board will plant about fourteen trees in City Park and they need all the help they can get.

Councilmember Connors said that October 25 is the Lake Cities Education Foundation event.

F. REPORTS

1) Boards and Commissions

City Manager Earl Berner said that the Parks and Recreation Board did their training for the WaterFest earlier this month.

The Economic Development Corporation has entered into an agreement to have a target area study for vacant properties in the City of Lake Dallas. It will be 60-90 day study. This consultant is also a developer. The board has hopes that if he likes what he sees that he will buy the property.

The Community Development Corporation didn't vote yet but gave go ahead to do some small projects for the other parks since we won't be spending money on the Willow Grove Park improvements in 2009 fiscal year.

2) Other Reports
Finance, Human Resources Director Joni Vaughn asked if anyone had any questions on the financials. She said that we are almost at the end of the budget year and everything is in line. We have about two weeks left in the current fiscal year.

She said the sales tax receipts last month was $104,000 with half of that going into the General Fund and the remainder split between the 4a and 4b boards. Joni said she had included a note about how much grant money has been awarded and how much left to pay out on those projects.

H. VISITORS/CITIZENS AGENDA

Dee Campbell, 323 Scarlet Oak Drive, had handouts for Councilmembers. She said she had come before the City Council in April about a private issue for a quality of life issue. She said that tonight she is here for another issue that she thinks is a quality of life issue. She talked about a recent situation where a 72-year-old man with diabetes in need of surgery. He had a friend in town who was able to take him to Denton Regional for the surgery but she was unable to get him home afterward. Ms Campbell is concerned that there may be a lot of people who may be need these services. She said there was an article in today's Lake Cities Sun that said SPAN has discontinued their services to the Lake Cities area on August 18 citing a thinning budget and increased costs. She would like to have each of the Lake Cities contact SPAN and make some kind of agreement so the seniors could have some level of transportation available. She said she could create a pamphlet when some type of service is available for them. She thanked the Council for listening to her.

Rebecca Belknap, 2232 Amherst Lane, Flower Mound, is the librarian at the Lake Cities Library. She said they do have some issues at library but that she was here tonight about the lady in question who needed help for the man that Dee Campbell had referenced. She said we need to help the seniors get help for this transportation issue. She said it should be on our website or the pamphlet that Dee offered to make that these SPAN services are no longer available in the Lake Cities area. She said some of our seniors are going to have to have vision checked and may be unable to renew driver's licenses. When they can no longer drive they will be in need of the transportation services. She said thanks for the library funding in this next budget year.

Mayor Pro-Tem Hammond said this is not something that the City of Lake Dallas had stopped. He said this is a private organization that refused to help.

Mayor Pro-Tem Hammond closed the Citizens Agenda when no one else came forward to speak.

G. AGENDA BRIEFING

City Manager Earl Berner said there are six items under the Consent Agenda and he read each item. He said that under Business we have four items and he read those items.

I. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for August 28, 2008 Minutes.
2) Consideration and Action to approve the August financials.
3) Consideration and Action on approval of an agreement for participation in the Upper Trinity Regional Water District Household Hazardous Waste Collection Program.
4) Consideration and Action on approval of an Ordinance authorizing non-peace officers, such as code enforcement personnel, to issue "citations."
5) Consideration and Action to approve an amendment to the agreement with the Denton County District Attorney for the disposition of seized property.
6) Consideration and Action to form an Animal Shelter Advisory Committee and appoint members to this committee.

Motion to approve Consent Agenda items one through five was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

Item I-5:
Motion to form an Animal Shelter Advisory Committee consisting of Dr. Carol Eddy, a veterinarian; Police Chief Nick Ristagno, City Official; Mellonie Frazier, animal shelter employee; and Jenny Baker, representative of an animal welfare organization was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) Public Hearing on proposed property tax rate for the City of Lake Dallas FY 2009.
Mayor Pro-Tem Hammond opened the Public Hearing.
Mayor Pro-Tem Hammond closed pubic hearing when no one came forward to speak.

2) Public Hearing on proposed budget for the City of Lake Dallas FY 2009.
Mayor Pro-Tem Hammond opened the Public Hearing.
Mayor Pro-Tem Hammond closed pubic hearing when no one came forward to speak.

3) Consideration and Action on appointment of Clyde Fisher to the Planning and Zoning Commission.

Motion to appoint Clyde Fisher to the Planning and Zoning Commission was made by Councilmember Marino. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action to designate a representative to serve on the Board of Directors of Denton County Transportation Authority.

No action was taken on this item.

K. CITY MANAGER REPORT

City Manager Earl Berner said that Joni has passed out what we think is the final version of the FY 2009 Budget. We are not planning any changes at this time. We will put this budget in the booklets for the meeting to adopt the Budget.

There was a meeting this week on the opening of the toll bridge. The 5k run will be about mid-July and a 1-mile stroll across the bridge will be held for families with children or whoever is interested in that. The other details will be worked out.

Hickory Creek approved of changing the name of Denton Drive to Lake Dallas Drive in Hickory Creek recently. As soon as we get the letter from Hickory Creek we'll send it to TxDOT so they can move forward with the highway signage.

The roof should be going up for the animal shelter next week.

City Manager Earl Berner said the cell phones use signs were installed and asked Police Chief Nick Ristagno to discuss this further for the Council. Chief Ristagno said we have already experienced a big reduction in the stops for cell phone use in school zones. He said the officers will continue to only give out warnings until October 15. In response to a question Chief said he has met Corinth's new chief and they will start having their monthly luncheons again. Responsibility for the school zone on Dobbs Road is mixed.

City Manager Earl Berner said the Corps of Engineers has approved the initial plan for Willow Grove Park that includes the boat ramp, additional campsites, and restroom and showers. He said we have pulled the restaurant, splash park and miniature golf from the plan.

Mr. Berner said we'll be trying to accept household hazardous waste at each quarterly cleaning through the agreement with Upper Trinity Regional Water District that was approved this evening. We have committed to eighty houses per quarter. This should help with storm water improvements by getting those items out of the city. We have been recycling oil all along. We'll have a full list of acceptable items before the October cleanup.

City Manager Earl Berner said we've been in contact with Joe Piatt, the Emergency Management Coordinator, and the Public Works Department is getting prepared for any disastrous weather that might be caused by Hurricane Ike.

Chief Ristagno said that Hickory Creek has early warning sirens in place and in operation. Chief said that when Corinth gets their sirens up that our communication center will able to respond that all the sirens in the three cities will go off simultaneously.

City Manager Earl Berner said that there is only one camper at Willow Grove Park now. Chief Ristagno said that all of the officers will be on standby should the need arise that we need to evacuate any areas here.

L. NEW AGENDA ITEMS
There were no new agenda items.

M. ADJOURNMENT
Mayor Pro-Tem Hammond adjourned the meeting at 8:08 pm.

Karl Hammond, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 24, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:31 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGES OF ALLEGIANCE:

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said the WaterFest event is scheduled for September 13 and 14. Special Events Coordinator Holly Deitrick said that this year there will be kids activities on both days

E. REPORTS

1) Boards and Commissions

Special Events Coordinator Holly Deitrick gave a report on the 4th of July events. She had handouts for the Mayor Pro-Tem and Councilmembers. She said we had a record-high attendance of at least 5,000 people, over forty paid parade entries plus numerous children's entries and forty vendor booths. She said we sent out lots of contest registration forms and Lake Cities Idol forms came in from throughout the state. Posters were displayed in businesses in the Lake Cities area. Holly said we got a lot of free advertising through links to other websites as well as other websites linked to ours. We had about 5100 hits the month before the event.

We did newspaper ads and there were numerous articles in the Lake Cities Sun, Denton Record Chronicle plus the Lewisville Leader, and some magazines. There was a billboard on 2181 near the Starbucks area. The Crosspointe Community Church actually paid for the billboard. A lot of the people who were asked how they found about the event said they had seen the billboard. She said we are planning on doing more for the WaterFest event. Holly discussed the revenues and expenses. She said the VIP tent was more costly this year and that the fuel prices affected some of the expenses. She said she sent a survey to all the vendors and most of them were very happy and definitely want to come back. She said we had a lot of sponsors and they provided about $29,000. Diamond Back's Pizza & Wings and the Lake Dallas Point restaurant provided food for the staff and volunteers.

Holly also reported the revenues from the carnival was up this year and that the money received over the cost was applied that towards the 4th of July event. She reported that we came out about $1200 over the expenses. It's hard to break even on something this large. The Council expressed their appreciation for the way the event was organized and the variety of good entertainment and fun that was available.

2) Other Reports

Finance, Human Resources Director Joni Vaughn said the General Fund is looking quite well. She called their attention to the cover sheets and explained that we should be 75% through our year. She reported that 85% of the revenues are in and the overall expenses are at 59%. She said we have some projects outstanding and that we have money budgeted for street repairs and the new animal shelter. She said that staff has done a good job in helping keep the expenses down.

Joni said that the first page of summary shows that we received $80,196.22 in sales tax in June and that $40,098.12 was for the General Fund and that the Economic Development and Community Development Corporations each received $20,049.05.

She reported that our investment account is good and there is a considerable amount in the checking account. She said that the 4-a checking account is considerably lower. The E.D.C. parks account is a dedicated account so if you take that out of the available funds that makes their accessible funds low at this time. She said there is a $33,000 certificate at NorthStar bank which was in escrow during the sale of the Main Street property. The E.D.C. has $126,000 promised in grants right now and that money could come due at any time. She asked them to take that into consideration before granting any more fund requests.

Joni said that 4b has little bit more in available funds.

She said that in the general bund the revenue for building permits and the Community Development expense for special services look like we have a very large amount in each of those accounts. This is because of the building permits for the new school. The ISD paid us but we then paid Bureau Veritas that same amount for the building plan review. She said she will put both of these amounts in an escrow account as a wash so the revenue and expense accounts won't reflect those large amounts.

F. AGENDA BRIEFING

City Manager Earl Berner said there are eleven items on the Consent Agenda. He read items 1 thru 5 and then said that items 6 thru 10 are zoning changes pertaining to livestock in the city. He said that Item 11 is a housekeeping ordinance because when Chapter 122, Zoning, was redone that a phrase was left out on the C-3 maximum lot size. Mr. Berner said that under Business we have five items listed but we are going to pull Item 5. The first item is the bids for the 2008 street rehabilitation; Item 2 is the site plan for Sonic; Item 3 is an Ordinance for handheld communication devices in school zones; and Item 4 is to call the special election for mayor and a joint election with the Denton County Elections Administration. Then we will have a workshop on the preliminary budget FY 2009.

G. VISITORS/CITIZENS AGENDA

Mayor Pro-Tem Hammond opened the Visitors/Citizens Agenda.
Mayor Pro-Tem Hammond closed the Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for June 26, 2008 Minutes.**
2) **Consideration and Action on approval of June Financials.**
3) **Consideration and Action on approval of the Second Quarter 2008 Investment Accounts Report.**
4) **Consideration and Action on approval of an Ordinance to Amend Article II, Weeds, of Chapter 110, Vegetation, Section 110-34, Notice to abate nuisance; abatement by City.**
5) **Consideration and Action on approval of an Ordinance to Amend Article V, Speed, Chapter 102, Traffic and Vehicles, Section 102-155, Signals, Devices and Directions Unimpaired.**
6) **Consideration and Action on approval of an Ordinance amending Section 122-81, "Permitted Uses," Section 122-82, "Accessory Uses," and Section 122-83, "Conditions for Accessory Uses," of Article III, "R-1-6000 Single-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**
7) **Consideration and Action on approval of an Ordinance amending Section 122-132, "Accessory Uses," and Section 122-133, "Conditions for Accessory Uses," of Article IV, "R-1-7200 Single-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**
8) **Consideration and Action on approval of an Ordinance amending Section 122-182, "Accessory Uses," and Section 122-183, "Conditions for Accessory Uses," of Article V, "R-1-10000 Single-Family Dwelling-District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**
9) **Consideration and Action on approval of an Ordinance amending Section 122-231, "Permitted Uses," of Article VI, "R-2 Two-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**
10) **Consideration and Action on approval of an Ordinance amending Section 122-271, "Permitted Uses," of Article VII, "R-3 Multifamily Residence District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**
11. **Consideration and Action on approval of an Ordinance amending Section 122-412, "Maximum Lot Coverage," of Article X, "C-3 Commercial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Motion to approve the Consent Agenda Items 1 through 11 was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None
Motion Passed

I. **BUSINESS:**

1) **Consideration and Action on approval of a contract and award the bid for the 2008 Street Rehabilitation.**

Motion to approve the contract and award the bid for the 2008 Street Rehabilitation to Quality Excavation, LTD was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None
Motion Passed

City Manager Earl Berner reported that Base Bid A is Harbour Town; B is Lakeway Court; C is the storage bins at the Public Works yard; D is Queen, Duchess, and Countess; E is Lake Vista, Wildwood, Beck and Columbia; F is the Betchan Street drainage which is already done. He said that Lake is not on the list but we will not be doing Beck and Columbia so can substitute Lake. We should be able to start within a month. There are a couple of places that need minor repairs on Shady Shores by Lake Haven Estates and on Hundley.

2) **Consideration and Action on approval of a Site Plan for Sonic Drive Inn of Lake Dallas.**

McKee Yant said that he built the current Sonic thirty years ago and that he wants to freshen it up. He said they plan to level it and start over. He said they will eliminate some of the stalls and have a drive-thru window. He showed them pictures of the one in Kemp and said it would be like that building. He said that most of the time the process is done in six to eight weeks. They don't plan to do it until later in the fall after the lake business has passed. May be in November or December time frame.

Mr. Yant said the structure will be stucco on bottom and stone on top and that they will be increasing it ten feet longer toward the front street. He said the canopies will be raised to nine feet and be configured different from the current scheme. He said they plan to close off part of the entry way off Shady Shores to make a better and safer traffic flow. There will be separate parking for those who want to get out of their cars and go inside to east and they will do more tables. They will extend the sidewalk for Main Street in the same theme as the others on Main Street.
Motion to approve the Site Plan for Sonic Drive Inn of Lake Dallas was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond and Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None
Motion Passed

3) **Consideration and Action on approval of an Ordinance prohibiting the use of hand-held communications devices in school zones.**

Police Chief Nick Ristagno said that if the ordinance passes it will be in the city newsletter next month and we think Marcia will print it in the Lake Cities Sun. Signs will be put out. He said that after school starts there will be an ample warning period before we start issuing citations. He said that for those of you who missed the prior meeting this came about because several officers had come to him regarding cell phone use in school zones. This is really a preventative measure.

Motion to approve an Ordinance prohibiting the use of hand-held communications devices in school zones was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes: None
Motion Passed

4) **Consideration and Action to approve a Resolution to call a Special Election for the office of the Mayor of the City of Lake Dallas to be held jointly with Denton County Elections Administration.**

Motion to approve a Resolution to call a Special Election for the office of the Mayor of the City of Lake Dallas to be held jointly with Denton County Elections Administration was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, Fletcher, and Martin
Noes None
Motion Passed

5) **Consideration and Action on approval of an Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, General Obligation Refunding Bond, Series 2008; levying an annual ad valorem tax and providing for the security for and payment of said bond; and enacting other provisions relating to the subject.**

Item 5 was pulled from the agenda due to the fluctuation in current market conditions.

J. **WORKSHOP:**

1) **Discussion on FY 2008 Budget Year End and FY 2009 Preliminary Budget.**

City Manager Earl Berner said all the meetings on the budget schedule he prepared are on regularly scheduled meeting nights. He said the other memo is a brief summary of some of the highlighted areas from the 2008 budget. The franchise fees for Charter and CenturyTel are going down which is probably due to other phone companies and TV viewing options.

He said we've seen strong years in Municipal Court and the building permits. He said that currently there are only twenty-three home sites available in the Mercedes project and so we'll have a significant drop in building permits revenue. They're reaching build-out.

Mr. Berner said we budgeted heavy for gas and oil but didn't budget heavy enough and that we will probably be about 25% over the budgeted numbers. He said that Councilmember Marino has asked him to look into alternate fuels so we're beginning that now. He summarized 2008 by saying we should be able to add another $200,000 to our reserves in addition to the $62,000 we've already put into it this year. On FY 2009 with good results from the Mercedes homes, primarily our assessment basis is up by

$17,000,000 which is a huge increase for us. The court fines are expected to remain at the same high level based on the activity. The hotel tax should be able to stay about the same even with the new hotel being built in Corinth in the same proximity.

City Manager Earl Berner said that on the personnel expense side he had neglected to say that we would like to convert two positions; we would like to have the part-time administrative assistant to full-time and convert the seasonal Public Works position to a full-time position. He said we just can't keep up in the Public Works Department. There are several programs we can't get under way due to lack of staff. Her said that as promised we hope to increase the street budget annually so can pay as we go. The storm water issues need to be addressed even before we get into our storm water plan.
Mr. Berner asked that the Council look at these numbers in the budget and said that if they have any questions they should call or email him with their concerns. He said that, as usual, this time of the year the Budget is a living document.
He reported that with the personnel that on our health insurance we will have an 8% reduction in our cost this year. He said we will talk with Rodney a little later this year.

The expenditures for the City Council are for the reception for volunteers, the employees dinner, scholarships, travel, and fireworks.

Our first public hearing should be on August 28, or sooner if we can get the budget worked out earlier.

K. CITY MANAGER REPORT

City Manager Earl Berner said the building across the street has been demolished. He said the expense had been estimated at $10,000 and that the Economic Development Corporation would do pay for it. However the actual cost came in around $23,600.
Mr. Berner said we're working with a committee in Little Elm about the opening of the new toll bridge. It will be the last Sat. in June of 2009. It will be staged in Lake Dallas because we have more space for parking. There will be a Fun Run over the bridge and a VIP tent.

L. NEW AGENDA ITEMS

Councilmember Connors asked that we do a nice framed Certificate Of appreciation for Johnny Harris of Lake Cities Municipal Utilities Authority or a plaque for his service to the Lake Cities for his thirty years of employment. We should schedule the presentation at a meeting when he would be available.

M. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 8:29 pm.

Karl Hammond, Mayor Pro-Tem

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 26, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:33 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Carol Ann Connors	Councilmember 2
Richard Martin	Councilmember 5

Councilmember Marino was out of town.
Councilmember Fletcher was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner reminded everyone of the July 4 events. He said the parade starts at 9 am and there will be events until the fireworks begin.

Councilmember Connors invited everyone to come to the all-day event. She said it is very Americana and really a lot of fun.

Mayor Pro-Tem Hammond announced that he has decided to run for Mayor of the City of Lake Dallas in the November election.

E. REPORTS

1) Boards and Commissions
2) Other Reports

City Manager Earl Berner said there was nothing but the normal to report except that the Keep Lake Dallas Beautiful Committee has had to reschedule the cleanup and welcome sign maintenance from June 21 until probably September.

F. AGENDA BRIEFING

City Manager Earl Berner said there are six items on Business Agenda and read the titles. He said then there is a workshop item on the use of cell phones in school zones. He said that the workshop for the outdoor events has been pulled from the Agenda.

G. VISITORS/CITIZENS AGENDA

Walter St. Clair, 700 Lake Street, brought a petition from the Lake Street and Shore Drive residents about the repair of Lake Street. He said it is deteriorating pretty badly. He said that he understand it's on the list for repairs.

Mayor Pro-Tem Hammond said it is on the list of street repairs.

City Manager Earl Berner said the bid opening for the 2008 Street Rehabilitation is set for July 10 and then it will take about a month for the contractor to get started on the projects.

Bob Kutzner, 716 Lake Drive, had four handouts to give to the City Council that was an aerial map of the east part of the city from Main Street north. He said there are several city signs that point to the marina area. The marina owners have a sign on Nick Street. He said that Lakeview goes all the way up to the airport. He said that as you come down Shore Drive that it hits the COE property and becomes a dirt road that goes to the marina. He asks that a pole be placed at Lake Street and Shore Drive to limit access to that area. It will decrease city liability by limiting vehicular traffic and it's a blind corner. There was a stop sign on his corner that was knocked down twice since he's lived there so he asked that it be moved. He said the city could decrease sign maintenance by keeping traffic from going to the marina from those streets. He said there are a lot of kids and walkers that use that roadway. He said we could place a sign reading 'no vehicular access.' He thinks that it is an unnecessary access to the marina area. He said that when they open the toll bridge and connect Lakeview Drive to Swisher Road that their first access to the marina will be Shore Drive. He said that the marina has Ski Lake that is right off the gravel road that extends from Shore Drive.

H. BUSINESS:

1) Consideration and Action on approval of Minutes for the June 12, 2008 meeting.

Motion to approve the Minutes for the June 12,2008 meeting was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmember Connors, and Councilmember Martin
Noes: None
Motion Passed

2) Public Hearing on approval of a Special Use Permit for the sale of alcoholic beverages at 302 Swisher Road, Lake Dallas, Texas; Block 1, Lot 1 of the KWIK Addition.

J.D. Dudley, 14450 Trinity Blvd, #300 in Ft. Worth, is the Project Manager for QuikTrip. He said it will be a quality station with twenty pumps and room for future expansion. He said they recently did an expansion at a station on 380 by adding pumps. He said they want to sell packaged beer and wine. He said they have a responsible program in place. He said he teaches TABC classes and must be re-certified every two years. He said that the company does stings once a week somewhere in their system. The entire area of the store will be 4902 square feet. He said that the City of Lake Dallas has been great to them throughout the whole process.

Mayor Pro-Tem Hammond closed the Public Hearing when no one else came forward to speak.

3) **Consideration and Action on approval of an Ordinance granting a Special Use Permit for the sale of alcoholic beverages at 302 Swisher Road, Lake Dallas, Texas; Block 1, Lot 1 of the KWIK Addition.**

Motion to approve an Ordinance granting a Special Use Permit for the sale of packaged beer and wine at 302 Swisher Road, Lake Dallas, Texas; Block A, Lot 1of the KWIK Addition for a period of ten years and then consider a renewal of the Special Use Permit was made by Councilmember Connors. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmember Connors, and Councilmember Martin.
Noes: None

Motion Passed

4) **Consideration and Action on selection of Deputy Mayor Pro-Tem.**

Motion to recommend Councilmember Connors as Deputy Mayor Pro-Tem was made by Councilmember Martin. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmember Connors, and Councilmember Martin
Noes: None
Motion Passed

5) **Consideration and Action on approval of a site plan for TTMJ Mixed Use Development at 203-207 Main Street.**

City Manager Earl Berner said that the Planning and Zoning Commission had recommended approval with the condition that the parking restrictions have been met with the completion of the second building.
Motion to approve the site plan for TTMJ Mixed Use Development, Phase 1, at 203-207 Main Street with the conditions set forth by the Planning and Zoning Commission regarding the packing restrictions and the landscape ordinances be followed was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmember Connors, Councilmember Martin
Noes: None

Motion Passed

6) **Consideration and Action on approval of appointment of Paula Marie Arreguin to the Parks and Recreation Board and the Library Board.**

Motion to accept the appointment of Paula Marie Arreguin to the Parks and Recreation Board and Library Board was made by Councilmember Martin. Second by Councilmember Connors.
Ayes: Mayor Pro-Tem Hammond, Councilmember Connors, and Councilmember Martin\
Noes: None

Motion Passed

I. WORKSHOP:

1) **Cell phones in school zones.**

Police Chief Nick Ristagno said that use of cell phones in school zones has been receiving a lot of attention. He said that a lot of cities have passed ordinances restricting the use of cell phones in school zones and during school zone hours only. He said that our officers estimate that 40% of the people stopped for school zone violations are using cell phones at that time.

Chief Ristagno said that we could plan a public education program to run during the summer so that when the new school year starts the ordinance will be in place and the residents will be aware of it. He said our officers support the ordinance.

There was discussion about personal responsibility versus ordinances. Talking on a cell phone and/or texting while driving is not appropriate and people should understand that. Could signs be put up regarding "No cell phone use while in a school zone?"

Chief Ristagno said he shares the same sentiment but that while 60% of the drivers do not use cell phones while in school zones, he feels we should pass the ordinance for those who are not responsible.

The question was asked if we could pass the ordinance but put up warning signs ahead of time and allow 45 or 60 days that we would issue warning citations.

Chief Ristagno said that in the beginning of a school year we extend the courtesy (warnings only) during the first week of school regarding speeding in the school zones. He said that by policy we can tell the officers we'll go 'so many days' before issuing citations. He said that citations are not issued when school is not on. The school district purchases the lights and signs and the city regulates them.

2) Outdoor events.
This item was pulled from the agenda.

J. CITY MANAGER REPORT

City Manager Earl Berner said we had a meeting with Little Elm and the County regarding a celebration on the opening of the toll bridge. He said we will have a Fun Run from our side all the way across the bridge to Little Elm and back. It's a five-mile trip. It is being planned for the last Saturday in June of 2009.

Mr. Berner said that the fence issue between the residents in Thousand Oaks and Jackson Ranch will have to be shuffled as the fences are replaced.

The street light on Black Walnut that was too bright has been or will be replaced with a high pressure sodium fixture so it is in the process of being resolved.

They have poured the piers and the preliminary plumbing is in at the new Animal Shelter.

Mr. Berner said there will be a pre-bid meeting on July 3 and open the bids for the 2008 Streets Rehabilitation on July 10. Work should start the first part of August.

He said that we are hoping the storm drain works as well as we'd like them to at Betchan and Main.

On the TTMJ Project, we have to get the asbestos issue resolved and then ten days later we can start the demolition.

We will be writing ordinance an ordinance to address the livestock issue. It should be on the second meeting on July's agenda. Chief Ristagno has asked Animal Control Services to survey and see what impact it will have on those residents who currently have livestock.

K. NEW AGENDA ITEMS

City Manager Earl Berner said the Budget will be coming up soon. We will probably have it on the first meeting in July.

L. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 8:12 pm.

Karl Hammond
Mayor Pro-Tem Karl Hammond

Beverly Welkum
Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 12,2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:32 pm.

A. ROLL CALL

Karl Hammond	Mayor Pro-Tem
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Richard Martin	Councilmember 5

Councilmember Fletcher was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner reminded the Council of the 4th of July Events. He said there would be activities from 9:00 am until the fireworks start. There will be contests, kids activities, and the Lake Dallas Idol competition all day long.

E. REPORTS

1) Boards and Commissions

City Manager Earl Berner said that the Keep Lake Dallas Beautiful Committee has scheduled a cleanup for June 21 and will be working on the welcome sign. They will be planting monkey grass and other plants.

The Parks and Recreation Board will have a meeting on June 18 which will be volunteer training for 4th of July events.

2) Other Reports

Finance, Human Resources Director Joni Vaughn said the General Fund received $57,728.38 for the May sales tax. The General Fund and Investment Account are holding pretty strong. This is the time of the year that receipt of revenues slow down. We should be at 67% of our budget and are on target with revenues. We are under budget on expenses. She said that in Community Development Department, under Professional Services, a large amount is shown for this period and that's because we took in $46,000 for the Lake Dallas Independent School District building permit. It is a wash, though, because we had to pay out that amount to Bureau Veritas.

City Manager Earl Berner said we also received the money from the Certificate of Obligation on the fire station and that will show on the June financials.

The Economic Development and Community Development Corporation both had $28,864.19 sales tax revenue. Joni said that on the Economic Development Corporation financials shows parentheses around $16,000 but that is incorrect. It should be a net income and not a loss.

The Community Development Corporation still owes the City $20,000 but we did cut the check this month so they'll be current with the City.

Council had no additional questions.

F. AGENDA BRIEFING

City Manager Earl Berner said there are eight items under the Consent Agenda and read those items. He also said there are four items under Business and read those. He said a workshop item would follow the Business items.

G. VISITORS/CITIZENS AGENDA

Mayor Pro-Tem Hammond closed the Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the May 14 and 22, 2008 meetings.**
2) **Consideration and Action on approval of the May Financials.**
3) **Consideration and Action on approval of a site plan for QuikTrip on Swisher Road.**
4) **Consideration and Action on approval of a Resolution naming bank signatories for the NorthStar Bank of Texas.**
5) **Consideration and Action on approval of a Resolution naming signatories for the TexPool investments accounts.**
6) **Consideration and Action on approval of a Resolution naming signatories for the TexStar investment accounts.**
7) **Consideration and Action on approval of a Resolution naming signatories for the LOGIC investment accounts.**
8) **Consideration and Action on approval of purchases from the Technology Fund of the Municipal Court.**

Councilmember Marino asked to pull item 3 from the Consent Agenda.

Motion was made by Councilmember Connors to approve the Consent Agenda without Item 3. Second by Councilmember Marino.

Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin

Noes: None

Motion Passed

City Manager Earl Berner said that the sign is about 20 feet from the existing road surface. He said that since the road has recently been widened that it's doubtful that there will be any more easement removed from that area for awhile. He said there is sight obstruction due to Unified Aircraft Services building. He said that from this location it can be seen back just past Jackson Ranch. Mr. Berner said that QT promised that if we had to do utility work, or anything, they'll move the sign. He said he'd rather have their sign in the right-of-way.

Motion to approve Consent Agenda Item 3 was made by Councilmember Connors. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action on approval of the site plan for the Lake Dallas Middle School sign.

Wes Eversole, of the Lake Dallas Independent School District said that the sign was purchased with money raised by the students selling cookie dough the last couple of years.

Motion to approve the sight plan for the Lake Dallas Middle School Sign was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of a Resolution nominating one member to the Board of Managers of the DENCO Area 9-1-1 District.

Motion to nominate Harlan Jefferson from Flower Mound to the Board of Managers of the DENCO Area 9-1-1 district was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of the 2008 Interlocal agreement with the Denton County Tax Office for property tax collection.

Motion to approve the 2008 Interlocal agreement with the Denton County Tax Office for property tax collection was made by Councilmember Marino. Second by Mayor Pro-Tem Hammond.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

4) **Consideration and Action to appoint Rebecca Lamb to the Keep Lake Dallas Beautiful Committee and the Planning and Zoning Commission .**

Motion to appoint Rebecca Lamb to the Keep Lake Dallas Beautiful Committee and the Planning and Zoning Commission was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Mayor Pro-Tem Hammond, Councilmembers Marino, Connors, and Martin
Noes: None

Motion Passed

J. WORKSHOP:

1) **Livestock and/or zoning changes reflecting livestock restrictions.**

City Manager Earl Berner said that at the last meeting we approved a change to make the livestock ordinance more descriptive. There are references to livestock in the zoning ordinances. If we are looking at prohibiting any new places for livestock in the city it would appear that the best way would be do amend the zoning ordinances and leave the livestock ordinance as it is. We could remove all references to livestock in the residential districts.

There was discussion about whether there have been complaints about existing livestock and about the grandfather clause. City Manager Earl Berner said if a property is not used for two years then the property reverts to it's zoning without the grandfather clause. If we have more agricultural property we will receive less property taxes.

J. CITY MANAGER REPORT

City Manager Earl Berner asked the councilmembers to look in your packets for the survey from DENCO Area 9-1-1. The surveys are due back by June 16. He asked them to give them to the City Secretary and she will mail them to DENCO.

Mr. Berner said we've completed the hiring of the two part-time administrative assistants. He said that both are doing very well after having been here for ten days.

He said the new door on the Evidence Room will be installed in the next day or so. He said we're very happy with all the extra room we've acquired.

City Manager Earl Berner said that the Betchan Street improvement is going very well. The culvert will have to cure for about seven days.

K. NEW AGENDA ITEMS

Livestock items.
Deputy Mayor Pro-Tem

L. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 7:58 pm.

Beverly Weikum, TRMC, City Secretary

Mayor Pro-Tem Hammond

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 22,2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, and Acting City Secretary Joni Vaughn.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS and Swear in new Mayor and City Council

Acting City Secretary Joni Vaughn swore Marjory Johnson as the Mayor of the City of Lake Dallas.

Mayor Johnson swore in Carol Ann Connors, Councilmember Place 2, and Alan Fletcher, Councilmember Place 4.

The groundbreaking ceremony for the Animal Control Shelter is at 9:30 am on May 29.

There will be two receptions in honor of outgoing Mayor Marjory Johnson on May 29. The City Council and Staff are invited to the 6:30 pm reception and the reception for the general public will begin at 7:30 pm.

The annual Memorial Day Observance event will be at 9:00 am on Monday, May 26, at Swisher Cemetery.

E. REPORTS

1) Boards and Commissions

City Manager Earl Berner said that Special Events Coordinator Holly Deitrick had her baby on Sunday, May 18 and that both mother and daughter were doing well.

2) Other Reports

F. AGENDA BRIEFING

City Manager Earl Berner read the six items listed under the Consent Agenda and then read the three items listed under Business.

G. VISITORS/CITIZENS AGENDA

Mayor Johnson opened the Citizens Agenda.

Nelson and Bobbie Perry, 409 Brookside, Lake Dallas, had handouts for the Mayor and Councilmembers regarding a division fence between the Jackson Ranch and Thousand Oaks subdivisions. It has been determined, unofficially, that this fence which is over 2000 feet long and affects multiple property owners, was mistakenly located. The supposed error would allow the Thousand Oaks property owners to relocate their fences 2 – ½ feet into the yards of the Jackson Ranch property owners. They requested that the City Council take action to ensure that the existing defined property lines remain intact.

Mayor Johnson closed the Citizens Agenda when no one else came forward to speak.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the May 8, 2008 meeting.**
2) **Consideration and Action on approval of Final Plat for Lakebridge Estates Phase II out of the M.E. P. and P.R.R. Survey, Abstract No.924 in the City of Lake Dallas, Denton County, Texas.**
3) **Consideration and Action on approval of an Ordinance to allow a City of Lake Dallas official or employee to be authorized to approve replats of up to 4 lots per HB 2281.**
4) **Consideration and Action on approval of an Ordinance revision to Section 18-83 Restrictions (to keeping livestock in the City).**
5) **Consideration and Action on approval of a Resolution to approve the "Draft" DENCO Area 9-1-1 District Fiscal Year 2009 Financial Plan.**
6) **Consideration and Action on appointment of an alternate Lake Dallas Magistrate.**

Councilmember Connors asked that Item 4 be pulled from the Consent Agenda. She said that she thinks that those people who currently have livestock in the City should be grandfathered.

Motion to approve Items 1, 2, 3, 5 and 6 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Motion to approve Item H-4 and place it on the next agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action on appointment of Mayor Pro-Tem for the City of Lake Dallas City Council.

Motion to appoint Councilmember Hammond as Mayor Pro-Tem was made by Councilmember Martin. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) Consideration and Action to accept Mayor Johnson's resignation.

Motion to accept Mayor Johnson's resignation effective June 3 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Fletcher, and Martin
Noes: Councilmember Hammond.

Motion Passed

3) Consideration and Action to appoint Jonathan Pershouse to the Keep Lake Dallas Beautiful Committee.

Motion to appoint Jonathan Pershouse to the Keep Lake Dallas Beautiful Committee was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said that we have delayed starting the Waste Management billing until next quarter because we did not have everything in place yet.
He said that the Betchan and Main repair should be accomplished within the next couple of weeks.
Mr. Berner said the Carnival was a success and that the City earned $3700 from the event.

K. NEW AGENDA ITEMS

The livestock ordinance about no livestock inside the city limits should be revisited.
Councilmember Fletcher requested that acceptance of his resignation from the City Council be placed on the next agenda.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:55 pm.

Joni Vaughn
Acting City Secretary

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a Budget Workshop meeting on May 14, 2008 in the Oakmont Country Club, 1200 Clubhouse Drive, Corinth, Texas, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 9:00 am.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmembers Fletcher and Martin were unable to attend.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Holly Deitrick, Building and Code Enforcement Char DuPree, Municipal Court Clerk Melena Wheat, Public Works Director Johnny Webber, and City Secretary Beverly Weikum.

B. BUDGET WORKSHOP

1) Review of 2005 Goals and Objectives
2) Mid-Year status on FY 2008 Budget
3) Review and update on FY 2008 Capital projects and equipment purchases
4) Preliminary view of FY 2009 Budget
5) Discussion of Departmental requests for FY 2009 and the future
6) Council Discussion and Creation of FY 2009 through 2013 Goals and Objectives

City Manager Earl Berner distributed notebooks with information pertaining to the workshop items to all those in attendance. Mr. Berner gave a power point presentation during which there was discussion about the budget, goals and objectives.

C. ADJOURNMENT

The meeting was adjourned at 11:50 am.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 8, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041of the Texas Government Code. Mayor Johnson called the meeting to order at 7:31 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Marino came in at 7:31 pm.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Attorney David Berman and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Connors gave the invocation and asked for a moment of silence in memory of Carolyn Green.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Scott Head of Lake Dallas ISD said there will a Memorial for Carolyn Green at the high school stadium in Corinth at 5 pm on Friday. The City Secretary will send out emails to notify the rest of the Boards and Commissions and Staff.

Police Chief Nick Ristagno introduced two new police officers: Jimmy Moore who comes to us from the Lubbock area and Laramie Vest who comes to us from Pilot Point via Whitesboro.

Mayor Johnson came down to the floor and said there is one Police Department award that is not routinely issued. She said it is for performance excellence and it is called the Chief's Award. She said it is not for only one act, but for continued excellent job performance. In 2005 Sgt. Sparby became Lt. Sparby and accepted the daily challenges willingly and enthusiastically. She said his overall performance is exemplary. Lt. Sparby came forward to receive the award from Mayor Johnson and Police Chief Nick Ristagno.

The Carnival will be here from May 15th through the 18th and the Car Show will be May 17. Both events are at City Park.

E. PROCLAMATIONS

1) Motorcycle Safety Awareness

Mayor Johnson read the proclamation.

F. REPORTS

1) Boards and Commissions

2) Other Reports

City Manager Earl Berner said that the revenues continue to come in very strong and expenses are staying in line with where they should be. He said the sales tax is slightly higher than a year ago for April.

He said the Community Development Corporation is now coming out of the financial hole they were in the first part of the year. Have received our final payment from Texas Parks and Wildlife.

City Manager Earl Berner said the total funds available are on the report. We'll be getting back the $32,000 escrow as soon as all paperwork goes thru with the bank on the Main street property.

The Parks and Recreation Board is preparing for spring and summer events.

He said the Keep Lake Dallas Beautiful Committee had a successful quarterly cleanup in April with over eighty participants. We also had our butterfly garden dedicated to Mrs. Green on April 19. The sign is being put up and hopefully should be completed this week.

G. AGENDA BRIEFING

City Manager Earl Berner read the items on the agenda. He said we will have the Executive Session right after the Citizens Agenda. Mr. Berner then read the Consent Agenda Items and Business Items.

H. VISITORS/CITIZENS AGENDA:

Linda Berman, 321 Scarlet Oak Drive said that on April 25 Oncor came and modified the street light at Black Walnut and Scarlet Oak. She said she spoke to someone and finally was able to speak with Bill Waldrop told her it was 175 watt bulb and clear globe. They will replace all streetlights that go out with the same wattage bulbs and clear globes. No one seemed to be particularly inclined to speak with her because the City of Lake Dallas is their customer. Someone had told that there is a shield that can be installed to cut down the light. She left DVD's of that light and the other two on that street with the councilmembers and City Manager.

Dee Campbell, 324 Scarlet Oak Drive, said they have been residents for the last ten years. She said that their quality of life has changed dramatically. She hopes Council agrees that the wattage is too hot for a residential light. She said first the light didn't work for three years and it shined down not up. She said their master bedroom is on second floor and that the light shines right in. She has put up sheets up to try to block out the light. She said that she's a licensed nursing home administrator and that quality of life is what she deals with. She is hoping the situation can be resolved because it's already been three weeks.

Mayor Johnson said that Council will pass this on to the City Manager because it sounds like staff issue. She said that if we need to put this on a future agenda we can do that.

Mayor Johnson closed the regular meeting at 7:52 pm.

I. EXECUTIVE SESSION:
City Council to meet in closed session with the City Attorney regarding the November election under Section 551.071 of the Texas Government Code.

Mayor Johnson called the regular meeting back to order at 8:20 pm.

J. ACTION, IF ANY, FROM EXECUTIVE SESSION.
No action was taken on this item.

K. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the April 10, 2008 meeting.**
2) **Consideration and Action on approval of April Financials.**
3) **Consideration and Action to approve the sale of two used police cruisers.**
4) **Consideration and Action on approval of a Resolution of acceptance of the City of Lake Dallas Investment Policy.**
5) **Consideration and Action on approval of an Ordinance for Budget Amendments.**
6) **Consideration and Action on approval of an auction service agreement with Joe Pippin Auctioneers.**
7) **Consideration and Action on approval of a monument sign to replace a pole sign that was struck by lightening at 3000 South Stemmons.**
8) **Consideration and Action on approval of an Ordinance to change the name of the street Denton Drive to Lake Dallas Drive.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

L. BUSINESS:

1) **Consideration and Action on approval of an Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Revenue Certificate of Obligation, Series 2008A; levying an annual ad valorem tax and providing for the security for and payment of said certificate; providing an effective date; and enacting other provisions relating to the subject.**

Boyd London of First Southwest gave a very brief presentation. He said Frost Bank had an acceptable bid. He said that in 1981 the interest rate was 13%. These were placed at 2.02%. The City can call these within ten years at our option. He said they are pleased with the results of the sale and recommend it to Council.

Motion to approve the Ordinance authorizing the issuance and sale of the City of Lake Dallas, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2008A; levying an annual ad valorem tax and providing for the security for and payment of said certificate; providing an effective date; and enacting other provisions relating to the subject was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Public Hearing on approval of an Resolution to authorize an exemption to allow less than 80% masonry on a new structure to be built by Ace Hardware at 501 Thompson.**

No one came forward to speak when Mayor Johnson opened the Public Hearing. Mayor Johnson closed the Public Hearing.

3) **Consideration and Action approval of an Resolution to authorize an exemption to allow less than 80% masonry on a new structure to be built by Ace Hardware at 501 Thompson.**

Motion to approve the Resolution to authorize an exemption to allow less than 80% masonry on a new structure to be built by Ace Hardware at 501 Thompson was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) **Consideration and Action on approval of an Ordinance to change the dates for the monthly City Council meetings.**

Motion to approve an Ordinance to change the dates for the monthly City Council meetings was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmember Connors and Councilmember Fletcher
Noes: Councilmember Marino, Councilmember Hammond, and Councilmember Martin

Motion Failed

5) **Consideration and Action on approval of an Ordinance to allow for a franchise fee increase from ATMOS Energy.**

Motion to approve the Ordinance to allow for a franchise fee increase from ATMOS Energy was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Discussion on street rehabilitation priority schedule.**

There was Council discussion on various streets including Lake and Harbour Town. The cul de sacs in Kings Manor need to be done at the same time.
City Manager Earl Berner said that there are spots that are failing on Hundley and Shady Shores.

There was discussion that a recommendation that the City Staff should prioritize the streets. The plan is to go out for bids in about a month with the work being accomplished this summer. During the budget workshop we could try to work some more streets in for next year.

City Manager Earl Berner said the engineers estimate that a two-inch overlay would work on Starfish, Dolphin, Surf and we should try to get these into next year's budget. He said there are some storm water issues in that area.

M. CITY MANAGER REPORT

City Manager Earl Berner said that we are still progressing on screening of dumpsters. Thirteen have been completed to date. Twenty-two letters went out as a follow-up. When deadlines are passed and the requirements have not been met, citations will be issued. Four or five of these are trying to get their stuff lined up. The dumpster enclosures that do not have dumpsters in them are not included in this effort.

N. NEW AGENDA ITEMS

Councilmember Connors reminded everyone that we're meeting at 9:00 am next Wednesday for the Budget Retreat/Workshop.

City Manager Earl Berner said we should be done by two or three o'clock and handed out a "pre-read" for the budget to the councilmembers. He said the coversheet that includes the goals of 2005 reflects what has been accomplished.

Possible quorums should be posted for the Memorial at 5:00 pm at the Lake Dallas High School football field and the funeral at the church on Saturday at 2:00 pm for Carolyn Green.

O. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:38 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 10, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro-Tem Hammond called the meeting to order at 7:00 pm.

A. ROLL CALL

Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Mayor Marjory Johnson was unable to attend.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Pro-Tem Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro-Tem Hammond led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said that on April 19, at City Park there will be breakfast at 9:00 am and at 9:30 am we will have the dedication of the park improvements.

April 24 at 6:30 pm is the Volunteers Reception in the Linwood Gilliland Community Room

Police Chief Nick Ristagno said that the annual Kids 'n Cops event will be April 26. He said that this week-end is the Children ID's and fingerprinting program.

E. PROCLAMATIONS

1) Sexual Assault Awareness Month as April 2008

Mayor Pro-Tem Hammond read the proclamation as furnished by the Friends of the Family of Denton County.

F. REPORTS

1) Boards and Commissions

City Manager Earl Berner said the Parks and Recreation Board continues preparations for the summer events.

The Keep Lake Dallas Beautiful Committee is pursuing membership in Keep America beautiful. They have also planned a cleanup for April 19 that follows the breakfast and park improvement dedication mentioned in the previous announcements.

The Economic Development Corporation has given a grant to Bogey's Hair Salon for moving to Market Street.

Mike Mayberry will be closing next week on the property on Main Street.

The Community Development Corporation plans to apply for another grant for Willow Grove Park for a boat ramp and other improvements. They are also working with someone interested in having a concession stand in that park.

2) Other Reports

a) Mr. John Klaiber, Waste Management said that the implementation of the recycling program was just the beginning of the journey. He said that they need some feedback of what's been happening the last four months. He said that from their standpoint it has been an unqualified success. The amount of garbage put in the recycle bins has been minimal and that the City has about a 40% participation. He said that doesn't mean that 60% are not using the program. He said that some people are only putting out their bins about twice a month. Mr. Klaiber said that about 170,000 pounds was diverted from waste to recyclable. He said that around the country that 2/3 of the recyclables is paper He said that they have a formula and that just with the paper the City of Lake Dallas has saved 935 trees. People have not abused the program. He said they will continue to work with Mr. Berner and other city staff to get the information out.

Council asked Mr. Klaiber if he could get with the City Manager and do a press release. They also asked something could be put on lids stating what we should/shouldn't put in the bins. Mr. Klaiber said he would see if that is a shelf item or if they would need to have some printing done. A lot of residents are still thanking the Councilmembers for implementing the recycle program

Mr. Klaiber said they made asimilar presentation to Hickory Creek a couple of weeks ago. He said that around the country the typical Waste Management bill is $25 or $30/month. He said that here it's about half that and the reason is our location is so close to the landfill so that the transportation costs are less. He said that when that landfill closes and when we have to transport the waste eighty miles, that's when it's going to get expensive.

b) Finance, Human Resources Director Joni Vaughn said we have not received our sales tax yet for this month. She said that we transferred our payment to the fund balance account. She said that funds have also been transferred for the debt service for the 2008 payments. She said that we have brought in 84% of our revenue so far this year. The March financials represent six months of operations. Most franchise fees are paid annually and TXU usually makes their payments in June.

Joni said the Community Development Corporation still has a bond payment due to the City and they should be able to pay it out of this month's sales tax receipts.

City Manager Earl Berner said that we are 4% ahead of last year on our sales tax receipts. He said that previous years have been 8% so we're a little down.

G. AGENDA BRIEFING

City Manager Earl Berner read the items listed under the Consent Agenda and then listed the items under Business.

H. VISITORS/CITIZENS AGENDA

Mayor Pro-Tem Hammond opened the Citizens' Agenda.
He closed the Citizens' Agenda when no one came forward to speak.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the March 27, 2008 meeting.**
2) **Consideration and Action on approval of March Financials.**
3) **Consideration and Action on approval of the First Quarter 2008 Investment Report.**
4) **Consideration and Action on approval of an Ordinance for Budget Amendments.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action on approval to create and staff a full-time position for assistance with Municipal Court and Administrative duties.**

Motion to approve the creation and staffing of a full-time position for assistance with Municipal Court and Administrative duties was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on approval of CrossPointe Community Church (Kidzone sponsor) to donate their proceeds from the 4th of July celebration to the Lake Cities Education Foundation.**

Motion for approval of CrossPointe Community Church (Kidzone sponsor) to donate their proceeds from the 4th of July celebration to the Lake Cities Education Foundation was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner introduced Julie Chapman, in the audience, as the newest board member to the Community Development Corporation.

Mr. Berner reminded the Council of the May 14 strategic planning and budget meeting at Oakmont Country Club.

He said we've been watching Andrews Transport and he had the opportunity to meet one of their employees recently. He was told that Andrews will be moving their operation to Allen in the near future and will put the building up for sub-lease. He said that we should think if we want that to be a different type of use.

He said he hasn't had a chance to tell Chief Ristagno but Upper Trinity has signed the electric easement with Oncor. The contractor had adjusted his schedule and believes that once the construction is underway it will only take 180 days to complete. He had bid 240 days.

L. NEW AGENDA ITEMS

Councilmember Fletcher asked if we would consider moving the Council meeting days to Tuesday and discuss how we're going to handle our second meetings of the month.

M. ADJOURNMENT

Mayor Pro-Tem Hammond adjourned the meeting at 8:02 p.m.

Karl Hammond, Mayor Pro-Tem

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 27, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Marino was out of town.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION
The invocation was given by Mayor Johnson.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Earl Berner said that the Keep Lake Dallas Beautiful Committee April quarterly cleanup is on April 19 and starts at 9:00 am. The dedication of the City Park improvements will be done at 9:30 that morning.

The Volunteer Reception has been scheduled for April 24.

Mayor Johnson said that she may be leaving as Mayor. She said she will know in mid-May. She said she has bought a house in Sanger and that it's a foreclosure and there are some issues that will need to be worked out. The Mayor said she will be staying at least to the end of the school year. They plan to stay until the house in Lake Dallas sells.

E. REPORTS
1) Boards and Commissions
2) Other Reports

City Manager Earl Berner said that nothing has changed since the last meeting.

F. AGENDA BRIEFING
City Manager Earl Berner said there are three items on the Consent Agenda and read those items. He next read the four items listed under Business. Mr. Berner said that the final item is a workshop on the Budget Retreat.

G. VISITORS/CITIZENS AGENDA:
Mayor Johnson closed the Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:
1) Consideration and Action on approval of Minutes for the March 13, 2008 meeting.
2) Consideration and Action on approval of an Ordinance to cancel the May 10, 2008 Regular General Election and declaring each unopposed candidate elected to office.
3) Consideration and Action on disposal of surplus computer equipment.

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:
1) Public Hearing on approval of a proposed Ordinance to authorize a change in zoning for Tract 72 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to R-1-6000 Single-Family Dwelling District.

Paul Forgey, 402 S. Lakeview, said he wants to rezone so he can continue to live there.

Mayor Johnson closed the Public Hearing when no one else came forward to speak.

2) Consideration and Action on approval of an Ordinance to authorize a change in zoning Tract 72 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to R-1-6000 Single-Family Dwelling District.

Motion to approve the Ordinance to authorize a change in zoning of Tract 72 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to R-1-6000 Single-Family Dwelling District was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of site plan for Ace Hardware on Thompson Drive.

City Manager Earl Berner said that they will have to come back with an application for an exception to the 80% masonry requirement for their lumber building.
Motion to approve the site plan for Ace Hardware on Thompson Drive was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action to rename Denton Drive to Lake Dallas Drive.
Motion to approve changing the name of Denton Drive to Lake Dallas Drive was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

City Manager Earl Berner said the City will notify the residents and businesses on that street.

J. WORKSHOP:
1) Budget Retreat
City Manager Earl Berner said the retreat has been scheduled for May 14, a Wednesday, at the Oakmont Country Club beginning at 9 am. He said that he plans to have the list on the memo incorporated into a plan. He said we will have something preliminary for Council and asked for any input from the Council prior to the meeting so we can discuss any plans they might have. He said the Succession Issues is primarily for cross-training with the staff.

K. CITY MANAGER REPORT
City Manager Earl Berner said Animal Shelter is moving along. The contract is under review by the builder and City Attorney. He said we just got the utility easement for the electric line.

Mr. Berner said Willow Grove Park website had 2800 hits this month. He said there have been at least ten reservations for campsites directly through the website.

Mike Mayberry called Mr. Berner today and said he is going to close on the Main Street property next Friday.

There will be a traffic light at Shady Shores & Swisher. TxDOT will pay for the installation and we are to pay the maintenance which should be a minimal cost.

L. NEW AGENDA ITEMS
Councilmember Connors said that the April 8 Chamber of Commerce luncheon is hosted by the EDC's of the four Lake Cities so we need to try to attend that luncheon.

M. ADJOURNMENT
Mayor Johnson adjourned the meeting at 7:48 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 13,2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmembers Alan Fletcher and Richard Martin were not in attendance.

Staff present: City Manager Earl Berner, Police Lieutenant West Frazier, Finance, Human Resources Director Joni Vaughn, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION
Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Earl Berner said the Keep Lake Dallas Beautiful Committee has a cleanup scheduled for April 19 at 9:00 am and there will also be the dedication at City Park.

E. REPORTS
1) Boards and Commissions
2) Other Reports

Mayor Johnson asked for the financial reports first.
Finance, Human Resources Director Joni Vaughn said that we have received most of the property tax revenues. She said that we'll do transfers into the Debt I & S, the Equipment Finance Contract I & S, and the Reserves restricted account soon.
She called their attention to the animal services account that was questioned last month. Joni said they discovered there had been an item purchased and charged to Operating Supplies. It should have been coded as an emergency purchase so it has been moved from Operating Supplies to Emergency Purchases. Budget Amendments will be presented to the City Council for this item as well as a new server for Administration.

Councilmember Connors said she appreciates how hard the staff works to stay within the budget.

Joni read the reports for EDC and Community Development Corporation. She said the Community Development Corporation paid off the short-term loan this week so $30,000 came out of the $34,000 that shows as available on their report. She said both corporations received the monthly sales tax today in the amount of $20,922.

Special Events Coordinator Holly Deitrick said the Parks and Recreation Board is getting ready early for the 4th of July event. She said they will bring in quite a few more volunteers this year. She said the carnival will be back again this year on May 15th and run through the 18th.

Holly said the Keep Lake Dallas Beautiful Committee is getting ready for their cleanup, dedication and scavenger hunt.

She said the sponsorships are already coming in. We will have the parade in the morning events all day long. The vendors will be able to start setting up while the parade is lining up. Everything will be 'on go' at 9 am. She said that fireworks companies have all been hit with big increases so the cost will be going up this year.

F. AGENDA BRIEFING
City Manager Earl Berner read the items listed under the Consent Agenda. He next read items under business and stated that we also have a workshop planned with Dave Snider.

G. VISITORS/CITIZENS AGENDA:
Mayor Johnson closed the Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:
1) Consideration and Action on approval of Minutes for the February 14, 2008 meeting.
2) Consideration and Action on approval of February financials.
3) Consideration and Action on approval of payment of an off-site backup contract for the Municipal Court Computer system from the Municipal Court designated account.
4) Consideration and Action to appoint Julie Chapman as a board member of the Community Development Corporation.
5) Consideration and Action on appointment of Angie Ayala as a Lake Dallas Magistrate.

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

I. BUSINESS:
1) Consideration and Action to award a contract for the Animal Control Shelter.
Russell Bates of Bates Architects, Inc. said that the apparent low bidder was Schmoldt Construction Company. Mr. Bates discussed the recommendations for the value engineering items.
Motion to accept the bid from Schmoldt Construction Company with the adjusted alternates presented by Mr. Bates for the construction of the animal control shelter facility was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

2) Consideration and Action to adopt a resolution directing publication of notice of intention to issue certificates of obligation.

Marti Liljekvist said the original issue had been set up for the fire station purchase but since then there's been a need for additional funding so the City Council needs to reauthorize the intention to issue the certificates of obligation to include the funds for the animal shelter. She said that this will delay the financing for about a month due to the publication of notice.
Motion to adopt the resolution directing publication of notice of intention to issue certificates of obligation was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

3) Consideration and Action on selection of a date, time and location for a budget retreat.

City Manager Earl Berner said he asked Special Events Coordinator Holly Deitrick to locate some places where the City Council could hold its budget retreat. Holly had handouts for the Council with information about the places she had contacted.
Motion to choose the Oakmont Country Club since it is more local as the place for the first annual budget retreat and the preferred date of May 14 with options of the 13th or 15th as alternate dates was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

4) Public Hearing on approval of an Ordinance to authorize a change in zoning for Tract 62 and Tract 71 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to PD Planned Development district.

Scott Cameron, 2330 FM 407, Highland Village, Texas, said he was there to represent Doyle Cameron.

Mayor Johnson closed the public hearing when no one else came forward to speak.

5) Consideration and Action on approval of an Ordinance to authorize a change in zoning for Tract 62 and Tract 71 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to PD Planned Development district.

Motion to approve the change in zoning for Tract 62 and Tract 71 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to PD Planned Development district was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

6) Public Hearing on approval of a replat Lots 1, 2, 3, 4, and 5 of Block 8 and Lots 1, 2, 3, 4, 5, and 6 of Block 9 of OT Garza Survey, and Tract 28 of A1355a Wright Survey in the City of Lake Dallas, Denton County, Texas into one (1) lot.

Wes Eversole, 4512 Jenny Lane, Flower Mound, said the proposed elementary school will be 120,000sf structure and would house the pre-k thru 5th grade students. He said their goal is to open during the fall of 2009. He said the building will replicate the new school in Shady Shores. He said that bus traffic will be separated from car traffic with respect to drop-offs. They will be attempting to try to keep the traffic off Main Street during rush hours. He said there's a thirty-minute interval between middle school opening and this school to help alleviate some of the traffic issues. He said they are also proposing to improve San Jacinto, Sycamore, and Falcon with concrete.

Marcia Rios, 204 Deer Path, Hickory Creek, asked about letting children come inside. Mr. Eversole said that right now they allow the children to come inside from the bus area and through the front door at Shady Shores. He said they are not looking at opening up the side doors and will try to channel any foot traffic through the front door. They are going to encourage to parents to drop the children off at the back in the drop off area instead of stopping on Main Street to drop the kids off. He said they will work with the city regarding and signage and lights.

Mayor Johnson closed the public hearing when no one else came forward to speak.

7) Consideration and Action on approval of a replat Lots 1, 2, 3, 4, and 5 of Block 8 and Lots 1, 2, 3, 4, 5, and 6 of Block 9 of OT Garza Survey, and Tract 28 of A1355a Wright Survey in the City of Lake Dallas, Denton County, Texas into one (1) lot.

Motion to approve the replat of Lots 1, 2, 3, 4, and 5 of Block 8 and Lots 1, 2, 3, 4, 5, and 6 of Block 9 of OT Garza Survey, and Tract 28 of A1355a Wright Survey into one lot was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

8) Public Hearing on approval of an Ordinance to abandon Market Street (a 60 foot right-of-way) line of San Jacinto Avenue (a 60 foot right-of-way) to the west right-of-way line of Falcon Drive ((a 60 foot right-of-way) aka Texas Drive); and, Falcon Drive ((a 60 foot right-of-way) aka Texas Drive) from the South a right-of-way line of Sycamore Street (a 60 foot right-of-way) to the north right-of-way line of Main Street (a variable width right-of-way).

Mayor Johnson closed the public hearing when no one else came forward to speak.

9) Consideration and Action on approval of an Ordinance to abandon Market Street (a 60 foot right-of-way) line of San Jacinto Avenue (a 60 foot right-of-way) to the west right-of-way line of Falcon Drive ((a 60 foot right-of-way) aka Texas Drive); and, Falcon Drive ((a 60 foot right-of-way) aka Texas Drive) from the South a right-of-way line of Sycamore Street (a 60 foot right-of-way) to the north right-of-way line of Main Street (a variable width right-of-way).

Councilmember Connors said that she and others are opposed to the abandonment of Falcon drive since it is a direct north/south route from Main Street to Hundley Drive. She said she would also like to recommend that their construction trucks go down Hundley instead of Main to get to the building site.

John King with DMS Architects of Fort Worth said they plan to make San Jacinto a full-fledged street. He said that due to the complexities of the site the building placement will require blocking off part of Falcon Street. He said that they did try to take into consideration the concern that Carol Ann had voiced.

Mr. Eversole showed the elevations for Lake Dallas Elementary and said they will try to put in some trees. He said they'll have some green space they'll try to landscape that area. He said they are planning to stay away from the pecan grove and put in a playground north of building. He said that the façade treatments will be a little different from Shady Shores.

Motion to approve an Ordinance to abandon parts of Market Street and Falcon Street was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino and Hammond
Noes: Councilmember Connors

Motion Passed

10) Consideration and Action to approve the Lake Dallas Independent School District site plan for new school on Main Street.

Motion to approve the Lake Dallas Independent School District site plan for the new school with the addendum to control construction traffic to keep off Main Street was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino and Hammond
Noes: Councilmember Connors

Motion Passed

11) Consideration and Action on improvements of part of City Hall to allow for more storage space for the Police Department, Special Events, and Administration.

City Manager Earl Berner said that the Public Works Department should be able to do most of the work. He said that we will have to have someone do the electrical work.

Motion to approve the proposed improvements for part of City hall to allow for more storage space for the Police Department, Special Events, and Administration was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

J. WORKSHOP:

1) Dave Snider regarding a city facility.

Dave said he's been at Tech on Wheels on Hundley Drive since 1991. He said he's had many ideas over the years about how to turn that area into something to make a buck. He drives through Willow Grove Park every day and he looks across the lake and checks the progress of that bridge. He said that Lake Dallas needs an anchor and that we don't have a reason for anyone to drive down Main Street. He said he would be willing to combine both pieces of property and lease it to the city for 99 years for a dollar. He said that if we could have the whole park to where it wraps around he doesn't think it would take much to get a developer to come in and put in a 5 story building on that property. He said he would like to have 5% of gross revenues from the building and the city could get 10%. He said he's heard that Corinth is going to build a structure that will be five stories tall and that the fire department is going to have to keep up. He said that Neal's Restaurant is closed down and he is currently working on buying that property. He said he's also interested in the city's property on Swisher Road. He could have enough visibility if he could relocate to that property.

City Manager Earl Berner suggested that a market study be done.

K. CITY MANAGER REPORT

City Manager Earl Berner said he didn't have anything else to report.

L. NEW AGENDA ITEMS

Denton Drive rename on the agenda for the second week of April.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting was at 9:28 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 14, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmembers Alan Fletcher and Richard Martin were not in attendance.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Police Lieutenant Wes Frazier, Finance and H/R Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. PROCLAMATIONS - CCA
Mayor Johnson read the Proclamation that proclaimed February 22, 2008 as Christian Community Action Day. This organization has served families in crisis in this community since February 22, 1973. Mayor Johnson presented the proclamation to Nick Panza, CCA Board Director.

E. ANNOUNCEMENTS
Police Chief Nick Ristagno introduced a new officer, Bill Soye. Chief Ristagno gave Officer Soye's background.
City Manager Earl Berner said the Keep Lake Dallas Beautiful Committee will hold its next cleanup on April 19. That is the same date that the Community Development Corporation plans the dedication of City Park. The dedication will begin at 9 a.m.
Mayor Johnson said that Dave Snider was in attendance to give the City a presentation. Mr. Snider handed out copies of today's Lake Cities Sun to the City Council and all those in attendance and said that February 18th is his Pat's, 40th wedding anniversary. He invited the City Council and all of Denton County to the celebration.
He talked about the funeral service earlier today for Harold Clark. He said that Harold was the Post Commander of American Legion, he had retired from the city, and he had served in the military. Dave said that Harold made sure the post's building got paid for and that it had a new parking lot. He said he felt embarrassed today because he didn't stand up at the service and say something about Harold's achievements.
He would like to meet with the Council about his property at the end of Hundley. He said the city needs an anchor to draw people to our city and he has a proposal he would like to share.

Mayor Johnson said we can set up a workshop at our next regular meeting to discuss the proposal.

F. REPORTS

1) Boards and Commissions

Finance and H/R Director Joni Vaughn reported the amount of sales tax received in January was $67,418.51. $33,709.26 went to the General Fund and $16,854.62 went to each of the economic development corporations. She said that we also received the quarterly beverage tax, $6,138.82, and quarterly hotel tax, $14,300.53. She said that our expenses were much larger because of the purchase of the fire station.

She said that the Community Development Corporation funds are a little lean right now because of the short-term loan.

2) Other Reports

City Manager Earl Berner said that the Parks and Recreation Board didn't meet because of the Mardi Gras event the night before their scheduled meeting. He said that the Keep Lake Dallas Beautiful Committee is planning a cleanup on April 19.

G. AGENDA BRIEFING

City Manager Earl Berner said there are seven items on the Consent Agenda and he read the titles. He said that under Business we have five items and he read the titles for those items. He said that the last item on the agenda is the workshop. We had two items but the one of the items has been pulled. Mr. Cameron is here to discuss his property.

H. VISITORS/CITIZENS AGENDA

Paul Forgey, 402 S. Lakeview, said he had received a public notice on rezoning for property abutting his. He said he would like to add his property on that rezoning.

Mayor Johnson said that our procedures will not allow us to do that. She said that to rezone his property he would have to file a separate application and pay the appropriate fee.

Mayor Johnson closed the Citizens Agenda when no one else came forward to speak.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the January 10, 2008 meeting.**
2) **Consideration and Action on approval of January financials.**
3) **Consideration and Action on approval of entering into an agreement with Denco Area 9-1-1 District to continue to serve as a Denco Area 9-1-1 District Public Safety Answering Point (PSAP).**
4) **Consideration and Action on approval of entering into an agreement with the Denton County District Attorney regarding disposition of forfeited contraband seized under Chapter 59 of the Texas Code of Criminal Procedure.**
5) **Consideration and Action on acceptance of the Racial Profiling Report for the year 2007 as prepared by the Lake Dallas Police Department.**
6) **Consideration and Action on approval of a Joint Election Agreement with the Lake Dallas Independent School District.**
7) **Consideration and Action for approval of a declaration of surplus equipment: motor grader, front-end loader and tractor.**

Motion to approve Consent Agenda Items 1, 2, 3, 4, 5, and 7 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

Motion to approve the Joint Election Agreement with the Lake Dallas Independent School District with the corrections recommended by the City Attorney (remove 'Lake Dallas' from preceding Lake Cities Councils in the third "Whereas" paragraph of page 1 and in Section 1 also on page 1) was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and Action on acceptance of Financial Audits FY 2007.

Carl Deaton of Hankins, Eastup, Deaton, Tonn and Seay asked the councilmembers to look at the fund balance on page 18. He said that some of that is earmarked and restricted funds for specific uses and that left the city with $575,000 undesignated funds. He said that a way to determine if that's a good or poor fund balance level is to look at our monthly expenditures. He said that we spend approximately $275,000 per month. That tells us that our fund balance is little over two months expenses. He said we need to be shooting for minimum of three months on hand and that we're moving in the right direction.

He said that our expenditures were only up 3% and revenues were up about 15% and that told him that the city did a good job holding the line on expenditures during the past year. He reminded the City Council that the projects completed by the 4a and 4b corporations are captured as assets of the city. He said that most of the city's debt consists of the 1998 street bonds. He gave a short report on the 4a and 4b corporations. He said those items were the highlights and asked if there were any questions. No one had any questions.

Motion to accept the Financial Audits FY 2007 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

2) Consideration and Action on approval of a Resolution to call the general election for May 10,2008 to elect a Mayor and Councilmembers for Places Two and Four; to name election judges; and state early voting dates; and charter amendments.

Motion to approve the Resolution to call the general election for May 10, 2008 to elect a Mayor and Councilmembers for Places two and Four; to name election judges; and state early voting dates; and charter amendments was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

3) Consideration and Action on approval of a contract with Denton County Elections Administration.

Motion to approve the contract with the Denton County Elections Administration was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

4) Consideration and Action on approval of an Ordinance to approve a settlement agreement between the City of Lake Dallas and Atmos Energy Corporation (Mid-Tex Division).

James Johnson, Public Affairs with Atmos, said they don't produce the product, they just deliver it. He said they have reached an agreement with 150 of the 438 cities involved and have adjusted their case. He said the new rates are more consumer-friendly and especially for the elderly and more needy. Mr. Johnson said they have also put a rate review mechanism into operation with this settlement. The company found that the cities were not happy with the annual filings and annual rate filings. He said that with the rate review procedure it will be less expense for Atmos and would not require city actions multiple times per year. He said they would like to ask the City of Lake Dallas to join in the settlement. If we don't pass the agreement it will go back to the Texas Railroad Commission.

Motion to approve the Ordinance to approve a settlement agreement between the City of Lake Dallas and Atmos Energy Corporation (Mid-Tex Division) was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino and Connors
Noes: Councilmember Hammond

Motion Passed

5) Consideration and Action to adopt a resolution directing publication of notice of intention to issue certificates of obligation.

Marti Liljekvist of First Southwest said this is not a final rate yet. She said they plan to bid it out. The action tonight is just authorizing the publishing of intent. She said they try to be conservative and that right now it's rather volatile.

Motion to adopt the resolution directing publication of notice of intention to issue certificates of obligation was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

K. WORKSHOP:

1) Doyle Cameron subdivision

Doyle Cameron said the development standards are upgraded from what's currently in the neighborhood. He said that if this all works out they will let the city have the open space for use as a city park.

City Manager Earl Berner said that the first sheet of the packet is from back in 1996. He said that what Mr. Cameron is proposing is only twelve units. He said this land has some duplexes, the condos, and some vacant property that backs up to it
Mr. Cameron said that on their plots they have big open side yards. He said that on the units with the 2-car garage that they want to connect the two properties with a gate and fenced area. He said that it's a good product, an empty nester type of product. He said they have some 2-story units but the master bedroom will be downstairs in those units.

Mayor Johnson said she likes the idea of a green area or pocket park.

This item will go to the Planning and Zoning Commission at their February meeting and come back to the City Council as an action item in March.

2) Railroad Property

The people involved with this workshop were unable to attend the meeting tonight. Council did not discuss this item.

K. CITY MANAGER REPORT

City Manager Earl Berner said the pooper-scooper receptacles are in the parks. He said the street sweeping and leaf vacuuming were done at the end of January. He said that next week the reverse 9-1-1 system will be kicked off and that the Warrant Round-Up is underway. It is presently in the compliance time now.

Mr. Berner said we have received a bid for $1400 for painting the metal on the front of the building and was uncertain whether to with the current color scheme or change the color. Mayor Johnson asked Joni to go look at some color chips. City Manager Earl Berner said that later on we could look at doing a major façade change.

Mr. Berner said that the bid opening for the Animal Shelter construction is February 28.

L. NEW AGENDA ITEMS

Workshop with Dave Snider

Schedule the retreat after we determine whether we need to hold an election. City Manager Earl Berner said there is a golf course at Highway 121 and Hebron that has a room that seats 20.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:38 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 10, 2008 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Richard Martin was absent.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance and H/R Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said the Mardi Gras event is on February 5. The parade begins at 5:45 pm at City Park and there will be a $1,000 prize for the best float.

The Chamber of Commerce annual Banquet is on February 28.

E. REPORTS

1) Boards and Commissions

Finance and H/R Director Joni Vaughn asked the Mayor and Councilmembers if they had any questions. She said our sales tax receipts in December were $87,149.17. We are starting to receive daily deposits of the property tax revenue. We received more through this past December than we have before and had our first big deposit this month.

Finance and H/R Director Joni Vaughn said that the Economic Development Corporation financial reports reflect $21,797 in sales tax revenue. She said the Community Development Corporation is down one account since we closed the one park account when we finished the parks improvements. She said the auditor brought his preliminary report in today.

Mayor Johnson asked City Manager Earl Berner about the amount shown for street maintenance. He said it was for the repair on Vista Ridge plus lots of pot holes.

The overtime in Administration is for the Finance and H/R Director Joni Vaughn getting caught up after budget preparation, preparing for the auditor, and working several meetings for the City Secretary while she was out for surgery and recovery.

City Manager Earl Berner said that the Parks and Recreation Board had their meeting this month and that the Keep Lake Dallas Beautiful Committee cancelled their January meeting.

2) Other Reports

F. AGENDA BRIEFING

City Manager Earl Berner said there were four items on Consent Agenda and he listed those items. He said that under Business there are three items and listed those items.

G. VISITORS/CITIZENS AGENDA:

Paul Forgey, 402 S. Lakeview Drive, said he's been asked by the City to move out after living there for 4 ½ years.

Mayor Johnson asked him if he's spoken with the City Manager and he replied that he had not. She said that the City Manager would contact him and if they can't solve the problem then next step is to come back to the City Council.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the December 13 and December 17, 2007 meetings.**
2) **Consideration and Action on approval of December financials.**
3) **Consideration and Action on approval of 4th Quarter 2007 Investment Accounts.**
4) **Consideration and Action on approval of an auction service agreement with Carr Storage VSF, LLC.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

MotionPassed

I. BUSINESS:

Mayor Johnson recused herself Mayor Pro-Tem Hammond presided over the meeting.

Mayor Pro-Tem Hammond opened the Public Hearing.

1) **Public Hearing on approval of an Ordinance for a Special Use Permit to operate a child daycare facility at 215 Betchan Drive, Lake Dallas, Texas; Tract 65 of the M. Wright Survey, Abstract 1355.**

Kim Berry, 215 Betchan, said she plans to have six classrooms and have children from the ages of six weeks to pre-school. They have 2500 sf and are doing some remodeling. She is getting ready to recruit children and hire teachers. Her student/teacher ratio is lower than what the State requires. They will have web-cams in all the classrooms so parents will be able to check on their children during the day. She will offer incentives to her teachers because turnover is very, very high in that career field. She said she would also like to offer her teachers one term for early childhood education at NCTC.

Council had no questions for her. Mayor Pro-Tem Hammond closed the Public Hearing when no one else came forward to speak.

2) **Consideration and Action on approval of an Ordinance for a Special Use Permit to operate a child daycare facility at 215 Betchan Drive, Lake Dallas, Texas; Tract 65 of the M. Wright Survey, Abstract 1355.**

Motion to approve the Ordinance for a Special Use Permit to operate a child daycare facility at 215 Betchan Drive was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

Motion to amend the Ordinance to expire in five (5) years instead of two (2) years per the Planning and Zoning Commission recommendation was made by Mayor Pro-Tem Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

Mayor Pro-Tem Hammond turned the meeting back to Mayor Johnson.

3) **Consideration and Action approval of a Reimbursement Resolution for payment of the fire station building at 275 Main Street, Lake Dallas, Texas prior to funding arrangements.**

Boyd London said this is a document that allows the city to reimburse itself under federal tax regulations. He said that we probably don't need it, but it's a 'fail-safe' so there is no way that this can be challenged at this point. He said it is establishing the intent to pay the general fund back within 90 days after the borrowing money.
Motion to approve the Reimbursement Resolution for payment of the fire station building at 275 Main Street, Lake Dallas, Texas prior to funding arrangements was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said that he had a voice mail from Alva Reece, who over time has had a lot of problems. He said that this time the City took care of her problem and she had nothing but praise Char Dupree.

Mr. Berner said that at 9:00 am on Monday that Mayor Johnson and the other Lake Cities mayors will be signing the fire department documents at Corinth's administration building.

Mr. Berner said that our recycling program has been going really well with only one person taking exception. He said that Waste Management said we're recycling over 70%.

He said that he met with the auditor. Mr. Deaton said that on preliminary note that we have $576,000 in our fund balance. Mr. Berner said that we'll be adding more to it this year. The auditor will be present at the first meeting in February.

Mr. Berner said that the last couple of days we've had electricians here to install motion detectors for lighting in various parts of the building in an effort to conserve energy.

He said we are planning to hire a leaf vacuum company to vacuum leaves out of gutters and curbs in next couple of weeks. Residents will have to get the leaves to the front of their property.

We have ordered puppy dog waste cans to be placed along the trail.

K. NEW AGENDA ITEMS

Mayor Johnson said the first meeting in February will be the City Council's next meeting. The second February meeting will be cancelled due to scheduling of the Chamber of Commerce banquet. She said that we're going to try to do a retreat this year during the budget process.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:55 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on December 17, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was absent.

Staff present: City Manager Earl Berner and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

Mayor Johnson announced that there would be no Executive Session during the meeting tonight.

F. EXECUTIVE SESSION:

1) **City Council to convene into a closed session in accordance with the Government Code, Section 551.071, Consultation with attorney, regarding contracts and decisions regarding the City of Corinth and the Lake Cities Fire Department.**

G. ACTION, IF ANY, FROM EXECUTIVE SESSION:

Consideration and Action on the contracts and decisions regarding the City of Corinth and the Lake Cities Fire Department.

No Action was taken on this item.

H. BUSINESS:

1) **Consideration and Action on approval of the Third and Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for Dissolution of the Lake Cities Volunteer Fire Department.**

Motion to approve the Third and Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for Dissolution of the Lake Cities Volunteer Fire Department as presented or as modified and authorize the Mayor to execute the documents when all other cities are prepared to execute them was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on approval of the Articles of Dissolution of the Lake Cities Volunteer Fire Department.**

Motion to approve the Articles of Dissolution of the Lake Cities Volunteer Fire Department as presented or as modified and authorize the Mayor to execute the documents when all other cities are prepared to execute them was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

3) **Consideration and Action on approval of the Plan of Dissolution of Lake Cities Volunteer Fire Department.**

Motion to approve the Plan of Dissolution of Lake Cities Volunteer Fire Department as presented or as modified and authorize the Mayor to execute the documents when all other cities are prepared to execute them was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

4) **Consideration and Action to approve an Interlocal Agreement between the City of Corinth and the City of Lake Dallas to provide fire service.**

Motion to approve the Interlocal Agreement between the City of Corinth and the City of Lake Dallas to provide fire service as presented or as modified and authorize the Mayor to execute the Agreement at the same time as all other agreements related to this process are executed was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

5) **Consideration and Action Consideration and Action on approval of a lease of Fire Station 1 with the City of Corinth.**

Motion to approve the lease of Fire Station 1 with the City of Corinth as modified and authorize the Mayor to execute the lease (if in substantial accord with the draft) once the lease is finalized was made by Councilmember Connors. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Consideration and Action/Discussion on the financing of Fire Station Number 1.**

City Manager Earl Berner had handouts for the Councilmembers from Government Capital. He said that they currently have the financing on Station 1. He said that in the middle of the sheet they show three payment plans that are seven, twelve, and twenty-year plans.

City Manager Earl Berner said he wants to go with First Southwest and said we'll get a better rate and terms. He said they would be coming to the next meeting.

There was discussion about the closing date and that the timing is probably going to be within a six-month time period. During the discussion about the length of time to set for the finance period Council would like to look at some different options. They also want to find out about the possibility of making extra payments should we have extra reserves. City Manager Earl Berner said there's also the possibility that we may want to consolidate some of our debt in the next two to five years.

Council requested this be placed on the next City Council Agenda.

I. CITY MANAGER REPORT

City Manager Earl Berner did not have a report.

J. NEW AGENDA ITEMS

There were no new agenda items.

K. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:58 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 13, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3

Councilmembers Connors, Fletcher, and Martin were unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, City Attorney David Berman, Finance and H/R Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Sugene May of the Spirit of Christmas gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Jim and Sugene May, 4 Red Oak Circle, Hickory Creek, came forward. Mr. May said they want to thank the City Council for all the City has done for the Spirit of Christmas. He said the use of the Linwood Gilliland Community Room has been very helpful. He said that this year the organization is helping 159 families and consists of 191 boys and 219 girls for a total of 410 children. The assistance is based on poverty guidelines. He said that tomorrow night is the gift wrapping at the school on Hundley. He said there will be approximately 4000 gifts and a little over 5000 square yards of wrapping paper will be used. Sugene said they invite everyone out to help with the wrapping. She said that Tony would be Santa Claus again this year. She said it's exciting to see the Mayor and all the council turn out to help. She said that the City of Lake Dallas is the only council that comes out to help. She said that everyone is so nice and that they certainly appreciate that. In reply to a question by Mayor Johnson, Jim said that this year they are helping 15% more than last year but that it's close to 2005 when they were also assisting people who had been involved with the hurricane Katrina.

Mayor Johnson said that she can't be there tomorrow night and suggested that Sugene tell the reporter from the Denton Record Chronicle who was also in attendance at the meeting.

E. REPORTS

1) Boards and Commissions

2) Other Reports

Mayor Johnson asked Joni to do her financial reporting. Joni said the auditor was here before Thanksgiving and that we should be hearing from him soon. She discussed the Community Development and Economic Development Corporations financials. She said that we do have property tax revenue coming in. She said it's not large amounts yet but that those numbers will change soon.

Councilmember Hammond asked Police Chief Nick Ristagno about the amount under Vehicle Equipment Expense. Chief Ristagno said that amount was equipment for a vehicle that was converted. Joni said we had hoped to get the invoice into last year's business but that the invoice came in too late.

City Manager Earl Berner said that the Parks and Recreation Board and Keep Lake Dallas Beautiful Committee are doing their planning for 2008.

Mayor Johnson said that the Shop Lake Dallas Campaign went well and that it was rather inexpensive. City Manager Berner said that about five hundred people participated.

F. AGENDA BRIEFING

City Manager Earl Berner read the agenda items listed under the Consent Agenda and the Business Items.

G. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the October 25 and November 8, 2007 meetings.**
2) **Consideration and Action on approval of November financials.**

Motion to approve the Consent Agenda Items 1 and 2 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Mayor Johnson, Councilmember Marino and Councilmember Hammond.
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Revenue Certificate of Obligation, Series 2008; levying an annual ad valorem tax and providing for the security for and payment of said certificate; providing an effective date; and enacting other provisions relating to the subject.**

Leroy Grawunder, Jr. and Jeff Gulbas from McCall, Parkhurst and Horton were present for the meeting and had all the paperwork for the Certificates of Obligation as well as the General Obligations bond.
Marti Liljekvist of First Southwest said she was here on behalf of Boyd London who was unable to attend the meeting. Marti handed out the interest packet and said it is an interest summary for our bond. She explained the strategy they used to place the bonds.
Motion to approve Business Item I-1 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Mayor Johnson, Councilmember Marino and Councilmember Hammond.
Noes: None

Motion Passed

2) **Consideration and Action on approval of an Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, General Obligation Bond, Series 2008; levying an annual ad valorem tax and providing for the security for and payment of said bond; providing an effective date; and enacting other provisions relating to the subject.**

Councilmember Hammond asked for a review about the Economic Development Corporation participation in this. City Manager Earl Berner said that the 4-A Board has agreed to take on part of the funding. They'll be paying the first eight years.
Motion to approve Item I-2 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Mayor Johnson, Councilmember Marino, and Councilmember Hammond.
Noes: None

Motion Passed

3) **Consideration and Action on approval of financing for the Community Development Corporation.**

City Manager Earl Berner said we are short of money by about $35,000 or $40,000 to finish paying on the park improvements. He said that a 90-day note should be sufficient. He said we'll get $2500 from Texas Parks and Wildlife after we make the final payment. He said there had been about $32,000 in add-ons, things like extending the trails and stormwater facilities. Mayor Johnson said that hopefully that won't happen again.
Motion to approve the action in Item I-3 was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Marino, and Councilmember Hammond.
Noes: None

Motion Passed

4) **Consideration and Action on approval of the Third and Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for Dissolution of the Lake Cities Volunteer Fire Department.**

Mayor Johnson asked if we were going to take action on this. She said we can have some discussion. She said she had hoped to hear Alan's thoughts on these items and that Carol Ann's not here either. Councilmember Marino said he thinks that all the councilmembers should be present for these items. Mayor Johnson said we should probably have a special meeting before the end of the month. She said she would like to get their input on these items. There was more Council discussion and questions and answers with City Manager Earl Berner and City Attorney David Berman.

Council took no action on this item.

5) **Consideration and Action on approval of the Articles of Dissolution of the Lake Cities Volunteer Fire Department.**

Council took no action on this item.

6) **Consideration and Action on approval of the Plan of Dissolution of Lake Cities Volunteer Fire Department**
Council took no action on this item.

7) **Consideration and Action to approve an Interlocal Agreement between the City of Corinth and the City of Lake Dallas to provide fire service.**
Council took no action on this item.

8) **Consideration and Action Consideration and Action on approval of a lease of Fire Station 1 with the City of Corinth.**
Council took no action on this item.

9) **Discussion about the financing of Fire Station 1.**
City Manager Earl Berner said that the current fire department has a surplus and will make the next payment on Station 1. He said he had thought it could be a 4-a project but instead it is a 4-b project. He said that if we do certificates of obligation we have to have a 60-day window.
Leroy Grawunder and Marti Liljekvist said they will have to determine what kind of options are available. Marti said they could put some schedules together for council to look over. There was discussion about the possibility of a 20-year note. They want to look at several different options.

J. CITY MANAGER REPORT

City Manager Earl Berner said he met with the consultants this week about the storm water permit requirements. We have to have a plan on file by February 13, 2008. The consultants should have the proposal finished up next week.

Mr. Berner said he met with the owners of the Railroad Property this past week. He said they had their master plan for that property so we can see what could happen there. He has suggested that they should possibly have some market planning done. Pedro Aguirre was with them and he has a good sense of what they need and. Mr. Berner said Mr. Aguirre has been involved in a lot of projects in north Texas.

K. NEW AGENDA ITEMS

Councilmember Marino said that he would like to schedule some workshops in the new year. He said that during some past events he has talked with some people who live on Swisher Road and they were asking him about rezoning that area. That could be an item for a town hall meeting.

Mayor Johnson asked if we could schedule a discussion about Carolyn Green and honoring her in some way for all she has contributed to the City.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:21 p.m.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 8, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 6:50 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmember Fletcher arrived at 7:20 pm. Councilmember Martin was absent.

Staff present: City Manager Earl Berner, Lt. Wes Frazier, and Acting City Secretary Joni Vaughn.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS and PROCLAMATION

Mayor Johnson read the Proclamation which designates the week of November 5 through the 9th as Municipal Court Week.
There were no other announcements.

E. TOWN HALL MEETING

Mayor Johnson closed this item when no one came forward to speak.

E. REPORTS

1) Boards and Commissions

2) Other Reports

There were no reports.

F. AGENDA BRIEFING

City Manager Earl Berner gave the items listed under the Consent Agenda, the Business item and the Workshop item.

G. VISITORS/CITIZENS AGENDA:

Mayor Johnson closed the Citizens Agenda when no one came forward to speak.

H. CONSENT AGENDA:

1) **Consideration and Action on the approval of Minutes for the October 25, 2007 meeting.**
2) **Consideration and Action on the approval of October financials.**
3) **Consideration and Action on the approval of an auction service agreement with AllStar Towing and Storage.**

Item H-1 was pulled from the Consent Agenda.

Motion to approve Consent Agenda Items 2 and 3 was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

Motion to approve Consent Agenda Item 3 was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None
Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of Candidates for possible appointment to the Appraisal Review Board of Denton County.**

Motion was made by Councilmember Connors to approve a Resolution casting two votes each for Karen Clarke, Richard DuPree, Steve Mossman, Charles Stafford, and Rick Woolfolk. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond.
Noes: None

Motion Passed

J. WORKSHOP

1) **Discussion of Lake Cities Fire Department negotiations.**

There was discussion about the Third Amended and Restated Interlocal Agreement between the four Lake Cities and the Lake Cities Volunteer Fire Department, the Resolution to authorize the dissolution of the City's participation in the Lake Cities Volunteer Fire Department, and the proposed Interlocal Agreement between the City of Corinth and the City of Lake Dallas for fire protection, emergency medical and fire prevention services. Council asked that this be placed on the December agenda as a workshop item.

K. CITY MANAGER REPORT

There was no report.

L. NEW AGENDA ITEMS

There were no new agenda items.

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 25, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmember Fletcher arrived at 8:30 pm.
Councilmembers Marino and Martin were unable to attend the meeting.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Special Events Coordinator Holly Deitrick, and Acting City Secretary Joni Vaughn.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
There were no announcements.

E. REPORTS

1) Boards and Commissions

2) Other Reports

Special Events Coordinator Holly Deitrick gave a report on the Halloween activities. She told the City Council about the Shop Lake Dallas project which is funded by the Economic Development Corporation. It will be promoted during the month of November. She said the Holiday Stroll this year will include horse and carriage rides on December 1. The tree lighting will be that night and the grand prizewinner for the Shop Lake Dallas project will be announced that night. Holly said that the Keep Lake Dallas Beautiful Committee is sponsoring three or four recycling bins which will be placed between City Hall and Allsups. She said that the Keep Lake Dallas Beautiful Committee will receive funds from the recycling.

Acting City Secretary Joni Vaughn explained the city's financials and gave the reports on the Economic Development and Community Development Corporations financial conditions.

F. AGENDA BRIEFING

City Manager Earl Berner gave the agenda briefing. He said that Business Items I-1 through I-5 have been withdrawn.

G. VISITORS/CITIZENS AGENDA:

Rene` Ramirez, 234 Adolphus, said that the Lake Cities Municipal Utility Authority has raised their price to reconnect the water to $100. He was here to oppose this rate. He said that other cities have lower fees that range between $20 and $25.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the September 27, 2007 meeting.**
2) **Consideration and Action on approval of September financials. (City Manager)**
3) **Consideration and Action on approval on revision to the Sick Leave Bank Policy to change the amount of hours required for an employee to join the bank.**
4) **Consideration and Action on approval of the Third Quarter 2007 Investment Accounts Report.**
5) **Consideration and Action to approve an Ordinance to abandon Pearl Lane between Moseley Street and Galbraith Street.**
6) **Consideration and Action on approval of a Resolution to establish the H.S.A. program.**
7) **Consideration and Action on purchase of a child identification system.**
8) **Consideration and Action approval of an Ordinance to include school hours in Article II, Minors, of Chapter 70, Offenses and Miscellaneous Provisions,**

Councilmember Hammond asked that Item 7 be pulled from the Consent Agenda.
Motion to approve Consent Agenda items H-1, 2, 3, 4, 5, 6, and 8 was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond.
Noes: None

Motion Passed

Motion to approve Consent Agenda Item H-7 was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond.
Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on an application for a rezoning change for 215 Betchan from R-1-6000 Single-Family Dwelling district to C-3 Commercial district.**

This item was withdrawn.

2) **Consideration and Action on approval of an ordinance for a rezoning change for 215 Betchan from R-1-6000 Single-Family Dwelling district to C-3 Commercial district.**

This item was withdrawn.

3) **Public Hearing on a Special Use Permit Petition for 215 Betchan to allow for a meeting hall.**

This item was withdrawn.

4) **Consideration and Action on approval of an ordinance for a Special Use Permit to allow a meeting hall at 215 Betchan Street.**

This item was withdrawn.

5) **Consideration and Action to approve a site plan for 215 Betchan.**

This item was withdrawn.

6) **Per Addendum: Consideration and Action on approval of an Ordinance for the general service rates including rate adjustment provisions and miscellaneous service charges to be charged for residential, commercial and industrial consumers in the City of Lake Dallas, Denton County, Texas, providing an effective date and providing for the manner in which such rates may be changed, adjusted, and amended; or, approval of a Resolution suspending the proposed effective date of the proposed rate schedules of the Mid-Tex Division of Atmos Energy Corporation.**

James Johnson of Atmos spoke and said the average increases will be $1.57/month for residential customers and $9.21/month for commercial customers.

Motion to approve the increases was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Mayor Johnson and Councilmember Hammond
Noes: Councilmember Connors

Motion passed

7) **Consideration and Action on approval to determine amount of funding for the Child Advocacy Center of Denton County.**

Motion to contribute $7000 for funding for the Child Advocacy Center of Denton County from the Municipal Court Child Safety funds was made by Councilmember Connors. Second by Councilmember Hammond.

Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

8) **Consideration and Action on approval of contract extension for financial statements and audit with Hankins, Eastup, Deaton, Tonn & Seay.**

Motion to approve Item I-8 was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

9) **Consideration and Action on approval of zoning districts map for the City of Lake Dallas revised January 8, 2007.**

Motion to approve Agenda Item I-9 was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

10) **Consideration and Action on approval a resolution directing publication of notice of intention to issue certificates of obligation.**

Motion to approve the resolution to direct publication of the notice of intent to issue Certificates of Obligation was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

11) **Consideration and Action of a revision to the Personnel Manual to include the 9/80 work weeks program.**

Motion to approve the revision to the Personnel Manual for the 9/80 work weeks program was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

12) **Consideration and Action to approve an ordinance for a contract extension with Waste Management to include curbside recycling, bulk pickup on calls received, and six (6) extra bags instead of two (2) extra bags/week, and other items.**

John Klaiber of Waste Management spoke to the Council. He said the proposed extension would add curbside recycling at $.59 per residence and service would otherwise be the same – Monday pickup (for both trash and recycling), two extra bags, and bulk on a call-in basis. He said there would be a reinstatement fee of $39; a 1% increase per roll-off on commercial accounts; a $1500 donation with the contract; and Lake Haven Estates will be added. He said they are anticipating a December 1 delivery on the recycling containers.
Motion to approve the contract extension was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

Motion to amend Item I-12 to make provision for the $1500 donation in the contract was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Mayor Johnson, Councilmember Connors, and Councilmember Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner reminded the Council about the Lake Cities Gala.
He said that Quick Trip is purchasing the car wash in Swisher Road and plan to close on August 18, 2008, and they will be processing site and building plans this spring.
Mike Mayberry's loan has been approved.
He said he had a good trip to the trade show in San Antonio. He said that three developers plan to come and look at what we have available.
The Christmas tree is dead. We'll be using an artificial tree for the annual tree lighting in December.

K. NEW AGENDA ITEMS

Councilmember Hammond will be gone on the date of the next Council meeting. Recycling should be on the next City Council agenda.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting.

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 27, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Connors was ill and Councilmember Martin was also out.

Staff Present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance and H/R Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Johnson said the street dance was wonderful.
Police Chief Nick Ristagno said they estimate that 300 to 350 kids were there.

E. REPORTS

1) Boards and Commissions
2) Other Reports

There were no reports.

F. AGENDA BRIEFING

City Manager Earl Berner said there were four items under the Consent Agenda and listed those items. He said we may need to take item H-2 off because it's not ready yet. He said there are eight items under business and that most of them are budgetary. He read the titles of each item. He said that the last two items under business are a public hearing and an ordinance to continue being able to tax personal property in transit.

G. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for the September 13 and September 20, 2007 meetings.**
2) **Consideration and Action on approval of an Interlocal agreement for the use of the Lewisville radio system.**
3) **Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning by adding Section 122-584, to be entitled "Skirting and Additions" in R-1-4000 Manufactured Home Residential District.**
4) **Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning by adding Section 122-611, to be entitled "Skirting and Additions" in R-1-4000C Manufactured Home Residential District.**

Police Chief Nick Ristagno said we are currently in discussion with the City of Lewisville on Item H-2. He said there are a few changes and that our city attorney has talked with their city attorney. He said that their Mayor is currently out of town so he would like to have Mayor Johnson authorized to complete the contract after the reviews and acceptance by the City of Lewisville.

Motion to approve the Consent Agenda without Item 2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Approved

Motion to give the Mayor the power to conclude the Interlocal agreement for the use of the Lewisville radio system was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2007-2008 for the City of Lake Dallas.**

Motion to approve the Ordinance adopting the Budget for Fiscal Year 2007-2008 for the City of Lake Dallas was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on approval to ratify the property tax increase reflected in the FY 2007-2008 Budget.**

Motion to ratify the property tax increase reflected in the budget for fiscal year 2007-2008 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

3) **Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2007-2008.**

Motion to set the Maintenance and Operations tax rate at $0.56382 and set the Interest and Sinking tax rate at $0.12618 for a total rate of $.69/$100 valuation was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

4) **Public Hearing on a request for a proposed zoning change for Tract 80 of Abstract 0-924A of the MEP and PRR Survey in the 600 block of Main Street from C-2 Commercial district to R-1-7200 Single Family Dwelling district.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

5) **Consideration and Action on approval of an Ordinance for a proposed zoning change for Tract 80 of Abstract 0-924A of the MEP and PRR Survey in the 600 block of Main Street from C-2 Commercial district to R-1-7200 Single Family Dwelling district.**

Motion to approve Item I-5 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

6) **Consideration and Action on approval of the proposed budgets and/or funding for the Economic Development Corporation, the Community Development Corporation, the Lake Cities Library and the Lake Cities Fire Department.**

Motion to approve Item I-6 was made by Councilmember Fletcher. Second by Councilmember Marino
Ayes: Councilmembers Marino and Fletcher
Noes: Councilmember Hammond

Motion Passed

7) **Public Hearing on approval of an Ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

8) **Consideration and Action on approval of an Ordinance to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253.**

Motion to approve Item I-8 was made by Councilmember Hammond. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Hammond, and Fletcher
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said he had no information to report on this evening.

K. NEW AGENDA ITEMS

There were no new agenda items.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:50 pm.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on September 20,2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 8:00 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmember Fletcher was out of town and Councilmember Martin was unable to attend.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, City Attorney David Berman, Finance/Human Resources Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Chief Ristagno said the Kids n Cops Back to School Dance is tomorrow night from 7 to 10. Councilmember Marino said the Jet Ski races went well. They want to continue to make this the nationals. There were 130 at the banquet.

There were a lot of people who walked to the event and 200 vehicles parked in the lot.

E. VISITORS/CITIZENS AGENDA:

Audrey Stevens, 328 Texas Drive, said they have lived there for six years. They have had semis drive through their yard. They would like to have some signs put up "No thru Trucks." She said there a lot of kids that play on the street and that cars just race down through there. She said she has an estimate for yard repair.

Mayor Johnson asked Mrs. Stevens to fill out one of the City Council Comment Cards and give it to the City Secretary. She said that when a staff member contacts her that we can make copies of estimate at that time.

E. J. Rodriques, 329 Texas Drive, said that parking on that street makes it difficult to maneuver down the street. She said that if they had an emergency and if a fire truck or large police car had to get on that street it would be very difficult. She said that the easement where the street connects to Boliver that recently a truck took between an hour and an hour and a half to finally negotiate the turn.

E.J. said her company going to provide a bullet-proof vest for one of our police dogs. She said that maybe next year, or whenever they do another fund-raiser, they can do the other dog.

Mayor Johnson closed the Citizens Agenda when no one else came forward to speak.

F. BUSINESS:

1) Presentation by Dan Leal of the Children's Advocacy Center of Denton County.
Dan Leal introduced himself and said he would like to apologize that this is his first visit to the council. He said that what they do is unique. He said they work in partnership with all the law enforcement agencies, the county or district attorney in Denton County and the Child Protective Services. They offer free counseling and other services to children who have been abused. It is usually a sexual abuse encounter. He said that the offenders being held accountable for what they have done to these children are slim to none. He said that in 1996 out of all the cases only 8% had convictions. He said that was the year before the center came to Denton County. He said that the first time meet with the child that they do a video taped interview and provide a specially trained team who does that interview in a non-leading way so law enforcement agencies and CPS don't have to do more interviews. They share information with the district attorney's office and provide training opportunities for partner agencies. They provide free counseling for the families and kids. He said it's a system that works. He said that in 1997 with more of the "under 14 kids" the convictions rose to 59% and in 2001 it was 86%. He said that mean that our kids get justice and are able to heal. When they come to counseling it is very beneficial and it minimizes the amount of those kids who turn to drugs or petty crimes. He said that as far as the request for support that they submit them to all the cities in the county. He said that if we give them zero dollars they do not minimize their services. He told the Council that he would be glad to answer any questions.

Mayor Johnson asked him where their funding comes from. He said that their budget was $623,000 for 2007. He said they are a member of the United Way of Greater Metropolitan Dallas and that is where they get most of their funding. He said that they get some federal funding that it was about $129,000 this year. They are members of the National Children's Alliance and that funding from the Children's Advocacy of Texas was $65,000. They received $50,000 from Denton County, $19,000 from Lewisville and $7,000 from Denton. He discussed the fair share funding for the various cities in Denton County. They are located on Garden Ridge about a mile west of I-35. He will provide a list of the board of directors to the City Manager. They just had a golf tournament last week and he said he would keep us in the loop. He invited them to come to the Advocacy Center and see them in person for a tour. He said that the city's Lt. Sparby is very dedicated. He said that yesterday they did two presentations at the Lake Dallas High School.

2) Public Hearing on proposed Property Tax Rate
No one came forward to speak so Mayor Johnson closed the Public Hearing.

3) Public Hearing on proposed FY 2008 Budget
No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) **Consideration and Action to approve a health plan for calendar year 2008 for the employees of the City of Lake Dallas.**
Motion to approve the chosen health plan with Blue Cross/Blue Shield for the calendar year 2008 for the employees was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Mayor Johnson and Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

Mayor Johnson closed the special meeting at 8:29 pm to hold both executive sessions.

G. EXECUTIVE SESSION:

1) **City Council to convene into a closed session in accordance with the Government Code, Section 551.071, Consultation with attorney, regarding options and proposals for the funding of the Lake Cities Fire Department.**

J. EXECUTIVE SESSION:

1) **City Council to convene into a closed session in accordance with the Government Code, Section 551.074, Personnel, to discuss the Annual Performance Review of the City Manager.**

Mayor Johnson called the special meeting back to order at 9:16 pm.

H. ACTION, IF ANY, FROM EXECUTIVE SESSION:

1) **Consideration and Action on the options and proposals regarding the funding of the Lake Cities Fire Department.**

The Council took no action on this item.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION:

1) **Consideration and Action on renewal of employment agreement with City Manager.**

Motion to renew the contract per the discussion was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Mayor Johnson and Councilmembers Marino, Connors, and Hammond
Noes: None

Motion Passed

I. WORKSHOP:

1) **Budget FY 2008**

City Manager Earl Berner said there were two or three changes, as recommended by the council, from the previous budget submitted. and balance the budget by taking some money out of the reserves and something about getting the fire department settled.

There was council discussion regarding the CACDC about the amount and timing of the funding from the Municipal Court funds that are to be expended for programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention. Municipal Court annual receipts from citations is approximately $2,000 plus there is funding received from Denton County annually. Council asked that this funding not be included in the budget since it is a restricted fund and that it be brought back to the Council during the month of October. Our funding of the CACDC will depend on the city's receipts.
We will finalize the budget next week.

L. CITY MANAGER REPORT

City Manager Earl Berner said he had one item. We got annual report from Standard & Poors this week and our bond rating is still at "BBB +" and that is good rating. They did comment that we have a lot in debt and we are aware of that due to all the projects underway at this time.

M. NEW AGENDA ITEMS

Mayor Johnson suggested that maybe we should only schedule one meeting in October since we have had three this month. City Manager Earl Berner suggested that we schedule the meeting for the fourth Thursday of October.

There was discussion about the Town Hall meeting. It was determined that we should schedule that meeting for the first meeting in November. We should start at 6:30 pm and then go directly from the Town Hall meeting into the regular agenda.

N. ADJOURNMENT

Mayor Johnson adjourned the meeting at 9:25 pm.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 13, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Richard Martin was unable to attend.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance and H/R Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. PRESENTATIONS

There were no presentations.

E. ANNOUNCEMENTS

Carolyn Green, Chair of Community Development Corporation, personally extended invitations to the Mayor and Councilmembers and city manager and city secretary to the ribbon cutting at Willow Grove Park on Saturday morning at 9:30. She commended the city workers for the good job they have done. She said they have a lot more plans for the park, but it is time to officially open Willow Grove Park. She said there will be refreshments.

Police Chief Nick Ristagno said the Back to School Dance is a week from tomorrow from 7 pm to 10 pm.

City Manager Earl Berner said that following the ribbon cutting at Willow Grove Park the Waterfest begins for the week-end. He said that October 20 is the Kids N Cops car show at Willow Grove Park.

F. REPORTS

1) Boards and Commissions
2) Other Reports

City Manager Earl Berner said that Keep Lake Dallas Beautiful Committee will have their quarterly clean up on October 20 before car show at Willow Grove Park. He said they are applying for a membership in Keep America Beautiful.

The Parks and Recreation Board are preparing for upcoming events and getting ready for helping this Saturday and Sunday.

Finance and H/R Director Joni Vaughn said the sales tax revenue for the year is $498,208 at August 31. Our revenue accounts received are showing 91% of budget and our total expenses are at 77%. She gave reports on the Economic Development and Community Development Corporations about their sales tax receipts and available cash. She said that we have received our September sales tax receipts of $89,190 with $44,595 for the general fund and $22,297 each for the 4a and 4b boards.

G. AGENDA BRIEFING

City Manager Earl Berner said there are three items on the Consent Agenda. He said we will need to pull Item #3 because it's not ready yet. He said that under business there are four 4 items which consist of public hearings on the proposed property tax rate and on the FY 2008 budget plus a fire dept proposal and a proposed renewal agreement with the library. We will also have a workshop on the FY 2008 budget.

H. VISITORS/CITIZENS AGENDA:

Candy Shikle, 601 Thompson Drive, said she has pictures she would like to show regarding selective code enforcement and gave them to the Mayor for the City Council could look at them. She thanked the Council for letting me talk to them. She said they've been in their house for a little over three years. She said that the house was built in the 1930's and since they've lived there it's been a continuous major work in progress. She said they have had more encounters with code enforcement. Once it was because their trash cans needed to be moved so they made more gates so they could put the trash cans in the back but, she said, still today the homes on both sides of them have there trash cans in front. She said that her grass was 8 inches tall and that the neighbor's grass was 12" high. She said her neighbor didn't cut her grass. She said that there is some property at the end of the street that she thinks belongs to one of the councilmembers. She said the grass was very tall there. She said that on another occasion they were told they couldn't park cars on the grass. She said that several houses on her street that have rock driveways with grass growing through them and that she and her husband have put more gravel on their drive. She said that the most recent encounter with code enforcement was Wednesday. She said she was washing the driveway because we had a big storm come through so she had parked her van parked out of the way so she could wash the drive off. She said that the Char DuPree took a picture of her vehicle so Candy explained what had happened. She said that Char told her that the city had problems with cars parking in yards, etc. Candy said that in the evenings that other people park everywhere and that Char told her to call the Police Department. Candy said one evening she called the police department and told them what happened. She said that an officer came out and told them that while it is against city code to park on the side of the street, there was nothing he could do. She feels that for some reason she's being harassed. She asked the Council to please look at the pictures and talk to each other and see if there's anything they can do.

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 26,2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Connors was out of town and unable to attend the meeting.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said that September 15 and 16 is the week-end set for the Water Event which will include the Jet Ski races and other activities plus things for kids, too. Willow Grove Park should be dried out by then.

Councilmember Marino may be out of town on the next meeting date.

E. PRESENTATIONS

1) Lake Cities Library

Cecil Carter, President of the Lake Cities Library Board this year, said that Rebecca Belknap, the librarian, and his wife, Polly Carter, who is also a Councilmember at Shady Shores, were here with him.

He said that they have submitted the exhibits about the budget to the council prior to the meeting. They are asking for an investment of $73,593 from the City of Lake Dallas this year. Part of that is the building expense which is payable to the city. He asked if anyone had any questions about the exhibits. He said that every year since he's been on the board that the most favorable way to allocate the costs is the usage, transactions, and populations. He said there has been a change in utilization just since April. He said that May and June were staggering months. He said that the summer reading program is part of the increase but that Lake Dallas and Corinth both had a tremendous increase.

He gave the figures they are requesting from the other three cities. Their budget last year was $214,255 and this year it is $246,892. The county funding will probably stay the same. They

are basing these numbers on two big items: first is future computer needs to be addressed within the next three years and the second is a second paid staff member. Right now the only paid full-time staff is the librarian with 3 part-time staff members. The rest of the staff is volunteers.

Mayor Johnson thanked Mr. Carter for coming and presenting the library budget and said we appreciate the work that they do. Mr. Carter said if the Council has any further questions to please contact them.

F. REPORTS

1) Boards and Commissions

2) Other Reports

Chief Jason Collier of the Lake Cities Fire Department handed out the Third Quarter Report for FY 06/07. He discussed call volume and there's been no spike but there is an increase of about 10 percent. He said that in this last quarter it's amounted to about a 25% increase. He said that last year it was brush fires that cause the increase. He said that this year there is nothing that really sticks out as a cause for the increase. We have had a population increase in the four cities over all and that might affect the service calls. He said that generally it's the EMS calls but it's still staying about 55%. He said we have had a relatively low fire loss cost. He said the last three pages are financials and asked the Council to look through those pages. He said that right now they are at about 68% on the expenditures so they are below their budget. He said they've done well enough on their expenditures and have paid off a bond and saved $3,000 in interest. He said they had people leaving and new hires so used the difference in those funds to pay off that loan.

There were no questions from Council. Mayor Johnson thanked him for coming.

Chief Collier said that October 9 starts Fire Prevention Week and they will use that to begin their first fire academy training. It will be from 6:30 pm to 10 pm on Tuesday nights. There will be some type of sandwiches available for those people who are coming directly from their work. The training will last six weeks and include one Saturday (either the first or second in November). They will probably limit the first class to about 15 members. It's open to all Lake Cities residents. Everyone's welcome and it's going to be hands on class. He said that the Saturday will be field day and will go to Lewisville to attend a live fire. He said it wouldn't be just classroom stuff. There's a group in the Metroplex who has an alumni association who has told them what to do and what not to do. He said they can just call his office if they want to sign up.

G. VISITORS/CITIZENS AGENDA:

Jeanette Harmon, 72 Lake Ridge, gave her greetings to the Council and said it's been awhile since she's been to a council meeting. She gave her thanks to the fire department because she said they helped save her life a few weeks ago. She reported that coming around that corner from Lake Vista that those people have three or four cars with Coppell on them. She said that lot #73 has had a commercial truck parked by his house for a year and a half. She said it's ugly and it is right beside his mobile home. She said he doesn't take care of his yard. She said that across the street from that unit there is another commercial vehicle that is parked there all the time. She said that she thinks the address of the residence is 258 Shady Shores but that they park in the back so their vehicles are parked in Kingswood. She thinks we have too many cars and trucks parked in the area and would like to see if they can do something about it. She thinks Kingswood has really gone down hill and that people just don't seem to care any more.

Jon Wilson, 726 Summers Lane, said he wanted to brag on the city employees and said that the fire department did an outstanding job last night. The building inspections are great. He asked the question "how many electric companies does it take to change a light bulb?" He's been trying to get power for his garage for the past 4 weeks and he still doesn't have power for his garage. He told of all the different telephone calls and visits he's made to various companies in an effort to get this accomplished. He said the city has faxed the order/permit, as required, to Oncor but the job still has not been completed. He said that one time when he asked for a supervisor he was told he couldn't go any higher. Another time he said he would be going to the Public Service Commission and a City Council meeting and he actually did get transferred to a supervisor. He was told they have 3 to 5 days to complete the job. Since he talked with a supervisor someone has tried to help but Oncor told him as late as yesterday afternoon they can't do anything without the permit so his son took it out there but they can't accept it unless it comes from the City. They have lost the permit the City faxed. He said he's just one person who won't be able to make much difference at the PUC and hope that the city could have a little more impact.

H. AGENDA BRIEFING

City Manager Earl Berner said there are two items on Consent Agenda and read them. He said that under business there are six items and he read those titles. He said that hopefully Item 5 will be rescinded.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for July 12, 2007 City Council meeting.**
2) **Consideration and Action on approval of an Ordinance to amend Sections 46-41, Adoption, and 46-42, Amendments to International Fire Code, Article II, Fire Code, of Chapter 46, Fire Prevention and Protection.**

Motion to approve Consent Agenda Items I-1 and 2 was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Public Hearing on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance.**

Jeanette Harmon, 72 Lake Ridge, said she would like to know what the curfew has been and that if it's been 11:30 or 12 she agrees with it. She believes the juveniles need a curfew.
City Manager Earl Berner said the curfew is 11 pm on Sunday through Thursday and that on Friday and Saturdays it is 12:01 am.
Mayor Johnson closed the Public Hearing when no one else came forward to speak.

2) **Consideration and Action on approval of an Ordinance to reaffirm and continue the Juvenile Curfew Ordinance.**

Motion to approve Item J-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action approval of an Ordinance to prohibit violent or provocative exhibitions.**

Motion to approve Item J-3 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) **Consideration and Action on approval of an Ordinance to amend the definition of Sexual Encounter Center within Sexually Oriented Businesses of Chapter 26.**

Motion to approve Item J-4 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) **Consideration and Action on leave of absence request by Councilmember Martin.**

Motion to grant a leave of absence to Councilmember Martin for up to four months was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Discussion on FY 2008 Budget.**

City Manager Earl Berner said there really was not much to discuss. He told the Council that if they have anything they would like to add to the budget to let him know. He handed out the fire board budget that had been submitted by Chief Collier. He said we would invite Chief Collier to our next meeting. He said he will work on CIP so that will be prepared for the next meeting.

K. CITY MANAGER REPORT

City Manager Earl Berner said he had a few quick items. He said that on the flood damage that since Willow Grove Park is still flooded and Shady Shores Road is still damaged that we don't have a real idea of what will be entailed to get all the repairs completed. He said we will need to get some crushed granite for the camping sites and that we fared better than we originally thought. He said we have put in estimates to FEMA through Denton County. We haven't heard anything different about lowering the lake by 5' and if they keep it on the same rate it will be down 5 ' by the end of the month.

On the personnel front we have hired Jamie Lundley as the new animal control officer and Sheila Cuypers at the front window for building and code.

We are still on track to advertise for bids in August for the new animal shelter.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:21 pm.

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 12, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Major
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was absent because of his health.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance/Human Resource Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION
Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
Councilmember Marino commended the Police Department and Animal Control Services for getting that situation under control.

Councilmember Connors said she had heard some wonderful things about the 4th of July celebration.

E. PRESENTATIONS
1) Lake Cities Library
This has been postponed.

F. REPORTS
1) Boards and Commissions
There were no reports.

2) Other Reports
Joni Vaughn said that the Sales Tax Receipts this month amounted to $38,000 for the city and the other $38,000 was split between the 4a & 4b corporations. She said that our revenues and expenses thru July are on track. She said that our TXU franchise payment for this year was $204,000 and that we are still bringing in good property tax revenues. We received $13,000 yesterday.

We probably will not be getting more franchise fees from Charter when they start their phone system because it is related to the Internet.

City Manager Earl Berner said that the Keep Lake Dallas Beautiful Committee has designated August 25 as the date to plant replacement plants at the city welcome sign. He said that we can mow around it but can't get into the area to weed it.

F. VISITORS/CITIZENS AGENDA:
No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING
City Manager Earl Berner read the items on the Consent Agenda. He said that under Business we also have four items.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for June 14, 2007 City Council meeting.**
2) **Consideration and Action on approval of June financials.**
3) **Consideration and Action on approval of a Resolution to raise the fee charge to 3% from 2% for processing credit cards or other electronic means of payments to the City.**
4) **Consideration and Action on approval of the Second Quarter 2007 Quarterly Investments Report.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action on approval of Tennis Court Reservation Policies.**

Motion to approve the Tennis Court Reservation Policies was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on appointment of members to the Lake Cities Library board.**

Motion to appoint the Mayor and Councilmember Hammond to represent the City of Lake Dallas on the Lake Cities Library Board was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

3) **Consideration and Action on nomination of a City of Lake Dallas resident to the Certified Emergency Response Team Council.**

4) **Discussion on preliminary Budget FY 2008.**

City Manager Earl Berner said that it looks like we'll have at least $100,000 towards reserves if we keep controlling our expenses. He said that the 2008 revenues will reflect an increase. The property taxes have gone up twenty-five million this year due to increase in valuation plus the new

construction. It would appear that no tax increase will be necessary. The building permit fees have increased due to the new construction and the court funds have increased. Everything else is still pretty much in line as in the past.

There was discussion about money for the reserves and staff pay increases. City Manager Earl Berner said it looks as if we can go with a 2% COLA. The pay plan has been tweaked to correct the 5% step increases. He said we have classified the officers and police dispatchers up a grade to be more competitive with other cities in the area. The cost of doing this is about $125,000. He said we are also requesting a full-time police department records/admin person. There will be no staff addition in administration.

There was discussion about annual small tax increases in an effort to avoid larger increases after the building permit monies dwindle.

City Manager Earl Berner said we have some capital items in this year. The animal shelter will start this year and finish off next year. There will be some purchases for the parks plus road rehab on Harbourtown and over in Kings Manor. We are also requesting a new squad car and $30,000 for miscellaneous police equipment. Part of that equipment is the recording system for the 9-1-1 plus additional vests and some computers that need to be replaced. A new formula is being discussed regarding the cost of the dispatching for the fire department due to the 9-1-1 recording system.

The Corps of Engineers intends to get the lake level down five feet by the end of the month.

City Manager Earl Berner said there are a couple of other things he'd like to propose. He said it's hard for him to keep track of the special events costs and revenue so he is proposing to set that up as a separate budget like the 4a and 4b. Right now it is recorded on our financials as a departmental expense.

The Kings Manor Ditch can be addressed this year with the money set apart in drainage.

The money designated for City Council is for the scholarships, volunteer reception and employee reception. When we sent flowers for illness or deaths the funds come out of staff's administration budget.

The police department is requesting one squad car. The original request was to replace two squad cars and purchase a pickup for the SRO, but an engine replacement in the canine car allows us to keep that in service for at least one year and probably two. The Code Enforcement pickup will be transferred to the police department for the SRO with Code using the recently retired squad car. There was discussion about advantages of having motorcycles. Chief Ristagno said that is good for those agencies that work with other patrols but that he does not recommend them for an agency our size. He said that the overtime caused by working special events has been transferred to special events instead of impacting the police budget. He said the VSC is nearing an end and that he is holding most of those funds in reserve because he doesn't know what's going to happen with that revenue stream.

City Manager Earl Berner said he has added another $5,000 for streetlights. It's much less expensive as long as we replace those on existing poles. The cost escalates when we have to go underground.

Mayor Johnson asked for a five-year projection on capital items and revenues.

There was discussion about the soap dispensers, larger toilet paper holders, and trashcans for the new restrooms at City Park.

Hickory Creek will be installing some early warning sirens and they may be able to reach a couple of our areas that are not getting the full effect of our sirens. They have asked if they can put the activation in our building so we will be the activation center as a result of Chief's meeting with them and we will do it for no charge. We have discussed the reverse 9-1-1 as well as talking with Corinth about auto-dialing homes to alert people of disasters or doing public service announcements.

This might be a good time to go back to Hickory Creek about Folley Beach and proposing the annexation. We may have to do a formal request. Cynthia White has been made aware of this and the residents may be more receptive at this time.

We'll have another workshop at a meeting in August since Councilmember Connors will be gone on July 26. If there is no concurrence on the fire department budget we will be committed to the current formula.

K. CITY MANAGER REPORT

City Manager Earl Berner said he had nothing more to report.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:25 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 14, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was out because of illness.

Staff present: City Manager Earl Berner, Police Lieutenant Wes Frazier, Finance/Human Resource Director Joni Vaughn, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

The 4th of July info will be a whole day of events beginning at 8:00 am until 9:00, when the fireworks start.

E. PRESENTATIONS

Mayor Johnson asked Judge Robert Garcia to come forward. She said the City Council wants to honor him for his many, many years of service. His service to the City began in 1998 and as a token of appreciation she presented the Judge with a plaque. Pictures of Judge Garcia were taken of him with Mayor Johnson and the City Council.

Mayor Johnson asked Freddie Chandler, Investigator Vikki Chandler's husband, to come forward. Police Chief Nick Ristagno was unable to be at the meeting tonight but asked Mayor Johnson to present Freddie with a plaque. She said that one of the reason's the Kids N Cops program has been such a success has to do partly with Freddie's participation. He's cooked, washed pots and pans, provided horses, helped set up and clean up and has never asked for anything in return. He gives up personal pleasures to be here to help the City.

Mayor Johnson said that the Chief's Award goes out to Investigator Chandler. She has truly made a difference for the Kids N Cops events here in Lake Dallas. She is one person who has received multiple Chief's Awards.

Lt. Frazier said that Police Chief Nick Ristagno had wanted to be here for these presentations but that he had a family medical emergency so he had to take off.

F. REPORTS

1) Boards and Commissions

There were no reports from Boards and Commissions.

2) Other Reports
Joni Vaughn said that on the General Fund financials that we received $130,000 in sales tax receipts in May. She said we have done really well in the general fund by keeping the budget expenses at or below budgeted amounts. She said we have brought in most of the annual revenues and we have reached the budgeted amount for property taxes.

The Economic Development Corporation and Community Development Corporation each received sales tax revenue in the amount of $32,000 from the $130,000 received by the City. The account for the Oaks at North Lakeview is a designated account.

The Community Development Corporation had a sizeable cash balance at the end of May but has since paid a pay request on the Parks Projects in the amount of $143,000.

G. VISITORS/CITIZENS AGENDA:
No one came forward so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING
City Manager Earl Berner read the items under the Consent Agenda and those listed under Business plus the one item on an addendum for the fire department funding formula.

I. CONSENT AGENDA:
1) **Consideration and Action on approval of Minutes for May 24, 2007 and May 29, 2007 City Council meetings.**
2) **Consideration and Action on approval of May financials.**
3) **Consideration and Action on approval of a Resolution to approve the 'Draft' DENCO Area 9-1-1 District Fiscal Year 2008 Financial Plan.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

J. BUSINESS:
1) **Consideration and Action on approval of a Resolution with nomination of candidate for the Denco Board of Managers.**

Motion to nominate Mayor Olive Stephens for the Denco Board of Managers and approval of the Resolution was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, and Mayor Johnson
Noes: Councilmembers Hammond and Fletcher

Motion Passed

2) **Consideration and Action on approval of a funding formula for the City of Lake Dallas' contribution to the Lake Cities Fire Department for budgeting process for 2007-2008.**

There was Council discussion on this item but no action was taken.

K. CITY MANAGER REPORT

The contractor expects all lanes for Swisher Road to be open and functioning by June 30.

We are beginning the budget process and his plan is to bring preliminary numbers to the City Council on July 12. He asked them to contact him if there are any projects they want to have added in.

He said that he will be out of town Friday and Monday for another sister's funeral. He said he'll be back for the 4-a meeting on Monday evening.

L. NEW AGENDA ITEMS

Councilmember Marino said that since we have very short meetings that perhaps we could go back to only having one meeting a month. Mayor Johnson said that it may not be possible during budget time. She asked if Council could have first meeting of month be a workshop only and then the second meeting of the month be the business meeting. She said that if we don't have anything to workshop then we just won't have the meeting. We will have to have 2 posted meetings because of Charter, but if there is no business then we can just cancel the meeting.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on May 29, 2007 in the Lake Dallas Independent School District High School, 3016 Parkridge Drive, Corinth, Texas, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting was called to order at 7:32 pm and Mayor Smith called the meeting to order at 7:33 pm. Chief Collier introduced Dr. Clower.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmembers Marino and Fletcher were unable to attend.
Staff present: City Manager Earl Berner.

Also in Attendance were the Mayor and Town Council of the Town of Hickory Creek: Mayor John Smith and councilmembers Lynn Clark, Richard Baker, Chris Gordon, Rick Fengler, and Eric Wiser, Town Administrator Mike Deason, Town Attorney Lance Vanzant, and Administrative Assistant Kristi Rogers; Chief Jason Collier, Lake Cities Fire Department, and Dr. Terry Clower and Charles Dart of the UNT Center for Economic Development and Research.

B. PRESENTATION BY CONSULTANTS FOR THE LAKE CITIES FIRE DEPARTMENT.
Chief Collier had requested the assistance of Dr. Clower to research other consolidated fire operations to search for recommendations on funding allocation models. Dr. Clower said that there are very few examples of consolidated professional fire services found across the country. He said that they used population, Ad Valorem tax revenue plus sales tax, total assessed value, Ad Valorem with average tax rate, employment, housing units, coverage and per cent of fire department calls to create the models.

Charles Dart stated that during his research of various communities with cost sharing formulas, one that had multiple elements would tend to even things out economically over time. There was discussion about the research for and development of the formulas. Dr. Clower said that they do research but are not usually involved with funding allocation formulas. He said the department does fiscal impact analyses, economic impact analyses and government analyses. They used their knowledge of fiscal impact and how city budgets are constructed in forming their models. Dr. Clower said that Model 1 is more complete and less subject to year to year variations.

Currently Lake Dallas is paying 28.3% of its tax rate; Corinth is paying 14.8%; Hickory Creek is at 18.8%; and Shady Shores is 11.9%. A formula is needed that will help each city feel there is a fair distribution of the cost. This will provide stability for the fire department and for each city. Negotiations regarding a compromise have been attempted. Fair funding is the ultimate goal.

C. CONSIDERATION AND ACTION ON FUNDING ALLOCATION METHOD AND INTERLOCAL AGREEMENT FOR THE LAKE CITIES FIRE DEPARTMENT.
No action was taken.

D. ADJOURNMENT
The meeting was adjourned at 8:26 pm.

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 24, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:37 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Holly Deitrick, Special Events Coordinator, City Attorney David Berman, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. OATH OF OFFICE TO ELECTED COUNCILMEMBERS

Mayor Johnson swore in Councilmember Tony Marino, Councilmember Richard Martin, and Councilmember Karl Hammond.

F. REPORTS

1) Boards and Commissions

Holly Deitrick, Special Events Coordinator, gave a report on the carnival and car show. She said that this carnival was a lot better to work with than the others we have used before. There were no complaints about the carnival workers this year. This year all of the rides were in the parking lot at City Park. Next year we may have them put some of the lighter things back into the park and the heavy rides can stay out in the parking lot. She said we did advance sales vouchers and that we did sell quite a bit for the short time we had them. This year $1348.71 was our portion from the carnival. She said that next year the carnival said they would like to have more security because there were some kids out there on Friday and Saturday nights who were possibly trying to cause problems. She said she would like to have highway signage next year if our budget allows. She said the car show was during the time of the carnival. Everyone who was going to the carnival had to walk through the car show area on Saturday. She said that $3,000 was raised to cover the awards and entertainment for the car show. Everyone said the Rock and Roll Band made the event a success. Sponsors were: Woody's and McClain's RV.
She said the City took in $700 in vendor fees and that $1,415 was made for Kids and Kops. She said it would be better if more car clubs would get involved for next year's event.

2) Other Reports
There were no other reports.

G. VISITORS/CITIZENS AGENDA:
Elizabeth Stepp, 542 Briar Oaks, said she has come to request some help with the front entrance landscaping at Jackson Ranch. She said that somehow the sprinkler system was damaged last year. They had a lot of back and forth dialogue that has resulted with many unanswered questions. She said that Mr. Berner was helpful in arranging a face-to-face meeting regarding the entrance in October. She said they're having a really hard time w/that now and that Lacy owes approximately $340 and someone else owes $1200 for work that has already been done and the landscaper is hesitant to do any more work until he received payment for those things. She said that all damage that was done comes to about $14,000. She said that a man had contacted her about setting a date for a property meeting but that he didn't bother to show up for the meeting. She said that she found him again and set up another meeting in about a week and he didn't show up again. Then she found someone to hunt him down and he did get him to come out. To make a long story short they had a meeting on May 4 and they were told a good timeline [around the first of June] that the entrance would be restored. At this time their landscaper is going to do the work even though he has not been paid for the work he performed in November. She said that she needs this information in the Minutes. She said that she sincerely dislikes lawsuits, but it looks like that's what it is coming to.

City Manager Earl Berner said they discussed had discussed the entrance to Jackson Ranch at the meeting with the contractor this past Monday and that a check had been directed to be made up for the repairs.

Mayor Johnson closed the Citizens Agenda when no one else came forward to speak.

H. AGENDA BRIEFING
City Manager Earl Berner said we have a lengthy agenda tonight. He said that there is an Executive Session to start off for discussion with the City Attorney about the Lake Cities Fire Department Interlocal Agreement. Next he read off the items on the Consent Agenda. He said that under Business there are nine items and he read off the titles for those items.

Mayor closed the regular meeting at 7:55 pm so the Council could go into Executive Session.

I. EXECUTIVE SESSION:
1) **The City Council to convene in closed session under Section 551.071, Texas Government Code, for the purposes of legal consultation regarding Lake Cities Fire Department Interlocal Agreement.**

Mayor Johnson called the regular meeting back to order at 8:26 pm.

J. ACTION, IF ANY FROM EXECUTIVE SESSION.
No action taken.

K. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for May 10, 2007 City Council meeting.**
2) **Consideration and Action on appointment of Susan E. Gurganus to the Keep Lake Dallas Beautiful Committee.**
3) **Consideration and Action on approval of Outdoor Facility Rental Reservation form.**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

L. BUSINESS:

1) **Consideration and Action on selection of Mayor Pro-Tem.**

Motion to nominate Karl Hammond as Mayor Pro-Tem was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on regarding duties and appointment of a magistrate.**

Motion to appoint Alathea Gore as a Lake Dallas magistrate was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action regarding the second June City Council Meeting.**

No action was taken on this item.

4) **Public Hearing on proposed Ordinance to amend Section 122-807(b)(3)(b), election signs exception, of the Lake Dallas Municipal Code.**

Mayor Johnson closed the public hearing when no one came forward to speak.

5) **Consideration and Action on proposed Ordinance to amend Section 122-807(b)(3)(b), election signs exception, of the Lake Dallas Municipal Code.**

Motion to approve Item L-5 was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Public Hearing on a proposed replat of Lots 5 and 6 of Block A of the Summers Addition City of Lake Dallas, Denton County, Texas.**

Mayor Johnson closed the public hearing when no one came forward to speak.

7) **Consideration and Action on approval of a proposed replat of Lots 5 and 6 of Block A of the Summers Addition City of Lake Dallas, Denton County, Texas.**

Motion to approve the proposed replat of Lots 5 and 6 of Block A of the Summers Addition in the City of Lake Dallas was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

8) **Public hearing on proposed Ordinance to amend a Special Use Permit to expand the Lake Dallas Point Restaurant by adding 1900 square feet to be used as a lounge and game room at 303 Swisher Road, #100, Lake Dallas, Texas; Swisher Road Addition, North, Lot 3, Block 1.**

Brian Herwick, 140 Whitney, Hickory Creek, said he wants to talk about what he's learned by having been a patron the last four or five months in Lake Dallas and a patron of the Addison Point for twenty years. He said that Judge Bob Cole is a person who has community interests in mind. He said that he is pleased to call the judge his neighbor. He said Judge Cole is 78 and very active in the community. He said that for those who know the judge that he's very against bars and drinking and that he has never drunk or smoked. Mr. Herwick said that he had dinner with Mr. Cole and his wife at the Lake Dallas Point and that at the conclusion of a very nice dinner Mr. Cole looked over his glasses and said to the owner, "Zinnie, I have only one problem with you. That you didn't locate this fine establishment in the town where I live. " Mr. Herwick said that his hope is that when the council casts their votes this evening that they will approve the expansion. He said that the Point's expansion is about giving back--giving back to the community what they've given to him. He said the owner has been able to build and grow out of determination. In a time where our communities are succumbing to impersonalization it's nice to be able to go to a place like the Point where people call you by your name. He said that the Point is about preserving a sense of community.

David Eubanks, 3608 Leeds Court, Corinth said that he is not as articulate as Mr. Herwick, but he's known Zinnie for twenty years. He said that he had bought a house several blocks away from the Addison Point. He said that the Point is for the 30's and above crowd. He said it's about something to do besides just sit and drink. It's about dollars and the city. He said that the City deserves these tax dollars.

Christina Taylor, 1895 Lina, Dallas, said she is the manager at the Point She said that all of their people are TABC certified. She said they have never had any problems. She said it is a really classy place. She said there is no gambling whatsoever allowed on the premises. She said it would be a good move to approve the expansion.

Elizabeth Stepp, 542 Briar Oaks, said that last year when The Point came to town that a lot of compromises had been made. She said she understands they have excellent food and have been responsible business owners. She said that while she appreciates that, she thinks the compromises were good ones and one of those compromises was taking out the pool tables. She said that if you are playing pool and drinking you are more likely to be less responsible. She believes that and is somewhat frustrated by it because it appears to her to be a deception. There was a lot of public opinion on the matter last year and compromises were good. She asked the Council to consider her concerns.

Carrie Bishop, 223 Addison, said she agrees about the compromises last year. She said that her daughter's been there for karaoke night. She said that the restaurant backs up to their yards. She thinks that if there are pool tables and drinking that there's going to be drugs around, too. She thinks it's kind of unfair that now that they have been here a year that they're going to try to bring the pool tables back.

Mayor Johnson closed the public hearing when no one else came forward to speak.

9) **Consideration and Action on proposed Ordinance to amend a Special Use Permit to expand the Lake Dallas Point Restaurant by adding 1900 square feet to be used as a lounge and game room at 303 Swisher Road, #100, Lake Dallas, Texas; Swisher Road Addition, North, Lot 3, Block 1.**

Motion to approve Item L-9 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

M. CITY MANAGER REPORT

City Manager Earl Berner gave out copies of the fire department preliminary budget. He said that with the current formula raises us about $87,000. He also handed out the monthly call volume report.

He said that we have appointed a new code enforcement officer, Char DuPree. He said that we have already received twelve applications in three days for the building/code enforcement administrative position.

He said that he attended an all day training session on road funding off the toll road and that he wants to submit two applications. He said that they are due by the end of June. He said that one would be for Lakeview and the other is for a traffic light at Swisher and Shady Shores. He said that we would have to give a 20% match.

N. NEW AGENDA ITEMS

There were no new agenda items.

O. ADJOURNMENT

Mayor Johnson adjourned the meeting at 9:02 pm.

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 10,2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present: City manager Earl Berner, Police Chief Nick Ristagno, Joni Vaughn, Finance/Human Resources Director, and City Secretary Beverly Weikum.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Earl Berner said that May 19 is the carnival and car show at City Park.

Councilmember Marino said that in the Dallas Morning News this morning there was an article that is rather sad. He said that it's about drug dealers targeting kids with some unique names for the drugs. He said that everyone needs to be made aware of this. He said that they say it's moving north towards our area. He said he knows that Chief and our officers are on top of the situation.

Georgina Gougeon, addressed Mayor Johnson, the City Council, City Manager Earl Berner and Chief Nick Ristagno. She said she has a little issue on the COPS program and would like to address someone about this. She said that the first person to address it with is Sgt. Benny Sleigh and she asked him to come forward. She told Sgt. Sleigh that she knows that he has many hats and that in 2005 he was thrown a ball – the COPS training program. She said that the first class graduated in 2006 and the next class will graduate next week. She said she really appreciates his loyalty and devotion to the city. Next Ms. Gougeon asked Roz Sleigh to come to the front and asked Councilmembers Hammond and Fletcher to come down since they were in the first COPS class and she asked all the COPS volunteers who were in the audience to come forward. They presented Sgt. Sleigh with a plaque. Ms. Gougeon then asked Roz to step a couple steps forward. Georgina said that this lady also has many hats and that we all can personally say thank you to her. She said that Roz started out as fireman and EMS volunteer. She said that Roz has buffered for the Police Department. She said that Roz had trained the rookies with their paperwork and procedures and that she also deals with citizens. Georgina then asked Mayor Johnson to come forward. Mayor Johnson had also been in the first class of COPS. Mayor Johnson presented Roz with a nice plant and thanked Roz for all the things she has contributed to the city and programs.

E. POLICE COMMENDATIONS

Chief and Mayor Johnson went to podium. Many of the dispatchers and police officers were in attendance. Mayor Johnson said it is an honor to serve with a department as fine as this. She said that over and over she hears how fortunate we are to have a department as fine as they are. Mayor Johnson called Dispatcher Gail Hall to the front. She said this award is a little late. She said that on July 1, 2005 that Gail had received a call regarding a seven-month old baby who was having problems. Gail calmed the mother and instructed her with some first aid instructions and the baby responded. We believe she saved the baby's life. They presented the Life Saving Medal to Gail.

Mayor Johnson called Officer Alan Sawyer to the podium. She said that on March 20, 2007 at 12:55 am that Officer Sawyer had responded to call of a suicidal subject. The man was despondent and had called his mother saying he was going to commit suicide. David Allen from Corinth had assisted on the call. When they got to the residence the man was on a ladder with a rope around his neck. Officer Sawyer spoke with him for several minutes and the man decided against suicide but he was unable to remove the rope from his neck. Officer Sawyer climbed up on the ladder to help remove the rope. His ability to remain calm and to be a compassionate officer had resulted in defusing the situation. They presented Officer
Sawyer with the Life Saving Medal.

Sgt. Paul Jaworski and Officer Eric Louderback were called to the podium. Mayor Johnson said that fifteen years ago Chief Ristagno had instituted the Chief's Award. She said that these two officers had been responsible for multiple drug arrests in our city. She said we have heard the drug dealers have left Lake Dallas and that no doubt it is because of what Sgt. Jaworski and Officer Louderback have done.

Mayor Johnson said she had a special surprise and asked Officer Louderback to bring his partner, Titus, and come back to the podium. She gave him a gift and asked him to open it. When he unwrapped the gift he found that the box contained a badge. He had been promoted to Patrol Sergeant.

E. PRESENTATIONS:

Mayor Johnson said she had a plaque for someone who has a long resume with the City of Lake Dallas. She said Gary Johnson has served on the City Council, the Community Development Corporation [4-b board], Parks and Recreation Board, Keep Lake Dallas Beautiful Committee, and the Library Board. She asked him if she had missed any and he said that he had been on the original Board of Adjustment.

Gary Johnson thanked everyone for the plaque and said it's been a privilege to serve the City of Lake Dallas over the years. He said he's entering another chapter of his life. He said he had just come from an event where he was honored for twenty-five years of teaching in the Denton ISD. He said he is retiring this month. He will be getting married next month and, regretfully, moving from the Lake Dallas area to Argyle but he said he will always be a friend of Lake Dallas. He said he was born here and it's very dear to him and always will be.

F. REPORTS

1) Boards and Commissions

Joni Vaughn, Human Resources/Finance Director gave the General Fund amounts in the Investment Account and the checking account. She said we are holding our expenses very well. We have received our first quarter 2007 Beverage Tax receipts and we have received nearly all of the budgeted amount for property tax.
The report for the Economic Development Corporation, 4-a Board is pretty simple. She said we have had a lot of activity in May and that we will have another overview for Council at the next meeting. She said they have done a lot of projects and need to be aware of them and stay on track and stick closely to the budget like the General Fund. We have received our sales tax for May, $130,000 for the General Fund and the 4a and 4b corporations. She said we have started some preliminary budget work.

Councilmember Connors thanked the staff for trying to keep them apprised with the budget information.

2) Other Reports

City Manager Earl Berner said the Parks and Recreation Board is working on the car show and the carnival and that they have done most of the planning for the 4th of July event.

The Keep Lake Dallas Beautiful Committee has submitted applications for two awards. One is the Governor's Community Achievement silver award and the other is a $70,000 cash award from the Keep Texas Beautiful organization.

G. VISITORS/CITIZENS AGENDA:

John Schuh, 737 Harbourtown, said this has to do with the municipal code. He said that recently he was blindsided by a plumber who informed him that the city code has changed. He said his question is when did they change the code. He assumed it was five or six years ago. He asked if the changes were made individually. His second problem was when he called the code enforcement officer. He asked if a citizen could receive some kind of services, perhaps in the way of advice, that they will have to pay a permit or do they have to depend on the local plumber who may have a certain self-interest to advise them about code changes.

One further thing, which to him is really more important, has to do with paving Harbourtown. He said there might be a worse street in the city but he's not aware of it. He would appreciate any assistance we can give him.

Mayor Johnson said the city does adopt the universal building code in its entirety and that is where the changes occur. She said it's not something that the council arbitrarily determines.

Mr. Schuh said it is their duty is to inform the pubic. Mayor Johnson said perhaps we need to put more information on the website when discussion about adoption of building codes is eminent and that to a certain degree you have to be dependent on your contractor.
Mayor Johnson said we will be discussing street paving in our next budget year.

Mayor Johnson closed the Citizens' Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner said there are four items in the Consent Agenda and read the items. He said there are six items under Business and read those items. He said there is an Executive Session to review the duties and appointment of the Magistrate and an action item. The City Manager Report and Future Agenda Items follows the Executive Session items.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for April 12, 2007 City Council meeting.**
2) **Consideration and Action on approval of April financials.**
3) **Consideration and Action to approve first quarter 2007 Investment Accounts Report.**
4) **Consideration and Action on approval of an Ordinance to Amend Chapter 26, Businesses, Section 26-72, Definitions of Article III, Sexually Oriented Business.**

Motion to approve the Consent Agenda was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action on recommendation from the Appeals Board regarding the evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, Harold Clark, Code Enforcement Officer.**

Motion to approve the recommendation of the Appeals Board was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on Preliminary Review for Animal Shelter Project**

Michael Bates, Architect, 1300 N. Locust Street, Denton, was there to discuss the plans for the animal shelter project. Chief Ristagno had copies of the plans for the Councilmembers. Mr. Bates said that basically this is the preliminary design which includes the basic layout on the lot and configuration of the facility. There is a little shade area, some exercise yards, fences and parking spaces. He said that in line with the agreement with Upper Trinity we will need to relocate the road on the west side of the proposed shelter so they can go in and work on some of the equipment for their facility. He said this is a 3,680 SF structure. He said that most of the animal shelters these days have air conditioning to keep stress for the animals to a minimum. He said the building that would be block with the front third of building will have split face block and part of the roof metal will be metal with the rest of it being composition shingle. He said that if it's done right the first time there should be low maintenance. He discussed the features of the floors, walls, drains, doors, car room, reception/adoption area, dog runs, isolation and quarantine units, intake pens, freezer and refrigerator, and a large storage room. He said there would be hoses suspended from cable to help keep things clean. If we can keep the area clean and odor-free people can focus on the animals and not get turned off by the facility. The wash-down areas outside would drain into the sewer system. He said that the cost estimate, which includes the historical costs, cost data books, specialty items, and equipment is $505,682 with a 10% contingency. He said there would be three separate air conditioning units.

Answers to questions by the Council included the possibility of making a wing on the building to the west and parking spots that will include seven asphalt and perhaps more on gravel. It will probably be a good 8 – 10 years before we would have to think about expanding. It includes a sidewalk but does not include landscaping. This current plan would hold about thirty-four dogs and 15 cat cages and we could bring in more cages. The cost if approximately $134/foot. Because of the condition of the soil Mr. Bates does not recommend just a slab, but piers on the perimeter. The site is low, in a flood plain, so there will need to be additional dirt work.

After Council approval of the facility the plans will be presented to Upper Trinity for their comments. City Manager Earl Berner said we $348,000 in certificates of obligation set aside for the building. He said it appears right now that our budget revenues are coming in strong and he is projecting $100,000 to $120,000 over budget in addition to what we've already set aside. He thinks probably by mid-August we will have enough funds to carry us into next year. He said we may have to pick up $60,000 of the cost in next year's budget or do a short term loan. The bid process is 30 – 45 days.

Council asked City Manager Earl Berner to check out funding and loan options. He said he will check with Boyd London and the Northstar Bank.

3) **Consideration and Action on approval of the 2007 Interlocal Agreement with Denton County Tax Office for Property Tax Collection.**

Motion to approve Item J-3 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) **Consideration and Action to set date for canvass of election results.**

Motion to set the date of May 16 at 6:30 pm was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) **Consideration and Action on selection of Lake Dallas City Council high school student awards program.**

Councilmember Fletcher thanked the applicants for participating in this program. He said they had more than qualified for this. Mayor Johnson congratulated Charlotte, who was in the audience.
Motion to present the scholarship award to both participants, Charlotte Johnson and Colby McQuillin, in the amount of $500/each was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Consideration and Action regarding approval for City of Lake Dallas to assume the monthly fee for streetlights in Kingswood.**

Motion to approve Item J-6 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None
Motion Passed

Mayor Johnson closed the regular meeting at 8:50 pm.

K. EXECUTIVE SESSION:

1) **Review of duties and appointment of Magistrate under Section 551.074, Personnel Matters.**

Mayor Johnson called the regular meeting back to order at 9:03 pm.

L. ACTION, IF ANY, FROM EXECUTIVE SESSION

1) **Consideration and Action on review of duties and appointment of Magistrate under Section 551.074, Personnel Matters.**

Council took no action on this item.

M. CITY MANAGER REPORT

City Manager Earl Berner said the major work is all done on the parks projects. He said that in the month and half we've had the camping facilities back open that we have received $3200 which is about half of what we usually get in a whole year.
Mayor Johnson said that the speed bumps in Willow Grove Park need to be striped.
City Manager Earl Berner said that Char DuPree has just been installed as president of the North Texas Permit Tech Chapter. There was an article written by her in the current Building Officials publication.
The paving is just about finished on Swisher Road. They should be out of here by June 22.
Councilmember Fletcher said the 'bird watching platform' is now a 'scuba diving platform.'

N. NEW AGENDA ITEMS

Councilmember Hammond said there is a strong possibility that on May 29 there will be a joint council meeting of all four cities on the fire budget. He requested that the council hold that date open. The proposed meeting will be at the Lake Dallas ISD High School at 7:30 pm. There is a reception planned for 7:00 pm.
Mayor Johnson said we're waiting for some new numbers from the fire board. We should place a brief discussion on the fire department budget on the next agenda.

O. ADJOURNMENT

Mayor Johnson adjourned the meeting at 9:05 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April12, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Fletcher was ill and did not attend the meeting.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Joni Vaughn, Finance/Human Resources Director, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner said the quarterly cleanup will be held April 21 and the Keep Lake Dallas Beautiful Committee will also have their cleanup on that date.
Councilmember Connors said the Chamber of Commerce Banquet is April 26.
Police Chief Nick Ristagno said the Kids N Cops Open House is April 21.

E. REPORTS

1) Boards and Commissions

Holly introduced Peter Mungiguerra from Home Depot Landscape Supply and said he has been very helpful to us. Mr. Mungiguerra said he has the $3,000 gift card for the City and their landscaped entrance sign. He said he is the outside sales manager in landscape supply at the Lewisville location. He said they are the same family with different buildings. He talked about native plants with color and that take less water. He said it is a possibility that we could put some trees in that entire area. He said he can have a design to us very quick. He said they will come out and bring all the material and be here to help.

Holly said they have started work on the sign and next week we'll get the irrigation. She said that Peter is helping with that, too. She said she's getting a plaque made to be placed on the sign that will list everyone who's contributed and invited them to come out to get good photo-op. This is planned for the morning of April 21. She said that Romo's is very interested in doing the sign at their cost only so their name will be on the plaque.

2) Lake Cities Fire Department
Chief Jason Collier handed out the Second Quarter FY 06-07 report. He discussed the contents of the report and asked Council if they had any questions.

3) **Other Reports**
Mayor Johnson said she wants to say congratulations to Karl Hammond who was recognized in Texas Town and City that is published by the Texas Municipal League. She said he should be commended for the hours committed to various meetings and seminars. He has received a certificate for his attendance at these meetings.

Joni gave the financial report as of March 31. She said that we have received 65% of our budgeted revenues and our actual expenses are at 43% of the budgeted expenses. She said we have received a little over 97% of our property tax revenue so we shouldn't have any problem reaching our budgeted amount for property tax revenues.

F. VISITORS/CITIZENS AGENDA:
Mayor Johnson closed the Citizens Agenda when no one came forward to speak.

G. AGENDA BRIEFING
City Manager Earl Berner listed the three items on the Consent Agenda and then read the items listed under Business.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for March 29, 2007 City Council meeting.**
2) **Consideration and Action on approval of March financials.**
3) **Consideration and Action to accept Gary Johnson's resignation from the Lake Cities Library Board.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of use of funds from Parks Designated Investment Account to help pay for improvements at City Park.**

Motion to approve the payment of improvements at City Park from the designated Parks Investment Fund was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

2) Consideration and Action to approve the lease of a copy machine for Administration Department.

Motion to approve the lease of a copy machine for the Administration Department was made by Councilmember Hammond. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said that on the welcome sign we didn't want to have to go through new meters for the water & electricity so he asked Holly to approach D & J's about connecting through their services. They agreed so they'll be a sponsor also.

New plans have been submitted for the property in front of the hotel. One is a nail salon and the Lake Dallas Point is making plans to move into an in that building area to have dartboards and pool tables.
Mayor Johnson suggested that it will need to come back to Council since The Point .is operating under a Special Use Permit.

Willow Grove Park is in the final stages of completion. They are currently working on the paving and the baseball field. City Park is almost done and the lights have now been installed.

He said he needs to know by next week who is planning to attend the Chamber of Commerce banquet.

K. NEW AGENDA ITEMS

Reminder that there is no meeting on the 4th Thursday of this month due to the scheduling of the Chamber Banquet.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:46 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on March 29, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:35 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Connors and Councilmember Fletcher were unable to attend.

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Holly Deitrick, Special Events Coordinator, and City Secretary Beverly Weikum.

B. INVOCATION
Tom Davenport of the Lake Dallas Independent School District gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
Holly Deitrick said that at 6:30 pm on April 12 before the City Council meeting that there will be a "Wall of History" reception in the Linwood Gilliland Community Room. We will have the pictures with plaques that have dates and names on display. Someone from the Lake Cities Sun will also be there.

Mayor Johnson said there was a very nice story in the paper.

Holly said that April 21 is the date for the Keep Lake Dallas Beautiful Committee cleanup project and to unveil the 'Welcome to Lake Dallas' sign. The Home Depot people will be there to assist with the sign. The cleanup is scheduled for Denton Drive. The breakfast will be held in the parking lot at City Hall at 8 am. They will start work at 9 and should be done by 11:30 when the drawings will be held.

E. REPORTS
1) **Boards and Commissions**
2) Other Reports
There were no reports.

F. PROCLAMATIONS:
Mayor Johnson read a proclamation to declare April 2007 as Sexual Assault Awareness Month as requested by the Denton County Friends of the Family.

G. PRESENTATIONS:

Tom Davenport, Lake Dallas Independent School District, gave the background and details about the $25,000,000 bond election that will be held May 12. He discussed the proposed school tax rates for the upcoming years and the money they set aside for technology upgrades. He said they have will most likely demolish and then build a new building where the Lake Dallas Elementary currently stands.

He said that Bill Rauhauser is the chairman of the bond campaign. Wes Eversole was also present at the meeting.

Mayor Johnson asked him if the school district would consider turning the front of the new building to face Main Street.

Tom Davenport said they would consider it if it will fit. He said it has the same footprint as Shady Shores Elementary and that it will fit on that property but probably would not face Main. He said there are some things they can do on that side.

H. VISITORS/CITIZENS AGENDA:

Gary Johnson, 609 Cain Street, said he's here with mixed emotions. His marriage plans for June 16 will necessitate his moving from Lake Dallas. He said he was a member of the first Board of Adjustment and that he is not sure how many years ago that was. He said that since that time he has served on the Parks and Recreation Board, the Lake Cities Library Board, the Community Development Corporation, and Keep Lake Dallas Beautiful Committee. He said he's currently on two boards but that on KLDBC he's been delaying his resignation due to lack of members on that board. On the Library board he said Lake Dallas can have three representatives and that he's the only one. His resignation is effective the end of May so there is time to fill his spot. He said that it has been a privilege to serve the City of Lake Dallas.

Mayor Johnson told Gary that he missed one area where he also served the City. He has also served on the City Council.

I. AGENDA BRIEFING

City Manager Earl Berner said it is a fairly short agenda tonight. He listed the items under the Consent Agenda and read the titles. He then read the titles of the Business Items.

J. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for March 8, 2007 City Council meeting.**
2) **Consideration and Action on approval of an Ordinance to cancel the May 12, 2007 Regular General Election and declaring each unopposed candidate elected to office.**
3) **Consideration and Action to approve a revised Ordinance #2007-05 to reflect the correct amount of fine in the Penalty Clause of Chapter 122, Zoning, Article XIII, R-1-4000, Manufactured Home Residential District, Section 122-574, Responsibilities of Manufactured Home Park Occupants.**

4) **Consideration and Action to approve a revised Ordinance #2007-06 to reflect the correct amount of fine in the Penalty Clause of Chapter 122, Zoning, Article XIV, R-1-4000C, Commercial Manufactured Home Residential District, Section 122-611, Responsibilities of Manufactured Home Park Owners/Operators.**

Motion to approve the Consent Agenda items J-1, 2, 3, and 4 was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Mayor Johnson, Councilmembers Marino, Hammond, and Martin
Noes: None

Motion Passed

K. BUSINESS:

1) **Consideration and Action on design for entrance sign and layout at Denton Drive.**

Motion to accept plan #3 for the new Lake Dallas monument sign was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Mayor Johnson, Councilmembers Marino, Hammond, and Martin
Noes: None

Motion Passed

2) **Consideration and Action to approve an Ordinance regarding budget amendments.**

Motion to accept Item K-2 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Mayor Johnson, Councilmembers Marino, Hammond, and Martin
Noes: None

Motion Passed

L. CITY MANAGER REPORT

City Manager Earl Berner said that the update on the animal shelter is that the site plan and building layout should be coming by May.

Regarding the parks projects: the baseball field and parking lot are underway at Willow Grove Park. We have had a lot of camping activity. The work on the RV dump station has begun in City Park. We have received our 95% on City Park from the Texas Parks and Wildlife. The 95% on Willow Grove Park should be here next week.

The brush pile was chipped and the mulch is available. This was our third brush cleanup since Thousand Oaks. They have been very successful.

The Spring Warrant Round-up cleared 108 warrants and gathered in $18,000 at a cost of $1,000 over time.

Due to the rains and few days of sun there has been a rapid growth of plants and weeds in everyone's yards. We have issued 27 notices for tall grass and weeds this week.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT
Mayor Johnson adjourned the meeting at 8:05 pm.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 8, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 pm.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance and H/R Director Joni Vaughn, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Hammond and his wife will have a baby in August.

E. REPORTS

1) Boards and Commissions

Holly Deitrick reported that the Parks and Recreation Board is working on the car show scheduled for May 19th. The carnival will be here from the 17th to the 20th. There will also be a 50's rock & roll band plus food vendors.

For the 4th of July event we will have people at the park all day this year. After the parade ends the food vendors will already be set up. There will be water slide set up at the park. It will be similar to Mayfest in that we will have different types of entertainment during the rest of the day. Biggest thing will be the Lake Dallas Idol from about 3 to 5. We have added a watermelon-eating contest.

The Keep Lake Dallas Beautiful Committee got the grant from Home Depot. Texas Springs in Hickory Creek has worked up some designs for the sign for Council to approve. A representative from Home Depot will come to the next meeting and explain about irrigation, etc. He is a landscaper and he said we can go a long way with the $3,000. April 21 is the scheduled clean-up and we will install the plants that day, too.

Mayor Johnson asked if someone from Home Depot would be able to come to a City Council meeting so we can thank them. Holly said that they just mailed the gift card. We will see what can be done.

2) Other Reports
Joni Vaughn explained about the sales tax and said that the large receipts for February was due to a quarter remittance. She said that our expenses are on track. She said that with the end of this month we will be six months into our fiscal year. She will have report for April to let us know how we are doing at that point.

John Klaiber, Waste Management, said he's here to provide us with bad news and good news. He said that the bad news is that Waste Management made a mistake and the good news is that the City of Lake Dallas gets some additional franchise fees that have not been paid for the past three and a half year. That was when we entered into a new contract and the franchise fee up to 10% instead of the 7% we've been getting. He gave the Mayor a check in the amount of $54,619.92. He said he understands there could be questions as to lost investment income if we would have had the money it could have been set aside to made money for us. He said that in relationship to that he has made a commitment to Holly for $2,000 for the 4th of July event. He said that Waste management will also provide in kind fees to us by providing additional trash receptacles. He said he apologizes but feels good that the company he's working for takes steps to make up for past mistakes.

The Mayor and City Council thanked Mr. Klaiber for coming to the meeting and for presenting the check.

F. VISITORS/CITIZENS AGENDA:
No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING
City Manager Earl Berner said there are six items on the Consent Agenda and he read the items. He said that under business we have five items and he read those items. He said there is a workshop item on code enforcement after the business items.

H. CONSENT AGENDA:
1) **Consideration and Action on approval of Minutes for February 8, 2007 City Council meeting.**
2) **Consideration and Action on approval of February financials.**
3) **Consideration and Action to accept the annual Racial Profiling Report.**
4) **Consideration and Action to approve an Ordinance to amend Chapter 122, Zoning, Article XIII, R-1-4000, Manufactured Home Residential District, Section 122-574, Responsibilities of Manufactured Home Park Occupants, by adding requirements for skirting, porches, and awnings.**
5) **Consideration and Action to approve an Ordinance to amend Chapter 122, Zoning,**
Article XIV, R-1-4000C, Commercial Manufactured Home Residential District, by adding Section 122-611, Responsibilities of Manufactured Home Park Owners/Operators to include requirements for skirting, porches, and awnings.

6) **Consideration and Action to approve an Ordinance to amend Chapter 22, Buildings and Building Regulations, Article II, Minimum Housing and Building Standards Code by amending Section 22-191, Declaration of nuisance; applicability of building code by updating section to reflect the use of the Uniform Housing Code, 2003 edition.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. **BUSINESS:**

1. **Consideration and Action on approval to amend Ordinance #2007-03 by adding a change to the Home Rule Charter by adding Proposition 3, age requirement to serve on City Council; adding Proposition 4, removal of Parks and Recreation Board from the Charter; and to add the joint election with Denton County for Constitutional Amendment.**

Motion to amend Ordinance #2007-03 by adding a joint election with Denton County but without the additional Charter Amendments was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on approval of use of some of the Willow Grove Park designated funds to promote camping at the park.**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action to consider a recommendation to the Community Development Corporation regarding speed bumps at Willow Grove Park.**

Motion to make a recommendation to the Community Development Corporation that four speed bumps be placed in Willow Grove Park was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action on approval to amend Outside Special Events Ordinance.

Motion to approve the amendment to the Outside Special Events Ordinance was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) Consideration and Action to discuss second March meeting date.

Motion to set the second March meeting for the fifth Thursday was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. WORKSHOP:

1) Code Enforcement procedures and issues.

Mayor Johnson thanked Char for the information she had provided and said it looks good. One question regarding repeat offenders [and those who do not respond in a timely manner] was if the City only imposes one citation. They said that the city wants to be kind and gentle but only to a point.

There was discussion about Mr. Hundley and his boat yard. The difficult thing is that a lot of those boats don't look too good but do have different values if or when they're repaired. There is one boat belongs to someone else and that person is working on it. Recently Mr. Hundley has been told that every time there's a dumpster without anything in it on trash pickup day that he will get a ticket. Pictures are being taken of various areas and the dumpster and Harold goes by weekly. Mr. Hundley will not agree to a large dumpster. He has gotten rid of a couple of boats through demolition or sale. There's a lot of stuff in there and he sells everything he gets off the boats such as railing and mahogany and teak items. He advertises on his website and the prices for some of the boats is in the millions of dollars. There could be a nice way to park the boats in the yard and make it presentable. There is stuff between the boats that is trash. It is going to take a long time to clean up the premises and we have to figure out a way to speed up the process and make some serious progress. There was a large new home built across the street recently and it's a shame they have to have that eyesore across from their new home. There was discussion about asking Mr. Hundley if he would agree to having some volunteers come in to help. We will need to check into the liability factor on that. It will be difficult to determine if someone is actually living in any of the boats. Mr. Hundley is calling them caretakers. The City has asked neighbors to call in if they hear noises from the yard. There are no dogs in the boat yard.

Amounts of the fines are determined by the Municipal Judge. Violators could be fined every day that they are not incompliance. Some people on the list prepared by Char have been visited fifteen times. The judge can take under consideration the prior offenses and she may raise the fine at a second or third appearance. It is at her discretion. We can tell her what our priorities and concerns are. She is highly experienced.

It's been too cold to do much with the clean-up on Betchan but he did do some burning yesterday.

Concern was raised about the airport area looking trashy. It is in the city limits through an annexation done several years ago. The asphalt is breaking up and weeds are growing up around the planes.

The address on Lakeview with the code violations is another continual problem. He is trashing up the neighboring yard with ruts. It's a different violation each time. He was issued another ticket this week. The current resident says he was told that as long as he mowed the neighboring property that he could use it. He parks on the property and puts trash on it. He knows what he is doing and seems to be deliberately violating city codes. Harold said that he said that someone told him he could put gravel in for a driveway and that is not correct. Harold said something has to be stepped up for the second and third time violators. The property is zoned commercial. We need to check into his using it as a residential use. He is leasing is with an option to purchase.

City Manager Earl Berner said that where the ice cream truck parks that we tell them to mow and they will finally mow and then tem days later we have to warn them again.

First time offenders are one thing. Some cities actually go in and mow and then charge the property owners plus give them a citation. We can begin with this mowing season by allowing the offenders to receive one warning and then begin issuing citations for repeated offenses. We do take pictures as backup for these offenses. There will be a problem due to rental properties.

The Mayor and City Council told Char and Harold that they are doing a good job. The report that Char submitted was a great report. A lot of people say how nice Char is and that she is never been rude to them.

K. CITY MANAGER REPORT

They are performing the soil testing on the dirt at animal shelter. We don't know how much dirt we're going to have to bring in.

Swisher road construction is in its final phase.

Both parks projects are down to the landscaping and dump station. At Willow Grove Park this week we moved a tree and the bees that were disturbed are just about gone. Trash receptacles along the trail at that park were not part of the contract.

Holly said that she has a program on her computer so she can scan and touch up old photos. Joni had a box of old photos of the city and area in her office that had been donated by several citizens that we had been keeping until we had the funds or the capabilities to reproduce these pictures for display in City Hall. Holly said we can have a wall of history with these pictures. She set the pictures out on some chairs so Council could look at them. The pictures she has redone are from two individual people. We could invite them to a meeting and have a small reception to thank them. She said that she and

Joni will get with the newspaper about the pictures and the wall. Holly said that once people see them up maybe other people will bring more pictures in.

Holly said that Marian McKinley has a special service that finds who moves in new or those who are moving within the community. She is putting our information in her folders for the Lake Dallas people. For $25/month she comes and picks up our welcome packets.

L. NEW AGENDA ITEMS

Councilmember Connors said that a lot of cities are designating an area in one of their parks for a dog park and wondered if we might consider one.

City Manager Earl Berner said that the Parks and Recreation Board has asked us to look at that project. He said that we have got some details on what we need to have. We are trying to figure out a good place for placement. Willow Grove Park might be a good suggestion. This might be something that the 4-b corporation could look at.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:50 p.m.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 8, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present: City Manager Earl Berner, Police Chief Nick Ristagno, Finance and H/R Director Joni Vaughn, Special Events Coordinator Holly Deitrick, and City Secretary Beverly Weikum.

B. INVOCATION
Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
There were no announcements

E. REPORTS:
2) Other Reports
Lake Cities Fire Department
Chief Jason Collier had handouts of the 1st Quarter 06/07 for the City Council. He discussed the various sections of the report with the Council. He said that in all his years in working for fire departments that this was the first December he's experienced where there were no fires of any kind. He said that when the bridge opens up that wrecks will occur. He said that those on the bridge will be county's but that those that occur on Swisher will be ours. There will be discussion about incorporating the fire-training program for citizens with the COPS training sessions.

1) Boards and Commissions
Holly Deitrick had handouts for the City Council of the Mardi Gras flyer. Mardi Gras will be on Fat Tuesday, February 20. She said we are $400 in the positive right now. We've received several sponsorships. The parade will start at City Park at 6 p.m. If you have a float please get there by 5 p.m. This year we will know how many there will be since we are charging a $10 registration fee. Our Grand Marshall is going to be Tom Davenport. For the Fourth of July we would like Mayor Johnson to be the Grand Marshall.

We're going to have a lot more activities for the Mardi Gras. They will include a giant slide, a rock climbing wall, face painting, music and a crawfish-eating contest.

The costume contest will be held outside this year. There will be a lot more vendors and non-food vendors this year and the Kids & Cops will be selling cotton candy. There is a $1000 prize for the best float and a best mask contest for kids. Holly said she has had calls from Channel 8 and the Dallas Morning News so we should get good coverage for the event. She said the Parks and Recreation Board will be working with a grad student from the University of North Texas to take videos of each event this year and edit them and put them on a DVD. The DVD could then be used for getting sponsors for future events or given away at trade shows.

Mayor Johnson asked what time the costume contest is since she is the judge. Holly said she thinks it will be at 7:30 p.m. The parade will be ending at the Duck Inn and we have permission from the car wash to use their property so we will have all the inflatables across the street on that property. Main Street will be closed in that area between the Duck Inn and the car wash property. Some of the vendors will be set up in the car wash area also. She will check with CenturyTel about parking in their parking lot.

Holly said the Keep Lake Dallas Beautiful Committee had applied for a grant from Home Depot for beautification project. She said we will be getting $3000 plus two employees from Home Depot to help us with a landscaping project. Mayor Johnson asked Holly to invite someone from Home Depot to a City Council meeting so we can give them our thanks.

Holly said the Chamber of Commerce banquet is April 26. The theme for this year is "Blast from the Past" so anything from the 50's, 60's, and 70's will be the focus.

Mayor Johnson said that Joni is here to give us a report on the financials. City Manager Earl Berner said the second page of the financials has a new summary sheet.

Joni said we are using the summary to try to consolidate and recap the revenue and expenses. She said that in January we receive most of our property tax dollars and that we have to make those dollars last. She said the last column in the financials shows the budget as it has been amended. She said that the amendments will be seen separately the financials from now forward. She said that we are on target with our expenses.

She said we have a number of investment accounts but the one she's showing in the report is where we transfer in and out as we need the money. We leave it in the account to earn interest until we need to cover expenses. She said we do have other designated funds but those amounts are not included in this fund\. She said she has shown the debt we have right now and since we get most of our money prior to the debt payment dates we have set aside the debt payments money. We have not set aside the 2006 bond payment amount since that is to be made by 4a, 4b and city funds. We have put the entire $50,000 aside for the reserve fund as the City Council had requested at budget time. Our Hotel Occupancy Tax for the last quarter was $15,000.

Mayor Johnson asked that a brief snapshot of the 4a and 4b funds be included in the next city financials. She said the 4a and 4b members get the report but she would like the entire City Council to also receive the report.

F. VISITORS/CITIZENS AGENDA:
No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING
City Manager Earl Berner said we have a lengthy Consent Agenda. It consists of seven items and he read the titles. He said that under business we have six items and he read those titles. He said the fire meeting is scheduled for the same night as our special 4-a meeting.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for January 25, 2007 City Council meeting.**
2) **Consideration and Action on approval of January financials.**
2) **Consideration and Action to reappoint Carolyn Green to the Community Development Corporation.**
4) **Consideration and Action to appoint Curtis Trivitt to the Planning and Zoning Commission.**
5) **Consideration and Action to approve budget amendment(s) to the Community Development Corporation FY 2007 Budget.**
6) **Consideration and Action to approve budget amendment(s) to the Economic Development Corporation FY 2007 Budget.**
7) **Consideration and Action on approval of an Ordinance for budget amendment that was approved at January 25, 2007 meeting.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Mayor Johnson thanked Mr. Trivitt for coming to the meeting and for making application to serve on the Planning and Zoning Commission.

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance to order May 12, 2007 general election for City Council Places 1, 3, and 5, and special election for Home Rule Charter Amendments.**

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Councilmember Hammond asked that another Charter Amendment proposition be brought before the City Council.

2) Consideration and Action on approval of a Resolution to approve contract agreement with Denton County Elections Administrator for May 12, 2007 election.

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action to approve a contract with Thomas Carnival, Inc. and waiver of fees for May event.

Motion to approve Item I-3 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action to amend Ordinance 2006-13, Outside Special Events.

Mayor Johnson asked the Council to have some discussion before we have a motion on this item. With all the concerns we've had we need to make it easier for Barfly's, the Police Department, and the citizens before it's time for outside entertainment again.

Chief Ristagno said we did have some problems. It happened so quickly that we hurriedly created the ordinance. Since it was approved we've had time to review the ordinance and we can either do away with it or amend it. He said he would like to discuss some of the provisions in the ordinance. Right now an applicant can ask for permit for 'up to a year' but he thinks that should be revised to one permit per event. He said he also thinks we should charge for the permit because we're burning gas, using officers time, dispatch is receiving a multitude of calls. He thinks a recovery cost of $20 or $25/event or if it's a two-day event $30-$35 for each permit should be allowed. He also said that they can come in at the last minute and apply for a permit and the proper staff might not be available. He would like to add to the ordinance that they apply at least 72 hours prior to the event.

There was Council discussion about decibels and watts of power. We want to be good neighbors but we want to be fair to our businesses, too. We may need to run some studies so we can determine the various sounds and conditions. We can check other cities to determine what their ordinances say. The permit; should be limited to no more than three days and if there is a cost associated with it then that should be passed on. The ordinance could be used as a tool for us to say to "turn it down." Chief said that the business owners have been very pleasant to work with.

Mayor Johnson said we'll just handle it the first meeting in March. Chief Ristagno said it is up to his discretion whether or not to issue a permit at this time.

No action was taken on this item.

5) Consideration and Action on approval of an Ordinance regulating solicitations.
Motion to approve the Ordinance regulating solicitations was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Consideration and Action to name two Councilmembers to work on a Fire Department funding formula committee.**
Chief Collier said the first meeting will be Monday, February12 at 7:00 p.m. This will be with the arbitrators and 2 representatives from each city. He said he's going to be there for the first part of the meeting only. He said the fire department situation with the four cities is an oddity in Texas. There are some places up north where they have this type of situation.
Motion to recommend Mayor Johnson and Karl Hammond to work on the Fire Department funding formula committee was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. WORKSHOP:

1) Speed bumps at Willow Grove Park.
There was discussion about how nice the drive through the park is now with no speed bumps. Mayor Johnson said she and her children were at the playground last Sunday for forty-five minutes and that during that time three cars came through the park no less than 40 miles per hour and one was going the wrong way. There was more discussion about the type and size of the speed bumps that have been proposed by the contractor. There was also discussion about strategic placement of stop signs so that the number of speed bumps could be reduced. Police Chief Nick Ristagno will check with the judge to discuss the option of posting speed limits and doubling the fines for speeding in the park.

Mayor Johnson asked City Manager Earl Berner to bring information to the City Council at the next meeting.

K. CITY MANAGER REPORT

City Manager Earl Berner said that work on the projects is slow due to the inclement weather.

An engineer was planning to do some soil testing today at the animal shelter site. Mayor Johnson asked if Council would have an opportunity to see the designs before the building is erected. City Manager Earl Berner said they would.

City Manager Earl Berner said he would be off tomorrow and Monday because he has a sick sister in California. He said Police Chief Nick Ristagno would be in charge while he is gone.

L. NEW AGENDA ITEMS
Councilmember Connors verified that the code enforcement workshop would be on the next agenda.

The proposed charter amendment will be on the next agenda.

M. ADJOURNMENT
My adjourned the meeting at 9 p.m.

Marjory Johnson, Mayor

Beverly Weikum

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 25, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

The invocation was given by Mayor Johnson.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

The pledges of allegiance were led by Mayor Johnson.

D. ANNOUNCEMENTS

There were no announcements.

E. REPORTS

1) Boards and Commissions
2) Other Reports

There were no reports.

F. VISITORS/CITIZENS AGENDA:

Dave Snider, property owner at 718 Hundley, said he operates two businesses on Hundley Drive: Technicians on Wheels and Two Step Towing. He said he has a Part A and Part B to bring before the City Council tonight. He thanked the City Council for all the fine work they've been doing. He said one could tell that they are doing a fine job because there are no people here to complain and there are no negative write ups in the newspaper. He said they are using good wisdom and judgment and said that the Willow Grove Park and City Park improvements are looking good. He said they are doing a wonderful job and he sincerely appreciates them. He said he also appreciates the police department and that under the leadership of Chief Ristagno they are driving out all the drug dealers in the town.

He said that while he is speaking his mind that he loved Cynthia White going before the Hickory Creek City Council regarding City of Lake Dallas annexing that part of the county known as Foley Beach. He said that Lake Dallas could give them good streets and the benefits that we all enjoy. He said that with the elections coming up that he hopes the City Council stays like it is.

He had handouts for the council and city manager regarding Part B. He said he's not complaining but that he has a problem and needs their help. He said he recently borrowed some money on 716 Hundley Drive. He said that Green Valley Environmental Services, Inc. came in and did an environmental study on the property. He said this property is adjacent to Hundley Boat Company. He said he's been there sixteen years and there have been numerous problems along the way. He said there are people sleeping in the boats, people sneaking across the fence and stealing out of the cars in the impound lot. He said the report by Green Valley Environmental Services, Inc. didn't tell him anything that he didn't already know. He's said he's gone through code enforcers and code enforcers and they have tried to clean up the Hundley Boat property. He said he knows that the council has tried. He said that every Wednesday Harold Clark is there like clockwork trying to get something done in the clean-up process. He said that prior to this administration Mr. Hundley built a Quonset hut and the water drainage caused $4,000 in damages to his show room. Mr. Snider said he spent another $7,000 trying to divert the water. HE said the adjacent property to the east is for parking and is well maintained. The adjacent property to the west side is the boat storage and repair and has been used by the Hundley family for many years. There is no way of knowing how much waste is on this property, i.e., paint, old grease, etc. Whenever it rains the runoff coming on his property could contain lead and other contaminants from some of these products.

He asked the Council to refer to section 9, the photo section. He said that when he bought his property it kind of looked something like his neighbor's. At that time there were no fences and on the west side there is still the same trash that's been there for years and years. He said that the City sent him a bill several years ago because his alarm went off too much. He said he had been inundated with rats and they were causing the alarms to go off. He said he cut off the motion detectors until the cleanup had been accomplished. He said he discussed the cause for the problem with the alarms with Chief Ristagno and that the Chief was able to have charges waived.

There were also pictures taken of the property directly behind his impound yard. He said he doesn't foresee going through another sixteen years of this. There were aerial photos from the Denton CAD website – one from 2003 and the last photo was a 2005 aerial photo. He asked for Council's help. He said he thinks he has three alternatives: 1) take legal action and he doesn't want to do that; 2) put it on next month's City Council agenda and bring it up in open forum and he doesn't think that's necessary either; or, 3) weigh this out in the normal course of business and let the city manager address the issue. He said there's still people living in those boats down there. He said he's talked with the Mayor about this and she told him the next time he sees lights on over there to call the Police Department. He said it would be a real shame if something caught on fire down there and we lost a life.

Mr. Snider said the city's doing a fine job and that we have a fine police chief. He said he has copies of the Sun newspapers since 1995 and 1996 if anyone would care to come buy to look at them. He said he sincerely respects the City Council.

Mayor Johnson closed the Citizen's Agenda when no one else came forward to speak.

G. AGENDA BRIEFING

City Manager Earl Berner read the items listed under the Consent Agenda. He then listed the items under the Business heading. He said that the auditor is in the audience.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for January 11, 2007 City Council meeting.**
2) **Consideration and Action on approval of a budget amendment for purchase of new traffic radars.**
3) **Consideration and Action on approval of a local agreement with the District Attorney for seizures and forfeitures.**
4) **Consideration and Action on approval of 4th quarter 2006 Investment Report.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of the Audit for FY 2006.**

Carl Deaton, Hankins, Eastup, Deaton, Tonn and Seay, asked if the councilmembers had copies of the audits for the Economic Development Corporation, Community Development Corporation, and the City.

He referenced Page 18 of the E.D.C. audit that shows the revenues and expenditures for last year. He said the Expenditures are broken down with the largest one being the capital outlay for land. He said the E.D.C. purchased two different properties last year. In Other Resources there is the $535,000 note on one of the properties and the $150,000 from the county on the Swisher Road sale. He said that in the footnotes it shows that the E.D.C. has made a $100,000 grant and purchased a third property since the end of the fiscal year. While the fund balance looked good at September 30 there have been lots of expenditures.

The revenues and expenditures of the C.D.C. audit are on page 18. The primary thing the C.D.C. is working on is the parks through a contract with Dean Electric. The costs as of September 30 are shown. Under Other Resources transfers in includes the general obligation bond monies that are being transferred in to fund the parks improvements expenditures. The bottom line on the C.D.C.'s fund balance is that most of that fund balance has been spoken for or committed. The C.D.C. has very little in fund balance.

Mr. Deaton referred the Council to page 20 of the General Fund Audit where the three funds are combined and the Capital Projects item. He said the transfers out are funds mostly dispersed to the C.D.C. and E.D.C. boards. The combined fund balance is a little over a million dollars. He said the main purpose of the I & S fund is to retire debt. He said the revenues for the general fund are broken down and the expenditures are by shown by departments. Towards the bottom of page 38 it shows the fund balance decreased by $55,742. He said our fund balance shows $410,887 but part of that is already spoken for and $120,000 is already reserved. He said the city's expenses are approximately $170,000 per month and we should be working toward carrying a three-month fund balance in reserves. He said October and November are low cash flow months. He said that in visiting with the City Manager that the budget for this year is to add to the fund balance.

In consolidated statement he's required to show the E.D.C. and C.D.C. side by side and that the City Council in essence controls them by appointing the people who are on the boards and through approval of their expenditures. On the bottom line for this consolidated statement, page 17, rather than fund balances, you see the net assets at pretty close to break even. The two things that impact the assets are what the fund balance is and then the ratio to the long-term debt.

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on approval to spend up to $6,000 for a monument sign from restricted account for monument sign(s).**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action to appoint B. W. Brooks as a commissioner of the Planning and Zoning Commission.**

Motion to appoint B. W. Brooks to the Planning and Zoning Commission was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: None
Noes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin

Motion Failed

4) Consideration and Action to approve proposed charter amendments for the May 2007 election.

Motion to approve the proposed charter amendments for the May 2007 election was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said that he had mentioned last meeting that the Willow Grove Park campsites should be ready to open the end of the month. He said that they put the fire rings in today and the electricity will be hooked up on Monday.

He said the 4-b is trying to do a business brochure. He said Holly has been working on it and he handed the sample out for the councilmembers to look at.

Mayor Johnson said the speed bumps are going back in at Willow Grove Park. City Manager Earl Berner said they won't be as big as the previous ones were.

K. NEW AGENDA ITEMS

Councilmember Marino said he would like to have someone from the Parks and Recreation Board show up so we can tell them what a wonderful job they've done.
Mayor Johnson asked if he would like to have a parks board member and 4-b member in attendance. She said we can do it under reports or announcements at a future council meeting.

Councilmember Marino said he would like to have a workshop about putting the speed bumps back in Willow Grove Park.

Councilmember Connors said we should do a workshop about code enforcement again. She said it's a constant problem and she gets a lot of complaints about it.

Mayor Johnson said we should have a workshop and have a log of where he is and a progress report. It was suggested that Harold attend the workshop.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:20 p.m.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 11, 2007 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

The pledges of allegiance were led by Mayor Johnson.

D. ANNOUNCEMENTS

City Manager Earl Berner said the Mardi Gras event will be February 20. The parade starts at 6:00 p.m. in City Park. There will be a $1,000 prize for the best float. A crawfish eating contest is included in this year's activities.

E. REPORTS

1) Boards and Commissions

City Manager Earl Berner said the Parks and Recreation Board continues to work on the 2007 schedule and events. There are two sheets in the handouts he gave the councilmembers. The national supercourse race and finals are in September.

He said that one of two weekend projects by the Keep Lake Dallas Beautiful Committee is a beautification project. They are looking at the southern entrance to Lake Dallas behind D & J Liquor. It's the State right-of-way but we maintain it. We are hoping to include a monument sign. We have from Mr. Berlin a $6,000 contribution to be used for a monument sign. We'll bring it to Council for approval on an upcoming agenda.

2) Other Reports

There were no other reports.

F. VISITORS/CITIZENS AGENDA:
James Gilani, 5008 South Stemmons, said he appreciates the City and the Police Department. He thanked them for all their help in helping to get rid of the drug problem in the city.

Edith Cheadle, co-owner of Pappa's Bar-B-Q, 630 S. Denton Drive, said she had heard there are monies available for economic development and expansion. She said they are interested in knowing how to get involved.

Mayor Johnson asked her to call and make an appointment with Earl Berner.

G. AGENDA BRIEFING
City Manager Earl Berner said we have three items under the Consent Agenda and listed them. He said that under business we have two items, which are essentially the same thing, and he read those headings.

H. CONSENT AGENDA:
1) **Consideration and Action on approval of Minutes for December 14, 2006 City Council meeting.**
2) **Consideration and Action on approval of December Financials.**
3) **Consideration and Action on approval of a Resolution to authorize the City of participate in the Local Government Purchasing Cooperative.**

Motion to approve Consent Agenda Items 1, 2, and 3 was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:
1) **Public Hearing on an application for a Special Use Permit, Section 122.691(6), uses permitted by Special Use Permit, Article XVI, Special Use Permits, to operate a child daycare facility in a house located in the southwest corner of Lake Shore Baptist Church property, 276 Hundley Drive, Lake Dallas, Texas; Block 1, Lot 1R-A of the Lake Shore Baptist Church replat. This location is in C-1, Retail Zoning District.**

Derek Hanks, 9171 Quail Meadows, Aubrey, Texas, said the building is an old one-story wooden structure. He said the church has offered Jacqueline Strausz an opportunity. He said they have submitted a site plan and some ADA requirements for small businesses. He said the P & Z reviewed it, made some recommendations, and placed them on a two-year review. He said they weren't quite clear on what the two-year review entailed. He said that currently there is an existing gravel road and they're plan to expand it so that it will include a turn-around.

Mayor Johnson said that after we have the public hearing the Council will ask any pertinent questions.

Jacquelyn Strausz, 735 Winding Oak Bend, she would like to see if they could strike the 2-year review because she thinks she's going to need more time – perhaps three or four years. She said she's going to be doing a lot of renovations. She said she thinks the P & Z wanted concrete parking places. She won't be serving special needs children at this time.

Mayor Johnson closed the public hearing.

2) **Consideration and Action on approval of an application for a Special Use Permit, Section 122.691(6), uses permitted by Special Use Permit, Article XVI, Special Use Permits, to operate a child daycare facility in a house located in the southwest corner of Lake Shore Baptist Church property, 276 Hundley Drive, Lake Dallas, Texas; Block 1, Lot 1R-A of the Lake Shore Baptist Church replat. This location is in C-1, Retail Zoning District.**

Motion to approve a Special Use Permit, Section 122.691(6), uses permitted by Special Use Permit, Article XVI, Special Use Permits, to operate a child daycare facility in a house located in the southwest corner of Lake Shore Baptist Church property, 276 Hundley Drive, Lake Dallas, Texas; Block 1, Lot 1-R-Aof the Lake Shore Baptist Church replat be issued for a five (5) year period was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said the electric and water services have been approved at Willow Grove Park so the camping sites should be open soon. He said we are still waiting on dump station approval and they still need to work on the ball field and landscaping.

He said that at City Park they are painting the inside of the concession stand and installing the equipment. The butterfly garden and landscaping are all that remain. He said he has submitted the first (and should be only request) for reimbursement of the grant funds from the State of Texas.

He said that Swisher Road in our city limits should be completed by June. The bridge should be completed by April 2009.

The agreement has been signed for the animal shelter and we meet with Russell Bates tomorrow to go over some of the requirements.

The Planning and Zoning meeting has been cancelled due to lack of agenda items.

Terry Lantrip brought a couple of bricks in today and we found a couple that will match real well at 69 cents each for the Main Street project.

K. NEW AGENDA ITEMS

There were no new agenda items.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:12 p.m.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on December 14, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Connors was unable to attend.

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION
Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
There were no announcements.

E. REPORTS
1) Boards and Commissions
Chief Jason Collier from the Lake Cities Fire Department handed out their Fourth quarter reports for FY 05/06 to the City Council. He said they were pretty much where we were at this time last year. He discussed the multi-users. He said there were 522 different addresses and that 71 were dispatched to more than once. He said that since one of the users is the schools we could see the same address but have multiple users. He said the last three pages reflect their income and expenditures. He said the emergency manager has met with Chief Ristagno and that they have open line communication. He said we now have someone looking daily for grant information.
The City Council thanked him for his report.

2) Other Reports
City Manager Earl Berner said the Keep Lake Dallas Beautiful Committee did not have a meeting this month.

The Parks and Recreation Board discussed the 2007 events at their December meeting and will continue that in January.

F. VISITORS/CITIZENS AGENDA:
John Schuh, 737 Harbourtown, said he has a question that has to do with looking at new construction at the houses directly behind him. He said that there is a new structure approximately twenty feet from his home. He said that if the building behind him catches on fire it's going to quickly envelop his house. He said he knows that house hasn't particularly been kept up in the past few years. He feels that it's probably not completely not up to snuff and is a danger. He is concerned.

Tommy Scroggins, 317 Sweet Leaf, brought several participants in the Lake Cities Soccer Association to the meeting. He said that last spring they signed up 1000 kids. He said that was the first time ever they've had that many participants in the Lake Cities Area. He said they were here tonight to provide the money that was agreed upon with the Community Development Corporation. He said they worked with the City and 4-b to try to get the concession stand built at City Park. They appreciate everything the Council has done for the Lake Cities, the Lake Cities Soccer Association, and Lake Dallas. He said they would like to get a picture of the Mayor with the kids giving her the $30,000 check.

Paul Cook, 401 Betchan, said he had a question regarding code and animal nuisances. He said he has a situation with neighbors that have dogs that bark non-stop from 9 a.m. to 9 p.m. and from 9 p.m. to 9 a.m. He said he has checked around and that different cities have adopted codes that allow them to address this sort of problem. He said that in the past six years that the dogs from 440 Betchan have been a real problem to him. He said he doesn't think we have the means to resolve the problem. He said that Hickory Creek and Corinth have allowed the individual to file a complaint and take the pet owners to court. He said that each time he comes to the Police Department he's been told to file a charge of animal at large and as a result the owner gets a $250 citation. He said he's asking the Council and the Chief for help. He said he had been here in October, too, about this problem.

Mayor Johnson asked him to fill out the Citizen's Agenda form and someone from the City will work on this situation.

G. AGENDA BRIEFING
City Manager Earl Berner said there were six items on the Consent Agenda and read the titles of the items. He said that under Business we have three items and he read those read titles.

H. CONSENT AGENDA:
1) **Consideration and Action on approval of Minutes for November 9, 2006 Town Hall meeting and regular City Council meeting.**
2) **Consideration and Action on approval of November Financials.**
3) **Consideration and Action on approval of an Ordinance to set speed limits on Swisher Road.**
4) **Consideration and Action on approval of an Ordinance to set school zone speed limits on Swisher Road.**
5) **Consideration and Action on approval of an agreement for facility use/concession stand at City Park by the Lake Cities Soccer Association.**
6) **Consideration and Action to appoint Paul Cook as a regular member of the Parks and Recreation Board.**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Mayor Johnson asked the Council if she could interrupt the business of the meeting long enough for Jim and Sue Jean May, Spirit of Christmas representatives, to speak.

They both wanted to thank the City and the City Council for allowing them to use the Linwood Gilliland Community Room. They said they certainly appreciate it. Jim May said that they had 147 families and 358 kids to provide for. He said they have 3000 gifts to wrap on December 15 and are planning to use 4000 square yards of wrapping paper. He said they had more angels this year than last.

I. BUSINESS:

1) Consideration and Action on approval of Economic Development Corporation proposal to pay partial funding of street bond money, for part of Lakeview.

Mayor Johnson expressed her desire to have this come back before the City Council before the bonds are actually sold. She said this would give the Council more time to look at how the budget was going. City Manager Earl Berner said it would be a few months before the final design and other information would come back to the City Council.
Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of the purchase of additional cameras and lighting from the Municipal Court Security Fund for added building security.

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on approval of an Ordinance for a proposed rate increase by Waste Management.

Motion to approve the Ordinance for the proposed rate increase by Waste Management was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, and Martin
Noes: Councilmember Fletcher

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said that Waste Management will be picking up trash on their regular days the next two weeks. That means they will be working on Christmas Day and New Year's Day.

He said that on Swisher Road they will be switching traffic over to the other side tomorrow or Saturday.

He said the Parks projects continue. He said we're having a little tussle with TCEQ regarding the dump station.

K. NEW AGENDA ITEMS

Councilmember Marino said he wanted to remind everyone of the wrapping party. He said it's exciting, fun, and entertaining. It's at the Lake Dallas Middle School. It's tomorrow evening at 7:00 p.m.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:12 p.m.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a Town Hall meeting on November 9, 2006 in the Linwood Gilliland Community Room, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:05 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was absent.

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. TOWN HALL MEETING

Upper Trinity Regional Water District

Jody Zambolio introduced Mike Stone of the Lewisville office, and Ron Lucero, superintendent of the plant in Lake Dallas. He said the project's going well and they have almost finished the mandated requirements. He said that once the covers are in place they will be able to complete the odor control system. He said they are on schedule for a completion date in mid to late January. There will be a punch list and they should finish that in February. He said that with the houses going in they want to be a good neighbor.

He said they would like to express their appreciation for receiving the Yard of the Month award in August.

Charter Communications

Kevin Allen, Director of Government Accounts, based in Fort Worth, said that 75% of their subscribers are in the Metroplex area. He introduced Ricky Allen, operations manager for this area, who is based in Denton.

He said he knows there are customer concerns and said they are putting improvements in place to improve their reliability and offer more advanced programs. Some upgrades are already here and they are currently testing other products and services. He said corporate is also undergoing a change regarding customer relations. The call center operations is going to a virtual call center by keeping some in house and some outsourced. Prior to this the calls from this area were going to one center. He said that over the past six months 2500 customer service representatives have received six months training. He said they have carefully selected supervisors and trainers for the outsource centers.

There were discussions about attempts to reach customer service and the length of time spent 'on hold' in efforts to seek resolutions to problems. There was also discussion about Pay Per View programs and the Movies On Demand and Internet service.

Ricky Allen said this past summer was the worst one he has experienced as far as service calls. He said some of the reasons behind this were the heat and the volume

Both Kevin Allen and Ricky Allen said they will keep better communication with the City.

Mayor Johnson thanked both of them for attending the meeting and for answering the many questions.

Transportation Update
Mark Riddle with Tom Hoover Engineering gave an overview of the proposed construction design for Lakeview Drive from Swisher Road to Thompson Drive. He said Swisher to Howard would be considered one phase of the project. The City will have to acquire right of way for three lanes since at some point we will have to go to four lanes. He said Swisher Road will be a five-lane street. The intersections of Lakeview with Hundley, Howard and Thompson will have turn lanes. He said they are looking at sidewalks on the west side down to Hundley and then cross over to the east side for the sidewalk to go to Thompson. The street will be concrete. There will be a loss of some of the trees. The road will have to angle to the west before it connects to Swisher Road because of the toll bridge structure.

Mayor Johnson said this is extremely preliminary planning and there will be more public meetings on the road construction prior to final design and construction.

Police Activity

Charter Amendments

Open Forum

C. PROPOSED TOPICS FOR ANOTHER MEETING

D. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:00 p.m. when Mr. Riddle completed his discussion. Mayor Johnson invited the citizens to help themselves to soft drinks or coffee and cookies and asked them to write any other topics they would be interested in discussing on a tablet left on the table. She said we are planning to have these meetings quarterly.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 9, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 8:05 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was absent.

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Marino apologized for being late but said it was because he had been in Denton at the $20 million dollar technology center for Denton Independent School District that just opened. He said it is huge and located next to the new stadium on the loop.

Councilmember Connors said that the Christmas Tree Lighting Ceremony is at 6:30 p.m. on December 2. She said Santa will be here.

Councilmember Hammond said that on Saturday there will be a luncheon at the VFW for all veterans. He said the public is invited.

E. REPORTS

1) Boards and Commissions

There were no reports.

2) Other Reports

There were no reports.

F. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING

City Manager Earl Berner said there are three items on the Consent Agenda and listed those items. He said there are four items on the Business Agenda and he listed those.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for October 26, 2006 meeting.**
2) **Consideration and Action on approval of September and October Financials.**
3) **Consideration and Action on approval of an Ordinance to remove term limits from boards and commissions of the City of Lake Dallas.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on appointments/re-appointments of members to Planning and Zoning Commission, Board of Adjustment,**

Motion to name reappointments to each board and commission as recommended with term dates was made by Councilmember Fletcher. Second by Councilmember Marino.
Planning & Zoning: Cliff Elton and Peggy Shelton, October 2007. Diane Byers and Tina Martin (Alternate), October 2008.
Board of Adjustment Steven Bertrand and John Flaming, October 2008. Sandy Payne, October 2007.
Community Development Corporation: Cliff Elton and Lori Farney, October 2008.
Economic Development Corporation: Marjory Johnson and Carol Ann Connors, October 2008.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on approval of lease with Upper Trinity Regional Water District regarding Animal Shelter.**

Motion to approve the lease with Upper Trinity Regional Water District regarding the Animal Shelter was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

3) **Consideration and Action on approval of a Resolution to approve borrowing of funds from the NorthStar Bank of Texas.**

Motion to approve Item I-3 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

4) Consideration and Action on vote for the Denton County Transportation Authority Board of Directors.

Motion to vote for Tom Spencer from Shady Shores was made by Councilmember . Second by Councilmember Fletcher.
Ayes: Councilmember Connors and Councilmember Fletcher.
Noes: Councilmember Marino, Councilmember Hammond, and Mayor Johnson.

Motion Failed

J. CITY MANAGER REPORT

City Manager Earl Berner said we've been working for quite awhile to put together a Welcome Package for new residents. We will get a list from LCMUA about new residents. Holly Dietrick, Special Events, put it together and we're going to be improving it as we go. He passed the proposed welcome packet around for the Council to view.

He said the Park Improvement projects are moving along. They poured the last section of the trail at City Park today. At Willow Grove Park the campsites will be closed for about a month while they finish that portion up. TCEQ has denied our permit for the dump station so we will have to go to LCMUA to tie into the sewer.

At Swisher Road they are moving trailers in for start date January 6 with 27 months to completion on the bridge project.

K. NEW AGENDA ITEMS

City Manager Earl Berner said we need to set speed limits and school zones on the new part of Swisher Road and also on the rebuilt part of Swisher Road at our next meeting. We also need to discuss the funding for Lakeview Drive.

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:27 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 26, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7:35 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Marino was out of town.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and City Secretary Beverly Weikum.

B. INVOCATION
Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
There were no announcements.

E. REPORTS
1) Boards and Commissions
Citizens on Patrol report by Gene Tisdale, 524 Howard, said he and some members had gone to Decatur and talked with Officer Mike Picha. He gave them a copy of a sign they had placed on doors of houses they had raided when he was with the North Central Texas Narcotics Task Force. Mr. Tisdale gave copies of the sign to the Councilmembers. The signs have adhesive backs. Officer Picha asked them to let him know when the new COPS classes begin in January. He is interested to see how we come out with our signs if we are able to get an ordinance with a $500 maintenance fee (or whatever we call it) so they won't be tearing it off the door.

Mr. Tisdale called their attention to a display the COPS will have at the Halloween party on October 28 at the Kingswood Mobile Home Park. He said the information board has literature (newspaper clippings) that the majority of them have come from the Lake Cities Sun. He said they plan to pass out literature along with copies of the newspapers at Kingswood.

2) Other Reports
There were no other reports.

F. VISITORS/CITIZENS AGENDA:

Karen Gaskill, 124 Shasta Drive, Hickory Creek, said she was speaking on behalf of her husband and friends that live in Hickory Creek across the highway from Lake Dallas. She handed out a petition with eighty signatures of persons seeking relief from the noise from outdoor concerts at Barfly's. She said that on most weekend nights she can understand the lyrics from the music as late as midnight inside her home. She said that her family and all the neighbors have invested significant time and money in their homes and yet their peace is disrupted. She asked that the City not renew Barfly's permit until steps have been taken to correct the noise situation. She said they do not believe a verbal agreement with Barfly's will work. She said the Lake Dallas Police Department has been very helpful. She wondered if a sound barrier would help.

Jeremy Cutlip, 5006 South Stemmons, owner of Barfly's, said that on the 7th they had an actual production company with a touring band and that they were a whole lot louder than those who usually perform there. He said the same production company was there the next weekend, too. He said he has had a few people who have told him that the wind can cause a variance. He said they're trying to make the adjustments. He said they have one weekend left on there permit and that they would have someone go across the street to check out the effects of the sound and try to find out what the problem is.

Norman Sumlin, 411 Stockard Avenue, said he and his family love Lake Dallas. He said they were in the yellow group at the Willow Grove Park cleanup and ran into a beehive. He said that he went out yesterday and picked up the trash that they left. He said they got their shirts and that all the volunteers collected over a ton of trash. He said it was a great turnout and that they would like to do it every year. He said he goes to Willow Grove Park all the time and that he loves the improvements that we're making in the park.

City Manager Earl Berner said there were over fifty people involved in the clean up.

Tamra Butler, 102 Shasta Drive, Hickory Creek, said she was there in support of noise reduction at Barfly's. She said she and her husband have been in the bar. She said that one night they couldn't have a conversation with their friends in their own kitchen because the noise was so loud from Barfly's. She asked the City not to renew their permit.

Margaret Tisdale, 509 Howard, said thanks for Yard of the Month presentation. She said they were pleased to get the award.

Mehdi Hassanipoor, 111 Lakeview Court, Hickory Creek, said that because of the noise from Barfly's he's up because he can't put his son to bed. He said he has called the Police Department and that the dispatcher could hear the noise over the telephone. He said this is the first time he has been to a public forum. He said he hopes a member of the Council would make a visit on a Friday and Saturday to see and hear for themselves what they go through.

G. AGENDA BRIEFING

City Manager Earl Berner said the Consent Agenda is for approval of the Minutes for the October 12 meeting. He said there are four items under Business but the animal shelter lease is not ready at this time. We will have a review of the topics for the Town Hall meeting and then the workshop for code enforcement and the boards term limits.

H. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for October 12, 2006 meeting. (City Secretary)

Motion to approve Item H-1 was made by Councilmember Fletcher. Second by Councilmember Connors.

Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) Public Hearing on a proposed replat of the north half of Lot 25 of Block H in the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.

Tina Martin, 610 Thompson, said that the change the Council is trying to make in the City is great. She said that if he puts four houses on this property he's going to make the property 5000 SF which is not conforming to the zoning of the area. She said that the P & Z worked very hard to get the zoning ordinance done. She said that if we let this happen the property next to it will be next and it will just continue. She said that two houses will meet all the code regulations and that four houses will not. She said she thinks it is wrong.

Tom Brown, 401 Stockard, said he lives next door to this property. He said he has a problem with them doing the replat. He said that if you build four homes on that property it will create more problems especially with the traffic since the streets are extremely narrow in that area. He said that rumor has it that if they build there that these homes will become rental property, but he said he doesn't know for a fact. Another concern he has is the trees on the property. He said the trees on that property would probably be cut down and he hopes that doesn't happen.

Norman Sumlin, 411 Stockard, thanked the Council for fixing their road finally. He said they've lived there for five years. He said he could see two houses being built on that property. He said there's at least a one hundred year old tree on that property. He said there is so much traffic and so many children on the streets in that area. He said he also wants to thank the Council for not opening up a street to Mrs. Clancy's property when that area was re-platted. In closing he said he could see two houses being built on that property but not four.

2) Consideration and Action on a proposed replat of the north half of Lot 25 of Block H in the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.

Motion to deny Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on lease with Upper Trinity Regional Water District for the Animal Shelter.

No action was taken on this item.

4) Review of suggested topics of discussion for the proposed Town Hall meeting.

City Manager Earl Berner said the topics we have thus far are for Charter Communications, Upper Trinity Regional Water District, Transportation Update [I-35, Swisher, and Lakeview], potential renaming of some streets [Denton Drive and Church], Police Activity, and some Charter amendments.

It is planned for 7 p.m. on November 9 in the Linwood Gilliland Community Room and will be an open forum.

We may be able to get some ideas for topics from those in attendance and plan quarterly meetings.

J. WORKSHOP:

1) Code Enforcement

City Manager Earl Berner said he would like to get some direction from the Council about the procedure to follow with those who seem to be consistently in violation of various codes. Would there be objections to giving these offenders one notice and stating in the notice that this is the only notice you will receive?

We need to enforce our code and should probably be on a case-by-case basis. We need to be firm, flexible, as well as fair.

City Manager Earl Berner said we are working with those who are making an effort on those with large projects.

If the violation produces a financial bind or hardship on the property owner we should provide a form and try to find them some help from a faith-based organization, other government entities, or the Keep Lake Dallas Beautiful Committee.

We can file liens against properties that we have to clean up whether by mowing or removal of debris if the property owners refuse to pay.

We have been enforcing the banners and temporary signs as well as the dumpster enclosures.

2) Boards & Commissions Term Limits
City Manager Earl Berner said that the Planning and Zoning Commission has two terms, four years, limited through the code. We have trouble getting volunteers for our boards and committees so it is necessary that we can reappoint members whose terms have lapsed.

There was discussion about getting people to apply plus setting up a review process for the City Council to do for new appointments as well as reappointments to the boards and commissions.

We can bring an ordinance to the next City Council meeting that will change our code about the term limits for the Planning and Zoning Commission.

K. CITY MANAGER REPORT

City Manager Earl Berner reported that he and representatives from Hickory Creek and Corinth had participated in the International Conference of Shopping Centers trade show just before he went on a week's vacation. He said they came back with about twenty-six reasonable prospects. He said they will be invited to the Allies Day event next spring.

He said the Christmas Party date should be set up. The second Friday in December at the American Legion would be a good date.

L. NEW AGENDA ITEMS

When written responses are received on public hearing issues copies are provided to the councilmembers.

There was a request that no Staff Recommendations be placed on the agenda item memos for those items that include public hearings.

Mayor Johnson will discuss the board members with City Manager Earl Berner.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:40 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 12, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551,041 of the Texas Government Code. Mayor Johnson called the meeting to order at 7: 30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Fletcher and City Manager Earl Berner were unable to attend.

Also present were Police Chief Nick Ristagno and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson let the pledges of allegiance.

D. ANNOUNCEMENTS

Police Chief Nick Ristagno said that October 21 is the Spirit of Christmas Fun Run, the City's Quarterly Cleanup from 8 a.m. until 2 p.m. at the City Yard, and Keep Lake Dallas Beautiful Committee's cleanup of Willow Grove Park and the marina area. November 4 the Community Development Corporation will plant twelve trees at Willow Grove Park at 9 a.m. as part of an Arbor Day observation and they have extended an invitation to the City Council to participate. December 2 is the Christmas Tree lighting. From 8 a.m. until 12 p.m. on Mondays and Thursdays of each week recycle bins are available at the city yard. We can accept any recyclables except glass.

Holly Deitrick said that on October 31, Halloween, we will have the annual trick or treaters and hayrides from 4 p.m. until 6 p.m. Mark Henry of the Lake City Sun is surveying the businesses to see how many plan to be open and participate. October 28 is the Lake Cities education gala.

Gene Tisdale, 524 Howard, called the Council's attention to today's Lake Cities Sun and the big article on front page about the City's newly purchased SWAT vehicle. He also referred to last week's paper and the article about drug raids by our Police Department on the front page. He said that at the Halloween party at Kingswood on October 30 they will have a supply of those newspapers to hand out.

He said that the Back to School Dance was very interesting. He said there was a lot going on and that there were 350 to 400 kids there and they were moving and grooving.

He had handouts for the Mayor and Councilmembers regarding drug busts in Decatur. He said he had called up there and talked with their Police Department about the signs that they place attach to the homes where they do a drug bust. They leave the signs on the homes for a month. He said there is an embarrassment of having the sign so the druggies don't come back. He said that a second drug bust at a residence causes a 95% move-out rate. He had some thoughts regarding

citations should the sign be removed prior to the required days. He said the neighbors would not want a sign like that on a home in their neighborhood so that could prompt their watchfulness for any illegal activity and perhaps they would even be able to furnish the police departments with license plate numbers. He said that the COPS have watched some of the drug busts and that thirty minutes after a bust the kids are going into the homes to see if the police missed anything.

The City Council thanked Mr. Tisdale for his involvement in the COPS program and for his diligence in the war against drugs. They also thanked Police Chief Nick Ristagno for his efforts and successful drug raids.

E. PROCLAMATIONS

Friends of the Family: Relationship Violence Awareness Month

Mayor Johnson read the proclamation that declared October as Relationship Violence Awareness Month.

F. REPORTS

1) Boards and Commissions

Holly Deitrick reported for the Parks and Recreation Board. She gave the Mayor and Councilmembers a handout with the Christmas Tree Lighting schedule. She said the new thing they are going to try this year is the Main Street Stroll. People can walk up and down Main Street and pick out which business is the more festive with Christmas decorations. She said Santa will announce the winner towards the end of that evening. Stephanie Kimberly of the Lake Cities United Methodist Church has volunteered to help with the Christmas crafts in the Linwood Gilliland Community Room.

2) Other Reports

There were no other reports.

G. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

Police Chief Nick Ristagno read the items listed under the Consent Agenda. He read the Business Items and said the Ordinance for the budget amendment is a housekeeping issue. He said that for the Town Hall meeting discussion that we had provided them with copies of the Minutes for the last Town Hall meeting that was held in 2004.

I. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for September 28, 2006 meeting.
2) Consideration and Action on approval of September financials.
3) Consideration and Action on approval of third quarter Investment Accounts Report.

Motion to approve Items I-1 and I-3 was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

No action was taken on item I-2 since the financials were not ready due to the end of the year and audit preparations.

J. BUSINESS:

1) Consideration and Action on selection of a member for the Denton County Transportation Authority Board of Directors.

Motion to nominate Karl Hammond for the Denton County Transportation Authority Board of Directors was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of an Ordinance to amend Ordinance 05-13 for FY 2005-06 Budget.

Motion to approve a Budget Amendment for FY 2005-06 Budget approved under Ordinance 05-13 was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

3) Discussion regarding the suggested topics of discussion for the proposed Town Hall meeting.

During the discussion it was determined that some of the topics would be Charter Communication, Upper Trinity Regional Water District, I-35, Swisher and Lakeview with our engineer, Tom Hoover present, renaming of some streets, crime, drugs, and prevention and the COPS program.

There was discussion about holding a Town Hall meeting quarterly and also that we might allow the citizens to bring their thoughts to one of those meetings.

K. CITY MANAGER REPORT

There was no City Manager Report.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:07 p.m.

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 28, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Karl Hammond	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Holly Detrick, Special Events Coordinator, and Beverly Weikum, City Secretary.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Holly Deitrick said the next cleanup is October 21 at Willow Grove Park. She said she is currently working with the Marina to see if we can clean up around their area, too. She said that Wal-Mart gave us some bicycles to give away.

Councilmember Martin said that on September 16 he had been privileged to be with the Lake Dallas Police Department while they went out on a drug bust. He complimented the police department on how professional and organized they were. He congratulated Chief Ristagno.

Councilmember Hammond said it's only 40 days until Election Day. He reminded everyone to get registered and to vote.

Chief Ristagno said that on October 6 from7-10 p.m. the Kids N Cops is hosting a Back to School dance for the kids here in our parking lot.

Gene Tisdale, 524 Howard, said that today was his first opportunity to drive in a homecoming parade. It was a lot of fun.

He said we've had several drug busts lately and that he was in on one last night. He said it is a great service. He said that Decatur has a door knocker with a big smiley face that leaves an imprint on the door and they have signs that are placed in the yards of the homes where drugs have been sold. He said these are things we might add to our program. If we could get something like that the COPS might be sure the sign would be up for awhile. He said that Coppell has a problem with people who stock liquor cabinets up and then have an open door policy, no matter what age and individuals just come in and are able to get drinks of alcohol. They may have to leave their keys if they become intoxicated.

He said the city sets a large fine for those who have this atmosphere and he understands that it's working pretty good. The COPS classes will start after January 1. We need to get a lot of people signed up for these classes.

E. REPORTS

Gary Johnson, 609 Cain, the Library Board, said they are trying to get their budget finalized and that they are hurting. He said they are trying to economize the best they can but they are still in dire straits. He said that any help will be appreciated.

Chief Jason Collier, Lake Cities Fire Department, had the third quarter report as a handout. He discussed the first three pages with the City Council. They will try to track the EMS calls a little more closely but have to be careful not to violate any HIPPA laws.

Holly Deitrick had a hand-out regarding the racing event. She said she went around to the local businesses after the week-end event to see how their sales over that week-end compared to normal week-ends.

It rained Sunday so that affected the attendance. There were two hundred fifty people in town for the event (pit crews, etc.). The racers were well pleased with Willow Grove Park. They had the awards dinner in the Linwood Gilliland Community Room. She said she went to the Best Western Friday night and put a welcome letter with all the businesses in their welcome packets. ESPN broadcast some of the event live. There is a copy of the 4-page insert from the Dallas Morning News included in the handout.

There was discussion about the amount of money the teams had to spend to participate in the event here. More signage might help the attendance. A big name boating sponsor on board would be a big help. A big sponsor could pay for the radio advertising.

F. VISITORS/CITIZENS AGENDA:

Babs Troutman, 3501 Chelsea Court, Corinth, said this was a personal invitation to the Tour Eighteen tournament scheduled for November 6. She said sponsorships are available. Invitations will also be mailed.

G. AGENDA BRIEFING

City Manager Earl Berner said there are three items on the Consent Agenda and he listed them. He listed the items under the Business item. He said he would like to ask the City Council to table Item 4 because we still have work to do on it before there is Council action.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for September 14, 2006 meeting.**
2) **Consideration and Action on approval of a Resolution to add TexSTAR Participant Services as an additional investment choice for interest bearing funds.**
3) **Consideration and Action of annual approval of City of Lake Dallas Investment Policy.**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance adopting Budget for Fiscal Year 2006- 2007 for the City of Lake Dallas.**

Motion to approve an Ordinance to adopt the Budget for Fiscal Year 2006-2007 for the City of Lake Dallas was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2006-2007.**

Motion that property taxes be increased by the adoption of a tax rate of $0.6700 with $0.5560 as Maintenance and Operations and $0.1140 as Debt Service (I & S) for the Fiscal Year 2006-2007 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action to approve use of Municipal Court Security and Technology Funds for payment of Bailiff on Municipal Court dates and for the purchase of a metal Detector for Municipal Court in City Hall .**

Motion to approve Item I-3 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) **Consideration and Action to approve use of Municipal Court Case Management funds to fund Juvenile Case Supervision.**

City Council too no action on this item.

5) **Consideration and Action to approve use of Municipal Court Technology funds for the purchase of software to produce courtesy letters and track bonds and payment plans.**

Motion to approve Item I-5 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Consideration and Action on approval of a request by the Boys and Girls Clubs of Denton County, Inc. to reduce the rental of the City of Lake Dallas facility from $400 per month to $1 per year.**

Motion to approve the request by the Boys and Girls Clubs of Denton County to reduct the rental of the City of Lake Dallas facility from $400 per month to $1 per year was made by Councilmember Fletcher. Second by Councilmember Marino.
Motion to amend the motion by adding a condition that the Boys and Girls Club continue to pay for the maintenance and upkeep of the facility with the exception of structural or major systems (HVAC) was made by Councilmember Connors. Second by Councilmember Hammond.

Vote on Motion to amend:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Approved

Vote on Motion as amended:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner said the Animal Shelter contract is still pending.

We have some numbers together for Lakeview Drive and he will be sharing the information soon.

The parks improvements continue moving forward. We got a little bit of break on the water line at Willow Grove Park and will be able to save a few dollars there. The playground is now open for use and campsite work has started.
The City Park Trail was paved this afternoon.
Swisher Road progress continues. They are getting ready to begin paving on the Ease side.

There may be a low spot on part of the trail in Willow Grove Park. The contractor can check that out.

K. NEW AGENDA ITEMS

City Manager Earl Berner said we are thinking of scheduling the town hall meeting on November 9 in conjunction with a regular council meeting.

Each councilmember should bring their town hall workshop items to the next meeting.

Could we put up sign regarding littering in conjunction with the Keep Lake Dallas Beautiful Committee?

L. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:20 p.m.

CITY OF LAKE DALLAS TEXAS

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 14, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Karl Hammond	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag

Mayor Johnson led the pledges of allegiance.

D. PRESENTATIONS

Mayor Johnson said that sometimes we honor people in our community who do special things. She said this occasion was an honor for her to do. She presented Chuck Eckleberry, her brother, with a plaque in the honor of having had a book of poems published.

E. ANNOUNCEMENTS

City Manager Earl Berner said that the Jet Ski Championship is this weekend.

F. REPORTS

1) Boards and Commissions

Gary Johnson, 609 Cain, said the Library Board thanks the City of Lake Dallas for their undying support.

2) Other Reports

There were no other reports.

G. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Mayor Johnson closed the Citizens Agenda.

H. AGENDA BRIEFING

City Manager Earl Berner said there are two items on the Consent Agenda: the Minutes and Financials. Under the Business portion we have public hearings for the proposed tax rate and proposed budget. There are action items for approval of the budgets for the Community Development and Economic Development Corporations and the auditor contract extension. There is an item for the discussion of the remaining million of street bond money.

I. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for August 24, 2006 meeting.

2) Consideration and Action on approval of August financials.

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) Public Hearing on setting the date to vote on proposed tax rate.

No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) Public Hearing on proposed budget FY 2007.

No one came forward to speak so Mayor Johnson closed the Public Hearing.

3) Consideration and Action on approval of the Community Development Corporation FY 2007 Budget.

Motion to approve the Community Development Corporation Fiscal Year 2007 Budget was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

4) Consideration and Action on approval of the Economic Development Corporation FY 2007 Budget.

Motion to approve the Economic Development Corporation Fiscal Year 2007 Budget was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) Consideration and Action on approval of contract extension for financial statements and audit with Hankins, Eastup, Deaton, Tonn & Seay.

Motion to approve a contract extension for the financial statements and audit with Hankins, Eastup, Deaton, Tonn and Seay was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) Discussion regarding the issue of $1,000,000 street bond funds (balance from 1998 bond package).

City Manager Earl Berner said we have $1,000,000 available and probably a half million is needed right now for roadwork. The approximate cost for Lakeview from Howard Street north to Swisher Road is $450,000. This was brought up at a recent Economic Development Corporation meeting and they might be interested in picking up the debt service for a year or so. He asked the Council to give this some consideration. He said there is no action required tonight and that he is requesting guidance.

There was Council discussion about engineering costs and timing. Since the new part of Swisher Road will be used as a staging area until the bridge is opened (currently scheduled for 2009) we should have access ready and it will help in the sale of the Mercedes homes and probably with the sale of the property owned by the Economic Development Corporation.

We need to get an exact idea about what the 4-a board proposes and then bring it back to council.

There was a question about improvements to Lakeview going south from Howard Drive. Should eminent domain have to come into play we would be scheduling public hearings.

K. CITY MANAGER REPORT

We are still waiting to hear from Upper Trinity regarding the lease for the property for the new Animal Shelter.

The playground is in at Willow Grove Park and they will begin work on campsites after the races. They are working on City Park and should be working on the trail there soon.

Shady Shores & Swisher roadwork continues. They are going to switch lanes to the west side on Friday or Saturday.

L. NEW AGENDA ITEMS

We are we going to need to patrol the trail in Willow Grove Park. Lots of kids have been go-karting on it this week already. We need a lot of citizens involved. We are going to have to do some underbrush clearing along the trail, too. On an October agenda we should have an item to schedule a park cleanup. We might need some signs to say 'no motorized vehicles.'

The Education Foundation Gala is October 28. We should probably get one table this year.

M. ADJOURNMENT

Mayor Johnson adjourned the meeting at 8:02 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 24, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember Place 1
Karl Hammond	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Councilmember Connors was out due to illness.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Joni Vaughn, Finance/Human Resources, and Beverly Weikum, City Secretary.

B. INVOCATION
Councilmember Hammond gave the Invocation.

C. PLEDGE OF ALLEGIANCE:
1) United States Flag
2) State of Texas Flag
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS
Councilmember Hammond said he had received a flyer from Mercedes Homes and it has a lot of good advertising for our city in it.

City Manager Earl Berner said the Jet Ski races would be held at Willow Grove Park on September 16 and 17. Councilmember Marino said ESPN will be there.

E. REPORTS
1) Boards and Commissions
City Manager Earl Berner said that under the Parks and Recreation report there is the Jet Ski item. He said that under the 4b report that there is the status report on the parks. Both City Park and Willow Grove Park are under construction. The completion date is anticipated to be early spring.

2) Boys & Girls Club of Denton County report and presentation.
Babs Troutman, Chief Professional Officer for the Boys and Girls Clubs of Denton County introduced Mark Henry who is one of the board members.
She said they had a presentation for the City Council. It is a check in the amount of $5,000 that they are donating since they are a partner on the City Park Grant.

Ms. Troutman had provided handouts for the councilmembers regarding their programs, the facility lease, and additional information regarding their organization. She said they would like to request extending their stay on Alamo for two more years. She said they are a not for profit organization. They will have their awards banquet again in January.

F. VISITORS/CITIZENS AGENDA:
Rodney Dryden, Wellspring Insurance Agency, Roanoke, Texas, said that they represent the City for their health insurance and wanted to give the City Council an update. He said that the North Texas Government Benefit Alliance did go out for an RFP this year and that through that process it was determined that the rates that were received would be an improvement.

However, some cities dropped out so there were fewer participants and we were not able to follow through. He said we will start earlier this year and suggested that Lake Dallas contact their neighboring cities and see what their interest level is and ask them to contact the alliance. He said they think it is a very worthwhile cause and that it makes sense for our employees and our budget.

Sheila and Dave Munden, 6624 Steward Blvd., The Colony, said that they are the ambassadors for the Colony Sail and that they have come to extend a personal invitation to the council and the citizens to participate in the Mayor's Ball on September 14 and again on September 16 for the Mayor's Cup Regatta Race. They said if anyone had any more questions to please check their website. They said they were looking forward to their participation in these events. She said that some of the big blocks that were used to make the retaining wall have been carried off.

Margaret Tisdale, 509 Howard Drive, said that part of the Kings Manor Drainage Ditch is in need of mowing or weed-eating. She said that behind their rental property (an area where it hasn't been mowed) \ that they had found some drug paraphernalia. She said there are cracks in the street at least an inch wide and they would like to have something done before the pavement begins to crumble.

Gene Tisdale, 524 Howard, said he would like to thank the Council and the Police Department for the patrol car the COP program has. He said he got to use it some this past week and it's been very interesting. He said that just the car's presence in an area tends to slow down suspicious activity as well as drivers of vehicles. They have been giving out some pamphlets in a drive to recruit new members and he asked the City Council's help in that area, too. He said they are planning a meeting for Tuesday night at 7 p.m. and will see how many new people attend and wish to join the program.

G. AGENDA BRIEFING

City Manager Earl Berner said there are two items under the Consent Agenda. Under the Business items we have the appointment for the Community Development Corporation, the contract with the Boys and Girls Clubs, action on selection of an auditor, Public Hearings on the proposed tax rate and the proposed budget, and action on budget approvals for the fire department and the library.

H. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for August 10, 2006 meeting.

2) Consideration and Action on approval of a contract re: Jet Ski Races in September.

Councilmember Hammond asked that Item H-2 be pulled from the Consent Agenda.

Motion to approve Item H-1 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

There was discussion about the insurance coverage and the Corps of Engineers permit regarding the Jet Ski contract.
Motion to approve Item H-2 was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action on appointment of Gordon McQuillin to the Community Development Corporation.

Motion to appoint Gordon McQuillin to the Community Development Corporation board was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of an Ordinance and contract to renew the Boys and Girls Club lease of City property.

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on selection of auditor (08/24 bid opening)

No action was taken. No RFP's had been received so there had been no bid opening.

4) Public Hearing on proposed property tax rate.

No one came forward to speak so Mayor Johnson closed the Public Hearing.

5) Public Hearing on proposed budget FY 2007.

No one came forward to speak so Mayor Johnson closed the Public Hearing.

6) Consideration and Action on approval of the City of Lake Dallas portion of funding for the FY 2007 Lake Cities Fire Department budget.

Councilmember Fletcher said the reason for approving the budget without the 1.87% COLA was because the City is not able to give a COLA to its employees.
Motion to approve the Fire Department Budget without the 1.87% cost of living increase was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

7) Consideration and Action on approval of the City of Lake Dallas portion of funding for the FY 2007 Lake Cities Library budget.

There was discussion about the approval by the other cities and the Library Board meeting next Monday night.
Motion to approve the budget was made by Councilmember Marino. Second by Councilmember Martin.
Ayes: None
Noes: Councilmembers Marino, Hammond, Fletcher, and Martin

Motion Failed

K. CITY MANAGER REPORT

City Manager Earl Berner said that Joni Vaughn had prepared a sheet with the designated funds and balances. He said they're pretty well audited.

Mercedes Homes has sold six homes.

The Spirit of Christmas has asked to use the Linwood Gilliland Community Room from December 5 through December 15 this year. He said it does not present a conflict for us.

As a point of clarification on Boys and Girls Club facility lease: it was approved exactly as it reads.

L. NEW AGENDA ITEMS

After the budget is approved we should schedule a workshop with the Planning and Zoning Commission to address some code issues.

Mayor Johnson said that her brother is the one who wrote the poem that is on the community room wall and that he had also written one for Chief Ristagno. She said he has just had a book published and she would like to do a presentation for him in recognition of his achievement at the September 14th meeting.

We should think about scheduling a Town Hall meeting soon.

M. ADJOURNMENT

Marjory adjourned the meeting at 8:10 p.m.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 10, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember Place 1
Carol Ann Connors	Councilmember Place 2
Karl Hammond	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary. Other staff present were Joni Vaughn, Finance/Human Resources; Melena Wheat, Court Clerk; Charmaine DuPree, Community Development; and Johnny Webber, Public Works.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. REPORTS

1) Boards and Commissions

City Manager Earl Berner said the Float & Fly Event is this week-end at Willow Grove Park. September 15 & 16 is the Jet-Ski Event.

F. VISITORS/CITIZENS AGENDA:

Jeremy Cutlip, 5006 S. Stemmons, made a statement regarding the numbers of calls made regarding the late hours and the hardship it would place on his business if the hours were changed to midnight instead of 2:00 a.m. for closing time.

G. AGENDA BRIEFING

City Manager Earl Berner stated the items that were listed under the Consent Agenda. He said that under Business there will be a budget discussion and then two items to set dates for public hearings. There is also a workshop on extended hours for alcohol establishments.

H. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for July 27, 2006 meeting.

2) Consideration and Action on approval of July Financials.

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin

Noes: None

Motion Passed

Mayor Johnson asked for City Council approval to move to the Workshop on extended hours and then do the Executive Session before returning to the Business Items. The City Council agreed.

L. WORKSHOP:

1) Section 10-35, Business Hours, of Article II, Licenses and Permits, of Chapter 10, Alcoholic Beverages.

Chief Ristagno discussed the handout he had prepared for the City Council. The report establishes that the most incidents occur between midnight and 3 a.m. He said that Public Intoxication violations occur more at bars than restaurants.

After council discussion it was determined that the Police Department will provide monthly statistical reports for the City Council. The establishments will be monitored. There will be a meeting with the owners of the bars and private clubs to convey the concerns of the City Council.

Mayor Johnson closed the regular meeting at 7:57 p.m. and the Council went into Executive Session.

J. EXECUTIVE SESSION:

The City Council to meet in Closed Session under Section 551.074, Personnel Matters, of the Texas Government Code regarding issues in the Police Department and Administration Department.

Mayor Johnson called the regular meeting back to order at 8:30 p.m.

K. ACTION, if any, from Executive Session.

There was no action taken on this item.

Mayor Johnson stated that the City Council would now address item I-1 of the Agenda.

I. BUSINESS:

1) Discussion on Budget FY 2007.

City Manager Earl Berner said he has been working on this for quite awhile. He said he took out the 3% cola for employees. The employees will receive their annual raises in accordance with the step plan that was previously adopted. He said we have had huge expenses on gasoline and utilities. He said he is proposing a 2.065 increase to bring the tax rate to $ .67000. It will average about $45/year for the average home [$109,000].

We are not adding any wish list items. The new squad car will be purchased for by paying half of the cost out of a restricted account. The Fire Department has received a new ISO rating and that will result in an annual decrease in insurance rates of approximately $130/home. The ISD will have a smaller tax percentage this year.

There was discussion about the budget preparation and the estimates as well as the increases and decreases. The Hotel Tax fund needs to be spent on tourism. We may need to have the 4th of July event be our large event of the year and scale back on the Mayfest event. The Parks Board will have to look at it and make a recommendation.

Alarm permits were affected by a recent change in State law.

The City Council budget is for the employees' Christmas. If councilmembers want to attend optional seminars they will need to pay for them instead of being reimbursed by the City. Required seminars, such as the 4-a and 4-b training will be paid by those corporations.

The $25,000 increase in Administration's budget is for the storm water management.

The Library's budget includes an amount for building improvements. They need more space for the required items necessary to continue receiving the County funding. Their offices are very small. Mr. Berner was asked to talk with Rebecca at the library after someone said that Corinth had not approved their portion of the budget to see how soon that might affect their funding process.

There is no increase/decrease shown for the Reserve account and that it because it is a new budget account.

The salary increases will be the result of the step plan approved by Council several years ago. Most employees will receive a 5% increase on their anniversary date.

We will have two public hearings that are required before we can adopt the tax rate and budget.

There was discussion about the street signs being changed out and the cost for installing street lights. There is quite a difference in cost between adding just a fixture and installing the complete pole.

2) **Consideration and Action on property tax rate and to set dates for public hearings regarding property tax rate.**
Motion that the public hearings to discuss the property tax rate be held at the 7:30 p.m. City Council meetings on August 24 and September 14 in the City Council Chambers at 212 Main Street was made by Councilmember Connors. Second by Councilmember Marino.

Motion to amend the motion to set the public hearing dates to include proposing a tax rate of $0.6700, an increase of $0.02065, and set the dates for public hearings for the FY 2007 Budget was made by Councilmember Fletcher. Second by Councilmember Marino.

Vote on the amendment:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Vote on motion as amended:
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action on setting dates for public hearing on FY 2006 budget.**
Motion to set the public hearing dates for the FY 2007 Budget for 7:30 p.m. at the City Council meetings on August 24 and September 14 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

M. CITY MANAGER REPORT

There was a meeting today between Chief Ristagno, Upper Trinity Regional Water District, and Russell Bates, the architect today.

Willow Grove Park and City Park improvements are underway. They have done the initial clearing for the basketball courts and concession stand.

Swisher Road should be ready by school on Monday. The contract for the bridge construction will be awarded on the 25th of this month. Last month they awarded Little Elm's project.

We have had another inquiry in last two days about property available in the area. This time it is for a location to do athlete training.

On next agenda we will have the Boys & Girls Club rental renewal.

N. NEW AGENDA ITEMS

There were no new agenda items.

O. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over a 9:28 p.m.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS TEXAS

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 27, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember Place 1
Karl Hammond	Councilmember Place 3
Alan Fletcher	Councilmember Place 4
Richard Martin	Councilmember Place 5

Councilmember Connors was out of town.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. REPORTS

1) Lake Cities Library Budget Presentation FY 2007

Gary Johnson, 609 Cain, library board member, Introduced Rebecca Belknap, library director and Abby White and Cindy Wolfe from Corinth and J.C. Holsten of Hickory Creek and Betty Brown of Shady Shores.

Rebecca Belknap gave the budget presentation. She said the board and staff had spent many hours with its preparation. She discussed the handouts that had been provided to the Council. She said they have congestion in the parking lot and that business has really picked up. She discussed the formula and mentioned the city's population and checkout percentage. By using the percentages of the total population and total usage that Lake Dallas' adjusted average is 32.7%. She said she went to the commissioners meeting at Denton this week and the County's $46,500 contribution was confirmed. There is a comparison with other libraries included in the handout. They rotate their audio and video supplies with other cities. They would like to be able to continue with the programming schedules.

If the growth continues they will have to additional shelving. Right now they have the required amount of items available. They need to continue to keep the items proportionate with the population growth in order to continue receiving County funding.

Space will become an issue at some point. They were asked to come up with a plan to include how will they be able to maintain a larger building [utilities, etc.]. Hickory Creek has approved this budget.

Mayor Johnson thanked her for coming to the meeting tonight. She said we appreciate them being there and hope they can keep growing. She said that if we have any more questions on the proposed budget that we'll call and thanked them for all their hard work.

2) **Other(s)**

There were no other reports.

F. VISITORS/CITIZENS AGENDA:

Jeremy Cutlip, Barfly's, 5006 South Stemmons, said he was there to speak on the workshop item for extended hours. He said that for about 3 – ½ years that his main competition has been Grapevine. He said he would suffer a loss of revenue due to 12 a.m. closing as opposed to the current 2 a.m. closing.

Mayor Johnson said this is just a workshop item tonight and that no action will be taken at this meeting.

Mayor Johnson closed the Citizens Agenda at 7:50 p.m. when no one else came forward to speak.

G. AGENDA BRIEFING

City Manager Earl Berner said there were three items under the consent agenda and one item under business. We have two workshop items on the agenda.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for July 13, 2006 meeting.**
2) **Consideration and Action on approval of an Ordinance to amend Chapter 38, Emergency Services, Article II, Alarms.**
3) **Consideration and Action on approval of an Ordinance to amend Section 102-152 of Article V, Speed, of Chapter 102, Traffic and Vehicles for various streets and roads in the City of Lake Dallas.**

Motion to approve the Consent Agenda was made by Councilmember Fletcher.
Second by Councilmember Martin.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on request from North Central Texas Council of Governments to participate financially in a Funding Agreement for the Vision North Texas initiative.**

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. WORKSHOP:

1) City Budget FY 2007.

City Manager Earl Berner handed out a revised budget. He said that since last Thursday it had been revised several times. He said we still have a couple of major items to verify before we can discuss. He said we got the certified tax rolls yesterday afternoon. He said we won't have the final numbers on the health insurance until about Wednesday of next week. He asked the councilmembers to look at the budget and asked them to call him if they have any questions. He said that at the meeting on August 10th we'll have the department heads here to answer the questions and something very firm to present.

2) Section 10-35, Business Hours, of Article II, Licenses and Permits, of Chapter 10, Alcoholic Beverages.

There was Council discussion and questions were asked of Mr. Cutlip. He said that those people who come in after midnight are usually in uniforms from working at other places that close at midnight (B-J's, Hooters, Red Lobster, etc). He said that the service industry people are usually better tippers and are the least picky. He said he doesn't think they've had any issues or problems due to the extended hours.

Chief Ristagno said he could compile some statistics regarding DUI's which would include dates, days of week, hours, etc. He said that if the drinking establishments become problematic that he would come to council and ask for revision of the ordinance. He said that there are situations where we could ask TABC to put sanctions in place. He said that we have been fortunate because usually management has tried to correct any problems in the past.

K. CITY MANAGER REPORT

Mr. Berner reminded them that the Chamber Coffee next Wednesday will be at the new Shady Shores Elementary School. Tom Davenport will do breakfast.

The paving on Swisher Road continues and there will be continuous interruptions with the traffic while they switch from lane to lane. They hope to get the part done by the school before school starts.

They are working on the improvements at Willow Grove Park. There have been delays with the environmental permit so camping will be allowed until we get that permit.

The City Council should have a meeting for their comments on the Main Street Improvements.

L. NEW AGENDA ITEMS

We need to workshop the extended hours at next meeting and decide whether or not to make it an action item.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin

Noes: None

Motion Passed

The meeting was over at 8:20 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 22, 2206 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino –	Councilmember 1
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Connors was absent. Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, City Attorney David Berman, and Acting City Secretary Joni Vaughn

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges.

D. ANNOUNCEMENTS

City Manager Earl Berner announced that there are examples of possible designs for Main Street in the Lobby. Comment cards are available as well.
Holly Trivitt announced that Wal-Mart donated $1000 to the Parks and Recreation Board. It will be used for the Fourth of July events.

E. REPORTS

1) Boards and Commissions

Councilmember Fletcher reported there had been a groundbreaking for the pier at Willow Grove Park on June 20.

H. VISITORS/CITIZENS AGENDA:

Mark Henry, 766 Texas Oak Trail, spoke in favor of the private club wanting to open on Swisher Road. Mr. Henry stated that he felt this business would be good for the community in a number of ways and he hoped that the Council would consider the positives about a new business and consider all the citizens of Lake Dallas when they made their decision.

H. AGENDA BRIEFING

City Manager Earl Berner explained the agenda.

H. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for June 8, 2006 meeting.

Motion to approve the Consent Agenda was made by councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmember Marino, Hammond, Fletcher, and Martin
Noes: None

I. BUSINESS:

1) **Public Hearing on proposed rezoning of Lots 37R, 38R, 39R, 40, 41, and 42 of the J. V. Thompson Subdivision from R-1-4000, Manufactured Home Residential District to R-1-6000, Single Family Dwelling District.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

2) **Consideration and Action on approval of an Ordinance for a proposed rezoning of Lots 37R, 38R, 39R, 40, 41, and 42 of the J. V. Thompson Subdivision from R-1-4000, Manufactured Home Residential District to R-1-6000, Single Family Dwelling District.**

Motion to approve Item I-2 was made by Councilmember Martin. Second by Councilmember Hammond.
Ayes: Councilmembers Hammond, Fletcher, and Martin.
Noes: None
Abstained: Councilmember Marino

Motion Passed

3) **Public Hearing on proposed rezoning of Lots 1A-R, 1B-R, 4A-R, 4B-R, 5A-R, 8A-R, 8B-R, 9A-R, 9B-R, 10A-R, 10B-R, 11A-R, 11B-R, 12A-R, 12B-R, 13A-R, 19A-R and 19B-R of Harbourtown Villas, City of Lake Dallas, Denton County, Texas from Group Housing District to R-1-7200, Single Family Dwelling District.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

4) **Consideration and Action on approval of an Ordinance for a proposed rezoning of Lots 1A-R, 1B-R, 4A-R, 4B-R, 5A-R, 8A-R, 8B-R, 9A-R, 9B-R, 10A-R, 10B-R, 11A-R, 11B-R, 12A-R, 12B-R, 13A-R, 19A-R and 19B-R of Harbourtown Villas, City of Lake Dallas, Denton County, Texas from Group Housing District to R-1-7200, Single Family Dwelling District.**

Motion to approve Item I-4 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) **Public Hearing on proposed rezoning of Lots 1 and 2 of the Bishop Addition from R-1-6000, Single Family Dwelling District, to C-1, Retail District.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

6) **Consideration and Action on approval of an Ordinance for a proposed rezoning of Lots 1 and 2 of the Bishop Addition from R-1-6000, Single Family Dwelling District, to C-1, Retail District.**

Motion to approve Item I-6 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

7) **Public Hearing on proposed rezoning of Tract 28A of the N. French Abstract 0424A from R-1-10000, Single Family Dwelling District to M-1, Light Industrial District.**

No one came forward to speak so Mayor Johnson closed the Public Hearing.

8) **Consideration and Action on approval of an Ordinance for a proposed rezoning of Tract 28A of the N. French Abstract 0424A from R-1-10000, Single Family Dwelling District to M-1, Light Industrial District.**

Motion to approve Item I-8 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

9) **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition—North in the City of Lake Dallas, Denton County, Texas.**

Motion to approve the Ordinance to grant a Special Use Permit for the operation of a private club to be known as Lake Dallas Point for a five year time period at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition subject to the following conditions:

1. Expand the enclosed non-smoking area
2. Widen the windows across the front of the building and keep the glass clear.
3. Add color to the awning to liven up the appearance.
4. Construction to conform with the building plan at Exhibit "A."

was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmember Marino, Fletcher and Martin
Noes: Councilmember Hammond

Motion Passed

J. CITY MANAGER REPORT

LCMUA has invited the council to attend a seminar on The Open Meetings Act on Wednesday, June 28th from 7:00 to 9:00 p.m. in their boardroom.

K. NEW AGENDA ITEMS

Workshop regarding extended liquor hours.

L. ADJOURNMENT

Motion to adjourn made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson, Mayor

Joni Vaughn
Acting City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 13, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

Councilmember Hammond said that on Tuesday at 1 p.m. he and his wife, Kathy, had a baby girl. Her name is Kara Beth and she weighed 7 pounds 4 ounces and was 20 inches long. She has a happy brother and sister.

E. REPORTS

1) Boards and Commissions

Chief Jason Collier, Lake Cities Fire Department handed out their proposed budget to the councilmembers. He said he would just hit a few highlights and let them go through the line items prior to the budget workshop. He said the first page lists the department's accomplishments FY 2005-06 and lists their objectives FY 2006-07. The second page is an organizational chart and lists the personnel for the fire department. The third page shows the fire and emergency calls made from 2002 through 2006 for all the cities and the next page is a graph of calls to the individual cities. The Line Item Budget follows and shows the current year budget, projected expenses through September and the proposed budget for 2006-07. The next section is Line Item Explanations. The last section is the New Program Request.

Chief Ristagno and Chief Collier explained more details about the Emergency Management Coordinator, which is part of the New Program Request, and how it would affect the four Lake Cities.

Mayor Johnson requested information regarding the long-term plan on personnel and salaries. Chief Collier said he doesn't know where we stand in comparison and said he would get that information.

City Manager Earl Berner said he has invited Chief Collier to attend our budget workshops.

Councilmember Connors said that three weeks ago tomorrow night that her husband suffered a massive heart attack and said that their response was phenomenal. She said that all of the personnel were kind and caring. She thanked him and his department for all they do for the citizens.

Chief Collier said that he went through this budget today with another council. He said that any time they have any questions that they should feel free to call him. He said he also would be more than happy to meet with them at their convenience. The telephone number is 940-321-2141.

City Manager Earl Berner said that the Parks Board is working on the Jet Ski Event for September. He said they have a working contract with them and are getting excited about it.

F. VISITORS/CITIZENS AGENDA:

James Skinner, 406 Brookside, said he's talked with Mr. Berner regarding the stress and frustration he and his neighbors are having due to some high speed traffic on a street that is kind of a cut through between Jackson Ranch and Thousand Oaks. He said that most people don't park on that part of the street and that it's a risk to try to be out in the street to sweep or clean up. He said the cars rush past and that the drivers give obscene gestures. He said that when he moved there about three years ago that he contacted the Chief. He said that they do have some patrol out there which is welcomed but that still during rush time they have some high-speed traffic. He said that along with the patrols that maybe a sign or something could be erected.

Mayor Johnson said that the City Council would not need to take any action on this. She said that we could address the problem through City Staff. Mayor Johnson asked Chief Ristagno to look into the matter.

G. AGENDA BRIEFING

City Manager Earl Berner said that we have three items on the Consent Agenda and listed them. He said that under business we have action for a monument sign permit application; action on interjurisdictional Mutual Aid Agreement expanding the Denton County Mutual Aid Agreement; and item 3 has not received the proper information from the property owners so he is requesting that Council take no action tonight. The information is available so they will be aware of it. The last item is an executive session on real property.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for June 22, 2006 meeting. (City Secretary)**
2) **Consideration and Action on approval of financials for June 2006. (City Manager)**
3) **Consideration and Action on approval of Second Quarter 2006 investments Report. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin

Noes: None

Motion Passed

I. BUSINESS:

1) Consideration and Action on approval of an application for a Monument Sign Permit for 101 North Shady Shores.

Motion to approve the application for a monument sign permit for 101 North Shady Shores was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) Consideration and Action on approval of the Interjurisdictional Mutual Aid Agreement expanding the Denton County Mutual Aid Agreement to Statewide assistance.

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Consideration and Action on approval of an Ordinance for the proposed street easement abandonment for Scott Street.**

No action was taken on this item.

Mayor Johnson adjourned the regular meeting at 7:56 p.m.

J. EXECUTIVE SESSION:

1) The City Council to convene into a closed session in accordance with the Government Code, Section 551.072, regarding deliberations regarding Real Property.

Mayor Johnson called the regular meeting back to order at 8:47 p.m.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION.

The City Council took no action on this item.

L. CITY MANAGER REPORT

City Manager Earl Berner said that the quarterly clean-up is this Saturday.

The Upper Trinity Regional Water District has begun their project to eliminate the odors. They have to drain the first two tanks so there will be some smell for a couple of weeks while that is happening.

The deck planking should be going up tomorrow on the pier at Willow Grove Park.

The first tenant is going to move in Monday at the new Lake Cities Business Park.

The Mercedes model home is finished. They have their certificate of occupancy but there is no furniture in it yet.

The old Jolly Roger has been acquired by some people in Lewisville. The name of the new business is The Flaming Pig.

Chief Ristagno asked him to mention that the State is asking us to raise the speed limit on the I-35 access road from 40 to 45 mph and he is writing the Ordinance. Shady Shores is expected to go to 35 mph. After going south from Swisher Road there are a bunch of stop signs so the speed limit won't be a big problem.

We are going to update the alarm ordinance for residences. There has been a change in State law and we have to comply with that.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 8:50 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 8, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Staff present were City Manager Earl Berner, Police Chief Nick Ristagno, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. OATH OF OFFICE TO ELECTED OFFICIALS

This item was on the agenda in error.

E. ANNOUNCEMENTS

Carol Ann Connors said that as a member of Board of Directors of Lake Cities Chamber of Commerce that she had a $1,000 check to present to the City for the 4th of July fireworks event.

Tony Marino said that this Saturday is the annual car show and that it benefits the Kids 'N Cops program.

Police Chief Nick Ristagno said that the yearly event is sponsored by Tech on Wheels to raise money for the City to continue their kids programs. He said it has grown every year. The judging starts around 1:00 p.m.

City Manager Earl Berner said the 4th of July events are a parade at 9:00 a.m. He said that float or bicycle entries should report to City Park about 8 a.m. He said that that at 4:3 0 events will start leading up to fireworks around 9 or 9:30. Bands start at 6:45 p.m. He said we have collected $9500 in sponsorships with the money tonight from the Chamber.

Police Chief Nick Ristagno said we had budgeted for two emergency sirens and they are installed and will be connected to power next week by TXU. One is in the Swisher Cemetery area and the other is on Falcon by the Methodist Church. The sound will probably reach parts of Hickory Creek and Corinth. We will be testing the sirens starting the 1st Wednesday of each month at 1:00 p.m.

F. PRESENTATIONS/PROCLAMATIONS

1) Davin Self

Mr. Self said he would like to give the City Council his admiration for how quickly and excellently they handled the situation at Barfly's. He had furnished a handout for the Councilmembers prior to the meeting. He said they do have just a few issues they would like to address regarding the special events permits. They would like to see the longest permits issued be quarterly instead of annual. He said that Mr. Marino was at the concert the other night and everything, including the parking, was within the set parameters. The noise level was better. He would still like to meet with Chief Ristagno about the parking. He said there is still an issue with the fact they have a parking lot in the back and if you don't have good control over that too many things can happen, i.e., substance and alcohol abuse. He thinks perhaps the fire marshal should be involved regarding the fire lanes and fire-breathing act in the presence of alcohol. noise level He has a lot of concern about pedestrians in the parking area and, again, substance abuse. He commended Council again for their speedy response to his request.

Christine Pfifer, 216 E. Corporate Drive, thanked the City Council for their help. She said her grandmother was able to get some relief because of the changes that were made by Barfly's.

Councilmember Fletcher asked who wrote the part in the handout about the council and the boats. Mr. Self said he would find out and he is to let the City Manager know.

Mayor Johnson said she appreciates them coming to the Council Meeting. She said the council is a legislative body. She said that in the future if there are problems that perhaps he should communicate with the staff and they can put the item on the agenda as they see fit if our Ordinances do not address the problem. She told them they are more than welcome to attend the Council meetings.

Mr. Self would like the information from our ordinances regarding the parameters of noise level. Mayor Johnson said he can fill out open records request and be given copies of our ordinances.

Councilmember Marino said he contacted some of the people on the list Council had received from Mr. Self. He said he had driven around the neighborhood and on Church Street during Barfly's last concert and couldn't hear noise there or on Denton Drive. He said he had talked with Peggy Gilbert, 108 Church Street, and with Terry Lantrip, and they said the problem had been corrected.

G. VISITORS/CITIZENS AGENDA:

Jeremy Cutlip, owner of Barfly's, said he just wanted to come up and see if they had any questions. He said he thought they had made all the adjustments that were requested. He said that closing the outside entertainment earlier made it easier for him to close on time inside.

Mayor Johnson closed the Visitors/Citizens Agenda at 7:54 p.m.

H. AGENDA BRIEFING

City Manager Earl Berner said there were three items under the Consent Agenda. The two numbered items under Business are really only one item. We have a few items to discuss under the Budget Workshop.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for May 25, 2006 meeting.**
2) **Consideration and Action on approval of May financials.**
3) **Consideration and Action on approval of a Resolution to approve the 'Draft' DENCO Area 9-1-1 District Fiscal Year 2007 Financial Plan.**

Motion to approve the Consent Agenda was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Public Workshop on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition—North in the City of Lake Dallas, Denton County, Texas.**

Mayor Johnson said we will conduct this item like a public hearing and hear from the citizens and the business owners and then close the workshop and go to the action item and council discussion.

Kimberly, manager of the Addison Point, said they had been there thirty years. She said they want to make the Lake Dallas Point a family environment. She had a slide show for presentation plus a handout and menu for the councilmembers. She said they had made a number of concessions. The presentation showed the layout of the facility, tables and TV sets placements. The non-smoking section has separate ventilation.

Michael Graham, 518 Briaroaks Drive, said to let this be what should be set in the ordinances for hours and see if it looks like a good plan. He said it is important that the City Council is seen as business friendly. He said the challenge is that Council represents the citizens and our neighboring cities and they can't forget that, ultimately they represent the citizens that elected them. He said people are going to get alcohol wherever but that he is concerned with the 2 a.m. closing. He thinks the doors still need to be addressed.

Mr. Bradcliff, pastor of the Open Arms Church, 2705 Fountain View Drive, said this is a nice community. He said he appreciates the changes that went into the possible restaurant, but he still has concerns with the closing time. He said he has talked with the city manager. He wonders about the environment there after 10 p.m. -- is it still going to be a restaurant or drinking only? He said that he understands from his father's business that you make money from tobacco and alcohol but that he is just a voice for his church tonight.

David Goodnight, 403 Springtree Road, referenced the non-smoking section and was told it will be glassed in. There are fewer television sets but everyone will still be able to see them. The reply to his question about the windows was that they would be 4' x 6' with blinds and that the door will be changed.

Bob Saralegui, 406 Stoneleigh, said he wasn't at the last meeting. He said something about this being a bar. He said that in the 80's he was in the Point in Addison. He said he would like to see it as a more neighborhood-friendly restaurant. He said he is not happy with an establishment like that staying open until 2 a.m. He said that with the bridge coming in and road getting wider that it may pose other problems.

Linda Johnson, Jackson Ranch, said she represents the "soccer moms" in the Lake Cities. She said she is all for having a restaurant that serves alcohol but no more bars. She said he biggest concern is being open until 2 a.m. She said that nothing good happens between midnight and 2 a.m. She said they would like somewhere they can go after soccer games. She thinks they should definitely close by midnight.

Brian Crow, 409 Springtree Road, said he agrees with everything that's been said so far. He said that the schematic they showed was that this is a bar that serves food. There's a very small section for non-smoking and the vast majority of the facility allows smoking. He said he appreciates the concessions they've made. He said they are trying to paint this as a family environment but they are not quite there yet.

Marvin Chisum, 204 Hillcrest, said he agrees with everyone and said they've done a great job in concessions. His main concern is the hours. He said that in the Planning and Zoning Commission meeting there was a lot of talk about Chili's. He said they close around 10:30 and it looks as if they're making money. He said he believes that midnight should be the closing time. He said that, "On the bright side -- when Chili's closes for the night they could be getting those customers.

Dana Hiltabiddle, 550 Briar Oaks, said he wants to set some numbers straight. He said he's in the process of opening a piano bar in Lewisville. He said that TABC has certain requirements in percentages for food, alcohol, and other items. He referenced something about the size of Denton County and that cities don't have a say in closing time if there is a certain population.

Elizabeth Stepp, 542 Briaroaks Drive, said she wants to echo everything that has been said by her neighbors. She said we appreciate all the changes that they have made but she is still very concerned because it looks like a bar that serves food. She said that based on what she's seen and heard so far she's still not going to be comfortable taking her children there. She said that she and her children will not be there. It still looks like a bar attempting to be a restaurant. She said that what Lake Dallas needs is a good restaurant and she understands that Chili's started out as a bar and that now it's family dining with a bar. She said that from this floor plan, it's going to be very obvious that it's a bar and you're going to have to quickly get your children away from that. She said that the 2 a.m. closing time is simply not acceptable that close to a residential area. She said that what happens between midnight and 2 a.m. is primarily drinking and she is very concerned with what happens when those people get on the road after closing.

Teresa Jones, 301 Wallford, said she wants to echo everyone here. She lives directly behind the hotel and there's no one else here from her street to represent their street. She said they have extreme concerns about the 2 a.m. closing but they are very happy with the changes.

David Goodnight, 403 Springtree Road, said a lot has been said about the 2 a.m. closing and he remembers that Councilmember Connors had said last time that she would not approve the 2 a.m. closing. He agrees that it is a bar for the most part and he is opposed to the smoking. When you walk in the front door you are walking directly into the smoking section. He suggests that they make the non-smoking area larger and bar area smaller so they don't have to walk into a bar atmosphere with their kids.

Michael Graham, 518 Briaroaks Drive, said he has one other suggestion. He said that the City Council should review the number of alcohol-based businesses in the city at some point. Someone said that the City cannot legally do that.

Kimberly, manager of The Point in Addison, said she has a 4-year-old child. She said they go to Nick's Sports Bar in Rowlett, where she lives. She said the place is packed and she watches sports and her little girl goes up there with her cheerleading uniform on. She said they do not have the buying power of Chili's wince they are not a chain. She said there are other people who live in this community without children who might just want to come in there and watch sports. She said that if you are uncomfortable about bringing your children in, then don't go there. She said people who drink somewhere else could still drive through their neighborhood. She discussed their menu. She said that not everybody in the world works the hours of 9 – 5. She said she's a huge sports fan and stayed up late watching the Mavericks. She said people won't somewhere to watch games if the place is going to close before the end of a game.

Mayor Johnson closed the workshop at 8:25 p.m. when no one else came forward to speak.

2) Consideration and Action on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition—North in the City of Lake Dallas, Denton County, Texas.

Mayor Johnson suggested that Council wait before placing the motion and have their discussion first.

There was discussion at length about the 2 a.m. closing time. The changes that they made to the facility layout were acceptable. The larger windows could be to their advantage. Bright colors and awnings could signal a welcoming appearance. We need to be sensitive to the neighbors and since it is at the gateway to our city we would like to enhance our image. A suggestion was made to move the wall to the non-smoking section to the other side of the front door so that when people walk in they would be in the non-smoking area.

The fire department will set the maximum occupancy for the business. They have satisfied the parking lot requirements. We need to check into the State and TABC laws about the legality of setting closing time and setting another time to stop serving alcohol. There was discussion about either closing or stop serving alcohol at 11:00 p.m. on Sundays through Thursdays and midnight on Fridays and Saturdays.

City Manager Earl Berner said the City Council can place special circumstances and conditions in the permit relative to what makes a business work for that area.

Their lease is for five years. There was discussion about putting time limits on the Special Use Permit and to set requirements for periodic reviews.

The City Council took no action on this item. The owners are to submit new drawings and discuss the changes with the City Manager. This will be an action item on the June 22 City Council Agenda.

K. WORKSHOP:

1) Budget information FY 2006-2007.

City Manager Earl Berner said the staff has been coming up with wish lists regarding equipment and other new items for the new budget year. He asked the Council if they had any special items to be considered.

Discussion showed that the desire is for the police department to stay strong with the COP and outreach programs active. We should have a line items specifically designated for the City's reserves fund. We would like to see different options for ongoing street lighting improvements as

well as sidewalks. Do we need to contract for, or hire, another code person? Perhaps we need to take another look at our ordinances. We should furnish calculators for the Council table. We can look more closely at utilizing paperless agendas.

Council would like to see a preliminary budget early enough so they have the opportunity to discuss items with the department heads before making decisions.

L. CITY MANAGER REPORT

We have commissioned survey on the property we are leasing from Upper Trinity for the new Animal Shelter.

There was a pre-construction meeting this afternoon on Willow Grove and City Park improvements.

They are doing the lime stabilization on Swisher. Road.

The rest of the rezoning that was recommended by Schrickel, Rollins and Associates will go to the Planning and Zoning Commission next week.

We have heard a rumor that the railroad property has been sold but we don't know who purchased it.

A lot of people have been swimming at Willow Grove Park. Do we want to keep it posted as "no swimming" or put buoys out?

The "no swimming" sign at Thousand Oaks Park needs to be placed where the children can see it.

L. NEW AGENDA ITEMS

Do we need 'no littering' signs on the roads that come into Lake Dallas from the parks?

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 9:16 p.m.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 25, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:32 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Marino arrived at 8:25 p.m.

Staff present were City Manager Earl Berner, Lt. Michael Sparby, Holly Trivitt, Special Events Coordinator, and Beverly Weikum, City Secretary.

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. OATH OF OFFICE TO ELECTED OFFICIALS

Beverly Weikum, City Secretary, gave the Oath of Office to Mayor Marjory Johnson and gave her the Certificate of Election.

Mayor Johnson gave the Oaths of Office to Carol Ann Connors, Council Place 2, and Alan Fletcher, Council, Place 4, and presented them with their Certificates of Election.

E. ANNOUNCEMENTS

The Memorial Day Service starts Monday at 9:00 a.m. at Swisher Cemetery and then moves to the Veterans Memorial at City Park. There will be a breakfast at the VFW post following the ceremonies.

Mayor Johnson introduced Lt. Sparby who was at the meeting in the absence of Chief Ristagno.

F. PRESENTATIONS/PROCLAMATIONS

1) Upper Trinity Regional Water District

Mike Stone, Upper Trinity Regional Water District representative, introduced himself and Ronald Sirro, the local plant Interim Operations Superintendent, and Jody Sebalio, who gave the presentation. The presentation included information about the Lakeview Plant water reclamation plant improvements and odor control.

Holly Trivitt, Special Events Coordinator, had handouts for the Council and gave the financial report on the Mayfest celebration. The attendance was 3,195 over all the days and includes all the volunteers, vendors, and entertainers. She said that Thursday and Friday were better than expected. She said that the last page of her handout included the new things we did this year.

She said there were lots of comments on the air-conditioned restroom trailer. Admission was a new thing this year. She said that the event was not a huge moneymaker, but it is something we can build on for next year. Hopefully the businesses around were able to make some money off of it. The ATM machine was used heavily mostly by the college kids who were here for the Battle of the Bands competition.

The 4th of July Parade will start at 9 a.m. in City Park. The theme this year is American heroes. In the afternoon we will open the gates at 4:30 and have some vendors there. The bands will start at 4:45 and continue until the fireworks start. The kids' activities start around 5:00 p.m. and the Boys & Girls Club will have a program in place for that.

Mayor Johnson and the Councilmembers thanked Holly for her efforts on the Mayfest. Thanks were also given to City Manager Earl Berner and his wife, Gwen. Next year we will check with TxDOT about permission for sandwich signs and possibly even get a billboard ad. We should have enough time to use the ad at the Rave Theater. It would be interesting if we could determine where the visitors are coming from.

G. VISITORS/CITIZENS AGENDA:

Gene Tisdale, 524 Howard, had a handout for the council. He thanked the Police Department for allowing the Citizens on Patrol program. He said he doesn't know how much the police department appreciates them, but it's a real eye-opener for the participants. He listed several reasons for people to take part in this program. He said that good places to recruit new members is the schools, churches, and then the general public, i.e., your next-door neighbors. He said that another thing we can do is encourage our real estate people who are leasing properties to join the program and they could check out the lessees.

He said this program has given him a lot of satisfaction as well as confidence in our police department. He turned to the audience and asked them to see Officer Sleigh if they would like to sign up for the next academy.

H. AGENDA BRIEFING

City Manager Earl Berner said the Consent Agenda contains only one item. We have a large business agenda. He said the person with the Parks and Recreation Board application already had helped by working the Mayfest. Andrea Sanders is here if we have any questions on the TXU/Oncor item. We joined the North Texas Government Benefit Alliance last year in an attempt to get a pool for a better health care package. We have the Special Use Permit application plus several items that are rezoning items with public hearings prior to any action.

I. CONSENT AGENDA:

1) Consideration and Action on approval of Minutes for May 11, 2006 meeting.

Motion to approve the Consent Agenda was made by Councilmember Hammond. Second by Councilmember Connors.

Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin

Noes: None

Motion Passed

Mayor Johnson said that Items J- 5 & 6 will be pushed back on the Agenda until Councilmember Marino arrives.

J. BUSINESS:

1) Consideration and Action on appointment of Mayor Pro-Tem.

Motion to name Carol Ann Connors as Mayor Pro-Tem was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) Consideration and Action on appointment of Brian Brooks to the Parks and Recreation Board.

Motion to appoint Brian Brooks to the Parks and Recreation Board was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action on agreement with TXU Electric Delivery regarding the Extension and Modification of Settlement Agreement between TXU Electric Delivery and the Steering Committee of Cities dated January 27, 2006.

Motion to approve Item J-3 was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Connors, Fletcher, and Martin
Noes: Councilmember Hammond

Motion Passed

4) Consideration and Action on approval of the City of Lake Dallas participation in the North Texas Government Benefit Alliance.

Motion to approve Item J-4 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Mayor Johnson asked the City Council to move to Item J-7 since Councilmember Marino had not arrived yet.

7) Public Hearing on approval of an Ordinance for the proposed rezoning of Block A, Lot 1-R of the ICC Addition, City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to M-1, Light Industrial District.

Mayor Johnson closed the Public Hearing when no one came forward to speak.

8) Consideration and Action on approval of an Ordinance for the proposed rezoning of Block A, Lot 1-R of the ICC Addition, City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to M-1, Light Industrial District.

Motion to approve Item J-8 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

9) **Public Hearing on approval of an Ordinance for the proposed rezoning of Tracts 2 and 3 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-1, Retail District.**

Mayor Johnson closed the Public Hearing when no one came forward to speak.

10) **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tracts 2 and 3 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-1, Retail District.**

Motion to approve Item J-9 was made by Councilmember Connors. Second by Councilmember Fletcher.

Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Mayor Johnson asked the City Council to consider items 5 and 6.

5) **Public Hearing on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition-North in the City of Lake Dallas, Denton County, Texas.**

David Goodnight, 403 Springtree Road, said he had sent an email yesterday that basically said, "Here's an opportunity to use unused land. We had hoped to get some nice restaurants in front of the hotel and then saw the sign about the bar & grill." He said that's one thing we don't need, especially next door to his neighborhood. He said that he and his family are very much against this. He said he knows Chili's serves alcohol, but they cater more to a family setting. This place is not the same setup.

Bryan Crow, 409 Springtree Road, said he agrees with everything Mr. Goodnight said and wants to add a couple more items. He said that at the P & Z meeting the argument was made that it's the same menu as Chili's, but they have pool tables, are open until 2 a.m. and sell 60% alcohol and only 40% food. This area is going to be a gateway when the lake bridge is done and the first thing people are going to see is bar and a liquor store. He said it's a nice retail center and he'd like to see it stay that way.

Michael Graham. 518 Briar Oaks, said he agrees with the comments that have been made. He said he is certainly a proponent of sales tax revenue. He said it would be a sad state to end up having to rely on liquor sales taxes.

Jerry Tolle, 309 Owen Oaks, questioned the 'special use' terminology when we have a multitude of liquor stores and bars already.

One gentleman said he lived on Briar Oaks and had moved here from Lewisville. He said he has two young kids. It's bad enough that the hotel is right behind his back fence.

Nathan Shepard, 514 Briar Oaks, said he also sent an email. He is also opposed. Has a 6-year old boy and had hoped for a nice restaurant.

Elizabeth Stepp, 542 Briar Oaks, said she has all the same concerns the rest of her neighbors have. She said they said it so well that she doesn't know if there's anything else to say except, "Ditto, Ditto, Ditto."

Christine Kelly, said she is opposed to this application.

Barbara Garrison, 508 N. Shady Shores, said she thinks we've had this conversation before. She said that when the liquor store went in there that we decided we weren't going to let this happen. She would like to see this bar stuff stop. We need some nice restaurants. Having a drink at a restaurant is not the same as doing so in a bar.

Marvin Chisum, 204 Hillcrest, said that just like the last lady, he doesn't live close like the others, but, we don't need another bar. We need more businesses.

Mayor Johnson closed the public hearing when no one else came forward to speak.

6) **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition-North in the City of Lake Dallas, Denton County, Texas.**

There was discussion among the councilmembers. They asked if a representative from the business was in attendance.

Anita Joyce, 3905 Cedar Creek, Garland, general manager of Addison Point for 20+ years, came forward. She said it's the same type of premises as Chile's. She said she has taken her nieces and nephews there and is perfectly comfortable with the kids there. She said it had a friendly, neighborhood atmosphere. She said the menu's going to be light and family-oriented. She said they are not the typical bar and the reason they don't have many windows is because of the TV's. A menu was provided for the City Council to look at. They would have smoking and non-smoking sections plus another room for private parties that would serve 25-30 people. She thanked the City Council for their time.

One of the topics of the Council discussion was that the appearance of the building design is negative. If the frontage could be more fresh and inviting perhaps with lots of windows and color that would help the appearance at our gateway. The City is really open to having a restaurant and even a sports bar but we have enough seedy bars right now. Being open until 2 a.m. is another problem. Pool tables with kids running around are another problem since people don't control their kids any more. A name change might be a good thing, too.

The owner and another representative said they could exclude the pool tables but they would prefer to stay open until 2 a.m. They would be willing to make some changes.

Mayor Johnson asked them to come back to our next meeting after they have submitted new plan with some modifications to the City Manager. She said we are not unfriendly to businesses and we want to work together.

Motion not to approve Item J-6 was made by Councilmember Fletcher. Second by Councilmember Connors.

Motion to amend the previous motion and to table the item was made by Councilmember Hammond. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes None

Motion Passed

Motion to accept the amendment and to table Item J – 6 was made by Alan Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

11) **Public Hearing on approval of an Ordinance for the proposed rezoning of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-1, Retail District.**

Mayor Johnson closed the Public Hearing when no one came forward to speak.

12) **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-1, Retail District.**

Motion to approve Item J-12 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

13) **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1, 2, and 3 of Block 11 of the Old Town Garza property, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-3, Commercial District.**

David Goodnight, 403 Springtree Road, asked about the intent of this zoning change.

Mayor Johnson said that as a point of clarification that the new ordinance will put this property in the same zoning district that is already in place for the surrounding properties. Someone would have to have a Special Use Permit to sell alcohol just like the requirement in C-1 and C-2 zoning districts. She said we are getting ready to implement special districts for the downtown and 35 areas.

14) **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1, 2, and 3 of Block 11 of the Old Town Garza property, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-3, Commercial District.**

Motion to approve Item J-14 was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

15) Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1, 2, 3, and 4, Block 1, of the Swisher Road Addition-North, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-3, Commercial District.

Mike Fahey, 144 Kingswood, said that at the P & Z meeting he recommended that the City should not have any more C-3. He would like for them to keep it as C-1. He asked about the zoning for Adult Businesses. The reply was that a Special Use Permit is required.

Elizabeth Stepp, 542 Briar Oaks, said she was also at the P & Z meeting and expressed her concern about the C-3. She said that a few weeks ago she picked up the zoning requirements for C-1, C-2 and C-3. She said that, just as the City Manager stated, the hotel is under C-2 and we can have a liquor store in any zoning with an SUP. She said she would prefer the C-1 and have a variance for the hotel. She said there is no purpose for the C-3 zoning in that area. Heaven forbid that tornadoes take all the buildings out and we would have to rebuild with C-3 zoning in effect.

David Goodnight, 403 Springtree Road, said he doesn't have the list that Elizabeth has and just as a point of understanding, what is the benefit of having the C-3 zoning? He doesn't think that C-3 is the right solution for that area.

Bryan Crowe, 409 Springtree Road, said he's confused now. What is the thinking behind changing it to C-3 anyway?

Mayor Johnson said that the C-1-A zoning district no longer exists so we needed to change this area to another commercial zoning district. She said that the Council can make a decision on a less intensive zoning but not a more restrictive one, so that may be why we started with the C-3 zoning district.

Elizabeth Stepp, 542 Briar Oaks Drive, said that at the P & Z meeting last week that on the south side of Swisher the proposal was to C-1 from C-1-A. She said it doesn't look like that is the type of businesses in that area. She said there was a man at P & Z meeting who said he doesn't want that type of zoning across the street.

16) Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1, 2, 3, and 4, Block 1, of the Swisher Road Addition-North, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-3, Commercial District.

Mayor Johnson said we could bring the hotel property back to the City Council for rezoning.

Motion to approve the Ordinance for the rezoning of Lots 1, 2, 3, and 4 of Block 1 of the Swisher Road Addition-North from C-1-A, Restricted Business District to C-1, Commercial District was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: Councilmember Connors.

Motion Passed

17) Public Hearing on approval of an Ordinance for the proposed rezoning of Block 2, Lots 7 through 32; Block 3, Lots 4 through 67; and Block 4, Lots 1 through 24 of the Lakebridge Estates Phase One Subdivision, in the City of Lake Dallas, Denton County, Texas from Group Housing to R-1-7200, Single-Family Dwelling District.

Mayor Johnson closed the Public Hearing when no one came forward to speak.

18) Consideration and Action on approval of an Ordinance for the proposed rezoning of Block 2, Lots 7 through 32; Block 3, Lots 4 through 67; and Block 4, Lots 1 through 24 of the Lakebridge Estates Phase One Subdivision, in the City of Lake Dallas, Denton County, Texas from Group Housing to R-1-7200, Single-Family Dwelling District.

Motion to approve Item J-18 was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

19) Public Hearing on approval of an Ordinance for the proposed rezoning of Tract 9 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

Mayor Johnson closed the Public Hearing when no one came forward to speak.

20) Consideration and Action on approval of an Ordinance for the proposed rezoning of Tract 9 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

Motion to approve Item J-20 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

21) Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 26, 27, 28 and 29 of the J. V. Thompson Subdivision in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

Bud Schoultz, 141 Shady Oaks Lane, Double Oaks, said he has been a businessman of this community for thirty years. He said it is hard to make a living with a mobile home park. He wants to be sure that he can leave the mobile home park to his son when he dies with no threat of the park being shut down.
Mayor Johnson closed the Public Hearing when no one else came forward to speak.

22) Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 26, 27, 28 and 29 of the J. V. Thompson Subdivision in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

City Manager Earl Berner said that in 1998 an Ordinance was passed regarding mobile home parks that leased out spaces. He said this is one of those parks and all we are doing is applying the R-1-4000-C zoning district to this existing mobile home park. Nothing in this action makes the park a non-conforming use.
Motion to approve Item J-22 was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

23) Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 2 and 4 of Block A, of the Hansen Estates Subdivision, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

Mayor Johnson closed the Public Hearing when no one came forward to speak.

24) Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 2 and 4 of Block A, of the Hansen Estates Subdivision, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.

Motion to approve Item J-24 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

25) Public Hearing on approval of an Ordinance for the proposed rezoning of Tract 21C (13.934 Acres) and Tract 21B (6.143 Acres) of the French Abstract 0424A, in the City of Lake Dallas, Denton County, Texas, from C-1-A, Restricted Business District to C-3, Commercial District.

Mayor Johnson said that the Planning and Zoning Commission recommended the zoning as C-1 district.

Mike Fahey, 144 Kingswood, said that someone had discussed residential zoning before the P & Z but Mr. Berner had explained at that meeting that the new road is going to be going through on just the other side of the park and he doesn't think there's anything else the City can do with it. Perhaps the City could just zone it C-1 and make that a park right beside them Kingswood Manor.

Mary Bell, 90 Lakeridge, said she appreciated a C-1 zoning district.

26) Consideration and Action on approval of an Ordinance for the proposed rezoning of Tract 21C (13.934 Acres) and Tract 21B (6.143) Acres of the French Abstract 0424A, in the City of Lake Dallas, Denton County, Texas, from C-1-A, Restricted Business District to C-3, Commercial District.

Mayor Johnson said we may have to reconsider when someone approaches the City about purchasing the property from the Economic Development Corporation.

Motion to approve the rezoning of Tract 21C (13.934 Acres) and Tract 21B (6.143 Acres) of the N. French Abstract 0424A from C-1-A, Restricted Business District to C-1, Commercial District was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Hammond, Fletcher, and Martin
Noes: Councilmember Connors

Motion Passed

K. CITY MANAGER REPORT

City Manager Earl Berner said all the equipment is in place and the electricity for the tornado warning sirens. They will be effective May 31. The testing will be on the first Wednesday of each month at 1:00 p.m.

He said he would like to discuss the Budget with them regarding their wish list items at the June 8 meeting. He said that staff is in the process of getting their lists together. He anticipates that the budget presentation would be at the first meeting in August.

There was discussion about planning a Saturday budget workshop or perhaps just plan a meeting for budget workshop only without any business items.

There was discussion about the required training for Public Information and Open Meetings that is new this year and must be accomplished by December 31, 2006.

L. NEW AGENDA ITEMS

There were no new agenda items.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 9:45 p.m.

CITY OF LAKE DALLAS, TEXAS

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 11, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as requested by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:00 p.m.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3

Councilmember Fletcher was out of town and unable to attend the meeting.
Councilmember Martin was ill and unable to attend.

Staff present were City Manager Earl Bemer, Police Chief Nick Ristagno, Holly Trivitt, Special Events Coordinator, and Beverly Weikum, City Secretary.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Holly Trivitt said she has VIP information for the Mayor & City Council for the Mayfest on May 18 through the 21st. She gave the schedule for the four days of entertainment.

Councilmember Hammond said that on May 15 there will be a Police Memorial Service at Corinth City Hall at 8 p.m. for fallen officers.

Councilmember Connors reminded everyone that LCMUA is having a board members election and that only 35 people turned out to early vote. The election is Saturday from 7:00 a.m. to 7:00 p.m.

D. PRESENTATIONS/PROCLAMATIONS

Mayor Johnson presented Beverly Weikum with a plaque that held her Texas Municipal Clerks Recertification Certificate in honor of her completion of the study course required every five years.

1) Annual awards for High School Student(s)
Charlotte Johnson was given a $400 scholarship check. She has attended five council meetings, written an essay, and participated in two community events during this past year. This is the second year in a row she's won the award.

2) Motorcycle Awareness Month
Mayor Johnson read a proclamation for Motorcycle Awareness Month.

3) Hurricane Awareness Week 2006
Mayor Johnson read a proclamation about Hurricane Awareness week for 2006.

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 23, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4

Councilmember Martin was absent due to hospitalization.

Also present were: City Manager Earl Berner, Police Chief Nick Ristagno, David Berman, City Attorney, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Mayor Johnson reminded everyone of the Ribbon Cutting at 4 PM Saturday at River Oaks Park.

E. PRESENTATIONS/PROCLAMATIONS

1) Friends of the Family – April is Sexual Assault Awareness Month

Mayor Johnson read the proclamation received from the Denton County Friends of the Family.

F. VISITORS/CITIZENS AGENDA:

Terry Lantrip, 209 Main Street, thanked to the City and everyone who showed up for the groundbreaking for his new project yesterday. He said he went to the Community Development Corporation meeting last week and listened to the consultants. He said he's been involved with the Main street improvement. He said the image to project is that of a fishing village. The consultants were discussing a Florida coastal city and he doesn't think that's what we want. He said that one of the ideas they had was a sign and he thinks it looks like the '70's and he doesn't think we should use those signs. He likes our consultants but he doesn't like the name 'Village Center' and he thinks we should stick with the term 'downtown.' Another idea they had was the lighthouse (and while he is not opposed to that) but they discussed a meeting room in the bottom of it and the traffic circle around it. He thinks that would be confusing to vehicles as well as pedestrians.

No one else came forward to speak so Mayor Johnson closed the Citizens Agenda.

G. AGENDA BRIEFING
City Manager Earl Berner listed the items on the agenda for the meeting.

H. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for March 9, 2006 meeting. (City Secretary)**
2) **Consideration and Action on approval of February Financials. (City Manager)**
3) **Consideration and Action on approval of Ordinance to cancel the May 13, 2006 general election. (City Secretary)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

I. BUSINESS:

1) **Consideration and Action on approval of an Ordinance revising Comprehensive Zoning Ordinance, Chapter 122 of the Municipal Code of the City of Lake Dallas, and to move the provisions of Chapter 6, Advertising, into Chapter 122, Zoning. (City Manager)**

Motion to approve Item I-1 was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

2) **Consideration and Action on an Ordinance to allow for a property tax exemption for the elderly and/or disabled citizens of the City of Lake Dallas. (City Manager)**

Motion to approve the Ordinance to allow for a tax exemption for those over 65 in the amount of $20,000 and establish a tax exemption for the disabled up to $20,000 was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

3) **Consideration and Action to abandon a portion of a street right-of-way in Lake Dallas Shores Subdivision. (City Manager)**

Motion to approve Item I-3 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

4) **Consideration and Action to appoint John Witter to the Parks and Recreation Board. (City Manager)**

Motion to appoint John Witter to the Parks and Recreation Board was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Earl Berner reminded the Council that the quarterly newsletter is due out next week. They should get their information submitted by Friday.

Last weekend was quarterly cleanup and we had 117 participants in the rain. The Public Works people picked up from ten yards. He gave a reminder that the Keep Lake Dallas Beautiful Committee cleanup is April 22 and they're going to clean up Denton Drive. Dumpsters will be placed on the property on Shady Shores across from the Library.

TML is hosting a regional meeting on April 20 in Weatherford. Mayor Johnson and Councilmember Hammond have expressed interest in going. If any others would like to attend they should contact the City Secretary to get registered.

The Chamber Banquet is April 27 and is at the Double Tree in Flower Mound. Those interested in going should advise Mr. Berner.

Chief Ristagno has been in contact with the disaster coordinator regarding training on council responsibilities. City Manager Earl Berner said we will probably start these in May.

K. NEW AGENDA ITEMS

Mayor Johnson requested a workshop on the community development job and job description on the next City Council Agenda so Council could review that.

City Manager Earl Berner said that we will have an item for the relocation of a billboard on our next agenda due to expansion of a road project by TX DOT.

L. ADJOURNMENT

Motion to adjourn was made by Councilmember Hammond. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, and Fletcher
Noes: None

Motion Passed

The meeting was over at 8:05 PM.

Marjory Johnson, Mayor

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 9 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were: City Manager Earl Berner, Kali Wood, Community Development Director, Holly Trivitt, Special Events Coordinator, and Beverly Weikum, City Secretary.

Due to a scheduling conflict David Berman, City Attorney, arrived at 8:02 PM.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Councilmember Connors said the Chamber of Commerce has pledged $1,000 to our fireworks program this year.

Mayor Johnson said the Chair of Board of Directors for the Lake Cities Municipal Utility Authority was in the audience tonight.

E. PRESENTATIONS

There were no presentations.

F. REPORTS:

Boards and Commissions

Gary Johnson had emailed his reports. The Parks and Recreation Board now meets on the first Monday of the month at 7:00 PM. At the last meeting Gary Johnson was named Interim Chair, Tony Snider as Interim Vice Chair and Julie Chapman as Secretary. They will have a special meeting on March 16 at 7:00 PM in the Linwood Gilliland Community Room. He said the board is excited about the pending plans for MayFest and appreciate the efforts of City Manager Earl Berner, Holly Trivitt, the Mayor and City Council and all the City Staff.

City Manager Earl Berner said the board's regular meetings will be on the first Thursday of each month.

He said the Library Board is planning a Lake Dallas appreciation day. It will probably be sometime in June. The Library Board will present a mid-year report to the area councils in April.

Holly Trivitt had handouts regarding the Mardi Gras expenses and sponsorships. She said we had a great turnout. There were twenty-six floats in the parade and forty entries in the parade with all the cars, etc. There was a $1,000 prize for best float contest and that was awarded to Don Glockel of CenturyTel. She said we got more than the $85.00 cash cleared through all the publicity we received. The businesses on Main Street all reported that they did great that night.

Holly also gave the Mayor and Councilmembers pages about the Mayfest, the 18th until the 21st. She said she's been sending out letters to possible sponsors and vendors. The Parks and Recreation Board is working on this right now. There was a lot of discussion and planning at last week's meeting. There will be the Cavalcade of stars, they partner with KLUV and we're hoping KLUV will come in as a media sponsor for the judging for the Battle of Bands. Sunday will be BeatleGras and the Texas Gypsies. We will have the carnival and midway also. She also included a page about the sponsorship opportunities and levels. It is the same carnival that we had last year.

Mayor Johnson said the Economic Development Corporation closed on another piece of property last week right across from the library.

G. VISITORS/CITIZENS AGENDA:
Jeanette Harmon, 72 Lakeridge, said greetings to the Mayor & councilmembers. She wants to address the fact that she's been very unhappy with the way things are taken care of at Kingswood. She said there are tarps on fences and she's been told there's nothing in the City Code that addresses this. She said she thinks Harold said there are 197 violations in that park and this is ridiculous. She's run across people who are not aware that Lake Dallas does not have an animal care program. She can't believe that we don't have someone to take care of these animals. Mayor Johnson told her that we are building a new animal shelter.
Ms. Harmon said we need to make people more aware that we have animals that need homes.

Norma McAlavy, 25 Oakwood Drive, said she loves her home and loves Kingswood and that it breaks her heart to see it go downhill like it is now. She has talked with Harold and it seems that when he manages to get one place in compliance then there is another that needs attention. She said there's another trailer with garbage bags and junk plus three cars in street that they are working on. She said she knows people need to make a living but why don't they rent a garage or go to work somewhere. She said she is also concerned about the tarps that Jeanette mentioned. She said the property owners need to keep the fences down in their front yards. She said a mobile home will burn down in seven minutes. She said there is another house out there that has a 'fishing pickup' parked outside and she thinks an elderly man sleeps in it at night. She said there's an electric cord running to it. She said #9 finally got cleaned up and that they wouldn't believe what they left out there when they moved. She said it's unbelievable that people are allowing their renters, and homeowners are living in this condition. She just asks that they rake their yards, clean the yards and be nice and be respectful. She said there is a man who bought an old van (about the size of an UPS or FedEx delivery truck) and had plans on going into business and working on site on cars. She said it's a disaster and is parked by his home and that he hangs tarps on his fence. She said these sorts of things tears down the value of the other homes in Kingswood. She has found out that the man has talked with his attorney about getting this vehicle classified as an RV. If he can get it classified as such he will not be in violation when he parks it at his home. She's asking for cooperation to get this straightened out. Another place had two boats parked at their location. She said they should be in storage in the back. She wants new city ordinances to help them. She's said she's been there too long and takes great pride in her home. She thanked the City Council.

City Manager Earl Berner said we have given the man two weeks to get the vehicle fixed as an RV. He said the man has to get the vehicle licensed as an RV.

Mayor Johnson closed the Citizens Agenda when no one else came forward to speak.

H. AGENDA BRIEFING

City Manager Earl Berner said there are two items on the Consent Agenda. He said three are listed but the financials are not ready. He said the contract with Bates has been agreed on by our attorney and Bates. Under business we have the tornado warning sirens; the revision of Chapters 122 and 6 of the Municipal Code and then a fee schedule for sign permits. We will cancel the April 27 meeting due to conflict with the Chamber Banquet. The other two business items are the volunteer banquet scheduling and the reappointment of Gary Johnson to the Parks Board. The last item is the workshop on property tax exemptions.

I. CONSENT AGENDA:

1) **Consideration and Action on approval of Minutes for February 9 and February 23, 2006 meetings. (City Secretary)**
2) **Consideration and Action on approval of February Financials. (City Manager)**
3) **Consideration and Action on approval of a modified contract with Bates Architects, Inc. for the animal shelter. (Chief of Police)**

Motion to approve Items 1 and 3 of the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action to award a contract for Early Warning Sirens in the City of Lake Dallas. (Chief of Police)**

Motion to award the contract for the Early Warning Sirens in the City of Lake Dallas to Federal Signal Corporation with the noted exception was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

2) **Public Hearing on approval of an Ordinance revising Comprehensive Zoning Ordinance, Chapter 122 of the Municipal Code of the City of Lake Dallas, and to move the provisions of Chapter 6, Advertising, into Chapter 122, Zoning.**

Patrick Connors, 754 Texas Oak Trail, said he looked thru the code and Ordinance. His background for the past 35 years has been construction which includes development for cities. He said what they've done is very good but that he had a couple of comments.
Mr. Connors questioned the definition under family: He also had a question under masonry about hardy plank. That is not included as part of the 80% masonry requirement.
On Section 122.336, Site Plan Approval – he said this was as a word of caution more than anything else. He said reviewing the site plans is Staff's job and that the Planning and Zoning Commission and City Council should not get into micro-managing developers. Staff should ensure that all requirements are met before the plans go before the P & Z and City Council.

He said Section 122.767 states that the minimum lot size should be 40,000 feet. He said that is a pretty good size for someone looking for pad sites. We should try to use a size so they won't have to get a variance. Section 122.724, retail and commercial parking spaces, requires a minimum of one off-street parking space for each 100 SF of the building. He said that normally it's about 200 SF per parking space for other retail. He said we do not address medical offices, which would have different parking requirements. Offices, Section 122.729, he thinks we should be looking at 300 SF per parking space. Most cities are using that with exceptions. In a lot of the areas where maximum height is described: all sections are stating a maximum of 35 feet 'AND' two stories instead of 'OR.' He said that under banner signs it states that a sign permit may be issued after approval of a site plan and/or final plat. If someone's already building he's going to have a site plan and/or plat approval and if it is already constructed, they'll have a Certificate of Occupancy.

3) **Consideration and Action on approval of an Ordinance revising Comprehensive Zoning Ordinance, Chapter 122 of the Municipal Code of the City of Lake Dallas, and to move the provisions of Chapter 6, Advertising, into Chapter 122, Zoning. (City Manager)**

The City Council took no action on this item.

4) **Consideration and Action on approval of a fee schedule for sign permits. (City Manager)**

Motion to approve Item J-4 was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

5) **Consideration and Action on cancellation of April 27 City Council Meeting.**

Motion to cancel the April 27 City Council Meeting was made by Councilmember Connors. Second by Councilmember Fletcher.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

6) **Consideration and Action to schedule the annual Volunteers' Appreciation Banquet. (City Manager)**

Motion to schedule the annual Volunteer's Appreciation Banquet for April 24, 2006 at 7:00 PM was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

7) **Consideration and Action to reappoint Gary Johnson to the Parks and Recreation Board. (City Manager)**

Motion to appoint Gary Johnson to the Parks and Recreation Board was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

K. WORKSHOP:

1) Property Tax exemptions for 65 years or older or disabled persons pursuant to Texas Property Code, Sections 11.13 and 11.261. (City Manager)

City Manager Earl Berner said that during our Budget sessions the City Council had asked for us to check into an increase in the exemption amount. He said he thinks we can take the exemption from $10,000 to $20,000 and do the disabled and that he doesn't think it will affect our budget. He thinks that natural growth should take care of the difference.

We would determine the disabled from what Denton County has on their records. We would not allow double exemptions. The citizens would need to apply for the exemptions. If the qualifying person dies and the spouse if 65 or older the property would continue to receive the exemption.

City Manager Earl Berner said we will bring this back to the next meeting.

L. CITY MANAGER REPORT

City Manager Earl Berner said we have just about completed getting the roof off the property across from the library. The new owner will take it to Shady Shores.

Reminder of the Kids N Cops dance tomorrow night from 7 to 10.

The quarterly letter has been pushed back a week since next week is spring break. We need the information by Tuesday, the 21st.

He reported that we had an interesting theft – 500' of cable from Willow Grove Park. He's guessing they're selling it for the price of aluminum. It's been replaced and we are doing close patrols.

March 18 is the next quarterly clean up and the Keep Lake Dallas Beautiful Committee cleanup is scheduled for April 22.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 8:25 PM.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 23, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:30 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Councilmember Marino was absent.

Also present were City Manager Earl Berner, Police Chief Nick Ristagno, Linda Jordan of Schrickel, Rollins and Associates, Kali Wood, Community Development Director, and City Secretary Beverly Weikum.

B. INVOCATION

Mayor Johnson gave the invocation.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag

2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Mayor Johnson said we need to recognize Karl Hammond, Councilmember Place 3, since he has been very diligent in attending seminars put on by the Texas Municipal League. It takes a lot of time away from his family to attend these meetings. She presented Councilmember Hammond the Texas Municipal League Certificate of Recognition for his attendance and receipt of continuing education credits.

Police Chief Nick Ristagno said he wanted to introduce two new officers. He said one is not really new and that it occurred during the transition period. He introduced Officer Titus (German Shepard) and Officer Eric Louderback, his handler. The other is Officer Hexel (Malinois) with his trainer, Sgt. Drew Pascal. Hexel is dual trained for drugs and apprehension and Titus is in training for both.

E. PRESENTATIONS

Lake Dallas I.S.D., Wes Eversole

Wes Eversole had handouts for the Councilmembers and introduced John King, the school architect. Mr. Eversole said they are opening Shady Shores Elementary this summer. It's across the street from Thousand Oaks on Dobbs Road. He said they have been working with the architects and engineers to put sidewalks in that area. There will be approximately 800 feet of 5' sidewalk along the fence line from Texas Oak Drive to River Oaks Way on the south side of Dobbs Road. They want to keep it as far away from the road as possible for safety reasons as well as the possible expansion of Dobbs Road.

Across the street they are planning more sidewalk plus they plan to build a pedestrian bridge. The total project cost for the whole system is a little over $67,000. Their proposal is to split this with the cities 50-50 and the school district will pick up the architectural cost. This is based on the portions within the confines of each city. The City of Lake Dallas' portion would cost $28,892, so the school district will split that cost with the City. He said we do have a history of partnering: most recently the tennis courts that were built adjacent to City Park.

Linwood Gilliland Community Room Kitchen

Mayor Johnson said she would read the names on the plaque and asked those whose names she reads to come forward. She said there would be a picture taken of those present.

The names on the Appreciation Plaque:

Financial:

Community Room – 2002 by the City of Lake Dallas with Donations from: Lake Dallas Community Development Corporation; Lake Cities Chamber of Commerce.

Kitchen – 2005 by the Lake Dallas Community Development Corporation with Donations from: CenturyTel, Waste Management, TXU, Kathleen Gilliland, Ginny Tyree, and the City of Lake Dallas.

Design: Police Chief Nick Ristagno

Construction: Police Chief Nick Ristagno, Members of the Lake Dallas Police Department, Members of the Lake Dallas Public Works Department, Daniels Air Conditioning, Empower Electric, Metroplex Cabinets, Mr. Allan (Butch) Honse, Mr. Allen Vaughn, Mr. Michael Minnis, Mr. Robbie Robertson, and North Dallas Drywall.

F. VISITORS/CITIZENS AGENDA:

Carolyn Green, 201 North Shady Shores, personally thanked the City Council and Chief Ristagno for completing a dream of hers. She praised Police Chief Nick Ristagno highly.

G. AGENDA BRIEFING

City Manager Earl Berner listed the items on the Consent Agenda and handed out a corrected contract for Bates Architects. Next he listed the items under Business and said Linda Jordan was there to discuss the Workshop Item of revising Chapter 122, Zoning, of the Lake Dallas Municipal Code.

H. CONSENT AGENDA:

1) **Consideration and Action to accept the 2005 annual Racial Profiling Statistical Report.**
2) **Consideration and Action on approval of an Ordinance allowing for various Budget Amendments.**
3) **Consideration and Action to approve an Ordinance for a Budget Amendment for sidewalk on Dobbs Road.**
4) **Consideration and Action on approve a contract with Bates Architects, Inc. for the design and construction of the Lake Dallas animal shelter.**
5) **Consideration and Action to approve a Resolution to allow our property tax collector undertake requisite action associated with enactment of Section 33.11, Texas Property Tax Code.**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Fletcher.

Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin

Noes: None

Motion Passed

I. BUSINESS:

1) **Public Hearing on proposed replat of Lots 37R, 38R, 39R, 40, 41, 42 and 43 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into six (6) lots.**

No one came forward to speak so Mayor Johnson closed the public hearing.

2) **Consideration and Action on approval of the proposed replat of Lots 37R, 38R, 39R, 40, 41, 42 and 43 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into six (6) lots.**

Motion to approve Item I-2 was made by Councilmember Fletcher. Second by Councilmember Connors.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) **Public Hearing on the proposed replacement of Chapter 122, Zoning, of the Municipal Code of the City of Lake Dallas with a revised Chapter 122, Zoning.**

No one came forward to speak so Mayor Johnson closed the public hearing.

4) **Consideration and Action on approval of an Ordinance to revise Chapter 122, Zoning, of the Municipal Code of the City of Lake Dallas.**

City Council took no action on this item. City Council went to Item J. Workshop: Revisions to Chapter 122, Zoning, of the Lake Dallas Municipal Code.

J. WORKSHOP:

Revisions to Chapter 122, Zoning, of the Lake Dallas Municipal Code.

There was discussion among the Councilmembers on this revision. This is mostly just a housecleaning item. On page 62 we should change the I-35E Overlay District to the I-35-E Business Corridor District. We should schedule one more public hearing at the next meeting and then take action.

City Manager Earl Berner said he would prefer one more meeting because our City Attorney has some changes he would like to address and he couldn't be here tonight.

K. CITY MANAGER REPORT

City Manager Earl Berner said that next week there will be a pre-construction meeting on the Swisher Road extension that involves the school district and all the utilities. They plan to start around the first of April.

Last week we submitted application for grant for the Enhancements Nomination for Main Street Project w/help of Schrickel, Rollins and Associates. We should know whether we receive it in about five or six months.

The bids close tomorrow for the Warning Sirens RFP and will be opened on February 27. The item will be on March 9 meeting agenda.

Next Tuesday is the Mardi Gras parade and celebration.

The Parks Board finally has a quorum and will have a meeting on the first Thursday of the month.

The Public Works Department will be tearing down the roof on the mobile home on the Lugenheim property.

The Kids & Cops street dance will be on March 10 beginning at 7:00 PM.

The next quarterly newsletter is in the process of being written and will be ready about mid-March. Mayor Johnson asked the Councilmembers to write a paragraph about themselves and we'll have our new pictures to put the articles for the newsletter.

We haven't heard from the hotel about the grand opening date. Councilmember Hammond said his whole family spent the night there the other night and it is very impressive.

L. NEW AGENDA ITEMS

Councilmember Connors said to remember that the primary has begun. This is one of the voting sites and Election Day is March 7. Early voting is going on now.

Councilmember Martin asked that Council discuss tax exemptions for the seniors and disabled at our next meeting. City Manager Earl Berner said it is scheduled for the March 9 agenda.

M. ADJOURNMENT

Motion to adjourn was made by Councilmember Fletcher. Second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 8:10 PM.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 9, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:32 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Fletcher was absent due to illness.

Also present were: Police Chief Nick Ristagno, City Manager Earl Berner, Community Development Director Kali Wood, Linda Jordan of Schrickel, Rollins and Associates, and Char DuPree, Acting City Secretary.

B. INVOCATION

The invocation was given by Mayor Johnson.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

C. ANNOUNCEMENTS

Mayor Johnson stated citizen Michael Bonacum could not attend tonight's meeting but would appreciate it if council members could contact him regarding a fence issue at his residence. His phone number is (940) 497-2142.

D. PRESENTATIONS/PROCLAMATIONS

There were no presentations or proclamations.

F. REPORTS:

Boards and Commissions:

1) LCVFD (Jason Collier):
Chief Collier presented the first fiscal quarter report and gave each council member a written copy. He stated he delayed the presentation until the financials had been approved. The fire department is working at 25% of their budget except for those items that require a one-time payment. Service call numbers are consistent with 2005 calls. The last three pages of the report are the financials, the Profit & Loss Budget vs. Actual. Mr. Berner reviews these on a monthly basis.

In addition, Chief Collier stated the Department of Insurance ISO rate reduction will result in lower premiums effective June 1, 2006. There will be a savings of $140 on the average home. Press releases will be published the end of February or the beginning of March.

2) **Other Boards and Commissions**
Gary Johnson, Chair of Parks and Recreation Board and member of Library Board: Mr. Johnson said he hoped the Council would approve the new member of the Parks Board. Elections of officers will be done at the first meeting of the Board. The Library Board has been busy with the introduction of new programs and computers. Mr. Johnson hoped everyone will come by and meet the new librarian.

G. VISITORS/CITIZENS AGENDA:
No one came forward and the Visitors/Citizens Agenda was closed.

H. AGENDA BRIEFING
City Manager Earl Berner reviewed the Consent Agenda for the Council.

I. CONSENT AGENDA: Earl reviewed consent agenda for council.

1) **Consideration and Action on approval Minutes for January 26, 2006 meeting. (City Secretary)**
2) **Consideration and Action on approval of January Financials. (City Manager)**
3) **Consideration and Action on approval of the 4th Quarter 2005 Quarterly Investment Report. (City Secretary)**
4) **Consideration and Action to approve a Resolution to order the May general election, appoint the judges, and determine early voting dates. (City Secretary)**
5) **Consideration and Action on approve a Resolution to contract with Denton County for the May 2006 election. (City Secretary)**
6) **Consideration and Action to reappoint Ben Gilbert to the Planning and Zoning Commission.**
7) **Consideration and Action to ratify the promotion of one additional sergeant. (Police Chief Nick Ristagno)**

Motion to approve Consent Agenda Items 1-7 was made by Council Member Connors. Second by Council Member Hammond.
Ayes: Council Members Marino, Connors, and Hammond and Martin.
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and Action on acceptance of Financial Statements and Independent Auditors Report for FY ended September 30. 2005. (City Manager)

The auditor was unable to attend the meeting, however, City Manager Berner reported the audit result to the Council. Per Mr. Berner, the City received a clean review.

Motion to accept the Financial Statements and Independent Auditors Report for FY ended September 30, 2006 was made by Council Member Connors. Second by Council Member Marino.

Ayes: Council Members Marino, Connors, and Hammond and Martin.

Noes: None

Motion Passed

2) Consideration and Action on appointment of Julie Chapman to: Parks and Recreation Board/Keep Lake Dallas Beautiful Committee/Community Development Corporation. (City Manager)

Motion to approve the appointment of Julie Chapman was made by Council Member Hammond. Second was made by Council Member Marino.

Ayes: Council Members Marino, Connors, Hammond and Martin.

Noes: None

Motion Passed

K. WORKSHOP:

1) Revisions to Chapter 122, Zoning, of the Lake Dallas Municipal Code.

The workshop was postponed until the next scheduled meeting when all Council Members are present.

L. CITY MANAGER REPORT

City Manager Earl Berner stated he is preparing a financial summary that will be presented at the next meeting. He feels the City will be all right financially but it may be a tight budget. He also said the Best Western Hotel is now open and the restaurant construction is moving along.

The City has purchased the Lugenheim property on Shady Shores, across from the Lake Cities Library.

Lake Dallas, Corinth and Hickory Creek will sponsor a City tour and luncheon for developers and potential businesses sometime in May.

M. NEW AGENDA ITEMS

The Council commended the police department for the arrest of a murder suspect; good job.

N. ADJOURNMENT

Motion to adjourn was made by Council Member Connors. Second by Council Member Marino.
Ayes: Council Members Marino, Connors, Hammond and Martin
Noes: None

The meeting was over at 7:57PM.

Marjory Johnsen, Mayor

Char DuPree
Acting City Secretary

LAKE DALLAS TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 26, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:42 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Alan Fletcher	Councilmember 4
Richard Martin	Councilmember 5

Also present were Police Chief Nick Ristagno, City Manager Earl Berner, City Attorney, David Berman, Linda Jordan of Schrickel, Rollins and Associates, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Mayor Johnson.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]

Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Earl Berner introduced Tim Dial, our new police officer, the three promotions of patrolmen to sergeant: Drew Paschal, Paul Jaworski, and Benny Sleigh. City Manager Earl Berner said that in the Budget we only have two sergeants' salaries, so we will come back at a later date with any budget revision necessary. He said that on the administration side we have a brand new administrative assistant, Donna Damon; and two new positions: Holly Trivitt {Events Coordinator] and her fiancé; another new position we have filled is the Community Development director, Kali Wood. She is a Denton resident and was hired because she has seven years in the Main Street program and the Community Development Corporation is getting into that. We are hoping all these new employees will take us beyond the next level.

Mayor Johnson said that the Council has an awards program and we've got three folks here from high school that are participating in this program: Charlotte Johnson, Katherine Thompson, and Sean Thompson. She said we'll be seeing them a lot during this next year.

She also introduced Steve Badyna, the new Parks and Recreation Board member.

E. PRESENTATIONS/PROCLAMATIONS

There were no presentations or proclamations.

F. REPORTS:

Boards and Commissions

There were no reports from Boards or Commissions.

G. VISITORS/CITIZENS AGENDA:
Greg Tierney, 503 Main Street, said he wanted to commend the City Manager and the Council. He said he's been involved with the new downtown concept and with the hiring of new staff he thinks the City should be commended for taking a very progressive approach.
He said the Mardi Gras celebration is scheduled for Tuesday, February 28. This year they are planning a parade as was done last year but they are hoping to extend the route. They really want to encourage more participation and are encouraging floats by offering a $1,000 prize for the best float. He said there will be entertainment and kids' activities. This year they are getting sponsorships. He said that anything extra over the cost of the event will be for the city's parks department. He said he hopes it will be something significant in the future.
Mayor Johnson said the sponsorships come through the city. We will be provided with sponsorship sheets.
Parade entries should contact Carol Ann Connors.

Marty Roberts, 5607 County Road 121, Rose Sharon, Texas, was there to speak about the Team Sports event. They had a video presentation. This is being planned for September 16 and 17 and will be two full days of racing by jet skis and jet boats. They have a t-shirt vendor who comes with them plus other vendors, but that's where they really need a partner: someone who has the contacts who can bring the vendors. There are eight or nine months to get this off the ground.

Mayor Johnson closed the Citizens Agenda at 8:20 PM.

H. AGENDA BRIEFING
City Manager Earl Berner said the second item on the Consent Agenda is a housekeeping item and the third item is to adopt the 2003 building and related codes that the State has mandated plus the amendments. The first item under business is to vacate a partial easement (Mr. Marino has abstained). The second item is action on the Mardi Gras celebration and the third item is another special event: the ski boating in September. We may offer some cash and we'll help get sponsors and vendors. Our goal this first year would be to try to break even. There are two items under the workshop. The first is discussion on the Lake Cities Fire Department and the second item is the zoning ordinance. The final item is action on the fire department agreement if the Council wishes to take action.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for January 12, 2006 meeting. (City Secretary)**
2) **Consideration and Action on approval of revised Personnel Manual. (City Manager)**
3) **Consideration and Action to approve an Ordinance to adopt the provisions of the International Building Code, 2003 Edition, the International Residential Code, 2003 Edition, The International Energy Conservation Code, 2003 Edition, the International Mechanical Code, 2003 Edition, the International Plumbing Code, 2003 Edition, the International Fire Code, 2003 Edition, the International Fuel Gas Code, 2003 Edition, and the National Electrical Code, 2002 Edition and providing for amendments to each of the codes adopted. (City Manager)**

Councilmember Connors asked that Item I-2 be pulled from the Consent Agenda.
Motion to approve items 1 and 3 of the Consent Agenda was made by Councilmember Hammond. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

Councilmember Connors asked if the 'Spring Holiday' date was going to fall on Good Friday. City Manager Earl Berner said that was pretty much what he was thinking. The City Council asked if it could be called Good Friday in listing the holidays. City Manager Earl Berner said we would make that change.

Motion to approve Consent Agenda Item I-2 was made by Councilmember Connors. Second by Councilmember Marino.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) Consideration and action to adopt an Ordinance to vacate an easement on Thompson (Marino property).

Councilmember Marino had completed a Conflict of Interest form and recused himself from the council table.

Motion to approve Item J-1 was made by Councilmember Fletcher. Second by Councilmember Connors.

Ayes: Councilmembers Connors, Hammond, Fletcher, and Martin
Noes: None
Abstentions: Councilmember Marino

Motion Passed

2) Consideration and Action on approval to allow Mardi Gras parade and celebration. (City Manager)

Motion of approval and to allow the Mardi Gras parade and celebration was made by Councilmember Connors. Second by Councilmember Martin.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

3) Consideration and Action for City support for Team Sports request to hold jet ski/jet boats (tri-hull) competition in September 2006. (City Manager)

Motion to approve the jet ski/jet boats (tri-hull) competition in September, tentatively the 16th and 17th, was made by Councilmember Marino. Second by Councilmember Connors.

Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

City Manager Earl Berner said we would proceed with negotiations.

K. WORKSHOP:

1) Interlocal agreement with Lake Cities Fire Department.

There was discussion among the Councilmembers. City Manager Earl Berner answered questions brought by the Council. David Berman, City Attorney, was asked for his thoughts on the agreement. He stated some Attorney General opinions.

There was discussion about elected officials serving on the Fire Board and the difference in serving on that board as opposed to the Community Development and Economic Development Corporation boards. We have two more budget years that would be committed under this agreement.

City Manager Earl Berner said the fire board is going to start their strategic plan and they would like to invite the Lake Cities COG to attend that work session so we'll know what the plans going to be.
Mayor Johnson asked Robbie Robertson what he thinks.
He said he thinks it won't be fair until it goes to property values as a funding formula. It really isn't a bad deal if we compared to buying it ourselves.

2) Revisions to Chapter 122, Zoning, of the Lake Dallas Municipal Code.
Linda Jordan of Schrickel, Rollins and Associates gave a briefing of what had happened through the workshops in the Planning and Zoning Commission meetings. She said that development is coming and the code needs to be easier to read, understand, and use. She said they found a lot of information that didn't belong in that section of the code. She said they have redone the definitions and renamed the c-1 district to retail. They have added an I-35 overlay district and Main Street.

Another workshop after allowing the Councilmembers time to study the revision was requested. Linda said that those people with history in the City will be a help in determining which revisions need to be accomplished. There will be a workshop during the first February Council Meeting and we will schedule the public hearing and action on this item at the second February meeting.

L. Consideration and Action on approval of the Second Amended and Restated Interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores for Mutual Support of the Lake Cities Volunteer Fire Department. (Tabled at December 8, 2005 meeting).
Motion to approve Item L, approval of the Restated interlocal Agreement between the Cities of Corinth, Hickory Creek, Lake Dallas, and Shady shores for Mutual Support of the Lake Cities Volunteer Fire Department was made by Councilmember Marino. Second by Councilmember Connors.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: Fletcher

Motion Passed

M. CITY MANAGER REPORT
City Manager Earl Berner said he hopes this is the last time he tells the Council that the relocation of utilities on Swisher Road is underway.
There will be a sports bar in one of the pads in front of the new hotel.
The hotel is planning on getting their certificate of occupancy the first of February.
The 4b Board will have an item for Terry Lantrip's project on their February agenda.
The 4a Board will have Terry Lantrip's and HVAC's projects on their February agenda.
He handed out call volume fire report that he got at Monday's fire board meeting. He said they're working within their budget. They will have planning sessions on February 27. The ISO rating had gone from a 6 to a 4 so that means $100+ annual savings for the property owners. There will be a publication coming out on that.

He said that we have had a lot of interest in Lake Dallas property in the last month. People seem very serious and he thinks that in the next 6 – 8 months we're going to see some neat stuff pushing forward in addition to what we already have going on for Main Street.

He said we should be seeing some of the recycling project beginning next month. The next quarterly cleanup is the third Saturday in March.

N. NEW AGENDA ITEMS

Councilmember Hammond said he had been to Willow Grove Park and noticed that the lack of water showed that there is a bunch of trash there. His thought is that we might be able to bump up the date of the park cleanup.

Mayor Johnson said she thinks this can be handled administratively.

O. ADJOURNMENT

Motion to adjourn was made by Councilmember Marino. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, Fletcher, and Martin
Noes: None

Motion Passed

The meeting was over at 9:02 PM.

Marjory Johnson, Mayor

CITY OF LAKE DALLAS, TEXAS

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 12, 2006 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. The meeting was called to order at 7:35 PM.

A. ROLL CALL

Marjory Johnson	Mayor
Tony Marino	Councilmember 1
Carol Ann Connors	Councilmember 2
Karl Hammond	Councilmember 3
Richard Martin	Councilmember 5

Councilmember Fletcher was out of town on business and excused.

Also present were Police Chief Nick Ristagno, Leroy Grawunder of McCall, Parkhurst & Horton L.L.P., Boyd London of First Southwest Company, and Beverly Weikum, City Secretary.

B. INVOCATION

The invocation was given by Councilmember Hammond.

C. PLEDGE OF ALLEGIANCE:

1) United States Flag
2) State of Texas Flag [Honor the Texas flag; I pledge allegiance to thee, Texas, one and indivisible.]
Mayor Johnson led the pledges of allegiance.

D. ANNOUNCEMENTS

There were no announcements.

E. PRESENTATIONS/PROCLAMATIONS

There were no presentations or proclamations.

F. REPORTS:

Boards and Commissions

Gary Johnson, Parks and Recreation Board said that hopefully tonight we'll have our third member appointed. He said he has personally met this gentleman and is impressed – he is the son of a lady that Mr. Johnson works with.
He said that the Library Board continues to move forward.

G. VISITORS/CITIZENS AGENDA: In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward to speak so Mayor Johnson closed the Visitors Agenda.

H. AGENDA BRIEFING

Police Chief Nick Ristagno, Acting City Manager, said that Mr. Berner is in Virginia because his daughter is getting married this Saturday. Chief Ristagno read the items under the Consent Agenda. He then discussed under the business portion and said any questions can be directed to Mr. Leroy Grawunder and/or Mr. Boyd London. He mentioned the Addendum to the agenda and then spoke of the workshop item.

I. CONSENT AGENDA:

1) **Consideration and Action on approval Minutes for November 29 and December 8, 2005 meetings. (City Secretary)**
2) **Consideration and Action on approval of December Financials. (City Manager)**
3) **Consideration and Action on approval of Nationwide Retirement Solutions plan document. (City Manager)**
4) **Consideration and Action to approve Conflicts Disclosure Statement forms for Local Government Officers [State of Texas Form #CIS] and Vendors State of Texas Form #CIQ]. (City Secretary)**
5) **Consideration and Action on appointment of Steve Badyna to the Parks and Recreation Board. (City Secretary)**
6) **Consideration and Action on approval of an Ordinance to adopt and assess a collection service fee on municipal court fines and costs delinquent in excess of sixty (60) days and to contract with a public or private vendor. (Municipal Court Clerk)**
7) **Consideration and Action on approval of an Ordinance to establish the Juvenile Case Manager fee. (Municipal Court Clerk)**

Motion to approve the Consent Agenda was made by Councilmember Connors. Second by Councilmember Hammond.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action on adoption of a Resolution approving and authorizing the execution and delivery of a sales tax remittance agreement and a project agreement with the Lake Dallas Economic Development Corporation; approving the expenditure of funds by the Corporation in connection therewith; and containing other provisions related thereto.**

Motion to adopt a Resolution approving and authorizing the execution and delivery of a sales tax remittance agreement and a project agreement with the Lake Dallas Economic Development Corporation; approving the expenditure of funds by the Corporation in connection therewith; and containing other provisions related thereto was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

2) **Consideration and action on adoption on second reading of a Resolution approving and authorizing the execution and delivery of a sales tax remittance agreement and a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the Corporation in connection therewith; and containing other provisions related thereto. [Second Reading] (City Manager)**

Motion to approve a Resolution approving and authorizing the execution and delivery of a sales tax remittance agreement and a project agreement with the Lake Dallas Community Development Corporation; approving the expenditure of funds by the Corporation in connection therewith; and containing other provisions related thereto was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: none

Motion Passed

3) **Consideration and Action on adoption on an Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2006; and enacting other provisions relating to the subject.**

Motion to approve the adoption on the Ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2006; and enacting other provisions relating to the subject was made by Councilmember Hammond. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

4) **Addendum: Consideration and Action on selection of two City Council members to serve as representatives on the Lake Cities Council of Governments.**

Motion to select Councilmember Hammond and Councilmember Marino as our two main members and Councilmember Martin and Councilmember Connors as alternates was made by Councilmember Connors. Second by Councilmember Martin.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

K. WORKSHOP:

1) **Revisions to the Personnel Manual regarding vacation and other benefit hours policies.**

Acting City Manager, Police Chief Nick Ristagno, discussed all the changes presented as proposed revisions to the Personnel Manual.
There would be changes to the Sick Leave Bank; Overtime Pay, Longevity Pay, and Certification Pay; Holidays; and accrual of vacation and sick time. There would be an addition addressing the use of the City Internet access plus meal allowances while the employee is away on business.
There was discussion among the Mayor and Councilmembers. This item will be brought back on the next agenda as a Consent Agenda Item.

L. CITY MANAGER REPORT

Police Chief Nick Ristagno said he had nothing to report.
Councilmember Connors asked if the sirens are on order and he replied that once they are ordered we have been promised a 6 – 12 week turnaround. One will be placed around the Montserrat/Swisher Cemetery area and the other will be placed around the school area.
We'll go through education program w/citizens after they are installed.

M. NEW AGENDA ITEMS

There were no new agenda items.

N. ADJOURNMENT

Motion to adjourn was made by Councilmember Connors. Second by Councilmember Marino.
Ayes: Councilmembers Marino, Connors, Hammond, and Martin
Noes: None

Motion Passed

The meeting was over at 8:22 PM.

Marjory Johnson, Mayor

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 11, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:31 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was absent.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trinity Trash Bash to clean up the Lake Lewisville shoreline is September 20th starting with breakfast at 9 a.m. at Nana's Café and ending at 11a.m. There will be a city-wide clean up on October 11th from 8 a.m. until 2 p.m. Early Voting for the November election starts on October 20th. Trunk or Treat will be October 31st from 4-6 p.m. in the parking lot of City Hall.

E. PROCLAMATION – September 11th Day of Service and Remembrance

F. REPORTS

1) **Boards and Commissions**
   The EDC met earlier this week to discuss the possible purchase of property in closed door session.
2) **Finance**
   Donna Boner gave the financial report.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Terry Lantrip, 275 Market Street, spoke to Council regarding trash service. Mr. Lantrip spoke in favor of residential service with Waste Management, however he feels their commercial price is too high. Mr. Lantrip also expressed concern about the proposition to dissolve the Lake Dallas Economic Development Corporation. Mr. Lantrip would like to see the EDC bring light rail to Lake Dallas.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the August 28, 2014 meeting.**
2) **Consideration and Action to approve the August Financials.**

Motion to approve the Consent Agenda consisting of the August 28, 2014 minutes and the August Financials was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb and Brooks
Noes: None

Motion Passed

I. BUSINESS

1) Public Hearing to hear comments on the proposed tax rate.

Terry Lantrip, 275 Market, spoke to Council regarding the proposed tax rate. He feels property taxes in Lake Dallas are too high.

2) Public Hearing to hear comments on the Fiscal Year 2015 Budget

Terry Lantrip, 275 Market, spoke to Council regarding the proposed Fiscal Year 2015 Budget. Mr. Lantrip feels the budget should include streets as opposed to having a sales tax funded street program.

3) Consideration and Action to approve a proposal for solid waste service and authorize the City Manager to finalize the contract for services.

Motion to approve a five year contract for solid waste service with Waste Management and authorize the City Manager to finalize the contract was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Hammond
Noes: McCaleb

Motion Passed

4) Consideration and Action to approve an interlocal agreement for animal shelter services with the City of Corinth.

Take No Action

5) Consideration and Action to cast votes for the election of Places 1-4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

Motion to cast votes for Robert Herrera for Place 1; John Fullen for Place 2; George Shackleford for Place 3; and Peter Vargas for Place 4 for the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: No

Motion Passed

6) Consideration and Action to approve a request for maternity leave of absence for Councilmember Estrada.

Motion to approve the request for maternity leave of absence for Councilmember Estrada was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

7) **Discussion regarding the Lake Cities Library**
Cecil Carter and Neva Sudderth, members of the Library Board, came to speak with Council about the current state of the Library. Hickory Creek Town Council voted not to fund the Library for the next fiscal year. This leaves Lake Dallas and Shady Shores to carry the Library. Mr. Carter feels confident that he can rework the budget and continue on with the Library, however he feels they will need to reduce services. Ms. Sudderth said the Board has already hired a new librarian and that he and one of the assistants hired both know how to write grants.

J. EXECUTIVE SESSION

1) **The City Council to meet in Closed Session under Section 551.0729 (real property) of the Texas Government Code to discuss the purchase/sale of real property.**
2) **The Council will convene in closed door executive session under Section 551.071, Texas Government Code (Consultation with City Attorney) to discuss calling a Town Hall meeting.**

Mayor Marino adjourned the meeting at 8:19 p.m. to go into closed session.
Mayor Marino reconvened the meeting at 8:40 p.m.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

Motion to approve the EDC property purchase was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

L. CITY MANAGER REPORT

Lakeview will hopefully be completed by the end of September. It appears that money will be allocated from the County for the Main Street project. The apartments are going full speed ahead. We did have a problem with them pouring concrete after hours. They may come before Council to get a special permit to work additional hours.

M. NEW AGENDA ITEMS

N. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:45 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 28, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:34 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmembers Estrada was absent.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner; Community Development Director Char Dupree

B. INVOCATION

Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

RKM Construction will be holding an appreciation golf tournament September 17th free of charge. The "Empty the Shelter" Event was a success for many shelters, including Lake Dallas. We adopted 2 dogs and 11 cats that day. Trinity Trash Bash to clean up the Lake Lewisville shoreline is September 20th starting with breakfast at 9 a.m. at Nana's Café and ending at 11a.m. There will be a city-wide clean up on October 11th from 8 a.m. until 2 p.m. Trunk or Treat will be October 31st from 4-6 p.m. in the parking lot of City Hall. The City will be having a Special Election on November 4th; Early Voting for the November election starts on October 20th. The American Legion is having a function on Sunday at 2 p.m. and will be serving pork and brisket.

E. REPORTS

1) Boards and Commissions

The Board of Adjustment met to hear a continuance on the revocation of a Certificate of Occupancy. The Planning and Zoning Commission met regarding the rezoning of Swisher Road properties. The Parks, Recreation, and Keep Lake Dallas Board met to discuss the July 4th celebration and plan for the Trinity Trash Bash and Trunk or Treat.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak.

G. PRESENTATIONS

1) Employee Medical Plans

Rodney Dryden, Wellspring Insurance Agency, Inc addressed Mayor and Council regarding the employee health care plan. Mr. Dryden reported that his company marketed and evaluated plans. We have the option to renew our current plan with Blue Cross Blue Shield

or to transition to a Health Care Compliant plan. The costs were basically the same; however there would be a reduction in benefits to the employees with the Health Care Compliant plan. Mr. Dryden's recommendation is to renew the current plan with Blue Cross Blue Shield. Mr. Dryden recommends moving our life and long term disability from Dearborn to Prudential as it will be a saving for the City. He recommends we maintain the same dental insurance provider; this plan is employee paid. Mr. Dryden answered questions from Council.

2) **Fiscal Year 2015 Budget**
City Manager Ristagno formally presented the proposed budget for fiscal year 2015 to Mayor and Council and the public. He gave some of the highlights of the budget and emphasized that there will be no tax increase in this budget. The budget provides for a step increase for the employees for the first time in five years as well as the purchase of some much needed capitol items.

H. BUSINESS

6) **Consideration and Action to approve a proposal for solid waste service and authorize the City Manager to finalize the contract for services.**

The Council chose to take no action on this item and opted to allow the representatives from each of the three companies who submitted proposals for solid waste service to address the Council for a brief presentation with a question and answer time.

Greg Roemer, President of Community Waste Disposal; Elizabeth Combs, Municipal and Recycling Coordinator for Progressive Waste Solutions; Joe Jaynes, Public Sector Sales Representative for Waste Management each addressed Council for their company.

4) **Consideration and Action to approve the proposed employee health plan for FY15**

Motion to approve the renewal of the current employee health plan with Blue Cross Blue Shield for the FY15 Budget was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

Mayor Marino adjourned the meeting at 8:21 p.m. for a short break.
Mayor Marino reconvened the meeting at 8:30 p.m.

1) **Public Hearings to hear comments on the proposed rezoning of portions of Swisher Road and Hillcrest Street, from R-1-7200 and R-2 to C-1 Swisher Road District, creating a special Swisher Road District for the following properties: Birdsong Addition, Block A, Lots 1-6; Oak Lakes Addition, Block F, Lots 27-33 and Block K, Lots 19-22; Pralle Addition, Block A, Lots 22a and 22b.**

Mayor Marino opened the Public Hearing.

- Jerry Kralka, Meadowbrook, spoke in opposition of rezoning the area. He has concerns about traffic.
- Lura Green, 524 Meadowbrook, spoke in opposition of rezoning the lots on Hillcrest and brought a list of signatures of others in opposition.
- Claude LeBrun, 516 Oak Lake, spoke in opposition of rezoning. He doesn't want to lose the small town atmosphere.
- Judy Amstutz, owner of lots on Swisher and Hillcrest, spoke in favor of the rezoning. Ms. Amstutz wants to rezone her properties to commercial in order to sell them.
- Tim Grisham, 104 Hillcrest, suggested a gated community and an HOA for the neighborhood as a solution to the neighbors concerns.
- Sherry Carnes, 505 Oak Lakes, spoke in opposition of rezoning the lots on Hillcrest, but is okay with rezoning Swisher Road.
- Gerry Dobson, Pembrook, spoke in opposition to the rezoning of Hillcrest, but is neutral with regard to rezoning Swisher Road.
- Jenny Warmbrodt, 511 Meadowbrook, would like a masonry wall between the businesses and the community. She spoke in opposition to the rezoning.
- Georgia Kuhlengal, 507 Ridgewood, is opposed to the rezoning.
- Ken Day, RS Holdings, 205 Swisher Road, spoke in favor of the rezoning.

Mayor Marino closed the public hearing.

2) **Consideration and Action to approve an ordinance creating a Swisher Road District and rezoning of portions of Swisher Road and Hillcrest Street, from R-1-7200 and R-2 to C-1 Swisher Road District, creating a special Swisher Road District for the following properties: Birdsong Addition, Block A, Lots 1-6; Oak Lakes Addition, Block F, Lots 27-33 and Block K, Lots 19-22; Pralle Addition, Block A, Lots 22a and 22b**

Motion to approve an ordinance creating a Swisher Road District and rezoning of portions of Swisher Road, but removing the properties on Hillcrest, from R-1-7200 and R-2 to C-1 Swisher Road District, creating a special Swisher Road District for the following properties: Oak Lakes Addition, Block F, Lots 27-33 and Block K, Lots 19-22; Pralle Addition, Block A, Lots 22a and 22b was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

3) **Public Hearing on the proposed tax rate.**

No one came forward to speak.

5) **Consideration and Action to approve an amendment for additional funding to the Interlocal Cooperative Agreement with Denton County for Lakeview Drive.**

Motion to approve an amendment for additional funding to the Interlocal Cooperative Agreement with Denton County for Lakeview Drive was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

7) **Consideration and Action to approve an interlocal agreement for animal shelter services with the City of Corinth.**

Council chose to take no action.

8) **Consideration and Action to approve a CDC project grant to Terry Lantrip.**

Motion to approve CDC project grant to Terry Lantrip was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

9) **Consideration and Action to approve a CDC project to purchase a new Christmas tree for the annual tree lightings.**

Motion to approve a CDC project to purchase a new Christmas tree for the annual tree lightings was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

10) **Consideration and Action to approve the refurbishing of the Veterans' Memorial at City Park.**

City Manager Ristagno reported to Council that Silestone has offered to donate the granite and its installation.

Motion to approve the refurbishing of the Veterans' Memorial at City Park up to $8,000 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

11) **Consideration and Action to approve the minutes from the August 14, 2014 meeting.**

Motion to approve the minutes from the August 14, 2014 meeting was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

I. CITY MANAGER REPORT
No report this evening

J. NEW AGENDA ITEMS
No new items

K. ADJOURNMENT
Mayor Marino adjourned the meeting at 9:35 p.m.

Tony Marino, Mayor

CITY OF DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 14, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:34 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3

Councilmembers Estrada and Hammond were absent

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner; Community Relations Manager Stephanie Berndt; City Attorney David Berman

B. INVOCATION

Councilmember James Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

This Saturday, August 16th from 10am-5pm, our Lake Dallas Animal Shelter is participating in a multi-city program sponsored by Channel 5 called "Empty the Shelter" Day. This program is an attempt to find homes for homeless dogs and cats. The adoption fee is waived for that day. Our City newsletter is coming out on September 1st and all are encouraged to sign up for the e-version on our website. Trinity Trash Bash will be held Saturday, September 20th from 9-11 am starting with a breakfast at Nana's Café. The proposals for the solid waste contract are in; we had 3 respondents who we will interview next Tuesday.

E. PROCLAMATION

Mayor Marino proclaimed Saturday, September 20, 2014 as Trinity Trash Bash Day.

F. PRESENTATIONS

Mayor Marino and Community Relations Manager Stephanie Berndt presented Certificates of Appreciation to KeriMarie Sutherland, President of the Parks, Recreation, and Keep Lake Dallas Beautiful Board and Steven Brunson, Vice-President of the Park, Recreation, and Keep Lake Dallas Beautiful Board for going above and beyond with their volunteer assistance for the 4th of July Celebration both before and during the event.

G. REPORTS

1) **Boards and Commissions**
   EDC and CDC met to adopt their budgets for Fiscal Year 2015. The BOA will meet this Monday, August 18th for a continuance of a Certificate of Occupancy issue. Parks Board will meet Monday as well. Planning and Zoning will meet August 21st to hear zoning change requests.
2) **Finance**
   Donna Boner gave the report.

H. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

John Dupont, 309 Georgian Oak, Lake Dallas, came to address the Council regarding noise violations in his neighborhood from barking dogs in the middle of the night.

I. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the July 24, 2014 meeting.**
2) **Consideration and Action to approve the July Financials**
3) **Consideration and Action to accept the resignations of Bill Knox from the Community Development Board and Wendy Campbell from the Parks, Recreation, and Keep Lake Dallas Beautiful Board and to drop Terra Blackburn from the Parks, Recreation, and Keep Lake Dallas Beautiful Board due to lack of attendance.**

Motion to approve the Consent Agenda consisting of the minutes of the July 24, 2014 meeting, the July Financials, and accepting the resignations of Bill Knox from the Community Development Corporation, Wendy Campbell from the Parks, Recreation, and Keep Lake Dallas Beautiful Board, and the removal of Terra Blackburn from the Parks, Recreation, and Keep Lake Dallas Beautiful Board due to lack of attendance was made by Councilmember McCaleb and second by Councilmember Harper
Ayes: Councilmembers McCaleb, Harper, and Brooks
Noes: None

Motion Passed

J. WORKSHOP

1) Budget

City Manager Ristagno presented an update to the Fiscal Year 2015 Budget that we have been working on. There was only one change since the last workshop, the addition of $3,200 for a document scanning and archiving service. City Manager Ristagno said there will be a 20% increase in health care and we budgeted for that amount in anticipation of the increase. Community Relations Manager Stephanie Berndt discussed the need for a new website, presented three proposals for a website, and answered Council's questions. Our current website is 8 years old and creating an updated new City website will benefit our citizens and employees by making many more things available on the website. The cost was built into the budget for next year.

K. BUSINESS

1) Consideration and Action to set the proposed tax rate.

Motion to set the proposed property tax rate for the next year at .701929 was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, and McCaleb
Noes: None

Motion Passed

2) Consideration and Action to set the dates for the two public hearings on the proposed tax rate.

Motion to set August 28th and September 11th as the dates for the Public Hearings on the proposed tax rate was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

3) Consideration and Action to set the date for the public hearing on the FY 2015 Budget.

Motion to set September 11th as the date for the Public Hearings on the proposed Fiscal Year 2015 Budget was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

4) Consideration and Action to approve the FY15 Budget submitted by the Lake Dallas Economic Development Corporation.

Motion to approve the FY15 Budget submitted by the Lake Dallas Economic Development Corporation was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and McCaleb
Noes: None

Motion Passed

5) Consideration and Action to approve the FY15 Budget submitted by the Lake Dallas Community Development Corporation.

Motion to approve the FY15 Budget submitted by the Lake Dallas Community Development Corporation was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

6) Consideration and Action to approve a resolution casting a vote for a member of the Board of Managers for the Denco Area 9-1-1 Emergency Communication District.

Motion to approve a resolution casting a vote for Tom Newel as a member of the Board of Managers for the Denco Area 9-1-1 Emergency Communication District was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

7) Consideration and Action to approve a resolution supporting a statewide ban on texting while driving.

Motion to approve a resolution supporting a statewide ban on texting while driving was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

8) Consideration and Action to approve a proposal for a new City website.

Motion to approve a proposal from CivicPlus for a new City website was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

9) Consideration and Action on future library funding.

City Manager Ristagno said due to several issues that have come up with the Library that he felt it best that we discuss this subject. As we all know, due to the loss of Corinth and the county's funding, there is a shortage of funding. Unfortunately, over the past few weeks there have been some misunderstandings between the cities and the board members in regards to how the Library would go forward. The Mayors are scheduled to meet again and perhaps they can find a solution.

Council chose to take no action on this item.

10) Consideration and Action to approve an ordinance to order an election for November 4, 2014.

City Manager Ristagno explained that the type of projects that the EDC Board can do are not really feasible for our City. The types of projects that do fit our City are the types of projects that the CDC Board can do and an ordinance can be passed allowing CDC to also take on EDC type projects if desired. Under the advisement of our City Attorney, the Council is proposing the voters dissolve the EDC and institute a ¼ cent sales tax for road improvement and a ¼ cent sales tax for property tax reduction. This would be a very beneficial move for the residents of the City if this sales tax money could be shifted to provide better roads and lower property tax rates. The Council is also proposing 3 year Council terms be voted on at this election.

Motion to approve an ordinance to order an election for November 4, 2014 was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: None

Motion Passed

L. CITY MANAGER REPORT

City Manager Ristagno reported that the County will be providing for the funding shortfall that we had on Lakeview. The County may also rehabilitate our Main Street from Lake Dallas Drive all the way to Westlake in concrete. We are very grateful to Commissioner Bobby Mitchell and John Polster for their assistance with improving our roadways. CDC approved a 25 foot Christmas tree as the new community Christmas tree for our annual tree lighting event. Councilmember Harper hopes to make our annual tree lighting a most memorable event for the children of our community.

M. NEW AGENDA ITEMS

No new items

N. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:10 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 24, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was absent.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Community Development Director Char Dupree; City Attorney David Berman

B. INVOCATION
Councilmember James Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
The annual Float and Fly will be Saturday, July 26th at 8 a.m. at Willow Grove Park. There will be no day use fee at the park during the event.

E. PRESENTATIONS
There were no presentations.

F. REPORTS

1) Boards and Commissions
Planning and Zoning met this month and has items on the agenda this evening.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Ruth Brige, 314 Georgian Oak, Lake Dallas, spoke to Council regarding the parking of commercial trucks in a residential area. Mrs. Brige's husband owns a commercial truck and she would like for him to be able to park in front of their home when he is not working. Mrs. Brige does not understand why motor homes are allowed to be parked on residential streets for 14 days, but commercial vehicles are not. She would like to get permission for her husband to be able to park his truck for 24 or 48 hours when he is in town. Mayor directed Staff to look in to this matter.

H. CONSENT AGENDA

1) Consideration and Action to approve the minutes of the July 10, 2014 meeting.
2) Consideration and Action to approve the 2nd Quarter Investment Report.

Motion to approve the Consent Agenda consisting of the minutes of the July 10, 2014 meeting and the 2nd quarter Investment Report was made by Councilmember Hammond and second by Councilmember McCaleb
Ayes: Councilmembers Hammond, McCaleb, Harper, and Brooks
Noes: None

Motion Passed

I. BUSINESS

3) Consideration and Action to approve the proposed site plan for BMR Pools at 451 Betchan Avenue.

Community Development Director Char Dupree reported that the Planning and Zoning Commission unanimously approved this site plan at their meeting on July 17th.

Motion to approve the proposed site plan for BMR Pools at 451 Betchan Avenue was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

1) Public Hearing to hear comments on an application by Cary Daniels, business owner of Daniels Brothers Management, for a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0958a McCarroll, Tract 13a, and it is zoned C-2 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-691 (19), allows for application to be made.

No one from Daniels Brothers Management was in attendance.

Kathy Thompson, 203 S. Lake Dallas Drive, Lake Dallas, spoke in opposition to the sweepstakes business. Mrs. Thompson has concerns about the type of business, the security, the hours, and the parking.

2) Consideration and Action to approve a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, Lake Dallas, Texas.

Motion to deny a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, Lake Dallas, Texas was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

4) Consideration and Action to approve a resolution granting a water well permit for the Montserrat Retreat House at 600 N. Shady Shores Road to drill for two water wells on their property for the purpose of irrigation.

Motion to approve funding a resolution granting a water well permit for the Montserrat Retreat House at 600 N. Shady Shores Road to drill for two water wells on their property for the purpose of irrigation was made by Councilmember McCaleb and second by Councilmember Hammond.
Ayes: Councilmembers McCaleb, Hammond, Harper and Brooks
Noes: None

Motion Passed

J. WORKSHOPS

1) Charter amendments

Council and Staff discussed the possibility of changing the age limit to serve on Council from 18 to 21. Consensus of the Council was that since this item was brought before the voters several years ago, they do not want to pursue that as a charter amendment at this time.

Council and Staff discussed changing term limits from two years to three years. Council does want to move forward with this as an amendment to the charter. City Attorney David Berman informed the Council about 3 year terms and what would be different if they chose to have 3 year terms. City Attorney Berman will prepare the ordinance to call the election and will work out the details for the charter amendment proposition.

2) Budget

City Manager Ristagno briefed the Council on minor changes to the Budget worksheets.

3) Road repairs

City Manager Ristagno would like to continue for this year working on improving the approach to our premier park, Willow Grove. He would like to get some prices on doing an overlay on Hundley Drive from Lakeview to the park. We are looking at different strategies to do more streets at one time for next year.

K. CITY MANAGER REPORT

City Manager Ristagno reported that we will be bringing the rezoning of Swisher Road to Council at the last meeting in August. City Manager Ristagno approached Andrews Distributing about the City rezoning their property from M-1 to C-1, but they were not favorable to that idea. Council indicated they would like to move forward with rezoning that property. Corinth has approached us about use of the animal shelter and we are working on a contract. We striped City Park parking lot. The fence has been erected at Hundley Boat Yard. The sand area at Willow Grove is about to be finished.

L. NEW AGENDA ITEMS

Resolution to support a statewide ban on texting while driving.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:17 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 10, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Councilmember McCaleb called the meeting to order at 7:35 p.m.

A. ROLL CALL

Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Mayor Marino was out of town. Councilmember Brooks was unable to attend. Councilmember Harper was absent. In the absence of Mayor Marino and Mayor Pro Tem Harper, Councilmember McCaleb agreed to act as Mayor Pro Tem.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION

Councilmember Mike McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Councilmember McCaleb led the pledges of allegiance.

D. ANNOUNCEMENTS

Our 4th of July celebration was a success! All went well and each year seems to have a larger turnout.

E. REPORTS

1) **Boards and Commissions**
EDC did not meet due to lack of quorum. EDC, CDC, BOA will meet Monday July14th. Planning and Zoning will meet July 17th and Parks will meet July 28th.
2) **Finance**
Donna Boner gave the report. Sales tax continues to come in stronger than ever. Willow Grove Park is generating good revenue.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the June 26, 2014 meeting.**
2) **Consideration and Action to approve the June Financials**
3) **Consideration and Action to approve the 2nd Quarter Investment Report.**

City Secretary Vaughn asked that Item #3 for the Investment Report be pulled; it could not be completed because the statements had not arrived. It will be on the next agenda.

Motion to approve the Consent Agenda consisting of the minutes of the June 26, 2014 meeting and the June Financials was made by Councilmember Estrada and second by Councilmember Hammond
Ayes: Councilmembers Estrada, Hammond, and McCaleb
Noes: None

Motion Passed

H. BUSINESS

1) **Consideration and Action to approve a 3% bonus for the employees.**

City Manager Ristagno explained that this item was discussed by Council last year and made public at the Employee Appreciation Dinner by Council that when the apartment permits came in, it was the Council's desire to fund a bonus to the employees for hanging in there with the City for the years we have been unable to provide raises to the employees.

Motion to approve a 3% employee bonus was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, and McCaleb
Noes: None

Motion Passed

2) **Consideration and Action to approve funding to SPAN for home delivered meals in the amount of $1,300.**

Motion to approve funding to SPAN for home delivered meals in the amount of $1,300 for Fiscal Year 2015 was made by Councilmember Estrada and second by Councilmember Hammond.
Ayes: Councilmembers Estrada, Hammond, and McCaleb
Noes: None

Motion Passed

3) **Consideration and Action to approve funding a "fair share" in the amount of $6,014.00 to the Children's Advocacy Center for Fiscal Year 2014-2015.**

Motion to approve funding $7,000 to the Children's Advocacy Center from the City's Child Safety Fund was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, and McCaleb
Noes: None

Motion Passed

4) **Consideration and Action to nominate a board member to the TML Intergovernmental Risk Pool Board of Trustees.**

Council chose to take no action on this item.

5) **Consideration and Action to approve a resolution approving the "Draft" Denco Area 9-1-1 District Fiscal Year 2015 Financial Plan.**

Motion to approve a resolution approving the "Draft" Denco Area 9-1-1 District Fiscal Year 2015 Financial Plan was made by Councilmember Estrada and second by Councilmember Hammond.
Ayes: Councilmembers Estrada, Hammond,and McCaleb
Noes: None

Motion Passed

I. WORKSHOPS

1) Charter amendments

City Manager Ristagno opened the discussion. Council has expressed the interest in possibly holding a November election. Councilmember Brooks had requested Council discuss looking at 3 year terms. Councilmember McCaleb stated his support of 3 year terms. Councilmember Hammond asked that we look into how other cities have set up the logistics of their 3 year terms to help our Council decide how they wanted to set it up. The positive aspects of 3 year terms are a more experienced Council and no election expense election every few years. Staff will bring back the different scenarios so that Council can iron out the particulars.

Councilmember Hammond would also like to discuss changing the age to be on Council from 21 to 18. Staff will also survey other local municipalities to see what their age requirements are.

2) Road repairs

City Manager Ristagno explained that he had the Police Department and Public Works Department survey all the roads in the City and rate their condition. The report has the roads broken into four types of Arterial, Collector, Secondary, Base and then graded Excellent, Good, Fair, or Poor. City Manager Ristagno would like Council to review the list and give direction on what roads to start with. He also discussed the assistance we are getting from Denton County Commissioner Bobbie Mitchell in repairing our roads. City Manager Ristagno believes we need to come up with a funding strategy to repair our roads. He has some ideas on funding and will continue to explore those ideas further before bringing them forth. We will continue to make repairs and work on this issue.

J. EXECUTIVE SESSION

No executive session due to lack of quorum at EDC meeting on Monday.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action

L. CITY MANAGER REPORT

City Manager Ristagno reported that Lakeview looks good. He thanked Captain Frazier for his oversight of the project. The road is so much better and safer already. The City is doing sidewalk repairs where needed. The apartments are under way; there is a lot of dirt work going on. City Manager Ristagno would like to dispel the rumors going around that these are low income apartments. That is untrue. These are upscale market rate apartments not Section 8 or HUD housing. 10% of the total units are equipped for disabled veterans, seniors, or for families with a need for handicap equipped units and 10% of the units are for workforce housing with some income and rent restrictions.

M. NEW AGENDA ITEMS

No new items

N. ADJOURNMENT

Councilmember McCaleb adjourned the meeting at 8:21 p.m.

Councilmember McCaleb, acting as Mayor Pro Tem

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 26, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 5:05 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was out of town.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner, Municipal Court Clerk Donna Butler, Community Development Director Char Dupree, Public Works Superintendent Curt Miller, Community Relations Manager Stephanie Berndt, Animal Services Supervisor Chelsea Stachrya

B. INVOCATION

Councilmember Mike McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Our 4th of July celebration is coming up. We have added a special tent for a "cool down" area and more food and drink vendors for this year's event.

E. REPORTS

1) **Boards and Commissions**
EDC met and accepted a contract for the purchase of their Swisher Road property. Planning and Zoning will meet at 7:00 pm to approve the final plat for Champion Homes.

2) **Finance**
No report.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came to speak.

G. BUSINESS

1) **Consideration and Action to approve the minutes of the June 12, 2014 meeting.**

Motion to approve the minutes of the June 12, 2014 meeting was made by Councilmember Hammond and second by Councilmember McCaleb
Ayes: Councilmembers Hammond, McCaleb, Harper and Estrada
Noes: None

Motion Passed

2) **Consideration and Action to approve a final plat for Champion Homes by the Lake.**
Pulled until later in the evening after P and Z meets at 7:00 pm

3) **Consideration and Action to approve a monument sign at Lake Dallas Elementary School, 401 Main Street, Lake Dallas.**

Wes Eversole, Deputy Superintendent of LDISD, addressed Mayor and Council on behalf of the school district. The monument sign will be an electronic sign paid partially by a PTA fund raiser at the elementary school. Mr. Eversole and Jim Hagel, sign contractor, answered questions from Council regarding the sign. Also in attendance was David Talbert, campus director at the elementary school.

Motion to approve a monument sign at Lake Dallas Elementary School, 401 Main Street, Lake Dallas was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, and McCaleb
Noes: None

Motion Passed

4) **Consideration and Action accept an offer to purchase the EDC Swisher Road property.**

Motion to approve the EDC's acceptance of an offer to purchase their Swisher Road property was made by Councilmember McCaleb and second by Councilmember Hammond.
Ayes: Councilmembers McCaleb, Hammond, Harper and Estrada
Noes: None

Motion Passed

5) **Consideration and Action to approve a resolution to nominate a candidate for appointment to the Denco Area 9-1-1 District Board of Directors.**

Motion to approve a resolution to nominate Tom Newell for appointment to the Denco Area 9-1-1 District Board of Directors was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper and Estrada
Noes: None

Motion Passed

H. Mayor Marino adjourned the meeting at 5:25 for a dinner break and reconvened at 6:20 pm.

I. BUDGET WORKSHOP

1) **Review of preliminary 2015 revenues and expenses**
2) **Discussion of use of the I&S fund to pay down debt**

Council and Staff went over the first draft of the Fiscal Year 2015 budget. Each department head was present to answer questions regarding their department budget, if necessary. The City is making great strides in restoring health to the City finances after a number of years of having a deficit. Last year's audit showed improvement. After a phone meeting with Standard and Poor's, we may see an improvement in our bond rating. It had dropped to an all time low several years ago due to the City's poor financial condition. The current fiscal year end budget projections show another year of small increase, which should finally end the fund balance deficit since 2010. The City's fund balance is finally going back in the right direction due to increased sales taxes, a decrease in total salary expense due to the combined position of City Manager/Police Chief and keeping expenses within budgeted amounts which was a problem in the recent past. One of the budgeting changes that had to be made was to project more realistic revenue figures and then budget expenses accordingly. Making these budgeting changes over the past year has paid off.

The Council expressed their appreciation to the employees for hanging in there with the City during the years of difficulty when raises were not an option and some benefits had to be cut. Last year, as an expression of their gratitude, Councilmember Harper had suggested paying a bonus to each employee once the permit money from the Champion Homes on the Lake apartments on Swisher Road came in. Council had hoped this would happen before the holidays last year, but construction was delayed. Recently, the apartments paid their permit fees and began construction. Council once again discussed using a portion of this revenue to fund a onetime 3% bonus to employees and agreed this is the unanimous desire of the Council. An action item will be placed on the next agenda for a formal vote and then employees will receive this compensation. Council also agreed that because of the improved financial condition, they want to pay the loan from Northstar Bank back in this fiscal year instead of January 2015.

Going forward to the Fiscal Year 2015 budget, the Council and Staff discussed the proposed capital expenditures that are necessary to replace old equipment and purchase needed equipment. Council expressed a desire to do a 5% step increase on the pay plan for the employees in Fiscal Year 2015. The budget is still in the planning stages and revenues and expenses have been very conservatively projected. Final figures for property taxes are not available until August. However, even using conservative figures and planning for the step increase and capital purchase, the draft budget for 2015 still allows for a fund balance increase at the end of the fiscal year. The Council and Staff are working toward restoring the fund balance back to a reserve of three months in expenses as recommended by the auditor. Council is very pleased to see the City making progress to restore its financial health more quickly than anticipated.

Council and Staff also discussed the possibility of paying one bond off early, but it was determined by the City's bond counsel that there would be an early payment penalty so it was decided not to pay the bond early.

2) Consideration and Action to approve a final plat for Champion Homes by the Lake.

Char Dupree reported that the Planning and Zoning Commission had approved the final plat for Champion Homes on the Lake at their 7:00 p.m. meeting.

Motion to approve a final plat for Champion Homes by the Lake was made by Councilmember Hammond and second by Councilmember McCaleb.

Ayes: Councilmembers Hammond, McCaleb, Harper and Estrada
Noes: None

Motion Passed

Mayor Marino adjourned to Executive Session at 7:30 p.m.

J. EXECUTIVE SESSION

The Council will convene in closed door executive session under Section 551.0729, Texas Government Code (Real Property).

Mayor Marino reconvened the meeting at 7:52 p.m.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

Motion to direct Staff to approach the Lake Dallas Economic Development Corporation regarding the purchase of a property on Betchan was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

L. CITY MANAGER REPORT

City Manager Ristagno reported that Lakeview is slated for completion in mid-July. We will do a ribbon cutting when it is finished. We have been getting bids for work on the Veteran's Memorial. Terry Lantrip will be bringing his latest business plan and request for an incentive grant before the CDC next month. Beer Barn may be coming to CDC for assistance in improving their business. The County is going to help us with improvements to Shady Shores Road and has approved funding assistance for the concrete paving of Main Street from Betchan into Hickory Creek. The City will move ahead with the rezoning of Swisher Road from R-1-6000 to C-1 Overlay. The City will also approach Andrews Distributing about possibly rezoning their property from M-1 to C-1 since it is on the market. Former Parks Board Chair and City Councilmember Richard Martin's family would like to purchase a park bench in Richard's memory for Willow Grove Park. We are trying to clean up an area in Lake Haven in order to stop flooding on Beck Street. We went out for RFP for our trash service. We have three potential bidders. We will be getting some estimates for doing a crushed granite path around the pond at Thousand Oaks. We have some sidewalks we are repairing. Corinth has approached us about possibly contracting with us for animal shelter services.

M. NEW AGENDA ITEMS

Road repair work, charter amendments

N. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:08 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 12, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was on vacation.

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner, Community Relations Manager Stephanie Berndt, City Attorney David Berman

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

The City-wide Clean Up is June 21st from 8 am until 2 pm. Our 4th of July entertainment will include a rock and roll band this year, in addition to the country music of Eleven Hundred Springs. We are purchasing a special tent for a "cool down" area in hopes of keeping more folks in attendance throughout the long, hot afternoon.

E. REPORTS

1) **Boards and Commissions**
   Board of Adjustment met and has an item on the agenda.
2) **Finance**
   Donna Boner gave the financial report.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Kerri Marie Sutherland, Chairman of the Parks, Recreation, and Keep Lake Dallas Beautiful Board, addressed Mayor and Council regarding her concerns about the large amount of glass along the lake shore at Willow Grove Park.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the May 22, 2014 meeting.**
2) **Consideration and Action to approve the May financials.**
3) **Consideration and Action to approve an ordinance granting a Special Use Permit for a private club to continue to operate at the property located at 303 Swisher Road, Suite 100.**

Motion to approve the Consent Agenda consisting of the minutes of the May 22, 2014 meeting, the May Financials, and the ordinance granting a Special Use Permit for a private club at 303 Swisher Road was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, McCaleb, and Brooks
Noes: None

Motion Passed

H. BUSINESS

1) Public Hearing on approval of an ordinance to reaffirm and continue the Juvenile Curfew Ordinance.

No one was in attendance to speak.

2) Consideration and Action to approve an ordinance to reaffirm and continue the Juvenile Curfew Ordinance.

Motion to approve an ordinance to reaffirm and continue the Juvenile Curfew was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

3) Public hearing to receive comments regarding the City of Lake Dallas Stormwater Management Program permit application developed to comply with the requirements of the Texas Pollutant Discharge Elimination System and submitted to the Texas Commission on Environmental Quality

No one was in attendance to speak.

4) Consideration and Action to accept the City of Lake Dallas Stormwater Management Program permit application as submitted to TCEQ.

Motion to accept the City of Lake Dallas Stormwater Management Program permit application as submitted to TCEQ was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, and McCaleb
Noes: None

Motion Passed

5) Consideration and Action on the Board of Adjustment Order requiring demolition of the property located at 703 Glenn Rhea.

City Manager Ristagno presented three bids for demolition.

Motion to approve hiring Orr Contractors for $7,000 with a 20% overage cap to do the demolition of 703 Glen Rhea was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Harper and Brooks, and Mayor Marino
Noes: Councilmembers McCaleb and Hammond

Motion Passed

Mayor Marino adjourned the meeting to go into closed session at 7:58 p.m.

I. EXECUTIVE SESSION

The Council will convene in closed door executive session under Section 551.071, Texas Government Code (Consultation with City Attorney) to discuss the Lake Dallas Economic Development Corporation and the Lake Dallas Community Development Corporation.

Mayor Marino reconvened the meeting at 8:35 p.m.

J. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action was taken

K. CITY MANAGER REPORT

City Manager Ristagno reported that he had sent a letter to Waste Management terminating our contract at the end of the term in the fall. He has been working on the Request for Proposal with the City Attorney so that we can go out to bid for solid waste service. Lakeview is going well and may finish sooner than anticipated. The County is going to start doing some repairs on Shady Shores for us. Champion Homes by the Lake apartment complex has finally broken ground.

L. NEW AGENDA ITEMS

Councilmember Hammond would like to discuss removing the Lake Dallas business advertising signs.

Next meeting will contain a budget workshop with staff and council so we will start the meeting at 5:30 p.m. and have dinner brought in.

Nominate someone for the Denco 911 District Board of Managers.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:40 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni L. Vaughn

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 22, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION
Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

OATHS OF OFFICE
Mayor Marino, Councilmember McCaleb, Councilmember Estrada took the Oath of Office.

D. ANNOUNCEMENTS
Memorial Day Ceremony will be at 9AM Monday, May 26th at Swisher Cemetery. Saturday, June 21st will be the City Wide Clean Up 8AM until 2 PM. 4th of July planning is going well. Stephanie is looking for volunteers to help with the 4th. The carnival went very well; we profited $3,500 to go towards fireworks.

E. REPORTS

1) Boards and Commissions

Lake Dallas Economic Development Corporation and Lake Dallas Community Development Corporation did not meet this month. Planning and Zoning met and has two items on the agenda this evening. Parks Board met this month and is working on the 4th of July celebration. Lake Cities Library met with Hickory Creek Council regarding the future of the Library. We expect to meet with Hickory Creek soon to discuss the Library with them.

2) Finance

Donna Boner reported on the financials. Sales Tax continues to come in strong. Willow Grove Park revenue continues to increase. Donna also gave a mid-year budget report showing that revenues are coming in well and we expect a positive fund balance at the end of the year. City Manager Ristagno reported that we had a telephone meeting with Standard & Poors and we are encouraged that we may have a change in our rating.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

John Schuh, 737 Harbourtown, reported a neighbor parking a commercial vehicle in front of his property and was inquiring what the rule is for parking commercial vehicles in a residential area.

Margaret McCarty, 83 Kingswood; Melody Wayne, 194 Oakwood; Willene Newman, 8 Oakwood; all spoke in favor of the zoning change proposed for Kingswood Mobile Home Park.

Jenny Warmbrodt, 511 Meadowbrook; Lura Green, 524 Meadowbrook; Martha Lowery, 531Meadowbrook; Danny Kreps, 513 Meadowbrook; Kami Jones, 516 Meadowbrook; all spoke in opposition of the zoning change for Kingswood Mobile Home Park.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the April 24, 2014 meeting.**
2) **Consideration and Action to approve the April financials.**
3) **Consideration and Action to approve the ordinance granting a Special Use Permit for outdoor events at 501 E. Swisher Road.**
4) **Consideration and Action to approve an interlocal agreement with Denton County for Tax Collection.**

Motion to approve the Consent Agenda consisting of the minutes of the April 24, 2014 meeting, the April Financials, the ordinance granting a Special Use Permit for outdoor events at 501 E. Swisher Road, and an interlocal agreement with Denton County for Tax Collection was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada, and Hammond
Noes: None

Motion Passed

H. BUSINESS

6) **Consideration and Action to approve a contract with John Glover to provide health inspections of local businesses.**

City Manager Ristagno explained that our current health inspector is retiring and Mr. Glover was chosen from several applicants.

Motion to approve a contract agreement with John Glover to provide health inspections of local businesses was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

1) **Public Hearing on the proposed Special Use Permit submitted by Kreka Enterprises, business owner of Lake Dallas Point restaurant/bar, to renew a Special Use Permit allowing a private club to continue to operate at the property located at 303 Swisher Road, Suite 100.**

Sal Kreka, owner of Lake Dallas Point, was present to answer questions regarding the company's request to renew their Special Use Permit. City Manager Ristagno explained the history of Lake Dallas Point with the City and informed the Council that the Planning and Zoning Commission unanimously recommended renewing the SUP without restrictions.

2) **Consideration and Action to approve renewing a Special Use Permit with or without conditions allowing a private club to continue to operate at the property located at 303 Swisher Road, Suite 100.**

Motion to approve renewing a Special Use Permit without conditions allowing a private club to continue to operate at the property located at 303 Swisher Road, Suite 100 was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

3) **Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan.**

City Manager Ristagno gave background on the request. He informed Council that Planning and Zoning Commission recommended 30 percent masonry.

Mike Lindley, owner of BMR Pool, explained his project and asks that his company be allowed whatever was allowed to Z Flooring since they are neighbors.

Council wanted the buildings in the area to remain consistent so they want the building to have the same masonry as its neighbor Z Flooring. City Secretary Vaughn determined from the Planning and Zoning minutes of January 20, 2011 that a 40 percent masonry exemption was Recommended for Z Flooring.

4) **Consideration and Action to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan.**

Motion to approve an exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan was made by Councilmember Estrada and second by Councilmember McCaleb.

Amended Motion to approve an exemption to the requirement of 80 percent masonry for exterior surfaces to 40 percent on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan was made by Councilmember Estrada and second by Councilmember Harper.
Ayes: Councilmembers Estrada, Harper, McCaleb, Brooks, and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to approve a Special Use Permit with or without conditions for the Kingswood Mobile Home Park that would involve an overlay of C-2 Commercial District zoning for the clubhouse at 228 Kingswood Drive for the purpose of allowing a flea market and associated retail activities.**

City Manager Ristagno reminded Council that this item was tabled at the last meeting. Planning and Zoning Commission unanimously recommended denying this item.

Motion to deny a Special Use Permit for the Kingswood Mobile Home Park that would involve an overlay of C-2 Commercial District zoning for the clubhouse at 228 Kingswood Drive for the purpose of allowing a flea market and associated retail activities was made by Councilmember Harper and second by Councilmember Estrada.

David Shershen, 166 Kingswood Drive, Lake Dallas, addressed the Council on behalf of the Home Owners Association of Kingswood Mobile Home Park in regards to their request for a Special Use Permit to hold an ongoing bazaar in the clubhouse to raise needed funds. Mr. Shershen stated he had presented an updated business plan and assured Council that it would not be a flea market and the HOA would not allow junk.

Council had many concerns about allowing this zoning change. Council felt that even if they allowed the zoning change there would be no guarantee that residents would pay their homeowner's association dues. Mr. Shershen said that about 40% of the residents have not paid their dues for 2014 and about 30% are in arrears for 2013. He stated that even if every resident paid their dues they would still not have enough funds to pay their debt and reopen their pool. Even with the help of added funds from the bazaar, there is no guarantee that enough funds could be raised. City Manager reminded Council that selecting one piece of property for rezoning is "spot zoning" which is illegal.

Ayes: Councilmembers Harper, Estrada, McCaleb, Brooks, and Hammond
Noes: None

Motion Passed

7) Workshop on Swisher Road rezoning to consider creating an overlay district and discuss what types of business would be allowed in the overlay.

City Manager Ristagno gave an overview of the process we have been going through on this subject. He used Rachel Walter Mohn's insurance agency as a model of the type of business we would like to see on Swisher Road. He presented a list of potential business types discussed at the last meeting for an overlay district on Swisher Road. Following further discussion, these businesses were decided upon: Antique Shop, Art Gallery, Professional Offices, Beauty Salon, Barbershop, Dance Studio, Dry Cleaners, Locksmith Shop, Print Shop, Veterinarian (with no outside kennels), and Taxidermist.

Tami Perchez, 106 Hillcrest, suggested the multi-use buildings like the ones on Main Street and Market Street.

Dan Powell, 206 Hillcrest, asked about the Council's plan for Hillcrest. City Manager Ristagno stated at this time, it seems that we are looking mainly at Swisher, but there are some empty lots on Hillcrest and that property owner wishes to rezone. There would be a screening wall put up to help separate residential from commercial.

Jenni Warmbrodt, 511 Meadowbrook, had questions about the height of the screening wall.
City Manager Ristagno said that our City code allows up to an 8 foot screening wall. Ms. Warmbrodt also asked if one side of Swisher would be zoned differently than the other side. She also wondered what the parking situation would be for businesses on her side of Swisher Road. Councilmember Harper explained that they are looking for businesses that would be "neighborhood friendly". City Manager Ristagno said the City is concerned about the safety issues of residences on Swisher Road as busy as it is; that is the main reason the City is looking at rezoning it.

Judi Amstutz, property owner of several lots on Swisher across from Video Plus and on Hillcrest, suggested the City look at the rezoning in two pieces with the dividing line being Ridgewood; west of Ridgewood towards I-35E being light commercial, east of Ridgewood along Swisher allowing for a regular commercial development.

J. CITY MANAGER REPORT

1) City Projects

The apartments are ready for permitting. Lakeview continues to be problematic. We have had to make adjustments to properties due to earlier engineering errors. We are discussing with Commissioner Mitchell the possibility of the County assisting us with road repairs on Shady Shores. Main Street road work is on hold waiting for a determination from the County on funding. We met with officials from the County regarding traffic problems on Swisher Road and the County is working on a solution. The materials for the beach area at Willow Grove Park have arrived. Byron Hundley has signed the agreement with the City for the fence at Hundley Boat Yard. We are expecting Hickory Creek to contact us in the near future to meet regarding the Lake Cities Library.

2) Private Projects

No report

K. NEW AGENDA ITEMS

Discussion of 3 year term limits.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:10 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 24, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4

Councilmember McCaleb was out on business.
Councilmember Hammond was absent.

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Community Development Char Dupree; Finance Director Donna Boner

B. INVOCATION
Ron Boudreaux gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
The police department will hold its' annual Kids and Cops event on Saturday, April 26th from 11-3. The Thomas Carnival will be here May 8-11. Plans for the annual 4th of July celebration are underway.

E. PROCLAMATION
Mayor Marino proclaimed May as Motorcycle Safety and Awareness Month in Lake Dallas.

F. REPORTS

1) Boards and Commissions

Lake Dallas Economic Development Corporation and Lake Dallas Community Development Corporation did not meet this month. Parks was unable to meet due to lack of quorum and per City Charter a report has been submitted to Council listing those in attendance and those absent. Planning and Zoning met and has two items on the agenda this evening. Board of Adjustment met. Char DuPree gave a report to Council regarding the BOA's decision on the property at 703 Glen Rhea. BOA is recommending the property be vacated and demolished. Barbara Thompson, Librarian for Lake Cities Library, presented a report on behalf of the Library Board. Barbara said Corinth has officially pulled out of the Library. Things are going well at the Library. Moving forward without Corinth's funding and participation, Mrs. Thompson said she will re-evaluate some of the things at the Library as the new budget year approaches.

2) Finance

Donna Boner reported on the financials. Sales Tax continues to come in strong. Revenue at Willow Grove Park has been outstanding recently.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the March 27, 2014 and April 10, 2014 meetings.**
2) **Consideration and Action to approve the March financials.**
3) **Consideration and Action to approve the Quarterly Investment Report for 1st quarter 2014.**

Motion to approve the Consent Agenda consisting of the minutes of the March 27, and April 10, 2014 meetings, the March Financials, and the 1st Quarter 2014 Investment Report was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, and Harper
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 8 – 11, 2014 and waive the permit fees.**

Motion to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 8 – 11, 2014 and waive the permit fees was made by Councilmember Estrada and second by Councilmember Harper.
Ayes: Councilmembers Estrada, Harper, and Brooks
Noes: None

Motion Passed

2) **Public Hearing to hear comments on the proposed increase of .78% 2014 Consumer Price Index (CPI) adjustment to municipal telecommunications Right-of-way access line rates established by the Public Utility Commission of Texas**

No one came forward to speak

3) **Consideration and Action to approve/deny the .78% 2014 Consumer Price Index (CPI) increase to municipal telecommunications Right-of-way access line rates.**

Motion to approve the .78% 2014 Consumer Price Index (CPI) increase to municipal telecommunications right-of-way access line rates was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Estrada
Noes: None

Motion Passed

4) **Public Hearing on an application by Daniel Baker, business owner of 13 Steps to Nowhere, for a Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0424a N. French, Tract 21C, and it is zoned C-1 Commercial District.**

Daniel Baker addressed the Council and gave an overview of his project and request. Mr. Baker wants to create a maze for outdoor events on the property at 501 E. Swisher Road. Councilmembers asked numerous questions about the type of structure, the level of noise and lighting, capacity limits, and parking. Mr. Baker confirmed the structure would be built in the same manner and of the same material that he used last year for his Halloween haunted trail. He said he uses LED lighting that only illuminates certain small areas. Swisher Courts parking lot will host the parking and groups of 6 people will be taken through the maze approximately every 30 minutes. The event is powered by temporary generators. He primarily wants to do laser tag events and scavenger hunts for private groups, as well as the Halloween event in October.

Pat Haggerty, Board President of the Montserrat Retreat House, spoke in opposition of the permit. The Montserrat has been in the community since 1959. They conduct silent retreats on their 50 acres. Their core program runs from Thursday evening until noon on Sunday. Mr. Haggerty has concerns that allowing these types of event will interfere with the work that goes on at Montserrat; he fears it will disrupt the peaceful atmosphere of their property. He asked that there be no bullhorns used on the property and that the SUP be reviewed in one year as opposed to three years.

Ron Boudreaux, Montserrat Retreat House, spoke in opposition of the SUP. He believes it will be disruptive and offensive to the people who come to Monserrat for peace and quiet.

5) **Consideration and Action to approve a Special Use Permit with or without conditions to allow outdoor events at the property located at 501 E. Swisher Road.**

Motion to approve a Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road with the condition of no bullhorns to be used at the events was made by Councilmember Brooks and second by Councilmember Harper.

Amended Motion to approve a Special Use Permit for 5 years to allow outdoor events at the property located at 501 E. Swisher Road with conditions of no bullhorns to be used at the events, events to be held Thursday through Sunday, permit to be reviewed in 3 years with no fee was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper
Noes: Estrada

Motion Passed

6) **Public Hearing on the proposed Special Use Permit submitted by David Shershen on behalf of the Kingswood Home Owners Association for Kingswood Mobile Home Park, City of Lake Dallas, Denton County, Texas. The request for a Special Use Permit for KMHP would involve an overlay of C-2 Commercial District for the clubhouse at 228 Kingswood Drive for the purpose of allowing an indoor "European style" flea market on Thursday through Sunday from 8 am until 5pm . Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XVI, Special Use Permits, Section 122-691(19), allows for application to be made. This property is located at Kingswood Mobile Home Park, Kingswood Estates, Lots 1-228, Lake Dallas, Texas.**

David Shershen, 166 Kingswood Drive, Lake Dallas, addressed the Council on behalf of the Home Owners Association of Kingswood Mobile Home Park in regards to their request for a Special Use Permit. The HOA Board is looking for ways to create income to help pay off bank loans and to repair and maintain the Community's swimming pool. The Board would like to turn the Community's Clubhouse into a European style flea market to sell items made by residents. Income would be generated by renting vendor space to those who were selling their wares.

Kami Jones, 516 Meadowbrook, spoke in opposition to the permit. Mrs. Jones has concerns about traffic and people cutting through their subdivision.

Lura Green, 524 Meadowbrook, spoke in opposition to the permit. Ms. Green is concerned about the traffic, potential home break- ins due to strangers being in their neighborhood while they are away at work.

Melody Wayne, Kingswood Mobile Home Park resident, spoke in favor of the permit. Ms. Wayne feels this project is no different than the Community Garage Sales held in other neighborhoods in Lake Dallas.

Willeen Newman, 8 Oakwood Drive, spoke in favor of the permit.

Tom Sukach, 509 Meadowbrook, is opposed to the permit.

Margaret McCarty, 83 Lakeridge, is in favor of the permit.

Bob Davis, 73 Lakeridge, is in favor of the permit so that the HOA can reopen the pool.

7) Consideration and action to approve a Special Use Permit with or without conditions for the Kingswood Mobile Home Park that would involve an overlay of C-2 Commercial District zoning for the clubhouse at 228 Kingswood Drive for the purpose of allowing a flea market and associated retail activities.

Item tabled until the HOA Board can provide a more detailed business plan.

8) Discussion of Swisher Road rezoning to consider creating an overlay district and discuss what types of business would be allowed in the overlay.

City Manager Ristagno presented a list of potential business types for an overlay district on Swisher Road. As a result of discussion, the following list of businesses was decided upon: Antique Shop, Art Gallery, Dental Office, Governmental Offices, Insurance Office, Medical Office, Beauty Salon, Barbershop, Dance Studio, Dry Cleaners, Locksmith Shop, Print Shop, Veterinarian, Household Appliance Service and Repair, and Taxidermist. At the next Council meeting, we will hold a workshop with residents of the neighborhood to get their input.

J. CITY MANAGER REPORT

1) City Projects

Lakeview is problematic. There were a lot of issues that weren't addressed in the original engineering. There were no provisions made for retaining walls. We may have to make some adjustments to some yards and driveways. This has caused a number of change orders which increases the cost of the project.

2) Private Projects

There were no new reports on private projects.

K. NEW AGENDA ITEMS

No new items.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:35 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 10, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 p.m.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4

Councilmember Brooks was out of town.
Councilmember Hammond was absent.

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Community Development Char Dupree; City Attorney David Berman

B. INVOCATION
Councilmember Estrada gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. PROCLAMATION
Mayor Marino proclaimed April as National Safe Digging Month in Lake Dallas.

E. BUSINESS

2) Consideration and Action to approve a real estate agent/ broker for the Lake Dallas Economic Development Corporation's property on Swisher Road.
Finance Director Donna Boner gave the Finance Report. Sales tax is still coming in over budget, as are some of the other revenues.

Motion to approve The Property Shop as the real estate agency for the sale of the Swisher Road property was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb and Estrada
Noes: None

Motion Passed

1) Town Hall Meeting regarding Swisher Road rezoning.

The following people spoke about the possible rezoning of Swisher Road and Hillcrest:

Karolina Norris	108 Hillcrest	KayLynn	Addison
Marvin Chisum	204 Hillcrest	Judy Amstutz	113 Swisher Lots
Dale Tate	508 Oakcrest	Kandy Jones	516 Meadowbrook
Annie Nolan	510 Addison	Natalie Schuster	506 Addison
Tami Perchez	106 Hillcrest	Claude Walter	Swisher Road Lots
Rachel Walter Mohn	215 Swisher	Gordon McQuillin	521 Meadowbrook
Robert Allen	519 Ridgewood		
Dan Powell	206 Hillcrest		
Roy Perchez	106 Hillcrest		
Dave Jones	516 Meadowbrook		

The general consensus of those who spoke was favorable to rezoning Swisher Road, but not the area of Hillcrest where there are homes. Those living in the neighborhood surrounding Hillcrest would like to see the the neighborhood preserved.

F. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:10 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 27, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION

Ben Smith gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Ristagno announced that on April 3rd LDISD is holding an Anti Drug and Alcohol Forum from 5:30-7:30 pm at the Lake Dallas Middle School. April 5th is the Great American Clean Up/Don't Mess With Texas Trash Off. April 26th is our 15th annual Kids and Cops event.

E. REPORTS

1) Boards and Commissions

The Economic Development Corporation and Community Development Corporation did not meet in March. Planning and Zoning Commission met and have two items on the Council Agenda. Parks, Recreation and Keep Lake Dallas Beautiful met on Monday, March 24th.

2) Finance

Finance Director Donna Boner gave the Finance Report. Sales tax is still coming in over budget, as are some of the other revenues.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Debbie Pierce, 512 Atchison, Lake Dallas spoke to the Council regarding Doyle Cameron's subdivision that he is building. She stated that Mr. Cameron promised to put a fence between their properties and that hasn't been done. She complained that the building is causing dirt to settle in their pool and she has had to replace some of her pool equipment as a result. Mayor Marino directed staff to look into this matter and respond to Mrs. Pierce.

G. CONSENT AGENDA

1) Consideration and Action to approve the minutes of the February 13, 2014 meeting.
2) Consideration and Action to approve the February financials.

Motion to approve the consent agenda consisting of the minutes of the February 13, 2014 meeting and the February Financials was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

H. BUSINESS

1) Council interview with board applicant.

Board applicant was not at the meeting to be interviewed.

2) Public Hearing on proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot. This property is at 307 Lake Dallas Drive and is zoned C-3 Commercial District

Ben Smith, pastor for First Baptist Church Lake Dallas, explained their project. The church wants to consolidate their lots into one lot to simplify their tax documents and to prepare for possible expansion.

3) Consideration and Action to approve the proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot.

Motion to approve the proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Motion Passed

4) Public Hearing on an application by Daniel Baker, business owner of 13 Steps to Nowhere, for a Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0424a N. French, Tract 21C, and it is zoned C-1 Commercial District.

5) Consideration and Action to approve the proposed Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road.

The Planning and Zoning Commission tabled this item at their meeting until Mr. Baker has a more definitive plan. Therefore, Council took No Action and will not be hearing these items until Planning and Zoning is able to make a recommendation.

6) **Consideration and Action on approval of an Ordinance to cancel the May 11, 2014 Regular General Election and declaring each unopposed candidate elected to office.**

Mayor Marino noted for the record the receipt of the Certification of Unopposed Candidates from the City Secretary.

Motion to approve an Ordinance to cancel the May 11, 2014 Regular General Election and declaring each unopposed candidate elected to office was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Motion Passed

7) **Consideration and Action to approve a Community Development Corporation project to spend up to $6,000 on the installation of a beach area at Willow Grove Park.**

City Manager Ristagno explained the reasoning behind the CDC project of creating a beach area at Willow Grove Park away from the shoreline so that it will not wash out this time.

Motion to approve a Community Development Corporation project to spend up to $6,000 on the installation of a beach area at Willow Grove Park was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

8) **Consideration and Action to approve a resolution for a water well permit.**

Motion to approve a resolution for a water well permit was made by Councilmember McCaleb and second by Councilmember Brooks.
Ayes: Councilmembers McCaleb, Brooks, Harper, Estrada, and Hammond
Noes: None

Motion Passed

9) **Consideration and Action to approve an agreement with Alan Plummer Associates, Inc. to provide environmental and regulatory services necessary for the creation of a Storm Water Management Program.**

City Manager Ristagno explained to the Council that the City had a 5 year permit with TCEQ for Storm Water Management. We are now required to have the new permitting in place by June 11th. This firm did our first 5 year permit and they will prepare the entire plan and do the permitting for the next 5 year permit for a cost of $15,900. We were expecting to pay between $20-25,000.

Motion to approve an agreement with Alan Plummer Associates, Inc. to provide environmental and regulatory services necessary for the creation of a Storm Water Management Program was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: Estrada

Motion Passed

J. CITY MANAGER REPORT

City Manager Ristagno reported we are awaiting news on Main Street. We have submitted to Commissioner Mitchell to do all of Main Street and she has submitted it to her review board. They are considering concrete. There were a lot of things not planned for in the original engineering on Lakeview because they ran into a lot of surprises under the roadway. This has added additional costs to the project. City Manager Ristagno said he has had several calls about possible business developments but nothing that has moved forward yet.

K. NEW AGENDA ITEMS

The next meeting on April 10th will be a Town Hall meeting. We will have a regular meeting on April 24th. There will be a mid-year budget meeting in May. Councilmember Estrada would like to see some road maintenance on Shady Shores. City Manager Ristagno said the Patrol Officers and the Public Works Department would be making a list of roads that need work so that we can compile a priority list for road repair.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:33 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 13, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Ristagno announced that our Mardi Gras event will be Tuesday, March 4th from 5:00 to 9:00 pm in the City Hall parking lot. The next City-wide Clean Up Is March 22nd from 8:00 am until 2:00 pm. The deadline for filing an application for a place on the ballot is February 28th at 5:00 pm. Councilmember Estrada announced she and Mr. Estrada are expecting a baby in September.

E. REPORTS

1) Boards and Commissions

The Economic Development Corporation met on February 3rd and approved their audit. Parks, Recreation and Keep Lake Dallas Beautiful will meet on Monday, February 24th.

2) Finance

Finance Director Donna Boner gave the Finance Report.

3) Audit

Carl Deaton presented the audit for fiscal year 2013. Mr. Deaton commended City Manager Ristagno, Staff and Council on the great improvement in the City's financial situation. Mr. Deaton praised City Manager Ristagno for stepping in and stabilizing things and getting the City's poor financial situation turned around. Mr. Deaton stated that City Manager Ristagno realized that some of the budgeting in the past was unrealistic, particularly on the revenue side and his leadership was instrumental in correcting that problem. Mayor Marino publicly thanked the City Manager, Staff, and Council for working to get the financial situation turned around.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Jim Porterfield, new ministry pastor at First Baptist Church, Lake Dallas, introduced himself. The Council welcomed Mr. Porterfield to the City.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the January 23, 2014 meeting.**
2) **Consideration and Action to approve the January financials.**
3) **Consideration and Action to approve the Fiscal Year 2013 Seizure Report.**
4) **Consideration and Action to approve the Fiscal Year 2013 Police Department Racial Profiling Report.**

Motion to approve the consent agenda consisting of the minutes of the January 23, 2014 meeting, the January Financials, the Fiscal Year 2013 Seizure Report, and the Fiscal Year 2013 Police Department Racial Profiling Report was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

H. BUSINESS

1) **Consideration and Action to approve the Fiscal Year 2013 Audit.**

Motion to approve the Fiscal Year 2013 Audit was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

2) **Consideration and Action to approve a Joint Election Agreement and Contract for Election Services with Denton County.**

Motion to approve a Joint Election Agreement and Contract for Election Services with Denton County was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

3) **Consideration and Action to authorize the City Manager to prepare for the sale of a City owned parcel of land located on Falcon Drive.**

Motion to authorize the City Manager to prepare for the sale of a City owned parcel of land located on Falcon Drive was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, and Estrada
Noes: None
Abstain: Councilmember Brooks

Motion Passed

J. CITY MANAGER REPORT

City Manager Ristagno reported progress is being made on Lakeview, but there have been some problems and we are planning town hall meetings with the citizens and the contractors on Wednesday, February 19th and Thursday, February 20th to discuss the project. They have run into water problems in the area and we have approved a change order for a French drain for $6,000. Right now the biggest hurdle with the project is the inconvenience to the residents. The projected completion date for the project is June. It will be a much better, much safer roadway upon completion.

On the Main Street project, we are waiting to hear back from our County Commissioner. We think she has sent it to committee. She may be able to get us some additional assistance if the committee approves it.

The Fire Department sent a request that we trim trees on around 30 streets to accommodate their new ladder truck. This is problematic for us as we do not have the crews or equipment to do this. Also, many of these trees are on private property. City Manager Ristagno will discuss this issue with the City Manager of Corinth to see if they can come up with a solution.

Waste Management submitted their monthly report to Council for their review.

The State has changed their requirements for street signs effective 2015. We are beginning to replace street signs with the State required upgrade.

K. NEW AGENDA ITEMS

None

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:25 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 23, 2014 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Finance Director Donna Boner;
Councilmember Estrada was absent due to illness.

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Ristagno announced that Mardi Gras will be Tuesday, March 4th from 5:00 to 9:00 pm. The next City-wide Clean Up Is March 22nd from 8:00 am until 2:00 pm. There will be more neighborhood clean ups coming in the Spring. There will be a Warrant Round Up beginning March 1st and lasting for one week.

E. PRESENTATIONS

Investigator Ben Sleigh of the Lake Dallas Police Department was acknowledged and awarded a wall clock for his 30 plus years of service to the community. Investigator Sleigh will retire on January 31st and will be honored on that day with a luncheon with family, friends, staff and Council.

F. REPORTS

1) Boards and Commissions

The Economic Development and Community Development Corporations both met on January 13th and approved a new grant request application. The application is on the Council agenda for approval tonight. The Planning and Zoning Commission met on January 16th and has a rezoning item on tonight's agenda. Parks, Recreation and Keep Lake Dallas Beautiful will meet on Monday, January 27th as will the Board of Adjustment.

2) Finance

Finance Director Donna Boner gave the Finance Report.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Diane Byers, 699 Lakeland, Lake Dallas, addressed the Council regarding the construction on Lakeview. Ms. Byers expressed her displeasure about the way the construction project is being handled. She feels there is not adequate signage for the project. She is very unhappy about the fact that homeowners will not have access to their driveways during part of the project. She also feels that traffic is not being routed properly. She feels citizens have not been properly informed regarding this construction.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the November 21, 2013 meeting.**
2) **Consideration and Action to approve the November and December Financials.**
3) **Consideration and Action to approve the 3rd and 4th quarter Investment Reports.**

Motion to approve the consent agenda consisting of the minutes of the November 21, 2013 meeting, the November and December Financials, and the 3rd and 4th quarter Investment Reports was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

I. BUSINESS

1) **Public Hearing on proposed zoning change of approximately 1.56 acres on Betchan from R-1-6000 to C-2 Commercial District.**

Mike Lindley, President of Operations, BMR Pool and Patio, 1706 Justin Road, Lewisville, explained his company's project to the Council. The company would like to rezone and develop the property on Betchan to have a warehouse for their products, parking for their company trucks, and for future office space.

Clyde Fisher, 747 Carlisle, Lake Dallas, spoke in favor of the project.

2) **Consideration and Action on proposed zoning change of approximately 1.56 acres on Betchan from R-1-6000 to C-2 Commercial District.**

Motion to approve the proposed zoning change of approximately 1.56 acres on Betchan from R-1-6000 to C-2 Commercial District was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, McCaleb, and Brooks
Noes: None

Motion Passed

3) **Consideration and Action to approve appointing Terra Blackburn to the Parks, Recreation and Keep Lake Dallas Beautiful Board.**

Motion to approve the appointment of Terra Blackburn to the Parks, Recreation, and Keep Lake Dallas Beautiful Board was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

4) **Consideration and Action to approve the appointment of Neva Sudderth to the Library Board.**

Motion to approve the appointment of Neva Sudderth to the Library Board was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

5) Consideration and Action to approve an ordinance conveying and accepting a dedication of real estate between the City and Paul Forgey.

Motion to approve an ordinance conveying and accepting a dedication of real estate between the City and Paul Forgey was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

6) Consideration and Action to approve a 2.7% price adjustment to Waste Management contract.

Joe Jaynes, representative from Waste Management, brought an annual report to the Council. Mr. Jaynes also explained that the price adjustment was part of the existing contract and it amounts to 37 cents per household per month.

Motion to approve a 2.7% price adjustment to Waste Management in accordance with the contract was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Hammond
Noes: Councilmember McCaleb

Motion Passed

7) Consideration and Action on approval of an Ordinance ordering an election to be held on May 10, 2014 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 2 and 4.

Motion to approve an ordinance ordering an election to be held on May 10, 2014 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 2 and 4 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

8) Consideration and Action to approve opening the search for real estate agent/ broker for the purpose of listing and marketing the EDC Swisher Road property to include local real estate agents and brokers as well as Denton County real estate agents/brokers.

Motion to approve opening the search for real estate agent/ broker for the purpose of listing and marketing the EDC Swisher Road property to include local real estate agents and brokers as well as Denton County real estate agents/brokers was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and McCaleb
Noes: Councilmember Hammond

Motion Passed

9) Consideration and Action to approve a new application process for Economic and Community Development Corporation grants.

Motion to approve a new application process for Economic and Community Development Corporation grants was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

10) Consideration and Action to approve a resolution amending the Master Fee Schedule to revise the Animal Services adoption fee.

Motion to approve a resolution amending the Master Fee Schedule to revise the Animal Services adoption fee was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

11) Consideration and Action to approve the hiring of an Animal Shelter Technician.

Motion to approve the hiring of an Animal Shelter Technician was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

12) Consideration and action on allocation of funds for the calendar year 2014 for the purposes of community and economic development under Chapter 380, Texas Local Government Code, to be used for promotional events, including awards, at City events.

Motion to approve the allocation of funds for the calendar year 2014 for the purposes of community and economic development under Chapter 380, Texas Local Government Code, to be used for promotional events, including awards, at City events was made by Councilmember Brooks and second by Councilmember Harper
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Ristagno reported Lakeview is proving to be problematic. The water line is in place. Tuesday morning we will have a meeting with RKM and we are planning a town hall meeting with citizens to discuss the project.

The Main Street project has been on hold since Hickory Creek Mayor John Smith decided that their town wants to do the road in concrete instead of asphalt.

We are also discussing having a town hall meeting with Swisher Road property owners to discuss the possible rezoning of that area from residential to commercial.

The Board of Adjustment will meet on Monday, January 27th to decide on the demolition or repair of Mav's Auto and a property on Glen Rhea.

John Smith, Terry Lantrip, and Mike Mayberry have all expressed interest in EDC incentive grants for projects they are planning.

The Librarian has stated that the Library has two or three board members who want to accept County funding. If they accept County funding then they must provide service to everyone who lives in the County. Next Monday is a Library Board meeting.

K. NEW AGENDA ITEMS

Audit

Town Hall meeting regarding road construction and regarding the rezoning of Swisher Road properties.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:05 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on November 21, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4

Staff Present: City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance Director Donna Boner; Community Relations Manager Stephanie Berndt

Councilmember Hammond arrived at 7:45 pm.

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Pastor Collver announced that Open Arms Church will be sponsoring a free meal for the community at Nana's Café on December 23rd at 5:30 pm. City Manager Ristagno reported City Hall will be closed November 27th and 28th for Thanksgiving Holiday. The annual Tree Lighting will be December 7th from 5 to 9 pm. The Employee Appreciation Dinner will be December 13th at 6:30 pm. Mayor Marino announced that the Lake Cities Education Foundation Gala went very well. Don Glockel informed the Council that about $30,000 was raised at the LCEF Gala. City Manager Ristagno introduced the new Community Relations Manager, Stephanie Berndt.

E. PRESENTATIONS

Community Relations Manager Stephanie Berndt and Parks Board member Keri Sutherland announced that this year's community tribute Christmas tree has already been planted and is dedicated to the children of Lake Dallas.

Councilmember Brooks read a proclamation dedicating a Wall of Remembrance for our veterans in the Council Chambers and Mayor Marino unveiled the Vietnam War Commemorative City Certificates that have been hung on the wall, as well as one for WWII.

F. REPORTS

1) **Boards and Commissions**
   The Parks and Recreation/Keep Lake Dallas Beautiful is the only board that met in November.
2) **Finance**
   Finance Director Donna Boner gave the Finance Report.
3) **Upper Trinity Regional Water District**
   Jody Zabolio and Brian Kelm gave a report to the Council regarding Upper Trinity's efforts and progress toward odor control at the Lakeview Regional Water Reclamation Plant.
4) **Lake Cities Community Library**
   Barbara Thompson, Librarian, gave a quarterly report for the Library.
5) **Lake Cities Fire Department**
   Chief Curtis Birt gave a quarterly report on the Fire Department. A new engine has been purchased for Station 2.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak.

H. CONSENT AGENDA

2) Consideration and Action to approve the minutes of the October 24, 2013 meeting.

3) Consideration and Action to approve the October financials.

Motion to approve the minutes of the October 24, 2013 meeting and the October financials was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

I. BUSINESS

1) Council Interviews with Board Applicants.

Council interviewed Terra Blackburn for a seat on the Parks, Recreation and Keep Lake Dallas Beautiful Board and Neva Sudderth for a seat on the Library Board.

G. Consideration and Action to approve board appointments

Motion to approve the appointment of Danny Everett, Terry Tuck, and Cindy Nelson to the Board of Adjustment was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

3) Consideration and Action to approve a resolution casting a vote for a candidate to the Board of Directors of Denton Central Appraisal District.

Motion to approve a resolution casting all ten (10) votes for David Terre to the Board of Directors of Denton Central Appraisal District was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Estrada
Noes: McCaleb and Hammond

Motion Passed

4) Consideration and Action to approve an ordinance abandoning an alley right of way at 607 and 611 Thompson.

Motion to approve an ordinance abandoning an alley right of way at 607 and 611 Thompson was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

5) Consideration and Action to approve to approve an agreement for a land trade with Paul Forgey.

City Manager requested the item be pulled due to an error in the survey.

6) Consideration and Action to approve an agreement with the Boys and Girls Club for the use of the city owned building at 303 Alamo.

Motion to approve an agreement with the Boys and Girls Club for the use of the city owned building at 303 Alamo was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

City Manager Ristagno reported that the culverts are being laid on Lakeview. The contractor requested an October 1st start date putting the completion at June 1st. The Main Street project will proceed with a re-bid for asphalt soon. The Parks Board would like to improve the Veteran's Memorial at City Park. We are looking at the cost that was presented and we may need to get a few more bids. We have a new business opening on Hundley with resale in the front and antiques in the back. Nana's Café is opening, and Neal's Restaurant may reopen under another name. The laundromat is going to reopen for business. The City is working with the Lake Dallas Community Development Corporation to bring a face lift to the front of City Hall. There will be more City-wide clean-up projects in the Spring. The Lake Cities Soccer Association would like to revisit the irrigation system project with the Community Development Corporation. Additional price quotes for the Willow Grove beach project are being obtained for the Community Development Corporation. The Economic Development Corporation is seeking a real estate broker to market their land on Swisher Road. The NTTA owns some property in the City and they are wanting to use it for equipment storage which may require a zoning change. City Manager Ristagno would like to pursue a community meeting regarding rezoning Swisher Road. The apartments hope to close on the Boliver property this month.

K. NEW AGENDA ITEMS

No new items.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:10 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 24, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:31 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was out of town on business.
Staff Present: Police Chief/Interim City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier

B. INVOCATION
Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
City Manager Ristagno reported Waste Management has submitted their quarterly report and it has been distributed to Council. Trunk or Treat will be October 31st in the parking lot of City Hall between 4 and 6 pm. The Parks Board has submitted plans to refurbish the Veterans' Memorial at City Park. City Hall will be closed November 11th for Veterans' Day. The Lake Cities Education Foundation Gala is November 14th. The next Council meeting will be a special meeting on November 21st. The annual Tree Lighting will be December 7th and the Employee Appreciation Dinner will be December 13th.

E. PRESENTATIONS
Kimberly Sims, Public Information Coordinator with AGL Constructors, gave an overview of the 35Express project, informing the Council about the upcoming construction on I-35. Alex Southern and Andrew Schneeman were also in attendance to assist in answering questions.

F. PROCLAMATION
Mayor Marino proclaimed November 4-8 as Municipal Court Week.

G. REPORTS

1) **Boards and Commissions**
Economic Development Corporation, Community Development Corporation, Parks and Recreation/Keep Lake Dallas Beautiful Board met in October. EDC and CDC worked on a new grant application form.
2) **Finance**
City Secretary Joni Vaughn gave the Finance Report.

H. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mitch Mathis, Community Waste Disposal, came to introduce himself and the company to the Council and asked for their consideration when the City's waste disposal contract goes out to bid.

Paul Forgey, 402 S. Lakeview Drive, came to the Council with questions about the garage sale permit charge. Mayor Marino directed Staff to respond to Mr. Forgey regarding his questions.

I. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the September 26, 2013 meeting.**
2) **Consideration and Action to approve the September financials.**

Motion to approve the minutes of the September 26, 2013 meeting and the September financials was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

J. BUSINESS

1) **Consideration and Action to approve an Interlocal Agreement with Lake Cities Library.**

Motion to approve an Interlocal Agreement with Lake Cities Library was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, and McCaleb
Noes: None

Motion Passed

2) **Consideration and Action to approve payment of a fair share of $5,288 to the Denton County Children's Advocacy Center from the Child Safety Fund.**

Motion to approve a fair share payment in the amount of $6,000 to the Denton County Children's Advocacy Center was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve selecting a real estate agent for the sale of the Swisher road property.**

Motion to approve the appointment of a commercial real estate agent for the sale of the property at 502 E Swisher Road was made by Councilmember McCaleb and second by Councilmember Brooks.
Ayes: Councilmembers McCaleb, Brooks, Harper, and Hammond
Noes: None

Motion Passed

Mayor Marino adjourned the meeting at 8:45 pm and re-convened at 8:50pm.

4) **Consideration and Action to approve the passage of an ordinance to regulate activity impacting the Lake Dallas Separate Storm Sewer System.**

Motion to approve the passage of an ordinance to regulate activity impacting the Lake Dallas Separate Storm Sewer System was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

5) Consideration and Action to approve the passage of an ordinance prohibiting pollution of the Lake Dallas Separate Storm Sewer System.

Motion to approve the passage of an ordinance prohibiting pollution of the Lake Dallas Separate Storm Sewer System was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper and McCaleb
Noes: None

Motion Passed

6) Consideration and Action to approve the Student Award Program for the 2014 fiscal year.

Motion to approve the Student Award Program for the 2014 fiscal year was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

7) Consideration and Action to approve an agreement with DCVSF that will provide for payment to the Lake Dallas Police Department for each vehicle checked for stolen.

Motion to approve an agreement with DCVSF that will provide for payment to the Lake Dallas Police Department for each vehicle checked for stolen was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

8) Consideration and Action to re-appoint board members.

Motion to reappoint Carol Ann Connors, Terry Tuck, Tony Marino and James Harper to the Lake Dallas Economic Development Corporation; Lori Farney, Karl Hammond, E.J. Rodriques, Bill Knox, James Harper, and April Estrada to the Lake Dallas Community Development Corporation; Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, Jenny Warmbrodt, and Terry Tuck to the Planning and Zoning Commission; Steven Bertrand, Carol Ann Connors to the Board of Adjustment; Cindy Nelson, Keri Sutherland, Steven Brunson, Wendy Campbell, Doyt Sheets, Charles Price, James Moore to the Parks, Recreation and Keep Lake Dallas Beautiful Board; Carol Ann Connors, Clyde Fisher, Warren Fitzpatrick, Bill Knox, and Todd Smith to the Appeals Board; Karl Hammond and David Shershen to the Library Board was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

9) **Discussion regarding the renewal of the Boys and Girls Club agreement to use a city owned facility.**

Council and City Manager Ristagno reviewed and discussed the proposed agreement that he and Babs Troutman had worked out. The item will come back as an action item on the next agenda.

10) **Consideration and action for the submission of candidates for possible appointments to the Denton County Appraisal Review Board.**

No Action Taken

K. CITY MANAGER REPORT

City Manager Ristagno reported that Lakeview is under way. The contractor has 240 days to complete. The apartments have asked to make some changes to the Planned Development zoning.

L. NEW AGENDA ITEMS

Mayor called a special meeting for November 21st due to holidays and the LCEF Gala.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:30 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 26, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Police Chief/Interim City Manager Nick Ristagno; City Secretary Joni Vaughn; Finance/HR Director Donna Boner

B. INVOCATION

Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Interim City Manager Ristagno reported that there will be a groundbreaking ceremony for the I-35 Express project on October 3rd at 10:00 am. The Trinity Trash Bash was quite a success with more than 100 volunteers who cleaned up about two and a half tons of trash. The Lake Dallas Animal Shelter in conjunction with the Texas Coalition for the Protection of Animals is offering a low cost clinic on Saturday, October 5th from 10 am until 12 pm. Trunk or Treat will be October 31st from 4-6 pm and Main Street will be shut down during that time.

E. PRESENTATIONS

Girl Scout Troup #8405, as part of a badge project, presented Sgt. Louderback of the Lake Dallas Police Department with 27 handmade embroidered blankets for children in distress. The girls used their own money to buy the fabric and spent about a year creating the blankets. After presenting their gifts to the LDPD, the girls were awarded the Girls Scout Bronze Award by their troop leader, Pam Font.

F. REPORTS

1) **Boards and Commissions**
Economic Development Corporation, Community Development Corporation, and Planning and Zoning Commission had no meetings in September. Parks and Recreation/Keep Lake Dallas Beautiful Board met September 16th and worked on the Trunk or Treat event, a fall planting for the Community garden and discussed refurbishing the memorial bricks at the Veterans' Memorial at City Park.

2) **Finance**
No report.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak.

6) Consideration and Action to appoint Municipal Court Clerk Donna Butler as Juvenile Case Manager.

Motion to appoint Municipal Court Clerk Donna Butler as Juvenile Case Manager was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada, and Hammond
Noes: None

Motion Passed

I. CITY MANAGER REPORT

Interim City Manager Ristagno reported that we received the analysis of our outstanding debt from First Southwest, which includes Standard & Poor's bond rating for the City. We are trying to coordinate with the contractor on Lakeview to get a crew back out to resume work. There was a neighborhood clean up in Kingswood Mobile Home Park and three dumpsters were filled with waste. There was also a dumpster placed on Thompson for a neighborhood clean up. The project was so successful that other neighborhoods are being discussed as areas for a clean up.

J. NEW AGENDA ITEMS

Lake Cities Library

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:18 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

H. BUSINESS

1) Consideration and Action to approve the minutes of the September 12, 2013 meeting.

Motion to approve the minutes of the September 12, 2013 meeting was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

2) Consideration and Action to approve an Ordinance adopting Budget for Fiscal Year 2013-2014 for the City of Lake Dallas.

Motion to approve an Ordinance adopting Budget for Fiscal Year 2013-2014 for the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Motion Passed

3) Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2013-2014.

Motion to approve the Ordinance setting the Maintenance and Operation Tax Rate at $0.553476/$100 and Interest and Sinking Fund rate at $0.148453/$100 for Fiscal Year 2013-2014 and to ratify the property tax revenue increase reflected in the budget for fiscal year 2013-2014. was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, Brooks, and Estrada
Noes: None

Motion Passed

4) Consideration and Action to approve the resolution for the Investment Policy.

Motion to approve the resolution for the Investment Policy was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

5) Consideration and Action to approve a resolution setting fees for the Master Fee Schedule.

Motion to approve a resolution setting fees for the Master Fee Schedule was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada, and Hammond
Noes: None

Motion Passed

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 12, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Police Chief/Interim City Manager Nick Ristagno; City Secretary Joni Vaughn; Finance/HR Director Donna Boner
Absent: Councilmember Estrada

B. INVOCATION
Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
Interim City Manager Ristagno reported that LDISD Homecoming Game is tomorrow evening. Keep Lake Dallas Beautiful is hosting a cleanup this weekend in Kingswood and on Thompson. They are also hosting the Trinity Trash Bash, an annual waterway cleanup, at Willow Grove Park on September 21st at 9 am. The Lake Dallas Animal Shelter in conjunction with the Texas Coalition for the Protection of Animals is offering a low cost clinic on Saturday, October 5th from 9 am until 12 pm.

E. REPORTS

1) **Boards and Commissions**
Economic Development Corporation and Community Development Corporation had no meetings in September. There is no Planning and Zoning meeting scheduled for September. Parks meeting will be September 16th.

2) **Finance**
Donna Boner gave the monthly financial report.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one came forward to speak.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the August 29th meeting.**
2) **Consideration and Action to approve the August Financials.**

Motion to approve the Consent Agenda consisting of the Minutes of the August 29, 2013 meeting and the August Financials was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, and Brooks
Noes: None

Motion Passed

H. BUSINESS

1) Consideration and Action to appoint James Moore to the Parks, Recreation and Keep Lake Dallas Beautiful Board.

Motion to appoint James Moore to the Parks, Recreation and Keep Lake Dallas Beautiful Board was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

2) Consideration and Action to appoint James Harper to the Lake Dallas Economic Development Corporation Board.

Motion to appoint James Harper to the Lake Dallas Economic Development Corporation Board was made by Councilmember McCaleb and second by Councilmember Hammond.
Ayes: Councilmembers McCaleb, Hammond, Harper, and Brooks
Noes: None

Motion Passed

3) Consideration and Action to approve the Community Development Corporation Hundley Boat Yard fence project not to exceed $25,000.

Motion to approve the Community Development Corporation Hundley Boat Yard fence project not to exceed $25,000 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

4) Consideration and Action to approve an interlocal agreement with Denton County for the road maintenance and surface road repairs for fiscal year 2014.

Motion to approve an interlocal agreement with Denton County for the road maintenance and surface road repairs for fiscal year 2014 was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

5) Consideration and Action to approve a policy establishing guidelines for the appointment, terms, attendance and removal of members to City Boards and Commissions.

Motion to approve a policy establishing guidelines for the appointment, terms, attendance and removal of members to City Boards and Commissions was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Hammond
Noes: None

Motion Passed

6) Presentation of the Fiscal Year 2014 Budget
Interim City Manager Ristagno presented a copy of the final budget to the Council.
He anticipates we have cut the deficit in half in 2013 and in 2014 come very close to wiping out the deficit. The 2014 budget represents very conservative revenue projections.

7) Public Hearing for the Fiscal Year 2014 Budget

Mayor Marino opened the Public Hearing for the Fiscal Year 2014 Budget.
No one came forward to speak.
Mayor Marino closed the Public Hearing for the Fiscal Year 2014 Budget.

I. EXECUTIVE SESSION

1) **The City Council will convene in closed executive session under Section 551.074, Texas Government Code (Personnel) to deliberate the appointment, employment, evaluation, reassignment, and duties of City Manager.**

Mayor Marino adjourned to Executive Session at 8:10 pm.
Mayor Marino reconvened Open Session at 8:20 pm.

J. ACTION, IF ANY, FROM EXECUTIVE SESSION

Motion to approve an employment contract with Nick Ristagno to be the City Manager and Police Chief was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, and Brooks
Noes: None

Motion Passed

K. CITY MANAGER REPORT

City Manager Ristagno reported that we will go back out to bid on the Main Street project.
City Manager Ristagno is in discussion with RKM as to a timetable for Lakeview. The gas lines have been relocated. The houses that Doyle Cameron is building are selling. We are on a holding pattern with the apartments; we have not heard back from Bill Fisher as to where they are in the process.

L. NEW AGENDA ITEMS

Councilmember Brooks would like to have a workshop item regarding changing the length of Council terms.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:30 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on August 29, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 6:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Police Chief/Interim City Manager Nick Ristagno; City Secretary Joni Vaughn; Police Captain Wes Frazier; Finance/HR Director Donna Boner; Community Development Director Char Dupree; Municipal Court Clerk Donna Butler; Community Relations Coordinator Julie Chapman; Public Works Superintendent Curt Miller
Absent: Councilmember Estrada

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Community Relations Coordinator Chapman reported that LDISD Homecoming Parade is September 9th at 5:15 pm followed by a pep rally at City Park. Keep Lake Dallas Beautiful is hosting the Trinity Trash Bash, an annual waterway cleanup, at Willow Grove Park on September 21st at 9 am. The Lake Dallas Animal Shelter in conjunction with the Texas Coalition for the Protection of Animals is offering a low cost clinic on Saturday, October 5th from 9 am until 12 pm.

E. PRESENTATIONS

Mayor Marino and Community Relations Coordinator Chapman acknowledged Officer Alan Sawyer and City Secretary Joni Vaughn for their work on refurbishing the Patrol Room in the Police Department. Officer Sawyer did all the tile work for the floor and Ms. Vaughn cleaned and painted the room. Bailey Sawyer, Officer Sawyer's daughter, was also recognized for her volunteerism; awarded a Certificate of Appreciation and presented with a $50 gift card from the Kids and Cops Fund. Miss Sawyer assisted her father with the tile work and assisted Ms. Vaughn with cleaning the room. Their efforts are noted and much appreciated.

F. REPORTS

1) Boards and Commissions

Economic Development Corporation and Community Development Corporation approved their budgets for fiscal year 2014. Economic Development Corporation approved a grant incentive to Rachel Walter Mohn for her insurance agency. Planning and Zoning approved an ordinance allowing accessory dwelling units. There was no Parks meeting.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the July 29, 2013 meeting.**
2) **Consideration and Action to approve the financial report for July.**

Motion to approve the Consent Agenda consisting of the Minutes of the July 29, 2013 meeting and the July Financials was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

I. BUSINESS

1) **Council Interviews with Board applicants James Moore and James Harper.**

James Moore appeared before the Council for an interview to serve on the Parks Board.
James Harper appeared before the Council for an interview to serve on the Economic Development Corporation.

2) **Consideration and Action to approve Charles Price as a member of the Parks, Recreation and Keep Lake Dallas Beautiful Board.**

Motion to approve Charles Price as a member of the Parks, Recreation and Keep Lake Dallas Beautiful Board was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve an Economic Development Corporation project involving a grant request from Rachel Walter Mohn in the amount of $22,921.00 for the Rachel Walter Agency, Inc at 215 Swisher Road.**

Motion to approve an Economic Development Corporation project involving a grant request from Rachel Walter Mohn in the amount of $22,921.00 for the Rachel Walter Agency, Inc at 215 Swisher Road was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb and Brooks
Noes: None

Motion Passed

4) **Consideration and Action to approve a resolution appointing one member to the Board of Managers of the Denco Area 9-1-1 District. (City Manager)**

Motion to approve a resolution voting for Karl Hammond as a member to the Board of Managers of the Denco Area 9-1-1 District was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

5) Public Hearing then Consideration and Action to approve an ordinance adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same.

No one came forward to speak on the Public Hearing.

Motion to approve an ordinance adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

6) Consideration and Action to reject all bids for the Main Street Rehabilitation.

Motion to reject all bids for the Main Street Rehabilitation was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

7) Consideration and Action to approve the sale price of the Swisher Road property owned by the Lake Dallas Economic Development Corporation.

Motion to approve the sale price of $325,000 for the Swisher Road property owned by the Lake Dallas Economic Development Corporation was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

8) Consideration and Action to approve the Fiscal Year 2014 Budget for the Lake Dallas Economic Development Corporation.

Motion to approve the Fiscal Year 2014 Budget for the Lake Dallas Economic Development Corporation was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb and Brooks
Noes: None

Motion Passed

9) Consideration and Action to approve the Fiscal Year 2014 Budget for the Lake Dallas Community Development Corporation.

Motion to approve the Fiscal Year 2014 Budget for the Lake Dallas Community Development Corporation was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

10) Consideration and Action to set the proposed tax rate FY 2014, schedule the required public hearing for the budget and set the meeting date for the adoption of the FY 2014 budget.

Motion to set the proposed property tax rate at the Effective Tax Rate of $.701929/$100 appraised value; to schedule the Public Hearing for the Budget to be held on September 12th at 7:30 pm at a City Council meeting; and to set the adoption of the budget and tax rate on September 26th at 7:30 pm at a City Council meeting in the City Council Chambers at 212 Main Street was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, McCaleb and Brooks
Noes: None

Motion Passed

J. EXECUTIVE SESSION

1) The City Council will convene in closed executive session under Section 551.074, Texas Government Code (Personnel) to deliberate the appointment, employment, evaluation, reassignment, and duties of City Manager.

Mayor Marino adjourned to Executive Session at 7:17 pm.
Mayor Marino reconvened Open Session at 7:46 pm.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action was taken.

L. BUDGET WORKSHOP

Council and Staff met together to discuss the proposed budget. Each department head gave an overview of their departments and their department needs. Interim City Manager Ristagno explained the capital items requested. Councilmember Harper suggested that instead of purchasing some of the capital items next year, perhaps we should buy them this year since it appears we will have a good amount of surplus at the end of this fiscal year. City Manager Ristagno stressed the needs that the Public Works Department has for equipment.

M. CITY MANAGER REPORT

Interim City Manager Ristagno reported that Atmos is close to finishing the gas line on Lakeview.

N. NEW AGENDA ITEMS

Swisher Courts

O. ADJOURNMENT

The meeting adjourned at 9:20 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 25, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro Tem Harper called the meeting to order at 7:35 pm.

A. ROLL CALL

James Harper	Mayor Pro Tem
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Donna Boner, Finance/HR; Char Dupree, Community Development
Absent: Mayor Marino and Councilmember Estrada

B. INVOCATION
Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Pro Tem Harper led the pledges of allegiance.

D. ANNOUNCEMENTS
Keep Texas Beautiful has affirmed Keep Lake Dallas Beautiful as a gold star affiliate.

E. REPORTS

1) **Boards and Commissions**
Economic Development Corporation and Community Development Corporation did not meet this month. Planning and Zoning met on the 18th and have two items on the agenda this evening.
2) **Finance**
Donna Boner gave the monthly financial report.
3) **Lake Cities Community Library**
Bill Knox, Library Board member, presented the Library's annual budget for 2014. The Library is asking Lake Dallas to contribute $102,500 for the 2014 budget year.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Pro Tem Harper opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Pro Tem Harper closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the June 13, 2013 meeting.**
2) **Consideration and Action to approve the financial report for June. Consideration and Action to approve the 2nd Quarter Investment Report.**

Motion to approve the Consent Agenda consisting of the Minutes of the June 13, 2013 meeting and the June Financials, and the 2nd Quarter Investment Report was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, and Brooks
Noes: None

Motion Passed

H. BUSINESS

1) Council Interviews with Parks Board applicants.

Charles Price appeared before the Council for an interview to serve on the Parks Board.

2) Public Hearing on proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District.

No one came forward to speak on the Public Hearing.

3) Consideration and Action to approve the proposed zoning change of approximately 23 acres at the northeast corner of Swisher Road and Shady Shores Road from R-1-10000 to C-1 Retail District.

Motion to approve the proposed zoning change of approximately 23 acres at the northeast corner of Swisher Road and Shady Shores Road from R-1-10000 to C-1 Retail District was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, and McCaleb
Noes: None

Motion Passed

4) Consideration and Action to approve a resolution accepting the Draft 2014 Financial Plan for the Denco Area 9-1-1 District.

Motion to approve a resolution accepting the Draft 2014 Financial Plan for the Denco Area 9-1-1 District was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Hammond
Noes: None

Motion Passed

5) Consideration and Action to approve a budget transfer between departments.

Motion to approve a budget transfer between departments in the amount of $8,544.00 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, and McCaleb
Noes: None

Motion Passed

6) Consideration and Action to approve an approve a resolution establishing a Tax Abatement and Economic Development Incentives Program

Motion to approve a resolution establishing a Tax Abatement and Economic Development Incentives Program was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Hammond
Noes: None

Motion Passed

7) Consideration and Action to donate obsolete vehicle equipment to Denton County Constable Precinct 1.

Motion to approve donating obsolete vehicle equipment to Denton County Constable Precinct 1 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, and McCaleb
Noes: None

Motion Passed

8) Consideration and Action to approve the sale of a 2004 Chevy Blazer acquired under the Texas Asset Forfeiture Laws.

Motion to approve the sale of a 2004 Chevy Blazer acquired under the Texas Asset Forfeiture Laws was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Hammond
Noes: None

Motion Passed

9) Consideration and Action to approve the appointment of Chelsea Stachyra to the Animal Welfare Advisory Committee.

Motion to approve the appointment of Chelsea Stachyra to the Animal Welfare Advisory Committee was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, and Brooks
Noes: None

Motion Passed

10) Consideration and Action to approve the purchase of a DVR from the Municipal Court Security Fund.

Motion to approve the purchase of a DVR from the Municipal Court Security Fund was made by Councilmember McCaleb and second by Councilmember Brooks.
Ayes: Councilmembers McCaleb, Brooks, and Hammond
Noes: None

Motion Passed

11) Discussion on adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same.

Brian Boen, 703 Payton, requested to be allowed to build a small home for his aging parents on his property. Mr. Boen presented pictures of what he planned to build. He would like to build a 640 square foot home on the property where his home is located. His lot is about one acre.

Council and Staff discussed the request. The Community Development Department did some research as to what other cities allow and a number of other cities have provisions for this type of thing. Everyone was in agreement that this is something they would like to allow in the City of Lake Dallas.

I. CITY MANAGER REPORT

Interim City Manager Ristagno reported that there is no news in regard to the apartments. Atmos is almost finished moving the gas lines. We have to find a plumber to move about 6 to 8 of the meters. We will be meeting with someone on Monday morning to discuss this. Our Public Works crews made some major repairs to Harbortown and Oak Lakes. Denton County is ready to start on some road repairs for us as well. Allen Vaughn announced his retirement at the end of July. We are accepting applications for his position. The appraisal for the Economic Development Corporation's Swisher Road property came in at $275,000. We had the bid opening for the Main Street road project and the low bid was $442,464; bids were higher than we had hoped.

J. NEW AGENDA ITEMS

The board applicant interviews, appointment of Charles Price, an ordinance to allow accessory buildings, will be on the agenda for the next meeting.

K. ADJOURNMENT

Mayor Pro Tem Harper adjourned the meeting at 8:35p.m.

James Harper, Mayor Pro Tem

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 13, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Wes Frazier, Police Captain; Donna Boner, Finance/HR

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

The annual Fourth of July Celebration will be held Thursday, July 4th beginning with the parade line up at 8 am, parade begins at 9 am, opening ceremony at 10 am, music by Eleven Hundred Springs at 7 pm, and fireworks at 9:15 pm. The Chamber of Commerce will be holding a ribbon cutting at Neal's at 5:30 pm on Thursday, June 20th. Neal's will be returning to their original menu.

E. REPORTS

1) Boards and Commissions

Economic Development Corporation met to discuss their budget and approve the preparation of their property on Swisher Road for sale. Community Development Corporation and Planning and Zoning will not meet this month. Parks/KLDB will meet on June 25th.

2) Finance

Donna Boner gave the monthly financial report.

3) Nationwide Insurance

Michelle Diaz gave Council a report on the different services provided by Nationwide Retirement Solutions and answered Council's questions regarding the recent addition by the City of the ProAccount managed services.

4) Lake Cities Fire Department

Captain Chad Thiessen gave Council a report on the latest fire department business.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the May 23, 2013 meeting.**
2) **Consideration and Action to approve the financial report for May.**

Motion to approve the Consent Agenda consisting of the Minutes of the May 23, 2013 meeting and the May Financials was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

H. BUSINESS

1) **Consideration and Action to appoint to appoint a Mayor Pro Tem.**

Motion to appoint Councilmember Harper as Mayor Pro Tem was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

2) **Council Interviews with Parks Board applicant.**

Mr. James Moore was not in attendance to be interviewed.

3) **Consideration and Action to appoint Council Liaisons to the Planning and Zoning Commission and the Parks, Recreation and Keep Lake Dallas Beautiful Boards.**

Motion to appoint Mike McCaleb as liaison to the Planning and Zoning Commission and April Estrada as the liaison to the Parks, Recreation and Keep Lake Dallas Beautiful Board was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

4) **Consideration and Action to approve a resolution nominating a candidate to the Board of Managers of the Denco Area 9-1-1 District.**

Motion to approve a resolution nominating Karl Hammond as a candidate to the Board of Managers of the Denco Area 9-1-1 District was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to amend Sections 4, 5, and 11 of Chapter 2 and Section 2a of Chapter 11 of the City of Lake Dallas Policies and Procedures Manual.**

Motion to amend Sections 4, 5, and 11 of Chapter 2 and Section 2a of Chapter 11 of the City of Lake Dallas Policies and Procedures Manual was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

6) **Consideration and Action to approve an interlocal agreement with Denton County for Tax Collection.**

Motion to approve an interlocal agreement with Denton County for Tax Collection was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

7) **Consideration and Action to approve an ordinance approving and adopting a rate review mechanism for Atmos Energy.**

Jan Rugg, representative from Atmos Energy, was present to explain the rate review mechanism and answer Council's questions.

Motion to approve an ordinance approving and adopting a rate review mechanism for Atmos Energy was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

8) **Consideration and Action to approve a resolution adopting a Tax Abatement Program.**

Item Tabled until next meeting

9) **Consideration and Action to approve the sale of the Swisher Road property and to authorize the preparation of the property for marketing.**

Motion to approve the sale of the Swisher Road property and to authorize the preparation of the property for marketing was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

10) **Public Hearing regarding terminating and dissolving the Tax Increment Financing (TIF) District.**

Mayor Marino opened the Public Hearing.
No one came forward to speak.
Mayor Marino closed the Public Hearing.

11) **Consideration and Action to approve an ordinance terminating and dissolving the Tax Increment Financing (TIF) District.**

Motion to approve an ordinance terminating and dissolving the Tax Increment Financing (TIF) District was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Mayor Marino adjourned the meeting at 8:30 pm for a short break.
Councilmember Brooks left at 8:30 pm and Councilmember McCaleb left at 8:40 pm.
Mayor Marino reconvened the meeting at 8:45 pm.

I. BUDGET WORKSHOP

Interim City Manager Ristagno presented a preliminary budget for 2014. We are currently expecting a surplus for the end of this fiscal year which will help offset the fund balance deficit we have had for the past several years. We do have more work to do on the 2014 budget as we currently have more expenses than revenue. Final medical insurance cost and property tax revenue figures will not be available until late July. Council and Staff further discussed the City's finances.

J. CITY MANAGER REPORT

Interim City Manager Ristagno reported that Atmos is preparing to move gas lines for the Lakeview project. The Main Street Rehab project will be going out to bid soon. In an effort to clean up some areas in the City, we are providing dumpsters to Hundley Boat Company, the Thompson Drive area and the Kingswood Mobile Home Park. We had a lunch meeting with the Bolivers regarding their remaining property. They have filed an application for a zoning change from R-1-10,000 to C-1 on about 23 acres of their property. We will notify people living on Swisher to the west of Shady Shores and Oak Lake to meet with them regarding rezoning that area. We have also discussed doing some clean up at City Hall by updating the façade, adding some planters in the front and correcting the lighting in the parking lot. Library lighting has been ordered. We are also considering moving the beach area at Willow Grove Park away from the shoreline and into a contained area.

K. NEW AGENDA ITEMS

The appointment of James Moore, the Library Budget and the Tax Abatement Program, which was tabled, will be on the agenda for the next meeting.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:30p.m.

James Harper, Mayor Pro Tem

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 23, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B. W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Wes Frazier, Police Captain

B. INVOCATION
Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. OATHS OF OFFICE
Councilmembers Harper, Brooks and Hammond took their Oaths of Office and Mayor Marino presented them with their Certificates of Election.

E. ANNOUNCEMENTS
Monday, May 27th at 9 AM at the Swisher Cemetery will be the annual Memorial Day service. Library Summer Reading Program will begin in June in the Community Room. The local Chamber will be holding Summerfest on June 8th at Westlake Park in Hickory Creek. There will be steak cook-off, car show, bounce houses, and live music. Entrance is $4 per car. Friday, June 7th at 3 PM LCMUA will dedicate their building in memory of Pat Connors. Neal's will have a ribbon cutting this month.

F. REPORTS

1) Boards and Commissions
Interim City Manager Ristagno reported Economic Development Corporation and Community Development Corporation met to discuss their budgets for next year. Planning and Zoning did not meet this month.

2) Finance
City Secretary Joni Vaughn gave the monthly financial report.

3) Joe Jaynes with Waste Management gave the Council a report. Council asked Mr. Jaynes to return quarterly to report City statistics to them.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the April 25, 2013 meeting.**
2) **Consideration and Action to approve the financial report for March.**

Motion to approve the Consent Agenda consisting of the Minutes of the April 25, 2013 meeting and the April Financials was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks and Estrada.
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to appoint Doyt Sheets to the Parks, Recreation and KLDB Board. (City Manager)**

Motion to appoint Doyt Sheets to the Parks, Recreation and KLDB Board as a board member and the official City photographer was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, Brooks, and Estrada
Noes: None

Motion Passed

2) **Consideration and Action to appoint Donna Boner as an alternate judge. (City Manager)**

Motion to appoint Donna Boner as an alternate judge was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve an agreement with Nationwide Investment Advisors, LLC to add an account management service to the Deferred Compensation Program.**

Motion to approve an agreement with Nationwide Investment Advisors, LLC to add an account management service to the Deferred Compensation Program was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

4) **Consideration and Action on the sale of one police cruiser.**

Motion to approve the sale of one police cruiser was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

J. CITY MANAGER REPORT

Atmos is to relocate the gas line on Lakeview next week with tree removal starting after that. We will meet with Hickory Creek regarding repairs to Main Street and then start the bidding process. The Public Works Department has quite a bit of equipment that needs to be replaced so we need to look at that during the budget process. Doyle Cameron came in for 7 more permits. Clyde Fisher is doing 3 houses. Bill Fisher expects to do the permits for the apartments in July. He hopes to break ground in July.

K. NEW AGENDA ITEMS

Mayor Marino would like to see the Fire Department, Upper Trinity, and Charter, come before the Council to give reports. Mayor asked that we appoint liaisons to the boards and commissions. City Manager Ristagno said we will have an item on the TIF District next agenda.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:35 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 25, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Donna Boner, Finance and Human Resources; Wes Frazier, Police Captain; Julie Chapman, Community Relations Coordinator; Char Dupree, Community Development Department

B. INVOCATION

Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

The 14th Annual Kids and Cops will be Saturday, April 27th from 11am to 3pm. May 9th – 12th we will be hosting the Mighty Thomas Carnival at City Park. A Memorial Day ceremony will be held at Swisher Cemetery on May 27th at 9am with breakfast to follow at the VFW. Lake Dallas Highsteppers will hold Spring Show at Lake Dallas High School on May 4th at 2 pm.

E. PRESENTATIONS

Lydia Bishop, American Heritage Girls, publicly thanked the Council for their support of the Veteran's Day parade and presented the Council with a token of her gratitude.

Julie Chapman, Community Relations Coordinator, introduced the Lake Dallas Highsteppers and recognized them for their achievements.

Amy Huff, Director of the Lake Dallas Highsteppers, thanked the Council for their support.

F. PROCLAMATIONS

Mayor Marino proclaimed May as Motorcycle Safety and Awareness Month in Lake Dallas.

G. REPORTS

1) Boards and Commissions

Interim City Manager Ristagno reported Economic Development Corporation and Community Development Corporation had no meetings this month. Planning and Zoning had a meeting and adopted a site plan for Champion Homes.

Julie Chapman gave a report on Willow Grove Park and camping. The park has been full of campers and revenue is coming in strong. Ms. Chapman has issued 456 free residential permits to local residents.

Bill Knox, Lake Cities Library Board, gave a report on the Library's funding situation. The Library is concerned about losing its accreditation, which would cause the loss of county funding and grants. The Library needs more space, circulation, and collections. Mayor Marino would like to meet with the other cities to discuss the future of the Library.

2) Finance

Finance Director Donna Boner gave the monthly financial report.

H. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.

Levi Dartt, 498 Grayson, Lake Dallas, Vice-President of The Oaks Homeowners Association, spoke to the Council in support of the Champion Homes project contingent upon them maintaining the fence heights at 8 feet, putting in the 20 foot trees and also the increased infrastructure in the City.

Mayor Marino closed the Visitors/Citizens Agenda.

I. BUSINESS

1) Council Interviews with Parks Board applicants.

Council interview Mr. Doyt Sheets for a place on the Parks Board. Mr. Sheets has been photographing our events free of charge for quite some time and Ms. Chapman would like to make him an official volunteer.

2) Consideration and Action to appoint board members who have interviewed and passed background checks as follows: David Shershen to the Library Board; Wendy Campbell to the Parks, Recreation and Keep Lake Dallas Beautiful Board; Jenny Warmbrodt to the Planning and Zoning Commission.

Motion to appoint David Shershen to the Library Board; Wendy Campbell to the Parks, Recreation and Keep Lake Dallas Beautiful Board; Jenny Warmbrodt to the Planning and Zoning Commission was made by Councilmember Estrada and second by Councilmember Harper.

Ayes: Councilmembers Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

3) Consideration and Action to approve the proposed site plan for Champion Homes on the Lake, located at Swisher Road and N. Shady Shores Drive.

Mr. Bill Fisher, Champion Homes, thanked the Staff for their efforts on processing the site plan passed and looks forward to being in the community.

Motion to approve the proposed site plan for Champion Homes on the Lake, located at Swisher Road and N. Shady Shores Drive was made by Councilmember Hammond and second by Councilmember Harper.

Councilmember Estrada asked Mr. Bill Fisher about sidewalks. Mr. Fisher responded that sidewalks were required by City code as well as the Fair Housing Act; there will be sidewalks from property line to property line. Mrs. Estrada also asked about the evergreen screening. Mr. Fisher responded that they were committed to putting 20 foot evergreen trees to screen the property. Mr. Fisher also stated they negotiated with Charter Communications for cable service for The Oaks neighborhood.

Ayes: Councilmembers Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

J. EXECUTIVE SESSION

The Council will convene in closed door executive session under Section 551.071, Texas Government Code (Consultation with City Attorney) to discuss, deliberate and receive legal advice from the City Attorney regarding economic development incentive agreements with Swisher Courts and WORKfor, LLC.

Mayor Marino adjourned to Executive Session at 8:22 p.m.
Mayor Marino reconvened from Executive Session at 9:13 p.m.

K. ACTION, IF ANY, FROM EXECUTIVE SESSION

No Action was taken from Executive Session

CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the March 28, 2013 meeting.**
2) **Consideration and Action to approve the financial report for March.**
3) **Consideration and Action to approve the Quarterly Investment Report for 1st quarter 2013.**

Motion to approve the Consent Agenda consisting of the Minutes of the March 28, 2013 meeting, the March Financials, and the 1st Quarter Investment Report was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, and McCaleb
Noes: None

Motion Passed

I. BUSINESS – (Continued)

4) **Consideration and Action for the approval of purchases made from the City's Building Safety, Court Technology and Child Safety designated funds.**

Interim City Manager Ristagno explained the need for the items that are to be purchased.

Motion to approve expenditures made from the City's Building Security Fund for $5,000, Court Technology Fund for $18,500 and Child Safety Fund for up to $5,000 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb and Estrada
Noes: None

Motion Passed

5) **Consideration and Action to approve an interlocal agreement with LCMUA authorizing the transfer of funds from LCMUA to the City for a waterline upgrade within the Lakeview Drive expansion project.**

Motion to approve an interlocal agreement with LCMUA authorizing the transfer of funds from LCMUA to the City for a waterline upgrade within the Lakeview Drive expansion project was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, and McCaleb
Noes: None

Motion Passed

6) Discussion of Council budget considerations.

Interim City Manager Ristagno discussed how the 2013 budget is looking; he is optimistic that the City will finish the year in a better position. He asked Council to give thought to what they might want to consider for next year's budget. Councilmember Harper has concerns for what our healthcare costs for next year will be. Having a couple of workshops with the departments during Council meetings to work on the budget was discussed. He discussed his concerns with the state of our roads and the great need for repairs. He also advised Council that the Public Works department needs some attention; some of their equipment needs to be repaired or replaced.

K. CITY MANAGER REPORT

The contractor for Lakeview Phase II has been given the order to proceed.

L. NEW AGENDA ITEMS

Library

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:45 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 28, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Pro Tem Harper called the meeting to order at 7:30 pm.

A. ROLL CALL

James Harper	Mayor Pro Tem
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Mayor Marino was absent.

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Donna Boner, Finance and Human Resources; Wes Frazier, Police Captain

B. INVOCATION

Mayor Pro Tem Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Harper led the pledges of allegiance.

D. ANNOUNCEMENTS

Joe Jaynes, representative with Waste Management, announced that Waste Management has resumed the billing for solid waste in the City. April 6th is the Texas Trash Off. April 27th is the 14th annual Kids and Cops Open House. May 9th-12th is the Spring Carnival and May 27th will be our annual Memorial Day Service.

E. REPORTS

1) **Boards and Commissions**
City Manager Ristagno reported Economic Development Corporation and Community Development Corporation had no meetings this month except Planning and Zoning and that item is on the agenda.
2) **Finance**
Finance Director Donna Boner gave the monthly financial report.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Pro Tem Harper opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Pro Tem Harper closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the February 28, 2013 meeting.**
2) **Consideration and Action to approve the financial report for February.**

Motion to approve Consent Agenda Items G 1 & 2 consisting of the minutes of the February 28, 2013 meeting and the February financials was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, McCaleb, and Estrada,
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing to hear comments on the proposed rezoning of Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retail District. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article VIII, C-1 Retail District, Section 122-321 (2)(d), allows for application to be made. This property is located at 215 Swisher Road, Lake Dallas, Texas.**

Mayor Pro Tem Harper opened the Public Hearing.
Rachel Walter Mohn and her husband, Mike addressed the Council to speak about their plans for the business and answer Council's questions.
Bonnie Brown spoke in favor of the project.
Mayor Pro Tem Harper closed the Public Hearing.

2) **Consideration and Action to approve the proposed rezoning of Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retail District.**

Motion to approve the proposed rezoning of Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retail District was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

3) **Public Hearing to hear comments on the proposed increase of 1.06 percent to the right-of-way access line rates established by the Public Utility Commission of Texas.**

Mayor Pro Tem Harper opened the Public Hearing.
No one came forward to speak.
Interim City Manager Ristagno explained the issue.
Mayor Pro Tem Harper closed the Public Hearing.

4) **Consideration and Action to approve or decline the 1.06% increase in access line rates proposed by the Public Utility Commission of Texas.**

Motion to approve the 1.06% increase in access line rates proposed by the Public Utility Commission of Texas was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Estrada, and McCaleb
Noes: None

Motion Passed

5) **Consideration and Action on approval of an Ordinance to cancel the May 11, 2013 Regular General Election and declaring each unopposed candidate elected to office. (City Secretary)**

Motion to approve an Ordinance to cancel the May 11, 2013 Regular General Election and declaring each unopposed candidate elected to office was made by Councilmember Estrada and second by Councilmember McCaleb.
Ayes: Councilmembers Estrada, McCaleb, Brooks, and Hammond,
Noes: None

Motion Passed

6) Consideration and Action to approve an interlocal agreement with LCMUA authorizing the transfer of funds from LCMUA to the City for a waterline upgrade within the Lakeview Drive expansion project. (City Manager)

Interim City Manager Ristagno recommended the Council take no action at this time as further details of the contract need to be worked out.

7) Council Interviews with Parks Board applicants.

Council interviewed Wendy Campbell for a place on the Parks, Recreation, and Keep Lake Dallas Beautiful Board.
Ms. Campbell is a teacher at LDISD and has plans for the school and her students to partner with Lake Cities Municipal Utility Authority and the City on a Community Garden.

K. CITY MANAGER REPORT

Interim City Manager Ristagno reported that the contractor for the Lakeview project has been given the order to proceed. During the Warrant Round-Up, the City collected $23,021 of $47,000 in outstanding warrants. We are looking into having warrant officers that are reserve officers. Denton County has approved our interlocal agreement for the Main Street Rehabilitation project. The City may request funding assistance for the project from Community Development Corporation. Staff has begun working on mid-year budget projections.

L. NEW AGENDA ITEMS

No new agenda items.

M. ADJOURNMENT

Mayor Pro Tem Harper adjourned the meeting at 8:40 p.m.

James Harper, Mayor Pro Tem

CITY OF LAKE DALLAS, TEXAS

Jon Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 28, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Donna Boner, Finance and Human Resources

B. INVOCATION
Councilmember Hammond gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
No Announcements

E. REPORTS

1) **Boards and Commissions**
City Manager Ristagno reported we had no meetings this month except Planning and Zoning and that item is in your packet.
2) **Finance**
Finance Director Donna Boner gave the monthly financial report. January's Sales Tax was a 54% increase over last January.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the February 7, 2013 meeting.**
2) **Consideration and Action to approve the financial report for January.**

Motion to approve Consent Agenda Items G 1 & 2 consisting of the minutes of the February 7, 2013 meeting and the January financials was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada,
Noes: None

Motion Passed

3) **Consideration and Action on updating memberships to the Animal Welfare Advisory Committee.**

Motion to approve Consent Agenda Item G 3 consisting of updating the membership of the Animal Welfare Advisory Committee was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing to hear comments on an application by Patricia Williams, business owner of Pride Creative, for a Special Use Permit to allow the use of lodging for craft retreats at the property located at 102a Dobbs Road, City of Lake Dallas, Denton County, Texas.**

Interim City Manager Ristagno gave an explanation of the project. Patricia Williams addressed the Council to speak about her plans for the business and answer Council's questions.

Mayor Marino opened the Public Hearing.

Terry Simons, General Contractor for Patricia Williams, spoke in favor of the project.

Conrad Neitzel, 408 S. Shady Shores Road, Shady Shores, spoke in opposition of the project. Mr. Neitzel lives nearby and has reservations about a business being close to his home.

Phillip Groves, 332 S. Shady Shores Road, Shady Shores, spoke in opposition of the project. Mr. Groves lives nearby and is opposed to a business in his neighborhood.

Mayor Marino closed the Public Hearing.

2) **Consideration and Action to approve an ordinance for a Special Use Permit to allow the use of lodging for craft retreats at the property located at 102a Dobbs Road, City of Lake Dallas, Denton County, Texas.**

Motion to approve an ordinance for a Special Use Permit to allow the use of lodging for craft retreats at the property located at 102a Dobbs Road was made by Councilmember Brooks and second by Councilmember Estrada.
Motion to amend previous motion to add the following stipulations: provided a green vegetation screening is maintained along the front of the property; that there will be no on street parking; that the building has no less than four bedrooms; and that no more than fifteen quests stay at any one time was made by Councilmember Brooks and second by Councilmember Estrada.

Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

3) Consideration and Action to approve an application and waiver of fees for Thomas Carnival, Inc. for May 9-12, 2013.

Motion to approve an application and waiver of fees for Thomas Carnival, Inc. for May 9-12, 2013 was made by Councilmember Brooks and second by Councilmember Hammond.

Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

4) Council Interviews with Board Applicants.

Council interviewed David Shershen for a place on the Library Board.
Council interviewed Robert Jackson for a place on the Library Board or the Parks Board.

5) Consideration and Action to appoint a Board Member to the Library Board and a Board Member to the Parks Board.

No Action Taken

6) Consideration and Action to approve the first amendment to the Interlocal Cooperation Agreement between Denton County and the City of Lake Dallas.

Motion to approve the first amendment to the Interlocal Cooperation Agreement between Denton County and the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Estrada.

Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

I. EXECUTIVE SESSION

The City Council and will meet in closed executive session under Texas Government Code, Section 551.074 (Personnel), to interview an applicant for membership on Planning and Zoning Commission.

Mayor Marino adjourned to Executive Session at 8:20 p.m.
Mayor Marino reconvened from Executive Session at 8:40 p.m.

J. ACTION, IF ANY, FROM EXECUTIVE SESSION

No Action Taken

K. CITY MANAGER REPORT

Interim City Manager Ristagno reported that the Lakeview project is moving forward. The Flutterby Garden at City Park has a new irrigation system. We are removing all the fencing from the baseball fields at Willow Grove Park and leveling out the area. Once the latest Main Street agreements with the County are approved we will go out to bid. We are considering going back to the practice of hiring seasonal workers for Parks/Public Works to save a substantial amount of money.

L. NEW AGENDA ITEMS

No new agenda items.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:50 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on February 7, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Wes Frazier, Police Captain; Julie Chapman, Community Relations Coordinator; Johnny Webber, Public Works Superintendent.

B. INVOCATION

Pastor Rod Collver gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mardi Gras is February 12th from 5 – 9p.m. Parade Line-up begins at 4:45 p.m. WFAA Channel 8 will be covering the event. The Shriners will be part of the parade. Lake Dallas hosts the only Mardi Gras Celebration in Denton County.

E. PROCLAMATION

Mayor Marino read a Proclamation in honor of Johnny Webber's 34 years of service to the City and his upcoming retirement and presented Mr. Webber with a framed copy of the Proclamation.

F. REPORTS

1) Boards and Commissions

City Manager Ristagno reported that Jessie Stubbs has submitted her resignation from the Parks Board. Community Development Corporation has a meeting on February 11th. Planning and Zoning Commission has a meeting on February 21st. Mayor Marino reported that Rick Mathews has resigned from the TIF Board.

2) Finance

No report. Finance Director Donna Boner is out of town for a family emergency.

3) Audit

Carl Deaton, the City's Auditor, gave a report on the Fiscal Year 2011- 2012 Audits. Mr. Deaton reported that while the City's General Fund Balance had improved from the past few years, there is still a significant deficit balance. Mr. Deaton recommends one million dollars as a fund balance which would equate to about three months expenses in reserve. Mr. Deaton feels the biggest problem with the City Budget in the past several years was that revenues have been overstated. The Economic Development Corporation did not spend much during the last fiscal year and added some to their fund balance. The Community Development Corporation had a large project with Willow Grove Park so they spent a large amount of bond funds to do this project and a Hundley Drive street project. Mr. Deaton also discussed the Waste Management Billing, telling the Council that the expenses to do that billing are about to overtake the revenues because Waste Management raised their rates and the City did not pass that cost on to the residents.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda.

H. BUSINESS

1) Consideration and Action to approve the minutes of the January 24, 2013 meeting.

Motion to approve the minutes of the January 24, 2013 meeting was made by Councilmember Hammond and second by Councilmember Estrada.

Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks

Noes: None

Motion Passed

2) Consideration and Action to approve an attendance policy for the Lake Dallas Economic Development Corporation, the Lake Dallas Community Development Corporation, the Lake Dallas Planning and Zoning Commission, the Lake Dallas Board of Adjustment, the Lake Dallas Board of Appeals, and the Lake Dallas Parks and Recreation and Keep Lake Dallas Beautiful Board.

Motion to enact an attendance policy for the Lake Dallas Economic Development Corporation, the Lake Dallas Community Development Corporation, the Lake Dallas Planning and Zoning Commission, the Lake Dallas Board of Adjustment, the Lake Dallas Board of Appeals, and the Lake Dallas Parks and Recreation and Keep Lake Dallas Beautiful Board requiring members not to miss more than three consecutive meetings or five meetings in a calendar year, and if they do, the matter will be referred to Council was made by Councilmember Harper and second by Councilmember McCaleb.

Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada, and Hammond

Noes: None

Motion Passed

3) Consideration and Action to approve a Lake Dallas Community Development Corporation project to fund an irrigation system for the soccer fields at City Park in the amount of $215,000 contingent upon a $50,000 contribution towards the irrigation system from Lake Cities Soccer Association as well as a 10 year contract agreement from them.

Interim City Manager Ristagno reported that in researching how many gallons of water the irrigation system would use and how much the water would cost, he discovered that installing the irrigation system would bring a very expensive water bill estimated at around $40,000 annually. Drilling a well was researched also and it was discovered to be cost prohibitive as well.

Motion to deny at this time a Lake Dallas Community Development Corporation project to fund an irrigation system for the soccer fields at City Park in the amount of $215,000 contingent upon a $50,000 contribution towards the irrigation system from Lake Cities Soccer Association as well as a 10 year contract agreement from them was made by Councilmember Harper and second by Councilmember McCaleb.

Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada and Hammond

Noes: None

Motion Passed

4) Consideration and Action to approve the audits for the fiscal year 2011-2012.

Motion to approve the audits for the fiscal year 2011-2012 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

5) Consideration and Action to review support of the Jetski Races.

Brian Smith, R5X Racing, spoke to Council requesting continued City funding of the jetski races. In discussion between Mr. Smith and Council, Council explained that they could no longer approve spending tax payer dollars to fund the jetski races.

Motion to deny continued financial support of the Jetski Races was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

6) Consideration and Action on approval of an Ordinance ordering an election to be held on May 11, 2013 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 1, 3, and 5.

Motion to approve an Ordinance ordering an election to be held on May 11, 2013 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 1, 3, and 5 was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, Brooks, and Estrada
Noes: None

Motion Passed

7) Discussion of the Waste Management billing.

Interim City Manager Ristagno advised Council that there is no signed billing agreement with Waste Management in place. He gave Council a report explaining where we stand financially with this program and the number of man hours involved in handling it. The consensus was that this program is not benefitting the City. Chief Ristagno reported that he attended a meeting with Waste Management and LCMUA and that Waste Management has approached LCMUA to do the billing. Chief Ristagno explained that this is an opportune time to shift this to LCMUA since our billing clerk just resigned. Council discussed the issue and directed the City Manager to take steps to work with Waste Management and LCMUA to discontinue the City's billing service and shift it to LCMUA.

8) Consideration and Action to accept the 2012 Racial Profiling Report as submitted by the Lake Dallas Police Department.

Motion to accept the 2012 Racial Profiling Report as submitted by the Lake Dallas Police Department was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

J. CITY MANAGER REPORT

Interim City Manager Ristagno reported that the US Army Corp of Engineers inspected the Willow Grove Park Boat Ramp and everything passed. Lakeview Drive Phase II should begin sometime in April. LCMUA will go before their Board to ask for $200,000 to contribute to the Lakeview project. The County is contributing $250,000 to the project. Commissioner Mitchell has increased the County funding for the Main Street project from $100,000 to $150,000 each for Lake Dallas and Hickory Creek. Lake Dallas and Hickory Creek will fund the remainder in a 60/40 split, with Lake Dallas funding the 40 percent.

K. NEW AGENDA ITEMS

Councilmember Harper wants a written report on the grant software program that was purchased, detailing any grants we have received as a result of the program.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:58 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 24, 2013 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 6:35 pm.

A. ROLL CALL

Tony Marino	Mayor
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Harper was absent.
Councilmember Brooks had a family emergency that required him to leave at 8:34 p.m.

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Wes Frazier, Police Captain; Donna Boner, Finance/Human Resources; David Berman, City Attorney; Julie Chapman, Community Relations Coordinator; Mike Sparby, Police Lieutenant; Ben Sleigh, Police Officer; Shaun Ross, Police Officer; Mellonie Frazier, Animal Services Officer; Chelsea Stachyra, Animal Services Officer

B. INVOCATION
Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
Mardi Gras is February 12th from 5 – 9p.m. January 26th is the Low Cost Pet Vaccine at our Animal Shelter from 10 am -12 p.m.

E. PRESENTATIONS
Lieutenant Mike Sparby presented the Life Saving Award to Investigator Shaun Ross.

Community Relations Coordinator Julie Chapman presented Certificates of Appreciation to our Animal Services Volunteers, Meghan Aylor, Brandi Arnold, and Morgan Arnold.

Consideration and Action to rename the Animal Rescue designated fund in honor of Roz Sleigh.

Motion to rename the Animal Rescue designated fund to the Roz Sleigh Memorial Animal Rescue Fund in honor of Roz Sleigh was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, Hammond, McCaleb, and Estrada
Noes: None

Motion Passed

Community Relations Coordinator Julie Chapman read a tribute to Roz Sleigh and requested the fund be officially named in memory of her. Mayor Marino made the first official donation to the newly named fund and Police Chief/Interim City Manager Nick Ristagno made the second donation.

F. REPORTS

1) Boards and Commissions

City Manager Ristagno reported that Community Development Corporation met on January 14th and approved a project for an irrigation system at the soccer fields at City Park, which is on Council's agenda for this evening. Economic Development Corporation met on January 7th in an Executive Session and will meet in joint Executive Session with Council this evening. Planning and Zoning Commission met on January 17th and made recommendation to approve a replat and a site plan, both of which are on Council's agenda for this evening.

a) City Manager Ristagno gave a report to Council on local businesses that had received incentive grant monies from the Economic Development Corporation and Community Development Corporation. The study showed some very positive effects on the City as a result of granting the incentives.

2) Finance

Finance Director Donna Boner gave the Financial Reports.

G. VISITORS/CITIZENS AGENDA

In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

Trenna Ezzell, Chairman of the Lake Dallas Economic Development Corporation called to order the meeting at 7:00 p.m.. Board members present were: Trenna Ezzell, Tony Marino, Carol Ann Connors, Terry Tuck and Danny Everett.

H. JOINT EXECUTIVE SESSION WITH CITY COUNCIL AND LAKE DALLAS ECOMONIC DEVELOPMENT CORPORATION

The City Council and the Lake Dallas Economic Development Corporation Board of Directors will meet in closed executive session under Texas Government Code, Section 551.087 (Economic Development) and Section 551.071 (Legal Advice and Consultation), to discuss and deliberate the offer of financial incentives to a business prospect (Swisher Courts) that the Board seeks to have stay in the City, and to discuss financial information regarding Swisher Courts, with whom the Board is conducting economic development negotiations, and to deliberate on legal issues with and receive legal advice from the City Attorney.

Mayor Marino adjourned the Council and the Economic Development Corporation meetings to go into Joint Executive Session at 7:00 p.m.

Mayor Marino reconvened the Council meeting at 8:09 p.m.
Chairman Ezzell reconvened the Economic Development Corporation at 8:09 p.m.

I. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action was taken by either Council or Economic Development Corporation
Chairman Ezzell adjourned the Economic Development Corporation meeting at 8:09 p.m.

J. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the December 13th and 20th, 2012 meetings. (City Secretary)**
2) **Consideration and action to approve the financial report for December. (City Manager)**
3) **Consideration and action to approve the Quarterly Investment Report for the 4th quarter 2012. (City Secretary)**
4) **Consideration and Action to approve Joint Election Agreement and Contract for Election Services with Denton County. (City Secretary)**

Motion to approve the Consent Agenda consisting of the December 13th and 20th, 2012 minutes, the financial report for December, and the 4th Quarter Investment Report and the Joint Election Agreement and Contract for Election Services with Denton County was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, McCaleb, and Estrada
Noes: None

Motion Passed

I. BUSINESS

1) **Public Hearing to hear comments on a proposed replat of Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, & 16 of Block 4 of the Lake Dallas Sites Addition, City of Lake Dallas, Denton County, Texas into three (3) lots.**

Mayor Marino opened the Public Hearing.
No one came forward to speak.
Mayor Marino closed the Public Hearing.

2) **Consideration and Action to approve a proposed replat of Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, & 16 of Block 4 of the Lake Dallas Sites Addition, City of Lake Dallas, Denton County, Texas into three (3) lots.**

Motion to approve a proposed replat of Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, & 16 of Block 4 of the Lake Dallas Sites Addition, City of Lake Dallas, Denton County, Texas into three (3) lots was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to approve a proposed site plan for 104, 106, 108 Pearl Street.**

Motion to approve a proposed site plan for 104, 106, 108 Pearl Street was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, McCaleb, and Estrada
Noes: None

Motion Passed

4) Consideration and Action to approve a License Agreement and an Interlocal Agreement with the Lake Cities Library Association.

Councilmember Hammond recused himself and stepped down from the dais due to being a member of the Library Board.

Motion to approve a License Agreement and an Interlocal Agreement with the Lake Cities Library Association was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Estrada
Noes: None

Motion Passed

5) Consideration and Action to approve a Lake Dallas Community Development Corporation project to fund an irrigation system for the soccer fields at City Park in the amount of $215,000 contingent upon a $50,000 contribution towards the irrigation system from Lake Cities Soccer Association as well as a 10 year contract agreement from them.

Motion to approve a Lake Dallas Community Development Corporation project to fund an irrigation system for the soccer fields at City Park in the amount of $215,000 contingent upon a $50,000 contribution towards the irrigation system from Lake Cities Soccer Association as well as a 10 year contract agreement from them was made by Councilmember Hammond and second by Councilmember Estrada.

Discussion followed and Councilmember Brooks requested some research be done to establish some idea of what the water bill would be for utilizing this irrigation system.

Motion to table the previous motion and the item until this research can be done was made by Councilmember Brooks and second by Councilmember McCaleb.

Ayes: Councilmembers Brooks, McCaleb, Estrada, and Hammond
Noes: None

Motion to Table Passed

6) Discussion on the process of accepting applications for Boards and Commissions.

City Manager Ristagno presented some administrative policies, guidelines, and processes for Administration to follow in regard to accepting applications for Boards and Commissions. Council was agreeable to the City Manager's suggestions. City Manager Ristagno will incorporate these policies into the application form and process. As previously approved by Council, the applicant will be required to undergo a background check. Providing the applicant agrees to and passes the background check, Council will conduct an interview of the candidate to determine if the candidate is willing to follow the policies of the Board they are going to serve on and then make a decision on whether to appoint the candidate or not.

J. CITY MANAGER REPORT

Interim City Manager Nick Ristagno reported that Commissioner Mitchell has sent County road crews to begin some repair work on Main Street, Shady Shores, and Hundley Drive. The County is partnering with Lake Dallas and Hickory Creek to rehab Main Street from Carlisle on into Hickory Creek. The City greatly appreciates Commissioner Mitchell's assistance. City crews are doing some clean-up work on the ball fields at Willow Grove so that they can be utilized. The sand bar located at the end of the boat ramp has been removed. We have also done some repairs to the walking trail at Willow Grove Park. We approved a replat and site plan for three new homes this evening. Champion Homes will be coming to Planning and Zoning and Council next month. Cameron Homes have three homes underway. LCMUA has been asked to contribute $200,000 towards upgrading a water line on Lakeview as part of the project.

Barbara Thompson, Librarian, gave her quarterly report to the Council. She reported that last year the Library received $22,000 in grant monies. The Library purchased a computer with a special program that teaches English to Spanish speaking children and Spanish to English speaking children.

K. NEW AGENDA ITEMS

Waste Management Billing
Special meeting February 7th
No regular meeting February 14th
Regular meeting on the 28th

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:50 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on December 20, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 6:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Nick Ristagno, Police Chief/Interim City Manager; Joni Vaughn, City Secretary; Wes Frazier, Police Captain; Char Dupree, Community Development; David Berman, City Attorney

B. INVOCATION
Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:
Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS
City Hall Offices will be closed December 24th and 25th and January 1st.

E. VISITORS/CITIZENS AGENDA: *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
No one came forward to speak.
Mayor Marino closed the Visitors/Citizens Agenda.

Mayor Marino moved the Business ahead of the Executive Session.

H. BUSINESS

1) **Consideration and Action to approve an ordinance for the rezoning of 502 Shady Shores from R-1-10000 Single Family Dwelling District to PD-R-3 Planned Development Multi-Family. (City Manager)**

Motion to approve an ordinance for the rezoning of 502 Shady Shores from R-1-10000 Single Family Dwelling District to PD-R-3 Planned Development Multi-Family was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks and Hammond
Noes: Councilmember Estrada

Motion Passed

Mayor Marino adjourned the meeting to go in to Executive Session at 6:38 p.m.

F. EXECUTIVE SESSION

The City Council will convene in closed executive session under Section 551.071 (Consultation with City Attorney) to receive legal advice and deliberate on economic development incentives and loan agreements for Swisher Courts.

The City Council will convene in closed executive session under Section 551.071 (Consultation with City Attorney) to receive legal advice and deliberate on a Planned Development zoning application of Champion Homes for a multi-family development located at 502 Shady Shores Road.

Mayor Marino reconvened the meeting at 7:43 p.m.

G. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action was taken.

H. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:44 p.m.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on November 29, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Councilmember Brooks was absent.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant

B. INVOCATION

City Manager Berner gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

December 1st is the Annual Tree Lighting in Lake Dallas. December 7th is the Employee Appreciation Dinner. The wrapping party for Spirit of Christmas gifts is Friday, December 14th at 7 PM at Lake Dallas Middle School. This is City Manager Berner's last council meeting.

E. PRESENTATIONS

Mayor Marino presented a Certificate of Appreciation to Hayden Grant for the volunteer work Hayden does at City Hall. After school, Hayden sometimes assists with filing in the front office and has helped the City Secretary with decorating the City Christmas Tree in the Lobby for the past several years.

F. REPORTS

1) Boards and Commissions

City Manager Berner reported that the Parks, Recreation and Keep Lake Dallas Beautiful Board has been meeting and planning upcoming events. Economic Development Corporation and the Community Development Corporation met and will wrap up their Strategic Plans in December. The Planning and Zoning Commission did not meet in November.

2) Finance

Finance Director Donna Boner gave the Financial Reports.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one was present to speak on the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the October 25, 2012 meeting. (City Secretary)**

2) **Consideration and action to approve the financial report for October. (City Manager)**

Motion to approve the Consent Agenda consisting of the October 25, 2012 minutes and the financial report for October was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve a resolution by the City Council of the City of Lake Dallas, Texas, appointing directors and a chairman for the board of directors of City of Lake Dallas Tax Increment Financing Reinvestment Zone Number One, and providing an effective date. (City Manager)**

Motion to approve a resolution by the City Council of the City of Lake Dallas, Texas, appointing directors and a chairman for the board of directors of City of Lake Dallas Tax Increment Financing Reinvestment Zone Number One was made by Councilmember McCaleb and second by Councilmember Harper.
Ayes: Councilmembers McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

J CITY MANAGER REPORT

Sergeant Soye is back on duty. Willow Grove had a final inspection on construction items and one for accessibility. TXU has completed their utility pole relocations on Lakeview and the other utility companies have been given the go ahead to do their moves. Planning and Zoning has received a rezoning request for a 140 unit apartment complex. Three building permits have been approved on the Doyle Cameron project and construction has started.

K. NEW AGENDA ITEMS

Rezoning item from Planning and Zoning Commission

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:00 pm.

James Harper, Mayor Pro Tem

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on October 25, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was out of town on business.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources Director; Wes Frazier, Police Lieutenant; Julie Chapman, Community Relations Coordinator

B. INVOCATION

Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trunk or Treat is October 31st. November 8th is the Lake Cities Education Foundation Gala. December 7th is the Employee Appreciation Dinner. Jim May, Spirit of Christmas, announced the Fun Run for Spirit of Christmas on Saturday, October 27th. Jim needs help on Saturday, November 17th from 11-3 with sorting canned goods that have been donated for the Thanksgiving meals. Tuesday, November 20th from 10-2, Spirit of Christmas will be distributing Thanksgiving meals to families in need in the community. The wrapping party for Spirit of Christmas gifts is Friday, December 14th at 7 PM at Lake Dallas Middle School.

E. PRESENTATIONS

Community Relations Coordinator Julie Chapman announced the first annual Lake Dallas Tribute Tree sponsored by the Parks, Recreation and Keep Lake Dallas Beautiful Board. The Board has decided to purchase a live tree for the annual Tree Lighting each year in tribute to a local entity or person. The Board decided to honor the Lake Dallas VFW and American Legion posts with the 2012 Lake Dallas Tribute Tree. After the holidays, the tree will be planted at City Park near the Veterans' Memorial.

F. REPORTS

1) Boards and Commissions

City Manager Berner reported that the Parks, Recreation and Keep Lake Dallas Beautiful Board have been meeting and planning upcoming events. Economic Development Corporation due to lack of business and the Community Development Corporation did not meet due to lack of quorum. Planning and Zoning Commission met October 18th.

2) Finance
Finance Director Donna Boner gave the Financial Reports. The City had a record breaking year for sales tax.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
Bobby Shikkle, 712 Thompson, Lake Dallas, addressed the Council to lodge numerous complaints about City staff.
Mayor Marino closed the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the September 27, 2012 meeting.**
2) **Consideration and action to approve the financial report for September.**
3) **Consideration and action to approve the 3rd Quarter Investment Report.**
4) **Consideration and action to approve the fiscal year 2012 Asset Forfeiture Report.**

Motion to approve the Consent Agenda consisting of the September 27, 2012 minutes, the financial report for September, the 3rd Quarter Investment Report, and the fiscal year 2012 Asset Forfeiture Report was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve either the sale of a portion of the unused easement at Pearl Lane and Moseley Street to Clyde Fisher or to approve an abandonment ordinance to abandon a portion of the unused easement to Clyde Fisher.**

Motion to approve an abandonment ordinance to abandon a portion of the unused easement to Clyde Fisher was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

2) **Consideration and Action to nominate a candidate to serve on the Appraisal Review Board for the Denton County Appraisal District. (City Manager)**

No Action Taken

3) Consideration and Action to approve funding a "fare share" support of the Children's Advocacy Center for Denton County in the amount of $21,211.00.

Motion to approve funding a "fare share" support of the Children's Advocacy Center for Denton County in the amount of $15,000.00 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

4) Consideration and Action to approve a rate increase from Waste Management.

Joe Jaynes, new representative from Waste Management, introduced himself and explained the increase which is part of the existing contract which expires November 2014.

Motion to approve a rate increase from Waste Management per the existing contract was made by Councilmember McCaleb and second by Councilmember Brooks.
Ayes: Councilmembers McCaleb, Brooks, Harper and Hammond
Noes: None

Motion Passed

J CITY MANAGER REPORT

Schmoldt Construction did a final walk-through on the Willow Grove Park project and there are still 4 or 5 items needing to be completed. The utility relocations on Lakeview have been delayed due to difficulties and will probably take another 4 – 6 weeks. There has been no movement on John Smith's project on Betchan. There is a craft shop looking at a location on Alamo Street which would fit in nicely with our downtown plan. The restaurant on the corner of Main and Alamo is being renovated and will reopen under the name of Lake Dallas Diner.

K. NEW AGENDA ITEMS

Mayor Marino called a Special Meeting for Thursday, November 29th as Council is unable to meet on the regular meeting nights due to the LCEF Gala and the Thanksgiving holiday.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:22 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 27, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources Director; Community Relations Coordinator Julie Chapman

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Trunk or Treat is October 31st. November 8th is the Lake Cities Education Foundation Gala. November 13th – 16th is the Texas Municipal League Conference.

E. PRESENTATIONS

Mayor Marino presented certificates of recognition to Larry and Shane Eperjesi for top performance in the motorcycle drag racing sport.

Mayor Marino presented a certificate of recognition to LDISD Coach Wendy Bailey for her work with the Falcon Flyers Jump Rope Team. The Falcon Flyers Team was also recognized for their performance at both the Junior Olympics competition and World Championships competition with other schools.

F. REPORTS

1) Boards and Commissions

City Manager Berner reported that the Economic Development Corporation and the Community Development Corporation did not meet in September due to lack of business. Planning and Zoning Commission met September 20th to decide on a Special Use Permit that is on Council's agenda for the evening. Parks, Recreation and Keep Lake Dallas Beautiful met to discuss and plan Fall and Winter events.

2) Finance

There was no financial report for this meeting.

F. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Mayor Marino opened the Visitors/Citizens Agenda.
Lisa Collins, 703 Payton Street, Lake Dallas, addressed the Council in regard to paint fumes and noise coming from 309 Wilson Street. Ms. Collins spoke on behalf of her family and her neighbors and expressed their health concerns over the paint fumes coming from a car painting business operating against city code at 309 Wilson. She commended the Police Department and the Code Enforcement Officer for their quick action to shut down the painting.
Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the September 13, 2012 meeting.**
2) **Consideration and Action to approve the sale of one 1996 Crown Victoria police cruiser.**

Motion to approve the Consent Agenda consisting of the September 13, 2012 minutes and the sale of one 1996 Crown Victoria police cruiser was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks and Estrada
Noes: None

Motion Passed

H. BUSINESS

1) **Public Hearing to hear comments on an application by Bob McDonald, property owner, for a Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive, City of Lake Dallas, Denton County, Texas.**

No one was present to speak on the Public Hearing.

Bob McDonald addressed the Council to explain his project and answer questions.

2) **Consideration and Action to approve the proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive, City of Lake Dallas, Denton County, Texas.**

Motion to approve a Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond
Noes: None

Motion Passed

3) **Consideration and Action to appoint Steven Brunson to the Parks, Recreation and Keep Lake Dallas Beautiful Board.**

Motion to approve the appointment of Steven Brunson to the Parks, Recreation and Keep Lake Dallas Beautiful Board was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, Estrada, and Hammond
Noes: None

Motion Passed

4) **Consideration and Action to appoint April Estrada as Council Liaison to the Parks, Recreation and Keep Lake Dallas Beautiful Board.**

Motion to approve the appointment of April Estrada as Council Liaison to the Parks, Recreation and Keep Lake Dallas Beautiful Board was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to approve an Ordinance adopting the Budget for Fiscal Year 2012-2013 for the City of Lake Dallas.**

Motion to approve an Ordinance adopting the Budget for Fiscal Year 2012-2013 for the City of Lake Dallas was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Motion Passed

6) **Consideration and Action on approval of an Ordinance raising and setting the Maintenance and Operations tax rate and the Debt Service tax rate for Fiscal Year 2012-2013.**

Motion to approve an Ordinance raising and setting the Maintenance and Operations tax rate at $0.519 and the Interest and Sinking Fund rate at $0.191 for Fiscal Year 2012-2013 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada
Noes: None

Motion Passed

7) Consideration and Action to approve the Investment Policy. (City Secretary)

Motion to approve a resolution to establish the review of the annual Investment Policy was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks
Noes: None

Motion Passed

8) Consideration and Action to approve a resolution setting fees for the Master Fee Schedule.

Motion to approve a resolution setting fees for the Master Fee Schedule was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond
Noes: None

Motion Passed

9) Consideration and Action to approve an ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, General Obligation Refunding Bond, Series 2012; levying an annual ad valorem tax and providing for the security for and payment of said bond; and enacting other provisions relating to the subject.

Marti Shue, First Southwest, and Jeff Gulbas, McCall, Parkhurst, & Horton, explained the bond refunding. The bond refunding proposal from Regions Bank came in at a very low interest rate of 1.499%.

Motion to approve an ordinance authorizing the issuance and sale of City of Lake Dallas, Texas, General Obligation Refunding Bond, Series 2012; levying an annual ad valorem tax and providing for the security for and payment of said bond; and enacting other provisions relating to the subject was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada
Noes: None

Motion Passed

I. CITY MANAGER REPORT

The utility relocations on Lakeview are ongoing and will probably take another two months. When they do the overhead electrical lines, they will need to block the street from 9-2. The contractor for Willow Grove Park is still working on punch list items. There has been no real progress on John Smith's project on Betchan. We are expecting the building permits for Doyle Cameron's first three homes. We have received a rezoning application to Planned Development on the Bolivar property on Swisher Road and that request will probably come before Planning and Zoning in November. Next month's meeting of Planning and Zoning will consider a rezoning application from Tony Marino.

J. NEW AGENDA ITEMS

We need to have a special meeting in November due to the Lake Cities Education being on the second Thursday and Thanksgiving being on the 4th Thursday. Mayor Marino asked City Secretary Vaughn to email some proposed meeting dates for Council to consider.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:40 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on September 13, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Estrada was on vacation.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Police Lieutenant Wes Frazier;

B. INVOCATION

Mayor Marino gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Meet at Sonic at 9:00 AM on Saturday, September 15th to begin the CleanUp. Tuesday, September 18th will be the NCTC miniature golf tournament to raise funds for scholarships. November 8th is the Lake Cities Education Foundation Gala.

E. REPORTS

1) **Boards and Commissions**
   City Manager Berner had no report.
2) **Finance**
   City Secretary Joni Vaughn gave the report on the August Financials in Finance Director Donna Boner's absence.

F. VISITORS/CITIZENS AGENDA

In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.

No one was present to speak on the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the August 23, 2012 meeting.**
2) **Consideration and Action to approve the August Financials.**

Motion to approve the Consent Agenda consisting of the August 23, 2012 minutes and the August Financials was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

H. BUSINESS

1) **Presentation of the Fiscal Year 2013 Budget.**
City Manager Berner presented the finished Fiscal Year 2013 Budget to the Council and Staff members present. No citizens were present. Councilmember Harper had some questions about tracking code violations to see where we are in the process of resolving the violations. There was also discussion about the number of outstanding warrants. Council and Staff discussed ways to collect outstanding monies owed to the City.

2) **Public Hearing for Fiscal Year 2013 Budget**
No one was present to speak on the Public Hearing.

I. CITY MANAGER REPORT

Oncor completed installing the power poles on Lakeview and is now stringing the wires; they should be done in several weeks. About $4,000 was spent to take care of a small drainage problem in the Oak Lakes Subdivision. The contractor for Willow Grove Park said he should be finished with the punch list items in a couple of weeks. John Smith's project is under design. We are expecting the building permits for Doyle Cameron's first three homes any day now. We had a productive meeting with an applicant for a 150 unit apartment complex on the Bolivar property on Swisher Road. He sent in a preliminary site plan and the real estate picked up the zoning package. This property is in the TIF district.

J. NEW AGENDA ITEMS

No new agenda items

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:40 pm.

Joni L Vaughn
Joni Vaughn, City Secretary

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on August 23, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Police Lieutenant Wes Frazier; Municipal Court Clerk Becky Ross

Councilmember Estrada was unable to attend due to work obligations.
Councilmember Brooks left at 8:30 p.m. due to another obligation.

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

No Announcements

E. PROCLAMATION

Volunteer Day

F. REPORTS

1) Boards and Commissions

City Manager Berner reported that Board of Adjustment approved a pool variance in the Oak Lakes Subdivision. Planning and Zoning Commission did not have any business this month. Parks/Keep Lake Dallas Beautiful met and discussed their Fall events. Economic Development Corporation approved their budget for fiscal year 2013 and agreed to participate in Lakeview improvements. Community Development Corporation approved their budget for fiscal year 2013 and awarded the construction contract for Hundley Drive, which is underway, and expressed some interest in participating in Lakeview improvements.

2) Finance

Finance Director Donna Boner gave the financial report. Donna reported we have had a 26% increase in sales tax this month over last year and we are having the biggest year in sales tax since 2008.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one was present to speak on the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the July 26, 2012 meeting.**
2) **Consideration and Action to approve the July Financials.**

Motion to approve the Consent Agenda consisting of the July 26, 2012 minutes with a correction to the reference to the fire department annual cost and the July Financials was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, and McCaleb
Noes: None

Motion Passed

Mayor Marino asked City Manager Berner to report on the information we just received today from Denton County Judge Mary Horn. Mr. Berner reported that Judge Horn has declared a serious health emergency in Denton County, issuing a Disaster Declaration due to the West Nile Virus outbreak in Denton County. The County is offering to include municipalities in the aerial spraying if requested. The County is asking for the City to provide notice to them by noon on Monday, August 27th if the City wants to be included in the spraying. The Council discussed the issue and agreed that City Manager Berner should inform the County that the City of Lake Dallas wants to be included in the aerial spraying. Citizens will be informed of the spraying schedule through various methods of communication.

I. BUSINESS:

1) **Consideration and Action to approve the Interlocal Agreements with Denton County for the Reconstruction of Main Street and the Maintenance of Main Street, Hundley Drive, and Shady Shores Drive.**

Motion to approve the Interlocal Agreements with Denton County for the Reconstruction of Main Street and the Maintenance of Main Street, Hundley Drive, and Shady Shores Drive was made by Councilmember Harper and second by Councilmember McCaleb.
Ayes: Councilmembers Harper, McCaleb, Brooks, and Hammond
Noes: None

Motion Passed

2) **Consideration and Action to approve the Interlocal Agreement with the City of Corinth for Fire Services.**

Motion to approve the Interlocal Agreement with the City of Corinth for Fire Services was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, and Harper
Noes: Hammond

Motion Passed

3) **Consideration and Action to approve the appointment of Ron Shawer to the Community Development Corporation Board.**

Motion to approve the appointment of Ron Shawer to the Community Development Corporation Board was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

4) **Consideration and Action to approve the appointment of Carol Ann Connors to the Board of Adjustment.**

Motion to approve the appointment of Carol Ann Connors to the Board of Adjustment was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to appoint a council liaison to Planning and Zoning Commission.**

Councilmember Harper nominated Councilmember McCaleb as Council Liaison to the Planning and Zoning Commission.

Motion to appoint Mike McCaleb as council liaison to Planning and Zoning Commission was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and McCaleb
Noes: None

Motion Passed

6) **Consideration and Action to approve background checks for future applicants to City Boards, Commissions, and Committees.**

Motion to approve establishing a policy that future volunteers to City Boards, Commissions and Committees agree to a mandatory background check and an interview with City Council was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, McCaleb, and Brooks
Noes: None

Motion Passed

J. BUDGET WORKSHOP

1) Presentation - Rodney Dryden, Wellspring Insurance Agency

Rodney Dryden, Wellspring Insurance Agency, Inc., explained to Council the proposed employee medical insurance plans for the next fiscal year. After a time of discussion, Council decided to select a plan for the employees with a $2,000 deductible and then add gap insurance to cover $1,500 of the deductible for the employee. This will bring a savings to the budget of around $12,000.

Mayor Marino adjourned for a brief break at 8:55 p.m. and reconvened at 9:01 p.m.

City Manager Berner presented the latest version of the budget to the Council. The budget discussion included solid waste billing, warrant collections, tax rate, and building permits.

K. CITY MANAGER REPORT

Hundley Drive is under construction, they hope to be done by Saturday afternoon. Willow Grove is finished except for the punch list items. Lakeview power poles were installed this week. John Smith's project is under design. Doyle Cameron should be bringing in plans for his homes soon. We are setting up a meeting with a developer who wants to purchase the Bolivar Land for an apartment complex.

L. NEW AGENDA ITEMS

Parks Board Liaison

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:50 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on July 26, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:07 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Police Lieutenants Wes Frazier; Police Officers Alan Sawyer and Ben Sleigh.

B. INVOCATION

Councilmember McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

Mayor Marino requested the Council's permission to move Business Item I-6 up next.

I. BUSINESS:

6) Consideration and Action to enter a contract for fire services.

City Manager Berner said the total final negotiated proposal is $4,366,167, with the City of Lake Dallas' portion being $905,376. He stated that if the re-negotiated contract with Corinth is approved, Corinth will re-write the contract to include the agreed upon conditions and terms. City Manager Berner recommended approving the contract with Corinth.

Mayor Marino commented that the City saved $73,000 for the next budget year and over the term of the contract we have saved approximately $350,000. Mayor Marino believes it was worth the time and energy of Council and Hickory Creek and expressed his appreciation to the City Manager of Corinth for working with both cities.

Councilmember Harper commented that when this exercise began a month or so ago and Hickory Creek approached the City of Lake Dallas about possibly forming a partnership, it stemmed from the fact that the original contract that had been proposed was a very unfair contract. "It didn't address the fact that the City of Corinth was going to be able to keep $2.5 million in revenue to themselves while having the other cities bear all the costs." Councilmember Harper expressed his concern at the increase in cost in the original contract and believes the cost structure in the fire department is very high. He feels they have overspent in many areas. Councilmember Harper believes that while the final negotiated proposal is a better deal than the original proposal, he believes we could have saved approximately $200,000 a year if we had gone out on our own.

Motion to approve entering into a five year contract for fire services with the City of Corinth was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond.
Noes: None

Motion Passed

D. EXECUTIVE SESSION

1) **The Council to meet in a closed session to consult with the City Attorney under the Texas Government Code Section 551.071.**

Mayor Marino adjourned the meeting at 7:17 p.m. to go into Executive Session.

Mayor Marino reconvened the meeting at 8:40 p.m.

E. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action taken.

F. REPORTS

1) **Boards and Commissions** – Economic Development Corporation and Community Development Corporation did not meet in July. Board of Adjustment approved a variance for a pool on Addison. Parks and Recreation will host the annual Float and Fly at Willow Grove Park on Saturday, July 28th.

2) **Finance** - Finance Director Donna Boner gave the report on the Financials for June.

G. VISITORS/CITIZENS AGENDA *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one was present to speak on the Visitors/Citizens Agenda.

H. CONSENT AGENDA

1) **Consideration and Action to approve corrected minutes of the May 24, 2012 meeting.**
2) **Consideration and Action to approve the minutes of the June 28, 2012 meeting.**
3) **Consideration and Action to approve the June Financials.**
4) **Consideration and Action to approve the 2nd quarter Investment Report.**

Motion to approve the Consent Agenda consisting of the corrected May 24, 2012 minutes, the June 28, 2012 minutes, the June Financials, the 2nd quarter Investment Report was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond.
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve waiving the Day Use Pass fee for City of Lake Dallas employees and businesses.**

Motion to approve waiving the Day Use Pass fee for City of Lake Dallas employees and business owners was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to approve an ordinance amending various sections of the Lake Dallas Municipal Code to remove fees specified therein in favor of the adopted Master Fee Schedule.**

Motion to approve an ordinance amending various sections of the Lake Dallas Municipal Code to remove fees specified therein in favor of the adopted Master Fee Schedule was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond.
Noes: None

Motion Passed

3) **Consideration and Action authorizing the Chief of Police to enter into an agreement with the Lake Dallas Independent School District for a School Resource Officer program.**

Motion to approve authorizing the Chief of Police to enter into an agreement with the Lake Dallas Independent School District for a School Resource Officer program was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, McCaleb, Estrada, and Hammond.
Noes: None

Motion Passed

4) Consideration and Action to award bid for reconstruction of Lakeview Drive, Phase II.

Motion to award bid for reconstruction of Lakeview Drive, Phase II project to RKM Utility Services, Inc. in the amount of $2,204,255.20 was made by Councilmember Hammond and second by Councilmember McCaleb.
Ayes: Councilmembers Hammond, McCaleb, Harper, Brooks, and Estrada.
Noes: None

Motion Passed

5) Consideration and Action to nominate members for the Board of Appeals.

Each Councilmember was to submit five (5) names to the pool and then five (5) names were drawn.

The following names were submitted: Carol Ann Connors, Mike Drozd, Paul Elliot, Danny Everett (twice), Clyde Fisher (twice), Warren Fitzpatrick, Ben Gilbert, Bill Knox, Jeff London, Betty Harper, Mel Harper, Winston Harper, Fabrizio Salas, Todd Smith, Heath Winnett

The following names were drawn: Carol Ann Connors, Clyde Fisher, Warren Fitzpatrick, Bill Knox, and Todd Smith

Motion to approve the appointment of Carol Ann Connors, Clyde Fisher, Warren Fitzpatrick, Bill Knox, and Todd Smith was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, McCaleb, Brooks, and Estrada.
Noes: None

Motion Passed

J. BUDGET WORKSHOP

City Manager Berner presented a brief overview of the budgets for fiscal years 2012 and 2013. Councilmember Harper requested that the Municipal Court revenues be reduced for the Fiscal Year 2013. Councilmember Hammond agrees that Court receipts need to be reduced to fewer than $500,000. Councilmember Hammond would like to see money for the TML Conference in the Council's budget for next year. Councilmember Harper asked Chief Ristagno if he would be willing to wait on laptops for the patrol vehicles in favor of salary increases and Chief Ristagno said yes. Mayor Marino asked if we could do some further study on the Waste Management billing to see if we are actually profiting. Councilmember Harper asked Chief Ristagno about doing warrant roundups more frequently. Chief Ristagno suggested doing clerk roundups with the court clerks concentrating on warrant collection calls.

K. CITY MANAGER REPORT

Community Development Corporation approved funding for an awning at the Library entrance and the work is almost done. Neal's Restaurant has reopened. There will be a bid opening on August 8th for repaving Hundley Drive.

L. NEW AGENDA ITEMS

No new items.

M. ADJOURNMENT

Mayor Marino adjourned the meeting at 10:50 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on June 28, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 6:45 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Police Lieutenants Wes Frazier and Mike Sparby; Police Officers Alan Sawyer and Syd Grant.

B. INVOCATION

Pastor Rod Collver gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

D. WORKSHOP WITH CITY ATTORNEY

Item tabled for another time.

F. ANNOUNCEMENTS

There were no announcements made.

G. PRESENTATIONS

Robert Jackson, 5415 Duchess Court, Lake Dallas, introduced his service dog, Duke Wellington Jackson. Duke is trained to recognize cardio problems.

A Certificate of Recognition was presented to American Legion Commander Greg Garland for his service to the veterans of our community by Mayor Marino.

Councilmember B.W. Brooks read a prepared statement from the Mayor and Council reminding those in attendance that they were attending a lawful meeting and any inappropriate behavior or outbursts would not be tolerated. The statement addressed the recent activities of the Lake Cities Fire Association; their circulation of erroneous information through phone calls, door to door visits, flyers, Facebook, and other media causing alarm to the citizens of Lake Dallas. The erroneous information implied that Lake Dallas and Hickory Creek were considering forming a fire department that would be less professional than the current level of service. The statement addressed legitimate budget concerns held by the City of Lake Dallas regarding the fire budget proposed by the City of Corinth for the upcoming fiscal year. The statement also stressed that the City of Lake Dallas is trying to properly steward the citizens' tax dollars by investigating other opportunities.

I. VISITORS/CITIZENS AGENDA

In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.

James Blundred, 605 Lake Drive, Lake Dallas, spoke regarding the recent denial of a fence permit and requested the Council to direct the City Manager to give him a fence permit.

The following individuals spoke during the Citizens' Agenda to support the current Lake Cities Fire Department and to request that the City of Lake Dallas not form a new fire department:

- Neva Suddereth, 702 Glen Rhea, Lake Dallas
- Suzanne Stiles, 508 Addison Street, Lake Dallas
- Robert Bartley, 624 Beck, Lake Dallas
- Melanie Housel, 104 Belton Drive, Hickory Creek
- Roger Bush, 397 Stockard Avenue, Lake Dallas
- David Ortez, 5508 Castle Court, Lake Dallas
- Mary Martinez, 322 Georgian Oak Court, Lake Dallas
- David & Kandy Jones, 516 Meadowbrook, Lake Dallas
- Jeremy Wilson, 504 Maverick Drive, Lake Dallas
- David Shershen, 166 Kingswood, Lake Dallas
- Joey Anderson, 706 Eagle Mountain Drive, Lake Dallas
- Jenny Warmbrodt, Lake Dallas
- Scott Thompson, 5753 Snow Creek Drive, The Colony
- Kelly Kato, 2510 Whetstone Drive, Corinth
- Lee, 304 Georgian Oak Court, Lake Dallas
- Linda Ayler, 5315 Queen Court, Lake Dallas
- Whitney Rupe, 5307 Queen Court, Lake Dallas

The following citizens expressed their support of the decisions made by the city officials that they elected to office;

- Lisa Dupree, Hickory Creek
- Travis Cattell, Lake Dallas

Councilmember Brooks expressed his appreciation to the citizens for coming out and to the Fire Department for the work they do. He explained to the citizens this is a workshop to get answers to the questions, not a vote; it is something the Council must look at to get the facts in order to be good stewards. He stated that the Council was not trying to hide anything and that the information from Hickory Creek was just brought to Council a few days ago and Council was hoping to get answers during the workshop.

Mayor Marino closed the Citizens' Agenda at 7:45 p.m.

E. BUDGET WORKSHOP WITH FIRE CHIEF

City Manager of Corinth Jim Berzina, Finance Director of City of Corinth Lee Ann Bunselmeyer, Fire Chief Curtis Birt and Deputy Chiefs Chad Theissen and Jeremy Porter with Lake Cities Fire Department, were in attendance to discuss the fire budget with Lake Dallas. City Manager Berzina began the workshop by reminding everyone that this is not the first time the budget has been presented, the City of Corinth first presented the budget to Lake Dallas in January. He then addressed the Council and let them know he felt Corinth had been portrayed as being "high-handed". Mr. Berzina reviewed the proposal that they presented when they came in January and briefly explained how they arrived at the figures they presented; he said they left the funding formula alone, but "what changed was the cost of doing business." Mr. Berzina said the City of Corinth is asking that the other cities share in the cost of maintaining first quality frontline equipment to keep the fire department properly equipped. Mr. Berzina feels Corinth presented a fair contract.

Councilmember Brooks asked about reimbursements from insurance companies on ambulance runs. Mr. Berzina said those revenues go into the City's operating costs, as do the expenses.

Councilmember Harper asked why the previous contract covered equipment costs and the new contract does not include equipment costs. He asked what type of cost controls are in place. Councilmember Harper explained that the City of Lake Dallas is not coming against the firemen; they are just trying to understand why the costs are going up so much.

Lake Cities Fire Chief Birt explained some of the equipment costs related to the fire department.

Councilmember Harper asked about an Interest and Sinking Fund kept by each City for the purchase of equipment as needed. Councilmember Harper reiterated that Lake Dallas is trying to look out for its citizens.

Councilmember Hammond said the Council was in "sticker shock" over the price increase.

Lee Ann Bunselmeyer addressed the Council and gave specifics on the budget proposal.

Councilmember Hammond asked how Corinth determined the figures for the vehicle equipment annual contribution for the City of Lake Dallas. Ms. Bunselmeyer said it is the same formula used in the operating costs. Chief Birt said the percentage is 21%.

Councilmember Brooks thanked Chief Birt for his professionalism. He said a private ambulance service was never in the discussion and he does not know where that incorrect information came from. Chief Birt said he was approached by the owner of a private ambulance service that they were asked for a proposal to provide EMS to the Town of Hickory Creek. Councilmember Brooks said that was the inflammatory part of the flyer and he wants the citizens to know he would not allow that and whoever wrote that information in the flyer needs to apologize for jumping the gun and upsetting our citizens. He said the Council is just trying to do its due diligence in checking into budget costs.

Chief Birt continued to answer Council's questions regarding equipment costs. Chief Birt said the contract thing has gotten a little crazy and if there is some negotiating that needs to be done that the City Manager is here to do that.

Councilmember Hammond said it all boils down to the capital costs making the annual increases so much higher.

Ms. Bunselmeyer explained some of the increase in expenses the City of Corinth has faced and the need for the capital expenditures.

Councilmember Harper wants to make sure that money is being spent prudently.

Mayor Marino adjourned the meeting at 8:45 pm for a short break.
Mayor Marino reconvened the meeting at 8:58 pm.

Councilmember Harper asked City Manager Berzina how the ambulance run revenue is accounted for in Corinth's budget. Ms. Bunselmeyer said that revenue was going back to the City of Corinth to cover with legal fees and HR expenses. Discussion continued regarding the revenue from ambulance runs.

Councilmember Harper said he had asked for a 5% cap and Corinth came back with a 6%; he asked if that is negotiable. City Manager Berzina said he thought it might be.

City Manager Berner referred the Council to an information sheet regarding the proposal from Hickory Creek.

Roger Mangum, Police Chief and Interim City Manager for the Town of Hickory Creek, addressed the Council and explained Hickory Creek's position on the fire budget.

Councilmember Harper asked about the insurance rating issue and Chief Birt explained the insurance rating system.

City Manager Berner said he would get with Mr. Mangum and Chief Birt and Mr. McSpadden and work further on the fire budget.

Mayor Marino expressed his appreciation to Hickory Creek and Corinth.

Mayor Marino said the budget discussion was over and the meeting would move on into regular business.

H. REPORTS

1) **Boards and Commissions** – no reports
2) **Finance** – Finance Director Donna Boner gave the report on the Financials for May.
3) **Library** – Lake Cities Librarian Barbara Thompson and Library Board member Bob Clark presented the Library Budget and answered questions from Council.
4) **First Southwest** – Marty Shuh and Boyd London with First Southwest were in attendance to report to Council on the restructuring of the City's 2001 and 2006 debt. Marty explained the restructuring would initially create a savings of approximately $120,000 for the first four years, but over the remaining ten years it will end up costing the City an additional $97,000. Marty also told the Council that in five years there would have to be an adjustment to the tax rate to compensate for the increased debt payment that would start in the fifth year. Marty also reported to Council that they discovered that as of June 15th the City's credit rating had dropped significantly to a BBB rating with Standard and Poor's, which is the next to the lowest rating before an entity reaches a point where it becomes very costly and difficult to borrow funds.

   Councilmember Harper would like the City to earmark any initial revenue from the restructuring to be set aside as savings. Councilmember Harper asked Boyd London in his expert opinion as our financial advisor, should the City do this debt restructuring and Mr. London said that from his perspective, the City should not. Mr. London feels that at some point the City must get control of its finances. It is his opinion that restructuring does not address the problem in the long run.

J. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the May 24, 2012 meeting. (City Secretary)**
2) **Consideration and Action to approve the May Financials. (City Manager)**
3) **Consideration and Action to ordinances for previously approved Special Use Permits. (City Manager)**

Motion to approve Items 2 and 3 of the Consent Agenda and to pull Item 1 was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, McCaleb, and Estrada.
Noes: None

Motion Passed

Motion to approve Item 1 of the Consent Agenda with the following corrections to the minutes: Item K-4 Councilmember Hammond states his vote was NO and an Item K-5 Councilmember Hammond state his vote was YES was made by Councilmember Hammond and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Brooks, Harper, McCaleb, and Estrada.
Noes: None

Motion Passed

K. BUSINESS

1) **Consideration and Action to approve an ordinance amending sections 86-31, 86-34, 86-37 and adding section 86-39 to Division 1, Article II, Chapter 86 of the Lake Dallas Municipal Code. (City Manager)**

Motion to approve an ordinance amending sections 86-31, 86-34, 86-37 and adding section 86-39 to Division 1, Article II, Chapter 86 of the Lake Dallas Municipal Code was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, Hammond.
Noes: None

Motion Passed

2) **Consideration and Action to approve an ordinance amending the junked vehicle appeals process from the Board of Adjustment and Appeals to the Municipal Court. (Police Chief)**

Motion to approve an ordinance amending the junked vehicle appeals process from the Board of Adjustment and Appeals to the Municipal Court was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Estrada.
Noes: Councilmember Hammond

Motion Passed

3) **Consideration and Action to approve the 2012 Interlocal Agreement of Property Tax Collection Services. (City Manager)**

Motion to approve the 2012 Interlocal Agreement of Property Tax Collection Services was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb and Estrada.
Noes: None

Motion Passed

4) **Consideration and Action to nominate members for the Board of Appeals. (City Manager)**

Item Tabled – Mayor Marino instructed Council to have names for nominations ready at the next council meeting.

5) Consideration and Action to appoint TIF Board members. (City Manager)

Motion to approve the appointment of James Harper, Danny Everett, Carol Ann Connors, Ricky Mathews, and Bonnie Brown Garcia to the TIF Board for a term of two years with James Harper being named Chairman of the TIF Board was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, and Estrada.
Noes: Councilmember Hammond

Motion Passed

6) Consideration and Action to refinance bonds. (City Manager)

Motion to table this item for now was made by Councilmember Brooks. Motion died for lack of second.
Motion to approve refinance the bonds and that any realized savings from the refinancing be specifically earmarked to go to Reserves was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks and Estrada.
Noes: None

Motion Passed

L. CITY MANAGER REPORT

Bids at the Bid Opening today on the Lakeview project came in a little higher than City Manager Berner was hoping. He will talk to LCMUA to see if they are going to participate. We signed a contract with Oncor and they will begin relocating lines in the next week or two.

M. NEW AGENDA ITEMS

Budget workshop and training session with City Attorney.

N. ADJOURNMENT

Mayor Marino adjourned the meeting at 10:22 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on May 24, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:33 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
B.W. Brooks	Councilmember 3
April Estrada	Councilmember 4
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Julie Chapman, Community Relations

B. INVOCATION

Jared McCaleb gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. OATHS OF OFFICE

City Secretary Vaughn gave the Oath of Office to Mayor Tony Marino. Mayor Marino then gave the Oath of Office to Councilmember Place 2, Mike McCaleb and Councilmember Place 4, April Estrada.

E. ANNOUNCEMENTS

City Manager Berner announced we will have a Memorial Day program on Monday, May 28th at Swisher Cemetery and the VFW. On June 1st we hope to have a ribbon cutting ceremony at Willow Grove Park for the recent improvements. Independence Day Celebration will be July 4th and the Jetski Races will be July 7th and 8th.

F. PRESENTATIONS

Mayor Marino recognized Carol Ann Connors for her service to the community as Councilmember Place 2 from 2008-2012.

Mayor Marino also recognized Deon Quisenberry for his 32 years of service to the children of Lake Dallas as the principal of the Lake Dallas Intermediate School and both elementary schools.

G. PROCLAMATIONS

Mayor Marino proclaimed the month of June to be the City of Lake Dallas' Rail Safety Awareness month.

Mayor Marino proclaimed May 20th through May 26th to be Small Business Week in the City of Lake Dallas. In conjunction with Small Business Week, Mayor Marino recognized the 70th anniversary of Lakeview Marina and presented a certificate of recognition to Mike Drozd and his family for their continued service to the community. Mr. Drozd said his grandfather started the business as a fishing camp in 1942. His grandfather was a commercial fisherman and rented small boats and had a bait shop. Mr. Drozd's father joined the business in 1952. Mr. Drozd and his brothers now run the business.

H. REPORTS

1) Boards and Commissions

City Manager Berner reported that Planning and Zoning Commission did not meet this month. Economic Development Corporation and Community Development Corporation met and discussed their Strategic Plans.

2) Finance

Finance Director Donna Boner gave a monthly report on the finances.

I. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Gene Tisdale, 524 Howard, Lake Dallas, reported to the Council on the May 22nd task force meeting he attended with Upper Trinity Regional Water District's Wastewater Treatment Plant on Lakeview Drive.

Mayor Marino closed the Visitors/Citizens Agenda.

J. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the April 26, 2012 and May 17, 2012 meetings. (City Secretary)**
2) **Consideration and Action to approve the April Financials. (City Manager)**

Motion to approve the Consent Agenda consisting of the April 26th and May 17th minutes and the April financials was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, McCaleb, Brooks, and Estrada.
Noes: None

Motion Passed

K. BUSINESS:

1) **Consideration and Action to approve an Atmos resolution to deny the Mid-Tex Division rate case prior to the June 11, 2012 statutory deadline.**

Jan Rugg, representative of Atmos, explained the need for the resolution to the Council.

Motion to approve an Atmos resolution to deny the Mid-Tex Division rate case prior to the June 11, 2012 statutory deadline was made by Councilmember Hammond and second by Councilmember Estrada.
Ayes: Councilmembers Hammond, Estrada, Harper, McCaleb, and Brooks.
Noes: None

Motion Passed

2) **Consideration and Action to approve an ordinance to vacate an unused road between 222 Betchan and lot .3299 Acres, Wright, No. 1355, TR 87, Old Dcad Tr #25, Denton County, Betchan Drive Lake Dallas, TX 75065.**

Mary Kay Smith, owner of the property, 149 Garth Lane, Hickory Creek, explained to the Council the plans the Smiths have for the property. There will be a 16,000 square foot building constructed for storage and independent small businesses.

Motion to approve an ordinance to vacate an unused road between 222 Betchan and lot .3299 Acres, Wright, No. 1355, TR 87, Old Dcad Tr #25, Denton County, Betchan Drive Lake Dallas, TX 75065 was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, McCaleb, and Estrada.
Noes: None

Motion Passed

3) **Consideration and Action to approve awarding the Lake Dallas City Council Student Award scholarship to Grant Austin Miller.**

Motion to approve awarding the Lake Dallas City Council Student Award scholarship to Grant Austin Miller in the amount of $1,000 was made by Councilmember Brooks and second by Councilmember McCaleb.
Ayes: Councilmembers Brooks, McCaleb, Harper, Estrada, and Hammond.
Noes: None

Motion Passed

4) **Consideration and Action to nominate a candidate to represent the municipalities on the Denco Board of Managers**

Motion to nominate Harlan Jefferson to the Denco Board of Managers for a two year term was made by Councilmember Harper and second by Councilmember Estrada.
Ayes: Councilmembers Harper, Estrada, McCaleb, Brooks and Hammond
Noes: None

Motion Passed

5) **Consideration and Action to select a Mayor Pro Tem**

Motion to nominate James Harper as Mayor Pro Tem was made by Councilmember Brooks and second by Councilmember Estrada.
Ayes: Councilmembers Brooks, Estrada, Harper, McCaleb, and Hammond.
Noes: None

Motion Passed

6) **Discussion on selection of TIF Board members.**

The following people were agreed upon to be members of the TIF Board:
Carol Ann Connors, Danny Everett, Bonnie Brown Garcia, James Harper, Rick Mathews
Mayor Marino directed City Manager Berner to confirm with each of these individuals that they still are interested in serving.

L. CITY MANAGER REPORT

City Manager Berner reported that the engineers for Lakeview are finishing up the bid documents and they should be ready to advertise next Friday. Willow Grove Park is down to the final cleanup work. The electric meter should be put in next week. The only private project the City has coming up is the Smith project.

City Manager Berner also went over his written report of each of the Council Requests made by Councilmember Hammond from last meeting.

M. NEW AGENDA ITEMS

Councilmember Brooks would like to explore the cost of a third party study by a federally licensed EPA expert to study the environmental impact of the Upper Trinity Regional Water District Wastewater Treatment Plant odor issue.

Mayor Marino would like the Fire Department contract on the agenda.

Mayor Marino requested that the City offer a reward for information leading to the arrest and conviction of the vandals who set fire to the portable restrooms at Willow Grove Park.

Councilmember Hammond would like discussion of the Library contract on the next agenda.

N. EXECUTIVE SESSION

1) **The Council to meet in a closed session with City Manager regarding a personnel matter (appointment, employment, duties of City Manager) under the Texas Government Code Section 551.074.**

Mayor Marino adjourned the meeting at 8:30 p.m. to go into Executive Session.
Mayor Marino reconvened the meeting at 9:01p.m.

O. ACTION, IF ANY, FROM EXECUTIVE SESSION

No action was taken.

P. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:02 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on May 17, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Mike McCaleb	Councilmember 2
Karl Hammond	Councilmember 5

Staff Present: City Manager Earl Berner and City Secretary Joni Vaughn

B. BUSINESS

1) **Consideration and Action on approval of an Ordinance for the Canvass of the Election held May 12, 2012.**

Motion to approve an Ordinance for the Canvass of the Election held May 12, 2012 was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, and McCaleb.
Noes: None

Motion Passed

C. VISITORS/CITIZENS AGENDA: *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

Gene Tisdale, 524 Howard, Lake Dallas, gave a report on meetings he's attended with Upper Trinity Regional Water District. Mr. Tisdale believes Lake Dallas citizens will have to get a plan together to help themselves on the issue of the odor from the wastewater treatment plant.

D. ADJOURNMENT

Mayor Marino adjourned the meeting at 7:38 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on April 26, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Connors was absent.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant; Julie Chapman, Community Relations

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Mayor Marino made an announcement about the new "smart meters" coming to Lake Dallas from Oncor. Kids and Cops will be Saturday, April 28th from 11:00 am until 3:00 pm. The showers/restrooms building was installed at Willow Grove; next week the floating dock will be installed. Mayor recognized Chief Ristagno for his 20 years of service and also announced that Leon Tribble would be presenting Chief with a special award.

PRESENTATIONS

Leon Tribble, from the Department of Defense's agency, Employer Support of the Guard and Reserve, presented the Patriotic Employer Award to Chief Nick Ristagno. Chief Ristagno was nominated by Sgt. Bill Soye of the Lake Dallas Police Department who is currently on active duty in Africa with the Texas Army National Guard.

Julie Chapman, Community Relations Coordinator, announced April 30th will begin early voting for the May 12th municipal election. May 2nd we will host the Lake Cities Chamber Breakfast in our Community Room. May 10th - 13th is the Mighty Thomas Carnival.

E. REPORTS

1) Boards and Commissions

City Manager Berner reported that Economic Development Corporation and Community Development Corporation and Planning and Zoning Commission did not meet this month.

Julie Chapman reported that Parks and Recreation/Keep Lake Dallas Beautiful Board recently had a cleanup and had great support and they cleaned two parks. The Board is preparing for the 4th of July.

2) Finance

Finance Director Donna Boner gave a monthly report on the finances. Sales tax revenue continues to increase. March Sales Tax was the largest ever collected.

Councilmember Hammond reported that the Library Board had passed a motion authorizing the creation of a Capital Building Fund and started the fund with $10,000.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Gene Tisdale, 524 Howard, Lake Dallas, thanked the Council for taking action on the odor issue with Upper Trinity Regional Water District's Wastewater Treatment Plant on Lakeview Drive.

Cody Jackson, 419 S. Shady Shores, Lake Dallas, also came forward to thank the Council for their action in regard to the odor issue with the Wastewater Treatment Plant. Mr. Jackson also gave a report on the Task Force's first meeting; TCEQ is being petitioned for a 10 million dollar bond for future expansion and Mr. Jackson would like to see some stipulations or prohibitions be put on the borrowing of this bond money until some progress has been made to resolve the odor issue.

Mayor Marino directed City Manager Berner to meet with Mr. Jackson in regard to this TCEQ bond issue.

Mayor Marino closed the Visitors/Citizens Agenda.

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the March 22, 2012 meeting. (City Secretary)**
2) **Consideration and Action to approve the March Financials. (City Manager)**
3) **Consideration and Action to approve the 1st quarter Investment Report. (City Secretary)**
4) **Consideration and Action to approve a membership update to the Animal Shelter Advisory Committee. (Police Chief)**

Motion to approve the Consent Agenda consisting of the March 22nd minutes, the March financials, the 1st quarter Investment Report, and the membership update to the Animal Shelter Advisory Committee was made by Councilmember Hammond and second by Councilmember Harper.

Ayes: Councilmembers Hammond, Harper, and Brooks.
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve the appointment of Roxanne McCaleb to the Parks, Recreation and KLDB Board. (City Manager)**

Withdrawn-No Action Taken

2) **Consideration and Action to approve the appointment of Jessica Stubbs to the Parks, Recreation and KLDB Board.**

Motion to approve the appointment of Jessica Stubbs to the Parks, Recreation and KLDB Board was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, and Mayor Marino.
Noes: None
Abstain: Councilmember Brooks

Motion Passed

3) **Consideration and Action to approve a resolution to the Upper Trinity Regional Water District regarding the Wastewater Treatment Plant.**

Motion to approve a resolution to the Upper Trinity Regional Water District regarding the Wastewater Treatment Plant was made by Councilmember Hammond and second by Councilmember Harper.

Councilmember Hammond suggested that the resolution might need to include a timetable for resolving the issue. He expressed concern that there might not be a timely response from Upper Trinity. City Manager Berner explained that the Task Force would be bringing periodic reports and that Council could submit monthly letters to the executives requesting a report from them. Councilmember Harper doesn't feel Council should be too adversarial at this point.

Ayes: Councilmembers Hammond, Brooks, and Harper.
Noes: None

Motion Passed

4) **Consideration and Action to approve charging a $5.00 replacement fee to the Willow Grove Park Day Use and Boat Ramp fees for individuals who lose their annual pass.**

Julie Chapman gave an overview of the fees and of the permitting process that will take place.

Motion to approve charging a $5.00 replacement fee to the Willow Grove Park Day Use and Boat Ramp fees for individuals who lose their annual pass was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Hammond, Harper, and Brooks.
Noes: None

Motion Passed

5) Consideration and Action to approve an ordinance amending Section 74-112 of Article IV, Chapter 74 of the Lake Dallas Municipal Code.

Motion to approve an ordinance amending Section 74-112 of Article IV, Chapter 74 of the Lake Dallas Municipal Code was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks and Harper.
Noes: Hammond

Motion Passed

6) Consideration and Action to decline the 1.72% increase in access line rates to the Public Utility Commission of Texas.

Motion to accept the 1.72% increase in access line rates to the Public Utility Commission of Texas and take no action was made by Councilmember Hammond and second by Councilmember Brooks.

Ayes: Councilmembers Hammond, Brooks, and Harper.
Noes: None

Motion Passed

7) Consideration and Action to approve a parade for veterans on Veterans' Day.

Motion to approve a parade for veterans on Veterans' Day was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, and Brooks.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that Willow Grove Park should be finished by May 15th. He is still working on acquiring the last couple of right of ways for Lakeview Drive. They have released the utility companies to start the work relocating the utilities. Mr. Berner has agreed to serve on the Task Force for Upper Trinity. He will have the report on the Waste Management Billing next month and it is looking pretty good. There is the potential for one of our closed restaurants to be reopened.

J. NEW AGENDA ITEMS

City Manager Berner suggested that after he meets with Mr. Jackson he may want to bring an agenda item on the TCEQ approval of the bond Mr. Jackson spoke of.

Councilmember Hammond had a number of items he would like to have discussion on.

- Waste Management report
- Time frame for the Lakeview Project
- Time frame for the Main Street Project
- Mid-Year Budget Review with an analysis on employee pay raises
- Infrastructure Plan
- City Manager Search

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:15 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on March 22, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:34 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Councilmember Connors was absent.

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant; Julie Chapman, Community Relations

B. INVOCATION

Councilmember Harper gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

Julie Chapman, Community Relations Coordinator, announced there would be low cost vaccines at the Animal Shelter on March 31st, Texas Trash Off will be April 14th, Lake Dallas Police Departments sponsors the annual Kids and Cops event April 28th, May 10th – 13th is the Mighty Thomas Carnival.

E. PRESENTATIONS

Lydia Bishop, American Heritage Girls, presented a request to the Council that she would like to do a parade for Vietnam Veterans on Veteran's Day as part of her Stars and Stripes project.

Mayor Marino presented the Lake Dallas Football Team with the Battle of the Bridge Trophy for their 63-34 victory over Little Elm High School on October 28, 2011.

F. PROCLAMATIONS

1) **Poison Prevention Week**
2) **Great American Clean-Up**

G. REPORTS

1) Boards and Commissions

City Manager Berner reported that Economic Development Corporation and Community Development Corporation will be spending the next few months reviewing their Strategic Plans. Parks and Recreation/Keep Lake Dallas Beautiful Board is preparing the 4th of July.

2) Library Board

Bill Knox, Lake Cities Community Library Board, reported to Council that patrons at the Library are increasing as more special needs students begin visiting the Library to learn. Mr. Knox also reported that the Dr. Seuss reading program had over 100 people. The Library Board is trying to get other communities involved in their effort to enlarge the building. Councilmember Harper asked Mr. Knox about the possibility of the cities contributing to a sinking fund to fund building expansion. Mr. Knox said that is on the agenda for the Library Board to discuss so he is not at liberty to discuss it at this time. Mr. Knox reported that the Library is also writing for $80,000 worth of grants. Denton County has dropped funding by 10%, but the cities of Lake Dallas and Corinth increased their funding. Library usage is up. Councilmember Brooks inquired about the possibility of eBooks, but Mr. Knox said the Library is not able to do that at this time.

3) Finance

Finance Director Donna Boner gave a monthly report on the finances. Sales tax revenue continues to increase.

H. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

James Bell, 5403 Prince Drive, addressed Council regarding the cost of water, the recent rate increase on the water bill and the rate increase for trash service.

Mayor Marino closed the Visitors/Citizens Agenda.

I. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the February 23, 2012 and March 2, 2012 meetings.**
2) **Consideration and Action to approve the February Financials.**

Motion to approve the Consent Agenda consisting of the February 23rd and March 2nd minutes and the February financials was made by Councilmember Hammond and second by Councilmember Brooks.

Ayes: Councilmembers Hammond, Brooks, and Harper.
Noes: None

Motion Passed

J. BUSINESS:

1) **Consideration and Action to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 10 – 13, 2012 and waive the permit fees.**

Motion to approve a contract agreement with Thomas Carnival, Inc. for a carnival May 10 – 13, 2012 and waive the permit fees was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond Harper, and Brooks.
Noes: None

Motion Passed

2) **Consideration and Action to approve the appointment of Jenny Warmbrodt to the Parks, Recreation and KLDB Board.**

Motion to approve the appointment of Jenny Warmbrodt to the Parks, Recreation and KLDB Board was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, and Brooks.
Noes: None

Motion Passed

3) **Public Hearing on a proposed Special Use Permit to allow the use of arcade and video games at the property located at 501 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas.**

Aziz Bhimani, 3808 Camelot Drive, Denton, addressed Council to explain his project to give the kids something to do by having an arcade and answered Council's questions. Councilmember Harper asked to confirm that Mr. Bhimani would have chaperones and security personnel and Mr. Bhimani confirmed that he would. Mr. Bhimani also answered questions from the audience in regards to the safety of the children who would be visiting his establishment. Mr. Bhimani assured both the Council and the citizens that he would have adequate security in his facility; he would be using a licensed security guard who has undergone a background check. Mr. Bhimani was asked if there was an age limit and how he would handle the comings and goings of the children. Mr. Bhimani stated he would not allow anyone under the age of 10 to be unattended, but he would not be using hand stamps to monitor their comings and goings. Councilmember Hammond asked Mr. Bhimani if he was aware of the City's curfew laws and he stated that he was aware of them.

4) **Consideration and Action to approve a proposed Special Use Permit to allow the use of arcade and video games at the property located at 501 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas.**

Motion to approve the a proposed Special Use Permit to allow the use of arcade and video games at the property located at 501 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas for two years was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, and Brooks.
Noes: None

Motion Passed

5) **Public Hearing on a proposed Special Use Permit to allow the business of tattooing at the property located at 303 W. Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Adam Tjosvold, 2560 Tower Ridge Drive, Corinth, addressed Council to explain his project answer Council's questions. Mr. Tjosvold explained that he will be doing tattooing for those 18 years of age and older and to do commissioned art. Mr. Tjosvold also answered questions from the audience regarding his business. Mr. Tjosvold was asked what type of sterilization that he uses and if he would have health inspections. Mr. Tjosvold explained his sterilization process and named the different certifications he holds and stated that he is licensed through the State of Texas and would be subject to the State's inspections. Mr. Tjosvold has also received a health permit from the City.

6) **Consideration and Action to approve a Special Use Permit to allow the business of tattooing at the property located at 303 W. Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Motion to approve a Special Use Permit to allow the business of tattooing at the property located at 303 W. Hundley Drive, City of Lake Dallas, Denton County, Texas for five years was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, and Hammond.
Noes: None

Motion Passed

7) **Consideration and Action to approve a contract with R5Water-XRacing, LLC for jetski races Sept 1st & 2nd.**

Brian Smith, R5 Water- XRacing, gave a presentation to Council and explained his latest request for an event. Councilmember Brooks expressed his concern regarding approving a second event that would require spending additional tax dollars that were not budgeted for and Councilmember Harper expressed concern that the event would tie up Willow Grove Park camping spots during a holiday weekend.

Motion to deny a contract with R5Water-XRacing, LLC for jetski races Sept 1st & 2nd was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, and Hammond.
Noes: None

Motion Passed

Mayor Marino adjourned the meeting at 8:45 pm for a 5 minute break.
Mayor Marino reconvened the meeting at 8:50 pm.

8) **Consideration and Action to approve a $6,500 budget amendment to transfer funds from the Police Department budget to the Animal Services budget to fund a 20 hour per week Animal Services Officer.**

Motion to **approve** a $6,500 budget amendment to transfer funds from the Police Department budget to the Animal Services budget to fund a 20 hour per week Animal Services Officer was made by Councilmember Harper and second by Councilmember Hammond.
Ayes: Councilmembers Harper, Hammond, and Brooks.
Noes: None

Motion Passed

9) **Consideration and Action to approve a $26,400 budget amendment to transfer from Police Department salaries to Police Department capital to fund the purchase and outfitting of a squad car.**

Motion to approve a $26,400 budget amendment to transfer from Police Department salaries to Police Department capital to fund the purchase and outfitting of a squad car was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, and Brooks.
Noes: None

Motion Passed

I. WORKSHOP

1) **Discussion on a formal response from City Council to Upper Trinity Regional Water District regarding the odor emitting from the Lakeview Water Reclamation Plant.**

The City Council had the following list of specific questions that they presented to Upper Trinity to answer:

1) Is there anything that can be done to eradicate the smells emanating from the plant?
   a) Cost of the improvement?
   b) Schedule for doing the improvement?
2) Several years ago at a Town Meeting a comment was made about some type of covering over the plant or maybe areas of the plant.
3) Are there any potential health hazards because of whatever is emanating from the plant?
4) Can citizens come to Upper Trinity Board meetings and speak to the board?
5) How about a Town Hall Meeting here in Lake Dallas where the Executive Director and Board Chairman are present? When?

Mayor Marino gave instruction to establish ground rules for the discussion. Upper Trinity Regional Water District gave a presentation to the Council and the public before Public discussion began. Jody Zabolio, Jason Pierce, and Brian, all from Upper Trinity, and Mike Fairfield, GM for LCMUA were there to answer questions. Jody Zabolio gave a brief history of Upper Trinity in the Lake Dallas area and explained steps that Upper Trinity has taken to reduce odor and set up a task force to work with citizens in addressing their concerns. Upper Trinity expressed their desire to be a good neighbor and their plans to address the citizens' concerns.

The following citizens spoke during the discussion with Upper Trinity Regional Water District:

David Shershen, 166 Kingswood
Gene Tisdale, 524 Howard
Bob Davis, 66 Lakeridge
Margaret Tisdale, 509 Howard
Randy Squier, 560 N. Lakeview
Sheryl McGrath, 920 Lakebluff
Robert Jackson, 5415 Queens Court

The citizens expressed the following concerns:

- Odor emanating from the Wastewater Treatment Plant.
- Health concerns regarding possible hazardous chemicals Upper Trinity may be releasing into the atmosphere.
- Effect the Wastewater Treatment Plant may have on property values in the area.
- Possible loss of businesses locating in the area due to the odor.
- Possibility that additional cities may begin processing wastewater at the Plant.

Councilmember Brooks asked about how putting a dome over the facility would work to contain the problem. Councilmember Hammond said five years ago during a Town Hall meeting that Upper Trinity said the facility would have a dome over it with scrubbers.

Councilmember Hammond asked if there any biological hazards. The Upper Trinity spokesperson stated that the microorganisms are contained; they are not transmitted into the air; they don't live outside the water they are contained in.

Councilmember Harper asked if there are any waste treatment facilities in the country that have a dome over them. The Upper Trinity spokesperson stated there may be, but he personally was not aware of any.

Gene Tisdale, Cody Jackson, and Bob Davis agreed to serve on the Citizens' Committee for the Task Force being formed by Upper Trinity Regional Water District to work on the problem with Upper Trinity and Lake Cities Municipal Utility Authority.

Mayor Marino strongly encouraged citizens to attend Upper Trinity Regional Water District's board meetings the second Thursday of the month at 12:30 pm. in Lewisville at 900 North Kealy.

2) Action, if any, from Workshop

No formal Council action was taken.

J. CITY MANAGER REPORT

City Manager Berner reported that we are moving along with Lakeview Drive right of way acquisitions. We have a couple of properties that we will have to go the eminent domain procedure on and we are getting the appraisals done on the properties now. Progress is moving along at Willow Grove Park on the boat ramp and other projects and we now have picnic tables under the covered pavilion.

K. NEW AGENDA ITEMS

Councilmember Brooks asked that we have a formal resolution to TCEQ regarding the odor. Councilmember Hammond would like the Council to consider exploring a third party independent study done on the Wastewater Treatment Plant.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 10:28 pm.

Tony Marino, Mayor

CITY OF LAKE DALLAS, TEXAS

Joni L Vaughn

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a special meeting on March 2, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order 6:10 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connors	Councilmember 2
Ricky Mathews	Councilmember 4

Staff Present: City Secretary Joni Vaughn

B. BUSINESS

1) **Consideration and Action on approval of an Ordinance ordering an election to be held on May 12, 2012 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 2 and 4.**

2) **Motion** to approve an Ordinance ordering an election to be held on May 12, 2012 for the purpose of electing a Mayor and City Councilmembers for the Place Numbers 2 and 4.

Ayes: Councilmembers Connors, Harper, Mathews and Mayor Marino.
Noes: None

Motion Passed

C. VISITORS/CITIZENS AGENDA: *In accordance with the Open Meetings Act, the City Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to three (3) minutes.*

No one was there to speak.

D. ADJOURNMENT

Mayor Marino adjourned the meeting at 6:13 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on February 23, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:32 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Wes Frazier, Police Lieutenant

B. INVOCATION

Pastor Rod Collver, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced that the Chamber Banquet will be March 9th. Mayor Marino commented that the Mardi Gras festivities were wonderful. Chief Ristagno reported that there were estimated to be about 1000 people in attendance.

E. REPORTS

1) Boards and Commissions

City Manager Berner reported that Planning and Zoning Commission met and recommended approval of the final plat for Doyle Cameron's project. Community Development Corporation met and approved their audit, purchased picnic tables for Willow Grove Park and discussed making an agreement with The Bandits for use of the ball fields at Willow Grove Park.

2) Finance

Finance Director Donna Boner gave a monthly report on the finances.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

Gene Tisdale, 524 Howard, Lake Dallas, addressed the Council regarding the odor from the Upper Trinity Regional Water District's wastewater treatment plant. Mr. Tisdale suggested a recent illness may have been the "stink flu" caused by the odor and possible toxins associated with it. Mr. Tisdale informed the Council that a group of concerned citizens met to discuss the odor issue and had agreed to research it and recruit more people to become involved in their cause.

Bob Davis, 73 Lakeridge, Lake Dallas, addressed the Council regarding the odor from the wastewater treatment plant, also. Mr. Davis would like for the Council to formally state their position regarding the odor problem.

Mayor Marino closed the Visitors/Citizens Agenda

G. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the January 12, 2012 and January 26, 2012 meetings. (City Secretary)**
2) **Consideration and Action to approve the January Financials. (City Manager)**

Motion to approve the Consent Agenda consisting of the January 12th and 26th minutes and the January financials, with the correction to the January 26th minutes recording the vote on Item H-1was made by Councilmember Brooks and second by Councilmember Hammond.
Ayes: Councilmembers Brooks, Hammond, Harper, and Connors.
Noes: None

Motion Passed

H. BUSINESS:

1) **Consideration and Action to approve amending the comprehensive plan, comprehensive zoning ordinance, and zoning map, changing the zoning from R-1-6000 to "PD" PLANNED DEVELOPMENT for 3.021 +/- acres of land consisting of two tracts described as lots 2 and 2A of Abstract 1355A of the M. Wright Survey, Lake Dallas, Denton County, Texas. (City Manager)**

Motion to approve amending the comprehensive plan, comprehensive zoning ordinance, and zoning map, changing the zoning from R-1-6000 to "PD" PLANNED DEVELOPMENT for 3.021 +/- acres of land consisting of two tracts described as lots 2 and 2A of Abstract 1355A of the M. Wright Survey, Lake Dallas, Denton County, Texas was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Harper, and Hammond.
Noes: None

Motion Passed

2) **Public Hearing on a proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots. This property is in the 100 block of Lakeview Drive on the west side of the street and is zoned PD Single-family Dwelling District and must meet the R-1-6000 building requirements.**

Doyle Cameron, 420 Longfellow, Highland Village, addressed Council to explain his project and answered Council's question. Mr. Cameron discussed drainage and explained he would have 20 buildable lots out of the 22 lots platted.

3) **Consideration and Action to approve the proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots. This property is in the 100 block of Lakeview Drive on the west side of the street and is zoned PD Single-family Dwelling District and must meet the R-1-6000 building requirements. (City Manager)**

Motion to approve the proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots with twenty (20) being buildable lots was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Connors.
Noes: None

Motion Passed

4) **Consideration and Action to accept the 2011 Racial Profiling Report as submitted by the Lake Dallas Police Department. (Police Chief)**

Motion to accept the 2011 Racial Profiling Report as submitted by the Lake Dallas Police Department was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Brooks, and Connors.
Noes: None

Motion Passed

5) **Consideration and Action to appoint Rebecca Waldrop to the Lake Dallas Community Development Board and to accept her resignation from the Planning and Zoning Commission. (City Manager)**

Ms. Waldrop withdrew her request for appointment to the Community Development Corporation.

Motion to accept the resignation of Rebecca Waldrop from the Planning and Zoning Commission was made by Councilmember Connors and second by Councilmember Harper.
Ayes: Councilmembers Connors, Harper, Brooks, and Hammond.
Noes: None

Motion Passed

6) **Consideration and Action to appoint Mike McCaleb to the Planning and Zoning Commission.(City Manager)**

Motion to appoint Mike McCaleb to the Planning and Zoning Commission was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, and Brooks.
Noes: None

Motion Passed

7) **Consideration and Action to adopt a resolution of The City Council of The City of Lake Dallas, Texas, authorizing the suspension of the proposed effective date of the proposed rate schedules of the Mid-Tex Division of Atmos Energy. (City Manager)**

Motion to adopt a resolution of The City Council of The City of Lake Dallas, Texas, authorizing the suspension of the proposed effective date of the proposed rate schedules of the Mid-Tex Division of Atmos Energy was made by Councilmember Hammond and second by Councilmember Harper.
Ayes: Councilmembers Hammond, Harper, Connors, and Brooks.
Noes: None

Motion Passed

I. WORKSHOP

1) **Discussion on appointment of TIF Board members.**

City Manager Berner discussed the progress he'd made with the names given in the last discussion.

Mike McCaleb, Rick Mathews, Curtis Trivitt, Pat Connors, Terry Tuck, and Bonnie Brown Garcia were the names Council gave to City Manager Berner to pursue for the TIF Board.

J. CITY MANAGER REPORT

City Manager Berner reported that the Willow Grove Park project is moving along. The boat ramp is completely poured and the sewer line is installed. Lakeview Drive still has a few right-of-ways to acquire.

K. NEW AGENDA ITEMS

Mayor Marino asked that we have an item to discuss a response from Council to Upper Trinity regarding the odor. Council would like Staff to check with the City Attorney to see if the City has any recourse in the situation.

Councilmember Harper would like a cost analysis from First Southwest on the 2001 Bonds.

Councilmember Hammond asked about the financial information regarding the Waste Management billing program. City Manager Berner replied that the information would be ready in March or April.

L. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:27 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 26, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:35 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources;

B. INVOCATION

Pastor Rod Collver, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. ANNOUNCEMENTS

City Manager Berner announced that Mardi Gras will be February 21st with festivities in the Municipal Complex parking lot. The Lake Cities Chamber of Commerce Gala will be March 9th at Ashton Gardens from 6-10 PM. Lions Club Casino Night is January 28th.

E. REPORTS

1) Boards and Commissions

a) Jim Berzina, City Manager of Corinth, Chief Curtis Birt with Lake Cities Fire Department, and Lee Ann Bunselmeyer, Finance Director of City of Corinth gave a report to Council; giving an overview of the operations of the fire department and explaining the proposed contract for fire services. The new contract would increase the base rate 2% over the previous rate for an increase of $24,925 in FY 13 and add a vehicle and equipment replacement program for an increase of $42,600 in FY 13 for a total increase in the next budget year of $67,525. Subsequent years would have less of an increase.

2) Finance

a) City Auditor Carl Deaton, gave the audit report to Council. Mr. Deaton explained the audits for the City, the Lake Dallas Economic Development Corporation and the Lake Dallas Community Development Corporation. Mr. Deaton informed Council that the City's fund balance loss this past fiscal year was considerably less than the loss of the previous fiscal year.

Mayor Marino adjourned the meeting at 8:35 pm for a short break.

Mayor Marino reconvened the meeting at 8:40 pm.

b) City Manager Berner gave an update on budget projections. He believes we will come in close to budget, but it is going to be a tight budget year. He feels we can find the funds to support the increase in funding to SPAN if Council is interested in doing that.

F. VISITORS/CITIZENS AGENDA

Mayor Marino opened the Visitors/Citizens Agenda.

No one came forward to speak.

Mayor Marino closed the Visitors/Citizens Agenda

G. CONSENT AGENDA

1) **Consideration and Action to approve a joint election agreement and contract for election services with the Denton County Elections Administrator. (City Manger)**
2) **Consideration and Action to accept the resignation of Travis Cattell from the Board of Adjustment and from the Parks and Recreation/KLDB Board. (City Manager)**
3) **Consideration and Action to accept the resignation of James Moore from the Parks and Recreation/KLDB Board. (City Manager)**
4) **Consideration and Action to approve the 4th Quarter Investment Report. (City Secretary)**

Motion to approve the Consent Agenda consisting of the joint elections service contract, the resignations of Travis Cattell and James Moore, and the 4th Quarter Investment Report was made by Councilmember Harper and second by Councilmember Brooks.
Ayes: Councilmembers Harper, Brooks, Connors, and Hammond.
Noes: None

Motion Passed

H. WORKSHOP

1) **Discussion with SPAN regarding funding structure.**

Deborah Robertson, Executive Director of SPAN, Inc and Meals on Wheels of Denton County spoke to Council explaining the latest information provided to them from SPAN. Council discussed the different features of the agreement and came to a decision on what trips the City of Lake Dallas can fund.

I. BUSINESS:

1) Consideration and Action to approve an increase the funding level to SPAN. (City Manager)

Motion to approve the agreement for increased funding to SPAN with the following stipulations [the service is for residents age 65 and older or disabled; the one way trip rate for residents will be increased from $2.50 to $5.00; the trips will be only for medical and for shopping trips in the Lake Cities area for necessities; City will be billed monthly for actual usage and funding is not to exceed $8,539 for the remainder of this fiscal year] was made by Councilmember Connors and second by Councilmember Brooks.
Ayes: Councilmembers Connors, Brooks, Mayor Marino.
Noes: James Harper, Karl Hammond

Motion Passed

2) Consideration and Action to approve the Fiscal Year 2011 Audits. (City Manager)

Motion to approve the Fiscal Year 2011 Audits was made by Councilmember Brooks and second by Councilmember Harper.
Ayes: Councilmembers Brooks, Harper, Connors, and Hammond.
Noes: None

Motion Passed

I. CITY MANAGER REPORT

City Manager Berner reported that River Oak Park and Willow Grove Park have new sunshades and swings will be going up next week at Willow Grove Park and Community Park; all funded by the Community Development Corporation. The boat ramp project is under water but the boat ramp was poured to the conservation pool level. The piers for the boat dock are in and they've also poured the ramp for people to walk on to the dock.

J. NEW AGENDA ITEMS

Councilmember Hammond requested detailed financial information regarding the Waste Management billing program.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 9:25 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas City Council met in a regular meeting on January 12, 2012 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041, of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 pm.

A. ROLL CALL

Tony Marino	Mayor
James Harper	Councilmember 1
Carol Ann Connor	Councilmember 2
B.W. Brooks	Councilmember 3
Karl Hammond	Councilmember 5

Staff Present: Earl Berner, City Manager; Joni Vaughn, City Secretary; Nick Ristagno, Police Chief; Donna Boner, Finance/Human Resources; Julie Chapman, Community Relations Coordinator

B. INVOCATION

Pastor Rod Collver, First Baptist Church Lake Dallas, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Marino led the pledges of allegiance.

D. PRESENTATIONS

Mayor Marino presented Eric Grunor a certificate of congratulations marking the 5 year anniversary of his State Farm Insurance Agency in Lake Dallas. Mayor Marino also presented a certificate of appreciation to James Moore for his volunteer service to the Lake Dallas Parks and Recreation Board and the Keep Lake Dallas Beautiful Board.

E. ANNOUNCEMENTS

City Manager Berner announced that Mardi Gras will be February 21st with festivities in the Municipal Complex parking lot.

F. REPORTS

City Manager Berner reported that Economic Development Corporation, Community Development Corporation and Planning and Zoning Commission did not have meetings and Parks met to discuss Mardi Gras plans.

Donna Boner gave the Financial Report. Sales tax continues to increase. Property taxes are coming in.

G. VISITORS/CITIZENS AGENDA
Mayor Marino opened the Visitors/Citizens Agenda.

Devin Hurst, 605 Shore, Lake Dallas, spoke to the Council on behalf of James Kloberdanz, regarding the sale of the City's property at 500 N. Lakeview. Ms. Hurst stated that she has a petition from people who do not want the property zoned C-1. She also stated that they would like to see this property become a park.

Jerry Goodale, 3808 Red Oak, Corinth, owner of 607 Shore, spoke to Council regarding his plans if he purchases the City's property at 500 N. Lakeview.

Mayor Marino closed the Visitors/Citizens Agenda

H. CONSENT AGENDA

1) **Consideration and Action to approve the minutes of the December 8, 2011 meeting.**
2) **Consideration and Action to approve the December Financials.**

Motion to approve the Consent Agenda consisting of the minutes for the December 8, 2011 meeting and the December Financials was made by Councilmember Connors and second by Councilmember Hammond.
Ayes: Councilmembers Connors, Hammond, Harper, Brooks.
Noes: None

Motion Passed

I. BUSINESS

1) **Consideration and Action to approve an increase the funding level to SPAN.**

Deborah Robertson, Executive Director of SPAN, Inc and Meals on Wheels of Denton County spoke to Council explaining the latest information provided to them from SPAN regarding ridership details. She answered questions from Council. Council requested a workshop with SPAN staff at the next council meeting to discuss options to "fine tune" our service plan.

No Action was taken on this item.

2) **Consideration and Action to accept an offer to purchase Lots 1, 2, 11, and 12 of Block 4 of the Lake Dallas Shores Addition.**

Motion to accept an offer from Jerry Goodale to purchase Lots 1, 2, 11, and 12 of Block 4 of the Lake Dallas Shores Addition for $6,000 was made by Councilmember Brooks and second by Councilmember Harper.

Ayes: Councilmembers Brooks, Harper, Connors, and Hammond.
Noes: None

Motion Passed

3) Discussion regarding the appointment of board members to the TIF Board.

Mr. Berner explained to Council that in the near future they need to appoint members to the TIF Board. He wanted Council to discuss some possible members so that he could begin contacting people to see if they were interested. Mr. Berner explained that any registered voter in the City or any property owner in the City who is over 18 years of age can serve on the TIF Board. There will be five members; one of them needs to be a council member. Carol Ann Connors suggested Pat Connors. Other names suggested were Clyde Fisher, Danny Everett, Cindy Nelson, Bill Knox, Trenna Ezell, and James Harper.

I. CITY MANAGER REPORT

City Manager Berner reported that Willow Grove Park boat ramp construction is under way. Most of the grading has been done, they are putting pilings in for the boat dock and the pay station for day use has been ordered. Lakeview final revised surveys for four properties will be in soon. Video Plus is still undecided on what they are going to do about their location. Doyle Cameron is getting ready to move forward with his 21 homes project. Bruce Martin is going to subdivide his property for sale and development; possibly 55 homes could be built on the property.

We will host a reception for our new county commissioner, Bobbie Mitchell at 7:00 PM January 26th.

J. NEW AGENDA ITEMS

SPAN project, Audit Report, Fire Department 5 year interlocal

Councilmember Harper asked for a rough projection of how our finances are trending.

K. ADJOURNMENT

Mayor Marino adjourned the meeting at 8:35 pm.

Tony Marino, Mayor

Joni Vaughn, City Secretary

CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
DECEMBER 5, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
DAVID SHERSHEN, MAYOR PRO-TEM
KEVIN SPRAGGINS
LINWOOD GILLILAND
DIANE BYERS
BEN GILBERT, ALTERNATE
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHUCK DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:38 p.m. and noted that all members were present except for Diane Byers who arrived at 7:54 p.m.,Vice-Chairman Chuck Dalton, and Council Liaison Stephen Wohr.

II. PUBLIC HEARING: CONSIDER A FINAL PLAT FOR 19.588 ACRES OF TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376 AND APPROXIMATELY 5 ACRES OF TRACT 7 OF THE T. WHITE SURVEY, ABSTRACT 1376. THIS PROPERTY IS LOCATED SOUTH OF DOBBS ROAD AND SOUTH OF STATELY OAK LANE IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Jim Douglas with Douglas Properties stated that I believe we have addressed all the concerns that the Planning and Zoning Commission and City Council had on the preliminary plat. We have made all the corrections to that. We have the access easement. This lot one (1) will be deeded to the city for the park. There will be a 60 foot right of way going up to Dobbs Rd. All the lots meet the minimum square footage that we discussed. Metroplex Engineering okayed the plans. Mike Saunders with the Lake Cities Municipal Utility Authority also okayed them.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the final plat. Kevin Spraggins seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Kevin Spraggins moved to approve the minutes of the meetings held in November 1996. Linwood Gilliland seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

No public comment.

Close citizens agenda.

VI. REPORT FROM COUNCIL LIAISON.

Mayor Pro-Tem David Shershen sat in for Council Liaison Stephen Wohr who was abent. Mayor Pro-Tem David Shershen stated that the council has approved everything so far that you have sent to us. The biggest concern right now that the City Council has is the resignation of the Chairman. You have done an excellent job, we are very proud of you, very grateful and hopeful that you will re-consider.

VII. CONSIDER RECOMMENDATION OF A NEW ALTERNATE MEMBER FOR THE PLANNING AND ZONING COMMISSION TO CITY COUNCIL - ACTION.

Linwood Gilliland moved to recommend Robert Hansen as the new alternate member. Diane Byers seconded the motion and it carried unanimously.

VIII. OLD BUSINESS.

The Planning and Zoning would like to have a workshop on definitions. They would also like for the mobil home ordinance to be put on the January Agenda.

IX. NEW BUSINESS.

Mayor Pro-Tem David Shershen stated that the City Council may have the Planning and Zoning re-evaluate the Parking on the grass ordinance.

X. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Kevin Spraggins seconded the motion and it carried unanimously. The meeting adjourned at 8:30 p.m.

Kelly D'Amato

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
SPECIAL SESSION
NOVEMBER 13, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
KEVIN SPRAGGINS
LINWOOD GILLILAND
BEN GILBERT, ALTERNATE
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHUCK DALTON, VICE-CHAIRMAN
DIANE BYERS

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:37 p.m. and noted that all members were present except for Vice-Chairman Chuck Dalton, and Diane Byers.

II. PUBLIC HEARING: DISCUSS AND CONSIDER AN ORDINANCE AMENDING CHAPTER 18, SECTION 18.02 OF THE LAKE DALLAS MUNICIPAL CODE REGARDING DEFINITIONS.

No public comment.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood moved to table amending Chapter 18, Section 18.02 until a later time after the litigation has been solved. Ben Gilbert seconded the motion and it carried unanimously.

IV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Ben Gilbert seconded the motion and it carried unanimously. The meeting adjourned at 7:50 p.m.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
NOVEMBER 7, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
KEVIN SPRAGGINS
LINWOOD GILLILAND
BEN GILBERT, ALTERNATE
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHUCK DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
DIANE BYERS

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:34 p.m. and noted that all members were present except for Vice-Chairman Chuck Dalton, Council Liaison Stephen Wohr and Diane Byers.

II. PUBLIC HEARING: CONSIDER A ZONING CHANGE FOR LOT 2, OF THE SUNDOWN ACRES, FROM R-1-10,000 TO R-1-7200. THIS PROPERTY IS LOCATED AT 735 CARLISLE ST., IN THE CITY OF LAKE DALLAS, DENTON COUNTY TEXAS.

Laird Lind, 731 Carlisle stated that my property lies directly south of what was known as the Bud Archer property. It was subject to a lot of re-zoning. It was around six to eight months ago that my property was re-zoned to R-1-10,000. At the time that the zoning was being changed, the property was zoned multi-family. I was told that the R-1-10,000 had a 2,000 square foot minimum as far the building codes go. When I came to get a building permit, they pulled out the ordinances and low and behold, it is 2,500 square feet minimum. I would like to get down zoned to R-1-7200, not to build a 1,500 square foot house but to build a house that is about 2,200 square foot plus the enclosed garage.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the zoning change from R-1-10,000 to R-1-7200. Kevin Spraggins seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on October 3, 1996. Kevin Spraggins seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

Norma McAlavy, 25 Kingswood stated that Rod Courtneys mobile home that he brought in has a storage shed attached to the mobile home. I would like to request that the mobile home square footage be changed to 980 square feet and no permit be issued except by the Building Inspector. We feel that a sticker should be attached to the home after it has been inspected. I also feel Rod Courtney is taking advantage of people.

Bob Davis, 68 Lakeridge, stated that Rod Courtney is providing a service and is improving the property. I do believe that Rod Courtney is making money on his deals but I also believe that the people he sells to could not get financing elsewhere and he is helping them get financing or he is financing the places for them. They are paying market value. I don't think you could get a 980 square foot mobile home in Kingswood.

Herb McAlavy, 25 Kingswood, stated that Bob Davis must be a nephew to Rod Courtney. Rod Courtney is a scam artist. If you don't know what that is, just look on down the street where they got a real nice looking grey fence all around a sub-standard mobile home trailer park. At the rate and pattern that it is going right now and Rod's manipulation, we are going to look like a dump.

Margaret Tisdale, 509 Howard, stated that I live in a 1964 mobile home. My home is well kept and it looks just as good as some of these brand new homes. It doesn't matter how old it is as long as you keep it in good shape.

Bonnie Brown Garcia, 427 S. Denton Dr. stated that she just wanted to let everyone know that the Planning and Zoning have been working on the commercial mobile home park ordinances.

Norma McAlavy, 25 Kingswood, stated that there is nothing wrong with the mobile home as long as you keep it up. One house has been shelled out at least three times. Rod Courtney sells the people on fixing it up himself.

Frank Branscome, 173 Kingswood, stated that he left town two months ago on a Friday. I came back on Sunday and this fellow had half of my fence tore down. This fellow told me that Rod Courtney told him to tear it down. Rod told me I was five feet over the easement line and to accept the fence the way he wanted to put it back up. I would not accept that and it was put back the way it was.

Etta Babb, 211 Kingswood, stated that she thinks Mr. Harp and the Chief of Police are doing a great job.

Norma McAlavy, 25 Kingswood, stated that the reason I set the size of the mobile home as large as I did is because there are no more available lots.

Bob Davis, if you raise the square footage, you are limiting what can be moved in. Therefore your property is worthless.

Close citizens agenda.

VI. REPORT FROM COUNCIL LIAISON.

Council Liaison, Stephen Wohr was absent.

VII. OLD BUSINESS.

A. Discuss Chapter 18, Section 18.42 of the Lake Dallas Municipal Code regarding mobile homes.

The Planning and Zoning Commission discussed mobile homes and the square footage of mobile homes.

VIII. NEW BUSINESS.

No new business.

IX. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Ben Gilbert seconded the motion and it carried unanimously. The meeting adjourned at 8:30 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
OCTOBER 3, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHUCK DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
KEVIN SPRAGGINS
LINWOOD GILLILAND
DIANE BYERS
BEN GILBERT, ALTERNATE
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 p.m. and noted that all members were present except for Kevin Spraggins who arrived at 7:45 p.m.

II. PUBLIC HEARING: CONSIDER A SPECIAL USE PERMIT FOR THE EXPANSION OF THE CHILDREN'S LEARNING STATION AT 315 CARLISLE. THIS PROPERTY IS LOCATED ON TRACT 94 OF THE MARY WRIGHT SURVEY, ABSTRACT 1355 AND CURRENTLY ZONED R-1-6,000 IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Toni Smith, owner of The Children's Learning Station stated that she would like to expand her present facility. There will be no change to the structure of the building at all.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve a special use permit for the expansion of the Children's Learning Station at 315 Carlisle. Diane Byers seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER A ZONING CHANGE FOR APPROXIMATELY 5 ACRES LOCATED ALONG THE EAST AND SOUTHEAST OF TRACT 7 OF THE T. WHITE SURVEY, ABSTRACT 1376 FROM C-1 TO R-1-7200 WITH STIPULATIONS ON LOT WIDTH AND REAR YARD SETBACKS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Brad Myers representing Carter & Burgess, who is also here with Jim Douglas owner of the property stated that basically what we are asking to be rezoned is part of the Thousand Oaks Subdivision. We want to change this from C-1, commercial retail zoning to residential zoning. We are asking for sixty-five foot lot widths, fifteen foot rear setbacks and seven thousand square foot lots.

Jim Douglas stated that there are just a few lots that we need the fifteen foot rear setbacks on.

Kolima Williams, 339 Stately Oak, asked how this is going to impact the people in Thousand Oaks right now?

Jim Douglas stated that instead of a commercial building going in, we are proposing to re-zone it to residential so we can put more housing in.

Mark Green, 324 Ashley Oak, asked which lots are going to have fifteen foot rear set backs?

Jim Douglas stated that they are asking for all of the lots to have the fifteen-foot rear setback.

Clyde Edwards, 108 Dobbs Rd., asked if it would not be feasible to eliminate one of the lots and make them all R-1-7200?

Jim Douglas stated that is one way to do it, but it becomes an economic issue also. This property is zoned commercial.

Robert Hanson, 337 Stately Oak, asked how many houses will actually be in this area?

Jim Douglas stated that there will be thirteen houses on that street.

Kolima Williams, 339 Stately Oak, asked if the street will have a negative effect on families in that area? Is there anyway to tell?

Jim Douglas stated that the only houses that the street will effect are the new houses that are going to be built.

David Goodnight, 330 Stately Oak, stated that the new street would take the burden off of Stately and Ashley Oak. If that street does not come through, we are going to bear the brunt of traffic coming down Texas Oak onto Ashley to get to that new subdivision. I do not want that to happen. While it may not be positive for everyone, I see more pluses than negatives on that situation.

Mark Green, 324 Ashley Oak, asked how big is the proposed street and how does that concur with the other street? Is the builder going to take any responsibility of the maintenance on the street during the building phase?

Jim Douglas stated that yes that if there is damage to the roadway, they will repair it.

Robert Hanson, 337 Stately Oak, stated that the extra homes will put an impact on our police and fire department.

Jim Phillips stated that when the house burned down out at Thousand Oaks, the fire department did not have enough water pressure. I live two houses down from the house that burned and I saw it.

Clyde Edwards, 108 Dobbs Rd., stated that we do have a southern route. Do you own the property all the way to the service road?

Jim Douglas stated that we only own up to the old railroad.

Jim Phillips stated that when he bought his home, Pulte told him that there was suppose to be a park. Did that just fall through?

Jim Douglas stated that it is over there by Shady Shores. It is the open space, down off of Parkside and Shady Shores. That was given to the city for park space.

Close public hearing.

V. ACTION FROM PUBLIC HEARING.

Kevin Spraggins moved to approve the zoning change from C-1 to R-1-7200 with stipulations on lots 5 through 10 being allowed to have the minimum 20 foot rear set backs, the rest have the normal standard setback and lots 1 through 13 have the 65-foot width. Chuck Dalton seconded the motion and it carried with the following votes: Ayes: Kevin Spraggins, Chuck Dalton, Diane Byers. Noes: Linwood Gilliland

VI. PUBLIC HEARING: CONSIDER A ZONING CHANGE FOR 19.588 ACRES OF TRACT 1A, OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376 FROM R-1-10,000 TO R-1-10,000 WITH EXCEPTIONS ON LOT AREA ON 15 LOTS, REAR SETBACKS AND MINIMUM SQUARE FOOTAGE OF HOME IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Jim Douglas stated that he has submitted two plats to the Planning and Zoning Commission. The two plats we have submitted to you, one totally conforms to the R-1-10,000, all the lots are 10,000 square feet throughout the entire tract. The second plat that we have for your consideration has approximately 15 lots that do not meet the minimum 10,000 square feet. They range from 9,499 feet down to the smallest of 8,043 square feet. Over half of them are over 9,000 feet. We are asking for exceptions and would like for you to approve the plans that have 15 lots less.

Mr. Allen, stated that if you had one or two less lots, we would not even be here, you would meet your R-1-10,000 requirements, so basically what it is about is getting one or two extra lots.

Jim Phillips stated that since they are all zoned R-1-10,000 why can't they just stay R-1-10,000 and make it simple and not have to change 15 of them or 4 of them. Why can't they just be like they are suppose to be without stipulations?

Jim Douglas stated that we can do it that way but the city would like to have the dedication of some open space for additional parks. We lose a lot there and we really need to make up on an economic stand point. The lots we are asking for are less than 10,000 only by a few feet. Plus the lots that are less than 10,000 square feet are still larger than anything in Thousand Oaks right now.

Doug Duncan, 336 Stately Oak, asked why didn't you put the park on our side instead of on Corinth's side?

Jim Douglas stated that it is existing flood plain. You cannot build there.

Close Public hearing.

VII. ACTION FROM PUBLIC HEARING.

Chuck Dalton moved to approve the zoning change from R-1-10,000 to R-1-10,000 with exceptions with lot 1 being dedicated as a park and with the 15 requested lots that the square footage of the lot can be smaller than 10,000 and no less than 8,043 as per those 15 lots mentioned but all the set backs of the R-1-10,000 needs to be abided by and the minimum square footage of 2,000 square feet. Diane Byers seconded the motion and it carried with the following votes: Ayes: Chuck Dalton, Kevin Spraggins, and Diane Byers. Noes: Linwood Gilliand

VIII. PUBLIC HEARING: CONSIDER A PRELIMINARY PLAT FOR APPROXIMATELY 19.588 ACRES OF TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375, AND 0.4098 ACRES OF TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376 AND APPROXIMATELY 5 ACRES OF TRACT 7 OF THE T. WHITE SURVEY, ABSTRACT 1376. THIS PROPERTY IS LOCATED SOUTH OF DOBBS ROAD AND SOUTHWEST OF RIVER OAK WAY IN THE CITY OF LAKE DALLAS, DENTON COUNTY TEXAS.

Jim Douglas stated that before the final plat is presented, we will have all the final issues resolved.

Clyde Edwards, 108 Dobbs Rd., stated that he thinks it would be great if we just knew we were going to have a stub somewhere going south, and worry about the consequences in the future from what is going to happen with the development in the south. We need a major outlet out of the southern part of our development.

Jim Douglas stated that if we were to provide the access to the south, I would certainly hope that if the zoning is not changed on the property that you would certainly encourage the traffic not to stub out to the north because I do not think that any of the people here would like for all the apartment traffic to go north.

Clyde Edwards, 108 Dobbs Rd., stated that we do not have any control with Dobbs Road once it gets out of our city limits. We have made the determination that there is not going to be any apartments on the Jackson Ranch so lets forget about worrying about apartments and lets think about access out of the southern part of our community.

Robert Hanson, 337 Stately Oak, stated that it would give people an easier way for people to come to Lake Dallas businesses and shop.

Close public hearing.

IX. ACTION FROM PUBLIC HEARING.

Chuck Dalton moved to approve the preliminary plat with the stipulation of adding a southern stub at lot 18 for road access. Linwood Gilliland seconded the motion and it carried unanimously.

X. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on September 5, 1996. Chuck Dalton seconded the motion and it carried unanimously.

XI. CITIZEN'S AGENDA.

Clyde Edwards, 108 Dobbs Rd., stated that regarding Item XIII (A) regarding masonry requirements, there are several buildings in the community that are lesser quality material. They are not long term quality. We are growing, we are becoming a little bit bigger city. We want some long term buildings, we do not want some short term buildings. We do not want metal, butler, or wood buildings. The code calls for masonry so it will be here for the duration and it will look nice through the duration. I would encourage you to follow with what the Board of Adjustment has already acted on and addressed. I am in favor of 80% masonry.

Close citizens agenda.

XII. REPORT FROM COUNCIL LIAISON.

Council Liaison, Stephen Wohr stated that there is not much to report because the City Council has been so busy with the budget. We are suppose to start reviewing city ordinances in October and try to determine if any changes need to be made. When we come to the zoning ordinances, we will probably have the Planning and Zoning Commission have a workshop to look at the those ordinances.

XIII. OLD BUSINESS.

A. DISCUSS ORDINANCE 18.20, C-1 RESTRICTED BUSINESS DISTRICT, 18.22, C-2 COMMERCIAL DISTRICT, AND 18.24, C-3 COMMERCIAL DISTRICT REGARDING MASONRY REQUIREMENTS - ACTION.

Linwood Gilliland moved to table discussing ordinance 18.20, 18.22 and 18.24 regarding masonry requirements until the Planning and Zoning Commission gets recommendations or direction from the City Council. Ben Gilbert seconded the motion and it carried unanimously.

B. DISCUSS AGRICULTURE USE IN R-1-6000, R-1-7200 AND R-1-10,000 ZONING.

The Planning and Zoning Commission discussed agriculture use in residential zoning.

XIV. NEW BUSINESS.

Chairman Sherrel James would like to recommend to City Council that Ben Gilbert be seated as a permanent member of the Planning and Zoning Commission in January. He also stated that a new chairman would need to be elected in December.

XV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:18 p.m.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

Sherrel James
SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 5, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
KEVIN SPRAGGINS
LINWOOD GILLILAND
DIANE BYERS
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 p.m. and noted that all members were present.

II. PUBLIC HEARING: CONSIDER A RE-PLAT OF LOTS 191, 192 AND E. 1/2 OF 193 OF THE KINGSWOOD ESTATES IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

Rod Courtney, 163 Kingswood Dr., representing Claire Quinn presented a plan to replat 2 1/2 lots into 2 separate lots. The property needed to be replated because city ordinance does not allow for a mobile home to be placed on a half lot or on a lot line.

Norma McAlvey, stated that my problem with Rod is that the mobile homes are not liveable when moved in. Rod has moved several mobile homes in that are not liveable and have no floors. We have alot of money invested in our homes.

Rod Courtney stated that not everyone has money to be able to own homes, so they clean up the homes. I have 8 homes and 13 lots and I think that I have as much investments there as anyone. I want it to stay nice.

Frank, 173 Kingswood asked if the fence that was moved on lot 156 had been surveyed?

Sherrel replied that it did not have anything to do with the replat.

Truman Harp, Building Inspector, stated that he has been out to Mr. Courtney's property. I did measure the land and it has met all the requirement of the code. He has done one big favor for the city, by dividing the lots and trying to take a load off of Ms. Quinn as far as tax purposes are concerned and tax indebtedness that she owes. I see no reason why this committee should hold him up in dividing those lots. As far as the mobile homes being moved in yes, they will be inspected, if they don't meet the requirements, they will be shut down and moved.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the re-plat of lots 191, 192 and E. 1/2 of 193 of the Kingswood Estates. Diane Byers seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER A FINAL PLAT FOR APPROXIMATELY 24.20 ACRES OF TRACT 62 AND TRACT 86 OF THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924 AND LOT 13B OF THE SECOND REPLAT OF HARBOURTOWN VILLAS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS. THIS PROPERTY IS TO BE KNOWN AS LAKEBRIDGE ESTATES PHASE I, BLOCK 2, LOTS 6 THROUGH 33, BLOCK 3, LOTS 2 THROUGH 53, AND BLOCK 4, LOTS 1 THROUGH 25.

Doyle Cameron, Highland Village presented the final plat for Lakebridge Estates. He stated we did get preliminary plat approval. I believe we have met the requirements on the plat itself. We have done 90% with the drainage study.

Jackie Kovsky, 311 Surf stated that this is so different from the original plat. These lots are so narrow. I will have 3 houses backed up to me. This was originally green built or something. I am concerned about the drainage and the 2 story homes.

Carl Thomas, 736 Thompson Rd., stated that he was fine with this when he heard there was going to be a strip down here, but he has been in Bobby Shikle's back yard, which if you go to his back yard and you look up, the 2 story apartments are in his backyard. All of these people are going to have the possibility of 2 story homes overlooking their back yards. This is our main problem. If this could be single story homes, I would be fine.

Clyde Fisher, 14 Lakewood Dr. stated that he owns property to the south of his project. I would like for you to consider abandoning that easement. I think part of the final plat is actually for the northern portion of that easement to be abandoned anyway to get these streets in there. I would also at the same time ask for the city to abandon the southern part of the easement.

Allison Archer stated that they are still the current owners of the property. I didn't realize we had this problem today or I would have been more involved to try to solve it. I thought we were cruising along just fine. We lost a month along the way a month ago because of some issues being changed on the lot lines and we had to go back and get some extensions on some underline issues we had. We are at the end of our time frame to be able to make this deal with Doyle work, which then brings us back to the reason why we are working with Doyle in the first place and that was to avoid apartments. What I would like to ask you to do tonight is not to table this but to either accept or reject it. If you reject it, it can still go on to City Council by my understanding. If we table it tonight, I am afraid that this whole thing will fall apart on us within 30 days.

Mayor Jerry McCutcheon, requested that the Planning and Zoning go ahead and make a decision tonight. If they still do not have everything by the City Council meeting, then the City Council can deny it.

David Shershen, 166 Kingswood Dr. stated that he would like to concur with what the Mayor said. I would encourage you to whether you pass it or deny it, to make a decision and not let it hang there.

Close public hearing.

V. ACTION FROM PUBLIC HEARING.

Chuck Dalton moved to accept the final plat with the stipulation that the drainage plan is brought before the City Council at next week's meeting and a letter is provided by Doyle stating one story houses on lots 67, 66, 65, 64 and 58.

Chairman, Sherrel James asked if they can amend that motion, that instead of the letter, that he put deed restrictions on the lots.

Chuck Dalton moved to approve the final plat on the stipulation that before it is brought to Council, that we have in hand the drainage study, the deed restrictions on lots 64 through 67 and lot 58 to be single story homes on Block 3 and then a letter also be brought to City Council from L.C.M.U.A. of pre-approval. Linwood Gilliland seconded the motion and it carried unanimously.

VI. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meetings held in August of 1996. Kevin Spraggins seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

John Saunders, 725 Black Walnut wanted to know how the square footage on a lot is calculated? Is there anything on the agenda this month regarding the polo field and is there any coordination with other Lake cities between the Planning and Zoning Commission?

Margaret Tisdale stated that they have started on the mini warehouses on Shady Shores. We understand that they have to be 80% masonry. We prefer to do metal exterior. What is the possibility of using metal buildings?

Bonnie Brown Garcia stated that she is in favor of lifting the masonry requirements. There is not a high enough rent demand to warrant masonry requirements.

Close citizens agenda.

VIII. REPORT FROM COUNCIL LIAISON.

Stephen Wohr reported redefining of building inspector job and permit process. Only the building inspector will issue building permits. The time to approve permits were extended to 96 hours. City Council will begin in October to review ordinances and we will reconsider the role of the Code Enforcement position and how we are going to use the Code Enforcement officer as opposed to the Building Inspector position.

IX. OLD BUSINESS.

A. DISCUSS ORDINANCE 18.20, C-1 RESTRICTED BUSINESS DISTRICT, 18.22, C-2 COMMERCIAL DISTRICT, AND 18.24, C-3 COMMERCIAL DISTRICT REGARDING MASONRY REQUIREMENTS - ACTION.

Linwood Gilliland move to table ordinance 18.20, 18.22 and 18.24 regarding masonry requirements until the Planning and Zoning Commission obtain ordinances on exterior surfaces from other cities. Chuck Dalton seconded the motion and it carried unanimously.

X. NEW BUSINESS.

Linwood Gilliland stated that the Planning and Zoning needed to discuss acreage.

Sherrel James stated that his last meeting would be December 1996.

Barbara Starkey stated that the City is working with North Texas Central Council of Governments on a training session for City Council, Planning and Zoning and Board of Adjustment. They set up 3 different people to come and talk to us. This will be on a Saturday in October, tentatively scheduled for the 3rd or 4th Saturday in October. It will mostly deal with the Planning and Zoning Commission and Board of Adjustment, their roles and duties, what they can and can't do.

I. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:20 p.m.

BARBARA STARKEY, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP MEETING

AUGUST 21, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
KEVIN SPRAGGINS
LINWOOD GILLILAND
DIANE BYERS
BEN GILBERT
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON

I. ROLL CALL.

Chairman, Sherrel James called the meeting to order at 7:00 P.M. and noted that all members were present except for Vice-Chairman Chuck Dalton and Council Liaison Stephen Wohr.

II. WORKSHOP.

A. DISCUSS ORDINANCE 8.32, MOBILE HOMES AND MOBILE HOME PARKS AND ORDINANCE 18.42, MOBILE HOMES.

Chapters 8.32 and 18.42 of the Lake Dallas Municipal Code were discussed. The Planning & Zoning Commission discussed changing and deleting several sections of Chapters 18.42 of the Lake Dallas Municipal Code with Lake Dallas mobile home park owners. The Planning and Zoning Commission also discussed creating a separate ordinance for Kingswood Estates with some of the owners from Kingswood.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the workshop. Kevin Spraggins seconded the motion and it carried unanimously. The meeting adjourned at 8:37 p.m.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

Sherrel James
SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 1, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
LINWOOD GILLILAND
DIANE BYERS
BEN GILBERT
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
KEVIN SPRAGGINS

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 p.m. and noted that all members were present except for Vice-Chairman Chuck Dalton and Kevin Spraggins.

II. PUBLIC HEARING: CONSIDER A PRELIMINARY PLAN FOR TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375A AND TRACT 7 AND TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376A. THIS PROPERTY IS LOCATED SOUTH OF DOBBS ROAD AND S.W. OF RIVER OAK WAY IN THE CITY OF LAKE DALLAS, TEXAS.

Paul McCracken with Carter & Burgess stated that he was asked by the owner to table for continuation or withdraw the request all together.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to deny the preliminary plan for Tract 1A of the T. White Survey, Abstract 1375A and Tract 7 and Tract 7A of the T. White Survey, Abstract 1376A. Ben Gilbert seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER A ZONING CHANGE FOR TRACT 1A OF THE T. WHITE SURVEY, ABSTRACT 1375A FROM R-1-10,000 TO R-1-6,000 AND TRACT 7 AND TRACT 7A OF THE T. WHITE SURVEY, ABSTRACT 1376A FROM C-1 TO R-1-6,000. THIS PROPERTY IS LOCATED SOUTH OF DOBBS ROAD AND SOUTHWEST OF RIVER OAK WAY IN THE CITY OF LAKE DALLAS, TEXAS.

Paul McCracken with Carter and Burgess stated that when it is re-submitted it will be R-1-7200 with stipulations except for changing 8,500 square feet to 10,000 square feet on the average lot size. He stated that the stipulations allow them to create lots that conform with the surrounding lots.

Close public hearing.

V. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to deny the zoning change for tract 1A of the T. White Survey, Abstract 1375A from R-1-10,000 to R-1-6,000 and Tract 7 and Tract 7A of the T. White Survey, Abstract 1376A from C-1 to R-1-6,000. Diane Byers seconded the motion and it carried unanimously.

VI. APPROVAL OF MINUTES.

Diane Byers moved to approve the minutes of the meeting held on July 9, 1996. Linwood Gilliland seconded the motion and it carried unanimously.

VII. CITIZEN'S AGENDA.

David Shershen, 166 Kingswood Dr., stated that he is grateful that the Planning and Zoning have volunteered their services and is happy to see that there are other people involved. He stated that he would like to congratulate and welcome Ben Gilbert to the Planning and Zoning Commission. He applauds what the Commission has done and he will try his best to uphold their decisions.

Bud Shoultz stated that the new inspector came out to inspect a mobile home and he did good, he found a problem and we fixed it.

Close citizens agenda.

VIII. REPORT FROM COUNCIL LIAISON.

Council Liaison stated that Ben Gilbert was appointed as Planning and Zoning alternate. The preliminary plan for Archer property was approved. He thinks the city is doing a good job regarding the Planning and Zoning.

IX. OLD BUSINESS.

A. DISCUSS ORDINANCE 18.20, C-1 RESTRICTED BUSINESS DISTRICT, 18.22, C-2 COMMERCIAL DISTRICT, AND 18.24,

C-3 COMMERCIAL DISTRICT REGARDING MASONRY REQUIREMENTS - ACTION.

Linwood Gilliland moved to table ordinance 18.20, C-1 Restricted Business District, 18.22, C-2 Commercial District, and 18.24, C-3 Commercial District regarding masonry requirements. Ben Gilbert seconded the motion and it carried unanimously.

B. DISCUSS ORDINANCE 8.32, MOBILE HOMES AND MOBILE HOME PARKS AND ORDINANCE 18.42, MOBILE HOMES - ACTION.

Linwood moved to table ordinance 8.32, mobile homes and mobile home parks and ordinance 18.42, mobile homes to schedule a workshop with mobile home owners. Diane Byers seconded the motion and it carried unanimously.

X. NEW BUSINESS.

No new business.

XI. ADJOURNMENT.

Diane Byers moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously. The meeting adjourned at 8:05 p.m.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

Sherrel James
SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JULY 9, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
LINWOOD GILLILAND
TERI MCCOOL
DIANE BYERS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 p.m. and noted that all members were present except for Kevin Spraggins and Stephen Wohr. Council Liaison Stephen Wohr arrived at 7:45 p.m.

II. PUBLIC HEARING: Consider a preliminary plan for Tract 62, Tract 71, and 2.9 acres of tract 86 in the M.E.P. & P.R.R. Survey, Abstract 924 in the City of Lake Dallas, Texas.

Mr. Cameron with Cameron and Associates stated that he did get the land from Mr. Pledger. We will have our own entry from Main street. We will have stone walls on both sides where it will look like a stone bridge. We have done everything that we are suppose to as far as submissions. The Corps of Engineers have no problem with the plan and they like it. We have got all the utilities. We have all of our drainage plans and we are ready to start on our streets. We will have full 6 inch concrete streets. I don't see any problems.

Jackie Kovsky, 311 Surf, stated that she has looked at the plans and wanted to know if the plans have changed since she looked at them last? She also wanted to know if the Greenbelt and open space area would be maintained?

Mr. Cameron stated that he has not changed the plans and that there will be a homeowners association to keep the area maintained.

Laird Lind, 34 Lakewood Dr., stated that he thinks that Mr. Cameron has some really good ideas and good intentions but we will not be dealing with Mr. Cameron after all of this has been built. After that point he will be gone. Will the homeowners association be voluntary or mandatory?

Mr. Cameron stated that the association will be submitted with the final plat.

Marie with Cameron and Associates stated that the homeowners association will be incorporated into the deed restrictions. It will state what their maintenance requirements and responsibilities are.

Mr. Cameron stated that they control the association until there are sixty six and two thirds permanent home owners. Our vote is three to one. We control the association all the way through the build out which is ninety percent. Then we turn it over to the homeowners.

Laird Lind asked will your recommendation, should you decide to go on, specifically encourage the abandonment of the east side easement along Carlisle? Can you provide input on what you would like to see done there?

Mr. Cameron replied that it would be abandoned.

Rod Courtney stated that in 1991 the state legislature enacted a new statute that enabled the governing body of the municipality to enforce the deed restrictions of the homeowners association within the municipality. If they do have a homeowners association, they do have deed restrictions recorded at the court house, then the city can enforce those.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Chuck Dalton moved to approve the preliminary plan for Tract 62, Tract 71, and 2.9 acres of tract 86 in the M.E.P. & P.R.R. survey, abstract 924. Linwood Gilliland seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meetings held in June of 1996. Diane Byers seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

No public comment.

Close citizens agenda.

VI. REPORT FROM COUNCIL LIAISON.

Stephen Wohr reported that the City Council has discussed the sign ordinances. There has been a decision to form a committee to investigate main street.

VII. CONSIDER RECOMMENDATION OF A NEW ALTERNATE MEMBER FOR THE PLANNING AND ZONING COMMISSION TO CITY COUNCIL - ACTION.

Linwood Gilliland moved to recommend Ben Gilbert as the new alternate to the Planning and Zoning Commission. Teri McCool seconded the motion and it carried unanimously.

VIII. OLD BUSINESS.

A. DISCUSS ORDINANCE 18.20, C-1 RESTRICTED BUSINESS DISTRICT, 18.22, C-2 COMMERCIAL DISTRICT, AND 18.24, C-3 COMMERCIAL DISTRICT REGARDING MASONRY REQUIREMENTS - ACTION.

Chuck Dalton moved that he would re-write ordinance 18.20, 18.22 and 18.24 within 30 days to bring to the next Planning and Zoning Commission meeting for action to send to the City Secretary and the City Attorney. Linwood Gilliland seconded the motion and it carried unanimously.

B. DISCUSS ORDINANCE 8.32, MOBILE HOMES AND MOBILE HOME PARKS AND ORDINANCE 18.42, MOBILE HOMES - ACTION.

Linwood Gilliland moved to table ordinance 8.32, and 18.42 to allow himself, Kelly D'Amato and Stephen Wohr to work on an ordinance that will meet the needs of the city. Teri McCool seconded the motion and it carried unanimously.

IX. NEW BUSINESS.

Stephen Wohr stated that the city council would like to see the city have a comprehensive plan where we can go through and take a look at all the ordinances. We have talked about the Business use ordinance and possibly re-writing it. I would like to see about creating a main street district and maybe take a look at our five year plan.

X. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Diane Byers seconded the motion and it carried unanimously. The meeting adjourned at 8:25 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP MEETING

JUNE 19, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
KEVIN SPRAGGINS
LINWOOD GILLILAND
DIANE BYERS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman, Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present except for Kevin Spraggins who arrived at 8:00 p.m.

II. WORKSHOP.

A. DISCUSS ORDINANCE 8.32, MOBILE HOMES AND MOBILE HOME PARKS AND ORDINANCE 18.42, MOBILE HOMES.

Chapters 8.32 and 18.42 of the Lake Dallas Municipal Code were discussed. The Planning & Zoning Commission discussed changing several sections of Chapters 8.32 and 18.42 of the Lake Dallas Municipal Code with Lake Dallas mobile home park owners. The Planning and Zoning Commission also discussed with the owners possibly creating three separate distinctive ordinances for mobile home parks, (which are privately owned and privately maintained), mobile home developments (such as Kingswood, which has private ownership of individual lots, but publicly owned streets), and mobile homes located on individual property, but not within a mobile home park or mobile home development.

B. DISCUSS ORDINANCE 18.20, C-1 RESTRICTED BUSINESS DISTRICT, 18.22, C-2 COMMERCIAL DISTRICT, AND 18.24, C-3 COMMERCIAL DISTRICT REGARDING MASONRY REQUIREMENTS.

The Planning and Zoning Commission discussed changing the commercial ordinances pertaining to the masonry requirements on commercial buildings. Board members feel that requiring commercial buildings to consist of approved masonry materials covering no less than eighty percent of total exterior surfaces is being too strict and that the city could lose future businesses because of this requirement.

III. ADJOURNMENT.

Linwood Gilliland moved to adjourn the workshop. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:15 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 6, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
STEPHEN WOHR, COUNCIL LIAISON
MIKE FAHEY
LINWOOD GILLILAND
KEVIN SPRAGGINS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 p.m. and noted that all members were present except for Kevin Spraggins who arrived at 7:45 p.m.

II. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on May 2, 1996. Mike Fahey seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

No public comment.

IV. REPORT FROM COUNCIL LIAISON.

Council Liaison Stephen Wohr stated that he ran for place four and was elected to City Council. I asked to be liaison for Planning and Zoning. I have some background that I think might be helpful to this. I am an attorney by profession. I am a trial attorney at this point but a few years back when I was starting out I actually did a lot of work with Planning and Zoning and actually went before Planning and Zoning Boards, where people would actually hire a developer and an attorney. I think there is a couple of really interesting things that are before the City Council right now. Obviously, we have the Archer property, most of you are probably more familiar with this, than I will ever be because of your long term commitment to it. I will tell you that I think there is a real desire on the part of the City Council to

see that particular piece of property go from what I consider to be a liability for the City to being a real asset to the City. I think that you folks have made that possible.

V. OLD BUSINESS.

A. REVIEW AND CONSIDERATION ON AN ORDINANCE AMENDING CHAPTER 15.20 OF THE LAKE DALLAS MUNICIPAL CODE - ACTION.

Linwood Gilliland moved to approve amending Chapter 15.20 of the Lake Dallas Municipal Code with one amendment: Delete Section 15.20.040 (mobile homes) from the chapter. No second.

Mike Fahey moved to approve amending Chapter 15.20 of the Lake Dallas Municipal Code with one amendment: Add Item D. in Section 15.20.040 to say photo of all elevations. Chuck Dalton seconded the motion and it carried with Linwood Gilliland opposed.

B. DISCUSSION REGARDING MASONRY REQUIREMENTS - ACTION.

Chuck Dalton moved to table the discussion regarding masonry requirements and have a Workshop on Wednesday, June 19th, 1996 to discuss it further. Linwood Gilliland seconded the motion and it carried unanimously.

C. DISCUSSION REGARDING MOBILE HOME ORDINANCES - ACTION.

Linwood Gilliland moved to table the discussion regarding mobile home ordinances until the Planning and Zoning Commission Workshop meeting on Wednesday, June 19th, 1996. Chuck Dalton seconded the motion and it carried unanimously.

VI. NEW BUSINESS.

A. DISCUSS ORDINANCE 15.16 AND 18.40 REGARDING SIGNS.

The Planning and Zoning Commission decided to have a workshop on sign ordinances contingent on City Council having their workshop.

VII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 9:05 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MAY 2, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
MATT FLANAGAN, COUNCIL LIAISON
MIKE FAHEY
LINWOOD GILLILAND
DIANE BYERS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present except for Kevin Spraggins.

II. PUBLIC HEARING: CONSIDER FINAL RE-PLAT OF HARBORTOWN VILLAS PHASE I. THIS PROPERTY IS LOCATED AT BLOCK 1, LOTS A, B, & C, BLOCK 2, LOTS, A, B, & C, BLOCK 3, LOTS A, B, & C, BLOCK 4, LOTS A, B, & C, BLOCK 5, LOTS A, B, & C, BLOCK 8, LOTS A, B, & C, BLOCK 9, LOTS A, B, & C, BLOCK 13, LOTS A, B, & C, BLOCK 14, LOTS A, B, & C, AND THE ADJOINING COMMON AREAS IN THE CITY OF LAKE DALLAS DENTON COUNTY TEXAS. THIS PROPERTY IS TO BE KNOWN AS VILLAS OF HARBOURVIEW.

Jackie Kovsky, 311 Surf, stated that she lived behind Lot 13 and is concerned about what they are planning to do. I am all for this project except for what they are going to do behind me. I can stand on the land, the land at the end of it is level with the roof of my house. I am still very worried about what their plans are. I can't get assurances from anybody. I get words but I don't see anything in writing, nothing in pictures to show me what is going to be done there.

David Brooks stated that he is a partner with Frank Bourland, who is the developer. What we want to do is build forty-three homes instead of the seventy-three that could be built in there as it is currently plated. Right now it is still platted for condominiums including the area that Ms. Kovsky is referring to.

What we are asking to do is build single family attached homes. One story on one side, two story on the other. No balconies. Our plans are to fence all of those in the back, including the area behind Ms. Kovsky. It will be six foot fencing.

Dennis Muller, 711 Cain Street stated that there are a couple of issues he would like to address. One is that I am glad, I am not opposed to seeing the property developed. At the end of Cain Street at Harbortown, my concern is where the water will flow. There is a lot of water that goes through there. My second issue is we have a lot more people here. We already have a problem with over use of our facilities. We don't want half of those people and everybody jumping over here and using our pool and tennis courts and stuff like that. I don't see a common area here and when this is replatted away from a common area into more housing units, I am not sure I see an alternative. So there are two issues, one is the drainage, and the other is the high density of people without having an appropriate common area. We don't want to have a place that ends up being trashed out or not a high quality of living area.

David Brooks stated that the way we have got this thing budgeted out and planned out, that we would not have any more common areas. There is no way for us to do it.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the final re-plat of Harbortown Villas Phase I. Mike Fahey seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER A FINAL PLAT FOR 0.452 ACRE TRACT OF LAND IN THE M.E.P. & P.R.R. SURVEY, ABSTRACT 924 IN THE CITY OF LAKE DALLAS, TEXAS. THIS PROPERTY IS TO BE KNOWN AS THE ASHFORD ADDITION, BLOCK A, LOTS, 1 & 2.

John Donahue stated that the property had never been platted. Mrs. Ashford owned the entire tract and she wanted to sell approximately half.

Close public hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the final plat for 0.452 Acre tract of land in the M.E.P. & P.R.R. Survey, Abstract 924. Linwood Gilliland seconded the motion and it carried unanimously.

VI. APPROVAL OF MINUTES.

Chuck Dalton moved to approve the minutes of the meeting held on April 4, 1996. Diane Byers seconded the motion and it carried unanimously.

VII. CITIZENS AGENDA.

Mary Purser, 725 Main street stated that over ten years ago the property that is directly adjacent to our property in-between us and Bud Whitehead was zoned commercial for a temporary period of two years. What we would like to see, is what I need to do to have you people look at that to rezone that back to residential as it originally was. Those housing projects have gone in, the traffic from the lake alone is bad, you put in commercial property there and you will have a lot of lives taken. That corner has been tragic for over forty five years. My grandmother was killed right in front of the driveway.

VIII. REPORT FROM COUNCIL LIAISON.

Council Liaison Matt Flanagan stated that he has a meeting at 4:00 p.m. tomorrow to talk with a developer about purchasing the Bud Archer property for single family homes.

IX. OLD BUSINESS.

A. DISCUSSION REGARDING AN ORDINANCE AMENDING CHAPTER 15.20 OF THE LAKE DALLAS MUNICIPAL CODE - ACTION.

Chuck Dalton moved to approve amending Chapter 15.20 of the Lake Dallas Municipal Code with two amendments: The first being in Section 15.20.020, we eliminate or delete the two words mobile home in Section A. and that we add new item G. to say photo of all elevations. Linwood Gilliland seconded the motion and it carried unanimously.

B. DISCUSSION REGARDING COMMERCIAL ZONING ORDINANCES.

The Planning and Zoning Commission discussed the possibility of creating a C-4 or C-M Zoning district along Highway I-35. It would be a combination of M-1 (Light industrial) and C-3 (Commercial). The Planning and Zoning Commission would like to see more businesses in the area beside liquor stores. The Planning and Zoning Commission would like for City employees to contact the property owners and get their input on this possible change before having a public hearing.

C. DISCUSSION REGARDING MASONRY REQUIREMENTS.

The Planning and Zoning Commission would like to work on changing the commercial ordinance pertaining to masonry requirements.

D. REVIEW REVISED CITY ZONING AND STREET MAPS FROM METROPLEX ENGINEERING FOR FINAL APPROVAL -

ACTION.

Chuck Dalton moved to table item D under old business. Mike Fahey seconded the motion and it carried unanimously.

X. NEW BUSINESS.

The Planning and Zoning Commission would like to look into possibly rezoning the property at Main Street that Mary Purser was talking about at Citizens agenda.

The Planning and Zoning Commission discussed possibly adding photo required to the mobile home ordinance.

XI. ADJOURNMENT.

Chuck Dalton moved to adjourn the meeting. Linwood Gilliland seconded the motion and it carried unanimously. The meeting adjourned at 9:30 p.m.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

Sherrel James
SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

APRIL 4, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
CHARLES (CHUCK) DALTON, VICE CHAIRMAN

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 8:10 P.M. and noted that all members were present, except for Vice-Chairman Chuck Dalton.

II. PUBLIC HEARING: CONSIDER RE-PLAT OF HARBORTOWN VILLAS PHASE I. THIS PROPERTY IS LOCATED AT BLOCK 1, LOTS A, B, & C, BLOCK 2, LOTS A, B & C, BLOCK 3, LOTS A, B, & C, BLOCK 4, LOTS A, B, & C, BLOCK 5, LOTS A, B, & C, BLOCK 8, LOTS A, B, & C, BLOCK 9, LOTS A, B, & C, BLOCK 13, LOTS A, B, & C, BLOCK 14, LOTS A, B, & C, AND THE ADJOINING COMMON AREAS IN THE CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS. THIS PROPERTY IS TO BE KNOWN AS VILLAS OF HARBOURVIEW.

Jackie Kovsky, 311 Surf, stated that she backs up to lot 13. I think this would be an asset to the property, since it is pretty crappy looking now, but I have a problem because we have an artificial plateau there. A two story building on this lot would be like three stories to me, because this lot is raised up. I have a water problem. There is a ditch that is never cleaned out. I have no objections to the rest of it, but I definitely want something done about this. I do want it in writing. As it was before, it just went through like everything else in this little town. I got a ditch that never gets cleaned out. I talked to the man buying this property, he won't do anything about it. The city can't do anything about it, I get water from that, I get water from up the hill. The water runs down and out my driveway. The end of this lot is about at the edge of my kitchen, which means I get three stories looking into my kitchen. I have like twenty-

five feet up there looking into my yard. Build closer to the existing condos that is okay, I just don't want it there. I want something done with that hill. I don't want water in my yard and I don't want the trash. That is my main objections to it. We fought this when they put these things in and built that hill. The duplexes look nice, assuming they come out like this. They are not very big, but it might force Archer to build something a little better around here. I can't go along with it, with the hill like it is and the ditch behind me, the kids can walk across on to my shed. We have had to put barb wire up to keep the kids off the roof of our shed.

Bobby Shikle, 712 Thompson Dr., stated that I can verify everything that Jackie spoke about. I feel real confident that we need development. Jackie definitely needs help. This appears to be a ten foot easement behind her property. I really don't know how the problem can be solved but we do not want to lose any development. This land was built up higher than ours. I have been up here twice before. The Planning and Zoning said that they would let me know if anyone planned on building a balcony, not that there is any plans to build one now. However, the main issue is we do need to do something about this ditch and the hill.

Frank Bourland, 517 Skyridge, Argle, stated that on lot 13, part of the problem we got here is actually beyond the property. In other words, the problem area we are talking about is between this property and hers. There is an easement between them. Actually if I got equipment out there, I don't mind trying to help. There is actually an easement up on the back of this property. Then there is five feet that goes over on her property. The ditch is actually on the backside of this property. What they did is whenever they originally built it, they built a pad. I will try to work and do whatever I can. We got one problem with that lot already, it lines up with the street pretty much. Naturally if we cut it down below the street, we will have some problems there too, because I will actually be taking water elsewhere. Whereas, if it is level with the street, I can take it into the street. I want to take all the drainage I can towards the street.

Linwood Gilliland asked if most of these will be two stories?

Frank Bourland replied that it will be a big mix. What I am doing is putting together ten plans. There will be three or four two stories and then a combination of one stories and then they go together, they mix and match. I could leave all one stories on that particular lot and it wouldn't hurt anything. The only thing is, the two story, one story combination has tremendous elevations and is a whole lot prettier home.

Linwood Gilliland asked if he was planning on having any balconies?

Frank Bourland replied no, that the city has an ordinance against it. I am going to create privacy on what I am doing.

Chairman Sherrel James asked Mr. Bourland if he was going to build as specs or will he build them as they are sold?

Frank Bourland replied that I will build three to five at a time and then sell them. There is a possibility to where I can sell them quicker than what I can build them. That is what the intent is, to build them and then sell them.

Jackie Kovsky stated that it always has been her understanding that the ditch has been a part of that property. Show me where it is not, please. I know it is in the easement but the easement is part of your property.

Frank Bourland replied that there is five foot on us, and then there is five foot on the other side.

Jackie Kovsky stated that the easement is part of his property, which means you have to maintain that ditch or something.

Bob Willis, Code Enforcement Officer stated that Metroplex Engineering did research on this and it is a ten foot wide piece of property. I believe that there is separate ownership on it. I have to go find my tax rolls. We have had problems with this in the past. It goes to two foot wide down through here. It is private property.

Kevins Spraggins replied that neither Ms. Kovsky owns it nor Mr. Bourland, it belongs to somebody else.

Barbara Starkey, City Secretary stated that with our new R-3 that we passed just recently, the requirements in an R-3 now are forty foot front and rear setbacks. Those are already there, there is no way to meet that. He is going to have to apply for a variance. I have talked to the City Attorney about this. He is going to check into it. Even if you approve this, he can't build according to the way our ordinances are written, in any of them. He is going to have to apply for a variance.

Linwood Gilliland stated that you are talking about an ordinance that we just passed. These have already been platted.

Matt Flanagan stated that Mr. Bourland has gone for a replat which comes under these. Everybody is in agreement that it is a pretty good looking deal. So basically, whatever you all decide, I think you can go forward and whatever you are going to do tonight, if it is to recommend, it will go to the council next week, we know that you are going to have to go and get a variance, just because of those facts. Basically, you just go ahead and put in for your variance as soon as you can. We are going to have to do a little bit more detail, we have never been caught in this box

where we put a new ordinance in with something that has started right after it, that had already been re-platted. There is a little bit of logistics that needs to be done.

Close public hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the replat of Harbortown Villas Phase I. This property is located at Block 1, Lots A, B, & C, Block 2, Lots A, B, & C, Block 3, Lots A, B, & C, Block 4, Lots A, B, & C, Block 5, Lots A, B, & C, Block 8, Lots A, B, & C, Block 9, Lots A, B, & C, Block 13, Lots A, B, & C, Block 14, Lots A, B, & C, and the adjoining common areas in the City of Lake Dallas, Denton County, Texas. Mike Fahey seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on March 7, 1996. Kevin Spraggins seconded the motion and it carried unanimously.

V. CITIZENS AGENDA.

Carolyn Green, 201 N. Shady Shores, stated that once again I am coming before the Planning and Zoning Commission because once again, about two to three weeks ago, I got some information through the Texas Beautification Program. Diane went and brought back some information and I gave it to the Mayor. I would like to see the city sanction a beautification committee through ordinances just as they did for the Park and Recreation Committee. There are many funds available through the state. I think it is something that the city really does need. I drive through the town and I see litter everywhere. There is so much potential. It is hard to get people to do anything, if they don't think the city cares. There are people out here, that if they thought the city itself cared, they would be willing to do something. I come to you all, the P & Z. Now I know that usually you all do what the City Council tells you, but I think you should be a direct man to the City Council, that something can be done. I don't know whether it is your right or not. That is why I am here tonight. I can't do it as one person, but if it is sanctioned by the city, maybe we can get a lot of people involved that care and want to have a pretty place to live, a place that we can be proud of when visitors come in.

Close Citizens Agenda.

VI. CONSIDER REZONING TRACT 54, ABSTRACT 1355 OF THE MARY WRIGHT SURVEY FROM R-3 TO R-1-6000 - ACTION.

Richard Neely, representing Baylor Healthcare System Foundation, who owns the property at 401 Betchan. Baylor

Healthcare System Foundation supports Baylor Healthcare System. We had a gentleman donate the apartments to Baylor. Back in April of 1990, we sold it on a note to Howard & Mary Enloe. Howard & Mary Enloe made some improvements. They added a carport to the property and have spruced it up a little bit. Mr. Enloe got into some financial troubles and couldn't support paying the note and trying to pay for the improvements. Finally after going back and forth, getting the taxes taken care of, we had to foreclose. We started that process in July of 1995. We finally got ownership in our hands in the middle of January. It was recorded in February of this year. We are now owners of property in the City of Lake Dallas. We plan to hold the property for the benefit of the hospital and if we can sell it for an attractive price, we will sell it because we are in the hospital business, not in the business of managing apartments. We want to generate a return that is beneficial for the hospital. We just want it to continue like it has been. It has been there for some time. We feel like the apartments are a benefit to the community, they are always leased, people are always inquiring about them. We have asked Jackson Real Estate to be here in case you have any specific questions about the apartments.

Bob Jackson, Jackson Real Estate stated that he and his mother started managing the apartments two and half years ago for Mr. Enloe. Since that period of time, the only vacancies that we have had, has been when somebody moved out and we have rehabed the apartment that they were in, because when we took over they were in bad need of it. Right now we are looking at some capital projects under way, a roof, an exterior paint job and a clean up on these properties. We have not had any vacancies. I don't know of any problems, other than the ones we have gone to the city and requested the reports on tenants that we have asked to leave. The property stays full. People that inquired, while we had it with Mr. Enloe and he did have it on the market. The attractive thing they found was the possibility on that acreage, there is room to add another unit. If the zoning is changed that decreases that attractiveness both forbadum and for another investor that comes along. We have had a good relationship with both owners. We have had no problems with the city in any way that we are aware of. This zoning request really caught us looking the other way. So basically that is where we are from.

Linwood Gilliland asked how many units there were?

Bob Jackson replied, that there are eight units.

Virgina Jackson stated that since we have been managing the apartments, we have rehabed the inside of all but two of them, but those people have not moved or anything. We come up to the police station often, especially if we hear one of our tenants complaining about another one. In our lease, it says that if there is any complaint from the police department, it is cause for eviction. We want it managed right.

Kevin Spraggins moved to deny the rezoning of Tract 54, Abstract 1355 of the Mary Wright Survey from R-3 to R-1-6000. Mike Fahey seconded the motion and it carried unanimously.

VII. DISCUSSION REGARDING AN ORDINANCE AMENDING CHAPTER 15.20 OF THE LAKE DALLAS MUNICIPAL CODE - ACTION.

Linwood Gilliland moved to table the ordinance amending Chapter 15.20 of the Lake Dallas Municipal Code. Mike Fahey seconded the motion and it carried unanimously.

VIII. REPORT FROM COUNCIL LIAISON.

Council Liaison Matt Flanagan reported that Bud Archer is working on a single family plan for the Hills on the Lake out there. He is suppose to be coming forward in two to three weeks possibly with something to show us. The Council voted to go ahead and send up an appeal to the Board of Adjustment decision that they had made the other night basically rezoning a piece of property in Lake Dallas. That will be going up before the County District Court. We are hoping to get that repealed.

IX. OLD BUSINESS.

The Planning and Zoning want to look into creating a C-4 Zoning along Highway I-35.

X. NEW BUSINESS.

Mike Fahey stated that his term is going to be up soon.

XI. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 9:45 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MARCH 7, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present, except for Chuck Dalton who arrived at 7:50 p.m.

II. CONSIDER REZONING TRACT 54, ABSTRACT 1355 OF THE MARY WRIGHT SURVEY FROM R-3 TO R-1-6000 - ACTION.

Linwood Gilliland moved to table rezoning Tract 54, Abstract 1355 of the Mary Wright Survey from R-3 to R-1-6000. Kevin Spraggins seconded the motion and it carried unanimously.

III. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on February 1, 1996. Kevin Spraggins seconded the motion and it carried unanimously.

IV. CITIZENS AGENDA

Frank Bourland stated that I was to late to get on the agenda tonight formerly, but I have given council member Matt Flanagan a preliminary plat on Harbor Town Drive. I would like to see if you can review it and see if it is feasible, so I can go ahead and get the engineering started. Those were originally zero lot line townhome condo type concepts. What I am doing now is going in and putting in duplexes. They are actually single family attached, but we will call it duplexes. There is room for 21 structures.

I did not want to proceed with all these hearings, until I knew if there would be a problem. Most of the houses will be two story, some will be one story, all brick. The duplexes will be 1200 square feet.

Bud Archer, stated that I am the managing partner of the 30 acres that the city is trying to rezone. I brought a letter protesting the rezoning.

Chairman Sherrel James asked Mr. Archer to wait and make his remarks on his agenda item under Old Business.

Close citizens agenda.

V. REPORT FROM COUNCIL LIAISON.

Mayor Pro-Tem, Matt Flanagan reported one item that happened at the meeting was putting Bud Archers property back on the agenda. One of the bigger items was contracting with Metroplex Engineering to go into Oak Lakes Subdivision to do a complete survey on the drainage. The city added some new members to the Park and Recreation Board and added an alternate to the Board of Adjustment.

VI. OLD BUSINESS.

A. DISCUSS MOBILE HOMES, MOBILE HOME PARKS, CAMPERS, AND TRAVEL TRAILERS.

The City Council has taken care of the travel trailers. The owners of campers and travel trailers will have to have an annual permit. The fee is going to be for inspections, to make sure everything is up to code.

B. DISCUSS ORDINANCE 18.20 (C-1, RESTRICTED BUSINESS DISTRICT).

C. DISCUSS ORDINANCE 18.22 (C-2, COMMERCIAL DISTRICT).

D. DISCUSS ORDINANCE 18.24 (C-3, COMMERCIAL DISTRICT).

Mayor Pro-Tem Matt Flanagan reported that the city has checked into what it would cost the city to have somebody scan all of these ordinances, so that we can put it into the computer so that we could make these stand alone ordinances. The cost was about eight thousand dollars. What we are going to do, is get with Bob, Diane and Kelly and get a scanner for about three hundred fifty to four hundred dollars. What I am going to do is take it home in the evenings. I will put it on the disk, I will set it up for you guys and we will set up a workshop together. Between Bob, Diane and me, we will go ahead and get them basically set up. We will show the ordinances as they were, how they have been put together, and after we have patched it and see if you guys have any adds at that time.

E. DISCUSS POSSIBLE REZONING OF M.E.P. & P.R.R. SURVEY, TRACT 71 AND TRACT 62 - ACTION.

Bud Archer, owner of the property stated that I thought I had a working relationship with the City Council. We had a work session working with the builder and the developer and then all of the sudden the City Council took a vote and tried to zone it huge lots and it got turned down. That really kind of shook us up a lot. We lost a lot of confidence in the City Council, the agreements, the meetings we had and the workshops. My partners were somewhat passive, moderately passive until that happened. My partners consist of three major lawyers in Dallas, and one of the largest industrialist in Fort Worth. We have all the money and time we need to win a lawsuit against the city. We are really embarrassed about what the city did for you, for the city. I have been talking to someone about coming up with a plan I thought would be acceptable and boom you call a vote and try to zone it R-1-10,000. My partners feel like there was a breech of confidence and breech of agreement. I am here to tell you that we are here to defend it to the last man and last dollar. If you elect to go ahead and recommend 10,000 square foot lots, help yourself.

Linwood Gilliland moved to table the rezoning of M.E.P & P.R.R. Survey, Tract 71 and Tract 62 for 30 days. Kevin Spraggins seconded the motion and it carried unanimously.

VII. NEW BUSINESS.

Mayor Pro-Tem Matt Flanagan stated that the city wanted the Planning and Zoning Commission to look at the city map to see if any corrections were needed.

Mayor Pro-Tem Matt Flanagan asked the Planning and Zoning Commission to look at the floor plans and basic lay out of the townhomes that Mr. Bourland is proposing for that area. He thinks it would make a good buffer zone.

VIII. ADJOURNMENT.

Chuck Dalton moved to adjourn the meeting. Kevin Spraggins seconded the motion and it carried unanimously. The meeting adjourned at 9:11 p.m.

Kelly D'Amato

KELLY D'AMATO, SECRETARY

Sherrel James

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

FEBRUARY 1, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
LINWOOD GILLILAND
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS
MIKE FAHEY

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present, except for Kevin Spraggins and Mike Fahey.

II. CONSIDER REZONING TRACT 54, ABSTRACT 1355 OF THE MARY WRIGHT SURVEY FROM R-3 TO R-1-6000 - ACTION.

Linwood Gilliland moved to table rezoning Tract 54, Abstract 1355 of the Mary Wright Survey from R-3 to R-1-6000. Chuck Dalton seconded the motion and it carried unanimously.

III. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes of the meeting held on January 4, 1996. Chuck Dalton seconded the motion and it carried unanimously.

IV. CITIZENS AGENDA

Rod Courtney, 162 Kingswood, stated that I came to the meeting only because the Planning and Zoning Commission has such input to the City council on items that may go to the City Council or the Board of Adjustment. I attend only to get to the grass roots of it, so I can have some idea of what your opinions are and what the City Council's opinions are so it can have something to do with making our decisions. I appreciate what you do for the City.

V. REPORT FROM COUNCIL LIAISON.

Council Liaison, Matt Flanagan reported that the City Council took a vote on the Archer property. It came out to be a vote of 3 to 2 for the change to R-1-10,000, but it needed to be a super majority to pass. The property now keeps it's R-3 multi-family zoning. There is still a lawsuit out and it will probably be brought back for re-zoning at the next council meeting. There are some R-3 moratoriums we will be looking at on the R-1-10,000 zoning. The Jackson Ranch is on the agenda for this month.

VI. OLD BUSINESS.

A. DISCUSS MOBILE HOMES, MOBILE HOME PARKS, CAMPERS, AND TRAVEL TRAILERS.

The planning and Zoning Commission discussed creating separate independent ordinances for commercial mobile homes, residential mobile homes and mobile home estates.

B. DISCUSS CHAPTER 15.20 OF THE LAKE DALLAS MUNICIPAL CODE RELATIVE TO MOVING BUILDINGS.

Kelly D'Amato reported that the changes are still being looked over by the City Secretary and the City Attorney.

VII. NEW BUSINESS.

A. DISCUSS ORDINANCE 18.20 (C-1, RESTRICTED BUSINESS DISTRICT.

B. DISCUSS ORDINANCE 18.22 (C-2, COMMERCIAL DISTRICT).

C. DISCUSS ORDINANCE 18.24 (C-3, COMMERCIAL DISTRICT).

The Planning and Zoning Commission discussed making Ordinance 18.20, Ordinance 18.22 and Ordinance 18.24, independent of each other so that when a person is researching the requirements for C-1, C-2, or C-3, they would not have to refer back to one of the lower zoning classifications to find the requirements.

VIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 8:55 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

January 4, 1996

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
MIKE FAHEY
LINWOOD GILLILAND
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present except for Kevin Spraggins and Council Liaison Matt Flanagan.

II. CONSIDER REZONING TRACT 54, ABSTRACT 1355 OF THE MARY WRIGHT SURVEY FROM R-3 TO R-1-6000 - ACTION.

Sherrel James moved to table rezoning Tract 54, Abstract 1355 of the Mary Wright Survey from R-3 to R-1-6000. Chuck Dalton seconded the motion and it carried unanimously.

III. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on December 7, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

IV. CITIZENS AGENDA.

Carolyn Green, Lake Haven Estates came to request that the members of the P & Z consider a new ordinance covering commercial mobile home parks. I would not, as I have told them before, I would not want RV's, travel trailers, travel mobile homes, however I do not want the ones that are there forced to move. I just can not see uprooting these people, some of them have been there eight years, some of them five. However, I am willing to say that on the mobile home lots that I can put mobile homes on, I will not refill that lot with a travel trailer. However, I also have six mobile home lots that I can not abide by city ordinance as far as setbacks and all. I have backward lots. I am willing to come up

and get a variance or whatever it takes to be able to put RV's on these particular lots. I would not want an RV seen from the city street. The City Council is going to have a workshop on the 11th. I would like for the Planning and Zoning members to attend the workshop.

V. REPORT FROM COUNCIL LIAISON.

Council Liaison Matt Flanagan was absent.

VI. OLD BUSINESS.

A. DISCUSS MOBILE HOMES, MOBILE HOME PARKS, CAMPERS, AND TRAVEL TRAILERS.

Chairman Sherrel James informed the Planning and Zoning members that the City Council was holding a workshop with mobile home park owners to discuss mobiles homes, mobile home parks, campers and travel trailers on January 11th at 6:30 p.m. The Planning and Zoning Commission decided to wait and discuss the mobile homes, campers and travel trailers further at the February meeting so they can wait and see what is decided at the City Council workshop.

VII. NEW BUSINESS.

A. DISCUSS CHAPTER 15.20 OF THE LAKE DALLAS MUNICIPAL CODE RELATIVE TO MOVING BUILDINGS.

The Planning and Zoning Commission would like to delete, add and change several sections of Chapter 15.20 of the Lake Dallas Municipal Code.

VIII. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 8:39 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 7, 1995

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
MIKE FAHEY
LINWOOD GILLILAND
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present.

II. PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 18.16 OF THE LAKE DALLAS MUNICIPAL CODE BY REVISING THE ZONING REQUIREMENTS FOR TWO-FAMILY DWELLINGS IN THE R-2 DISTRICT BY REVISING SECTION 18.16.100.

Rod Courtney would like to know what changes the Planning and Zoning Commission are making.

Sherrel James replied that the minimum square footage is being increased from 900 square feet to 1200 square feet.

Gene Tisdale would like to know why the Planning and Zoning Commission wants to change the zoning requirements in this district.

Chairman Sherrel James replied that the particular area that the Planning and Zoning Commission is concerned with is in the Oak Lake Subdivision. We are trying to keep everything to conform with that area as to the square footage of the building and the outside masonry requirements.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to approve the ordinance amending Chapter 18.16 of the Lake Dallas Municipal Code by revising the zoning requirements for two-family dwellings in the R-2 district by revising section 18.16.100. Mike Fahey seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 18.18 OF THE LAKE DALLAS MUNICIPAL CODE BY REVISING THE ZONING, LANDSCAPING AND PARKING REQUIREMENTS FOR APARTMENT COMPLEXES AND MULTIFAMILY HOMES IN THE R-3 DISTRICT BY REVISING SECTIONS 18.18.010, 18.18.020, 18.18.030, 18.18.040, 18.18.050, 18.18.060, 18.18.070, 18.18.080, 18.18.090, 18.18.100, 18.18.110, AND 18.18.120, AND ADDING NEW SECTIONS 18.18.130, 18.18.140, 18.18.150, 18.18.160, 18.18.170, 18.18.180, 18.18.190, AND 18.18.200; REVISING SECTION 18.38.030(A); REVISING SECTION 18.54.090(A), (B), AND (C).

City Attorney David Berman, went over the changes with the Planning and Zoning Commission and his understanding was the only changes are in Section 18.18.100 minimum dwelling size, nothing less than 900 square feet; 18.18.140 Handicapped and Elderly Access, all structures are to be in compliance with the American Disabilities Act and 18.18.190, assuring access for fire lanes. He told the Planning and Zoning Commission that they could approve it as is with these changes, the only difference is that the language would be a little more detailed.

Close Public Hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to accept the changes and approve the ordinance amending Chapter 18.18 of the Lake Dallas Municipal Code by revising the zoning, landscaping and parking requirements for apartment complexes and multifamily homes in the R-3 district by revising sections 18.18.010, 18.18.020, 18.18.030, 18.18.040, 18.18.050, 18.18.060, 18.18.070, 18.18.080, 18.18.090, 18.18.100, 18.18.110, and 18.18.120, and adding new sections 18.18.130, 18.18.140, 18.18.150, 18.18.160, 18.18.170, 18.18.180, 18.18.190 and 18.18.200; revising section 18.38.030(A); revising section 18.54.090(A), (B), (C). Linwood Gilliland seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: CONSIDER REZONING OF BLOCK A, LOTS 2 AND 4 OF THE HANSEN ESTATES FROM R-1-4000 TO R-1-6000.

Gene Tisdale, owner of the property is against the rezoning. He thinks if someone wants the property, they need to buy it the same way he did. He said that rezoning the property would take the value away from the park. He said the residents are concerned that if the property is sold, where will that leave them. Where

would they go? He does not think the people of Lake Dallas want this rezoning.

Margaret Tisdale, 509 Howard. She also lives in a mobile home. She is against the rezoning. Is this government for the people or against the people? Is this just and fair government or is it unjust and fair?

Gail Barnhill lives at Howard Mobile Home Park. She is against the rezoning. Her mother-in-law is 77 years old. She has a small trailer and she would not be able to live in another trailer park. She can not afford to get a bigger trailer.

Alan Fletcher, 5504 Duchess, is against the rezoning. Mr. Fletcher and his wife lived there when they first got married. It enabled them to save money and buy a house. The trailer park is part of his father-in-laws retirement. He thinks it is extremely unfair for the city to go in and start changing things. If someone comes in next door and starts building a $300,000 house, then that is their acceptance to live next door to the trailer park.

Sherrel James stated that maybe he did not clarify himself when the meeting started. We are not the bad guys. When anybody, whether that be a city father or a resident of this city, brings before us any particular deal that they want changed, it is the committee's responsibility to look at it. It is not a done deal, that is the reason there is a public hearing, so anyone interested can have their say.

Carolyn Green, Lake Haven Estates, 201 N. Shady Shores, wanted to explain to everyone that when she said the Planning and Zoning Committee was the bad guys, that was not quite true. She said that recommendations are made to the Planning and Zoning Commission and they have to act on them and that is why they are having this public hearing. She said the Planning and Zoning Commission makes their recommendations to the city council and just because they recommend something does not mean the city council will pass it. The city council is elected by the people of the city. She lives in a mobile home and she understands that we are trying to uniform everything but she wants to know who asked the Planning and Zoning Commission to? One of the ladies who used to live at Lake Haven Estates moved to Howard Trailer Park because she could no longer afford to live at Lake Haven. What will she do if something happen to Howard Mobile Home Park? Are we going to have a homeless lady on the streets?

Bud Schoultz, 4721 White Chapel Rd, Roanoke, is against the rezoning of this property. His concern is the younger people and his two sons. He would like to leave the mobile home park for his sons future to do something with. He said we need to take care of our young people. What will happen to his park if he can't upgrade? He said he would set there for a hundred years and have the same units and each year the accessors will come out there and

say this park is not worth a darn. Let us grow and take care of the people that can't afford fancy homes.

Cody Jackson, Taloga Oklahoma, his in-laws own the trailer park. These are peoples homes that the city is messing with. He thinks that Lake Dallas is trying to keep up with Corinth, because they have a lot of homes going up and Lake Dallas doesn't have much land left for many more homes.

Ken Barnes, 527 Howard Dr. lives in a mobile home. He wants to know if someone made a complaint against the cemetery, does the city remove the cemetery?

Sherrel James replied that if anybody brought anything to the Planning and Zoning Commission to look at, it is the Planning and Zonings responsibility to look at it.

Ken Barnes, 527 Howard Dr., if the city council says okay, does he have to look for another plot for his father?

Sherrel James replied that the cemetery is altogether different and he doesn't think anyone will want to move a cemetery. Anybody in this city can make a request and it is the Planning and Zonings responsibility to look into it.

Bonnie Brown Garcia, 26 Lakewood, Hickory Creek, is here to speak on citizen's rights. She feels that zoning changes should be endorsed by the property owners and these owners do not want the zoning changed. She hopes we will respect the owner's rights.

Bobby Shikle, 712 Thompson Dr., the mobile home park is constantly upgraded, as a home owner, he is okay with it there.

Kristy Fletcher, 5505 Duchess, does not believe in what the city is trying to do.

Matt Flanagan replied that we are a community and this community is run by the citizens, the elected officials and by this committee that is appointed by the city officials. The city wants to take an overall picture of the City of Lake Dallas and see where we are headed and what needs to be fixed. We all have the right to voice our opinions.

Mayor Jerry McCutcheon agrees with what Matt Flanagan said. He said everybody has a right to their opinion and the person who asked us to look at rezoning these properties has the exact same right.

Harriet Hart, Lake Haven Estates wants to know if the entire zoning of this town is being evaluated or is it just this particular issue that surfaced.

Matt Flanagan replied that everything is being looked at from boundary to boundary and it probably started 2 1/2 to 3 years ago. We meet 3 to 4 hours once a month and we only have so much time to get so much done per year. The Planning and Zoning Commission about 5 or 6 years started a very small 5 year plan to get us looking at different things. The request on this area was done about 3 or 4 months ago.

Mike Schoultz, Roanoke, wants to know if the Planning and Zoning Commission vote against the rezoning, does the council have to take the recommendation.

Sherrel James replied no they do not, they can act independently.

Close Public Hearing.

VII. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to deny the rezoning of Block A, Lots 2 and 4 of the Hansen Estates from R-1-4000 to R-1-6000. Mike Fahey seconded the motion and it carried unanimously.

VIII. PUBLIC HEARING: CONSIDER REZONING OF BLOCK I, LAKEVIEW CAMP ADDITION FROM M-1 TO R-1-6000.

Linwood Gilliland talked to the owner of the property. They are happy with the change, they want to build a house on the property.

Close public hearing.

IX. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the rezoning of Block I, Lakeview Camp Addition from M-1 to R-1-6000. Linwood Gilliland seconded the motion and it carried unanimously.

X. PUBLIC HEARING: CONSIDER REZONING LOTS 26, 27, 28, AND 29 OF THE J.V. THOMPSON SUBDIVISION FROM R-1-4000 TO R-1-6000.

Sherrel James stated that the Planning and Zoning Commission understands how everyone feels about these particular zoning changes that have been requested.

Lenora Schoultz, owner of the property, would like to add a couple of things for the City Council to think about. The mobile home park was built back in the 1940's. The Schoultz's bought it and spent a lot of hours working in the park and fixing it up. This mobile home park is going to be their retirement, and their kids inheritance. They put in underground utilities, enlarged all the spaces and put in larger mobile homes, all of this was done in

good faith, that they were making a good investment. They have been giving free rent to people who have no income. One woman has twice asked them to lower the rent, and both times they have done so. She feels that is what they have given back to the community. She has talked to the residents in that area of the town, and they do not want this zoning change. She does not want to stand here and watch this city rob her of her time and money that she has put in to this property, so she can have a retirement and this is a big part of her net worth that she intends to leave to her children.

Close public hearing.

XI. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to deny the rezoning of Lots 26, 27, 28, and 29 of the J.V. Thompson Subdivision from R-1-4000 to R-1-6000. Mike Fahey seconded the motion and it carried unanimously.

XII. PUBLIC HEARING: CONSIDER REZONING OF LOT 39 OF THE J.V. THOMPSON SUBDIVISION FROM R-1-4000 TO R-1-6000.

No public comment.

Close public hearing.

XIII. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to deny the rezoning of Lot 39 of the J.V. Thompson subdivision from R-1-4000 to R-1-6000. Linwood Gilliland seconded the motion and it carried unanimously.

XIV. PUBLIC HEARING: CONSIDER REZONING TRACT 54, ABSTRACT 1355 OF THE MARY WRIGHT SURVEY FROM R-3 TO R-1-6000.

Mrs. Tisdale said she contacted Mr. & Mrs. Enloe and they said they no longer own the property, that it now belongs to Baylor Hospital.

Close public hearing.

XV. ACTION FROM PUBLIC HEARING.

Linwood Gilliland moved to postpone any action until owners are notified. Chuck Dalton seconded the motion and it carried unanimously.

XVI. APPROVAL OF MINUTES.

Linwood Gilliland moved to approve the minutes from the meetings held in November. Mike Fahey seconded the motion and it carried unanimously.

XVII. CITIZENS AGENDA.

Gene Tisdale would like for the Planning and Zoning Commission to consider posting rezoning signs in front of the property being considered for rezoning.

David Shershen, would like to salute the Planning and Zoning Commission. He feels that the Planning and Zoning Committee have worked very hard over the last year. Any time you have change, it is difficult, change in Lake Dallas is beyond difficult, you got so many different mixed uses, so many different spot zoning, so many different variables going on, that it is difficult to maintain without upsetting one area for another area. On this particular night I was very proud and very honored and very happy, that the individuals of the Planning and Zoning Board represented the people of the City of Lake Dallas. You were open minded, you were fair, you were just, you stood your ground for your responsibilities number one and number two you took that responsibility and acted on what you felt was the best interest of the people of the city.

Mrs. Schoultz would like to recommend two different procedures in sending out letters to the owners of the properties and the neighbors of the property. She suggest writing the letters differently. She felt the letter was written inhumanely. She did not feel the letter explained anything, she feels it needs to be handled better.

Close Citizens Agenda.

XVIII. REPORT FROM COUNCIL LIAISON.

Council Liaison Matt Flanagan reported that the Park & Recreation Board just had a Christmas Bazaar and it turned out real well. Linwood Gilliland did a good job playing Santa Claus. The City Council went ahead and extended the building moratoriums in conjunction with the ordinances that the Planning and Zoning Commission looked at tonight. The City Council is still looking at the Jackson Ranch and Bud Archer situation.

XIX. OLD BUSINESS.

A. DISCUSSION REGARDING MOBILE HOMES AND MOBILE HOME PARKS.

Chairman Sherrel James recommended that the Planning and Zoning members walk through the mobile home parks in the city and see if there is any changes needed or anything that might need to be discussed.

XX. NEW BUSINESS.

Linwood Gilliland has a letter from the Police Chief concerning problems he is having with campers and travel trailers in the streets.

XXI. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 9:40 p.m.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 2, 1995

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
MIKE FAHEY
LINWOOD GILLILAND
MATT FLANAGAN, COUNCIL LIAISON
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS

I. ROLL CALL.

Vice Chairman Chuck Dalton called the meeting to order at 7:30 P.M. and noted that all members were present except Kevin Spraggins.

II. PUBLIC HEARING: CONSIDER REZONING OF SUNDOWN ACRES, LOTS 1, 2, AND 3 FROM R-3 TO R-1-10,000.

Laird Lind, 34 Lakewood Dr. owns lot #2 in Sundown Acres and is representing the owners of lots 1 and 3 by way of written authorization and they are all in favor of rezoning Sundown Acres.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve the rezoning of Sundown Acres Lots 1, 2, and 3 from R-3 to R-1-10,000. Linwood Gilliland seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER REZONING OF M.E.P. & P.R.R., SURVEY, TRACT 86, FROM R-3 AND R-1-7200 TO R-1-10,000; AND M.E.P. & P.R.R., SURVEY, TRACT 87, FROM R-1-7200 TO R-1-10,000.

Laird Lind, 34 Lakewood Dr. is in favor of the rezoning.

Close Public Hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the rezoning of M.E.P. & P.R.R., Survey, Tract 86, from R-3 and R-1-7200 to R-1-10,000; and M.E.P. & P.R.R, Survey, Tract 87, from R-1-7200 to R-1-10,000. Sherrel James seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: CONSIDER REZONING OF BLOCK K, LOTS 13, 14, AND 15 OF THE OAK LAKES SUBDIVISION FROM C-1 (RESTRICTED BUSINESS DISTRICT) TO C-3 (COMMERCIAL DISTRICT, SELLING OF ALCOHOLIC BEVERAGES).

Robert Hilliard owner of the store on the property feels he would not be able to compete with the new Overland Express convenience store at Swisher and I-35. He has been at this address for eighteen years and the Mayor at that time told him that he could sell alcohol, and after he bought the store he was told he could not. Now he feels that Overland Express will take some of his business since Overland Express is selling alcohol and he is not.

Mayor Pro-Tem Matt Flanagan was concerned about the closeness of the store to the primary school, the Chief looked up the recently enacted state laws and if the property is within 1000 feet, the owner of the establishment must send a letter of intent to the school and the school would then reply to the TABC. The city ordinance states that alcohol can not be sold within 300 feet of a school. He said Bob Willis and the Chief measured it and it is just about 300 feet.

Close Public Hearing.

VII. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to deny the rezoning of Block K, Lots 13, 14, and 15 of the Oak Lakes Subdivision from C-1 (Restricted Business District) To C-3 (Commercial District, selling of alcoholic beverages). Chuck Dalton seconded the motion and it carried unanimously.

VIII. ELECTION OF NEW CHAIRMAN - ACTION.

Linwood Gilliland moved to approve Sherrel James as the new Chairman of the Planning and Zoning Commission. Mike Fahey seconded the motion and it carried unanimously.

IX. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on October 5, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

X. CITIZENS AGENDA.

No Comment.

XI. REPORT FROM COUNCIL LIAISON.

Councilman Matt Flanagan reported that the pig ordinance was denied.

XII. DISCUSSION REGARDING MOBILE HOMES AND MOBILE HOME PARKS.

The Planning and Zoning Commission would like to change and delete several sections from the mobile home and mobile home park ordinances. They scheduled a workshop for Wednesday, November 15th, to discuss it further.

XIII. OLD BUSINESS.

A. DISCUSSION REGARDING POSSIBLE REZONING OF SEVERAL TRACTS OF LAND WITHIN THE CITY LIMITS.

The Planning and Zoning Commission reviewed the current zoning map for the City. They discussed possible public hearings for December in regard to rezoning several tracts of land.

B. DISCUSSION IN REFERENCE TO REVISION OF DUPLEX ORDINANCES.

The Planning and Zoning reviewed the revision of the duplex ordinances and would like to see the revision as an action item for the December meeting.

C. DISCUSSION IN REFERENCE TO REVISION OF APARTMENT ORDINANCES.

The Planning and Zoning Commission would like to change or add a few items in the revision of the apartment ordinances that the City Attorney presented. The Planning and Zoning Commission would like to have the new revision of the apartment ordinances as an action item for the December meeting.

XIV. NEW BUSINESS.

No new business.

XV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:00 p.m.

BARBARA STARKEY, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP MEETING

NOVEMBER 15, 1995

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
MIKE FAHEY
LINWOOD GILLILAND
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON

I. ROLL CALL.

Chairman, Sherrel James called the meeting to order at 7:30 P.M. and noted that all members were present except for Kevin Spraggins and Council Liaison Matt Flanagan.

II. WORKSHOP.

A. DISCUSSION REGARDING MOBILE HOMES AND MOBILE HOME PARKS.

Chapters 8.32 and 18.42 of the Lake Dallas Municipal Code were discussed. The Planning & Zoning Commission discussed deleting, re-writing, and adding several sections to Chapters 8.32 and 18.42 of the Lake Dallas Municipal Code. Before taking any action on the changes, the Planning and Zoning Commission decided to discuss it further at the regular December P & Z meeting, since all Planning & Zoning members were not present at the workshop.

III. ADJOURNMENT.

Mike Fahey moved to adjourn the workshop. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:00 P.M.

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 2, 1995

MEMBERS PRESENT:
SHERREL JAMES, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE CHAIRMAN
MIKE FAHEY
LINWOOD GILLILAND
MATT FLANAGAN, COUNCIL LIAISON
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
KEVIN SPRAGGINS

I. ROLL CALL.

Vice Chairman Chuck Dalton called the meeting to order at 7:30 P.M. and noted that all members were present except Kevin Spraggins.

II. PUBLIC HEARING: CONSIDER REZONING OF SUNDOWN ACRES, LOTS 1, 2, AND 3 FROM R-3 TO R-1-10,000.

Laird Lind, 34 Lakewood Dr. owns lot #2 in Sundown Acres and is representing the owners of lots 1 and 3 by way of written authorization and they are all in favor of rezoning Sundown Acres.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve the rezoning of Sundown Acres Lots 1, 2, and 3 from R-3 to R-1-10,000. Linwood Gilliland seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER REZONING OF M.E.P. & P.R.R., SURVEY, TRACT 86, FROM R-3 AND R-1-7200 TO R-1-10,000; AND M.E.P. & P.R.R., SURVEY, TRACT 87, FROM R-1-7200 TO R-1-10,000.

Laird Lind, 34 Lakewood Dr. is in favor of the rezoning.

Close Public Hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the rezoning of M.E.P. & P.R.R., Survey, Tract 86, from R-3 and R-1-7200 to R-1-10,000; and M.E.P. & P.R.R, Survey, Tract 87, from R-1-7200 to R-1-10,000. Sherrel James seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: CONSIDER REZONING OF BLOCK K, LOTS 13, 14, AND 15 OF THE OAK LAKES SUBDIVISION FROM C-1 (RESTRICTED BUSINESS DISTRICT) TO C-3 (COMMERCIAL DISTRICT, SELLING OF ALCOHOLIC BEVERAGES).

Robert Hilliard owner of the store on the property feels he would not be able to compete with the new Overland Express convenience store at Swisher and I-35. He has been at this address for eighteen years and the Mayor at that time told him that he could sell alcohol, and after he bought the store he was told he could not. Now he feels that Overland Express will take some of his business since Overland Express is selling alcohol and he is not.

Mayor Pro-Tem Matt Flanagan was concerned about the closeness of the store to the primary school, the Chief looked up the recently enacted state laws and if the property is within 1000 feet, the owner of the establishment must send a letter of intent to the school and the school would then reply to the TABC. The city ordinance states that alcohol can not be sold within 300 feet of a school. He said Bob Willis and the Chief measured it and it is just about 300 feet.

Close Public Hearing.

VII. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to deny the rezoning of Block K, Lots 13, 14, and 15 of the Oak Lakes Subdivision from C-1 (Restricted Business District) To C-3 (Commercial District, selling of alcoholic beverages). Chuck Dalton seconded the motion and it carried unanimously.

VIII. ELECTION OF NEW CHAIRMAN - ACTION.

Linwood Gilliland moved to approve Sherrel James as the new Chairman of the Planning and Zoning Commission. Mike Fahey seconded the motion and it carried unanimously.

IX. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on October 5, 1995. Linwood Gilliland seconded the motion and it carried unanimously.

X. CITIZENS AGENDA.

No Comment.

XI. REPORT FROM COUNCIL LIAISON.

Councilman Matt Flanagan reported that the pig ordinance was denied.

XII. DISCUSSION REGARDING MOBILE HOMES AND MOBILE HOME PARKS.

The Planning and Zoning Commission would like to change and delete several sections from the mobile home and mobile home park ordinances. They scheduled a workshop for Wednesday, November 15th, to discuss it further.

XIII. OLD BUSINESS.

A. DISCUSSION REGARDING POSSIBLE REZONING OF SEVERAL TRACTS OF LAND WITHIN THE CITY LIMITS.

The Planning and Zoning Commission reviewed the current zoning map for the City. They discussed possible public hearings for December in regard to rezoning several tracts of land.

B. DISCUSSION IN REFERENCE TO REVISION OF DUPLEX ORDINANCES.

The Planning and Zoning reviewed the revision of the duplex ordinances and would like to see the revision as an action item for the December meeting.

C. DISCUSSION IN REFERENCE TO REVISION OF APARTMENT ORDINANCES.

The Planning and Zoning Commission would like to change or add a few items in the revision of the apartment ordinances that the City Attorney presented. The Planning and Zoning Commission would like to have the new revision of the apartment ordinances as an action item for the December meeting.

XIV. NEW BUSINESS.

No new business.

XV. ADJOURNMENT.

Linwood Gilliland moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 10:00 p.m.

Sherrel James

BARBARA STARKEY, SECRETARY

SHERREL JAMES, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

OCTOBER 5, 1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
MIKE FAHEY
SHERREL JAMES
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CHARLES (CHUCK) DALTON, VICE CHAIRMAN

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:36 P.M. and noted that all members were present except Vice Chairman Chuck Dalton.

II. PUBLIC HEARING: CONSIDER A PLAT OF 6.675 ACRES IN THE J.W. SIMMONS SURVEY, A-1163.

Kent Mobley with G & A Consultants representing International Compliance Corporation informed the P & Z Commission that the property had never been plated.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve the plat for 6.675 acres in the J.W. Simmons Survey, A-1163. Mike Fahey seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: CONSIDER AN AMENDMENT TO CHAPTER 18, SECTION 18.12.050(B), AND SECTION 18.11.050(B), AND CHAPTER 6, SECTION 6.44.030(B) OF THE LAKE DALLAS MUNICIPAL CODE, RELATIVE TO SWINE.

Councilwoman Thanna Bounds would like to know the definition of a pot bellied pig, is it a swine or some other kind of animal?

Chairman Bruce Cox replied that they had went over that and had come to the conclusion that is was a swine no matter what kind of pig it was.

Councilman Matt Flanagan reported that according to the local veterinarian, it was a swine.

Linwood Gilliland wanted to know that if the pig is suppose to weigh only 100 pounds and it gets bigger, then what are you suppose to do with it?

Councilman Matt Flanagan said basically what it comes down to is that when it is time for the annual inspection and it weighs 120 pounds the city has to tell them to get rid of it. The city does that with vicious animals but not with someone's dog who might weigh 160 pounds, so it can be real emotional to tell a child or anybody that they have to get rid of their pet or have it put to sleep.

Matt Flanagan also said that as a citizen he agrees with the ordinance we have right now. Swine are not domestic animals. They tear through concrete and fences.

Close Public Hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to deny amending Chapter 18, Section 18.12.050(B), and Section 18.11.050(B) and Chapter 6, Section 6.44.030(B) of the Lake Dallas Municipal Code. Sherrel James seconded the motion and it carried unaniamously.

VI. APPROVAL OF MINUTES.

Sherrel James moved to approve the minutes of the meeting held on September 7, 1995. Mike Fahey seconded the motion and it carried unanimously.

Sherrel James moved to approve the minutes of the workshop held on September 13, 1995. Mike Fahey seconded the motion and it carried unanimously.

VII. CITIZENS AGENDA.

Linwood Gilliland reported that he thought the Planning and Zoning Commission were doing a fine job.

Close Citizens Agenda.

VIII. REPORT FROM COUNCIL LIAISON.

Matt Flanagan reported that the City Council had approved the budget. There was a 3% increase in taxes due to the soccer field. A couple of lawsuits are still pending. The 5 year plan was trimmed back and only two streets are to be re-paved this year. The City Council has an Executive Session next Tuesday regarding lawsuits and the Chief has a new car.

IX. OLD BUSINESS.

A. CONSIDER ADOPTION OF BUILDING VALUATION DATA AND CURRENT UNIFORM BUILDING CODE TO BE USED TO FIGURE BUILDING PERMIT FEES - ACTION.

The Planning and Zoning Commission would like to use both the most current Building Valuation Data and the most current Uniform Building Code, charging whichever of the two has the higher amount. The Building Valuation Data is from the ICBO Standards Magazine and is charged by square foot. The Uniform Building Code is charged per valuation of construction. Each fiscal year, the Code Enforcement Officer needs to review and see if the fees are still appropriate and current, or if there is a need to increase the fees due to the cost of doing business.

Mike Fahey moved to approve the building permit fees using both the most current Building Valuation Data and the most current Uniform Building Code, charging whichever of the two has the higher amount. Kevin Spraggins seconded the motion and it carried unanimously.

B. DISCUSS POSSIBLE REZONING OF SEVERAL TRACTS OF LAND WITHIN THE CITY LIMITS.

Sherrel James recommened that the Planning and Zoning Commission wait until November to discuss the possible rezoning, so that members of the Planning and Zoning Commission can drive by and take a look at some of the property, before deciding on any possible rezoning.

X. NEW BUSINESS.

Sherrel James suggested that the Planning and Zoning Commission recommend to the City Council that they change the ordinance, so that the Planning and Zoning Commission can have some alternates.

Chairman Bruce Cox resigned from the Planning and Zoning Commission. He has enjoyed being on the Planning and Zoning Commission but he feels it would be in the best interest of the city to get someone who can be at every meeting. He would however, like to be an alternate.

The Planning and Zoning Commission would like to add the City of Lewisville's handicap parking to the revision of the ordinances from the September Workshop on apartments.

The Planning and Zoning Commission would like to see Linwood Gilliland as the new member of the Planning and Zoning Commission.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP MEETING

SEPTEMBER 13, 1995

MEMBERS PRESENT:
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
MIKE FAHEY
SHERREL JAMES
KEVIN SPRAGGINS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
BRUCE COX - CHAIRMAN

I. ROLL CALL.

Vice-Chairman Chuck Dalton called the meeting to order at 7:15 P.M. and noted that all members were present except for Chairman Bruce Cox, and Council Liaison Matt Flanagan.

II. WORKSHOP.

A. DISCUSSION IN REFERENCE TO REVISION OF DUPLEX ORDINANCES.

Chapter 18.16 of the Lake Dallas Municipal Code was discussed. The Planning & Zoning Commission would like to change Section (18.16.100) regarding the minimum dwelling size from 900 square feet of living area per family to 1200 square feet of living area per family.

B. DISCUSSION IN REFERENCE TO REVISION OF APARTMENT ORDINANCES.

Chapter 18.18 of the Lake Dallas Municipal Code was discussed. The Planning & Zoning Commission would like to change, re-write, and add several sections to this chapter.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 7, 1995

MEMBERS PRESENT:
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
MIKE FAHEY
SHERREL JAMES
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
KELLY D'AMATO, SECRETARY
MARGARET COULTER, SECRETARY

MEMBERS ABSENT:
BRUCE COX, CHAIRMAN

I. ROLL CALL.

Vice-Chairman Chuck Dalton called the meeting to order at 7:40 P.M. and noted that all members were present except Chairman Bruce Cox.

II. PUBLIC HEARING: CONSIDER A PLAT FOR 1.262 ACRES IN THE H.H. SWISHER SURVEY, A-1220, AND TO CONSIDER A REPLAT OF BLOCK K, LOTS 23 & 24 OF THE OAK LAKES SUBDIVISION, TO BLOCK A, LOTS 1, 2, 3, 4, 5, AND 6 OF THE BIRDSONG ADDITION.

The following people stood up to speak regarding their concerns on the replating of Block K, Lots 23 & 24 of the Oak Lakes Subdivision and the false information that had been either posted on their doors or put in their mailbox:

Dan Powell, 206 Hillcrest wanted to know if this is the same plat that has been on record since 1962, and to know why it was called Birdsong Addition and was not part of the Oak Lakes Subdivision. He also wanted to know if the Birdsong Addition has the same requirements as the Oak Lake Subdivision.

Judy Amstetz, Owner of Property said she was only replating the property to help Tom Pralle get two more inches on his property and because two of the lots were undersized. She also wanted to let the people know the reason the addition was called Birdsong was because she and her partner have different last names and that there were birds on the property, so that is where Birdsong came from.

Bill Harper, 509 Oaklake commented that the main reason he is here tonight was because he received a notice in his mailbox from the city and on the bottom of the notice was written that this property is a proposed low rent apartment complex at the corner of Ridgeway and Hillcrest.

Chris, 212 Hillcrest wanted to know why the lots couldn't be the same square footage as his 10,000 square foot lot in the Oak Lake Subdivision. He recommends making the lot the same square footage as his.

Jan Nourse, 211 Penbrook is interested in the property facing Swisher, she wants to know if that property is zoned multi-family. She wants to propose re-zoning it single-family.

Marvin Chishum, 204 Hillcrest wanted to know if the back lots on Ridgewood are zoned multi-family. He also had a letter from the city. He wanted to know if anyone else had received a letter.

Libby Harper, 509 Oaklake is new to the city and just wanted to know who we are.

Kelly Rader, 522 Ridgewood wanted to know since Ms. Amstetz wasn't planning on building anything on the property if they could beautify the property since it is the entrance to Oak Lake Subdivision.

Jamie Bustemonte, just moved to Lake Dallas and wants to know how many units could be on each lot of this property.

Ray Chaney, 526 Oak Lake wants to know exactly how we are making the lots bigger and if this property has the same requirements as the ones in the Oak Lake Subdivision.

Jack Court, 517 Ridgewood just moved here a week ago, and commented that duplexes and apartments are what he moved away from and he doesn't want any near him.

Councilman Matt Flanagan and Vice Chairman Chuck Dalton replied that they understood the concerns of the people from Oak Lake, but this was not a re-zoning, that the owner was just wanting to replat the property. Councilman Matt Flanagan told the people that yes, the property could still be re-zoned but it would be up to the owner and the people of Lake Dallas to start the process. Chuck Dalton told them the Birdsong Addition had to have all the requirements that a 7200 square foot district has to have.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the plat for 1.262 Acres in the H.H. Swisher Survey, A-1220, and to approve the replat of Block K, Lots 23 & 24 of the Oak Lakes Subdivision, to Block A, Lots 1, 2, 3, 4, 5, and 6 of the Birdsong Addition. Kevin Spraggins seconded the motion and it carried unanimously.

Sherrel James moved for a short recess. Chuck Dalton seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held July 6, 1995, adding to Section VII. The commission is working on a possible revision of Section 18.54.030 based upon Addisons 4-H Clause. Kevin Spraggins seconded the motion and it carried unanimously.

Sherryl James moved to approve the minutes of the meeting held August 3, 1995. Mike Fahey seconded the motion and it carried unanimously.

V. CITIZEN'S AGENDA.

Dennis Morales, Flamingo Homes, presented the Planning and Zoning Commission an engineer report on inadequate drainage that he had done concerning two lots on Oakcrest and two lots on Ridgewood in the Oaklakes Subdivision.

Chuck Dalton said he would get with Matt Flanagan and check into the drainage problem and get back with Mr. Morales.

Rhonda Goodwin, 532 Ridgewood is still concerned about flooding problems around their house. Bob Willis is looking into it.

Chuck Dalton said the P & Z would recommend to the City Council to get a Hydrology Report for that subdivision.

Terry McKook, 509 Ridgewood presented an engineer report from Noakes Engineering Co., Inc. regarding drainage on her property.

Bob Willis and Johnny Webber are looking into the drainage problems in that area.

Close Citizens Agenda.

VI. REPORT FROM COUNCIL LIAISON.

Matt Flanagan said that the City of Lake Dallas was possibly looking at a couple of lawsuits. The City Council is in the Budget process as he speaks. They have an Executive Session coming up next Thursday to speak about possible litigation with an ex-employee. Another lawsuit pending has to do with Bud Archer.

VII. OLD BUSINESS.

A. DISCUSSION ON REVISION OF APARTMENT ORDINANCES-ACTION.

Chuck Dalton moved to have a workshop Wednesday August 13, on revision of apartment ordinances. Mike Fahey seconded the motion and it carried unanimously.

B. DISCUSSION ON BUILDING PERMIT FEES.

Need to take action and approve building permit fees. Adopt Building Valuation Data and use most recent addition of Uniform Building Code and then charge whichever of the two has the higher amount.

Close Old Business.

VIII. NEW BUSINESS.

Kelly D'Amato reported Councilman Garry Bills would like for the P & Z to look at re-zoning several areas within the city limits.

IX. ADJOURNMENT.

Sherrel James moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 10:10 P.M.

Kelly D'Amato
KELLY D'AMATO, SECRETARY

Chuck Dalton
CHUCK DALTON, VICE-CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 3,1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
MIKE FAHEY
SHERRELL JAMES
KEVIN SPRAGGINS
MATT FLANAGAN, COUNCIL LIAISON
MARGARET COULTER, SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all members were present.

II. PUBLIC HEARING: CONSIDER A PLAT FOR 0.66 ACRES IN THE H. H. SWISHER SURVEY.

No Public Comment.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

The Planning and Zoning Commission had several questions about the size and width of the lots.

Tom Pralle reported that he was not told that the lots in a R-1-7200 zoning district were required to be seventy feet wide. He will apply for a variance on the lots if the plat is approved.

Bruce Cox asked Mr. Pralle if his intention was to put duplexes on lot 22A and 22B.

Tom Pralle replied that the lots facing Swisher would be duplexes and the lots facing Hillcrest will be single family homes.

Chuck Dalton moved to approve the plat for 0.66 acres in the H. H. Swisher Survey. Sherrel James seconded the motion and it carried unanimously.

IV. APPROVAL OF MINUTES.

Minutes of the meeting in July were not available.

V. CITIZENS AGENDA.

Harriet Hart, Sargent St., concerned about the possibility of someone building on the two acre lot at Main, Betchan and Sargent. The property is currently zone M-1. She has heard that someone is requesting to build an auto repair shop on the lot. She does not feel this would be good for the area, which is mostly residential.

Barry Knight, representing the owners of the Jackson Ranch feels that they were not properly notified about the zoning change that is on the agenda tonight. If the zoning change is passed his client stands to loose approximately two million dollars. Mr. Knight stated that he feels that the public hearing from March 2, 1995 was never closed.

Matt Flanagan, reported that the public hearing was closed and that the action was tabled in regard to the Jackson Ranch.

Art Anderson, attorney representing Bud Archer feels that the public hearing held on March 2, 1995 was never closed and that they were not properly notified of the zoning change for his client's property that appears on tonight's agenda. He would like the Planning and Zoning Commission to know that his client is strongly against the proposed zoning change on his property.

Close Citizens Agenda.

VI. REPORT FROM CITY COUNCIL LIAISON.

Matt Flanagan reports that the City Council is working on the proposed 1995-1996 budget. The City Council would like to meet with the Planning and Zoning Commission in regard to the five year plan. The city is still working on trying to obtain county help with the Shady Shores Road project.

VII. OLD BUSINESS.

A. DISCUSSION ON REVISION OF APARTMENT ORDINANCES.

Chuck Dalton is in the process of obtaining copies of apartment ordinances from other cities. The Commission will continue their discussion in September.

B. DISCUSSION ON BUILDING PERMIT FEES.

The Planning and Zoning Commission table any discussion until the September meeting.

C. CONSIDER REZONING OF H. H. SWISHER, TRACT 3, AND M.E.P. & P.R.R. SURVEY, TRACT 71 AND TRACT 62 TO R-1-10,000-ACTION.

Mike Fahey moved to approve the zoning change of H. H. Swisher, Tract 3, to R-1-10,000. Chuck Dalton seconded the motion and it carried, with Sherrel James against.

Mike Fahey moved to approve the zoning change of M.E.P. & P.R.R. Survey, Tract 71 and Tract 62, to R-1-10,000. Chuck Dalton seconded the motion and it carried, with Sherrel James against.

VIII. NEW BUSINESS.

No new business.

IX. ADJOURNMENT.

Sherrell James moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting adjourned at 9:30 P.M.

_____ _____

MARGARET COULTER, SECRETARY BRUCE COX, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JULY 6,1995

MEMBERS PRESENT:
CHARLES (CHUCK) DALTON, VICE-CHAIRMAN
MIKE FAHEY
KEVIN SPRAGGINS
GARRY BILLS, COUNCIL LIAISON
JOYCE STEWART, SECRETARY

MEMBERS ABSENT:
BRUCE COX, CHAIRMAN
SHERREL JAMES

I. ROLL CALL.

Vice-Chairman Chuck Dalton called the meeting to order at 7:30 P.M. and noted that all members were present, except Chairman Bruce Cox and Sherrel James.

II. PUBLIC HEARING: ZONING CHANGE OF TRACT 4, OF THE J. W. SIMMONS SURVEY, A-1163, FROM C-2 TO C-3 (BEER/WINE SALES).

Mike Conway with Overland Express would like to build a convenience store on Tract 4, of the J. W. Simmons Survey, A-1163 which is located at I-35 and Swisher Road. His primary business is to sale gasoline, but in order to compete in Lake Dallas his store would have to also sell beer and wine. The store will also include an Arby's Express.

Chuck Dalton, concerned about the increase traffic flow in the area and the truck traffic. Will Overland Express be a truck stop?

Mike Conway, replies that Overland Express will not operate as a truck stop, and will not sell diesel fuel. He will work with the city and the state to help control the traffic.

Bobby Shikle feels that the convenience store will be good for the city.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Chuck Dalton moved to approve the zoning change of Tract 4, of

the J. W. Simmons Survey, A-1163, from C-2 to C-3. Mike Fahey seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: REPLAT OF A SECTION OF LOT 20 INTO LOT 3, BLOCK H, OF THE OAK LAKE SUBDIVISION.

Dennis Morales reports that the replat is requested in order to square off the lots in question.

Close Public Hearing.

V. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve the replat of a section of Lot 20 into Lot 3, Block H, of the Oak Lake Subdivision. Kevin Spraggins seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: AN ORDINANCE AMENDING SECTION 18.54.030 OF CHAPTER 18.54 OF THE LAKE DALLAS MUNICIPAL CODE; PROVIDING FOR SCREENING REQUIREMENTS FOR MULTI-LEVEL STRUCTURES ADJACENT TO RESIDENTIAL DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Bobby Shikle, 712 Thompson, is this the same ordinance that was written when Mike McCary was here?

Chuck Dalton, the ordinance is the preliminary one that Mike McCary wrote, and then it was turned over to the City Attorney for his review. The City Attorney then presented a final copy of a rewrite of the preliminary ordinance to the City Council for their review. At which time the City Council realized that the Planning and Zoning Commission had not voted on the final ordinance drafted by the City Attorney, so it was sent back to the Planning and Zoning Commission for their review. After reviewing the ordinance drafted by the City Attorney, the Planning and Zoning Commission felt that Section 18.54.060 of the Lake Dallas Municipal Code currently provides for the protection of residential properties next to multifamily dwellings. Chuck Dalton is not sure as to why the ordinance was not enforced at the time the multifamily dwellings were built. He also has a question as to whether any ordinance amendment would apply to existing structures.

Bobby Shikle, reports that Mike McCary had told him that many of the balconies could be condemned and then they would have to be brought to current standards.

David Shershen, comments that the city is trying to resolve two issues, one issue is the privacy of an individual residence adjacent to multifamily dwellings and the other issue is trying to prevent someone from throwing trash on another person's residence. The problem the City Council had with the ordinance was the fact that you were looking at twenty to thirty foot fences, which would not be practical. The council has looked at options that the Planning and Zoning Commission has presented as to building fences

that would allow for privacy but, would that fence also prohibit someone from throwing trash from one residence to another? The privacy issue could be addressed with fences or some type of screening, but being able to prohibit people from trashing other peoples yards, this problem could be a law enforcement or code enforcement issue.

Chuck Dalton, suggest that the Planning and Zoning Commission rewrite section 18.54.030 of the Lake Dallas Municipal Code.

Close Public Hearing.

VII. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to deny the presented ordinance amending Section 18.54.030 of Chapter 18.54 of the Lake Dallas Municipal Code, and to review section 18.54.030 for possible rewrite. Kevin Spraggins seconded the motion and it carried unanimously.

VIII. APPROVAL OF MINUTES.

Chuck Dalton moved to approve the minutes of the meetings held in June, 1995. Mike Fahey seconded the motion and it carried unanimously.

IX. CITIZENS AGENDA.

Rhonda Goodwin & Tom McKinney, 532 Ridgewood, presented the Planning and Zoning Commission pictures of flooding problems around their house when it rains. They request that the city look into the drainage problems around their house at Ridgewood and Addison.

Bob Willis the Code Enforcement Officer will look into the drainage problems.

David Shershen, 166 Kingswood, expressed his appreciation to the Commission for all their hard work.

Bobby Shikle, 712 Thompson, thanked the Commission for all the work they have done toward trying to solve his problem.

X. REPORT FROM CITY COUNCIL LIAISON.

Garry Bills reports that the City Council is working on revising the potbellied pig ordinance. The Council is also working on the proposed 1995-1996 budget. Carolyn Green is working on gathering information from the State of Texas on the Beautification Program. The City Council is working on an amendment to Chapter 2.08, Aldermen, of the Lake Dallas Municipal Code, creating a place system for election of council members.

XI. OLD BUSINESS.

A. DISCUSSION ON REVISION OF APARTMENT ORDINANCES.

The Commission continued their discussion on the revision of the apartment ordinances. Commission members will continue to gather information.

B. DISCUSSION ON BUILDING PERMIT FEES.

Chuck Dalton and Code Enforcement Officer Bob Willis will work on rewriting the ordinance pertaining to building permit fees.

XII. NEW BUSINESS.

XIII. ADJOURNMENT.

Chuck Dalton moved to adjourn the meeting. Kevin Spraggins seconded the motion and it carried unanimously.

JOYCE STEWART, SECRETARY

CHUCK DALTON, VICE-CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP MEETING

JUNE 21,1995

MEMBERS PRESENT:
CHARLES DALTON, VICE-CHAIRMAN
MIKE FAHEY
KEVIN SPPRAGGINS
JOYCE STEWART, SECRETARY

MEMBERS ABSENT:
BRUCE COX - CHAIRMAN
SHERREL JAMES

I. ROLL CALL.

Vice-Chairman Chuck Dalton called the meeting to order at 8:00 P.M. and noted that all members were present except for Chairman Bruce Cox, Sherrel James and Council Liaison Matt Flanagan.

II. WORKSHOP.

A. DISCUSSION IN REFERENCE TO REVISION OF APARTMENT ORDINANCES.

Vice-Chairman Chuck Dalton brought information from other cities regarding their ordinances for apartment dwellings. There was discussion in regard to lot size, type of garage, area square feet per family, open space, landscape and parking. More research will be conducted by the Planning and Zoning Commission.

B. DISCUSSION IN Reference TO BUILDING PERMITS FEES.

Mr. Bob Willis Code Enforcement Officer explained codes listed in the Uniform Building Code Book regarding prices for permits and fees. There was discussion as to what the fee should be. The decision was to use both the Uniform Code Book and the Building Valuation form using which ever had the higher amount. This discussion will be presented at the next Planning and Zoning Meeting for discussion with all members.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 1, 1995

MEMBERS PRESENT:
CHUCK DALTON, VICE-CHAIRMAN
MATT FLANAGAN, LIAISON
MIKE FAHEY
SHERREL JAMES
KEVIN SPRAGGINS
JOYCE STEWART, SECRETARY

MEMBERS ABSENT:
BRUCE COX - CHAIRMAN

I. ROLL CALL.

Vice-Chairman Chuck Dalton called the meeting to order at 7:00 P.M. and noted that all members were present except for Chairman Bruce Cox and Kevin Spraggins. Decision was made to begin the workshop without full quorum. Mr. Spraggins arrived at 8:00 P.M.

II. WORKSHOP.
DENTON COUNTY EXTENSION AGENT - JOHN COOPER
TREE AND LAND SURVEY.

Mr. John Cooper, Denton County Extension Agent, provided information and ideas regarding trees and landscaping.
Suggestions were: Write an ordinance for Lake Dallas to meet the cities own needs, elect a Tree Board Advisory Committee, and to plan an Arbor Day. Mr. Cooper explained that a Post Oak tree can not be moved due to the root disturbance, it is better to cut down a tree and replant rather than try to move a tree, and to refer to the "Footprint" when building.

III. PUBLIC HEARING.

ZONING CHANGE OF OAK LAKE SUBDIVISION, BLK. K, LOT #27 & #28 CURRENTLY R-1-7200 TO C-1.

NO PUBLIC COMMENT.

IV. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve rezoning of Oak Lake Subdivision, Block K, Lot #27 and #28 from R-1-7200 to C-1. Kevin Spraggins seconded the motion and it carried unanimously.

V. PUBLIC HEARING.

REPLAT OF BLOCK D, LOT 1 OF THE LAKEVIEW CAMP ADDITION, OF THE M.E.P. & P.R.R. SURVEY, A-924 TO BLOCK A, LOT 1 & 2 OF THE HONSE ADDITION.

NO PUBLIC COMMENT.

VI. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve the replat of Block D, Lot 1 of the Lakeview Camp Addition of the M.E.P. & P.R.R Survey, A-924 to Block A, Lot 1 & 2 of the Honse Addition. Mike Fahey seconded the motion and it carried unanimously.

VII. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on May 4th, 1995. Kevin Spraggins seconded the motion and it carried unanimously.

VIII. CITIZEN'S AGENDA.

No Public Comments.

IX. OLD BUSINESS.

A. COMMERCIAL PARKING LOTS - ACTION.

Discussion on surfaces. Some surfaces do not meet standards. Suggestion was made to rewrite Section B, 18.38.080 of the Lake Dallas Municipal Code to standard for hard surface. Sherrel James moved to amend Hard Surface to asphalt or concrete. Kevin Spraggins seconded, the motion and it carried unanimously.

B. BEAUTIFICATION PROGRAM - ACTION.

Chuck Dalton discussed information packet he had received from Yoletta Garcia regarding funds, memberships, newsletters, and dates and events. Sherrel James moved to present the information to the City Council. Chuck Dalton seconded the motion and it carried unanimously.

C. PRE - PLAT APPROVAL REQUIREMENTS - ACTION.

Sherrel James moved not to require an aerial photograph for preplat requirements. Chuck Dalton seconded the motion and it carried unanimously.

D. REVISION OF APARTMENT ORDINANCES - ACTION.

Kevin Spraggins moved to table the issue of the Revision of Apartment Ordinances until a workshop could be held. Sherrel James seconded the motion and it carried unanimously. A

workshop will be held June 21, 1995 at 8:00 P.M. at the Lake Dallas City Hall.

E. BUILDING PERMITS - ACTION.

Sherrel James moved to table the issue of Building Permits until the workshop could be held. Chuck Dalton seconded the motion and it carried unanimously.

X. NEW BUSINESS.

A. ESTABLISH ZONING FOR SWISHER CEMETERY - ACTION.

Chuck Dalton moved to table the Zoning for Swisher Cemetery. Kevin Spraggins seconded the motion and it carried unanimously.

X. ADJOURNMENT.

Sherrel James moved to adjourn the meeting. Kevin Spraggins seconded the motion and it carried unanimously. The meeting was adjourned at 10:15 P.M.

Joyce Stewart
JOYCE STEWART, SECRETARY

Chuck Dalton
CHUCK DALTON, VICE-CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

May 4th, 1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
SHERREL JAMES
CHARLES DALTON
KEVIN SPRAGGINS
BARBARA STARKEY, CITY SECRETARY
JOYCE STEWART, SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all members were present.

II. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on April 6th, 1995. Charles Dalton seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

Carolyn Green gave information and inquired about a "Keep Texas Beautiful" program.

IV. REPORT FROM COUNCIL LIAISON.

Linwood Gilliland informed the Planning and Zoning Commission that a party is interested in having a convenience store at the corner of Swisher and I-35, and would like to have it zoned to sell alcohol.

Bruce Cox asked that the committee members drive by and form their own opinion. The issue of damage to city streets due to traffic from heavy equipment and trucks was discussed. Mr. Cox ask that research on ordinances that pertain to legal load limits be done.

V. OLD BUSINESS.

A. DISCUSSION IN REGARD TO A BEAUTIFICATION PROGRAM.

Citizens and the Park Board have tried to get a program started before. Did not have continuous efforts. Recommendations to be considered are: Awards, picture/plaque, adopt a spot, type of plants, Yard of the Month, start with small projects. Mrs. Green will adopt the island off Shady Shores and Mr. Bruce Cox agreed to donate plants for this project. There was discussion about the possibility of a Beautification Board, citizen involvement, and some type name plaque at site. A bond from the State of Texas could be obtained for a fee of $ 250.00. Grants and prizes are given by the State of Texas for continuous use of this program.

B. DISCUSSION ON COMMERCIAL PARKING LOTS.

Discussion was held on repairing commercial parking lots and what type of surface could be used. Bob Willis presented information and the possibility of re-writing the Surface Ordinance (Lake Dallas Municipal Code, Chapter 18.38.080, Section B).

VI. NEW BUSINESS.

A. BUILDING PERMIT FEES-ACTION.

Building permit fees should include a 10% fee for the Park Board. The Planning & Zoning Commission discussed building permit fees based on valuation data (Uniform Building Code, Chapter 15-blue book), verses square footage. Code Enforcement Officer Bob Willis was asked to keep the Planning & Zoning Commission and the City Council informed of all changes and updates.

Sherrel James moved to table any action regarding building permit fees. Chuck Dalton seconded the motion and it carried unanimously.

B. PRE PLAT APPROVAL REQUIREMENTS-ACTION.

The board was asked to consider the possibility of aerial photos for plats. Photographs or videos were also discussed. It was mentioned that a tree survey would be helpful. Mr. Willis was asked to invite the County Extension Agent to attend the P & Z meeting in June for a workshop. It was also noted that the City Council should be informed of all changes and updates from the Code Enforcement Officer.

Chuck Dalton moved to table any pre plat approval requirements. Sherrel James seconded the motion and it carried unanimously.

C. REVISION OF APARTMENT ORDINANCES-ACTION.

The P & Z members have several questions regarding restrictions and zoning for apartments. They will continue researching these issues.

Sherrel James moved to table any revisions until after a workshop. Chuck Dalton seconded the motion and it carried unanimously.

D. ELECTION OF VICE-CHAIRMAN.

Sherrel James moved to nominate Chuck Dalton for the position of Vice-Chairman. Mike Fahey seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Sherrel James moved to adjourn the meeting. Chuck Dalton seconded the motion and it carried unanimously. The meeting was adjourned at 10:10 P.M.

_____ _____

Joyce Stewart, Secretary Bruce Cox, Chairman

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING AND WORKSHOP WITH THE CITY COUNCIL

APRIL 6, 1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRWOMAN
LINWOOD GILLILAND
MIKE FAHEY
SHERREL JAMES
CHARLES DALTON
MATT FLANAGAN, MAYOR PRO TEM
GARRY BILLS, COUNCIL MEMBER
THANNA BOUNDS, COUNCIL MEMBER
BRUCE MARTIN, COUNCIL MEMBER
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
JERRY MCCUTCHEON, MAYOR

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:00 P.M. and noted that all members were present except Mayor Jerry McCutcheon and Vice-Chairwoman Aldena Gregory. Vice-Chairwoman Aldena Gregory entered the meeting at 7:30 P.M.

II. WORKSHOP WITH THE CITY COUNCIL.
DISCUSSION WITH BUD ARCHER AND KIM JACKSON IN REGARD TO REZONING H.H. SWISHER SURVEY, TRACT 3, AND M.E.P. & P.R.R. SURVEY, TRACT 71 AND TRACT 62, TO R1-10,000.

A discussion on why the city would like to rezone the H.H. Swisher Survey, Tract 3, and M.E.P. & P.R.R. Survey, Tract 71 and Tract 62 from R-3 to R1-10,000.

Linwood Gilliland states some reasons for the change, limited utilities, street conditions, and strain on city services that the increased population from apartments would create over single family home population.

Garry Bill, as with the Thousand Oaks development the city would like to continue with development of larger home sites and small estates to improve the image of Lake Dallas. With our current apartment population a large amount of our resources from

the police department are spent patrolling these areas.

Bruce Martin, would look to upgrade the city with the limited amount of land left in the city.

Mike Fahey, concerned with the possibility of section eight, governmental housing moving in.

Matt Flanagan stated that the zoning change is not meant to discriminate against any sector of the population. At the time the Planning and Zoning Commission and the City Council completed a five year plan for the city, they did not see the need for any more apartment complexes. With the larger lots and homes that would be created by the zoning change it would allow current residents to upgrade their homes with out leaving our city.

Bruce Cox, main trust of the change was to improvement and upgrading the city with single family homes, with less impact on our city services and schools.

Chuck Dalton, location of the properties may not be in the best interest of the surrounding areas.

Bud Archer, bought the property with R-3 zoning and worried about price drop in land if zoning changed to R-1. He estimates that he would lose a million dollars if the rezoning to single family were to occur. He has talked with Lake Cities Utilities and they tell him their services are adequate to service apartments. If the land was developed for apartments there would be 19 units per acre, at a population of approximately 570 per unit. He feels that Carlisle and Main Street will handle any traffic created by the development of apartments.

Art Anderson, attorney for Bud Archer, this tract of land is adjacent to apartments, commercial lots, and smaller single family lots. What is the change in condition to allow the city to change the zoning.

Clyde Fisher, owns property adjacent to Bud Archer's property (M.E.P. & P.R.R. Survey, Tract 71 & 62) in favor of the zoning change, and plans to build a home on his lot.

Laird Lint, owns property that fronts Carlisle and in favor of the new zoning, and plans to build a large home on the land.

Sherrel James, will Mr. Archer manage the property if built with apartments, and has he done a traffic study?

Bud Archer, he does not plan to build or manage any apartments built on the property and has not done a traffic study.

Barry Knight representing Charles Jackson owners of the Jackson Ranch property, feels the location of the property at Int. 35 and Swisher is a good location for apartments. He has heard of

possible widening of Swisher Road. The tax base created from apartments would benefit the city. The Jackson family will not develop the property, but has had others inquire about the property. If the property is rezoned to single family his client stands to sustain a substantial lose.

Matt Flanagan, the city will not widen Swisher Road, there is currently a school and several businesses along Swisher Road with no room for widening. Part of the Jackson Ranch property is in Corinth, what is this currently zoned?

Barry Knight, the land in Corinth is currently zoned single family.

III. APPROVAL OF MINUTES.

Sherrel James moved to approve the minutes of the meeting held on March 2, 1995. Mike Fahey seconded the motion and it carried unanimously.

IV. CITIZEN'S AGENDA.

No Comment.

V. REPORT FROM CITY COUNCIL LIAISON.

Linwood Gilliland informed the Planning and Zoning Commission that the City Council has authorized Reynolds Asphalt to proceed with the repair of Prince Drive including the recommended french drain. On March 27th the council appointed Barbara Starkey to the position of City Secretary, and they are accepting applications for a Code Enforcement/Building Inspector and an Administrative Assistant. The City Council would like to thank the Planning and Zoning Commission for the job they are doing. The City Council is in the process of finding out a more exact amount of money it will take to purchase the Vanderholf property before bidding on the property, and how the city is going to finance the property.

V. OLD BUSINESS.

VI. NEW BUSINESS.

A. DISCUSSION IN REGARD TO PROPOSED ZONING CHANGE FOR R1-6,000 IN REFERENCE TO GARAGES, COVERED CARPORTS AND ACCESSORY BUILDINGS.

Tabled, pending further research on current residential zoning regulations.

B. DISCUSSION ON ZONING ORDINANCE REQUESTED BY MIKE FAHEY.

Mike Fahey, is there the possibility for a suit if zoning is changed. The Commission had further discussion on the

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MARCH 2, 1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
SHERREL JAMES
CHARLES DALTON
BARBARA STARKEY, SECRETARY

MEMBERS ABSENT:
ALDENA GREGORY, VICE-CHAIRWOMAN

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:33 P.M. and noted that all members were present except Vice-Chairwoman Aldena Gregory.

II. PUBLIC HEARING: REZONING OF T. WHITE TRACT 1-A, H.H. SWISHER, TRACT 3, N. FRENCH, TRACT 21, AND M.E.P. & P.R.R., SURVEY, TRACT 71 AND TRACT 62, TO R1-10,000.

Letitia deBurgos, Kingswood Lot 46 & 47, reference N. French, Tract 3, concerned about drainage problems from the creek that could arise from development of this tract of land. Also the water has caused problems with pot holes in the street. Wanted to let the public know that years ago when residents of Kingswood moved out they dumped any belongings the did not want on this land, which created a hugh junk pile. What is the point of access to this property? Charles Dalton, no one has come forward at this time with a proposal for development of the land, any drainage problems would be addressed at the time of development. Bruce Cox, there is no plan at this time, the commission is trying to develop larger lots and homes to upgrade the city. Linwood Gilliland, developers would have to provide a contour map showing how they are going to take care of water distribution in this area. The City Council is aware of the street problems and the need for repairs, and is in the process of working on budgeting funds for these repairs.

Norma McAlvey, reference N. French, Tract 3, concerned about possible flooding if this tract of land is developed. Mike McCary offered for the residents to come in and look at the flood map for the city.

Ronnie Key, reference N. French, Tract 3, would like to know what the current zoning is and who is requesting the zoning change. Has accessed to the property been looked at? Mike Fahey, current zoning is R1-7,200, proposed change to R1-10,000, for larger lots and homes in this area. Bruce Cox, the city is proposing the zoning change. There are road beds now and if they need to be widened or improved the developer would have to address this, which would help the city with the cost of these roads.

Barry Knight, attorney representing Hills on the Lake Partnership, why is the city proposing the change and how is the property surrounding the requested zoning change tracts of land currently zoned. Bruce Cox, the city is trying to built some larger homes to increase tax base. Mike Fahey, with the proposed change the city would have larger homes and lots with increasing tax base with fewer residents with less impact on the streets and services. Bruce Cox, this is a new zoning for Lake Dallas. Linwood Gilliland, residents would be able to upgrade their life style and remain in Lake Dallas.

Kim Jackson, referenced H.H. Swisher, Tract 3, is opposed to the proposed zoning change, because of decrease in property value if changed. She has no plans for this property at this time.

Bobby Shikle, referenced M.E.P. & P.R.R. Survey, Tract 71 and Tract 62, would like the property rezoned to residential lots but smaller lots.

Barry Knight, representing Hills on the Lake Partnership, the current owner purchased the property with the current zoning for apartments. The change would lower current property values. If the property is rezoned his client would lose over one million dollars. He would request no action be taken tonight, but a meeting be planned for further discussion and review of proposed plans. Linwood Gilliland, the property was original zoned single family homes, and was changed many years ago for a proposed retirement and nursing home. The property was never intended to be used for apartments.

Bub Archer, referenced M.E.P. & P.R.R. Survey, Tract 71 and Tract 62, would like to know why the city is requesting a zoning change, and would like to meet with the city for further discussion. The property was zoned for apartments when he purchased the property and request a workshop before a decision is made. Linwood Gilliland, the city is trying to limited the number of people in the city in order to limit traffic and strain on services that would occur if apartments were built.

James Stanford concerned about the condition of the property and promises made from possible apartment owners. Current apartment owners have made promises in past that have not been followed through on. There is also a concern with drainage problems. Bruce Cox, these problems will be addressed when a

developer brings plans to the city.

III. ACTION FROM PUBLIC HEARING.

Mike Fahey moved to approve rezoning T. White, Tract 1-A, and N. French, Tract 21 to R1-10,000 and table rezoning H.H. Swisher, Tract 3, and M.E.P. & P.R.R., Survey, Tract 71 and Tract 62. Sherrel James seconded the motion and it carried unanimously.

IV. PUBIC HEARING: REZONING LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.44, NEWLY ANNEXED AREAS, TO R1-10,000.

No Public Comment.

V. ACTION FROM PUBLIC HEARING.

Sherrel James moved to approve rezoning Lake Dallas Municipal Code, Chapter 18.44, Newly Annexed Areas, to R1-10,000. Mike Fahey seconded the motion and it carried unanimously

VI. PUBLIC HEARING: REQUIRING SIX FOOT PRIVACY FENCES AROUND BALCONIES OF TWO STORY STRUCTURES OF NEW AND EXISTING RESIDENCES.

Bobby Shikle, when apartments behind him were original built the owners made several promises that were never kept. Currently, he has a problem with several apartment residents throwing things from their balconies into his back yard and would request the Planning and Zoning Commission pass a zoning change.

Mike McCary, on 10-15-94, drafted an ordinance with David Berman's assistance. Ordinance 18.18.130, Privacy of Adjacent Property: In district R-3, all multi-level structures adjacent to a different zoning district, or a property allowed a non-conforming use, shall restrict any visual or physical access of adjacent properties that is deemed by the building inspector to infringe on the privacy of such property's residents. This shall include a direct view from an upper level patio, terrace, or deck of any kind.

VII. ACTION FROM PUBLIC HEARING.

Sherrel James moved to adopt ordinance 18.18.130 as an amendment to Section 18 of the Lake Dallas Municipal Code. Mike Fahey seconded the motion and it carried unanimously.

VIII. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on February 2, 1995. Sherrel James seconded the motion and it carried unanimously.

IX. CITIZEN'S AGENDA.

No Comment.

X. REPORT FROM CITY COUNCIL LIAISON.

Linwood Gilliland informed the Planning and Zoning Commission that the City Council had a meeting with the Board of Adjustment, with the city attorney present. The Board of Adjustment was informed that they are governed by the Texas Government Code. The contractor for Prince Drive informed the city that a french drain would be required to correct the problems on Prince Drive. The city engineer is somewhat committed to the french drain, but will not commit as to whether the street could be repaired with only stabilization or is the french drain really necessary. The cost for the Shady Shores bridge project has gone way above the financial means of the city. The city is going to attempt to obtain financial help from the county and the Corps of Engineers.

V. OLD BUSINESS.

DISCUSSION ON ALL COMMERCIAL AND RESIDENTIAL BUILDINGS ENTERING THE CITY BE REQUIRED TO MEET ALL MUNICIPAL CODES BEFORE ENTERING CITY. PERMIT AND INSPECTIONS FEES TO INCLUDE TRAVEL TIME. - ACTION.

Sherrel James moved to pass to the City Council with no recommendation from the Planning and Zoning Commission. Mike Fahey seconded the motion and it carried unanimously.

VI. NEW BUSINESS.

No parking signs at Ashleye Village Apartments are not visible at the point where parking is restricted. Ashleye Village Apartments are private property and the City can not enforce signs or parking violations.

VII. ADJOURNMENT.

Mike Fahey moved to adjourn the meeting. Sherrel James seconded the motion and it carried unanimously. The meeting adjourned at 10:00 P.M.

Barbara Starkey
BARBARA STARKEY, SECRETARY

B. Cox
BRUCE COX, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

FEBRUARY 2, 1995

MEMBERS PRESENT:
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
SHERREL JAMES
BARBARA STARKEY, SECRETARY

MEMBERS ABSENT:
BRUCE COX, CHAIRMAN
CHARLES DALTON

I. ROLL CALL.

Vice-Chairman Aldena Gregory called the meeting to order at 7:35 P.M. and noted that all members were present except Chairman Bruce Cox and Charles Dalton.

II. APPROVAL OF MINUTES.

Mike Fahey moved to approve the minutes of the meeting held on January 5, 1995. Sherrel James seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

Bobby Shickle of 712 Thompson Drive commented that the no parking signs at Ashleye Village Apartments were not visible at the point where parking is restricted. He also feels the Code Enforcement Official should work with older citizens before issuing tickets for code violations.

IV. REPORT FROM CITY COUNCIL LIAISON.

Linwood Gilliland informed the Planning and Zoning Commission that the City Council has discussed the need for an ordinance requiring that buildings brought into the city must meet code before they enter the city.

V. OLD BUSINESS.

City personnel will continue with notification of all residents and property owners within two hundred feet of T. White, tract 1-A, H. H. Swisher, tract 3, N. French, tract 21 and the

property behind Harbortown Townhomes in reference to proposed zoning change of these tracts of land to R1-10,000. A public hearing and action will be set for the March meeting.

VI. NEW BUSINESS.

A. Rezoing current ordinance section 18.44 to R1-10,000. A public hearing and action will be set for the March meeting.

B. Request for six foot privacy fences around the balconies of two story structures. A public hearing and action will be set for the March meeting.

VII. ADJOURNMENT.

Sherrel James moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 8:30 P.M.

BARBARA STARKEY, SECRETARY

ALDENA GREGORY, VICE-CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JANUARY 5, 1995

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND
MIKE FAHEY
SHERREL JAMES
CHARLES DALTON
BARBARA STARKEY, SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all members were present.

II. APPROVAL OF MINUTES.

Aldena Gregory moved to approve the minutes of meeting held on December 1, 1994. Mike Fahey seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

Bobby Shickle of 712 Thompson Drive would like the Planning and Zoning Commission to look at creating an ordinance requiring builders of two story structures that over look single family homes include six foot privacy fences around the balconies.

IV. REPORT FROM CITY COUNCIL LIAISON.

A. Linwood Gilliland informed the Planning and Zoning Commission that the City Council will work on cleaning up the older areas of Lake Dallas.

B. Voters have approved a new lake bridge. The City Council will encourage a route with the least impact to the

city.

V. OLD BUSINESS.

A. Mike Fahey made a motion to rezone the tracts of land listed below to R1-10,000. Aldena Gregory seconded the motion and it carried unanimously.

T. White, tract 1-A
H. H. Swisher, tract 3
N. French, tract 21
Property behind Harbortown Townhomes

B. No new ordinance needed for standards within mobile home parks or mobile home communities. The current ordinance covers travel trailers.

VI. NEW BUSINESS.

A. Rezoning section 18.44 to R1-10,000.

B. Code Enforcement Officer Mike McCary referred to a complaint brought to him by a citizen in reference to restricting the types of structures that are allowed to move into the city. The Planning and Zoning Commission discussed this matter and determined no action was necessary.

VII. RECOGNITION OF RITA HARVELL AND BOB GEISINGER.

Aldena Gregory moved to have the City Council recognize Rita Harvell and Bob Geisinger for their work with the Planning and Zoning Commission. Sherrel James seconded the motion and it carried unanimously.

VIII. ADJOURNMENT.

Aldena Gregory moved to adjourn the meeting. Sherrel James seconded the motion and it carried unanimously. The meeting adjourned at 9:25 P.M.

Barbara Starkey
BARBARA STARKEY, SECRETARY

R.B. Cox
BRUCE COX, CHAIRMAN

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 1, 1994

MEMBERS PRESENT:
BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND
RITA HARVELL
MIKE FAHEY
BOB GEISINGER
DONNA HAMILTON, CITY SECRETARY
BARBARA STARKEY, SECRETARY

MEMBERS ABSENT:
NONE

I. ROLL CALL.

Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all members were present.

II. APPROVAL OF MINUTES.

Bob Geisinger moved to approve the minutes of meeting held on November 3, 1994. Rita Harvell seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

None.

IV. REPORT FROM CITY COUNCIL LIAISON.

A. Linwood Gilliland informed the Planning and Zoning Commission that The City Council approved Thousand Oaks Phase II. The developer will provide sidewalks and assist the City with improvements to Shady Shores Road.

B. The City Council is looking at the travel trailers in all mobile home parks. Several of the travel trailers do not meet current standards.

V. OLD BUSINESS.

Rezoning of certain tracts of land to R1-10,000. City staff is working with legal.

VI. NEW BUSINESS.

None.

VII. CONSIDER RECOMMENDATION OF NEW PLANNING AND ZONING BOARD MEMBERS TO CITY COUNCIL.

Rita Harvell moved to recommend to the City Council the approval of Sherrel James and Charles Dalton to the Planning and Zoning Commission. Mike Fahey seconded the motion and it carried unanimously.

VIII. ADJOURNMENT.

Bob Geisinger moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously. The meeting adjourned at 7:52 P.M.

Barbara Starkey
BARBARA STARKEY, SECRETARY

R B. Cox
BRUCE COX, CHAIRMAN

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
NOVEMBER 3, 1994

I. ROLL CALL:

Members Present:
Aldena Gregory, Vice-Chairman
Bob Geisinger
Mike Fahey
Rita Harvell
Donna Hamilton, City Secretary

Members Absent:
Bruce Cox, Chairman

II. APPROVAL OF MINUTES.

Bob Geisinger moved to approve the minutes of meetings held in October, 1994. Rita Harvell seconded the motion and it carried unanimously.

III. CITIZEN'S AGENDA.

None.

IV. REPORT FROM COUNCIL LIAISON.

Council liaison Gilliland was absent.

V. PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 10.20 OF THE MUNICIPAL CODE PROVIDING THAT ALL NEWLY CONSTRUCTED COMMERCIAL BUILDINGS SHALL CONSIST OF EIGHTY PERCENT MASONRY ON EXTERIOR SURFACES.

There was not any public comment.

VI. ORDINANCE AMENDING CHAPTER 10.20 OF THE MUNICIPAL CODE RELATING TO EXTERIOR SURFACES OF COMMERCIAL BUILDINGS.

Bob Geisinger moved to recommend to City Council the passage of an ordinance amending Chapter 10.20 of the Municipal Code requiring eighty percent masonry on exterior wall of new commercial buildings. Mike Fahey seconded the motion and it passed unanimously.

VII. CONSIDER APPROVAL OF FINAL PLAT FOR PHASE II, THOUSAND OAKS ADDITION.

Bob Geisinger moved to recommend to City Council the approval of the final plat of Thousand Oaks, Phase II. Mike Fahey seconded the motion and it carried unanimously.

VIII. OLD BUSINESS.

A. Rezoning of certain tracts of land to R1-10,000.

The Planning and Zoning Commission requested that city staff start procedures to rezone four tracts of land.

IX. NEW BUSINESS.

None.

X. CONSIDER RECOMMENDATION OF NEW PLANNING AND ZONING BOARD MEMBERS TO CITY COUNCIL.

The Commission needs more applicants to choose from.

XI. ADJOURNMENT.

Rita Harvell moved to adjourn the meeting. Mike Fahey seconded the motion and it carried unanimously

Aldena Gregory

Aldena Gregory, Vice-Chairman

ATTEST:

Donna Hamilton

Donna Hamilton, City Secretary

SPECIAL MEETING OF THE CITY COUNCIL AND
PLANNING AND ZONING COMMISSION
OCTOBER 18, 1994

I. ROLL CALL:

City Council Members Present:

Matt Flanagan, Mayor ProTem
Thanna Bounds, Council Member
Garry Bills, Council Member
Linwood Gilliland, Council Member

Planning & Zoning Members Present:

Bruce Cox, Chairman
Aldena Stowe, Vice-Chairman
Bob Geisinger
Mike Fahey
Donna Hamilton, City Secretary

Members Absent:

Jerry McCutcheon, Mayor
Bruce Martin, Council Member
Rita Harvell, Planning & Zoning Member

II. WORKSHOP TO DISCUSS POSSIBLE POLO FIELD IN THE T. WHITE SURVEY.

Matt Flanagan and Mike McCary will research this matter.

III. WORKSHOP TO DISCUSS PRELIMINARY PLAT FOR PHASE II, THOUSAND OAKS ADDITION.

The City Council and the Planning and Zoning Commission discussed several areas of concern in the preliminary subdivision plat of Thousand Oaks, Phase II. Jim Douglas said that he would widen some of the lots and remove a street and put in cul de sacs. He also agreed to assist the City in park development and improvements to Shady Shores Road.

IV. PLANNING AND ZONING ONLY: CONSIDER APPROVAL OF PRELIMINARY PLAT FOR THOUSAND OAKS, PHASE II.

Aldena Stowe moved to approve the preliminary plat with the revisions discussed in the workshop. Bob Geisinger seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Mike Fahey moved to adjourn the meeting. Bob Geisinger seconded the motion and it carried unanimously

Matt Flanagan, Mayor ProTem

R. B. Cox

Bruce Cox, Chairman

ATTEST:

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

OCTOBER 6, 1994

I. Roll Call.

Members Present:

Bruce Cox, Chairman
Aldena Stowe, Vice-Chairman
Rita Harvell
Mike Fahey
Donna Hamilton, City Secretary

Members Absent:

Bob Geisinger

With Bob Geisinger absent, Bruce Cox called the meeting to order.

II. Rita Harvell moved to approve the minutes from the September meeting. Mike Fahey seconded the motion and it carried unanimously.

III. Citizen's Agenda.

There were no citizen comments.

IV. Report From Council Liaison.

Linwood Gilliland reported that the City has paid all of its debts, the budget was passed with no increase in property taxes, and that four streets were being repaved.

V. Preliminary Plat Approval for Phase II, Thousand Oaks Addition.

Ron Douglas, developer of Thousand Oaks, explained that Phase II would be a continuation of Phase I with some curved streets in the northern portion. He stated that Pulte Homes has agreed to buy these lots and that to continue the current momentum of building in this subdivision that it would be important to approve this plat as soon as possible. Russell Phillips, General Homes, said that he has sold a lot at 318 Thousand Oaks Blvd. as a corner lot and that with the approval of the new plat this lot would no longer be a corner lot. Mr. Douglas told him they could work something out on this.

Rita Harvell moved to table a decision on the preliminary plat pending a workshop on October 18, 1994. Mike Fahey seconded the motion and it carried unanimously.

VI. Recommendation of new Planning and Zoning member to City Council.

Aldena Stowe moved to table a recommendation of a new board member pending further applications. Rita Harvell seconded the motion and it carried with Mike Fahey voting nay.

VII. Old Business.

A. The City Secretary was instructed to write an ordinance requiring 80% masonry on all sides of commercial buildings and to post this item on the November agenda as a public hearing and action item.

B. Rezoning of certain tracts of land in the T. White Survey will be discussed at a later time.

VIII. New Business.

A. A workshop was set for October 18, 1994 at the Community Center.

IX. Adjournment.

Aldena Stowe moved to adjourn the meeting. The motion was seconded by Rita Harvell and carried unanimously.

R.B. Cox

Bruce Cox, Chairman

Donna Hamilton

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 1, 1994

MEMBERS PRESENT:

ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND
RITA HARVELL
BOB GEISINGER
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
BRUCE COX, CHAIRMAN
MIKE FAHEY

I. ROLL CALL

VICE-CHAIRMAN ALDENA GREGORY CALLED THE MEETING TO ORDER AT 7:40 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT CHAIRMAN BRUCE COX AND MIKE FAHEY.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FROM THE AUGUST 4, 1994 MEETING.

III. CITIZEN AGENDA

NO COMMENT.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON LINWOOD GILLILAND INFORMED THE PLANNING AND ZONING COMMISSION THAT THE CITY COUNCIL IS WORKING ON THE 1994-1995 BUDGET.

V. OLD BUSINESS

A. THE PLANNING AND ZONING COMMISSION WOULD LIKE TO WORK ON CHANGING THE COMMERCIAL ORDINANCE PERTAINING TO THE 80% MASONARY ON THE BUILDING. BOARD MEMBERS WOULD LIKE THE

ORDINANCE TO READ, ANYTIME THE BUILDING IS LOCATED ON A CORNER LOT OR VISIBLE ON ALL SIDES FROM THE ROADWAY, ON SIDES OF THE BUILDING SHALL BE 80% MASONARY. PERSONNEL WILL WORK ON WRITING UP NEW ORDINANCE.

B. THE PLANNING AND ZONING COMMISSION WOULD LIKE TO PUT THE NEW ZONING ORDINANCE R-1-10,000 IN PLACE IN THE UNDEVELOPED PART OF THE TW SURVEY TRACT 1 AND 7. IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO ALLOW PERSONNEL TO POST THE PUBLIC HEARING AND TO SEND OUT LETTERS TO ALL PROPERTY OWNERS WITHIN TWO HUNDRED FEET OF THAT PROPERTY.

VI. NEW BUSINESS

NO NEW BUSINESS.

VII. ADJOURNMENT

IT WAS MOVED BY BOB GEISINGER, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:25 P.M.

Jody Brooks
JODY BROOKS, SECRETARY

Aldena Gregory
ALDENA GREGORY, VICE-CHAIRMAN

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

AUGUST 4, 1994

MEMBERS PRESENT:

Bruce Cox, Chairman
Aldena Gregory, Vice-Chairman
Linwood Gilliland, Liaison
Rita Harvell
Bob Geisinger
Mike Fahey

I. ROLL CALL

Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all members were present.

II. MINUTES

It was moved by Aldena Gregory, seconded by Bob Geisinger and carried unanimously to accept the minutes from the July 7, 1994 meeting.

III. CITIZEN AGENDA

No comment.

IV. REPORT FROM CITY COUNCIL LIAISON

Liaison Gilliland reported to the commission that Lakeview Drive will soon be paved.

V. OLD BUSINESS

The Planning and Zoning Commission discussed the commercial ordinance that pertains to the front of the building being eighty(80) percent masonary. Personnel will pull that ordinance for the commission so they can review and discuss possibly changing this to read different.

Also, the new zoning ordinance R-1-10,000, the board would like to put that new zoning ordinance in effect for the undeveloped part of Thousand Oaks. Personnel will post the public hearing and send letters out to all property owners within 200 feet.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

JULY 7, 1994

MEMBERS PRESENT:

ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND
BOB GEISINGER
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
RITA HARVELL
BRUCE COX, CHAIRMAN

I. ROLL CALL

ALDENA GREGORY CALLED THE MEETING TO ORDER AT 7:40 P.M. AND NOTD THAT ALL MEMBERS WERE PRESENT EXCEPT CHAIRMAN BRUCE COX AND RITA HARVELL.

II. PUBLIC HEARING

A. TO AMEND CHAPTER 6.44 AND CHAPTER 18.12 OF THE LAKE DALLAS MUNICIPAL CODE PERTAINING TO SWINE. NO CITIZEN WAS AVAILIABLE FOR COMMENT. MIKE FAHEY WAS CONCERNED THE WEIGHT OF POT BELLY PIGS AR OVER 100 POUNDS.

B. ADDING SECTION 18.11 OF THE LAKE DALLAS MUNICIPAL CODE, ADDING A NEW ZONING ORDINANCE R-1-10,000. NO CITIZEN COMMENT AND NO QUESTIONS FROM THE MEMBERS OF PLANNING AND ZONING.

III. PUBLIC HEARING - ACTION

MIKE FAHEY MADE A MOTION TO NOT AMEND THIS ORDINANCE, THE ORDINANCE THE CITY NOW HAS IS FINE, IT WAS SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY.

IV. PUBLIC HEARING - ACTION

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO RECOMMEND TO CITY COUNCIL THIS NEW ZONING ORDINANCE.

V. CITIZEN AGENDA

NO COMMENT.

VI. REPORT FROM CITY COUNCIL LIAISON

LIAISON GILLILAND TOLD THE PLANNING AND ZONING BOARD ABOUT THE LETTER HE RECEIVED IN REFERENCE TO METER DROPS IN ALL THE SURROUNDING CITIES. THIS WOULD BE IN REFERENCE TO THE L.C.V.F.D. BUDGET.

VII. MINUTES

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES ON THE JUNE 2, 1994 MEETING.

VIII. OLD BUSINESS

NO OLD BUSINESS.

VIX. NEW BUSINESS

THE PLANNING AND ZONING COMMISSION WOULD LIKE TO SEE THE ORDINANCE PERTAINING TO 80% MASONARY UPGRADED. SOME MEMBERS TALKED ABOUT ONE NEW COMMERCIAL BUILDING THAT IS BEING BUILT. PERSONNEL WILL LOOK INTO THIS MATTER, AND FURTHER DISCUSSION WILL BE AT THE NEXT REGULAR MEETING.

Jody Brooks
JODY BROOKS, SECRETARY

Aldena Gregory
ALDENA GREGORY, VICE CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 2, 1994

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND, LIAISON
MIKE FAHEY
BOB GEISINGER
RITA HARVELL
DONNA HAMILTON, SECRETARY

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. MINUTES

IT WAS MOVED BY BOB GEISINGER, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FROM THE MAY 5, 1994 MEETING.

III. CITIZEN AGENDA

NO COMMENT.

IV. REPORT FROM CITY COUNCIL LIAISON

LINWOOD GILLILAND GAVE LIAISON REPORT.

V. OLD BUSINESS

A. AMEND CHAPTER 10.24.150 "FRONT AND SIDE YARD PARKING" IN R-1 AND R-2 ZONES, SUBSECTION B BY ADDING, KEEP FREE OF VEGETATION. ALL PLANNING AND ZONING MEMBERS AGREED TO REVISE THE ORDINANCE.

B. PUBLIC HEARING WILL BE SET FOR JULY AND ACTION TAKEN.

VI. NEW BUSINESS

A. ADD TO AND AMEND PROPOSED ORDINANCE RELATING TO THE NEW R-1-10,000 ZONING.

B. REVISE THE ORDINANCE PERTAINING TO POT BELLY PIGS.

C. PUBLIC HEARING FOR BOTH OF THE ABOVE ITEMS WILL BE PLACED ON THE JULY AGENDA FOR A PUBLIC HEARING AND ACTION.

VII. ADJOURNMENT

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:00 P.M.

Donna Hamilton
DONNA HAMILTON, SECRETARY

R.B. Cox
BRUCE COX, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

MAY 5, 1994

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND, LIAISON
MIKE FAHEY
BOB GEISINGER
RITA HARVELL
JODY BROOKS, SECRETARY

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. PUBLIC HEARING

DON & LYNN SCHNEIDER ASKED THE PLANNING AND ZONING COMMISSION TO CONSIDER THE REPLAT OF LOT 3 IN HICKORY ACRE ESTATES. THE LOT NOW IS 2.4 ACRES AND THEY WOULD LIKE TO MAKE LOT 3A ONE ACRE AND LOT 3B 1.4 ACRES. PERSONNEL SENT LETTERS TO ALL PROPERTY OWNERS AND THERE WAS NO RESPONSE. PROPERTUY OWNER GARY ADAIR WAS PRESENT AT THE MEETING. HE OWNS LOT 2 OF HICKORY HILLS ESTATES AND OPPOSED THE REPLAT. HE ADVISED THE PLANNING AND ZONING COMMISSION THAT WHEN HE BOUGHT THE LOT HE LIKED IT BECAUSE IT WAS NOT SUB-DIVISION LIVING, IT WAS MORE LIKE COUNTRY LIVING.

MIKE FAHEY MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL TO GRANT THIS REPLAT, IT WAS SECONDED BY ALDENA GREGORY AND THE VOTE WAS 3 FOR IT AND 2 AGAINST IT.

III. MINUTES

IT WAS MOVED BY ALDENA GREGORY, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FROM THE APRIL 7, 1994 MEETING.

IV. CITIZEN AGENDA

NO COMMENT.

V. REPORT FROM CITY COUNCIL LIAISON

LIAISON LINWOOD GILLILAND REPORTED TO THE PLANNING AND ZONING COMMISSION THAT THE NEW CODE ENFORCEMENT OFFICER MIKE MCCARY IS DOING A GREAT JOB. HE HAS NOTICED SOME CHANGE IN OUR CITY.

VI. OLD BUSINESS

A. R-1-10,000 ZONING: CITY COUNCIL IS REVIEWING THE NEW ZONING AND WILL ADVISE THE PLANNING AND ZONING COMMISSION.

B. COMMERCIAL PARKING: CITY COUNCIL IS REVIEWING THE SPECIFICATION LIST.

C. GRAVEL/RESIDENTIAL: THE PLANNING AND ZONING COMMISSION WOULD LIKE TO HAVE AN ORDINANCE PERTAINING TO RESIDIENTIAL DRIVEWAYS. THE COMMISSION WOULD LIKE TO SEE ALL THE RESIDENTS NOW GRANDFATHERED AND ANY NEW RESIDENTS THAT BUY HOMES WITH GRAVELED DRIVEWAYS WOULD HAVE TO CEMENT OR CONCRETE THEM.

VII. NEW BUSINESS

LIAISON GILLILAND ASKED THE THE ZONING COMMISSION TO BE AWARE OF MOBILE HOMES IN THE RESIDENTIAL DISTRICT. SOME OF THE MOBILE HOMES MAY WANT TO UPGRADE THE HOME.

VIII. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:05 P.M.

Jody Brooks
JODY BROOKS, SECRETARY

B.B. Cox
BRUCE COX, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

APRIL 7, 1994

MEMBERS PRESENT:

ALDENA GREGORY, VICE CHAIRMAN
LINWOOD GILLILAND, LIAISON
RITA HARVELL
MIKE FAHEY
BOB GEISINGER
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

BRUCE COX, CHAIRMAN

I. ROLL CALL

VICE-CHAIRMAN ALDENA GREGORY CALLED THE MEETING TO ORDER AT 7:35 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT BRUCE COX, CHAIRMAN.

II. MINUTES

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MARCH 3, 1994 MEETING.

III. CITIZEN AGENDA

NO COMMENT.

IV. REPORT FROM CITY COUNCI LIAISON

LIAISON LINWOOD GILLILAND REPORTED THAT AT THE LAST CITY COUNCIL MEETING, THE DEVELOPERS FROM THOUSAND OAKS MET WITH THE CITY COUNCIL TO DISSCUSS THE VARIANCE FEE FOR SOME OF THE LOTS THAT DO NOT MEET THE REQUIRED SETBACKS. THE CITY COUNCIL WILL ALLOW THE CITY TO CHARGE A ONE TIME FEE OF $250.00 TOTAL FOR ALL VARIANCES.

V. OLD BUSINESS

A. R-1-10,000 ZONING DISTRICT. THE PLANNING AND ZONING COMMISSION DISCUSSED THE NEW ZONING DISTRICT THAT PERSONNEL TYPED AND MADE SOME CHANGES. IT WAS MOVED BY MIKE FAHEY, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPROVE THE ROUGH DRAFT SO THAT THE CITY COUNCIL CAN DISCUSS IT.

B. COMMERCIAL PARKING: COMMERCIAL PARKING WAS DISCUSSED. THE CITY COUNCIL WILL BE DISCUSSING THE SPECIFICATION SHEET AT THEIR NEXT REGULAR MEETING AND TRY TO DELETE THE GRAVEL PART.

THE BOARD WOULD LIKE TO DELETE 10.24.150 SECTION B WHICH ALLOWS A GRAVEL DRIVEWAY. PERSONNEL WILL POST NOTICE OF A PUBLIC HEARING ON THIS ISSUE.

VI. NEW BUSINESS

NO NEW BUSINESS.

VII. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:15 P.M.

Aldena Gregory

ALDENA GREGORY, VICE-CHAIRMAN

Jody Brooks

JODY BROOKS, SECRETARY

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

MARCH 3, 1994

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND, LIAISON
RITA HARVELL
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
BOB GEISINGER

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:34 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT BOB GEISINGER.

II. REPLAT OF T.W. SURVEY

ROBBY HOUGHTON PRESENTED A REPLAT OF 3 ACRES OF PROPERTY THAT HE WOULD LIKE TO DIVIDE INTO TWO LOTS. BOTH LOTS WOULD HAVE ABOUT 1 1/2 ACRES PER LOT. IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO RECOMMEND TO CITY COUNCIL TO APPROVE THE REPLAT.

III. MINUTES

IT WAS MOVED BY MIKE FAHEY, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE FEBRUARY MEETING WITH ONE CORRECTION ON THE SPELLING OF AMORTIZATION.

IV. CITIZEN AGENDA

NO COMMENT.

V. REPORT FROM CITY COUNCIL LIAISON

LIAISON GILLILAND REPORTED THAT THE CITY COUNCIL INTERVIEWED SEVERAL PEOPLE FOR THE CODE ENFORCEMENT POSITION. THEY HAD CHOOSEN SEVERAL APPLICANTS AND BACKGROUNDS WERE BEING DONE BY PERSONNEL.

VI. OLD BUSINESS

A. THE PLANNING AND ZONING COMMISSION DISCUSSED MAKING A NEW ZONING ORDINANCE TO PERTAIN TO LARGER LOTS AND LARGER HOMES. THEY WOULD LIKE TO SEE A ZONING ORDINANCE LIKE AN R-1-10,000 WHICH WOULD REQUIRE 10,000 SQUARE FOOT LOT AND HOUSES WOULD BE A MINIMUM OF 2,000 SQUARE FEET. PERSONNEL WILL PREPARE AN ORDINANCE FOR THE NEXT REGULAR MEETING.

B. COMMERCIAL PARKING - THE PLANNING AND ZONING COMMISSION WOULD LIKE TO SEE THE NEXT CODE ENFORCEMENT OFFICER ENFORCE ORDINANCE 18.38.080 OF THE LAKE DALLAS MUNICIPAL CODE BOOK. THE COMMISSION WOULD LIKE PERSONNEL TO SEND COPIES OF THE ORDINANCE TO ALL BUSINESS OWNERS OR POSSIBLY HAND OUT COPIES OF THE ORDINANCE AT THE MAYOR'S MEETING WITH THE BUSINESS OWNERS.

VII. NEW BUSINESS

THE BOARD DISCUSSED ORDINANCE 10.24.150 PERTAINING TO RESIDENTIAL PARKING. THE BOARD WOULD LIKE TO DELETE SECTION B THAT ALLOWS GRAVEL.

VIII. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:05 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

R. B. Cox

BRUCE COX, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

FEBRUARY 3, 1994

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND, LIAISON
MIKE FAHEY
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
BOB GEISINGER

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:35 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT BOB GEISINGER.

II. PUBLIC HEARING

THE PUBLIC HEARING WAS OPENED. NO CITIZEN WAS PRESENT TO COMMENT ABOUT RESIDENTIAL PARKING. THE MEMBERS DISCUSSED AMENDING THE ORDINANCE 10.24.150 OF THE LAKE DALLAS MUNICIPAL CODE BY ADDING SUB-SECTION E TO READ AS FOLLOWS:

E. THE AREA SHALL NOT OCCUPY MORE THAN 40% OF THE REQURED FRONT YARD.

THE PUBLIC HEARING WAS CLOSED AT 8:00 P.M.

III. ACTION FROM PUBLIC HEARING

IT WAS MOVED BY RITA HARVELL , SECONDED BY ALDENA GREGORY AND CARRIED UNANIMOUSLY TO RECOMMEND TO THE CITY COUNCIL TO APPROVE AMENDING ORDINANCE 10.24.150 ADDING SUB-SECTION E.

IV. MINUTES

IT WAS MOVED BY ALDENA GREGORY, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FROM THE

PREVIOUS MEETING.

V. CITIZEN AGENDA

NO COMMENT.

VI. REPORT FROM COUNCIL LIAISON

LIAISON LINWOOD GILLILAND REPORTED ABOUT THE LAST CITY COUNCIL'S MEETING, AND WHAT WAS DISCUSSED.

VII. OLD BUSINESS

COMMERCIAL PARKING WAS DISCUSSED AND THE MEMBERS WOULD LIKE TO AMEND THE ORDINANCE TO READ AS REFERING TO ~~IMMORTIZATION~~ AMMOR WHERE THE PROPERTY OWNERS WOULD HAVE TO HAVE THE PARKING LOT PAVED OR CONCRETED WITHIN 5 YEARS.

Amortization

VIII. NEW BUSINESS

CHAIRMAN BRUCE COX WOULD LIKE TO DISCUSS THOUSAND OAKS SUB-DIVISION AT THE NEXT REGULAR MEETING. THE DISCUSSION WILL BE ABOUT THE UNPLATTED AREA AND POSSIBLY CHANGING THE ZONING TO HAVE BIGGER HOMES BUILT. FURTHER DICUSSION WILL BE AT THE NEXT REGULAR MEETING.

IX. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA GREGORY AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:25 P.M.

Donna Hamilton
~~JODY BROOKS~~, SECRETARY

R. B. Cox
BRUCE COX, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING & PUBLIC HEARING

NOVEMBER 4, 1993

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
LINWOOD GILLILAND, LIAISON
MIKE FAHEY
BOB GEISINGER
RITA HARVELL
JODY BROOKS, SECRETARY

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. PUBLIC HEARING

THE PUBLIC HEARING WAS OPENED TO AMEND SEVERAL ORDINANCES. THE ORDIANANCES ARE AS FOLLOWS:

A. 18.12.050 IN REFERENCE TO LIVESTOCK PER ACREAGE. THE PLANNING AND ZONING COMMISSION WOULD LIKE THE ORDINANCE TO READ AS FOLLOWS: 2.25 ACRES UNIMPEDED i.e., NO CROSS FENCE ACROSS ACREAGE OR NO CLOSED GATE PER ANIMAL.

B. 18.020.030 IN DISTRICT C-1 THE HEIGHT OF BUILDINGS.

C. 18.22.080 IS HEREBY REPEALED.

D. 18.42.110(B) IS HEREBY REPEALED.

E. 18.42.130 MINIMUM DWELLING SIZE.

ALDENA GREGORY MADE A MOTION TO CLOSE THE PUBLIC HEARING, MIKE FAHEY SECONDED IT, THE PUBLIC HEARING CLOSED AT 8:04 P.M

III. ACTION FROM PUBLIC HEARING

MIKE FAHEY MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL TO APPROVE TH AMENDMENT AS STATED ABOVE, BOB

GEISINGER SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

IV. CITIZEN AGENDA

NO COMMENT.

V. MINUTES

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FROM THE OCTOBER 7, 1993 MEETING.

VI. REPORT FROM CITY COUNCIL LIAISON

LIAISON GILLILAND REPORTED TO THE PLANNING AND ZONING COMMISSION THE REPORT FROM THE LAST MONTHS COUNCIL MEETING.

VII. NEW BUSINESS

NO NEW BUSINESS.

VIII. OLD BUSINESS

A. THOUSAND OAKS: THE BOARD DISCUSSED THE ZONING IN THOUSAND OAKS SUBDIVISION HOW IT DIFFERS FROM THE ORGINAL R-1-7200. CODE ENFORCEMENT OFFICER RICHARD GETTS WANTED TO ADD THE ZONING ORDINANCE TO THE ZONING BOOK, THE COMMISSION DECIDED TO LEAVE IT AS IS.

B. R-1-6000: CODE ENFORCEMENT OFFICER RICHARD GETTS EXPLAINED TO THE PLANNING AND ZONING COMMISSION LAST MONTH THAT CITIZENS IN THIS ZONING WOULD LIKE TO ADD CARPORTS ONTO THEIR PROPERTY. MR. GETTS SAID THAT SOME CITIZENS WOULD GET MAD WHEN HE SAID THEY COULD NOT BUILD CARPORTS. THE COMMISSION DECIDED THAT THESE PEOPLE WOULD JUST HAVE TO GET VARIANCES.

C. COMMERCIAL PARKING: THE BOARD DECIDED THAT FOR BUSINESS' PARKING LOTS THE LOT WILL BE PAVED WITH HARD SURFACE AND THE BUSINESS OWNERS WOULD HAVE UP TO FIVE YEARS TO COMPLETE THE PARKING LOT. PERSONNEL WILL WRITE UP A ROUGH DRAFT OF THE NEW ORDINANCE AND PRESENT IT AT THE NEXT REGULAR MEETING.

RESIDENTIAL PARKING: PARKING SPACE FOR RESIDENTS IN THE FRONT YARD WILL BE LIMITED TO A 30% PARKING AREA THAT WILL CONSIST OF A HARD SURFACE. PERSONNEL WILL WRITE UP A ROUGH DRAFT OF THIS NEW ORDINANCE AND PRESENT IT AT THE NEXT REGULAR MEETING.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

OCTOBER 7, 1993

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE-CHAIRMAN
MIKE FAHEY
BOB GEISINGER
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

LINWOOD GILLILAND

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT LIAISON LINWOOD GILLILAND.

II. MINUTES

IT WAS MOVED BY BOB GEISINGER, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE SEPTEMBER 2, 1993 MEETING.

III. CITIZEN AGENDA

CITIZEN MR. BAILEY OF 613 LAKE STREET CAME BEFORE THE PLANNING AND ZONING COMMISSION TO QUESTION THE FENCE ORDINANCE. MR. BAILEY HAS A INCOMPLETE METAL FENCE IN HIS YARD AND WOULD LIKE TO COMPLETE THE FENCE. THE CITY ORDINANCE STATES THAT METAL IS NOT ONE OF THE CONSTRUCTION MATERIALS THAT ARE ALLOWED TO BE USED. MR. BAILEY RECEIVED A NOTICE OF CODE VIOLATION FROM CODE ENFORCEMENT OFFICER RICHARD GETTS LAST WEEK IN REFERENCE TO HIS INCOMPLETE METAL FENCE. THE ONLY THING MR. BAILEY WOULD LIKE TO DO IS TO FINISH HIS METAL FENCE. THE PARTIAL FENCE THAT IS NOW UP, WAS PUT UP IN 1985. THE CITY ORDINANCE TOOK EFFECT IN 1989. MR. BAILEY IS CONSIDERING APPLYING FOR A VARIANCE AND WILL ALSO GO TO THE NEXT CITY COUNCIL MEETING.

IV. REPORT FORM CITY COUNCIL LIAISON

LIAISON NOT PRESENT.

V. NEW BUSINESS

CODE ENFORCEMENT OFFICER RICHARD GETTS INFORMED THE PLANNING AND ZONING COMMISSION THAT CONTRACTORS WILL START BUILDING HOUSES IN THE THOUSAND OAKS SUBDIVISION IN ABOUT SIXTY(60) TO NINETY(90) DAYS. MR. GETTS ADVISED THE BOARD THAT HE HAS SOME CONCERNS ABOUT THE ZONING THAT THE SUBDIVISION WAS GIVEN IN 1986. THOUSAND OAKS IS ZONED R1-7200, BUT SINCE THAT SUBDIVISION WAS GIVEN SPECIAL REQUIREMENTS, IT DIFFERS FROM THE R1-7200 ZONING. MR. GETTS WOULD LIKE TO SEE THIS SUBDIVISION GIVEN A DIFFERENT NAME FOR THE ZONING, SO THIS DOES NOT GET CONFUSED WITH THE R1-7200 ZONING. PERSONNEL WILL LOOK OVER OTHER CITIES ZONING AND ACTION WILL BE TAKEN AT THE NEXT REGULAR MEETING.

ANOTHER SUBJECT THAT MR. GETTS WOULD LIKE THE PLANNING AND ZONING COMMISSION TO LOOK AT IS THE R1-6000 ZONING. SOME RESIDENTS WOULD LIKE TO BUILD CARPORTS ON THEIR LAND, BUT THE ZONING DOES NOT ALLOW IT. THE LOTS IN THIS ZONING ARE SMALL. MR. GETTS WOULD LIKE TO SEE SOME RELIEF FOR THE CITIZENS THAT WOULD LIKE TO UPGRADE THEIR PROPERTY. THE COMMISSION WILL REVIEW THIS ZONING ORDINANCE AND WILL DISCUSS IN NEXT REGULAR MEETING.

VI. OLD BUSINESS

OFF STREET PARKING WAS DISCUSSED. CODE ENFORCEMENT OFFICER RICHARD GETTS DISCUSSED PARKING IN RESIDENTIAL AND COMMERCIAL AREAS. HE FEELS THAT THE ORDINANCE MAY WANT TO READ AS: IF A NEW RESIDENTIAL HOME WAS BUILT, A CEMENT OR ASPHALT DRIVEWAY WOULD HAVE TO BE ADDED. FOR BUSINESS', THE CITY WOULD ALLOW THEM UP TO FIVE YEARS TO PAVE THEIR PARKING LOTS. HOUSES THAT ALREADY HAVE GRAVEL DRIVEWAYS COULD STAY THE SAME, AND IF THEY WANTED, THEY COULD UP-GRADE THEIR DRIVEWAY. AS DISCUSSED AT THE PREVIOUS MEETING, SOMETHING HAS TO BE DONE ABOUT COVERING THE WHOLE YARD WITH CONCRETE. MR. GETTS ADVISED THE COMMISSION THAT IT MAY BE INPROPER TO TELL A PERSON HOW TO LANDSCAPE HIS OWN YARD. DISCUSSION ABOUT MAKING A MAXIMUM OF 33% COVERED YARD WAS DISCUSSED. RITA HARVELL MADE A MOTION TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING, IT WAS SECONDED BY ALDENA GREGORY.

VII. ADJOURNMENT

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:10 P.M.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 2, 1993

MEMBERS PRESENT:

ALDENA GREGORY, VICE CHAIRMAN
BOB GEISINGER
MIKE FAHEY
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
BRUCE COX, CHAIRMAN
LINWOOD GILLILAND, LIAISON

I. ROLL CALL

VICE CHAIRMAN ALDENA GREGORY CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT CHAIRMAN BRUCE COX AND LIAISON LINWOOD GILLILAND.

II. MINUTES

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FOR THE SEPTEMBER 2, 1993 MEETING.

III. CITIZEN AGENDA

NO COMMENT.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON NOT PRESENT.

V. NEW BUSINESS

NO NEW BUSINESS.

VI. NEW BUSINESS

DISCUSSION ON PARKING IN ALL ZONING ORDINANCES WAS DISCUSSED. THE COMMISSION DECEIDED TO HAVE THE CODE ENFORCEMENT OFFICER RICHARD GETTS PRESENT AT THE NEXT REGULAR MEETING TO GET HIS OPINION ON THIS SUBJECT.

VII. ADJOURNMENT

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:25 P.M.

Jody Brooks
JODY BROOKS, SECRETARY

Aldena Gregory
ALDENA GREGORY, VICE-CHARIMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JULY 1, 1993

MEMBERS PRESENT:

ALDENA GREGORY, VICE CHAIRMAN
MATT FLANAGAN, LIAISON
MIKE FAHEY
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

BRUCE COX, CHAIRMAN
BOB GEISINGER

I. ROLL CALL

VICE CHAIRMAN ALDENA STOWE-GREGORY CALLED THE MEETING TO ORDER AT 7:35 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT CHAIRMAN BRUCE COX AND BOB GEISINGER.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FOR THE JUNE 3, 1993 MEETING.

III. CITIZEN AGENDA

COUNCILMAN GILLILAND COMMENTED ABOUT HOW WE SHOULD TRY AND MAKE THIS CITY A BEAUTIFUL CITY. HE COMMENTED ON HOW IT WOULD BE NICE IF ALL CITIZENS WOULD KEEP THEIR YARDS FREE OF TRASH AND WEEDS.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON MATT FLANAGAN REPORTED THAT THE CITY COUNCIL DISCUSSED WHICH STREETS NEEDED PAVED FIRST. HE ALSO SAID THE CITY COUNCIL DENIED THE QUIT CLAIM DEED THAT RAY WEIKUM ASKED FOR.

V. NEW BUSINESS

PERSONNEL ADVISED THE PLANNING AND ZONING MEMBERS THAT THE ZONING CANNOT BE CHANGED IN THOUSAND OAKS SUB-DIVISION BECAUSE THE ZONING HAS ALREADY BEEN CHANGED IN 1986. THE ZONING WAS CHANGED FROM R1-7200 SINGLE FAMILY TO SINGLE FAMILY WITH GROUP HOUSING. THE PLANNING AND ZONING MEMBERS ALL AGREED TO LEAVE THE ZONING AS IS.

VI. OLD BUSINESS

THE FINAL LOOK AT THE FIVE YEAR PLAN WAS TABLED UNTIL THE NEXT REGULAR MEETING. ALDENA STOWE-GREGORY MADE A MOTION TO TABLE THIS ITEM, IT WAS SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY.

VII. ADJOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY RITA HARVELL, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:15 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

Aldena Gregory

ALDENA GREGORY, VICE-CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 3, 1993

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
ALDENA GREGORY, VICE CHAIRMAN
MATT FLANAGAN, LIAISON
BOB GEISINGER
MIKE FAHEY
RITA HARVELL
JODY BROOKS, SECRETARY

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FOR THE MAY 6, 1993 MEETING.

III. CITIZEN AGENDA

NO COMMENTS.

IV. REPORT FROM CODE ENFORCEMENT

CODE ENFORCEMENT OFFICER RICHARD GETTS REPORTED THAT THOUSAND OAKS SUB DIVISION MAY START TO DEVELOP. IF IT DOES, THE CONTRACTORS WOULD LIKE TO BUILD AT LEAST TEN(10) HOMES A MONTH. NO NEW HOUSE PERMITS WERE ISSUED IN THE MONTH OF MAY.

V. REPORT FROM CITY COUNCIL LIAISON

LIAISON MATT FLANAGAN REPORTED THAT THE CITY COUNCIL ADOPTED THE NEW PERSONNEL MANUAL AND SWORE IN THE NEW MAYOR AND CITY COUNCILMEN. THE QUIT CLAIM DEED TO CLOSE SCOTT AVENUE WAS TABLED UNTIL PERSONNEL CAN RESEARCH SOME THINGS.

VI. NEW BUSINESS

DISCUSSION OF A NEW ZONING ORDINANCE PERTAINING TO BIGGER HOMES WAS DISCUSSED. THIS NEW ORDINANCE WOULD EFFECT THE UNDEVELOPED AREA OF THOUSAND OAKS. PERSONNEL WILL DO SOME RESEARCH ON THE THOUSAND OAKS UNDEVELOPED AREA AND FURTHER DISCUSSION WILL BE AT THE NEXT REGULAR MEETING.

VII. OLD BUSINESS

DISCUSSION OF THE FIVE YEAR PLAN CAME TO AN END. PERSONNEL WILL FINALIZE THE PLAN AND THE PLANNING AND ZONING COMMISSION WILL APPROVE OR DISAPPROVE IT, AND IT WILL THEN GO ON TO THE CITY COUNCIL FOR THEIR APPROVAL.

VIII. ADJOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BOB GEISINGER, AND CARRIED UNAMIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED 8:37 P.M.

JODY BROOKS, SECRETARY

R.B. Cox

BRUCE COX, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MAY 6, 1993

MEMBERS PRESENT:

BRUCE COX, CHAIRMAN
MATT FLANAGAN, LIAISON
MIKE FAHEY
BOB GEISINGER
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
ALDENA STOWE-GREGORY

I. ROLL CALL

CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:32 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT ALDENA STOWE-GREGORY.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY BOB GEISINGER AND CARRIED UNAMIMOUSLY TO APPROVE THE MINUTES FOR THE APRIL 1, 1993 MEETING.

III. QUIT CLAIM DEED

MR. RAY WEIKUM CAME BEFORE THE PLANNING AND ZONING COMMISSION TO GET A QUIT CLAIM ON THE END OF SCOTT AVENUE. MR. WEIKUM OWNS FOUR LOTS AT THE END OF SCOTT AVENUE AND WOULD LIKE THE BOARD TO CLOSE THAT END OF THE STREET BECAUSE ACTUALLY THERE IS NO STREET.

PERSONNEL CONTACTED THE OWNERS OF THE OTHER PROPERTY TO GET THEIR OPINIONS, OUT OF SIX PROPERTY OWNER CONTACTED, ONLY TWO RESPONDED. MR. CARL BIDDLE OWNS SEVERAL LOTS AND HE SAID THAT IT WAS ALRIGHT WITH HIM TO GIVE THAT PORTION OF SCOTT AVENUE TO MR. WEIKUM. MR. FRANK MARCINAK OWNS THE MAJORITY OF LOTS AND HE IS AGAINST GIVING THAT PORTION TO MR. WEIKUM. HE STATED THAT IF THE CITY WERE TO GIVE MR. WEIKUM THAT QUIT CLAIM DEED, IT WOULD LANDLOCK HIS PROPERTY. MR. MARCINAK

WOULD HAVE BEEN AT THE MEETING, BUT HE LIVES IN NEW JERSEY.

RITA HARVELL MADE A MOTION TO DENY THIS QUIT CLAIM DEED. IT WAS SECONDED BY MIKE FAHEY, BOB GEISINGER ABSTAINED, AND IT CARRIED UNAMIMOUSLY TO RECOMMEND TO CITY COUNCIL TO DENY THE QUIT CLAIM DEED.

IV. CITIZEN AGENDA

NO COMMENTS.

V. REPORT FROM CODE ENFORCEMENT

MR. RICHARD GETTS, CODE ENFORCEMENT OFFICER TOLD THE PLANNING AND ZONING COMMISSION THAT THIS HAS BEEN A SLOW MONTH. THERE HAS NOT BEEN VERY MUCH ACTIVITY. HE REPORTED THAT THE NEW POST OFFICE CONSTRUCITON WAS GOING VERY SLOWLY AND THAT THEY WOULD PROBABLY NOT MEET THEIR OPENING DATE IN JUNE.

VI. REPORT FROM CITY COUNCIL LIAISON

LIAISON MATT FLANGAN REPORTED THAT AT THE LAST CITY COUNCIL MEETING, THE COUNCIL APPROVED THE REPLAT FOR MR. DON SCHNEIDER. JOHNNY WEBBER WAS PROMOTED TO DIRECTOR OF THE STREET DEPARTMENT. THE CITY COUNCIL HAS POSTPONED ANY ACTION ON CONTROLLED BURNING UNTIL THE FIRE CHIEF ROBBIE ROBERTSON CAN REVISE THE ORDINANCE.

VII. NEW BUSINESS

NO NEW BUSINESS

VIII. OLD BUSINESS

CONTINUED WORK ON THE FIVE YEAR PLAN. THE PLANNING AND ZONING COMMISSION WILL FINISH MORE OF THE FIVE YEAR PLAN AND THEN SEND IT ON TO THE CITY COUNCIL FOR APPROVAL BEFORE THEIR JUNE MEETING.

IX. ADJOURNMENT

IT WAS MOVED BY BOB GEISINGER, SECONDED BY MIKE FAHEY AND CARRIED UNAMIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:25 P.M.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

APRIL 1, 1993

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
MATT FLANAGAN, LIAISON
MIKE FAHEY
RITA HARVELL
ALDENA STOWE-GREGORY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:
BRUCE COX

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:35 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT VICE-CHAIRMAN BRUCE COX.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES FOR THE MARCH, 1993 MEETING.

ALDENA STOWE MADE A MOTION TO MOVE ON WITH THE REGULAR MEETING AND HAVE THE WORKSHOP LAST ON THE AGENDA, MIKE FAHEY SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

III. REPLAT LOWERY COBB SURVEY

DON & LYNN SCHNEIDER ASKED THE PLANNING AND ZONING COMMISSION TO ALLOW THEM TO REPLAT THE 5.20 ACRES OF LAND AT MAIN STREET AND CARLISLE INTO 3 LOTS. ALDENA STOWE-GREGORY MADE A MOTION TO RECOMMEND THE REPLAT TO THE CITY COUNCIL, IT WAS SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR THE REPLAT.

IV. QUIT CLAIM DEED-DISCUSSION

THE CLOSING OF SCOTT AVENUE WAS DISCUSSED. THERE WERE ONLY 2 PEOPLE THAT RESPONDED TO THE LETTERS THAT WERE SENT OUT. THE MAJORITY OF THE LAND IN THAT AREA IS OWNED BY ONE PERSON OUT OF NEW JERSEY, MR. FRANK MARCINIAK. MR. MARCINIAK IS AGAINST THE CLOSING OF SCOTT AVENUE, HE SAID THAT IT WOULD LANDLOCK HIM IF THE CITY DID THAT. THE ONLY OTHER RESPONSE WAS FROM MRS. BIDDLE. SHE ADVISED THAT IT WAS FINE WITH HER AND HER HUSBAND IF THE CITY WERE TO CLOSE THAT STREET. THE BOARD DISCUSSED OTHER POSSIBLE ENTRANCES IF THE STREET WERE TO BE CLOSED. PERSONNEL WILL CHECK ON CREST STREET, TO SEE IF IT WAS CLOSED OR IS STILL OPEN.

THIS DISCUSSION WAS TABLED UNTIL THE NEXT MEETING.

V. CITIZEN AGENDA

NO COMMENTS.

VI. ELECTION OF NEW OFFICERS

IT WAS MOVED BY ALDENA STOWE-GREGORY, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPOINT BRUCE COX AS CHAIRMAN OF THE PLANNING AND ZONING COMMISSION.

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPOINT ALDENA STOWE-GREGORY AS VICE-CHAIRMAN OF THE PLANNING AND ZONING COMMISSION.

NEW VICE-CHAIRMAN CONTINUED THE MEETING.

VII. CODE ENFORCEMENT REPORT

RICHARD GETTS, CODE ENFORCEMENT OFFICER REPORTED TO THE COMMISSION ABOUT ALL THE ACTIVITY THAT HAS GONE ON IN THE CITY. MR. GETTS REPORTED THAT ALL THE STRIP CENTERS WERE 100% FULL AS OF NOW. THERE WERE A TOTAL OF 30 BUILDING PERMITS ISSUED FOR THE MONTH OF MARCH. ONE OF THE BUILDING PERMITS ISSUED WAS FOR THE NEW POST OFFICE ON SHADY SHORES ROAD WHICH HAS A COMPLETION DATE AROUND THE FIRST PART OF JUNE.

VIII. REPORT FROM CITY COUNCIL LIAISON

MATT FLANAGAN, LIAISON FOR THE CITY COUNCIL REPORTED ABOUT LAST MONTHS MEETING. HE SAID THE CITY COUNCIL HAD PASSED THE REPLAT OF BORCHARDT ESTATES FOR THE CHURCH. MR. FLANAGAN ALSO TOLD THE BOARD THAT THE CITY COUNCIL HAS BEEN WORKING WITH THE PARKS AND RECREATION BOARD TO BUILD A NEW

PLAYGROUND BEHIND THE COMMUNITY CENTER.

IX. NEW BUSINESS

NO NEW BUSINESS.

X. OLD BUSINESS

FURTHER DISCUSSION OF THE 5 YEAR PLAN. RITA HARVELL SAID THAT SHE WOULD LIKE TO ADD A SWIMMING POOL FOR THE COMMUNITY IN THE YEAR OF 1994-1995 TO THE 5 YEAR PLAN. FURTHER DISCUSSION WILL CONTINUE IN THE WORKSHOP.

XI. WORKSHOP WITH CITY COUNCIL

THE PLANNING AND ZONING COMMISSION MET WITH THE CITY COUNCIL TO DISCUSS THE 5 YEAR PLAN. GARRY BILLS, MAYOR PRO TEM ADVISED THE 5 YEAR PLAN WILL NEVER BE THE SAME, THINGS WILL BE ADDED TO IT OR DELETED FROM IT AT ONE TIME OR ANOTHER. JERRY MCCUTCHEON TALKED ABOUT REPAIRING STREETS. HE FEELS THAT EACH YEAR WE SHOULD TRY TO ASPHALT ONE MAJOR THOROUGHFARE AND A COUPLE SIDE STREETS. A LIST WILL BE PREPARED TO SEE WHAT STREET NEEDS REPAIRED FIRST.

XII. ADOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BOB GEISINGER AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:15 P.M.

Aldena S Stowe Gregory

JODY BROOKS, SECRETARY

ALDENA STOWE-GREGORY, VICE CHAIRMAN, PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MARCH 4, 1993

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE CHAIRMAN
MATT FLANGAN, LIAISON
MIKE FAHEY
RITA HARVELL
ALDENA STOWE-GREGORY
JODY BROOKS

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. QUIT CLAIM DEED

MR. RAY WEIKUM CAME BEFORE THE PLANNING AND ZONING COMMISSION AND EXPLAINED TO THEM THAT HE OWNS MOST ALL THE LOTS THAT SURROUND SCOTT AVENUE. HE SAID THAT SCOTT AVENUE IS A DEAD END STREET THAT NOBODY USES AND WOULD LIKE TO CLOSE THE STREET TO THE PUBLIC.

THE BOARD MEMBERS QUESTIONED HIM ABOUT HIS NEIGHBORS, AND HOW THEY WOULD GET THROUGH IF THEY WERE TO BUILD HOUSES ON THE EMPTY LOTS. THE PLANNING AND ZONING COMMISSION TABLED THIS ITEM UNTIL PERSONNEL CAN SEND LETTERS OUT TO NEIGHBORS ASKING THEIR OPINIONS.

IT WAS MOVED BY MIKE FAHEY, SECONDED BY ALDENA STOWE-GREGORY, AND CARRIED UNAMIMOUSLY TO TABLE THIS ITEM.

III. REPLAT OF BORCHARDT ESTATES

THE REPLAT WAS PRESENTED FOR JEAN STONE TO REPLAT THE 9 LOTS IN BORCHARDT ESTATES INTO ONE LOT. THE BOARD DISCUSSED THE 50 FOOT EASEMENT THAT WENT THROUGH THE MIDDLE OF THE LOTS, AND HOW THAT WOULD EFFECT THE CITY IF THEY WERE TO FINISH ALAMO. PART OF THE END LOTS IS ZONED COMMERCIAL, AND THE COMMISSION WOULD LIKE TO SEE MORE BUSINESS' BUILT.

IT WAS MOVED BY BRUCE COX. SECONDED BY RITA HARVELL AND CARRIED UNAMIMOUSLY A MOTION TO RECOMMEND TO CITY COUNCIL THAT THEY DENY THE REPLAT OF BORCHARDT ESTATES.

IV. MINUTES

BRUCE COX MADE A CORRECTION TO LAST MONTHS MINUTES. HE CORRECTED THE OLD BUSINESS FOR THE FIVE YEAR PLAN. IN 1994-1995 . TO BUILD A NEW CITY HALL. WILL BE DELETED.

IT WAS MOVED BY ALDENA STOWE-GREGORY. SECONDED BY BRUCE COX. AND CARRIED UNAMIMOUSLY TO APPROVE THE MINUTES AS CORRECTED.

V. CITIZEN AGENDA

NO CITIZEN TALKED AT THIS MEETING.

VI. REPORT FROM CITY COUNCIL LIAISON

LIAISON MATT FLANAGAN MADE HIS REPORT. HE TOLD THE PLANNING AND ZONING COMMISSION THAT HE WAS MADE TEMPORARY LIAISON UNTIL THE MAY ELECTION. LIAISON FLANGAN ALSO REPORTED THAT AT THE LAST CITY COUNCIL MEETING THE COUNCIL MET WITH THE PARK AND RECREATION BOARD. THEY BOTH DECIDED TO WORK TOGETHER AND TRY TO BUILD A COMMUNITY PARK.

VII. NEW BUSINESS

NO NEW BUSINESS.

VIII. OLD BUSINESS

FURTHER DISCUSION OF THE FIVE YEAR PLAN WAS DISCUSSED. FOR THE YEAR 1995-96. THE BOARD ADDED A DRAINAGE PLAN ON KINGSWOOD DRIVE THAT IS IN THE FLOOD AREA. A GRANTED STUDY WOULD HAVE TO BE DONE TO ELIMINATE THE FLOODING.

THE PLANNING AND ZONING COMMISSION WILL TRY TO MEET WITH THE CITY COUNCIL IN A WORKSHOP TO TALK WITH THEM ABOUT THE 5 YEAR PLAN. AND WHEN THEY WANT IT IMPLEMENTED. A WORKSHOP MAY BE SET ON MARCH 18. 1993. THIS ITEM WAS TABLED UNTIL THE NEXT REGULAR MEETING.

IX. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL. SECONDED BY BRUCE COX AND CARRIED UNAMIMOUSLY TO ADJOURN THE MEETING. THE MEETING

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

FEBRUARY 4, 1993

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMAN
ALDENA STOWE-GREGORY
RITA HARVELL
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

GARRY BILLS, LIAISON

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT GARRY BILLS.

II. MINUTES

ALDENA STOWE-GREGORY MADE A CORRECTION TO THE LAST MONTHS MINUTES, SHE CORRECTED A SPELLING MISTAKE IN SECTION VI. OF THE MINUITES TO READ AS VARIANCE NOT VARIOUS.

IT WAS MOVED BY ALDENA STOWE-GREGORY, SECONDED BY BRUCE COX AND CARRIED UNAMIMOUSLY TO APPROVE THE PREVIOUS MEETINGS MINUTES AS CORRECTED.

III. REPORT FROM CITY COUNCIL LIAISON

NO REPORT WAS MADE.

IV. CITIZEN AGENDA

CITIZEN MR. DON SCHNEIDER CAME BEFORE THE COMMISSION TO GET THEIR OPINION ON A TRACT OF LAND THAT HE WOULD LIKE TO DIVIDE INTO 3 TRACTS. THE LAND IS LOCATED AT THE SOUTHWEST

CORNER OF CARLISLE AND MAIN STREET. MR. SCHNEIDER OWNS 18 ACRES OF LAND. BUT ONLY 5.2 ACRES ARE IN LAKE DALLAS. HE WOULD LIKE TO DIVIDE THE 5.2 ACRES INTO 3 DIFFERENT LOTS. THE SIZE OF THE LOTS WOULD BE 2/2/1.2. MR. SCHNEIDER JUST WANTED THE OPINION OF THE PLANNING AND ZONING COMMISSION BEFORE HE PURSED THIS MATTER MORE.

V. NEW BUSINESS

NO NEW BUSINESS.

VI. OLD BUSINESS

Correction to city hall-parking meeting - ?

THE PLANNING AND ZONING COMMISSION DISCUSSED THE 5 YEAR PLAN FOR THE CITY. THE BOARD DECIDED THAT STRIPING MAIN STREET WOULD BE ADDED TO THE 1992-1993 RECOMMENDATIONS. PERSONNEL WILL CONTACT THE STREET DEPARTMENT IN REFERENCE TO THAT ISSUE. ~~FOR THE YEAR 1993-1994 THE COMMISSION ADDED A NEW CITY HALL BUILDING TO THE PLAN~~. DISCUSSION OF THE AMERICAN DISABILITY ACT WAS TALKED ABOUT. THIS PLAN TOOK EFFECT IN JULY 1992, AND STATED THAT ALL PUBLIC BUILDINGS HAD TO COMPLY, AND REMOVE BARRIERS. THE BOARD TALKED ABOUT EITHER RENOVATING THE OLD CITY HALL OR BUILDING A NEW ONE. THE BOARD AGREED ON A NEW CITY HALL TO BE PUT IN THE 5 YEAR PLAN.

VII. REPORT FROM CODE ENFORCEMENT

RICHARD GETTS, CODE ENFORCEMENT OFFICER, REPORTED SOME THINGS THAT ARE HAPPENING IN THE CITY. HE ADVISED THE BOARD THAT TWO NEW BUSINESS HAVE MOVED INTO THE CITY, THE COMMUNITY HOPE CHURCH, AND A SATELITE SALES OFFICE. MR. GETTS ALSO ADVISED THE BOARD THAT LAKELAND COURT HAS BEEN SURVEYED FOR SOME REPAIR WORK THAT IS GOING TO BE DONE TO THE ROADWAY.

THE PLANNING AND ZONING COMMISSION WOULD LIKE TO CREATE A PLACE ON THE AGENDA EACH MONTH SO MR. GETTS CAN INFORM THE COMMISSION OF WHAT IS HAPPENING IN THE CITY.

VIII. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL. SECONDED BY MIKE FAHEY AND CARRIED UNAMIMOUSLY TO ADJOURN THE MEETING. THE MEETING WAS ADJOURNED AT 9:10 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JANUARY 7, 1993

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMAN
JERRY MCCUTCHEON, LIAISON
RITA HARVELL
ALDENA STOWE-GREGORY
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

GARRY BILLS

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL WERE PRESENT EXCEPT GARRY BILLS. LIAISON. COUNCILMAN JERRY MCCUTCHEON WAS PRESENT TO REPRESENT THE COUNCIL.

II. PUBLIC HEARING

THE PUBLIC HEARING WAS OPENED TO AMEND ORDINANCE 18.12 OF THE PLANNING AND ZONING ORDINANCE. NO COMMENTS FROM THE PUBLIC WERE MADE ABOUT AMENDING THE ORDINANCE. ALDENA STOWE-GREGORY MADE A MOTION TO CLOSE THE PUBLIC HEARING, AND MIKE FAHEY SECONDED THE MOTION.

III. ACTION-AMENDMENT TO ORDINANCE

BRUCE COX MADE A MOTION TO ACCEPT THE AMENDED ORDINANCE AS IT READS, IT WAS SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO AMEND ORDINANCE 18.12.

IV. QUIT CLAIM DEED

MR. DANNY BARBOZA CAME BEFORE THE PLANNING AND ZONING COMMISSION AND ASKED FOR A 16' ROAD THAT GOES THROUGH HIS PROPERTY AND DEAD ENDS AT CORP LAND. NOBODY USES THE ROAD.

AND MR. BARBOZA OWNS THE PROPERTY ON EACH SIDE OF THE ROAD.

BRUCE COX MADE A MOTION TO GIVE MR. BARBOZA THE QUIT CLAIM DEED. IT WAS SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO GRANT MR. BARBOZA THE QUIT CLAIM.

V. MINUTES

ALDENA STOWE-GREGORY MADE A CORRECTION TO THE PREVIOUS MEETINGS MINUTES. THE MINUTES SHOULD READ THAT FOR THE 5 YEAR PLAN FOR THE CITY, THE COMMISSION WOULD LIKE TO SEE MAIN STREET PAVED AND CURBED.

IT WAS MOVED BY BRUCE COX, SECONDED BY RITA HARVELL AND CARRIED UNAMIMOUSLY TO APPROVE THE PREVIOUS MEETINGS MINUTES AS CORRECTED.

VI. REPORT FROM CITY COUNCIL LIAISON

Corrected 4/93.

JERRY MCCUTCHEON, FILLING IN FOR GARRY BILLS. REPORTED TO THE PLANNING AND ZONING COMMISSION THAT AT THE LAST COUNCIL MEETING A ~~VARIOUS~~ janie FOR SETBACKS TO BE CHANGED IN OAKLAKES ESTATES WAS DENIED, AND ALSO THE REPLAT OF MR. CLYDE FISHER'S PROPERTY NORTH OF CARLISLE WAS GRANTED.

VII. NEW BUSINESS

THERE WAS NO NEW BUSINESS.

VIII. OLD BUSINESS

DISCUSSION OF THE 5 YEAR PLAN FOR THE CITY WAS TALKED ABOUT. PERSONNEL WILL PUT TOGETHER A BOOK CONTAINING FUTURE PLANS THAT THE COMMISSION WOULD LIKE TO SEE HAPPEN TO THE CITY IN THE NEXT 5 YEARS. THE BOOK WILL CONTAIN RECOMMENDATIONS FOR EACH YEAR. FOR THE YEAR 1993 THE PLANNING AND ZONING COMMISSION WILL FOCUST ON PAVING THE COMMUNITY CENTER PARKING LOT AND BUILDING A RECREATION AREA BEHIND THE COMMUNITY CENTER. IN THE FUTURE, THE BOARD WOULD LIKE TO SEE MAIN STREET CURBED AND PAVED, AND WOULD ALSO LIKE TO GET AN ESTIMATE FROM AN ASPHALT COMPANY ON DOING THIS. FURTHER DISCUSSION, AND THE NEW 5 YEAR PLAN BOOK WILL CONTINUE AT THE NEXT REGULAR MEETING IN FEBRUARY.

IX. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA STOWE-GREGORY AND CARRIED UNAMIMOUSLY TO ADJOURN THE MEETING. THE

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP

DECEMBER 9, 1992

MEMBERS PRESENT:
BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMAN
GARRY BILLS, LIAISON
RITA HARVELL
ALDENA STOWE-GREGORY
MIKE FAHEY
JODY BROOKS, SECRETARY

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:10 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. WORKSHOP

CODE ENFORCEMENT OFFICER RICHARD GETTS INFORMED THE PLANNING AND ZONING COMMISSION THAT ORDINANCE 18.12 CONTRADICTS ITSELF IN VARIOUS PLACES AND SOME CHAPTERS ARE HARD TO UNDERSTAND. THE PLANNING AND ZONING COMMISSION MADE THE FOLLOWING CHANGES TO THE ORDINANCE TO READ AS:

18.12.040: C. NO PART OF A DETACHED ACCESSORY BUILDING SHALL BE CLOSER THAN TEN FEET TO THE MAIN BUILDING AND WILL SATISFY ALL STIPULATED SETBACKS, HEIGHT, AND AREA REGULATIONS AS DETAILED IN 18.12.080 THRU 18.12.100.

D. IN R-1-7200 DISTRICT, AN ACCESSORY BUILDING USED BY THE OCCUPANT OF THE PREMISES PURELY FOR PERSONAL ENJOYMENT, AMUSEMENT OR RECREATION; PROVIDED SUCH USE SHALL NOT BE OBNOXIOUS OR OFFENSIVE BY REASON OF VIBRATION, NOISE, ODOR, DUST, SMOKE OR FUMES OR ELECTRICAL INTERFERENCES.

18.12.170: EXTERIOR SURFACES-EXTERIOR SURFACES OF BUILDINGS IN AN R-1-7200 DISTRICT THAT IS GREATER THAN 120 SQUARE FEET SHALL CONSIST OF APPROVED MASONARY MATERIALS COVERING NO LESS THAN EIGHTY PERCENT OF TOTAL EXTERIOR

SURFACE EXCLUSIVE OF WINDOWS, DOORS, GABLES, AND SECOND STORY. BUILDINGS EXISTING AT THE TIME OF PASSAGE OF THE ORDINANCE CODIFIED IN THIS CHAPTER SHALL BE EXEMPT FROM THE PROVISIONS OF THIS REGULATION.

III. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA STOWE-GREGORY, AND CARRIED UNANIMOUSLY TO ADJOURN THIS WORKSHOP. THE WORKSHOP ADJOURNED AT 8:25 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMANMAN
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 3, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMAN
GARRY BILLS, LIAISON
ALDENA STOVE-GREGORY
RITA HARVELL
MIKE TAHEY
JODY BROOKS, SECRETARY

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. PUBLIC HEARING

MR. CLYDE FISHER PRESENTED TO THE PLANNING AND ZONING COMMISSION HIS PRELIMINERY AND FINAL PLAT FOR HIS TRACT OF LAND THAT HE WOULD LIKE TO DIVIDE INTO TWO LOTS. THE BOARD ASKED SEVERAL QUESTIONS AND THE PUBLIC HEARING WAS CLOSED.

RITA HARVELL MADE A MOTION TO APPROVE THE REPLAT OF THIS TRACT, IT WAS SECONDED BY BRUCE COX AND CARRIED UNANIMOUSLY TO APPROVE THE REPLAT FOR MR. FISHER.

III. MINUTES

RITA HARVELL MADE A CORRECTION TO THE PREVIOUS MEETING MINUTES, AND IT WAS NOTED THAT UNDER OLD BUSINESS THE CORRECTION TO BE MADE UNDER THE 5 YEAR PLAN FOR THE CITY, IT SHOULD READ THAT MAIN STREET NEEDS TO BE PAVED AND CURBED. ALSO, BRUCE COX MADE A CORRECTION ON THE OCTOBER 1, 1992 MEETING MINUTES, UNDER NEW BUSINESS REGARDING THE NEW CLUB STAGES SHOULD READ THAT MR. HOPSONS, THE OWNER, MEETS THE MINIMUM REQUIRED PARKING SPACES THAT HE ALREADY HAS, TO COMPLY WITH THE PARKING LOT ORDINANCE.

Approved 1/7/93

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA STOVE GREGORY, AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES AS AMENDED OF THE NOVEMBER MEETING.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS REPORTED TO THE PLANNING AND ZONING COMMISSION THAT AT THE LAST COUNCIL MEETING THE COUNCIL DECIDED NOT TO RENEW THE LEASE AT WILLOW GROVE PARK, DUE TO THE AMOUNT OF MONEY THE CITY SPENDS ON THE UP-KEEP. MR. BILLS ALSO TOLD THE BOARD THAT THERE WERE SEVERAL CITIZEN COMPLAINTS REGARDING A HOBBY SHOP THAT IS BEING BUILT ON DOBBS ROAD, THE CITIZENS WERE UPSET BECAUSE OF THE SIZE AND THE HOBBY SHOP NOT BEING BUILT EIGHTY PERCENT MASONARY AS THE ORDINANCE SAYS. FURTHER DISCUSSION ON THE ORDINANCE WILL BE UNDER NEW BUSINESS AT THIS MEETING.

V. NEW BUSINESS

RICHARD GITTS, CODE ENFORCEMENT OFFICER, RECOMMENDED TO THE BOARD THAT ORDINANCE 18.12 NEEDS TO BE THOROUGHLY STUDIED AND RECOMMENDED CHANGES TO BE AMENDED. THE ORDINANCE SEEMS TO CONTRADICT ITSELF IN VARIOUS CHAPTERS. THE VARIOUS CHAPTERS IN CONCERN IN ORDINANCE 18.12 ARE 18.12.020 ACCESSORY USES, 18.12.040 PRIVATE GARAGES-COVERED CARPORTS, 18.12.050 PRIVATE BARNS OR STABLES, 18.12.060 HOBBY SHOPS, 18.12.110 SIDE YARDS, 18.12.120 REAR YARDS, 18.12.150 MINIMUM DWELLING SIZE, 18.12.160 OFF-STREET PARKING, 18.12.170 EXTERIOR SURFACES, AND ALSO ONE CHAPTER THAT NEEDS TO BE ADDED IS A CHAPTER ON LOT DEPTH. FURTHER DISCUSSION ON THIS ORDINANCE WILL BE AT A WORKSHOP ON DECEMBER 9, 1992.

VI. OLD BUSINESS

THE CITYS FIVE YEAR PLAN WAS DISCUSSED FURTHER AND THE ONLY THING ADDED TO IT WAS TO HAVE MORE STREET LIGHTS ADDED TO CITY STREETS. FURTHER DISCUSSION WILL BE AT THE NEXT REGULAR SCHEDULED MEETING.

VII. ADJOURNMENT

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA STOUT-GREGORY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:20 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 5, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
GARRY BILLS, LIAISON
ALDENA STOWE GREGORY
RITA HARVELL
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

BRUCE COX, VICE CHAIRMAN

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT BRUCE COX, VICE-CHAIRMAN.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MEETING ON OCTOBER 1.

IT WAS MOVED BY ALDENA STOWE-GREGORY, SECONDED BY RITA HARVELL, AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE OCTOBER 15 WORKSHOP.

III. CITIZEN AGENDA

MR. B.L. ARCHER CAME BEFORE THE COMMISSION AND EXPLAINED WHY HE DID NOT WANT THE EASEMENT NORTH OF CARLISLE TO BE ABANDONED. HE TOLD THE BOARD THAT HE PLANS ON DEVELOPING THAT LAND WITHIN THE NEXT FEW YEARS AND THE EASEMENT WOULD SERVE AS AN ENTRANCE INTO THE SUB-DIVISION. MR. CLYDE FISHER, WANTED THIS EASEMENT ABANDONED, BUT THEN AGREED IF MR. ARCHER WAS TO DEVELOP THIS SUB-DIVISION, HE HAD NO PROBLEM WITH LEAVING THE EASEMENT AS IS.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS REPORTED THAT LINWOOD GILLILAND RESIGNED AS MAYOR PRO TEM, THE NEW MAYOR PRO TEM IS GARRY BILLS.

V. NEW BUSINESS

NO NEW BUSINESS.

VI. OLD BUSINESS

A. THE M-1 ZONING ORDINANCE WAS DISCUSSED AND THE BOARD AGREED THAT THIS IS A NONE ISSUE ITEM.

B. THE COMMISSION DISCUSSED THE 5 YEAR PLAN AND DECIDED THAT THE THINGS TO BE ADDED TO THE PREVIOUS LIST ARE AS FOLLOWS:

12/14 - correction - Poole + curbed Main Street

1. BLACK TOP MAIN STREET
2. BLACK TOP OR REPAIR COMMUNITY CENTER PARKING LOT
3. THE NEED FOR A NEW PARK
4. MOTELS

VII. ADJOURNMENT

IT WAS MOVED BY RITA HARVILL, SECONDED BY MIKE FAHEY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:55 P.M.

Jody Brooks
JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

WORKSHOP

OCTOBER 15, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMAN
GARRY BILLS, LIAISON
ALDENA STOWE-GREGORY
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

RITA HARVELL

I. ROLL CALL

CHAIRMAN BOB GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT RITA HARVELL.

II. WORKSHOP

RICHARD GETTS, CODE ENFORCEMENT OFFICER SHOWED THE PLANNING AND ZONING COMMISSION PICTURES THAT HE HAS TAKEN OF SOME OF THE BUSINESS' THAT DO NOT COMPLY TO THE CITY ZONING ORDINANCE M-1, HAVING TO DO WITH OUTSIDE STORAGE. THE BOARD TALKED ABOUT EITHER MAKING UP A NEW ZONING ORDINANCE, AMENDING THE CURRENT ONE THAT THE CITY NOW HAS, OR POSSIBLY GIVING THE BUSINESS OWNERS SPECIAL USE PERMITS.

THE BOARD HAS DECIDED TO CONTACT THE CITY ATTORNEY AND GET HER OPINION ON THE M-1 ZONING ORDINANCE THE CITY NOW HAS.

III. ADJOURNMENT

IT WAS MOVED BY ALDENA STOWE-GREGORY, SECONDED BY MIKE FAHEY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:20 P.M.

Jody Brooks
JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

OCTOBER 1, 1992

MEMBERS PRESENT:

BRUCE COX, VICE-CHAIRMAN
GARRY BILLS, LIAISON
ALDENA STOWE-GREGORY
RITA HARVELL
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

BOB GEISINGER, CHAIRMAN
MIKE FAHEY

I. ROLL CALL

VICE CHAIRMAN BRUCE COX CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT MIKE FAHEY AND CHAIRMAN BOB GEISINGER.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY ALDENA STOWE-GREGORY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE PREVIOUS MEETING.

III. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS HAD NO REPORT.

IV. CITIZEN AGENDA

MR. CLYDE FISHER CAME BEFORE THE COMMISSION TO FIND OUT IF THE COMMISSION HAD DECIDED ON A RECOMMENDATION ABOUT THE EASEMENT THAT HE WOULD LIKE TO SEE ABONDONED. THE BOARD ADVISED MR. FISHER THAT THERE HAS BEEN SOME OPPOSITION ON THE ABANDONMENT FROM OTHER PROPERTY OWNERS. B/L ARCHER, INC. OWNS MOST OF THE PROPERTY IN THAT AREA, AND HOPES TO DEVELOP IT INTO A RESIDENTIAL AREA IN THE NEAR FUTURE AND THINKS THE EASEMENT SHOULD STAY WHERE IT IS FOR FURTHER DEVELOPMENT. THE COMMISSION MADE NO RECOMMENDATIONS TO MR. FISHER AT THIS TIME ABOUT THE ABANDONMENT OF THE EASEMENT. THIS ITEM WAS

TABLED UNTIL THE NEXT MEETING. THE BOARD WOULD LIKE THE COMPANY B/L ARCHER, INC. TO ATTEND THE NEXT MEETING AND FURTHER EXPLAIN THE OPPOSITION IN THIS MATTER.

V. NEW BUSINESS

A. RICHARD GETTS, CODE ENFORCEMENT OFFICER, SPOKE ON BEHALF OF THE NEW CLUB STAGES, THAT WILL BE OPENING SOON. HE ADVISED THE BOARD THAT THE PARKING IS NOT SUFFICIENT ENOUGH FOR THE SQUARE FOOTAGE IN THE CLUB. THE OWNER OF THE CLUB, MR. BOB HOPSONS TOLD THE COMMISSION THAT HE HAS PERMISSION FROM THE OTHER SHOP OWNERS TO LET PATRONS PARK IN THE REAR OF THE BUILDING. THE TOTAL NUMBER OF PARKING PLACES AVAILABLE WILL BE ABOUT 63 SPACES. MR. GETTS ADVISED THE BOARD THAT THIS WOULD BE A SUFFICIENT AMOUNT OF PARKING PLACES FOR THE CLUB. IT WAS RECOMMENDED BY THE COMMISSION THAT THE OWNER PLACE SIGNS OUT IN FRONT OF THE BUILDING SAYING THAT PARKING IS IN THE REAR. ALSO, THE COMMISSION RECOMMENDED SUFFICIENT LIGHTING IN THE REAR PARKING LOT FOR SAFETY REASONS. A MOTION WAS MADE BY RITA HARVELL, SECONDED BY ALDENA STOWE-GREGORY, AND CARRIED UNANIMOUSLY TO ALLOW THE PATRONS OF THE NEW CLUB TO PARK IN THE REAR OF THE BUILDING.

12/3 - correction to the minimum number of parking spaces required to be on the land of the Stages Club

B. CODE ENFORCEMENT OFFICER RICHARD GETTS ADVISED THE PLANNING AND ZONING BOARD THAT MR. CLARDY WOULD LIKE TO OPEN A STORAGE FOR IMPOUNDED VEHICLES. THE PROPERTY IS LOCATED AT 716 HUNDLEY. THE PROPERTY IS PROPERLY ZONED FOR THAT TYPE OF BUSINESS. MR. CLARDY IS ASKING THE PLANNING AND ZONING COMMISSION FOR PERMISSION TO OPEN SUCH A BUSINESS. THE COMMISSION ADVISED MR. CLARDY THAT HE WOULD HAVE TO SCREEN IN THE AREA FOR STORAGE SO THAT IT IS NOT VISIBLE FROM THE ROADWAY. A MOTION WAS MADE BY ALDENA STOWE-GREGORY, SECONDED BY RITA HARVELL AND CARRIED UNANIMOUSLY TO APPROVE THE NEW VEHICLE STORAGE FACILITY.

VI. OLD BUSINESS

A. THE COMMERCIAL ZONING ORDINANCE FOR OUTSIDE STORAGE WAS DISCUSSED. THE COMMISSION AGREED THE ORDINANCE MUST BE CHANGED OR ISSUE SPECIAL PERMITS TO BUSINESS'S THAT ALREADY EXIST. THIS ITEM WAS TABLED AND A WORKSHOP TO WORK ON THIS ORDINANCE HAS BEEN SET FOR OCTOBER 15, 1992 AT 7:30 P.M.

B. DISCUSSION OF A 5 YEAR PLAN FOR THE CITY WAS DISCUSSED. SEVERAL THINGS THE BOARD WOULD LIKE TO SEE IN THE FUTURE ARE:

1. PAVED ROADS, CURBS, AND SIDEWALKS
2. CLEAN UP MAIN STREET
3. MORE RECREATION FACILITIES FOR CHILDREN
   (THIS INCLUDES CLEANING UP AND MAKING A BIGGER PARK BEHIND THE LIBRARY.)
4. WOULD LIKE TO SEE GARZA DAYS GET BIGGER,

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 3, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE-CHAIRMMAN
GARRY BILLS, LIAISON
RITA HARVELL
ALDENA STOWE-GREGORY
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT: NONE

I. ROLL CALL

CHAIRMAN GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY BRUCE COX AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE PREVIOUS MEETING.

III. CITIZEN AGENDA

CITIZEN MR. CLYDE FISHER CAME BEFORE THE COMMISSION TO GET AN OPINION ON A TRACT OF LAND THAT HE OWNS. MR. FISHER WOULD LIKE TO DIVIDE THE LAND INTO TWO DIFFERENT LOTS. THERE IS ALSO AN EASEMENT ON THE LAND THAT MR. FISHER WOULD LIKE THE CITY TO ABANDON. MR. FISHER ASKED THE COMMISSION HOW THEY FELT ABOUT THE EASEMENT AND WOULD CONTACT THE PLANNING AND ZONING SECRETARY AFTER THE COMMISSION HAD TIME TO DISCUSS THIS MATTER. THE COMMISSION TABLED THE DISCUSSION UNTIL FURTHER INFORMATION CAN BE OBTAINED ABOUT THE EASEMENT.

IV. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS HAD NOTHING TO REPORT.

V. OLD BUSINESS

NO OLD BUSINESS WAS DISCUSSED.

VI. NEW BUSINESS

DISCUSSED UNDER NEW BUSINESS IS AS FOLLOWS:

A. COMMERCIAL ZONING: THE COMMERCIAL ZONING ORDINANCES PERTAINING TO OUTSIDE STORAGE MAY HAVE TO BE AMENDED OR NEW ORDINANCES FOR DIFFERENT COMMERCIAL ZONING MAY HAVE TO BE MADE. THIS IS PERTAINING TO SUCH THINGS LIKE DOING WORK OUTSIDE OF THE BUILDING AND ALSO STORING ITEMS OUTSIDE OF THE BUILDING. PERSONNEL WILL OBTAIN INFORMATION FROM OTHER CITIES TO COMPARE OUR ZONING TO THEIRS. FURTHER DISCUSSION WILL BE MADE AT THE NEXT MEETING.

B. DISCUSSION OF A 5 YEAR PLAN: THE PLANNING AND ZONING DISCUSSED THE NEED FOR A 5 YEAR PLAN FOR THE CITY. THE BOARD DECIDED THAT EACH MEMBER SHALL MAKE A LIST OF WHAT THEY WOULD LIKE TO SEE HAPPEN TO THE CITY IN THE NEXT 5 YEARS, AND FURTHER DISCUSSION OF THIS SUBJECT WILL CONTINUE AT THE NEXT MEETING.

VII. ADJOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BRUCE COX, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 9:00 P.M.

Jody Brooks

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 6, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
BRUCE COX, VICE CHAIRMAN
GARRY BILLS, LIAISON
RITA HARVELL
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

ALDENA STOWE-GREGORY

I. ROLL CALL

CHAIRMAN GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL MEMBERS WERE PRESENT EXCEPT ALDENA STOWE-GREGORY.

II. MINUTES

IT WAS MOVED BY RITA HARVELL, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE PREVIOUS MEETING.

III. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS REPORTED THAT AT THE PREVIOUS CITY COUNCIL MEETING ON JULY 9, THE COUNCIL AMENDED AN ORDINANCE. THE ORDINANCE PERTAINING TO PORTABLE SIGN PERMITS HAS CHANGED. THE ORDINANCE BEFORE AMENDED STATED THAT THE PORTABLE SIGN PERMIT WAS VALID FOR 90 DAYS, THE AMENDED ORDINANCE STATES THAT THE PERMIT IS VALID FOR 1 YEAR. LIAISON BILLS ALSO ADVISED THE COMMISSION THAT THE CITY COUNCIL APPROVED THE REVISED ZONING MAP.

IV. OLD BUSINESS

NONE.

V. NEW BUSINESS

CODE ENFORCEMENT OFFICER RICHARD GETTS SPOKE TO THE COMMISSION ABOUT CITIZENS BUYING COPIES OF THE ZONING MAP. HE ADVISED THE BOARD THAT SEVERAL DIFFERENT PEOPLE, POSSIBLY DEVELOPERS HAD COME INTO CITY HALL ASKING ABOUT THE DIFFERENT TYPES OF ZONING. MR. GETTS WOULD LIKE TO SEE COPIES OF ALL THE DIFFERENT ZONING ORDINANCES PUT TOGETHER WITH THE ZONING MAP, SO THE CITIZEN OR DEVELOPER KNOWS MORE ABOUT THE CITY'S ZONING. THE COMMISSION AGREED WITH MR. GETTS.

VI. ADJOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY BRUCE COX, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:10 P.M.

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JULY 2, 1992

MEMBERS PRESENT:

BOB GEISINGER, CHAIRMAN
GARRY BILLS, LIAISON
ALDENA STOWE-GREGORY
MIKE FAHEY
JODY BROOKS, SECRETARY

MEMBERS ABSENT:

BRUCE COX, VICE CHAIRMAN
RITA HARVELL

I. ROLL CALL

CHAIRMAN GEISINGER CALLED THE MEETING TO ORDER AT 7:30 P.M. AND NOTED THAT ALL WERE PRESENT EXCEPT BRUCE COX AND RITA HARVELL.

II. MINUTES

IT WAS MOVED BY ALDENA STOWE-GREGORY, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF THE PREVIOUS MEETING.

III. REPORT FROM CITY COUNCIL LIAISON

LIAISON GARRY BILLS REPORTED THAT AT THE CITY COUNCILS JUNE 11 MEETING, THE COUNCIL APPROVED THE QUICK CLAIM DEED TO MR. BARBOZA. IT WAS APPROVED ON A VOTE OF 3 TO 2. LIAISON BILLS ALSO ADVISED THE COMMISSION OF THE ITINERANT MERCHANT ORDINANCE THAT WAS AMENDED.

IV. PUBLIC HEARING - ZONING MAP

THE MEMBERS OF THE PLANNING AND ZONING COMMISSION DISCUSSED THE REVISED ZONING MAP AND ACTION WAS TAKEN TO ADOPT THE NEW ZONING MAP. A MOTION WAS MADE BY ALDENA STOWE-GREGORY, SECONDED BY MIKE FAHEY AND CARRIED UNANIMOUSLY TO APPROVE THE ADOPTION OF THE NEW ZONING MAP.

V. OLD BUSINESS

CODE ENFORCEMENT OFFICER RICHARD GETTS ADVISED THE COMMISSION THAT THE ORDINANCE PERTAINING TO ACCESSORY BUILDING SETBACKS IS NOT GOING TO CHANGE. THE ORDINANCE WILL STAY THE WAY IT IS NOW.

MR. GETTS ALSO DISCUSSED THE ORDINANCE PERTAINING TO COMMERCIAL PARKING LOTS. PERSONNEL WILL COLLECT SPECIFICATION SHEETS FROM OTHER CITIES TO COMPARE HOW THEIR ORDINANCE READS.

VI. NEW BUSINESS

NONE.

VII. ADJOURNMENT

IT WAS MOVED BY MIKE FAHEY, SECONDED BY ALDENA STOWE-GREGORY, AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:10 P.M.

JODY BROOKS, SECRETARY

BOB GEISINGER, CHAIRMAN
PLANNING & ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 4, 1992

MEMBERS PRESENT:

Bruce Cox, Vice Chairman
Garry Bills, Liaison
Aldena Stowe-Gregory
Rita Harvell
Mike Fahey
Jody Brooks, Secretary

MEMBERS ABSENT:

Bob Geisinger, Chairman

I. ROLL CALL

Vice Chairman Bruce Cox called the meeting to order at 7:30 P.M. and noted that all were present except Chairman Geisinger.

II. MINUTES

It was moved by Rita Harvell, seconded by Mike Fahey and carried unanimously to approve the minutes of the previous meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that at the previous Council meeting, Linwood Gilliland was elected as Mayor Pro-Tem, Matt Flanagan and Garry Bills as Council Liaison to the Planning and Zoning Commission, Jerry McCutcheon as the Fire Department Liaison, and Linwood Gilliland as Parks and Recreation Liaison.

IV. OLD BUSINESS

A. AMENDING AN ORDINANCE

The Code Enforcement Officer Richard Getts talked to the Planning and Zoning Board about an Ordinance pertaining to Accessory Building setbacks. He advised the Planning and Zoning Board that he has talked with several different cities about their ordinances. There was consensus of opinion that Richard Getts should write an amendment to the zoning code pertaining to accessory building setbacks for consideration by the Planning and Zoning Board and the City Council.

B. MAJOR GAS LINE THRU SUB-DIVISION

Code Enforcement Officer Richard Getts showed the Planning and Zoning Board a map from Lone Star Gas indicating where the major gas line is located in the Oak Lake Sub-Division. Mr. Getts informed the board that only a few owners have questioned him about building near the gas line. He informed the board that building on these lots are allowed as long as there is a fifty foot easement, twenty-five feet on each side of the gas line. The Planning and Zoning Board suggested that personnel contact the Denton County Central Appraisal District and ask

that this gas line be noted on property deeds to such property that the gas line runs thru.

V. NEW BUSINESS

A. QUIT CLAIM DEED

Rita Harvell obstained from this Action Item.

Mr. Danny Barboza came before the Planning and Zoning Board to ask them to give him nine feet of property that he believes to be his front yard. Mr. Barboza showed the Planning and Zoning Board pictures of his property including the land that he would like to have. Aldena Stowe-Gregory recommended to City Council to deny the request for a quit claim deed at 720 Lake. The motion was seconded by Mike Fahey and carried unanimously to deny this quit claim deed.

It was recommended by Bruce Cox that the City lease this land to Mr. Barboza at $1.00 a year, if possible, after consultation with the City Attorney.

B. REVISING THE NEW ZONING MAP

Personnel advised the board of some corrections that need to be made on the Zoning map. The Planning and Zoning Board suggested that the corrections be made and further discussion will be made at the next meeting.

C. C-3 COMMERCIAL PARKING

Code Enforcement Officer Richard Getts advised the Planning and Zoning Commission that there was not an ordinance applying to commercial parking lots, but there is a specification sheet stating the specifications on asphalt and gravel parking lots. Staff will check into this matter.

VI. ADJOURNMENT

It was moved by Aldena Stowe-Gregory, seconded by Mike Fahey, and carried unanimously to adjourn the meeting. The meeting adjourned at 9:15 P.M.

Jody Brooks

Jody Brooks, Secretary

R. B. Cox

Bruce Cox, Vice Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MAY 7, 1992

MEMBERS PRESENT:

Bob Geisinger, Chairman
Bruce Cox, Vice Chairman
Garry Bills, Liaison
Aldena Stowe-Gregory
Rita Harvell
Mike Fahey
Jody Brooks, Secretary

MEMBERS ABSENT: NONE

I. ROLL CALL

Chairman Geisinger called the meeting to order at 7:30 P.M. and noted that all members were present.

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Bruce Cox and carried unanimously to approve the minutes of the previous meeting.

II. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that Citizen Mr. Barboza came before the City Council and informed them that he would like the City to give him ten feet of property that he believes to be his front yard. No action was taken. Liaison Bills also reported that the new Police Chief was sworn in, and a new City Attorney was hired.

IV. NEW CODE ENFORCEMENT OFFICER

The new Code Enforcement Officer Richard Getts was introduced to the Commission. Mr. Getts informed the Commission on what actions he has taken to clean up the City. Several members had questions for him that he answered and he also advised the members about an ordinance that was not in the ordinance book.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

A. The code Enforcement Officer advised the commission that there is a major gas line that runs thru The Oaklakes Sub-Division, and that there are some citizens that want to build on that land. Personnel will contact the gas company to ask about the easement & conditions allowing citizens to build near the gas line.

VI. Con't

B. Ordinance - The Code Enforcement Officer informed the Planning and Zoning Commission that he did not find an ordinance that stated how far a storage building or portable building could be built by property lines. City Personnel and the Code Enforcement Officer will look into this matter. An ordinance may have to be amended to put this information in the Ordinance Book.

VII. ADJOURNMENT

It was moved by Rita Harvell, seconded by Mike Fahey, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:45 P.M.

Jody Brooks

Jody Brooks, Secretary

Bob Geisinger, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

APRIL 2, 1992

MEMBERS PRESENT:

Bob Geisinger, Chairman
Bruce Cox, Vice Chairman
Garry Bills, Liaison
Aldena Stowe-Gregory
Rita Harvell
Mike Fahey
Jody Brooks, Secretary

MEMBERS ABSENT: NONE

I. ROLL CALL

Chairman Geisinger called the meeting to order at 7:30 P.M. and noted that all members were present.

II. MINUTES

It was moved by Rita Harvell, seconded by Bruce Cox and carried unanimously to approve the minutes of the previous meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that The City Council had appointed Aldena Stowe-Gregory as the Election Judge and had appointed Mr. Mike Fahey to be on the board for Planning and Zoning. Liaison Bills also reported that the City Council held two previous meetings the week before. The meetings were to interview and to hire a Code Enforcement Officer. The new Code Enforcement Officer is Mr. Richard Getts.

IV. OLD BUSINESS

City personnel are currently working on some of the concerns of the new zoning map.

V. NEW BUSINESS

Citizen Mr. Danny Barboza, 720 Lake, came foward and asked The Planning and Zoning Members to consider giving him 10 feet of property, that he believes to be his front yard. Mr. Barboza will gather more facts, and then take it to the City Council Meeting.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MARCH 5, 1992

MEMBERS PRESENT:

Bob Geisinger, Chairman
Bruce Cox, Vice Chairman
Aldena Stowe-Gregory
Rita Harvell
Jody Brooks, Secretary

MEMBERS ABSENT:

Garry Bills, Liaison

I. ROLL CALL

Chairman Geisinger called the meeting to order at 7:30 P. M. and noted that all present except Garry Bills.

II. MINUTES

It was moved by Rita Harvell, seconded by Bruce Cox and carried unanimously to approve the minutes of the previous meeting.

III. REPORT FROM CITY COUNCIL LIAISON

No report from Liaison Garry Bills.

IV. REVIEW AND VERIFICATION OF ZONING MAP DRAFT FOR THE CITY OF LAKE DALLAS

The members of the Commission have completed and reviewed the new zoning map, and have informed the City Personnel of some areas of concern. Staff will review these areas.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

The members of the commission expressed interest in placing an ad in the local newspaper to inform the citizens of the current openings on the Planning and Zoning Board.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

FEBRUARY 6, 1992

MEMBERS PRESENT:

Bob Geisinger, Chairman
Bruce Cox, Vice Chairman
Aldena Stowe-Gregory
Rita Harvell
Garry Bills, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

None

I. ROLL CALL

Chairman Geisinger called the meeting to order at 7:35 P. M. and noted that all were present .

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Bruce Cox and carried unanimously to approve the minutes of the previous meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that several of the ordinances were reviewed by the Council at their workshops and some will be referred back to Planning and Zoning for study.

IV. REVIEW AND VERIFICATION OF ZONING MAP DRAFT FOR CITY OF LAKE DALLAS

The members of the Commission reviewed the old zoning map, compared the changes and confirmed the new draft of the zoning map with a few questions to be directed to the City Secretary.

V. OLD BUSINESS

None.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JANUARY 2 , 1992

MEMBERS PRESENT:

Bob Geisinger, Chairman
Rita Harvell
Aldena Stowe-Gregory
Garry Bills, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

Bruce Cox

I. ROLL CALL

Chairman Geisinger called the meeting to order at 7:40 P. M. and noted that all were present except Bruce Cox.

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously to approve the minutes of the December 5, 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that Mr. Danny Barboza and Mr. James Bragg had appeared at the last City Council meeting together with Mr. and Mrs. Jim Davis and Mr. and Mrs. Rell Gamblin. This was in regard to the matter of the mobile home being moved to the Denton County property of the Davis' by the Gamblins which used access from Lake Street located in Lake Dallas.

Mr. Bills stated that after discussion , he feels that the matter is now settled between the parties involved.

Mr. Bills also reported that the Council had still not approved the new member for the Planning and Zoning Commission.

IV. OLD BUSINESS

A. It was reported by Bernice Wright that the Zoning Map has now been marked into 5 areas to be checked by the Planning and Zoning Commission. It was decided to check through the zoning files to approve the map at the February 6th meeting.

IV. (continued)

B. It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously to appoint Bruce Cox as the Vice Chairman of the Commission.

V. NEW BUSINESS

None.

Vl. ADJOURNMENT

It was moved by Rita Harvell, seconded by Aldena Stowe-Gregory and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:10 P.M.

Bernice Wright, Secretary

Bob Geisinger, Chairman
PLANNING AND ZONING Commission

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 5, 1991

MEMBERS PRESENT:

Bob Geisinger, Chairman
Bruce Cox
Rita Harvell
Aldena Stowe-Gregory
Garry Bills, Liaison
Bernice Wright, Secretary

I . ROLL CALL

Chairman Geisinger called the meeting to order at 7:30 P. M. and noted that all the members were present.

II. MINUTES

It was moved by Rita Harvell, seconded by Aldena Stowe-Gregory and carried unanimously to approve the minutes of the November 7, 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that the recommendation for a new member to the Planning and Zoning Commission had been tabled for one month by the City Council. He also reported on the results of the Special Use Permit obtained by Mr. David Lippi who had asked that a Child Day Care facility be allowed at 711 Thompson. The request was refused.

IV. OLD BUSINESS

A. The work on the Zoning Map was delayed and therefore tabled for another month.

B. Election of the Vice Chairman of Planning and Zoning was tabled until the vacancy is filled on the committee.

C. Town beautification was discussed. Garry Bills informed the members that the ordinances concerning new laws regarding junk vehicles are being studied and several ordinance violations have been corrected within the past month.

V. NEW BUSINESS

Mr. Danny Barboza and Mr. Jim Bragg appeared before the Planning and Zoning requesting information and assistance regarding the opening of a road to allow access to acreage which had been purchased which is located in Denton County. Their concern is that further lots will be sold from the approximate 6 acres and this would cause

the very narrow platted street to become a thoroughfare for the addition. Several suggestions were given to Mr. Blagg and Mr. Barboza as to steps they could take to deal with the matter.

VI. ADJOURNMENT

It was moved by Rita Harvell, seconded by Bruce Cox and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:00 P. M.

Bernice Wright, Secretary

Bob Geisinger, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
NOVEMBER 7, 1991

MEMBERS PRESENT:
Bob Geisinger, Chairman
Rita Harvell
Aldena Stowe-Gregory
Garry Bills, Liaison
Bernice Wright, Secretary

ABSENT:
Bruce Cox

I. PUBLIC HEARING -SPECIAL USE PERMIT-711 THOMPSON

The Public Hearing was called to order at 7:40 P. M. by Chairman Geisinger. Mr. and Mrs. David Lippi presented to the Commission the plans he had to put a childcare day-care center in the old Rebekah Lodge building located at 711 Thompson, being lots 30 and 32 of J. V. Thompson Subdivision. This property is located within R1-6000 Single Family Residential District.

Present to speak against the proposal were Bobby Shikle of 712 Thompson, Karen Rackel of 713 Thompson, Jackie Kovsky of 311 Surf and Carl Thomas of 736 Thompson. A petition containing nineteen (19) names of persons in the area (not necessarily within the 200 feet limit) was presented.

It was reported by the secretary that four (4) letters had been returned in opposition of the Special Use Permit.

After allowing all to speak who desired to do so, Chairman Geisinger closed the Public Hearing at 8:15 P. M.

REGULAR MEETING

I. ROLL CALL

The Regular Meeting was called to order at 8:16 P. M. with all members present except Bruce Cox.

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously to approve the minutes of the previous meeting.

III: REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported from the City Council and informed the members of the first annual P. O. Byers Award Dinner.

IV. PETITION FOR SPECIAL USE PERMIT FOR CHILDCARE DAY CARE CENTER IN R1-6000 SINGLE FAMILY RESIDENTIAL DISTRICT BEING LOTS 30 & 31 OF J. V. THOMPSON SUBDIVISION LOCATED AT 711 THOMPSON

It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously to send the application for Special Use Permit for a Day-Care Center at 711 Thompson from Mr. David A. Lippi to the City Council without recommendation for their decision.

V. RECOMMENDATION OF MEMBER FOR PLANNING AND ZONING COMMISSION

It was moved by Rita Harvell, seconded by Aldena Stowe-Gregory and carried unanimously to recommend Frances Grammer for the vacancy on the Planning and Zoning Commission.

VI. OLD BUSINESS

A. It was moved to table the activity on the new zoning map by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously.

B. It was moved by Rita Harvell, seconded by Aldena Stowe-Gregory and carried unanimously to table the election of the Vice-Chairman until the new member is seated on the Commission at the next meeting.

C. Bruce Cox was not present to discuss further his recommendations for a Town-Beautification Program discussed at the October meeting. Garry Bills advised the members that there had been corrections made to assist the appearance of Main Street and other parts of the town.

VII. NEW BUSINESS

None

VIII. ADJOURNMENT

It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:05 P. M.

Bob Geisinger, Chairman
PLANING AND ZONING COMMISSION

Bernice WRight, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

OCTOBER, 3, 1991

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Rita Harvell
Aldena Stowe-Gregory
Garry Bills, Liaison
Bernice WRight, Secretary

MEMBERS ABSENT:

None

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:35 P. M. and noted that all were present.

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Bruce Cox and carried unanimously to approve the minutes of the September 5, 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Garry Bills reported that the Council met several times to decide on the new budget and tax rate for next year.

IV. ELECTION OF CHAIRMAN OF PLANNING AND ZONING COMMISSION-ACTION ITEM

Matt Flanagan thanked the Planning and Zoning for their attendanace and cooperation at the meetings since he has served as Chairman. He advised the members that he would be resigning to take the position with the City Council . It was moved by Rita Harvell, seconded by Bruce Cox and carried unanimously to accept his resignation.

It was moved by Rita Harvell, seconded by Aldena Stowe-Gregory and carried unanimously to appoint Bob Geisinger as the new Chairman of Planning and Zoning.

V. ELECTION OF VICE CHAIRMAN OF PLANNING AND ZONING COMMISSION-ACTION ITEM

It was moved by Bruce Cox, seconded by Bob Geisinger and carried unanimously to table the election of Vice-Chairman until the opening on the Commission was filled.

VI. RECOMMENDATION OF MEMBER FOR PLANNING AND ZONING COMMISSION

The name of Frances Grammer was suggested to be appointed to the Planning and

Zoning Commission to fill out the unexpired term of Matt Flanagan. The Secretary is to contact her to determine if she will accept this appointment.

VII. OLD BUSINESS

A. Review of Zoning Map for City of Lake Dallas

The Secretary reported that the new Zoning Map has been received and is ready for the Planning and Zoning Commission to review it before a Public Hearing is held.

The map was reviewed and it was a concensus of opinion of the commission to have a workshop to make final determination of its accuracy.

VIII. NEW BUSINESS

Bruce Cox made a suggestion that the Planning and Zoning sponsor a town beautification program, preferably starting with Main Street. Several suggestions were made as to how Main Street's appearance could be corrected including clean-up of several businesses.

The question regarding grants that were available for small town beautification programs was also brought up for discussion and the City Secretary will be approached regarding this question.

IX. ADJOURNMENT

It was moved by Aldena Stowe-Gregory, seconded by Rita Harvell and carried unanimously that the meeting be adjourned. The meeting was adjourned at 9:00 P. M.

Bernice Wright, Secretary

Bob Geisinger, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

AUGUST 1, 1991

MEMBERS PRESENT:
Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Aldena Stowe-Gregory
Garry Bills, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:
Rita Harvell

PUBLIC HEARING

I. PETITION FOR CHANGE IN ZONING FROM R-1 6000 RESIDENTIAL TO C-1 COMMERCIAL FOR PROPERTY SITUATED IN THE MC CARROLL SURVEY, ABSTRACT NO. 0958A, TRACT 12, BEING 2.00 ACRES LOCATED IN THE CITY OF LAKE DALLAS AT 201 SOUTH SHADY SHORES.

The Public Hearing was opened at 7:35 P. M. by Matt Flanagan, Chairman,and the parties interested in this change of zoning were invited to present their proposal.

Present were Mr. Harold Horton and Mr. John Holstead who answered the questions of the Commission regarding the proposed use for the property.

After allowing all persons present an opportunity to speak, the Public Hearing was closed at 7:40 P. M.

REGULAR MEETING

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:45 and noted that Rita Harvell was absent due to a death in her family.

II. MINUTES

It was moved by Aldena Stowe, seconded by Bob Geisinger and carried unanimously to accept the minutes of the June 6, 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

The newly appointed Liaison from City Council, Garry Bills, was welcomed by the Chairman. He reported from the Council the action regarding the signing of an ordinance dealing with wastwater facilities and the Interlocal Agreement with L.C.M.U.A. He also reported that the Council was looking into future annexing of surrounding properties.

IV. PETITION FOR CHANGE IN ZONING FROM R-1 6000 RESIDENTIAL TO C-1 COMMERCIAL FOR PROPERTY SITUATED IN THE MC CARROLL SURVEY, ABSTRACT NO. 0958A, TRACT 12, BEING 2.00 ACRES LOCATED IN THE CITY OF LAKE DALLAS AT 201 SOUTH SHADY SHORES - ACTION ITEM

It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to approve the petition for change in zoning for the property located at 201 South Shady Shores from R-1 6000 to C-1 Commercial.

V. OLD BUSINESS

A. Zoning Map

It was reported by the Secretary that the Zoning Map had been turned over to Mr. Bud Hauptman of Metroplex Engineering for printing by Donna Hamilton, City Secretary.

VI. NEW BUSINESS

Bruce Cox requested information regarding the sign on the property located on Hundley Drive owned by American Legion, stating that it is the future home of the American Legion Post.

VII. ADJOURNMENT

It was moved by Bruce Cox, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:20 P. M.

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 6, 1991

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Rita Harvell
Aldena Stowe-Gregory
Bernice Wright, Secretary

MEMBERS ABSENT:

Bruce Cox

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:32 and noted that Bruce Cox was absent and that there had been no new Liaison from City Council appointed to fill the absence of Anne Kennedy.

II. MINUTES

It was moved by Aldena Stowe-Gregory, seconded by Bob Geisinger and carried unanimously to accept the minutes of the May 2 , 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

No report.

IV. OLD BUSINESS

A. Zoning Map

Further action on the Zoning Map was tabled.

B. The Commission was notified that the Council had voted to change the name of Denton Street to Pearl Lane as recommended by the Planning and Zoning. The name of Denton Avenue was changed to Boliver Avenue.

V. NEW BUSINESS

Matt Flanagan reported that he had been approached by a developer who is interested in Thousand Oaks Subdivision, but would like to build smaller homes than the zoning of R1-7200.

VI. ADJOURNMENT

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:05 P.M.

Bernice Wright, Secretary

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

MAY 2, 1991

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Aldena Stowe-Gregory
Bernice Wright, Secretary

MEMBERS ABSENT:

Rita Harvell
Anne Kennedy, Liaison

PUBLIC HEARING

The Public Hearing was called to order at 7:50 P. M. by the Chairman. No Citizens were present to speak for or against the proposal of the changes in street names of Denton Avenue and Denton Street. After allowing sufficient time, the Public Hearing was adjourned at 7:55 P. M.

REGULAR MEETING

I. ROLL CALL

Chairman Flanagan called the Regular Meeting to order at 7:56 P. M. and noted that Anne Kennedy and Rita Harvell were absent.

II. MINUTES

It was moved by Aldena Gregory, seconded by Bruce Cox and carried unanimously to accept the minutes of the April 4, 1991 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Due to the absence of the Liaison, Anne Kennedy, there was no report from the City Council.

IV. RECOMMENDATION TO CITY COUNCIL FOR STREET NAME CHANGES FOR DENTON AVENUE AND DENTON STREET - ACTION ITEM

A. It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to recommend to the City Council the name of Stadium Drive to replace Denton Avenue.

B. It was moved by Aldena Gregory, seconded by Bob Geisinger and carried

unanimously to recommend to the City Council the name of Pearl Lane to replace Denton Street.

V. OLD BUSINESS

A. Zoning Map

Further action on the Zoning Map was tabled for future reference.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

It was moved by Aldena Gregory, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:30 P. M.

Bernice Wright, Secretary

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

APRIL 4, 1991

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Rita Harvell
Aldena Stowe-Gregory
Ann Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

None

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:35 P. M. and noted that all members were present.

II. MINUTES

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to accept the minutes of the March 7th meeting with the following correction:

VII. ADJOURNMENT

It was moved by Bruce Cox, seconded by Rita Harvell and carried unanimously to adjourn the meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy,Liaison from the City Council, reported on the proposed street bond election and the request from the Council that the names of Denton Street and Denton Avenue be changed.

IV. DISCUSSION OF STREET NAME CHANGES FOR DENTON STREET AND DENTON AVENUE

Aldena Stowe has contacted the property owners and residents located on Denton Street regarding the proposed name change. It was the concensus of opinion of these residents that the name be changed to Pearl Lane.

No contact was made with the residents on Denton Avenue, but it was the consensus of opinion of the commission to change the name of this street to Stadium Drive.

It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to instruct the Secretary to mail notices to the residents of these two streets advising them of the proposed changes and if they disagree, appear before the City Council at the April Meeting.

V. OLD BUSINESS

A. Zoning Map

The commission reviewed the Zoning Map and made suggestions on the needs of changes. Since they feel that the map should also show correct street names, it was agreed that a current up-to-date map should be used to show street names. This will be obtained for the next meeting in order to make a complete Zoning Map update.

It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to table the matter until the May meeting.

VI. NEW BUSINESS

The problem of large trucks parking on railroad property was discussed and Anne Kennedy is to check with the Council to see if action can be taken to get them moved.

VII. ADJOURNMENT

It was moved by Bob Geisinger, seconded by Aldena Stowe-Gregory, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:35 P. M.

Bernice Wright, Secretary

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

MARCH 7, 1991

MEMBERS PRESENT:

BOB GEISINGER, VICE CHAIRMAN
BRUCE COX
RITA HARVELL
ALDENA STOWE
ANN KENNEDY, LIAISON
BERNICE WRIGHT, SECRETARY

MEMBERS ABSENT:

MATT FLANAGAN, CHAIRMAN

I. PUBLIC HEARING

The Public Hearing was called to order at 7:35 P. M. by Bob Geisinger. Mr. Brian Hill and Mr. Chris Van Wagoner, representatives of Lake Cities Bible Church presented a petition for a Special Use Permit requesting that they be allowed to place a 12 ft x 40 ft modular metal building at the church located at 315 Carlisle for additional Sunday School classroom space.

There were no citizens present to speak for or against the matter, and only one letter of the four surrounding property owners letters sent were returned. Mr. Tom Coulter of 314 Carlisle responded that he was undecided regarding the matter.

The Public Hearing was adjourned at 8:30 P. M.

REGULAR MEETING

I. ROLL CALL

The Regular Meeting was called to order at 8:35 P. M. with Mr. Bob Geisinger, Vice Chairman, presiding in the absence of Mr. Matt Flanagan who is out of the state due to the illness of his father.

II. MINUTES

It was moved by Aldena Stowe, seconded by Rita Harvell and carried unanimously to accept the minutes of the meeting of February 7, 1991.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy, Liaison from the City Council, reported on the proposed street bonds, the election and the present status of the proposed City Hall building.

IV. PETITION FOR SPECIAL USE PERMIT AT 315 WEST CARLISLE BY LAKE CITIES BIBLE CHURCH REQUESTING PLACEMENT OF A MODULAR BUILDING TO BE USED AS CLASSROOMS..LOCATED IN TRACT 94 OF WRIGHT SURVEY IN CITY OF LAKE DALLAS.

It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to allow the special use permit with the understading that this would be a temporary solution to the overcrowding of the church and that all regulations such as set-backs, underskirting, tie-downs, etc. be followed in order to comply with the City ordinances.

AYES: Bruce Cox, Bob Geisinger, Rita Harvell, Aldena Stowe

NOES: None

V. OLD BUSINESS

A. Zoning Map

It was moved by Rita Harvell, seconded by Aldena Stowe and carried unanimously to table the zoning map corrections.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

It was moved by Bruce Cox, seconded by Anne Kennedy and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:20 P. M.

Bernice Wright
Bernice Wright, Secretary

Bob Geisinger, Vice Chairman
PLANNING AND ZONING COMM.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

FEBRUARY 7, 1991

Members Present:
Matt Flanagan, Chairman
Rita Harvell
Aldena Stowe
Bernice Wright, Secretary

Members Absent:
Bob Geisinger, Vice Chairman
Bruce Cox
Anne Kennedy, Liaison

I. ROLL CALL

Chairman Flanagan called the meting to order at 7:35 P. M. and noted that Bob Geisinger, Bruce Cox and Anne Kennedy were absent but a quorum was present.

II. MINUTES

It was noted by the Chairman that no minutes were available for the January meeting since the meeting was cancelled; however minutes for the December, 1990 meeting were in need of approval. It was moved by Aldena Stowe, seconded by Rita Harvell and carried unanimously to approve these December minutes.

III. REPORT FROM CITY COUNCIL LIAISON

Due to absence of Anne Kennedy, a Liaison report was made by Linwood Gilliland. He reported the decision of the City Council at its January meeting regarding the new City Hall Building and bond election for the repair of city streets. It was also their decision to have a joint workshop with the Planning and Zoning Commission at their meeting in February.

IV. WORKSHOP MEETING WITH CITY COUNCIL

Mayor Bill Honse informed the Planning and Zoning Commission and Council of the activity that has taken place up to this point regarding the new City Hall building and the street bonds election. The election will ask for five million dollars to either re-top or replace every street in the city.He also informed the Commission that there were many drainage problems in the city which will need to be corrected prior to the streets being replaced.

Mr. Chris Janning of First Southwest Company presented the program he has planned for the bond election. This election will be held on the first Saturday of May, 1991.

Mr. Janning also discussed the possibility of a one-half cent (1/2¢) sales tax increase for the City.

He also suggested that Certificates of Obligations be passed by the Council rather than making the new City Hall a part of the five million bond package.

The City Council recessed at 8:35 P. M. in order to start their meeting with Mr. Janning.

V. OLD BUSINESS

A. Zoning Map

It was moved by Aldena Stowe, seconded by Rita Harvell and carried unanimously to table further action regarding the Zoning Map until the March meeting.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

It was moved by Rita Harvell, seconded by Aldena Stowe and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:45 P. M.

Bernice Wright, Secretary

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 6, 1990

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Rita Harvell
Aldena Stowe
Bernice Wright, Secretary

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:30 P. M. and noted that all members were present with the exception of Liaison Anne Kennedy.

II. MINUTES

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to accept the minutes of the November 1, 1990 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Matt Flanagan reported that Anne Kennedy was unable to attend the meeting, but that she had checked with the City Council at their November meeting to determine if a Planning and Zoning Commission meeting was necessary when there was no business to discuss. She was informed that the commission would have to meet since it was in their charter

IV. OLD BUSINESS

A. Bernice Wright reported on the Zoning Map. She contacted Bud Hauptman of Metroplex Engineering in Denton who had bid on the printing of the the map previously. The price for the the new Zoning Map and a supply of 11 x 14 hand-out maps was $800.00.

The Commission reviewed the map and determined what would need to be accomplished to prepare it for printing. It was the concensus of opinion that the commission members would work on the map at the January meeting.

The question of receiving bids for the map was discussed as well as the need for an engineering firm, rather than a draftsman, to prepare the map.

Bernice Wright is to discuss the matter with the City Secretary to determine the exact responsibilities of the committee regarding the Zoning Map as well as bids and the need for an engineering firm to perform the work.

V. NEW BUSINESS

None

VI. ADJOURNMENT

It was moved by Bob Geisinger, seconded by Bruce Cox and carried unanimously to adjourn the meeting. .The meeting was adjourned at 8:50 p.m.

Bernice Wright
Bernice Wright, Secretary

Matt Flanagan
Matt Flanagan, Chairman

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 1, 1990

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Bruce Cox
Rita Harvell
Aldena Stowe
Anne Kennedy, Liaison
Bernice Wright, Secretary

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:30 P.M. and noted that all members were present.

II. MINUTES

It was moved by Bob Geisinger,seconded by Aldena Stowe and carried unanimously to accept the minutes of the October, 1990 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy reported that the Council is having a hearing at their next meeting to make a determination regarding the Kevin Scholl residence at 213 Alamo Street.

She also reported that another sixty (60) days have been given to Mrs. Wilburn Petty for the burned-out house located at 112 North Lakeview. This had previously been determined to be condemned, but the owner asked the Council for additional time to get it repaired. It was understood that this would be the last extension.

She stated that there was not any building going on in the City at this time.

IV. OLD BUSINESS

A.Chairman Flanagan greeted our new member of the Commission, Mr. R.Bruce Cox.

B.Discussion was held regarding the Zoning Map for the City of Lake Dallas. Bernice Wright was asked to check into the matter of the proposed new map and report at next meeting.

V. NEW BUSINESS

None

VI. ADJOURNMENT

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:00 P. M.

Bernice Wright
Bernice Wright, Secretary

Matt Flanagan
Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

OCTOBER 4, 1990

MEMBERS PRESENT:

Matt Flanagan, Chairman
Bob Geisinger, Vice Chairman
Rita Harvell
Aldena Stowe
Bernice Wright, Secretary

MEMBERS ABSENT:

Anne Kennedy, Liaison

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:45 p.m. and noted that all members were present with the exception of Anne Kennedy.

II. MINUTES

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to accept the minutes of the September, 1990 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy could not attend the meeting due to illness, but she notified the Secretary that the only report from the City Council was that Mr. R.B . Cox was not present at the City Council, so no action was taken regarding his being appointed to the Planning and Zoning Commission.

IV. RECOMMENDATION OF MEMBER FOR PLANNING AND ZONING

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to recommend Mr. R. B. Cox for appointment to the Planning and Zoning Commission.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

It was moved by Aldena Stowe, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:35 p.m.

Bernice Wright
Bernice Wright, Secretary

Matt Flanagan
Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 6, 1990

MEMBERS PRESENT
Matt Flanagan, Chairman
Sherry Gaines
Bob Geisinger
Aldena Stowe
Anne Kennedy, Liaison
Bernice Wright,Secretary

MEMBERS ABSENT
Rita Harvell

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:35 p. m. and noted that all members with the exception of Rita Harvell was present.

II. MINUTES

It was moved by Bob Geisinger, seconded by Sherry Gaines, and carried unanimously to accept the minutes of the August, 1990 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy reported that Budget Workshops had been held and that there would be monies put into the budget for Planning and Zoning for their expenses of next year.

IV. ELECTION OF VICE-CHAIRMAN

The name of Bob Geisinger was brought before the Commission,as a nomination for the position of Vice-Chairman,by Aldena Stowe and was seconded by Sherry Gaines. Mr. Geisinger was elected by unanimous decision.

V. OLD BUSINESS

There was no old business.

VI. NEW BUSINESS

A letter of resignation from Sherry Gaines was read .It was moved by Aldena Stowe, seconded by Bob Geisinger and carried unanimously that her resignation be accepted. Chairman Flanagan thanked her for her service over the past year to the Planning and Zoning Commission.

Matt Flanagan reported to the membership that Mr. B. J. Cox had approached him requesting that he be allowed to serve on the Planning and Zoning Commission. Anne Kennedy, Liaison from City Council, advised him to contact Mr. Cox and ask him to appear before the City Council at its regular meeting of September 13 in order that they may meet him and ask questions as to his ability to serve on the commission.

VII. ADJOURNMENT

It was moved by Aldena Stowe, seconded by Bob Geisinger, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:20 p.m.

Matt Flanagan

Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 2, 1990

MEMBERS PRESENT:

Matt Flanagan, Chairman
Sherry Gaines
Bob Geisinger
Rita Harvell
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

Aldena Stowe

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:30 P. M. with all members present with the exception of our new member, Aldena Stowe, who was out of town.

II. MINUTES

It was moved by Bob Geisinger, seconded by Sherry Gaines and carried unanimously to accept the minutes of the previous meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy reported that the Council had appointed Aldena Stowe to the Planning and Zoning Commission.

IV. OLD BUSINESS

There was no old business to discuss.

V. NEW BUSINESS

No new business was presented for discussion.

VI. ADJOURNMENT

It was moved by Sherry Gaines, seconded by Rita Harvell and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:00 p.m.

Bernice Wright
Bernice Wright, Secretary

Matt Flanagan
Matt Flanagan, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JULY 5, 1990

Members Present:
Matt Flanagan, Chairman
Sherry Gaines
Bob Geisinger
Rita Harvell
Anne Kennedy, Council Liaison
Bernice Wright, Secretary

Members Absent:
None

I. ROLL CALL

Chairman Flanagan called the meeting to order at 7:35 P. M. and noted that all members were present for this meeting.

II. MINUTES

Since there was no June meeting, there were no minutes to approve.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy reported that the City Council urged the Planning and Zoning to fill the empty place on the Board as soon as possible.

IV. RECOMMENDATION OF MEMBER FOR PLANNING AND ZONING

Anne Kennedy suggested the name of Aldena Stowe for the vacant place on the Planning and Zoning Commission. She has talked with Mrs. Stowe and she has agreed to serve.

It was moved by Rita Harvell, seconded by Bob Geisinger and approved unanimously to recommend Aldena Stowe to the City Council for approval. Anne Kennedy will relate this to the Council for their meeting on July 12, 1990.

V. OLD BUSINESS

None

VI. NEW BUSINESS

The members were informed of the activities regarding the possibilities of future building in the city. Some of the properties in the area are being sold and questions regarding zoning, etc. have been raised by prospective buyers.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MAY 3, 1990

MEMBERS PRESENT

Paula Horn, Chairman
Matt Flanagan, Vice Chairman
Sherry Gaines
Rita Harvell
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT

Bob Geisinger

I. ROLL CALL

Chairman Horn called the meeting to order at 7:45 P. M. and noted that all were present with the exception of Bob Geisinger.

II. MINUTES

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to approve the minutes of the March 1, 1990 minutes.

III. REPORT FROM THE CITY COUNCIL LIAISON

Council representative Anne Kennedy reported to the Commission that the appointment of a new commission member had been tabled since no one on the Council knew Mr. Mark Albro who had been suggested as a replacement for Paula Horn on the Planning and Zoning. Council requested that Mr. Albro appear before the Council at their next meeting .

IV. RECOMMENDATION OF NEW MEMBER TO COMMISSION

No recommendation to the City Council was made.

V. ELECT NEW CHAIRMAN OF PLANNING AND ZONING

It was moved by Rita Harvell, seconded by Matt Flanagan, to elect Matt Flanagan as Chairman of the Planning and Zoning Commission. The vote was as follows:

Ayes: Rita Harvell, Matt Flanagan
Noes: Sherry Gaines

The motion carried.

VI. OLD BUSINESS

Anne Kennedy explained the municipal code regarding trash and junk. She will contact the City Secretary regarding the violation .

VII. NEW BUSINESS

A discussion concerning twice weekly pickups by the Texas Waste Management was held. Paula Horn asked the Liaison to consider twice weekly when the franchise ends.

VIII. ADJOURNMENT

Prior to the move for adjournment, Paula Horn thanked the commission for her opportunity to serve Lake Dallas as the Chairman of Planning and Zoning and wished them good luck in their service in future years.

Motion for adjournment was made by Matt Flanagan, seconded by Rita Harvell and carried unanimously.

The meeting adjourned at 8:50 p. m .

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright, Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MARCH 1, 1990

MEMBERS PRESENT:
Paula Horn, Chairman
Matt Flanagan, Vice Chairman
Sherry Gaines
Bob Geisinger
Rita Harvell
Sandy Payne, Councilmember
Bernice Wright, Secretary

MEMBERS ABSENT:
None

I. ROLL CALL

Chairman Horn called the meeting to order at 7:30 P. M. and noted that all were present for this meeting.

II. MINUTES

It was moved by Sherry Gaines, seconded by Rita Harvell and carried unanimously to approve the minutes of the February 1, 1990 meeting.

III. REPORT FROM THE CITY COUNCIL LIAISON

Council representative Sandy Payne reported to the commission that the City Council passed the ordinance dealing with recreational facilities as amended by the Planning and Zoning at their February meeting.

She also reported that the approval of the replat of Lots 6-12, Block C, Lakeview Camp into Lot 6R, Block C, Lakeview Camp Subdivision was approved by the Council.

IV. OLD BUSINESS

None

V. NEW BUSINESS

A.Matt Flanagan asked the present method of dealing with trash in the city and the appearance of some of the homes which have junk and trash in the yards.

Sandy Payne responded that she will check into the matter and report back to the commission next meeting.

B. Paula Horn reminded the commission that her term on the Planning and Zoning will expire April 1, 1990. She advised the

members to be considering a replacement for her on the commission as well as their recommendation for Chairman.

VI. ADJOURNMENT

It was moved by Rita Harvell, seconded by Bob Geisinger and carried unanimously to adjourn the meeting. The meeting was adjourned at 7:50 P. M.

Paula Q. Horn
Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright
Bernice Wright, Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
FEBRUARY 1, 1990

MEMBERS PRESENT:
Paula Horn, Chairman
Matt Flanagan, Vice Chairman
Sherry Gaines
Bob Geisinger
Rita Harvell
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

MEMBERS ABSENT:
None

PUBLIC HEARING

The public hearing was called to order at 7:30 P.M. Bud Hauptman, representing Mr. and Mrs. Joseph Bergan, presented a petition for replat of Lots 6-12, Block C, Lakeview Camp Subdivision into one lot. There was no public comment.

REGULAR MEETING

I. ROLL CALL.

All members were present.

II. MINUTES.

Bob Geisinger moved to approve the minutes as presented. Rita Harvell seconded the motion and it carried unanimously.

III. REPORT FROM COUNCIL LIAISON.

Sandy Payne gave a report from council stating that there were three sections in the proposed recreational facility ordinance that they wanted the commission to reconsider.

IV. PETITION FOR REPLAT OF LOTS 6-12, BLOCK C, LAKEVIEW CAMP.

Bob Giesinger moved to recommend to City Council the approval of the replat of Lots 6-12, Block C, Lakeview Camp Subdivision into Lot 6R, Block C, Lakeview Camp Subdivision. Matt Flanagan seconded the motion and it carried unanimously.

V. RECONSIDER RECREATIONAL FACILITY ORDINANCE.

Sandy Payne stated that the City Council wanted to delete Section 5.24.140(A) & (B) and Section 5.24.160 from the proposed recreational facility ordinance. After discussion by the Commission, it was a unanimous consensus of opinion to approve these changes.

VI. OLD BUSINESS.

VII. NEW BUSINESS.

VIII. ADJOURNMENT.

Bob Giesinger moved to adjourn the meeting. Sherry Gaines seconded the motion and it carried unanimously.

Paula Q. Horn
Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JANUARY 4, 1990

MEMBERS PRESENT:

Paula Horn, Chairman
Matt Flanagan
Bob Geisinger
Rita Harvell
Bernice Wright, Secretary

MEMBERS ABSENT:

Sherry Gaines
Anne Kennedy, Liaison

After allowing sufficient time for late arrivals, Chairman Horn called the meeting to order at 7:35 P. M.

I. ROLL CALL

Chairman Horn noted that Sherry Gaines and Anne Kennedy were absent from this meeting.

II. MINUTES

It was moved by Matt Flanagan, seconded by Rita Harvell and carried unanimously approve the minutes of the December 7, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Due to the absence of Liaison Anne Kennedy, there was no Council Report.

IV. ELECTION OF VICE CHAIRMAN- ACTION

It was moved by Bob Geisinger, seconded by Rita Harvell to elect Matt Flanagan to the position of Vice Chairman of the Planning and Zoning Commission by acclamation. The motion carried unanimously.

V. OLD BUSINESS

None

VI. NEW BUSINESS

None

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
December 7, 1989

MEMBERS PRESENT:

Paula Horn, Chairman
Matt Flanagan
Sherry Gaines
Bob Geisinger
Bernice Wright, Secretary

MEMBERS ABSENT:

Rita Harvell
Anne Kennedy, Liaison

PUBLIC HEARING

Matt Flanagan called the Public Hearing to order at 7:40 P. M. by the instructions of the Chairman who was delayed in arriving.

Those present for the Public Hearing were representatives for the Soccer and Baseball Association who were concerned that the proposed ordinance concerning recreational facilities might affect their organizations.

After allowing sufficient time for the public to be heard on this matter, the Public Hearing was closed at 7:50 P. M.

REGULAR MEETING

Matt Flanagan called the Regular Meeting to order at 7:50 P. M..

I. ROLL CALL

It was noted that Chairman Horn would be arriving late and Rita Harvell and Anne Kennedy were absent.

II. MINUTES

It was moved by Sherry Gaines, seconded by Bob Geisinger and carried unanimously to approve the minutes of the November 2, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Since Mrs. Kennedy was absent, there was no City Council report.

IV. WELCOME OF NEW MEMBERS

Bob Geisinger was welcomed to the Planning and Zoning Commission.

V. RECREATIONAL FACILITIES ORDINANCE - ACTION

The Recreational Facilities Ordinance was reviewed and some changes were recommended and discussed. The Secretary was instructed to make these changes and submit the ordinance to the City Council .

It was moved by Bob Geisinger, seconded by Sherry Gaines and carried unanimously to approve this ordinance as revised.

VI. OLD BUSINESS

None

VII. NEW BUSINESS

None

VIII. ADJOURNMENT

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to adjourn this meeting. The meeting was adjourned by Chairman Paula Horn at 9:00 P.M.

Paula Q. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
NOVEMBER 2, 1989

MEMBERS PRESENT:

Paula Horn, Chairman
Matt Flanagan
Sherry Gaines
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

None

Chairman Horn called the meeting to order at 7:30 P. M.

I. ROLL CALL

Chairman Horn noted that all members were present for this meeting.

II. MINUTES

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to approve the minutes of the September 7, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Since Anne Kennedy, Liaison from the City Council, was not able to attend the City Council Meeting for October, 1989, she did not have a report to give.

IV. APPROVAL OF PROPOSED ZONING MAP- ACTION

The commission reviewed and discussed the proposed Zoning Map. There was some question regarding the color chart on the map. A motion was made to accept the map,contingent upon clarification and correction of the color chart, by Matt Flanagan and seconded by Sherry Gaines. The motion passed unanimously.

V. ORDINANCE NO. 130 REGARDING POOL HALLS AND AMUSEMENT CENTERS

Ordinance NO. 130 regarding Pool Halls and Amusement Centers was discussed . Since Senate Bill 896 repeals the authority of cities to charge a license fee for amusement machines, it was

decided to adopt Benbrook's ordinance regarding the licensing of recreational facilities. The ordinance was modified to fit the needs of Lake Dallas and the Secretary will furnish the members with a draft for the December meeting.

A Public Hearing on the ordinance will also be set prior to the Regular Meeting on December 7, 1989.

VI. OLD BUSINESS

The name of Randy Morris was recommended for a new board member replacing Frances Grammer. Mr. Morris resides within the City of Lake Dallas at 5416 Princess Court in Kings Manor Addition. The motion for the recommendation was made by Sherry Gaines, and seconded by Matt Flanagan and it carried unanimously.

VII. NEW BUSINESS

The names of Rita Harvell, 605 Carlisle Street, and Robert Geisinger,710 Lakeland, were suggested for a new board member replacing Bob Garcia. Motion was made by Sherry Gaines, seconded by Matt Flanagan to recommend Robert Geisinger as the replacement. Motion carried unanimously.

VIII. ADJOURNMENT

Since there was no further business, Chairman Horn called for a motion to adjourn. It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to adjourn the meeting. The meeting was ajourned at 8:35 P. M.

Paula Q. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 7, 1989

MEMBERS PRESENT
Paula Horn, Chairman
Matt Flanagan
Sherry Gaines
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT
Bob Garcia, Vice Chairman

Chairman Paul Horn called the Regular Meeting to order at 7:55 p.m.

I. ROLL CALL

It was noted that Bob Garcia was absent from this meeting. Chairman Horn noted that the official resignation by Frances Grammer had been received by the members of the commission and recommendation for her replacement would come later in the meeting.

II. MINUTES

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to approve the minutes of the August 3, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy, Liaison from the City Council, reported that the Tall Grass and Weed Ordinance questions had been resolved by the Council ; therefore it would not be necessary for the Planning and Zoning to review.

Paula Horn requested the Liaison to ask the opinion of the City Council as to having the local newspaper run pictures as the Denton Record Chronicle has done showing the "Worst" and "Best" properties in the city to make people aware of the need to keep their grass mowed and junk and old cars cleared.

IV. ORDINANCE NO. 130 REGARDING POOL HALLS AND AMUSEMENT CENTERS - ACTION ITEM

The commission was informed prior to discussing the change in this ordinance that a new law had been passed on Senate Bill Number 896 repealing the authority of cities and counties to charge a license for coin-operated machines .

The question was raised as to whether a license fee could be charged on the actual business rather than on each machine. The City Secretary will be asked to obtain a ruling from the State on this matter.

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to table the matter until this ruling could be received.

V. RECOMMENDATION FOR NEW BOARD MEMBER REPLACING FRANCES GRAMMER

Mrs. Carol Foster was suggested as a replacement for Frances Grammer and she will be contacted by Sherry Gaines. No other names were recommended.

VI. OLD BUSINESS

A. Tall Grass and Weeds Ordinance no longer on the agenda for Planning and Zoning action.

VII. NEW BUSINESS

None

VIII. ADJOURNMENT

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:00 p.m.

Paula Q. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 3, 1989

MEMBERS PRESENT

Paula Horn, Chairman
Matt Flanagan
Sherry Gaines
Bob Garcia
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT

Frances Grammer

Chairman Paula Horn called the Regular Meeting to order at 7:40 P. M.

I. ROLL CALL

It was noted that Frances Grammer was absent from this meeting. Chairman Horn advised the committee that Mrs. Grammer's job is now requiring her to travel and she will be out of town a great deal of the time. She feels that it will be necessary that she resign from the Planning and Zoning.

II. MINUTES

It was moved by Bob Garcia, seconded by Matt Flanagan and carried unanimously to approve the minutes of the July 6, 1989 meeting.

III. ELECTION OF CHAIRMAN

It was moved by Bob Garcia, seconded by Matt Flanagan and carried unanimously to elect Paula Horn as the Chairman of Planning and Zoning Commission.

IV. ELECTION OF VICE-CHAIRMAN

It was moved by Matt Flanagan, seconded by Sherry Gaines and carried unanimously to elect Bob Garcia as the Vice-Chairman of the Planning and Zoning Commission.

V. DISCUSSION OF ORDINANCE NO. 130 REGARDING POOL HALLS AND AMUSEMENT CENTERS.

Several changes were discussed regarding licensing, location and fines in case of violation of the Ordinance NO. 130. The secretary will incorporate these changes into the ordinance in order for the Committee to take action on it at the next meeting.

VI. REPORT FROM CITY COUNCIL LIAISON

Liaison Anne Kennedy gave her report.

VII. OLD BUSINESS

The Commission was advised that Mr. Buddy Archer who had requested a Zoning Petition to change zoning on property located in the 500 block of North Stemmons, had withdrawn the petition prior to the City Council meeting.

VIII. NEW BUSINESS

The City Council has asked that Planning and Zoning Commission review and make recommendations for changes on the tall grass ordinance. The chairman instructed the Secretary to obtain ordinances from Denton, Farmers Branch and Lewisville which might assist in re-writing this ordinance.

IX. ADJOURNMENT

It was moved by Matt Flanagan, seconded by Bob Garcia and carried unanimously to adjourn this meeting. The meeting was adjourned at 9:20 P. M.

Paula Q. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

JULY 6, 1989

MEMBERS PRESENT

Paula Horn, Chairman
Matt Flanagan
Sherry Gaines
Bob Garcia
Frances Grammer
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT

None

Chairman Paula Horn called the Public Hearing to order at 7:35 P. M.

PUBLIC HEARING

A. Zoning Petition - Mr. Buddy Archer - Change in Zoning from C-2 Commercial to C-3 Commercial on Tract 4 of J. W. Simmons Survey located in the 500 block of North Stemmons .

Chairman Horn called for comments from the audience in regard to this request of change in zoning.

Bill Honse spoke against the proposal stating that there were already an abundance of convenience stores and those selling beer and wine and liquor in the Lake Dallas area. Since some of these are closing due to lack of sales, Mr. Honse feels that Lake Dallas cannot support another store of this type.

Mr. Buddy Archer and Miss Allison Archer presented the proposal of the type of convenience and liquor store they were planning to build on the site, and answered questions of the commission members regarding the plans.

Chairman Horn closed the Public Hearing at 8:05 P. M.

REGULAR MEETING

Chairman Horn called the Regular Meeting to order at 8:12 P. M.

A. ROLL CALL

It was noted that all members of the Commission were present.

B. MINUTES

It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to approve the minutes of the June 1, 1989 meeting.

C. ZONING PETITION - BUDDY ARCHER

It was moved by Frances Grammer to deny the petition requesting a change in zoning from C-2 to C-3 on Tract 4 of J. W. Simmons Survey located in the 500 block of North Stemmons. The motion was seconded by Matt Flanagan and the motion carried unanimously.

D. WELCOME OF NEW MEMBERS - MATT FLANAGAN AND SHERRY GAINES

Chairman Paula Horn welcomed and introduced Matt Flanagan and Sherry Gaines as the newest members of the Planning and Zoning Commission.

E. REPORT FROM CITY COUNCIL LIAISON

Anne Kennedy, Liaison from City Council to Planning and Zoning, reported the action taken at the June Council meeting in regard to Ordinance #130 relating to Pool Halls and Amusement Centers. She advised that the Council was in agreement on the reinstatement of the original Ordinance #130 with the exception of the fee.

F. OLD BUSINESS

None

G. NEW BUSINESS

A copy of Farmers Branch's ordinance regarding Pool Halls and Amusement Centers was distributed to the members for their information.

It was the concensus of opinion that the matter be tabled until after the members could study the proposed ordinance further and come up with their recommendations of fees and wording regarding liquor being served on the premises.

H. ADJOURNMENT

It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:50 P. M.

Paula Q. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JUNE 1, 1989

MEMBERS PRESENT:
Paula Horn, Chairman
Frances Grammer
Bob Garcia
Bernice Wright, Secretary

MEMBERS ABSENT:
Anne Kennedy, Liaison to Council

Chairman Paula Horn called the meeting to order at 7:38 P. M.

I. ROLL CALL

All members present with the exception of Anne Kennedy, Liaison to City Council .

II. MINUTES

It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to approve the minutes of the May 4, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

In the absence of Anne Kennedy, a report from the City Council was given by Councilmember Garry Bills. He reported on the present status of the pending ordinance action regarding the paving of parking lots.

IV. OLD BUSINESS

A. Chairman Horn introduced Matthew Michael Flanagan who resides at 5403 Princess Court in Lake Dallas as a recommendation for a replacement of Mike Fahey on the Planning and Zoning Commission. It was the concensus of opinion of the commission that Mr. Flanagan be recommended to the City Council for their appointment.

V. NEW BUSINESS

Councilmember Bills recommended to the Planning and Zoning Commission that they review Ordinance No.130 , the repealed ordinance relating to Pool Halls and Amusement Centers. Chairman Horn recommended that a copy of Farmers Branch's Teen Clubs and Amusement Centers Ordinance be obtained to study.

A discussion regarding needs for recreation for the youth and children of Lake Dallas resulted in several suggestions being made for the future.

VI. ADJOURNMENT

It was moved by Frances Grammer, seconded by Bob Garcia and carried

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

MAY 4, 1989

MEMBERS PRESENT:

Paula Horn, Chairman
Frances Grammer
Bob Garcia
Anne Kennedy, Liaison
Bernice Wright, Secretary

Chairman Paula Horn called the meeting to order at 7:35 P. M. with all members present.

I. ROLL CALL

All members present.

II. MINUTES

It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to approve the minutes of the April 6, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Anne Kennedy reported to the commission that the Ordinance, stating that no member shall serve more than two consecutive terms,cannot be changed to allow Mike Fahey to continue to serve on Planning and Zoning.

IV. OLD BUSINESS

A. A discussion was held regarding a recommendation for the replacement of Mike Fahey on the Commission. No name was determined.

V. NEW BUSINESS

A. Recommendations were discussed to replace Monty Carpenter on the Commission due to his resignation.

B. It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to accept the resignation of Monty Carpenter who has now moved to another state.

VI. AJOURNMENT

It was moved by Frances Grammer, seconded by Bob Garcia and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:10 P.M.

Paula D. Horn
Paula Horn,Chairman
Planning and Zoning Commission

Bernice Wright
Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

APRIL 6, 1989

MEMBERS PRESENT:

Monty Carpenter, Vice Chairman
Mike Fahey
Frances Grammer
Bob Garcia
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

Paula Horn, Chairman

Vice Chairman Monty Carpenter called the meeting to order at 7:35 P. M. in the absence of Chairman Paula Horn.

I. ROLL CALL

Vice Chairman Carpenter noted that all members were present except Chairman Horn .

II. MINUTES

It was moved by Frances Grammer, seconded by Mike Fahey and carried to approve the minutes of the March 2, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Anne Kennedy reported to the commission on the action taken on Ordinance No. 25 regarding the recommendation from Planning and Zoning in regard to Section 10(1) and Section 19.

IV. OLD BUSINESS

There was no old business to discuss.

V. NEW BUSINESS

The Commission discussed the matter of Mike Fahey's second term being expired on April 1st and Monty Carpenter's first term also expiring on that date. Since our Ordinance No. 87-06 states that no one may serve more than two terms in succession, it was the concensus of opinion of the members of the Commission that the City Council consider changing this ordinance to read "No more that two terms in succession UNLESS SPECIAL EXTENSION OF TERM IS GRANTED"

It was also recommended that Monty Carpenter's term be renewed and Mike Fahey's term be extended under a special extension recommendation of Ordinance No. 87-06.

VI. ADJOURNMENT

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:15 P.M.

Monty Carpenter, Vice Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

MARCH 2, 1989

MEMBERS PRESENT:

Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Frances Grammer
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT:

None

Chairman Paula Horn called the Public Hearing to order at 7:35 P.M.

PUBLIC HEARING

I. AMENDMENT TO ZONING ORDINANCE NO. 25 - SECTION 10(1) PERTAINING TO USAGE IN DISTRICT C-1

With one person present for the Public Hearing, the Amendment to Section 10(1) of the Zoning Ordinance No. 25 was read and discussed.

II. AMENDMENT TO ZONING ORDINANCE NO. 25 - SECTION 19 - PERTAINING TO SURFACE REQUIREMENTS FOR APARTMENTS, BUSINESS AND INDUSTRIAL PARKING.

With one person present for the Public Hearing, the Amendment to Section 19 of the Zoning Ordinance NO. 25 was read and discussed.

Chairman Horn closed the Public Hearing at 7:54 P. M.

REGULAR MEETING

Chairman Horn called the Regular Meeting to order at 7:55 P. M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present for this meeting.

II. MINUTES

It was moved by Frances Grammer, seconded by Mike Fahey, and carried unanimously to approve the minutes of the February 3, 1989 meeting.

III. REPORT FROM CITY COUNCIL LIAISON

Liaison Anne Kennedy reported to the Commission that the City Council had requested that they recommend to the Council a replacement for Mr. Ron Smith. She also noted that the Amendment to Zoning Ordinance No. 25, Section 10(1) was brought before the City Council.

IV. ZONING ORDINANCE NO. 25 - PROPOSED CHANGE -SECTION 10(1)

It was moved by Monty Carpenter, seconded by Frances Grammer and carried unanimously to approve the proposed change in Section10(1) of Zoning Ordinance NO. 25.

V. ZONING ORDINANCE NO. 25 - PROPOSED CHANGE -SECTION 19

The proposed changes to Section 19 of Ordinance NO. 25 were discussed and two additions were recommended to be made.

It was moved by Mike Fahey, seconded by Monty Carpenter and carried unanimously to approve the proposed amendment with the two changes made by the Planning and Zoning Commission.

VI. OLD BUSINESS

A. Recommendation for replacement on Planning and Zoning Commission

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to submit the name of Bob Garcia to the City Council as the replacement on the Commission for Ron Smith.

VII. NEW BUSINESS

None

VIII. ADJOURNMENT

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:30 P. M.

Bernice Wright, Secretary

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

FEBRUARY 3, 1989

MEMBERS PRESENT: Paula Horn, Chairman
Monty Carpenter, Vice Chairman
Mike Fahey
Frances Grammer
Anne Kennedy, Liaison to Council
Bernice Wright, Secretary

Chairman Horn called the Public Hearing to order at 7:35 P. M.

PUBLIC HEARING

A. FENCE ORDINANCE

No persons were present for the Public Hearing on the proposed fence ordinance.

Chairman Horn closed the Public Hearing at 7:40.

REGULAR MEETING

I. ROLL CALL

Chairman Horn noted that all Commission members were present except Mr. Ron Smith who has now been removed due to his inability of attending the meetings.

II. MINUTES

It was moved by Frances Grammer , seconded by Mike Fahey, and carried unanimously to approve the minutes of the January 5, 1989 meeting.

III. REPORT FROM CITY COUNCIL/LIAISON

Liaison Kennedy reported to City Council regarding the approval of the proposed fence ordinance and the need to replace one member on the commission. Mrs. Kennedy also advised the members that they should recommend a replacement for Mr. Ron Brown.

IV. FENCE ORDINANCE - ACTION

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to approve the proposed fence ordinance.

V. RECOMMENDATION FOR NEW BOARD MEMBER

The names of Joyce Campbell, Herman Hall and Bob Garcia were suggested as possible replacements for Ron Brown. These will be given to City Council after confirming they will serve if appointed.

VI. OLD BUSINESS

No Old Business.

VII. NEW BUSINESS

A. The Zoning Ordinance #25 was discussed . It was recommended by Mike Fahey that Section 10 - 1 be changed to read:
"Any use permitted in District R-2" from "Any use permitted in District R-3"
This will be set for an action item on the March, 1989 Agenda and and a Public Hearing will be held .

VIII. ADJOURNMENT

It was moved by Michael Fahey, seconded by Monty Carpenter and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:35 P. M.

Paula A. Horn

Paula Horn, Chairman
PLANNING AND ZONING COMMISSION

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

January 5, 1989

MEMBERS PRESENT:

Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Frances Grammer

MEMBERS ABSENT:

Ron Smith
Anne Kennedy, Liaison to Council

Chairman Paula Horn called the meeting to order at 7:35 P. M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present except Ron Smith and Liaison Anne Kennedy.

II. MINUTES

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to accept the minutes of the meeting of December 1, 1988.

III. REPORT FROM CITY COUNCIL/LIAISON

Anne Kennedy was ill and unable to make a report.

IV. FENCE ORDINANCE - ACTION ITEM

Chairman Horn called for comments on the pending Fence Ordinance after the members reviewed the corrected draft. Minor changes to the numbering of Section II (Permits) was recommended.

Chairman Horn advised the commission members that it would not be necessary for the proposed ordinance to be reviewed by the Attorney for the City of Lake Dallas since our ordinance was composed of ordinances from other cities which had been approved as legal.

It was moved by Mike Fahey, seconded by Monty Carpenter and approved unanimously to approve the ordinance and set a Public Hearing at 7:30 P. M. during the next month's meeting on February 2, 1989.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

Mike Fahey would like to have put on the Agenda for the February meeting the Zoning Ordinance regarding the areas in which Apartments could be built. He feels that the City should look very closely at any apartments planned for the future.

It was the concensus of opinion that due to the inability of Mr. Ron Smith to be present for the meetings of Planning and Zoning that he be replaced on the commission. This will be reviewed with the Liaison and City Council to determine how to proceed.

VII. ADJOURNMENT

It was moved by Frances Grammer, seconded by Mike Fahey and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:25 P.M.

Paula Q. Horn

Paula Horn, Chairman of Planning & Zoning
CITY OF LAKE DALLAS, TEXAS

Bernice Wright

Bernice Wright, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 1, 1988

MEMBERS PRESENT: Paula Horn, Chairman
Monty Carpenter, Vice Chairman
Mike Fahey
Frances Grammer
Anne Kennedy, Liaison
Bernice Wright, Secretary

MEMBERS ABSENT: Ron Smith

Chairman Paula Horn called the meeting to order at 7:40 P.M.

ROLL CALL

Chairman Horn noted that all Commission members were present except Ron Smith.

MINUTES

It was moved by Mike Fahey to accept the minutes of November 3, 1988 in which there was no quorum . The motion was seconded by Frances Grammer and carried unanimously.

REPORT FROM LIAISON / CITY COUNCIL

Anne Kennedy reported that there was concern from the Mayor and Council about the lack of meetings of the Planning and Zoning Commission due to a quorum not being present.

Mike Fahey questioned her as to the Council's discussion regarding parked cars on Main Street. She informed him it was on Mr.Walter Scholl's property. She will bring up the question of the legality of gravel vs. asphalt according to the Ordinance pertaining to parking lots.

OLD BUSINESS

The Commission was informed that the Council had agreed to have the Zoning Map redrawn and this is in the process of being updated.

The pending Fencing Ordinance was discussed . It was decided that rather than including a flat permit fee of $15.00, that the permit should be based on the cost of the fence as are building permits for structures.

After making several changes to the proposed ordinance, it was the concensus of opinion that the ordinance would be put in a finished form and sent to each commission member and the Attorney for the city for their inspection. The matter would be put on the Agenda for the January meeting as an action item.

NEW BUSINESS

None.

ADJOURNMENT

It was moved by Frances Grammer, seconded by Mike Fahey and carried uannimously to adjourn the meeting. The meeting was adjourned at 8:52 P. M.

Bernice Wright, Secretary

Paula Horn, Chairman of Planning and Zoning

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

OCTOBER 6, 1988

MEMBERS PRESENT: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Frances Grammer
Charlie Berry, Building Inspector
Anne Kennedy, Liaison from Council
Bernice Wright, Secretary

MEMBERS ABSENT: Ron Smith

Chairman Paula Horn called the meeting to order at 7:35 P.M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present except Ron Smith.

II. MINUTES

It was moved by Mike Fahey to accept the minutes of the September 1, 1988 meeting, seconded by Frances Grammer and carried unanimously.

III. REPORT FROM CITY COUNCIL / LIAISON

Anne Kennedy, Liaison from City Council answered questions regarding the approved 1988-89 Budget and reported to the Commission that an amount was put into the budget for an updated zoning map.

IV. OLD BUSINESS

1. ZONING MAP - DISCUSSION

Secretary Bernice Wright submitted a bid from Mr. Stanford Hauptmann of Metroplex Engineering Corporation to update the zoning map and city map showing all new subdivisions and other pertinent information. The price of this proposal is $600.00.

All members agreed this was a very good price and recommended to Liaison Anne Kennedy that she take it before the City Council at their October 13th meeting for approval.

2. FENCE ORDINANCE - DISCUSSION

The proposed Fence Ordinance was discussed and it was decided to add a $15.00 permit fee clause to the ordinance.

After discussing several changes to the ordinance, it was agreed that the Secretary should rework the draft and place it on the agenda for the November meeting.

V. NEW BUSINESS

None

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 1, 1988

Members Present:	Monty Carpenter, Vice-Chairman Ron Smith Mike Fahey Frances Grammer Charlie Berry, Building Inspector Karen Mankoff, Secretary
Members Absent:	Paula Horn, Chairman Anne Kennedy, Liason

Vice-Chairman Carpenter called the meeting to order at 7:40 P.M.

I. ROLL CALL

Vice-Chairman Carpenter noted that all Commission members were present except Paula Horn and Anne Kennedy.

II. MINUTES

Frances Grammer moved to approve the minutes as read. Mike Fahey seconded the motion and it carried unanimously.

III. REPORT FROM CITY COUNCIL/LIASON

Liason, Anne Kennedy was absent due to a Tax Rate Increase meeting that was scheduled for the same time and date of this meeting.

IV. OLD BUSINESS

1. ZONING MAP - DISCUSSION

Secretary Ms. Mankoff was instructed to obtain price quotes for the update of the Zoning Map and report those figures back to the Commission at next month's meeting.

2. FENCE ORDINANCE - DISCUSSION

The Commission members reviewed the rough draft copy and decided to re-discuss these changes and any more changes at next month's meeting.

V. NEW BUSINESS

None

VI. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Ron Smith seconded the motion and it carried unanimously.

Vice-Chairman Carpenter adjourned the meeting at 8:30 P.M.

Monty Carpenter, Vice-Chairman
Planning & Zoning Commission

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 4, 1988

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Frances Grammer
Mike Fahey
Karen Mankoff, Secretary
Charlie Berry, Building Inspector

Members Absent: Ron Smith
Anne Kennedy, Liason

Chairman Horn called the meeting to order at 7:40 P.M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present except Ron Smith and Anne Kennedy.

II. MINUTES

Mike Fahey moved to approve the minutes as read. Monty Carpenter seconded the motion and it carried with the following votes:

AYES: Mike Fahey and Monty Carpenter
NOES: None
ABSTAINED: Frances Grammer

III. REPORT FROM CITY COUNCIL/LIASON

Liason, Anne Kennedy was absent due to a Budget Workshop that was scheduled for the same time and date of this meeting.

IV. ABANDONMENT OF EASEMENT - NORTH END OF WILSON ST. LAKEVIEW CAMP ADDITION - ACTION

Frances Grammer made the motion to recommend to City Council the approval of Abandonment of Easement - North End of Wilson St./Mrs. Esther French. Mike Fahey seconded the motion and it carried unanimously.

V. OLD BUSINESS

1. ZONING MAP - DISCUSSION

Councilman Linwood Gilliland informed the Commission members that he had obtained a name of an engineering firm that could update the zoning map and he had turned this information over to City Secretary, Donna Hamilton so she could get a price quote.

2. FENCE ORDINANCE - DISCUSSION

Secretary Ms. Mankoff was instructed to rough draft an ordinance for review at next month's meeting.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Mike Fahey seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:25 P.M.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 7, 1988

Members Present:	Paula Horn, Chairman Monty Carpenter, Vice - Chairman Mike Fahey Ron Smith Charlie Berry, Building Inspector Karen Mankoff, Secretary
Members Absent:	Anne Kennedy, Liason Frances Grammer

Chairman Horn called the meeting to order at 7:32 P.M.

I. ROLL CALL

Chairman Horn noted that everyone was present except Frances Grammer and Anne Kennedy.

II. MINUTES

Mike Fahey moved to approve the minutes from the May 5, 1988 and June 2, 1988 meetings. Monty Carpenter seconded the motion and it carried unanimously.

III. ELECTION OF CHAIRMAN - ACTION

Ron Smith moved to appoint Paula Horn as Chairman of the Planning and Zoning Commission. Monty Carpenter seconded the motion and it carried unanimously.

IV. ELECTION OF VICE - CHAIRMAN - ACTION

Mike Fahey moved to appoint Monty Carpenter as Vice-Chairman of the Planning and Zoning Commission. Ron Smith seconded the motion and it carried unanimously.

V. REPORT FROM CITY COUNCIL/LIASON

VI. OLD BUSINESS

1. ZONING MAP

Councilman Linwood Gilliland stated that he would check with some companies to see what it would take price wise etc. to get the Zoning Map updated and report back to the Commission at next month's meeting.

VII. NEW BUSINESS

1. DISCUSSION PROPOSED FENCE ORDINANCE

The consensus of opinion was for Secretary Ms. Mankoff to get copies of other cities ordinances for the Commission members to review and discuss at next month's meeting.

VIII. ADJOURNMENT

There being no further business to conduct, Ron Smith moved to adjourn. Monty Carpenter seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:02 P.M.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MAY 5, 1988

Members Present:	Paula Horn, Chairman Monty Carpenter, Vice-Chairman Ron Smith Frances Grammer Mike Fahey Charlie Berry, Building Inspector Karen Mankoff, Secretary
Members Absent:	Anne Kennedy, Liason

Chairman Horn called the Public Hearing to order at 7:35 P.M.

I. PUBLIC HEARING

A. AMENDMENT TO ORD. 100 - REPEALING ARTICLE I., SECTION IV (h)(2e) PERTAINING TO WOODEN FENCES

Letitia deBurgos #47 Kingswood stated she was opposed to allowing wooden fences in a Mobile Home Park due to fire hazards and aesthetic reasons. She also stated that wooden fences require alot of upkeep and that in the future this could create more problems. Councilmember P. O. Byers stated that he felt Mobile Home owners should have the same rights as residential homeowners in choosing what type of fencing materials to use. Commission member Ron Smith suggested some definite guidelines be set if this amendment were to be passed.

Chairman Horn closed the Public Hearing at 7:50 P.M.

II. REGULAR MEETING

Chairman Horn called the regular meeting to order at 7:51 P.M.

A. ROLL CALL

All members were present except Liason, Anne Kennedy

B. MINUTES

Mike Fahey moved to approve the minutes as read. Frances Grammer seconded the motion and it carried unanimously.

C. AMENDMENT TO ORD. 100 - ACTION

Mike Fahey made the motion to recommend to City Council denial of amendment to Ordinance 100. Monty Carpenter seconded the motion and it carried the following votes:

AYES: Mike Fahey, Frances Grammer, Monty Carpenter
NOES: Ron Smith
ABSTAINED : None

D. RE-APPOINTMENT COMMISSION MEMBERS - PAULA HORN, RON SMITH AND FRANCES GRAMMER - ACTION

Mike Fahey moved to recommend to City Council the reappointment of Paula Horn, Ron Smith and Frances Grammer to the Planning and Zoning Commission. Monty Carpenter seconded the motion and it carried unanimously.

E. REPORT FROM CITY COUNCIL/LIASON

F. OLD BUSINESS

None

G. NEW BUSINESS

Councilmember Linwood Gilliland expressed the desire for Planning & Zoning members to update our zoning map.

H. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Mike Fahey seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:12 P.M.

Paula G. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 3, 1988

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Ron Smith
Frances Grammer
Anne Kennedy, Liason
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: None

Chairman Horn called the meeting to order at 7:32 P.M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present.

II. MINUTES

Ron Smith moved to approve the minutes as read. Monty Carpenter seconded the motion and it carried unanimously.

III. PETITION FOR CONDEMNATION EASEMENT BETWEEN 18-19 EAST AND 16-17 WEST, J.V. THOMPSON SUBDIVISION - ACTION

Frances Grammer made a motion to recommend to City Council the approval of petition for abandoment of easement between 18-19 East and 16-17 West, J. V. Thompson Subdivision. Mike Fahey seconded the motion and it carried unanimously.

IV. LARRY ANDERSON/OFF-STREET PARKING (C-3) - VIOLATION OF ORDINANCE NO. 25 - ACTION

After a final attempt to get Mr. Anderson to take some action of the above matter, the Commission instructed Charlie Berry, Building Inspector to notify Mr. Anderson that all vehicles are to be removed from parking lot until regulations can be met.

V. REPORT FROM CITY COUNCIL/LIASON

VI. NEW BUSINESS

A. MR. RONNIE BROWN/MID-AMERICAN CORP. REGARDING OPERATING A LUBRICANT BLENDING CO. AT THE RYLAND BUILDING

Mr. Brown informed the Commission that he was considering the purchase of the Ryland Building for his lubricant blending business. He stated he had been in the business for 10 years and they were not a refinery but they blend motor and hydraulic oils etc. He said they will be needing 25,000 - 50,000 gallon tanks for storage of product. Fire Chief, Jerry McCutcheon requested a list of all materials that are to be stored so he can check out the safety requirements.

B. AMENDMENT TO ORD. 100 - REPEALING SECTION 4(h)(2e), ARTICLE I.

The consensus of opinion was to deny amending this section of Ord. 100 to allow wooden fences to be placed in Mcbile Home Parks due to the increase of fire hazards that this would create.

VII. OLD BUSINESS

None

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
FEBRUARY 4, 1988

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Anne Kennedy, Liason
Ron Smith
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Frances Grammer

Chairman Horn called the Public Hearing to order at 7:42 P.M.

I. PUBLIC HEARING

A. ZONING PETITION - LAKE CITIES INVESTMENT CORP. - CHANGE IN ZONING FROM R-3 MULTI-FAMILY TO C-1 COMMERCIAL ON TRACT 16A OF M.E.P. & P.R.R. SURVEY. THIS PROPERTY IS LOCATED AT 402 S. LAKEVIEW DR.

Mr. Alvin Black/Lake Cities Investment Corp. stated that their original intentions were to ask for either a Special Use Permit or a Conditional Use Permit instead of asking for a zoning change. The list of Special Permit uses was read to the public. Some of the concerns of the Commission were the traffic problem that having a Commercial business would create and the fact that there was residential and multi-family all around this piece of property. Billie Sarten (116 Hundley Village) expressed opposition to the change in zoning. It was noted that out of 9 letters mailed out to property owners, that 1 was received in opposition.

Chairman Horn closed the Public Hearing at 7:55 P.M.

II. REGULAR MEETING

A. ROLL CALL

Chairman Horn noted that all Commission members were present except Frances Grammer.

B. MINUTES

Mike Fahey moved that the minutes be approved as read. Monty Carpenter seconded the motion and it carried unanimously.

C. ZONING PETITION - LAKE CITIES INVESTMENT CORP. - ACTION

Mike Fahey moved to deny the zoning petition of Mr. Alvin Black/ Lake Cities Investment Corp. Monty Carpenter seconded the motion and it carried unanimously.

D. WELCOME NEW BOARD MEMBER

New Board Member, Mr. Ron Smith was welcomed by Chairman Horn and the Commission.

E. REPORT FROM CITY COUNCIL/LIASON

F. OLD BUSINESS

None

G. NEW BUSINESS

1. MR. RONNIE BROWN/MID-AMERICAN CORP.

Secretary Ms. Mankoff informed the Commission that the above person had come in to City Hall and spoke with City Secretary, Donna Hamilton about possibly buying the Ryland building on Swisher to operate a lubricant manufacturing business. Mr. Ronnie Brown was not present at the meeting.

Linwood Gilliland expressed concern of all the businesses on Main St. that didn't have their products stored within a closed area. There was a consensus of opinion that this matter needed to be checked into.

H. ADJOURNMENT

There being no further business to conduct, Mike Fahey moved to adjourn. Monty Carpenter seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:55 P.M.

Paula Q. Horn

Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
DECEMBER 4, 1987

Members Present:	Paula Horn, Chairman Monty Carpenter, Vice-Chairman Frances Grammer Mike Fahey Charlie Berry, Building Inspector Karen Mankoff, Secretary
Members Absent:	Anne Kennedy

Chairman Horn called the meeting to order at 7:30 P.M.

I. ROLL CALL

Chairman Horn noted that all Commission members were present except Anne Kennedy.

II. MINUTES

Mike Fahey moved that the minutes be approved as read. Monty Carpenter seconded the motion and it carried unanimously.

III. RECOMMENDATION FOR REPLACEMENT OF SANDY PAYNE - ACTION

Chairman Horn read to Commission members Sandy Payne's letter of resignation due to her appointment to the City Council. Linwood Gilliland introduced Mr. Ron Smith who is interested in serving on the Planning & Zoning Commission. Mike Fahey made a motion to recommend to City Council Mr. Ron Smith as a replacement for Sandy Payne. Frances Grammer seconded the motion and it carried unanimously.

IV. REPORT FROM CITY COUNCIL/LIASON

V. OLD BUSINESS

None

VI. NEW BUSINESS

None

VII. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Mike Fahey seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 7:53 P.M.

Paula G. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
NOVEMBER 5, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Mike Fahey
Sandy Payne
Anne Kennedy, Liason
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Frances Grammer

Chairman Horn called the Public Hearing to order at 7:32 P.M.

I. PUBLIC HEARING

A. ZONING CHANGE - J.R. DOUGLAS, JR./ASTOR DEVELOPMENT - CHANGE IN ZONING FROM SINGLE FAMILY (R1-7200) WITH GROUP HOUSING PROJECT PLAN ON 10 ACRES OF 131.1225 TOTAL ACREAGE, T. WHITE SURVEY, TO C-1 COMMERCIAL CLASSIFICATION AND ADDITIONALLY REQUESTING A CHANGE IN MINIMUM & AVERAGE DWELLING SIZE ON REMAINING 121.1225 ACRES ZONED FOR (R1-7200) SINGLE FAMILY WITH GROUP HOUSING PROJECT PLAN USE.

Mr. J. R. Douglas, Jr./Astor Development's petition was presented and the proposed plans are to have C-1 Commercial development on 10 acres, northwest corner of property along with an additional request for a variance in minimum square footage requirements. The project was previously approved with 1400 sq. ft. minimum with total overall average 1600 sq. ft. Mr Douglas requested that they be allowed to lower this requirement to 1200 sq. ft. with total overall average 1500 sq. ft. so that he could offer builders some flexibilty. Mr. Douglas and Mr. Atkins stated that the problem with the project in the past, was that it wasn't easily accessible. They are also proposing to re-route and re-construct Dobbs Road making it into 6 lanes instead of the existing 2 lanes. They felt like this would help the subdivision and commercial part of project. Mr. Tom Pralle stated that he was not in opposition to the commercial change in zoning, but he was opposed to the change of minimum square footage requirement. Father Hilbert of Montserrat Retreat House stated he did not want to allow a change in the minimum square footage requirement. Building Inspector, Charlie Berry requested that the change in minimum square footage be denied due to the exsisting problems that the City is having with subdivisions that are currently 1200 and 1300# in size.

Chairman Horn closed the Public Hearing at 8:31 P.M.

II. REGULAR MEETING

Chairman Horn called the regular meeting to order at 8:45 P.M.

A. ROLL CALL

Chairman Horn noted that all Commission members were present except Frances Grammer.

B. MINUTES

Monty Carpenter moved that the minutes be approved as read. Sandy Payne & Mike Fahey seconded this motion and it carried unanimously.

C. ZONING CHANGE - J.R. DOUGLAS, JR./ASTOR DEVELOPMENT - ACTION

Mike Fahey moved to deny the zoning petition of Mr. J.R. Douglas,Jr./ Astor Development. Sandy Payne seconded the motion and it carried unanimously.

D. REPORT FROM CITY COUNCIL/LIASON

E. OLD BUSINESS

Mike Fahey brought up the problems that Kingswood MHP is having and the consensus of opinion was that this had been previously discussed and was considered a closed issue at this time.

F. NEW BUSINESS

None

G. ADJOURNMENT

There being no further business to conduct, Mike Fahey moved to adjourn. Monty Carpenter seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 9:40 P.M.

Paula Q. Horn

Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 1, 1987

Members Present:	Monty Carpenter, Vice-Chairman Mike Fahey Sandy Payne Frances Grammer Anne Kennedy, Liason Karen Mankoff, Secretary
Members Absent:	Paula Horn, Chairman Charlie Berry, Building Inspector

Vice-Chairman Carpenter called the meeting to order at 7:39 P.M.

A. ROLL CALL

All Commission members were present except Chairman Horn and Building Inspector Charlie Berry.

B. MINUTES

Frances Grammer moved to approve the minutes as read. Sandy Payne seconded the motion and it carried unanimously.

C. REPORT FROM CITY COUNCIL/LIASON

D. OLD BUSINESS

1. KINGSWOOD MOBILE HOME PARK

Mike Fahey made several suggestions pertaining to amendment of Ordinance 100 concerning mobile homes in Kingswood MHP. He stated some of the problems they are having in the park. It was suggested that he get with Charlie Berry on these. He also felt like we need to create a new ordinance defining between mobile home parks and mobile home estates. He is to research this further.

E. NEW BUSINESS

None

F. ADJOURNMENT

There being no further business to discuss, Mike Fahey moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

Vice-Chairman Carpenter adjourned the meeting at 8:15 P.M.

Monty Carpenter, Vice-Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
SEPTEMBER 24, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Frances Grammer
Mike Fahey
Sandy Payne
Karen Mankoff, Secretary

Members Absent: Anne Kennedy
Charlie Berry, Building Inspector

Chairman Horn called the Workshop to order at 7:45 P.M.

I. SWIMMING POOL REGULATIONS ORDINANCE - DISCUSSION

Secretary Ms. Mankoff brought a copy of Benbrook's Ordinance for Commission members to review. After reading the ordinance Vice-Chairman Carpenter questioned if Planning and Zoning would handle a ordinance of this type since it deals with health and safety instead of land usage and regulations. There was an consensus of opinion to turn this over to City Council.

II. AMENDMENT TO ORD. 25 - MASONRY REQUIREMENTS IN R1-6000 SINGLE FAMILY RESIDENTIAL

There was a consensus of opinion to leave this just as it is. Several Commission members felt like residents should have a option of brick or wood etc. instead of making everyone brick their home.

Chairman Horn adjourned the Workshop at 8:45 P.M.

Paula D. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
SEPTEMBER 3, 1987

Members Present:	Paula Horn, Chairman Monty Carpenter, Vice-Chairman Sandy Payne Mike Fahey Charlie Berry, Building Inspector Karen Mankoff, Secretary
Members Absent:	Frances Grammer Anne Kennedy

Chairman Horn called the Public Hearing to order at 7:35 P.M.

I. PUBLIC HEARING

A. AN ORDINANCE REGULATING MASSAGE ESTABLISHMENTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR LICENSING AND REGULATIONS; PROVIDING FOR HOURS OF OPERATIONS AND REGISTRATION OF PATRONS; PROVIDING FOR INSPECTION OF ESTABLISHMENTS & EXAMINATION OF EMPLOYEES; PROHIBITING OPERATION IN RESIDENTIAL AREAS; PROVIDING SANITARY REQUIREMENTS; PROVIDING FOR ADMINISTERING MASSAGE TO PERSONS OF OPPOSITE SEX; PROVIDING FOR EXTERIOR SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDNG A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.

There were no public comments

Chairman Horn closed the Public Hearing at 7:42 P.M.

II. REGULAR MEETING

Chairman Horn called the Regular Meeting to order at 7:42 P.M.

A. ROLL CALL

All Commission members were present except Frances Grammer and Anne Kennedy.

B. MINUTES

Sandy Payne moved to approve the minutes as read. Mike Fahey seconded the motion and it carried unanimously.

C. ORDINANCE - MASSAGE ESTABLISHMENTS - ACTION

Mike Fahey moved to recommend to City Council the approval of an ordinance pertaining to Massage Establishments. Sandy Payne seconded the motion and it carried unanimously.

D. REPORT FROM CITY COUNCIL/LIASON

E. OLD BUSINESS

None

F. NEW BUSINESS

1. SWIMMING POOL REGUALTIONS ORDINANCE - DISCUSSION

Building Inspector Charlie Berry stated the need for an

ordinance regulating swimming pools within the city limits. Commission members were given a copy of Farmer's Branch ordinance to review and there was an consensus of opinion to hold a Workshop on Thursday, September 17, 1987 at 7:30 P.M.

2. AMENDMENT TO ORD. 100 - DISCUSSION

   Mike Fahey requested that we incorporate approval of the Homeowner's Assoc. of Kingswood Mobile Home Park on every Mobile Home Permit that the City issues for their park. There was an consensus of opinion that this could not be done. He is to check further into the matter.

3. Councilman Linwood Gilliland requested that Planning and Zoning Commission amend R1-6000 Single Family Residential District (Ord. 25) to include masonry requirements. This is to be discussed at the above workshop.

G. ADJOURNMENT

There being no further business to discuss, Mike Fahey moved to adjourn, Monty Carpenter seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:55 P.M.

Paula Q. Horn

Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
JULY 2, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Anne Kennedy
Mike Fahey
Sandy Payne
Frances Grammer
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Horn called the Public Hearing to order at 7:36 P.M.

I. PUBLIC HEARING

A. AMENDMENT TO ORDINANCE NO. 25 - PROVIDING FOR VARIOUS CHANGES TO SECTION XI, XI-A AND XV; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

Mr. Bill Gilliland stated that the notice of Public Hearing didn't contain sufficient information describing the amendment. He also requested that this be corrected in the future. There was not any further public comments.

Chairman Horn closed the Public Hearing at 7:45 P.M.

II. REGULAR MEETING

Chairman Horn called the Regular Meeting to order at 7:45 P.M.

A. ROLL CALL

It was noted that all Commission members were present.

B. MINUTES

Frances Grammer moved that the minutes be approved as read. Mike Fahey seconded the motion and it carried unanimously.

C. AMENDMENT TO ORD. 25 - ACTION

Sandy Payne moved to recommend to City Council that Ordinance No. 25 be amended as proposed. Mike Fahey seconded the motion and it carried unanimously.

D. REPORT FROM CITY COUNCIL/LIASON

There was discussion about next years budget amount to request from City Council. The consensus amount is $500.00

E. OLD BUSINESS

1. MASSAGE ORDINANCE - DISCUSSION

There was an consensus of opinion to make a few changes and hold a public hearing on this at the September 3, 1987 meeting.

F. NEW BUSINESS

None

G. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 4, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Frances Grammer
Anne Kennedy
Mike Fahey
Sandy Payne
Charlie Berry, Bldg. Inspector

Members Absent: Karen Mankoff, Secretary

Chairman Horn called the meeting to order at 7:30 P.M.

I. ROLL CALL

All Commission members were present. It was noted that Secretary Karen Mankoff was absent.

II. MINUTES

Frances Grammer moved that the minutes be approved as read. Sandy Payne seconded the motion and it carried unanimously.

III. REPORT FROM CITY COUNCIL/LIASON

IV. OLD BUSINESS

1. MASSAGE ORDINANCE - DISCUSSION
There was a consensus of opinion to review a rough draft of ordinance at next month's meeting.

2. REVISION ORD. 25 REGARDING SEXUALLY ORIENTED BUSINESS DISTRICTS & MOVIE THEATERS - DISCUSSION
After discussion on above items, the consensus was to hold a Public Hearing at next month's meeting.

V. NEW BUSINESS

None

VI. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:35 P.M.

Paula G. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 7, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Frances Grammer
Linwood Gilliland
Mike Fahey
Sandy Payne
Karen Mankoff, Secretary

Members Absent: Charlie Berry, Bldg. Inspector

Chairman Horn called the meeting to order at 7:40 P.M.

I. ROLL CALL

All Commission members were present. It was noted that Building Inspector, Charlie Berry was absent.

II. MINUTES

Monty Carpenter moved that the minutes be approved as read. Sandy Payne seconded the motion and it carried unanimously.

III. PRELIMINARY & FINAL PLAT - KATY RAILROAD NUMBER ONE - ACTION.

Mike Fahey moved to recommed to City Council the approval of preliminary & final plat on Katy Railroad Number One. Frances Grammer seconded the motion and it carried unanimously.

IV. REPORT FROM CITY COUNCIL/LIASON

Linwood Gilliland, City Council/Liason informed the Commission that he would like to resign this position due to conflict of interests. He also said that he would like to recommend that Anne Kennedy fill this position. There was a consensus of opinion to accept his resignation and to welcome Anne Kennedy.

V. OLD BUSINESS

1. MASSAGE ORDINANCE - DISCUSSION

Everyone was given a copy of Dallas' Ordinance to review and it was agreeded to discuss this at next month's meeting.

2. REVISIONS TO ORD. 25 - REGARDING MOVIE THEATERS AND PARKING REGULATIONS - DISCUSSION

There was a consensus of opinion to leave these items as they are.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

There being no further business to conduct, Sandy Payne moved to adjourn. Frances Grammer seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 8:55 P.M.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
APRIL 2, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter
Mike Fahey
Sandy Payne
Frances Grammer
Linwood Gilliland
Charlie Berry, Bldg. Inspector
Karen Mankoff, Secretary

I. PUBLIC HEARING

Chairman Horn called the Public Hearing to order at 7:35 P.M.

A. AN ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES; PROVIDING FOR DEFINITIONS; PROVIDING FOR LICENSING & REGULATIONS; REGULATING LOCATIONS OF SUCH BUSINESSES; PROVIDING FOR COMPLIANCE WITH OTHER ORDINANCES; PROVIDING FOR EXTERIOR SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY

There were no public comments.

Chairman Horn closed the Public Hearing at 7:37 P.M.

II. REGULAR MEETING

A. ROLL CALL

Chairman Horn called the meeting to order at 7:37 P.M. and noted that all Commission members were present.

B. MINUTES

Mike Fahey moved that the minutes be approved as read. Frances Grammer seconded the motion and it carried unanimously.

C. ORDINANCE - SEXUALLY ORIENTED BUSINESSES - ACTION

Sandy Payne moved to recommend to City Council the approval of an ordinance pertaining to Sexually Oriented Businesses. Mike Fahey seconded the motion and it carried unanimously.

D. REPORT FROM CITY COUNCIL/LIASON

E. OLD BUSINESS

1. MASSAGE ORDINANCE

Chairman Horn is to obtain a copy of the Dallas Massage Ordinance for Commission members to review & discuss at next month's meeting.

2. REVISION TO ORD. 25 REGARDING MOVIE THEATERS - DISCUSSION

Secretary Ms. Mankoff was instructed to check on some things and this would be discussed at the next meeting.

F. NEW BUSINESS

There was an consensus of opinion to amend Ord. 25 Parking Regulations section at the same time the above revision is done.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
APRIL 2, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter
Linwood Gilliland
Mike Fahey
Sandy Payne
Frances Grammer
Charlie Berry, Bldg. Inspector
Karen Mankoff, Secretary

Chairman Horn called the Workshop to order at 7:04 P.M.

I. DISCUSSION ON SEXUALLY ORIENTED BUSINESSES ORDINANCE

The final draft of ordinance was reviewed and Chairman Horn informed the Commission that she had spoken with Attorney Mark O'Briant in regard to the land usuage that we had to give sexually oriented businesses. She said that Court had upheld a ruling of 2.3% land usuage for such businesses instead of 5%. The Commission decided that the Ordinance should be amended from 200 feet from any school, residence etc. to 400 feet.

Chairman Horn adjourned the Workshop at 7:30 P.M.

Paula D. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
MARCH 11, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Linwood Gilliland
Mike Fahey
Sandy Payne
Frances Grammer
Charlie Berry, Bldg. Inspector
Karen Mankoff, Secretary

Chairman Horn called the Workshop to order at 7:35 P.M.

I. PORNOGRAPHIC ORDINANCE

Charlie Berry, Bldg Inspector reported to the Commission that they would need to revise the 1,000 ft. distance from any church, public or private school, boundary of residential district or any property line of a lot devoted to residential use to 200 ft. in order to allow them 5% of our City's land for Sexual Oriented Businesses. He also stated that we needed to add parking ratio to ordinance, and specify they would need to be in a Group A building of the Building Code.

There was an consensus of opinion that we should designate the area from our City limits to Swisher Rd., west of the M-K-T Railroad for Sexually Oriented Businesses.

Monty Carpenter moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

Chairman Horn adjourned the Workshop at 8:27 P.M.

Paula A. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 5, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter, Vice-Chairman
Sandy Payne
Linwood Gilliland
Frances Grammer
Mike Fahey
Charlie Berry, Bldg. Inspector
Karen Mankoff, Secretary

Chairman Horn called the meeting to order at 7:42 P.M.

I. ROLL CALL

All Commission members were present.

II. MINUTES

Monty Carpenter moved to approve the minutes as read. Mike Fahey seconded the motion and it carried unanimously.

III. REAPPOINT COMMISSION MEMBERS - MIKE FAHEY AND MONTY CARPENTER - ACTION

Frances Grammer moved to recommend to City Council the reappointment of Mike Fahey and Monty Carpenter to the Planning and Zoning Commission. Sandy Payne seconded the motion and it carried unanimously.

IV. REPORT FROM CITY COUNCIL/LIASON

V. OLD BUSINESS

1. PORNOGRAPHIC & MASSAGE ORDINANCES - DISCUSSION

Secretary Ms. Mankoff was instructed to type final draft and post Public Hearing for April 2, 1987 at 7:00 P.M. on Pornographic Ordinance. There was a consensus of opinion to table any discussion on the Massage Ordinance at this time.

2. REVISE C-2 & C-1 CLASSIFICATION (ORD. 25) REGARDING MOVIE THEATERS - DISCUSSION

Secretary Ms. Mankoff was instructed to delete"Drive-In Theaters" from C-2 Use Regulations and to add"Walk-In Movie Theaters" to Special Use Permit Section. C-1 section did not need revision.

3. LAKE CITIES UTILITY COMMITTEE REQUEST REGARDING SUBDIVISIONS - DISCUSSION

There was a consensus of opinion that the Lake Cities Utility Committee be notified that their request was denied. The Commission felt like they should either send a representative to the meetings or contact City Hall monthly to obtain any information regarding development in this area.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
FEBRUARY 23, 1987

Members Present:	Paula Horn, Chairman Sandy Payne Mike Fahey Monty Carpenter Linwood Gilliland Charlie Berry, Bldg. Inspector Karen Mankoff, Secretary
Members Absent:	Frances Grammer

Chairman Horn called the Workshop to order at 7:31 P.M.

I. PORNOGRAPHIC & MASSAGE ORDINANCES

The Commission members reviewed and discussed at length the City of Dallas' Pornographic Ordinance. There was an consensus of opinion to continue the discussion at our regular meeting on March 5, 1987.

II. REVISION OF C-1 & C-2 USE REGULATIONS (ORD. 25) REGARDING MOVIE THEATERS

There was an consensus of opinion to discuss this item at our Regular meeting, March 5, 1987.

Chairman Horn adjourned the Worshop at 9:35 P.M.

Paula Q. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
FEBRUARY 5, 1987

Members Present: Paula Horn, Chairman
Monty Carpenter
Sandy Payne
Linwood Gilliland
Frances Grammer
Mike Fahey
Charlie Berry, Bldg. Inspector
Karen Mankoff, Secretary

Chairman Horn called the Public Hearing to order at 7:36 P.M.

I. PUBLIC HEARING

A. AMENDMENT OF ORDINANCE 160-A - PROVIDING A CHANGE FOR GARAGE SETBACK REQUIREMENTS IN SINGLE FAMILY RESIDENTIAL DISTRICT.

No opposition was expressed.

Chairman Horn closed the Public Hearing at 7:37 P.M.

II. REGULAR MEETING

Chairman Horn called the Regular Meeting to order at 7:38 P.M.

A. ROLL CALL

All Commission members were present.

B. MINUTES

Mike Fahey moved that the minutes be approved as read with the following correction:

1. Regular meeting of January 5, 1987 Section V(1) should read: ....There was a consensus of opinion to hold a Public Hearing on this amendment at February 5, 1987 meeting.

The motion to approve these minutes as corrected was seconded by Sandy Payne and carried unanimously.

C. AMENDMENT OF ORDINANCE 160-A - ACTION

Frances Grammer made a motion to recommend to City Council that Ordinance 160-A be amended as proposed. Monty Carpenter seconded the motion and it carried unanimously.

D. LAKE CITIES UTILITY COMMITTEE - DISCUSS UTILITY PLANS REGARDING SUBDIVISIONS

Mr. Don Glockel, representing Lake Cities Utility Committee requested that the Planning and Zoning Commission require an additional 5 copies of <u>any</u> plans from developers to be forwarded on to Utility Companies. He stated that in the past, they have not been notified in advance by some developers on certain projects and this would enable them to plan for future growth.

E. REPORT LIASON/CITY COUNCIL

F. OLD BUSINESS

1. PORNOGRAPHIC & MASSAGE ORDINANCES

There was an consensus of opinion to hold a Workshop on Monday, February 23, 1987 at 7:30 P.M.

G. NEW BUSINESS

1. REVISE C-1 & C-2 (ORD. 25) REGARDING MOVIE THEATERS

There was an consensus of opinion to hold a Workshop on Monday, February 23, 1987 at 7:30 P.M.

H. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

Chairman Horn adjourned the meeting at 9:12 P.M.

Paula Q. Horn
Paula Horn, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 5, 1987

Members Present: Linwood Gilliland, Chairman
Paula Horn
Monty Carpenter
Mike Fahey
Sandy Payne
Charlie Berry, Bldg Inspector
Karen Mankoff, Secretary

Members Absent: Frances Grammer

Chairman Gilliland called the meeting to order at 8:10 P.M.

I. ROLL CALL

All Commission members were present except Frances Grammer.

II. MINUTES

Monty Carpenter moved to approve the minutes as read. Paula Horn seconded the motion and it carried unanimously.

III. ELECTION OF CHAIRMAN - ACTION

Mike Fahey moved to appoint Paula Horn as Chairman of the Planning and Zoning Commission. Sandy Payne seconded the motion and it carried unanimously.

IV. ELECTION OF VICE-CHAIRMAN - ACTION

Sandy Payne moved to appoint Monty Carpenter as Vice-Chairman of the Planning and Zoning Commission. Paula Horn seconded the motion and it carried unanimously.

V. OLD BUSINESS

1. REVISION GARAGE SETBACK REQUIREMENTS -

There was a consensus of opinion to hold a Public Hearing on this amendment at February 05, 1987 meeting.

2. PORNOGRAPHIC ORDINANCE -

Secretary Ms. Mankoff was instructed to send City Attorney a copy of the Dallas Ordinance to review and make a rough draft.

VI. NEW BUSINESS

None

VII. ADJOURNMENT

There being no further business to conduct, Monty Carpenter moved to adjourn. Sandy Payne seconded the motion and it carried unanimously.

Chairperson Horn adjourned the meeting at 9:05 P.M.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
DECEMBER 4, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Frances Grammer
Mike Fahey
Paula Horn
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Sandy Payne

I. PUBLIC HEARING

Chairman Gilliland called the Public Hearing to order at 7:40 P.M.

A. AMENDMENT TO ORDINANCE NO. 25 - PROVIDING FOR SCREENING REQUIREMENTS; PROVIDING FOR OPEN SPACES AND RECREATIONAL AREAS; PROVIDING FOR TREE PRESERVATION; PROVIDING FOR LANDSCAPING REGULATIONS; PROVIDING FOR INVALIDITY OF A PART AND FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

There was not any public comments.

Chairman Gilliland closed the Public Hearing at 7:44 P.M.

II. REGULAR MEETING

The Regular Meeting was called to order at 7:45 P.M.

A. ROLL CALL

All members were present except Sandy Payne.

B. MINUTES

Mike Fahey moved that the minutes be approved as read with the following correction:

> Regular Meeting of November 6, 1986
> Section II, C. should read:
> .....Paula Horn moved to recommend to City Council the approval of Kim Jackson/Jackson Ranch's petition for a change in zoning from R1-7200 Single Family Dwelling to C-2 Commercial on 12 acres and from R1-7200 Single Family Dwelling to R-3 Apartment District on 41.36 acres with the stipulation of 18 dwelling units per acre instead of 29 dwelling units per acre which our ordinance allows. Sandy Payne seconded the motion and it carried with the following votes:
> AYES: Mike Fahey,Sandy Payne, Paula Horn
> NOES: Monty Carpenter,Frances Grammer
> ABSTAINED: None

The motion to approve these minutes as corrected was seconded by Monty Carpenter and carried unanimously.

C. AMENDMENT TO ORDINANCE NO. 25 - ACTION

Frances Grammer made a motion to recommend to City Council that Ordinance No. 25 be amended as proposed. Mike Fahey seconded the motion and it carried unanimously.

D. RESET JANUARY 1, 1987 (New Year's Day) MEETING - ACTION

There was a consensus of opinion that the Planning & Zoning Commission members meet on Monday, January 5, 1987 at 7:30 P.M.

E. REVISED FINAL PLAT - THOUSAND OAKS - ACTION

Bob Wright, Thousand Oaks Engineer, informed the Commission that 15 lots had been added to Phase I of project making a total of 197 lots. They changed two street names that the Fire Dept. had requested.

Monty Carpenter made a motion to recommend to City Council the approval of revised final plat on Thousand Oaks. Frances Grammer seconded the motion and it carried unanimously.

F. REPORT FROM LIASON/CITY COUNCIL

Chairman Gilliland informed Commission members that he would like to resign his title as Chairman due to a conflict with him serving on City Council. He stated he would still serve on the Planning & Zoning Commission but as a non-voting member.

G. OLD BUSINESS

1. REVISION GARAGE SETBACK REQUIREMENTS - A rough draft was presented to Commission members. Secretary Ms. Mankoff was instructed to make some changes.

H. NEW BUSINESS

1. PORNOGRAPHIC ORDINANCE - Secretary Ms. Mankoff was instructed to obtain a copy of Arlington's Ordinance to review at next meeting.

I. ADJOURNMENT

There being no further business to conduct, Mike Fahey moved to adjourn. Paula Horn seconded the motion and it carried unanimously.

Chairman Gilliland adjourned the meeting at 8:35 P.M.

Linwood E. Gilliland

Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
NOVEMBER 10, 1986

Members Present: Linwood Gilliland, Chairman
Paula Horn
Frances Grammer
Sandy Payne
Monty Carpenter
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Gilliland called the Workshop to order at 7:35 P.M.

I. LANDSCAPE & PARKS DEDICATION ORDINANCE

Commission members reviewed the rough draft copy of the Ordinance and made their final changes. Secretary Ms. Mankoff was instructed to place a public notice in newspaper so this could be on December's agenda.

II. REVISING GARAGE REQUIREMENTS - ORDINANCE NO. 25

There was an consensus of opinion to change the setback requirements for garages in the R1-7200 District and to delete the portion pertaining to servant's quarters.

The workshop was adjourned at 9:00 P.M.

Linwood E. Gilliland
Linwood Gilliland, Chairman
Planning and Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
NOVEMBER 6, 1986

Members Present: Linwood Gilliland, Chairman
Paula Horn
Sandy Payne
Mike Fahey
Monty Carpenter
Frances Grammer
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Gilliland called the Public Hearing to order at 7:40 P.M.

I. PUBLIC HEARING

A. ZONING PETITION - JACKSON RANCH - Change in zoning from R1-7200 Single Family Residential District to C-2 Commercial District on 12 acres and from R1-7200 Single Family Residential District to R-3 Apartment House District on 41.36 acres. Total acreage is 53.36, located at 401 Swisher. This is tract 4,4A,4B out of the H.H. Swisher Survey.

Mr. Kent Howell (205 Swisher) questioned the reality of Lake Dallas supporting 800 apartment units along with the traffic problem this would create. Corinth Mayor, Shirley Spellerberg was concerned with the density units per acre that our ordinance allows, which is 29 units/acre. Mr. Charlie McMath, representing Lake Dallas I.S.D. expressed they were not in favor of high density development. Lake Dallas I.S.D. would like to see all property Light Industrial primarily for a tax base. Out of 27 letters mailed out to property owners within 200 feet: 3 were in favor, 3 in opposition and 1 undecided.

Chairman Gilliland closed the Public Hearing at 8:55 P.M.

II. REGULAR MEETING

Chairman Gilliland called the Regular Meeting to order at 8:56 P.M.

A. ROLL CALL

Chairman Gilliland noted that all Commission members were present.

B. MINUTES

Sandy Payne moved to approve the minutes as read. Mike Fahey seconded the motion and it carried with the following votes:

AYES: Paula Horn,Sandy Payne,Mike Fahey, and Monty Carpenter
NOES: None
ABSTAINED: Frances Grammer

C. ZONING REQUEST - JACKSON RANCH - ACTION

Paula Horn moved to recommend to City Council the approval of Kim Jackson/Jackson Ranch's petition for a change in zoning from R1-7200 Single Family Dwelling to C-2 Commercial on 12 acres and from R1-7200 Single Family Dwelling to R-3 Apart-

ment District on 41.36 acres with the stipulation of 18 dwelling units per acre instead of 29 dwelling units per acre which our ordinance allows. Sandy Payne seconded the motion and it carried with the following votes:

AYES: Mike Fahey,Sandy Payne,Paula Horn
NOES: None
ABSTAINED: Monty Carpenter, Frances Grammer

D. REPORT FROM LIASON/CITY COUNCIL

E. REOPRT FROM SECRETARY/N.C.T.C.O.G. SEMINAR

F. OLD BUSINESS

1. LANDSCAPING & PARKS DEDICATION ORDINANCE

Commission members were given a rough draft to review. There was an consensus of opinion to hold a workshop on Monday November 10, 1986 at 7:30 P.M.

G. NEW BUSINESS

1. REVISING GARAGE REQUIREMENTS AND LOCATION IN R1-7200 SINGLE FAMILY RESIDENTIAL DISTRICT - ORDINANCE NO. 25

There was an consensus of opinion to include this on the workshop agenda for Monday, November 10, 1986 at 7:30 P.M.

H. ADJOURNMENT

There being no further business to conduct, Frances Grammer moved to adjourn. This was seconded by Mike Fahey and it carried unanimously.

Chairman Gilliland adjourned the meeting at 9:31 P.M.

Linwood E. Gilliland
Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
OCTOBER 9, 1986

Members Present: Linwood Gilliland, Chairman
Paula Horn
Monty Carpenter
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Frances Grammer
Sandy Payne

The Workshop was called to order by Chairman Gilliland at 7:50 P.M.

I. LANDSCAPE & PARKS DEDICATION ORDINANCE

After reviewing Grapevine's Ordinance on Landscaping & Parks Dedication , the Commission and Chairman Gilliland instructed Secretary Ms. Mankoff to reproduce an ordinance similar to Grapevine with an exception of rewording some items.

The Workshop was adjourned at 9:45 P.M.

Linwood E. Gilliland
Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
OCTOBER 2, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Paula Horn
Mike Fahey
Sandy Payne
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Frances Grammer

Chairman Gilliland called the Public Hearing to order at 7:36 P.M.

I. PUBLIC HEARING

A. Amendment to Ordinance 25 - Adding to Sections 10,11,11A, pertaining to exterior surfaces, amending Section 13, wherein M-1 and M-2 under Industrial Zoning use regulations, and deleting all of Section 14.

Mrs. Pockrus expressed opposition to "Dog Pound and Kennels" use. Linda Hutchinson questioned the use regulation "Manufacturing, processing, fabrication or assembling of any commodity except junk or salvage". She pointed out to the Commission that this is to open and could include chemical laboratories and concrete, asphalt batching plants.

B. Zoning Petition - M-K-T Railroad Co. - Change in zoning from Single Family (R1-6000) to M-1 (Light Industrial) on approximately 13 acres,Mary Wright Survey, located on Betchan, Carlisle and Denton Dr.

Mr. Lon Brown addressed the Commission members to ask them to hold open the request for rezoning until the M-K-T Railroad Co. could be more specific. Mr. Ivan Bounds stated he wants the zoning to remain residential due to the increase of drainage problems Industrial zoning would create on his property. Chairman Gilliland replied that our drainage requirements would have to be met and this would hopefully take care of the problem. Terry Byson, Mrs. Elva Pockrus' son, stated he would like to see it zoned Commercial instead of Light Industrial (M-1). Mr Scott Williams, representative for M-K-T Railroad, replied that they felt like Lake Dallas could not support a 13 acre tract of Commercial business. Chairman Gilliland noted that out of 26 letters mailed out 4 were for the request and 4 were against it (including Mr. Brown, Mr. Bounds and Mrs. Pockrus comments above).

C. Special Use Permit - Joann Crawford - Day Care Center located at 215 Betchan, Mary Wright Survey

No opposition was expressed. Out of 9 letters sent out to property owners, 2 were in favor and 1 was in opposition.

Chairman Gilliland closed the Public Hearing at 8:20 P.M.

II. REGULAR MEETING

Chairman Gilliland called the Regular Meeting to order at 8:30 P.M.

A. ROLL CALL

All Commission members were present except Frances Grammer.

B. MINUTES

Mike Fahey moved that the minutes be approved as read with the following correction:

1. Public Hearing & Regular Meeting of September 4, 1986 Section II, D(1) and D(2) should read: .....There was an consensus of opinion to hold a workshop on Tuesday, September 9, 1986 at 7:30 P.M.

The motion to approve these minutes as corrected was seconded by Monty Carpenter and carried unanimously.

C. AMENDMENT TO ORDINANCE NO. 25 - ACTION

After revisions were made regarding the deletion of Dog pound and kennels and adding to Use No. 1 - .....except junk, salvage, chemical laboratories or concrete and asphalt batching plants, Sandy Payne made a motion to recommend to City Council that Ordinance 25 be amended as proposed. Paula Horn seconded the motion and it carried unanimously.

D. ZONING PETITION - M-K-T RAILROAD CO. - ACTION

Monty Carpenter moved to recommend to City Council the approval of M-K-T Railroad's petition for a change in zoning from Single Family (R1-6000) to M-1 (Light Industrial) on approximately 13 acres, Mary Wright Survey. Sandy Payne seconded the motion and it carried unanimously.

E. SPECIAL USE PERMIT - JOANN CRAWFORD - ACTION

Sandy Payne moved to recommend to City Council the approval of Joann Crawford's petition for a Day Care Center located at 215 Betchan, Mary Wright Survey. Paula Horn seconded the motion and it carried unanimously.

F. REPORT FROM LIASON/CITY COUNCIL

G. OLD BUSINESS

1. LANDSCAPING & PARKS DEDICATION AMENDMENT
There was an consensus of opinion to hold a workshop on Thursday, October 9, 1986, at 7:30 P.M.

H. NEW BUSINESS

1. KIM JACKSON - REZONING JACKSON RANCH
Representative John Porterfield for the Jackson family, brought a rough draft layout of the proposed apartments and commercial area. The discussion was opened to suggestions for improvements. This project would have approximately 800 units on 41.36 acres and Commercial Retail on approximately 12 acres. Total acreage is 53.36 situated in the H.H. Swisher Survey.

I. ADJOURNMENT

There being no further business to conduct, Paula Horn moved to adjourn. This was seconded by Mike Fahey and it carried unanimously.

Chairman Gilliland adjourned the meeting at 10:00 P.M.

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
WORKSHOP
SEPTEMBER 9, 1986

Members Present: Linwood Gilliland, Chairman
Frances Grammer
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Monty Carpenter
Paula Horn
Sandy Payne

Chairman Gilliland called the workshop to order at 7:45 P.M.

I. LANDSCAPING ORDINANCE

A copy of Grapevine's Ordinance was given to Commission members to review. Secretary Ms. Mankoff informed members that City Attorney needs to know what parts of Grapevine's Ordinance are to be included in our amendment.

II. PARK DEDICATION

Same as above.

III. MASONRY REQ. (COMMERCIAL) ORD. 25

There was an consensus of opinion to add 80% on front of buildings in the Commercial District.

IV. REVISION OF INDUSTRIAL REQ. (ORD. 25)

The Commission members decided to combine M-2 into M-1,omitting a few Use Regulations and amending some of the Height and Area Regulations.

The workshop was adjourned at 9:10 P.M.

Linwood E. Gilliland
Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
SEPTEMBER 4, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Mike Fahey
Frances Grammer
Paula Horn, Vice-Chairman
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Sandy Payne

Chairman Gilliland called the Public Hearing to order at 7:40 P.M.

I. PUBLIC HEARING

A. ZONING PETITION - M-K-T RAIROAD CO. - CHANGE IN ZONING FROM R1-6000 SINGLE FAMILY RESIDENTIAL DISTRICT TO M-2 GENERAL INDUSTRIAL ON TRACT 1; FROM M-1 LIGHT INDUSTRIAL TO M-2 GENERAL INDUSTRIAL ON TRACT 2; AND FROM R1-6000 SINGLE FAMILY RESIDENTIAL TO M-2 GENERAL INDUSTRIAL ON TRACT 3 ON APPROXIMATELY 17.96 ACRES, MARY WRIGHT SURVEY

M-K-T Railroad Co.'s petition was presented by Mr. John Jacobs and his associate Scott Williams. The proposed plans for approximately 12 - 13 acres of the 17.96 total acre tract are retail commercial and light industrial use. Mr Jacobs explained to the Commission and citizens that they were asking for M-2 zoning because it also included C-2 Commercial uses which M-1 Light Industrial does not. He also stated that they were not intending to put in a cement batching plant or chemical laboratory. Out of 27 letters mailed out, 9 were in opposition, 1 in favor and 1 undecided. Roger McCurley and Alvis Vinson stated that they would be in favor of M-1 Light Industrial with Special Use Permit for C-2 zoning.

Chairman Gilliland closed the Public Hearing at 8:32 P.M.

II. REGULAR MEETING

Chairman Gilliland called the Regular Meeting to order at 8:40 P.M.

A. ROLL CALL

All members were present except Sandy Payne

B. MINUTES

Mike Fahey moved to approve the minutes as read. Frances Grammer seconded the motion and it carried unanimously.

C. M-K-T RAILROAD CO. - ZONING PETITION - ACTION

Paula Horn made the motion that this be tabled for resubmittal as M-1 Light Industrial on Tract 1 & 3. Mike Fahey seconded

the motion and it carried unanimously.

D. OLD BUSINESS

1. LANDSCAPING ORDINANCE

There was an consensus of opinion to hold a workshop on Tuesday, Sept. 10, 1986 at 7:30 P.M.

2. PARKS DEDICATION

There was an consensus of opinion to hold a workshop on Tuesday, Sept. 10, 1986 at 7:30 P.M.

3. MOBILE HOME PARK CLASSIFICATION

Chairman Gilliland clarified to the Commission that Ordinance No. 25 does include a Non-Conforming Use Section which covers this. Therefore, no ammendment would be needed.

E. NEW BUSINESS

1. REVISING COMMERCIAL MASONRY REQUIREMENTS (ORD. 25)

There was an consensus of opinion to hold a workshop on Tuesday, Sept. 10, 1986 at 7:30 P.M.

F. ADJOURNMENT

There being no further business to conduct, Paula Horn made the motion to adjourn. This was seconded by Frances Grammer and it carried unanimously.

Chairman Gilliland adjourned the meeting at 9:04 P.M.

Linwood E. Gilliland
Linwood Gilliland, Chairman
Planning and Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 4, 1986

Members Present:	Linwood Gilliland, Chairman Paula Horn, Vice-Chairman Sandy Payne Mike Fahey Monty Carpenter Karen Mankoff, Secretary
Members Absent:	Frances Grammer

Chairman Gilliland called the meeting to order at 7:37 P.M.

I. ROLL CALL

Chairman Gilliland noted that all Commission members were present except Frances Grammer.

II. MINUTES

Mike Fahey moved to approve the minutes as read. Monty Carpenter seconded the motion and it carried unanimously.

III. REPORT FROM LIASON/CITY COUNCIL

Chairman Gilliland reported that the City Council is presently working with the 1986-1987 Budget. He informed the Commission of funds available to Plannning and Zoning.

IV. OLD BUSINESS

1. LANDSCAPING ORDINANCE - Secretary Ms. Mankoff informed Commission members that the City Attorney is still working on this.

2. PARK DEDICATION - Secretary Ms. Mankoff informed Commission members that the City Attorney is still working on this.

3. MOBILE HOME PARK CLASSIFICATION - There was a consensus of of opinion to add a grandfather clause to Ordinance 100 instead of revising whole ordinance.

V. NEW BUSINESS

1. ZONING CHANGE ON APPROXIMATELY 17.96 ACRES OWNED BY M-K-T-RAILROAD CO. PROPERTY IS LOCATED ON CARLISLE, BETCHAN AND DENTON DR.

   There was an consensus of opinion that the zoning request for M-2 on all three (3) be reviewed fully at the next Commission meeting.

2. Paula Horn, suggested to the Commission that an ordinance concerning pornographic material be considered. She will check into this further.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 3, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Mike Fahey
Frances Grammer
Paula Horn
Sandy Payne
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Gilliland called the meeting to order at 7:35 P.M.

I. ROLL CALL

All Commission members were present.

II. MINUTES

Mike Fahey moved to approve the minutes as read. Monty Carpenter seconded the motion and it carried unanimously.

III. WELCOME NEW BOARD MEMBER

Chairman Gilliland introduced and welcomed Frances Grammer to the Planning & Zoning Commission.

IV. ELECTION OF VICE-CHAIRMAN - ACTION

Monty Carpenter moved to appoint Paula Horn this position. Mike Fahey seconded the motion and it carried unanimously.

V. REPORT FROM LIASON/CITY COUNCIL

VI. OLD BUSINESS

1. LANDSCAPING ORDINANCE

Secretary Ms. Mankoff informed the Commission that City Attorney was still working on this.

2. PARK DEDICATION

Secretary Ms. Mankoff informed the Commission that City Attorney was still working on this.

3. MOBILE HOME PARK CLASSIFICATION

Chairman Gilliland & Building Inspector, Charlie Berry to prepare a rough draft for Commission to review at next meeting.

4. PROPOSED STREET CONNECTING THOMPSON, LAKELAND, SUMMERS AND GLEN RHEA

Mayor Bill Honse is working with the Corp. of Engineers' on this. He will keep the Commission informed of the progress.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 5, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Sandy Payne
Paula Horn
Mike Fahey
Charlie Berry, Building Inspector
Donna Hamilton, Secretary

Chairman Gilliland called the meeting to order at 7:35 P.M.

I. ROLL CALL

All Commission members were present.

II. MINUTES

Paula Horn moved to approve the minutes as read. Mike Fahey seconded the motion and it carried unanimously.

III. FINAL PLAT - THOUSAND OAKS - ACTION

Kent Flynn, Astor Development, stated that Phase I would include 182 lots with total project of 520 lots. It would take one year to fill first phase and five years to fill complete project.

Sandy Payne moved to recommend to City Council the approval of the final plat on Thousand Oaks. Mike Fahey seconded the motion and it carried unanimously.

IV. FINAL PLAT - LAKEVIEW RETIREMENT - ACTION

Sandy Payne moved to recommend to City Council the approval of the final plat on Lakeview Retirement. Monty Carpenter seconded the motion and it carried unanimously.

V. REPORT FROM LIASON/CITY COUNCIL

VI. RECOMMENDATION FOR APPOINTMENT TO P & Z - ACTION

Mike Fahey moved to recommend Anne Kennedy and Randy Baker to City Council for appointment to Planning and Zoning. Paula Horn seconded the motion and it carried unanimously.

VII. OLD BUSINESS

1. LANDSCAPING ORDINANCE
2. PARK DEDICATION

Chairman Gilliland advised the Commission members that the rough draft copy had not been received from City Attorney.

VIII. NEW BUSINESS

None.

CITY OF LAKE DALLAS
PLANNING AND ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MAY 1, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Paula Horn
Mike Fahey
Sandy Payne
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Gilliland called the Public Hearing to order at 7:40 P.M.

I. PUBLIC HEARING

A. AMENDMENT TO ORDINANCE NO. 25 - VARIOUS CHANGES TO SECTION VIII, SECTION IX, SECTION XXIV AND SECTION XXVI.

There was not any public comments.

B. AMENDMENT TO ORDINANCE NO. 26 - DRAINAGE REQUIREMENTS

There was not any public comments.

Chairman Gilliland adjourned the Public Hearing at 7:50 P.M.

II. REGULAR MEETING

A. ROLL CALL

Chairman Gilliland called the meeting to order at 7:51 P.M. and noted that all of the Commission members were present.

B. MINUTES

Monty Carpenter moved that the minutes be approved as read. Mike Fahey seconded the motion and it carried unanimously.

C. FINAL PLAT - CARLISLE COURT - ACTION

Mike Fahey moved to recommend to City Council the approval of the final plat on Carlisle Court. Monty Carpenter seconded the motion and it carried unanimously.

D. PRELIMINARY & FINAL PLAT - LAKEVIEW RETIREMENT - ACTION

Greg Edwards withdrew the request for Final Plat approval on Lakeview Retirement due to some problems they were having with upgrading Carlisle Dr.

Paula Horn moved to approve the Preliminary Plat on Lakeview Retirement. Mike Fahey seconded the motion and it carried unanimously.

E. PRELIMINARY & FINAL PLAT - MONTY WILLIAMS/CLARAMONT SUB. - ACTION

Monty Carpenter moved to recommend to City Council the approval

of the Final Plat on Claramont Subdivision. Mike Fahey seconded the motion and it carried unanimously.

F. AMENDMENT TO ORDINANCE NO. 25 - ACTION

Paula Horn made the motion to recommend to City Council that Ordinance No. 25 be amended as proposed. Sandy Payne seconded the motion and it carried unanimously.

G. AMENDMENT TO ORDINANCE NO. 26 - ACTION

Mike Fahey made a motion to recommend to City Council that Ordinance No. 26 be amended as proposed. Monty Carpenter seconded the motion and it carried unanimously.

H. REPORT FROM LIASON/CITY COUNCIL

Chairman Gilliland asked all Commission members to think about some goals for 1986-1987.

I. OLD BUSINESS

1. LANDSCAPING ORDINANCE

There was a consensus of opinion that Grapevine's Ordinance be sent to City Attorney, Richard Podgorski, for rough draft to be made.

2. RECOMMENDATION FOR APPOINTMENT TO PLANNING AND ZONING

Sandy Payne made the recommendation to submit Carol Foster and Anne Kennedy's names to City Council at their next meeting May 8, 1986.

J. NEW BUSINESS

1. PARK DEDICATION

There was a consensus of opinion that Grapevine & Keller's Ordinances on this be sent to City Attorney, Richard Podgorski, for rough draft to be made.

2. MOBILE HOME PARKS CLASSIFICATION

There was a consensus of opinion to table setting a date for a workshop on this until next month's meeting.

K. ADJOURNMENT

There being no further business to conduct, Sandy Payne moved to adjourn. Paula Horn seconded the motion and it carried unanimously.

Chairman Gilliland adjourned the meeting at 9:30 P.M.

Linwood Gilliland

Linwood Gilliland, Chairman
Planning and Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
APRIL 22, 1986

Members Present:

Linwood Gilliland, Chairman
Paula Horn
Sandy Payne
Monty Carpenter
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Gilliland called the workshop to order at 7:40 P.M.

I. LANDSCAPING ORDINANCE

A couple of Landscaping Ordinances were discussed, and it was a consensus of opinion to wait till our regular meeting to try to put together a rough draft. Paula Horn is to get a copy of Grapevine's ordinance for the commission to review at the regular meeting.

The workshop was adjourned at 9:10 P.M.

Linwood Gilliland
Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
APRIL 3, 1986

Members Present: Linwood Gilliland, Chairman
Sandy Payne
Monty Carpenter
Mike Fahey
Paula Horn
Gene Welborn
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Chairman Linwood Gilliland called the meeting to order at 7:40 P.M.

I. ROLL CALL

All Commission members were present.

II. MINUTES

Sandy Payne moved that the minutes be approved as read with the following correction:

1. Regular Meeting of March 6, 1986
Section II, D. should read:
.....Then the motion of denial was made by Sandy Payne and seconded by Mike Fahey. It carried with the following votes:

AYES: Sandy Payne, Mike Fahey
NOES: None
ABSTAINED: Monty Carpenter

The motion to approve these minutes as corrected was seconded by Mike Fahey and carried unanimously.

III. FINAL PLAT - SPRUCE CREEK APARTMENTS - ACTION

Gene Welborn moved to recommend to City Council the approval of final plat on Spruce Creek Apartments. Sandy Payne seconded the motion and it carried with the following votes:

AYES: Mike Fahey, Monty Carpenter, Gene Welborn, Sandy Payne
NOES: None
ABSTAINED: Paula Horn

IV. PRELIMINARY PLAT - CARLISLE COURT - ACTION

Bob McNamara-Engineer representing Sumtex Investment Corp. stated that his project will have 11 lots situated on 3 acres. A Fire Hydrant was discussed and Mr. McNamara is working on this.

Paula Horn moved to approve the above preliminary plat. Sandy Payne seconded the motion and it carried unanimously.

V. RECOMMENDATION FOR REPLACEMENT OF GENE WELBORN

There was a consensus of opinion that Robert Garcia, Jr. be submitted

to City Council at their next meeting April 10, 1986.

VI. AMENDMENT TO ORDINANCE NO. 25 - ACTION

The motion was made to hold a Public Hearing on May 1, 1986 by Gene Welborn. Monty Carpenter seconded this and it carried unanimously.

VII. AMENDMENT TO ORDINANCE NO. 26 - ACTION

There was a consensus of opinion that a public hearing be held on May 1, 1986.

VIII. REPORT FROM LIASON/CITY COUNCIL

IX. OLD BUSINESS

1. LANDSCAPING ORDINANCE - DISCUSSION

Workshop is scheduled for April 22, 1986 at 7:30 P.M.

X. NEW BUSINESS

None

XI. ADJOURNMENT

There being no further business to conduct, Monty Carpenter moved to adjourn. Gene Welborn seconded the motion and it carried unanimously.

Chairman Gilliland adjourned the meeting at 9:25 P.M.

Linwood Gilliland

Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
WORKSHOP
MARCH 25, 1986

Members Present: Linwood Gilliland, Chairman
Sandy Payne
Paula Horn
Monty Carpenter
Mike Fahey
Karen Mankoff, Secretary

Members Absent: Gene Welborn

Chairman Gilliland called the Worshop to order at 7:40 P.M.

I. AMENDMENT TO ORDINANCE NO. 25 -

Changes were discussed and Secretary Ms. Mankoff was instructed to re-type amendment so that it could be reviewed at next Planning & Zoning meeting.

II. LANDSCAPING ORDINANCE

Chairman Gilliland brought a copy of the City of Keller's Landscaping Ordinance for the board members to review. It was suggested that this item be discussed further at the next meeting.

III. AMENDMENT TO ORDINANCE NO. 26 -

Secretary Ms. Mankoff was instructed to get with City Secretary Ms. Hamilton and find out if these items were already defined in Ordinance No. 94-A. If they were not covered then it was to be added to Ordinance No. 26.

There being no further business to conduct, the Workshop was adjourned at 9:05 P.M.

Linwood Gilliland
Linwood Gilliland, Chairman
Planning & Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MARCH 6, 1986

Members Present: Linwood Gilliland, Chairman
Sandy Payne
Monty Carpenter
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Paula Horn
Gene Welborn

I. PUBLIC HEARING

Chairman Linwood Gilliland called the Public Hearing to order at 7:40 P.M.

A. ZONING PETITION - WILLIAM BROWN - CHANGE IN ZONING FROM SINGLE FAMILY (R1-7200) to C-1 COMMERCIAL ON 4.61 ACRES AND R-3 MULTI-FAMILY ON 10.93 ACRES, M.E.P. & P.R.R. SURVEY:

Mr. William Brown's petition was presented and the proposed plans are for a retirement village. Phase I will include 209 units and Phase II will include 190 units for a total of 399 units. Mrs Helen Peach was concerned about it staying a retirement village and not turning into a apartment complex. Mr. Brown stated that what Lakeview Village had to offer would not appeal to people under 60. She also stated she was in favor of the project. Joan Woodberry representing Lakeside Terrace & Commodore Financial Mortgage Company, stated her concern was the extra traffic on Harbortown Dr. and their children playing in that area. Mr. Brown replied they would not be putting any additional traffic on it until about 4 or 5 years when the convalescent home goes in. Out of 27 letters mailed out 3 were in favor of this and 1 was in opposition.

B. ZONING PETITION - CROFT INVESTMENTS, INC. - CHANGE IN ZONING FROM SINGLE FAMILY (R1-7200) TO C-1 COMMERCIAL ON APPROXIMATELY 4.840 ACRES, LOWERY COBB SURVEY:

Jim Croft/Croft Investment's petition was presented and the proposed plans are for a quality community shopping center including a medical facility and maybe later coming back for a variance to add a gas station. Mr. Croft stated their plans would include upgrading Carlisle & Main St. Mrs. Harvell was opposed because of the view of the building from her front yard. Out of 15 letters sent out 3 were in opposition (1 was from Mrs. Harvell).

Chairman Gilliland closed the Public Hearing at 8:20 P.M.

II. REGULAR MEETING

Chairman Gilliland called the Regular Meeting to order at 8:21 P.M.

A. ROLL CALL

All members were present except Vice-Chairman Gene Welborn and Paula Horn.

B. MINUTES

Mike Fahey moved to approve the minutes as read. Sandy Payne & Monty Carpenter seconded the motion and it carried unanimously.

C. ZONING PETITION - WILLIAM BROWN - ACTION

Sandy Payne moved to recommend to City Council the approval of Mr. Brown's petition for a change in zoning from Single Family (R1-7200) to C-1 Commercial classification on 4.61 acres and R-3 Multi-Family classification on 10.93 acres, out of the M.E.P & P.R.R. Survey. Mike Fahey seconded the motion and it carried unanimously.

D. ZONING PETITION - CROFT INVESTMENTS - ACTION

Monty Carpenter moved to recommend to City Council the approval of Croft Investment's petition for a change in zoning from (R1-7200) Single Family to C-1 Commercial classification on approximately 4.840 acres, out of the Lowery Cobb Survey. This motion died due to the lack of a second. Then the motion of denial was made by Sandy Payne and seconded by Mike Fahey . It carried with the following votes:

AYES: Sandy Payne, Mike Fahey
NOES: None
ABSTAINED: Monty Carpenter

E. PRELIMINARY & FINAL PLAT - MONTY WILLIAMS/CLARAMONT SUBDIVISION - ACTION

Sandy Payne moved to table any action on this item. Mr. Williams was not present. Monty Carpenter seconded the motion and it carried unanimously.

F. FINAL PLAT - SPRUCE CREEK APARTMENTS - ACTION

Randy Hosea of Porterfield, Hartwell & Hosea withdrew their request.

G. OLD BUSINESS

1. SET DATE FOR WORKSHOP - ORDINANCE NO. 25, LANDSCAPING ORDINANCE AND ORDINANCE NO. 26

March 25, 1986 at 7:30 P.M. is the date for this.

H. REPORT FROM LIASON/CITY COUNCIL TO PLANNING AND ZONING

Chairman Gilliland reported that City Council was looking at Codification of Ordinances.

I. NEW BUSINESS

1. Building Inspector, Charlie Berry informed the Commission members he was going before the City Council to recommend stopping issuance of all building permits in Oak Lakes subdivision until they install city sewer and re-do streets. The City has received numerous complaints from residents in this area.
2. A plat was received by Charlie Berry from Bob Mcnamara on property located on Carlisle. Mr. Robert Marks owns this property.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
FEBRUARY 6, 1986

Members Present: Linwood Gilliland, Chairman
Monty Carpenter
Gene Welborn
Sandy Payne
Mike Fahey
Bill Honse
Paula Horn
Charles Berry, Building Inspector
Karen Mankoff, Secretary

I. PUBLIC HEARING

Chairman Linwood Gilliland called the Public Hearing to order at 7:30 P.M.

A. Zoning Petition - Jim Croft/Croft Investments, Inc. - Change in zoning from Single Family (R1-7200) to C-2 Commercial on 4.840 acres, Lowery Cobb Survey:

Croft Investment's petition was presented and the proposed plans are for a quality community shopping center including a gas station, grocery store and a minor emergency clinic. Robert Marks was in opposition to this due to the increase in traffic that this would create on Carlisle. Mr. Croft stated they would upgrade Carlisle to handle the traffic. Carol Foster, a commercial property owner, stated as far as she was concerned " Start Construction Tommorrow". Chairman Linwood Gilliland reported the response of the other property owners as follows: Out of 15 letters sent out 3 were in opposition, including Mr. Marks response and 2 were undecided about the request. Mayor Bill Honse was concerned as to if Croft Investment had actually purchased the land from Mr. Fries yet. Mr. Croft stated the purchase had not been finalized but they were working with Mr. Fries attorney and that Mr. Fries was well aware of what they were doing and was not in objection.

B. Zoning Petition - Kent Flynn/Astor Development - Change in zoning from Single Family (R1-7200) to Single Family Dwelling with Group Housing Project Plan on 131.8 acres, T. White Survey:

Kent Flynn/Astor Development's petition was presented and the proposed plans are for flexible design standards on lots with trees but overall measurements would average out to our requirements. Also, a reduction in floor area to 1400 sq. ft. in some models to enable builder to offer different price ranges. But at the same time builder would offer up to 1800 sq. ft. in homes to make project's floor area average 1500 sq. ft. which is zoning requirement. There was not any verbal opposition to the change. Chairman Linwood Gilliland reported out of 24 letters mailed out 1 was in favor, 6 in opposition and 2 were undecided.

Chairman Gilliland closed the Public Hearing at 9:05 P.M.

II REGULAR MEETING

Chairman Linwood Gilliland called the Regular Meeting to order at 9:18 P.M.

A. ROLL CALL

Chairman Linwood Gilliland noted that all of the Commission members were present.

B. MINUTES

Bill Honse moved that the minutes be approved as read. Mike Fahey seconded the motion and it carried unanimously.

C. ZONING PETITION - ASTOR DEVELOPMENT - ACTION

Sandy Payne moved to recommend to City Council the approval of Mr. Flynn's petition for a change in Zoning from R1-7200 Single Family to Single Family with Group Housing Project classification on 131.8 acres, Tract 3, out of the T. White Survey. Mike Fahey seconded the motion and it carried unanimously.

D. ZONING PETITION - CROFT INVESTMENTS - ACTION

Gene Welborn moved to recommend to City Council the approval of Mr. Croft's petition for a change in Zoning from R1-7200 Single Family to C-2 Commercial classification on 4.840 acres, out of the Lowery Cobb Survey. Bill Honse seconded the motion and it carried with the following votes:

AYES: Gene Welborn, Mike Fahey, Bill Honse
NOES: Paula Horn, Monty Carpenter
ABSTAINED: Sandy Payne

E. PRELIMINARY & FINAL PLAT - MONTY WILLIAMS - ACTION

City Engineer Greg Edwards submitted a letter of denial on plat due to various things including a topographical layout required by our ordinance that was not included on Mr. Williams plat. He was given a copy of the letter and Commission members decided to table the discussion.

F. OLD BUSINESS

1. AMENDMENT TO ORDINANCE NO. 25
2. LANDSCAPING ORDINANCE
3. AMENDMENT TO ORDINANCE NO. 26

Gene Welborn moved to have a workshop on above ordinance's. Sandy Payne seconded the motion and it carried unanimously. Chairman Gilliland is to get with the Commission members to set a date for this.

G. NEW BUSINESS

William (Bill) Brown & Jim Veltman/M N D & Partners, Inc. - LAKEVIEW RETIREMENT VILLAGE - The retirement village would be located on 30 to 35 acres of land. It would provide an elderly person an alternative to living alone and include planned activities, 24 hour security, on campus dining area, and a medical facility. The project would house approximately 510 to 550 residents including a 60 bed nursing facility.

H. ADJOURNMENT

There being no further business to conduct, Vice Chairman Gene Welborn moved to adjourn. Sandy Payne seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting at 10:45 P. M.

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

JANUARY 2, 1986

Members Present: Linwood Gilliland
Monty Carpenter
Bill Honse, Mayor
Gene Welborn
Paula Horn
Mike Fahey
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent: Sandy Payne

Vice-Chairman Gene Welborn called the meeting to order at 7:35 P.M.

I. ROLL CALL:

All Commission members were present except Sandy Payne.

II. MINUTES:

Mayor Bill Honse moved that the minutes be approved as read. Linwood Gilliland seconded the motion and it carried unanimously.

III. WELCOME NEW BOARD MEMBER - MONTY CARPENTER

Vice-Chairman Gene Welborn welcomed new member Monty Carpenter to the Planning and Zoning Commision Board.

IV. ELECTION OF NEW CHAIRPERSON - ACTION:

Nominations were received as follows:

1. Linwood Gilliland - nominated by Monty Carpenter
2. Paula Horn - nominated by Linwood Gilliland

The following votes were cast:

Linwood Gilliland - Ayes: Mayor Bill Honse, Mike Fahey, Monty Carpenter, Paula Horn and Vice-Chairman Gene Welborn
Noes: None
Abstained: None

Paula Horn - Ayes: Linwood Gilliland
Noes: None
Abstained: Mayor Bill Honse, Mike Fahey, Monty Carpenter, Paula Horn, and Vice-Chairman Gene Welborn

Vice-chairman Gene Welborn turned the meeting over to Chairman Linwood Gilliland.

V. FINAL PLAT - LAKE DALLAS INDUSTRIAL PARK
SPRUCE CREEK APARTMENTS - ACTION

John Porterfield, Surveyor presented the plat to Board members. Their main concern was the Acess of lots to a public street and a drainage study. City Engineer Greg Edwards submitted a letter of denial on plat due to drainage study not complete and Tracts 2, 3, 4, and 5 not having a access to a public street. However, Greg did state that the drainage problem could be worked out in the site planning process. Don Glockel of Lake Dallas Telephone Company stated the phone company doesn't want their lines under pavement.

Gene Welborn moved to approve the final plat on Lake Dallas Industrial Park. Monty Carpenter seconded the motion and it carried unanimously.

Mr. Porterfield withdrew the request for approval on final plat Spruce Creek Apartments due to the fact that they simply were not ready to present it with the necessary details.

VI. PRELIMINARY PLAT - THOUSAND OAKS ADDITION - ACTION

Kent Flynn with Astor Developing Company presented Board members a slide presentation of what type housing addition they are proposing. Such housing would be Gemcraft homes in the price range of $85,000.00 to $120,000.00. Mr Flynn stated in developing the property they would do the following things:

1. work with Lone Star Gas Co. to move the gas line to the west side of the property,
2. try to preserve as many trees as possible,
3. put another road from street number 8 to frontage road of I35,
4. agree to work with the Fire Department when naming the streets.

Mayor Bill Honse moved to approve the above preliminary plat, Thousand Oaks Addition. Paula Horn seconded the motion and it carried unanimously.

VII. AMENDMENT TO ORDINANCE NO. 25 - DISCUSSION

Chairman Linwood Gilliland tabled the above discussion.

VIII. AMENDMENT TO ORDINANCE NO. 160 - A - ACTION

Mayor Bill Honse made the motion to recommend to City Council the adoption of Ordinance No. 160-A. Mike Fahey seconded the motion and it carried unanimously.

IX. RULES OF PROCEDURE - ACTION

Vice-Chairman Gene Welborn moved to approve the adoption Rules of Procedure. Mike Fahey seconded the motion and it carried unanimously.

X. OLD BUSINESS:

Landscaping Ordinance - Chairman Linwood Gilliland stated he had not been able to obtain any information on this. This was postponed to next workshop.

XI. NEW BUSINESS:

Members were given a copy of letter from Greg Edwards, City Engineer, concerning Ordinance No. 26. He stated that the ordinance doesn't require preliminary drainage studies or drainage requirements.

XII. ADJOURNMENT:

There being no further business to conduct, Mayor Bill Honse moved to adjourn. Paula Horn seconded the motion and it carried unanimously. Chairman Linwood Gilliland adjourned the meeting at 10:00 P.M.

Linwood Gilliland
Linwood Gilliland, Chairman
Planning and Zoning Commission

Karen Mankoff
Karen Mankoff, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

DECEMBER 5, 1985

Members Present; Bill Honse, Mayor
Paula Horn
Sandy Payne
Linwood Gilliland
Charlie Berry, Building Inspector
Karen Mankoff, Secretary

Members Absent; Gene Welborn
Mike Fahey
Phil Kemery

Mayor Bill Honse called the Regular Meeting to order at 7:35 p.m.

I. ROLL CALL:

All Commission members, except Mike Fahey, Chairman Phil Kemery and Vice-Chairman Gene Welborn were present.

II. MINUTES:

Sandy Payne moved that the minutes be approved as read. Linwood Gilliland seconded the motion and it carried unanimously.

III. ELECTION OF NEW CHAIRPERSON:

A. Received a letter dated November 14, 1985 from Chairperson Phil Kemery in regard to his resignation.

B. Sandy Payne suggested that the replacement of this position be the Liason from City Council. This would prevent Linwood's vote from counting except in the event of a tie.

Sandy made the motion to table the discussion of this until the next meeting January 2, 1986. This was seconded by Linwood Gilliland and it carried unanimously.

IV. RECOMMENDATION NEW BOARD MEMBER FOR REPLACEMENT OF PHIL KEMERY:

1. Monty Carpenter - was recommended by Paula Horn and she has already spoken to Mr. Carpenter about this position and he is very much interested.

2. Robert Marks - was recommended by Sandy Payne. Linwood will get with Robert to see if he would be interested in the position.

Paula Horn made the motion that these two (2) names be submitted to City Council at their next meeting December 12,1985. Lindwood Gilliland seconded the motion and the vote carried unanimously.

V. AMENDMENTS TO ORDINANCE NO. 25:

Sandy Payne made the motion to postpone decision until the January 2, 1986 meeting. Paula Horn seconded this and it carried unanimously.

VI. AMENDMENTS TO ORDINANCE NO. 160:

Sandy Payne made the motion to postpone decision until the January 2, 1986 meeting due to absence of a few members. Paula Horn seconded this and it carried unanimously.

VII. OLD BUSINESS:

A. RULES OF PROCEDURES - A sample Planning and Zoning Commission Rules of Procedure from the Handbook for Administrators in Smaller Texas Cities was reviewed and dicussion was held regarding rules pertaining to absenteeism of board members. A final decision will be made at the January 2, 1986 meeting.

B. LANDSCAPING ORDINANCE - Linwood Gilliland to check with other cities on their ordinances regarding landscaping.

VIII. NEW BUSINESS:

Dedication of Corp. of Engineer's property for street use of city.

IX. ADJOURNMENT:

There being no further business to conduct, Linwood Gilliland made the motion to adjour. It was seconded by Sandy Payne and carried unanimously. Mayor Honse adjourned the meeting at 8:50 P.M.

Bill Honse

Mayor Bill Honse, Acting Chairman
CITY OF LAKE DALLAS, TEXAS

Karen Mankoff

Karen Mankoff, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 7, 1985

Members Present: Paula Horn
Mike Fahey
Sandy Payne
Anne Kennedy, Mayor Pro Tem
Linwood Gilliland, Councilman
Ronny Kee, Councilman
Charlie Berry, Building Inspector
Donna Hamilton, City Secretary
Karen Mankoff, Secretary

Members Absent: Gene Welborn
Phil Kemery
Bill Honse, Mayor

Mayor Pro-Tem Kennedy called the Regular Meeting to order at 7:33 P.M.

I. ROLL CALL

All Commission members, except Chairman Phil Kemery, Mayor Bill Honse and Vice-Chairman Gene Welborn, were present.

II. MINUTES

Sandy Payne moved that the minutes be approved as read. Paula Horn seconded the motion and it carried unanimously.

III. WORKSHOP WITH CITY COUNCIL

A. Amendments to Ordinance No. 7 were discussed and proposed changes are to be brought before the Planning and Zoning as well as the City Council in future meetings.

B. Amendments to Ordinance No. 25 were discussed and Donna Hamilton, City Secretary, pointed out to those present that hopefully the Council will approve the codification of our ordinances which will solve the duplications as in Ordinance No. 25. The Planning and Zoning will reconsider amendments to Ordinance No. 25 and Ordinance No. 160 at their December meeting.

IV. DISCUSSION OF AMENDMENTS TO ORDINANCE NO. 25; COMMERCIAL DISTRICTS

No discussion

V. OLD BUSINESS

Charlie Berry, Building Inspector, informed the Commission of the proposed Electrical Code Amendment.

VI. NEW BUSINESS

Mr. David A. Cook appeared before the commission requesting input on a proposed building program in Kingswood tract, and the problem he

is having in regard to access to this area. (See attached.)

Councilman Kee, who has been serving as the liason from the City Council, reported that at the previous Council meeting, he had resigned his position as liason. The Council appointed in his position Councilman Linwood Gilliland. Councilman Gilliland assumed his new position on the Planning and Zoning Commission.

Councilman Kee discussed the need of controlling the loss of greenery in the City.

VII. ADJOURNMENT

MIke Fahey moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously.

Mayor Pro-Tem Kennedy adjourned the meeting at 9:45 P.M.

Anne Kennedy, Mayor Pro-Tem

Donna Hamilton, City Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

OCTOBER 3, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Bill Honse
Ron Kee
Mike Fahey
Sandy Payne
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: Paula Horn

I. PUBLIC HEARING

Chairman Kemery called the Public Hearing to order at 7:35 P. M. He asked for comments on the proposed amendments to Ordinance #25 and No. 160.

A. Amendments to Ordinance No. 25:

1. Section VIII. District R-2, Two Family Dwelling District- Changes in Height, Area and Use Regulations.
   Linwood Gilliland asked for clarification of term, "Covered Parking" in Section I (C) (1). The Amendment was changed to read, " A Two Car Garage" .

2. Section IX. District R-3, Apartment House District - Changes in Height and Area Regulations.
   There were no public comments.

3. Section XXIV. Board of Adjustment - Change in Filing Fees.
   There were no public comments.

4. Section XXVI. Procedures for Amendments and Special Use Permits - Change in Filing Fees and Addition of a New Section Requiring a Zoning Change Sign.
   Ron Kee questioned that the Amendment does not state where the Zoning Change Sign was to be posted. The addition was added to Article VIII. stating that the sign would be posted fifteen (15) feet from the property line.

   After discussion, Article VI. was changed to read:
   " A fee of $350.00 shall accompany each application for an Amendment or Special Use Permit" .

B. Amendment to Ordinance No. 160:

1. Section II. Change to Correct Wording of Original Amendment.
   There were no public comments.

Chairman Kemery adjourned the Public Hearing at 7:50 P. M.

REGULAR MEETING:

A. Roll Call.

Chairman Kemery called the meeting to order at 7:50 P. M. and noted that Paula Horn was absent from this Commission meeting.

B. Minutes

Bill Honse made a motion to approve the minutes. Mike Fahey seconded the motion and it carried unanimously.

C. Amendments to Ordinance No. 25 - Action

Bill Honse made a motion to approve the amendments to Ordinance No. 25 with revisions as reflected in attached Ordinance. Sandy Payne seconded the motion and it carried unanimously.

D. Amendment to Ordinance No. 160 - Action

Mike Fahey made a motion to approve the amendment to Ordinance No. 160. It was seconded by Bill Honse and carried unanimously.

E. New Business

(a) Mr. Jerry Croft introduced himself to the Commission and advised he was in the process of obtaining the Fries property located at Main and Carlisle Streets.

(b) The Commission agreed to assume the responsibility of the minutes of the meetings until the City can provide a staff secretary. Mayor Honse will contact Paula Horn about assuming this position.

F. Old Business

(a) Charlie Berry informed the Commission of the urgent need to amend the Electrical Code. A copy of Plano's Code Amendment will be obtained for guidance in order that our code will be in compliance with the National Electrical Code.

(b) Mayor Honse requested a joint meeting with the City Council and the Planning and Zoning Commission. This meeting will be held at the next Regular Council Meeting on November 7, 1985.

(c) Chairman Kemery requested that the members review the C-1, C-2, and C-3 Commercial Zoning Ordinances in order to discuss possible amendments to the Ordinances.

G. Adjournment

There being no further business to conduct, Gene Welborn made a motion to adjourn. It was seconded by Bill Honse and carried unanimously. Chairman Kemery adjourned the meeting at 8:40 P. M.

Phil Kemery, Chairman
Planning and Zoning Commission

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING
SEPTEMBER 5, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Bill Honse
Paula Horn
Ron Kee
Mike Fahey
Sandy Payne
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: None

I. PUBLIC HEARING

Chairman Kemery called the Public Hearing to order at 7:30 p.m.

A. Zoning Petition - William T. Coulter - Change in zoning from M-1 (Light Industrial) to R-1-7200 (Single Family) on Tract 11, L. Cobb Survey:

Mrs. Coulter presented their petition and stated they intended to divide their property into ten lots and build ten houses. There were not any citizen comments made except from Robert Marks who inquired of the intended use. One letter was received in favor.

B. Zoning Petition - Floyd West, Jr. - Change in zoning from M-1 (Light Industrial) to R-3 (Multi-Family) on a 2.511 acre tract out of the M. Wright Survey:

Mr. West presented his petition and his proposed plan to construct an apartment complex containing forty eight units. Commissioner Fahey expressed concern about the narrow streets surrounding the property. Mr. West stated that he would pave, curb and gutter his side of Betchan Street. Mrs. Ivan Bounds informed the Commission that they owned the property abutting the north side of Betchan and that they would not bare the expense of paving their portion because they opposed the zoning change. The following persons spoke in opposition of the zoning change stating such reasons as water shortage, narrow streets, congestion and water drainage problems: G.F. Peach, Mrs. Peach, Harriet Seymour, Ivan Bounds, Charles Blaylock and Bill Jacobs. Eight written responses were received in opposition and none in favor of the change in zoning.

C. Zoning Petition - Eddie Chung - Change in zoning from R-1-7200 (Single Family) to R-2 (Two Family) on Lot 21, Block K, Oak Lakes Subdivision:

Mr. Chung's petition was presented and no one spoke in opposition to the proposed change. Three written responses were received in opposition and one in favor of the zoning change.

D. Zoning Petition - Eddie Chung - Change in zoning from R-1-7200 (Single Family) to C-1 (Commercial) on Lot 18, Block K, Oak Lakes Subdivision:

Mr. Chung's petition was presented. Elaine Rooney stated that she opposed the proposed change because it would increase traffic and encourage loitering. Eight letters were received in opposition and none in favor of the change. The Commission informed Mr. Chung that he should consider asking for a Special Use Permit.

Chairman Kemery adjourned the meeting at 8:19 p.m.

II. REGULAR MEETING.

Chairman Kemery called the Regular Meeting to order at 8:25 p.m.

A. Roll Call.
Chairman Kemery noted that all members of the Commision were present.

B. Minutes.
Gene Welborn moved that the minutes be approved as read. Mike Fahey seconded the motion and it carried unanimously.

C. Zoning Petition - William Coulter - Action.
Gene Welborn moved to recommend to City Council the approval of Mr. Coulter's petition for a change in zoning from M-1 (Light Industrial) to R-1-7200 (Single Family) classification on Tract 11, L. Cobb Survey. Mike Fahey seconded the motion and it carried unanimously.

D. Zoning Petition - Floyd West, Jr. - Action.
Mike Fahey moved to recommend to City Council the denial of Mr. West's petition for a change in zoning from M-1 (Light Industrial) to R-3 (Multi-Family) on a 2.511 Acres out of the M. Wright Survey. Sandy Payne seconded the motion and it carried unanimously.

E. Zoning Petition - Eddie Chung - Action.
Sandy Payne moved to recommend to City Council the approval of Mr. Chung's petition for a change in zoning from R-1-7200 (Single Family) to R-2 (Two Family) classification on Lot 21, Block K, Oak Lakes Subdivision. Paula Horn seconded the motion and it carried unanimously.

F. Zoning Petition - Eddie Chung - Action.
Ronnie Kee moved to recommend to City Council the denial of Mr. Chung's petition for a change in zoning from R-1-7200 (Single Family) to C-1 (Commercial) classification on Lot 18, Block K, Oak Lakes Subdivision. Paula Horn seconded the motion and it carried with the following vote:
Ayes: Ron Kee, Paula Horn, Sandy Payne.
Noes: Gene Welborn, Bill Honse, Mike Fahey.
Chairman Kemery voted no to break the tie.

G. New Business.
1. Monty Williams presented his proposed subdivision plat. The Commission generally agreed to his proposed plans but recommended that he widen the street from twenty five feet to thirty five feet.

H. Old Business.
1. Gene Welborn moved to hold Public Hearings on Amendments to Ordinances No. 25 and 160 on October 3, 1985 at 7:30 p.m. Bill Honse seconded the motion and it carried unanimously.

I. Adjournment.
Gene Welborn moved to adjourn the meeting. Ron Kee seconded the motion and it carried unanimously.

Chairman Kemery adjourned the meeting at 8:55 p.m.

Phil Kemery, Chairman

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

AUGUST 1, 1985

Members Present:	Phil Kemery, Chairman Gene Welborn Sandy Payne Mike Fahey Paula Horn Charles Berry, Building Inspector Donna Hamilton, Secretary
Members Absent:	Bill Honse Ron Kee

A. Roll Call.

Chairman Kemery called the meeting to order at 7:35 p.m. and noted that Mayor Bill Honse and Council Ron Kee were absent due to a Budget Workshop.

B. Minutes.

Mike Fahey moved to approve the minutes with correction made to add Anne Kennedy to list of members present. Gene Welborn seconded the motion and it carried unanimously.

C. New Business.

None.

D. Old Business.

1. Paula Horn moved to submit the attached amendments to Zone District R-2 to the City Attorney for final draft into ordinance form. Sandy Payne seconded the motion and it carried unanimously.

2. Gene Welborn moved to submit the attached amendments to Zone District R-3 to the City Attorney for final draft in ordinance form. Sandy Payne seconded the motion and it carried unanimously.

E. Adjournment.

Gene Welborn moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously. Chairman Kemery adjourned the meeting at 8:25 p.m.

Phil W Kemery

Phil Kemery, Chairman

Donna Hamilton

Donna Hamilton, Secretary

AMENDMENTS TO ORDINANCE NO. 25

SECTION 8. DISTRICT R-2. TWO FAMILY DWELLING DISTRICT.

USE REGULATIONS

Article 1: Change to Read "Any use permitted in District R-1-6000 except Article 9d."

Article 3: Delete Entirely.

HEIGHT & AREA REGULATIONS

Parking Regulation: Change to Read "Two off-street, enclosed parking spaces shall be provided for each dwelling unit. Such parking spaces shall be located on the same lot and not projecting beyond the established building lines."

Add:
Exterior Construction: "Same as District R-1-7200."

SECTION 9. DISTRICT R-3. APARTMENT HOUSE DISTRICT.

HEIGHT & AREA REGULATIONS

Minimum Dwelling Size:

a. Change to read "Six hundred fifty (650) square feet of living floor area per family."

Add:
Exterior Construction: "Vertical surfaces shall consist of approved masonry materials covering no less than sixty five percnet (65%).

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

JULY 3, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Sandy Payne
Mike Fahey
Paula Horn
Ron Kee
ANNE KENNEDY
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: None

I. PUBLIC HEARING.

Chairman Kemery called the Public Hearings to order at 7:30 p.m.

A. Zoning Petition - Amstrutz, Cunningham & Pralle - Change in zoning from R-1 (Single Family) to R-2 (Two Family) on Lots 23 & 24 plus a 1.7 acre tract out of Block K, Oak Lakes Subdivision.

Judy Amstrutz presented the petition on behalf of all of the petitioners. She stated that Two Family zoning would be a good buffer between the Light Industrial Zoning on the south side of Swisher Road and the Single Family Zoning in the Oak Lakes Subdivision. She noted that the two single family homes built on Swisher Road did not sell very fast. Although the petitioners do not have any plans to build in the near future, they assured the Commission that they would build quality units. Mr. & Mrs. Charles Hart opposed the rezoning because of lack of sewage facilities and encroachment of multi-family units toward their lots. Ms. Hamilton reported that she had received two letters opposing the change.

B. Special Use Permit - Toni Smith - Day Care Center at 612 Main.

Ms. Smith presented her proposed plans for the Private School and Day Care Center. Mr. Robert Marks and Mr. Clinton Lane expressed opposition to the use of the property as a Day Care Center because of the noise made by the children next to their back yards and the additional traffic on Carlisle Drive.

Chairman Kemery adjourned the Public Hearing at 8:35 p.m.

II. REGULAR MEETING.

Chairman Kemery called the Regular Meeting to order at 8:45 p.m.

A. Roll Call.

Chairman Kemery noted that everyone was present.

B. Minutes.

Ron Kee moved that the minutes be approved with noted correction of spelling. Sandy Payne seconded the motion and it carried unanimously.

C. Zoning Petition - Amstrutz, Cunningham & Pralle - Action.

Gene Welborn moved to recommend to City Council the approval of the petition for a change in zoning from R-1 (Single Family) to R-2 (Two Family) classification on Lots 23 & 24 plus a 1.7 acre tract our of Block K, Oak Lakes Subdivision. Sandy Payne seconded the motion and it failed with the following vote: Ayes: Gene Welborn, Sandy Payne, Mike Fahey. Noes: Paula Horn, Ron Kee, Anne Kennedy, Phil Kemery.

D. Special Use Permit - Toni C. Smith - Action.
Anne Kennedy moved to recommend approval of the petition for a Special Use Permit for a Day Care Center at 612 Main. Gene Welborn seconded the motion and it carried unanimously.

E. Zoning Notification Signs Ordinance - Action.
Gene Welborn moved to submit the attached recommendations for a Zoning Notification Sign Ordinance to the City Attorney. Ron Kee seconded the motion and it carried unanimously.

F. New Business.
None.

G. Old Business.
1. Amendments to R2 & R3 Zone Districts -
Gene Welborn moved to hold a workshop at the Methodist Church on July 23, 1985 from 7:00 to 8:30 p.m. to discuss amendments. Ron Kee seconded the motion and it carried unanimously.

H. Adjournment.
Ron Kee moved to adjourn the meeting. Paula Horn seconded the motion and it carried unanimously.

Chairman Kemery adjourned the meeting at 9:30 p.m.

Phil Kemery, Chairman

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

JUNE 6, 1985

Members Present: Gene Welborn, Vice-Chairman
Bill Honse
Paula Horn
Ron Kee
Mike Fahey
Sandy Payne
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Member Absent: Phil Kemery, Chairman

I. PUBLIC HEARING.

Vice-Chairman Welborn called the Public Hearing to order at 7:40 p.m.

A. Zoning Petition - Eddie Chung - Change in zoning from R-1 (Single Family) to R-3 (Multi Family) on Lot 21, Block K, Oak Lakes Subdivision:

Mr. Chung's petition was presented and the proposed plans are to construct a four-plex apartment unit with around nine hundred square feet per unit. They plan to use the same plans that are being used on lots 19 and 20. Judy Amstutz, representing a group of adjoining property owners, stated that they were in favor of the proposed change and that they are going to petition for a change to multi family on their lots. There was not any verbal opposition to the change. Ms. Hamilton reported that she had received one reply in favor of the change, three in opposition and two that were undecided. Vice-Chairman Welborn closed the Public Hearing at 7:55 p.m.

II. REGULAR MEETING.

Vice-Chairman Welborn called the Regular Meeting to order at 8:00 p.m.

A. Roll Call.

Vice-Chairman Welborn noted that Phil Kemery was absent.

B. Minutes.

Bill Honse moved that the minutes be approved as read. Ron Kee seconded the motion and it carried unanimously.

C. Zoning Petition - Eddie Chung - Action.

Bill Honse moved to recommend to City Council the approval of Mr. Chung's petition for a change in zoning from R-1 (Single Family) to R-3 (Multi Family) classification on Lot 21, Block K, Oak Lakes Subdivision. Sandy Payne seconded the motion and it carried with the following vote: Ayes: Bill Honse, Sandy Payne, Mike Fahey. Noes: Ron Kee and Paul Horn.

D. Amendments to R-2 & R-3 - Discussion.

The Commission agreed to postpone discussing any amendments until their next meeting.

E. Zoning Notification Signs - Action.

Ms. Hamilton related information from Phil Kemery concerning some of the requirements in other cities. Mr. Fahey presented a proposed ordinance that he had written. It was decided that Ms. Hamilton should get ordinances from other cities to use

for an example. Sandy Payne moved to table any action. Ron Kee seconded the motion and it carried with the following vote: Ayes: Sandy Payne, Ron Kee, Mike Fahey, Paula Horn. Noyes: Bill Honse.

F. Old Business.

1. Plat Map - Ms. Hamilton informed the Commission that the Denton County Appraisal Office was having plat maps drawn and that we can obtain copies in approximately one year at a nominal cost.

2. Ron Kee recommended that the Commission have a workshop. It was decided to hold one on June 18, 1985, at 7:30 p.m. at the Methodist Church.

G. New Business.

1. Ms. Tony Smith discussed her plans to open a pre-school at 612 Main. Although Ms. Smith has requested a Special Use Permit which will be heard at the July meeting, she wanted to inquire if the Commission thought her proposed plans were acceptable so that she could start some remodeling on her property. Each of the Commissioners said that her plan appeared to be acceptable.

2. Linwood Gilliland informed the Commission of the Denton County Transportation Committee's plans to place a bridge across Lake Lewisville connecting the Lake Cities area with the Little Elm area.

3. It was noted that the regular meeting would fall on the Fourth of July. Paula Horn moved that the regular meeting be held on Wednesday, July 3, 1985, at 7:30 p.m. Mike Fahey seconded the motion and it carried unanimously.

H. Adjournment.

Ron Kee moved to adjourn the meeting. Sandy Payne seconded the motion and it carried unanimously. Vice-Chairman Welborn adjourned the meeting.

Gene C. Welborn

Gene Welborn, Vice-Chairman

Donna Hamilton

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

MAY 2, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Bill Honse
Ron Kee
Mike Fahey
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Member Absent: Sandy Payne

I. Chairman Kemery called the meeting to order at 7:35 p.m. and noted that Sandy Payne was absent.

II. Gene Welborn moved to approve the minutes. Ron Kee seconded the motion and it carried unanimously.

III. Ron Kee moved to re-elect Phil Kemery as the Chairman of Planning and Zoning. Gene Welborn seconded the motion and it carried unanimously.

IV. Dena Stowe, representing the Park Board, ask the Commission to request future developers to donate land for parks and greenbelts. She also suggested that the School District and the City could join together to construct playgrounds.

V. It was suggested by Chairman Kemery and agreed upon by the Commission that one Zoning Ordinance amendment be completed every three months, starting with R-2 and R-3 in June.

VI. The Commission discussed having signs placed on properties which are being rezoned. Chairman Kemery will check with other cities to find their requirements and prodecures.

VII. Gene Welborn moved to recommend that public notices be published in the Lake Cities Sun and the Lake Cities Citizen. Mike Fahey seconded the motion and it carried unanimously.

VIII. The secretary was instructed to find out the cost for bringing the plat map up to date.

IX. Don Frazer and Paula Horn were recommended to City Council to fill the vacancy left by Bill Gilliland.

X. Gene Welborn moved to adjourn the meeting. Ron Kee seconded the motion and it carried unanimously. Chairman Kemery adjourned the meeting at 8:47 p.m.

Phil W Kemery

Phil Kemery
Chairman

Donna Hamilton

Donna Hamilton
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

APRIL 4, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Bill Honse
Sandy Payne
Bill Gilliland
Ron Kee
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: Pam Schaefer

I. Roll Call.

Chairman Kemery called the meeting to order at 7:30 p.m. and noted that Pam Schaefer was absent.

II. Minutes.

Bill Gilliland moved to approve the minutes. Sandy Payne seconded the motion and it carried unanimously.

III. Recommendations to City Council for appointments to the Commission.

A. Gene Welborn made a motion that only four persons be recommended to City Council for consideration to fill the two appointments to Planning and Zoning. Sandy Payne seconded the motion and it carried unanimously.

B. Bill Gilliland moved to recommend the following persons be considered for appointment to the Planning and Zoning Commission: Phil Kemery, Robert Garcia, Jr., Mike Fahey and Paula Horn. Gene Welborn seconded the motion and it carried with the following vote: Ayes: Bill Gilliland, Gene Welborn, Bill Honse & Ron Kee; Noes: none; Abstain: Sandy Payne.

IV. New Business.

A. Clyde Fisher of Fisher Realtors discussed the possibility of rezoning property located on East Carlisle Drive to multi-family.

B. It was recommended that new members to the Zoning Commission should receive a Zoning Packet at least two weeks before their first meeting.

C. The Zoning Map was reviewed for it accuracy. It was decided that each member of the Commission and City Council should receive a copy of the Zoning Map after copies have been made.

D. Chairman Kemery stated that the following items should be on the agenda for May:

1. Discussion of an ordinance requiring zoning petitioners to place a sign on their property informing the public of their request.
2. Discuss the possibility of publishing notices in more than one newspaper.
3. Discuss new plat map.
4. Set goals that the Commission would like to reach during the upcoming year.

V. Adjournment.

Gene Welborn moved that the meeting adjourn. Ron Kee seconded the motion and it carried unanimously. Chairman Kemery adjourned the meeting at 9:15 p.m.

Donna Hamilton, Secretary

Phil Kemery, Chairman

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

MARCH 7, 1985

Members Present: Phil Kemery, Chairman
Pam Schaefer
Gene Welborn
Bill Honse
Sandy Payne
Bill Gilliland
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: Ron Kee

A. Roll Call.

Chairman Kemery called the meeting to order at 7:30 p.m. and noted Ron Kee was absent and that Sandy Payne would be late.

B. Minutes.

Bill Gilliland asked for a correction to the minutes in reference to Page II, Section B. The secretary made the correction. Gene Welborn made a motion to approve the corrected minutes. Pam Schaefer seconded the motion and it carried unanimously.

C. Recommendations to City Council for appointments to the Commission.

The following persons were suggested to replace Pam Schaefer and Phil Kemery: Bill Singleton, Bob Garcia, Jr., Mike Fahey and Leon Pledger. After some discussion, the Commission decided to put a notice in the newspaper seeking applications for the vacancies.

D. Old Business.

Mr. Gilliland wanted to know what happened to the amendment to Ordinance No. 160 and the revision of the Zoning Map. It was generally agreed that these items should be on the next agenda.

E. New Business.

Tom Perrell inquired how the Commission felt about rezoning lots fronting on Swisher Road from Single Family to Multi-Family. Some of the Commissioners stated that if the surrounding property owners did not oppose, they would recommend the change.

F. Adjournment.

Bill Honse moved to adjourn the meeting. Gene Welborn seconded the motion and it passed unanimously.

Phil Kemery

Phil Kemery, Chairman

Donna Hamilton

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

FEBRUARY 7, 1985

Members Present: Phil Kemery, Chairman
Gene Welborn
Pam Schaefer
Ron Kee
Sandy Payne
Bill Gilliland
Bill Honse
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: None

PUBLIC HEARING:

Chairman Kemery called the Public Hearings to order at 7:30 p.m.

A. Amendment to Ordinance No. 52 - Use of Mobile Homes outside Mobile Home Zone Districts.

Some of the citizens thought this amendment would affect their mobile homes in Kingswood Estates, but Chairman Kemery explained that it would only apply to those mobile homes located on property not zoned for mobile homes.

B. Amendment to Ordinance No. 25 - Use Regulations and Height & Area Regulations.

There were not any public comments.

C. Amendment ot Ordinance No. 100 - Height & Area Regulations of Mobile Homes.

Linwood Gilliland stated that if a carport were setback ten feet from the front line, it would interfer with porches on the mobile home. He also pointed out the fact that the utilities are set-up to conform with existing setbacks for the mobile homes and only three vacant lots would be affected by a change.

Mike Fahey presented a paper with recommendations from a group of citizens. Their recommendations are: minimum dwelling size of 540 square feet; structures, except carports, be located ten feet from front and four feet from sides; and carport overhangs may go to property line but posts should be three feet from property line.

A lengthy discussion of the proposed amendments followed with the public giving their opinions and asking the commission to expoain their recommendations. All of the citizens wanted to allow carports built to the front property line and have garages setback ten feet. About fifty percent agreed with increasing the dwelling size to 780 square feet. Most of the citizens disagreed with changing the side yard setbacks and the distance between structures.

Chairman Kemery adjourned the Public Hearing at 8:52 p.m.

REGULAR MEETING:

A. Roll Call.

Chairman Kemery called the meeting to order at 9:05 p.m. and noted that all of the Commission members were present.

B. Minutes.

Bill Gilliland stated the minutes were incorrect because the Commission had agreed to table Ordinance No. 100 pending further research, and to postpone Ordinance No. 25 & Ordinance No. 52 until March. The secretary informed Mr. Gilliland that this matter was not voted on, therefore, she was not required to include it in the minutes. Mr. Gilliland stated that it was voted on. After a lengthy discussion, the other commissioners could not recall voting on the matter nor could they agree on changing the minutes.

Gene Welborn made a motion to approve the minutes, tape record future meetings, and only write in the minutes items voted upon and discussions that are noted should be in the minutes. Pam Schaefer seconded the motion and it carried with the following vote:

Ayes: Gene Welborn, Pam Schaefer, Sandy Payne, Bill Honse, Ron Kee.
Noes: None
Abstain: Bill Gilliland

C. Amendment to Ordinance No. 100 - Action.

Pam Schaefer made a motion to postpone action in order to obtain advice from a professional person. Gene Welborn seconded the motion. After a discussion, Ms. Schaefer withdrew her motion.

Ron Kee made a motion to delete the carport issue, allow 8'x8' buildings ten feet from the front line and four feet from the side line, and that all other structures be setback seven feet from the side. Gene Welborn seconded the motion and the motion failed with the following vote:

Ayes: Ron Kee
Noes: Bill Gilliland, Bill Honse, Sandy Payne, Gene Welborn
Abstain: Pam Schaefer

Sandy Payne made a motion that the minimum setbacks for mobile homes and garages shall be ten feet on the front and seven feet from the side & rear, and the minimum distance between detached structures shall be eight feet. The motion died.

Bill Gilliland made a motion to recommend to City Council that the following changes be made to Ordinance No. 100: Minimum dwelling size shall be 780 square feet, mobile homes and garages shall setback ten feet from the front line of the mobile home space, all buildings shall be four feet from the side and rear yard lines, and carport roofs may extend to the front line of the mobile home space but their vertical supports shall be a minimum of three feet from the front line. Sandy Payne seconded the motion and it carried with the following vote:

Ayes: Bill Gilliland, Sandy Payne, Bill Honse, Phil Kemery
Noes: Gene Welborn, Ron Kee, Pam Schaefer

D. Amendment to Ordinance No. 52 - Action.

Ron Kee made a motion to recommend to City Council that Ordinance No. 52 be amended a proposed. Bill Gilliland seconded the motion and it carried unanimously.

E. Amendment to Ordinance No. 25 - Action.

Gene Welborn made a motion to recommend to City Council that Ordinance No. 25 be amended as proposed. Bill Honse seconded the motion and it carried with the following vote:

Ayes: Gene Welborn, Bill Honse, Sandy Payne, Ron Kee, Pam Schaefer
Noes: Bill Gilliland

F. Preliminary & Final Plat - Bishop Addition - Action.

Ron Kee moved to recommend to City Council the approval of the final plat of Bishop Addition. Bill Honse seconded the motion and it carried unanimously.

G. Old Business.

1. Bill Gilliland asked why the amendments to Ordinance No. 160 were not included in the Public Hearing. Donna Hamilton explained the previous noted errors made by the City Attorney had not been corrected.

H. New Business.

1. The Commission discussed the plan to codify the ordinances. Mayor Honse suggested a joint meeting between City Council and the Planning and Zoning Commission.

2. Bill Gilliland suggested that Ordinance No. 7 be studied, revised and updated. He stated that the Mayor and Councilman should be ex-officio members of the Commission and not vote. Mr. Gilliland moved to recommend to City Council that Zoning Ordinance No. 7 be revised. Gene Welborn seconded the motion but after a discussion the motion was withdrawn.

3. Bill Gilliland made a motion that the person or persons responsible for changes in the minutes for the past two months be immediately replaced on the Commission. Gene Welborn stated that his previous motion covered this matter. Mr. Gilliland then made a motion to reconsider Mr. Welborn's previous motion. Ron Kee seconded the motion and it failed with the following vote:

Yeas: Bill Gilliland, Ron Kee
Noes: Gene Welborn, Sandy Payne, Bill Honse, Pam Schaefer

I. Adjournment.

Sandy Payne moved to adjourn the meeting. Ron Kee seconded the motion and it carried unanimously.

Phil Kemery, Chairman

Donna Hamilton, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
JANUARY 3, 1985

Members present: Phil Kemery, Chairman
Pam Schaefer
Ronny Kee
Sandy Payne
Bill Gilliland
Charles Berry, Building Inspector
Donna ~~Stephens~~ HAMILTON, Secretary

Members absent: Gene Welborn
Bill Honse

I. Chairman Kemery called the Public Hearing to order at 7:30 P.M. He asked for comments on the proposed amendments to Ordinances #25, #52 and #100.

Amendment to Ordinance #25 - Use regulations and height and area regulations.

Amendment to Ordinance #52 - Use of mobile homes outside mobile home zone districts.

Amendment to Ordinance 100 - Height and area regulations of mobile homes.

Mike Fahay of 144 Kingswood said, in regard to the proposed amendment to Ordinance # 100, that he would like to see carport setbacks be less than suggested in the amendment. Various figures were discussed for the setback requirement. Mr. Fahay also suggested that the Public Notice published be more specific as to the matter to be discussed. Bill Gilliland agreed that the Public Notices should specify what action is proposed to be taken.

Ronny Kee moved, it was seconded by Bill Gilliland and approved unanimously by the Commission to adjourn the Public Hearing at 8:50 P.M.

II. Chairman Kemery called the regular meeting of the Planning & Zoning Commission to order at 8:55 P.M.

A. It was noted that two members of the Commission were not present.

B. Bill Gilliland moved, it was seconded by Sandy Payne to approve the minutes of the November 1, 1984 meeting.

C. Bill Gilliland moved, it was seconded by Sandy Payne and approved unanimously by the Commission to postpone action on the amendment to Ordinance No. 52 until after another Public Hearing can be held on the matter. It was included in the motion to publish more specific information in the Public Notice.

D. Bill Gilliland moved, it was seconded by Ronny Kee and approved unanimously by the Commission except Pam Schaefer who abstained from voting to postpone action on the proposed amendment to Ordinance No. 100. The motion also included a proposal to hold another Public Hearing on the amendment after a more specific Public Notice has been published.

E. Bill Gilliland moved, it was seconded by Sandy Payne and approved unanimously by the Commission to postpone action on the proposed amendment to Ordinance No. 25. The motion also included a proposal to hold another Public Hearing on the amendment after a more specific Public Notice has been published.

F. Under New Business Ronny Kee quizzed Building Inspector Charlie Berry about sub-standard housing and what can be done to remedy same.

G. There was no Old Business to conduct.

H. There being no further business to conduct, Sandy Payne moved, it was seconded by Pam Schaefer and approved unanimously by the Commission to adjourn the meeting at 10:35 P.M.

Phil Kemery, Chairman

Donna Hamilton, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

DECEMBER 6, 1984

Members Present: Phil Kemery, Chairman
Sandy Payne
Bill Gilliland
Ron Kee
Charles Berry, Building Inspector
Donna Hamilton, Secretary

Members Absent: Gene Welborn
Pam Schaefer
Ronald Honse

I. Public Hearing: Petition withdrawn.

II. A. Chairman Kemery called the Regular Meeting to order at 7:45 p.m. It was noted that Gene Welborn and Pam Schaefer were absent.

B. Ron Kee moved to approve the minutes of the November 1, 1984 meeting. Bill Gilliland stated that the minutes should show the Mayor as absent since Zoning Ordiance No.7 states that he is a regular member of the Commission. Mr. Gilliland seconded the motion to approve the minutes and it carried.

C. There was not any action taken on J.J. & K.B., Inc. petition for a change in zoning classification because the petitioner withdrew his request.

D. Sandy Payne moved to recommend to City Council the approval of the final plat of the Howard Addition out of the M.E.P. & P.R.R. Survey. Ron Kee seconded the motion and it carried unanimously.

E. The Commission discussed the proposed zoning amendments. It was decided that Ordinance No. 160 needs to be reworded before presenting it at the public hearing in January.

The Commission discussed various means of providing the Oak Lakes Sub-division with utilities and streets with the property owners paying for the improvements. It was recommended that City Council initiate action at their next meeting to start this project.

There was discussion of sub-standard buildings and fire protection codes.

F. Bill Gilliland moved to adjourn the meeting. Ron Kee seconded the motion and it carried unanimously. Chairman Kemery adjourned the meeting at 10:01 p.m.

Phlyp W. Kemery

Phil Kemery
Chairman

Donna Hamilton

Donna Hamilton
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

NOVEMBER 1, 1984

Members Present: Phil Kemery, Chairman
Pam Schaefer
Gene Welborn
Ron Kee
Sandy Payne
Bill Gilliland
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: None

I. Chairman Kemery called the Public Hearing to order at 7:30 p.m. Mary Ann Duwe presented her petition for a Special Use Permit for a plant nursery at 101 North Shady Shores. Ron Kee expressed concern that cars entering and leaving the business might add to the existing traffic problem at the intersection of Shady Shores and Hundley. He stated that he would like for the plot plan be studied carefully before a building permit is issued. There were no comments from the audience on this petition. The secretary informed the Commission of two letters received by the City that were in favor of the petition. Chairman Kemery adjourned the Public Hearing.

II. A. Chairman Kemery called the Regular Meeting to order at 7:40 p.m. It was noted that all members were present.

B. Ron Kee moved to approve the minutes of the October 4, 1984 meeting. Pam Schefer seconded the motion and it carried unanimously.

C. Ron Kee moved to recommend to City Council the approval of a Special Use Permit as requested by Mary Ann Duwe for a retail plant nursery at 101 N. Shady Shores with the following conditions: parking plan be submitted with building permit, permit be renewed in three years, and permit is void if business is sold. Gene Welborn seconded the motion and it carried unanimously.

D. Mr. Charles Watkins, representing Stephen Howard, presented a preliminary plat for the Howard Addition, a 2.62 acre tract out of the M.E.P. & P.R.R. Co. Survey. After much discussion of the unusual layout of the property and the fact that on lot only had a fifty foot street frontage, Mr. Watkins suggested that the Commission postpone a decision until he could do further research. Gene Welborn moved to table the preliminary plat. Pam Schaefer seconded the motion and it carried unanimously.

E. Mr. Gary Brackhahn discussed the feasibility of replating a portion of Garza Beach Estates. The Commission was unable to offer much advice because of the problems involved such as narrow streets, lots owned by other persons and lots that do not meet the minimum size requirements.

G. New Business:

1. Pam Schaefer moved for Gene Welborn to serve as Vice-Chairman. Sandy Payne seconded the motion. A motion was made for nominations to cease and it carried unanimously. Mr. Welborn was placed in the position of Vice-Chairman by acclaimation.

2. The Commission discussed several problems in the Oak Lakes Sub-Division and made the following recommendations:

   Pam Schaefer moved to reccomend to City Council that proof of a perk test be submitted with building permits on lots requiring septic systems. Gene Welborn seconded the motion and it carried unanimously.

   Pam Schaefer made a motion requesting the City Secretary to contact the City of Lewisville about their requirement of escrowing money for streets for undeveloped subdivisions. Sandy Payne seconded the motion and it carried unanimously.

F. Old Business.

1. The Commission reviewed the proposed Zoning Ordinance amendments. After discussing the amendments to the Mobile Home Ordinance, it was realized that the Commission was not in total agreement.

H. Ron Kee moved to adjourn the meeting. Pam Schaefer seconded the motion and it carried unanimously. Vice-Chairman adjourned the meeting at 10:00 p.m.

Phil W. Kemery

Phil Kemery
Chairman

Donna Hamilton

Donna Hamilton
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

OCTOBER 4, 1984

Members Present: Phil Kemery, Chairman
Pam Schaefer
Gene Welborn
Ron Kee
Sandy Payne
Bill Gilliland
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: None

I. Chairman Kemery called the Public Hearing to order at 7:30 p.m. Mary Ann Duwe presented her petition for a change in zoning from C-1(Commercial) to C-2(Commercial) classification on Tract 2A(1) out of the J.W. Simmons Survey. Ms. Duwe presented her plans to use the property for a retail plant nursery and garden center. Several neighboring property owners spoke in opposition to the zoning change expressing such concerns as higher traffic volume and the fact that a business such as a car repair shop could be put on this property at a later date with the zoning change. Some of the property owners stated that they would be in favor of Ms. Duwe receiving a Special Use Permit for a garden center and plant nursery. Chairman Kemery closed the Public Hearing at 8:25 p.m.

II. A. Chairman Kemery called the Regular Meeting to order at 8:26 p.m. It was noted that all members of the Planning & Zoning Commission were present.

B. Gene Welborn moved to approve the minutes of the September 6, 1984 meeting. Ron Kee seconded the motion and it carried.

C. Ron Kee moved to recommend to City Council the denial of Ms. Mary Ann Duwe's petition for a change in zoning from C-1(Commercial) to C-2 (Commercial) classification on Tract 2A(1) out of the J.W. Simmons Survey. Pam Schaefer seconded the motion and it carried unanimously.

D. Mr. Gary Bracken was not present to discuss his proposed replat.

E. The Commission discussed the proposed amendments to the Zoning Ordinance and the fact that there appears to be opposition to the amendment increasing the minimum square footage of mobile homes and the amendment abolishing an ordinance which allows a person to replace a mobile home with a newer or larger one on property that is not zoned for mobile homes.

F. Chairman Kemery requested the secretary to give a list of addresses and phone numbers of the Zoning Commission to each member.

G. Pam Schaefer moved to adjourn the meeting. Gene Welborn seconded the motion and it carried unanimously. Chairman Kemery adjourned the meeting at 9:20 p.m.

Philip W. Kemery

Phil Kemery, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 6, 1984

Members Present: Pam Schaefer
Gene Welborn
Phil Kemery
Ron Kee
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: None

Phil Kemery, acting chairman, called the meeting to order at 7:40 p.m.

The minutes of the July 5, 1984 meeting were approved as submitted.

Gene Welborn moved to nominate Phil Kemery as Chairman of the Planning and Zoning Commission to replace Linwood Gilliland. Pam Schaefer seconded the motion and it carried unanimously.

Donna Stephens read a letter of resignation from John Rushing.

The following names were submitted as possible Commission members to replace Linwood Gilliland and John Rushing: Bill Gilliland, Bill Singleton, Sandy Payne, Robert Garcia, Jr., and Monty Carpenter. After much discussion, Gene Welborn moved to recommend to City Council that Bill Gilliland and Robert Garcia, Jr. be appointed to the Commission. Ron Kee seconded the motion and it carried unanimously.

The Commission decided it would like to have a Public Hearing on the proposed amendments to the Zoning Codes at their next meeting if possible.

Chairman Kemery adjourned the meeting at 9:30 p.m.

Phil W. Kemery

Phil Kemery
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

JULY 5, 1984

Members Present: Linwood Gilliland, Chairman
Pam Schaefer
Ron Kee
Phil Kemery
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: Gene Welborn
John Rushing

I. Chairman Gilliland called the meeting to order at 7:40 p.m.

II. Ron Kee moved to approve the minutes of the June 7, 1984 meeting as submitted. Phil Kemery seconded the motion and it carried.

III. Charles Berry extended an invitation from the Fire Department inviting the Commission to watch a film on the danger of wood shingles. The date of the meeting is July 19, 1984 at 8:00 p.m.

IV. Jerry Blazewich appeared before the Commission to request that his company not be required to construct a wooden fence on the east side of his property as originally called for in his Special Use Permit for mini-warehouses. He informed them that the neighbor abutting his property has a chainlink fence and although Mr. Blazewich's company offered to remove the chain-link fence and replace it with the wooden fence, the neighbor is not willing to part with his fence. Mr. Blazewich's main concern was that the space between the two fences would collect trash and debris thereby creating an eyesore and fire hazard. Pam Schaefer moved to recommend to City Council the denial of of an amendment to Ordinance #175, Section 2(3), pertaining to the construction of a wooden fence around mini-warehouses located at 140 W. Hundley Drive. Ron Kee seconded the motion and it carried unanimously.

Phil Kemery moved to hold a Public Hearing on the proposed amendments that the Commission has informally voted upon. Pam Schaefer seconded the motion and it carried unanimously.

V. Phil Kemery moved to adjourn the meeting. Pam Schaefer seconded the motion and it carried. Chairman Gilliland adjourned the meeting at 10:30 p.m.

Linwood E. Gilliland
Linwood Gilliland
Chairman

Donna Stephens
Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

JUNE 7, 1984

Members Present: Linwood Gilliland, Chairman
Gene Welborn
Pam Schaefer
Ron Kee
John Rushing
Phil Kemery
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: None

I. Chairman Gilliland called the meeting to order at 7:40 p.m.

II. Ron Kee moved to approve the minutes of the May 3, 1984 meeting as submitted. Gene Welborn seconded the motion and it carried unanimously.

III. After much discussion by the Commission, John Rushing moved to recommend to City Council the condemnation of Carrollton Drive in the Lake Dallas Sites Subdivision. Gene Welborn seconded the motion. The motion failed with the following vote:
For: John Rushing, Gene Welborn
Against: Phil Kemery, Ron Kee, Pam Schaefer

IV. It was explained to the members who were absent from the May 7, 1984 workshop that Phil Kemery is drafting amendments to the Zoning Ordinance using language found in ordinances from other cities.

V. Ron Kee moved to adjourn the meeting. Pam Schaefer seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting at 9:00 p.m.

Linwood E. Gilliland

Linwood Gilliland
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

MAY 3, 1984

Members Present: Linwood Gilliland, Chairman
Gene Welborn
Ron Kee
Phil Kemery
John Rushing
Pam Schaefer
Donna Stephens, Secretary

Member Absent: Charles Berry, Building Inspector

I. Chairman Gilliland called the meeting to order at 7:40 p.m.

II. Phil Kemery moved to approve the minutes of the April 5, 1984 meeting as submitted. John Rushing seconded the motion and it carried unanimously.

III. Mr. John Yochum of American Condominium who was to appear before the Commission did not attend.

The Commission was informed of a Planning Workshop at North Central Texas Council of Governments but none of the members will be able to attend.

IV. Phil Kemery reported on a meeting of the Lake Cities Chamber of Commerce Developement Committee. He stated that the committee is trying to co-ordinate zoning between the four area cities. He informed Ms. Stephens that the City needs to send copies of it's zoning map to the other three cities.

The Commission recommended that the following members be re-appointed to the Planning & Zoning Commission: Linwood Gilliland and Gene Welborn.

The Commission recommended that if a member misses three meetings consecutively that member shall be removed from the Commission.

The Commission agreed to hold a workshop on Monday, May 7, 1984 at 7:00 p.m. to recap their recommendations for amendments to the Single Family Zoning Districts of Ordinance No. 25.

V. John Rushing moved to adjourn the meeting. Gene Welborn seconded the motion and it carried. Chairman Gilliland adjourned the meeting.

Linwood E. Gilliland

Linwood Gilliland
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

APRIL 5, 1984

Members Present: Linwood Gilliland, Chairman
Gene Welborn
Ron Kee
Phil Kemery
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: John Rushing
Pam Schaefer

I. Chairman Gilliland called the meeting to order at 7:40 p.m.

II. Ron Kee moved to approve the minutes of the March 1, 1984 meeting as submitted. Phil Kemery seconded the motion and it carried.

III. Phil Kemery moved to recommend to City Council an amendment to Ordinance No. 100, Article I, Section 4(2) changing the side yard setbacks from a minumum of four feet to a minumum of seven feet and changing the minimum distance between mobile homes from twenty feet to fourteen feet. Gene Welborn seconded the motion and it carried unanimously.

IV. Gene Welborn moved to adjourn the meeting. Phil Kemery seconded the motion and carried unanimously.

V. Chairman Gilliland adjourned the meeting at 9:30 p.m.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

MARCH 1, 1984

Members Present: Linwood Gilliland, Chairman
Gene Welborn
Pam Schaefer
Ron Kee
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: John Rushing
Phil Kemery

I. Chairman Gilliland called the meeting to order at 7:45 p.m.

II. Gene Welborn moved to approve the minutes of the February 2, 1984 meeting as submitted. Ron Kee seconded the motion and it carried unanimously.

III. Pam Schaefer moved to recommend to City Council an amendment to Ordinance No.100, Article I, Section 4(2) changing the minimum dwelling size of a mobile home from four hundred (400) square feet to eight hundred forty (840) square feet. Gene Welborn seconded the motion and it carried unanimously.

IV. Gene Welborn and Donna Stephens informed the Commission of a meeting they had with Mark Tutum and Dennis Worden. Mr. Tutum, who is employed by Baker Developement, stated that his company would like to develope 159 acres out of the T.White Survey. He wanted to know if the Commission would consider allowing smaller homes on part of the property than the land is presently zoned for. After some discussion, the Commission agreed that they wanted the minumum living area to remain at fifteen hundred (1500) square feet.

V. The Commission decided to discuss the Multi-Family zoning ordinance and review all Single Family recommendations before submitting them for a Public Hearing.

VI. Gene Welborn moved to adjourn the meeting. Pam Schaefer seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting at approximately 9:00 p.m.

Linwood E. Gilliland

Linwood Gilliland
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARINGS

FEBRUARY 2, 1984

Chairman Gilliland called the Public Hearings to order at 7:30 p.m.

I. Mr. James Kinley presented his petition for a change in zoning from R1-7200 (Single Family) to R1-4000 (Single Family - Mobile Homes) classification on a 159.7 acre tract of land out of the T. White & T. White, Jr. Surveys. Mr. Kinley gave a brief talk on his proposed project and then introduced his consulting engineer, Jr. Gonazlo Ancira. Mr. Ancira stated that the proposed mobile home park would be highly restricted as to the quality and type of homes and some of the main features of the facilities to be provided would be as follows:

1. All utilities will be underground.
2. Cable television will be provided by the developer.
3. All streets will have a minimum width of 30" and will consist of curb & gutter, reinforced concrete.
4. Each lot will have a minimum width of 60' and minimum depth of 110'.
5. All lots will have a concrete drive for two vehicles and a sidewalk.
6. All homes will have skirts within thirty days of placement in park.
7. Developer will provide street lighting and fire hydrants.
8. Trees will not be cut or removed unless absolutely necessary.
9. The park will be divided into an adult section of 285 lots, a family section of 235 lots and a recreational section of 13.75 acres.
10. The recreation area will consist of tennis courts, swimming pool, storage area, picnic area, recreation building and playgrounds.

Chairman Gilliland opened the meeting to questions from the Commission and the audience. Gene Welborn expressed concern of the load this developement would place on the school system and asked if the developer would be willing to donate land to the school district. Mr. Kinley stated that he did not think his project would create more of a burden than their taxes would pay for, but if they did, he would consider donating land. Other member of the Commission expressed concern regarding the impact on the water and sewer system and were informed by Mr. Blaylock, President of the Lake Cities Municipal Utility Authority Board, that their system could not handle a project as such at this time. Some of the other concerns expressed during the public hearing were depreciation of surrounding property values, high traffic volume and noise.

Chairman Gilliland closed the public hearing on Mr. Kinley's petition at approximately 9:30 p.m.

II. Mr. Burt Shryock presented his petition for a change in zoning from C-1 (Commercial) and M-1 (Light Industrial) to R-3 (Multi-Family) classification on a 8.315 acre tract of land out of the J.W. Simmons Survey. Mr Shryock stated that he intended to build approximately two hundred units of adult only apartments and construct a 60' wide, concrete street which would extend from Shady Shores Road to Interstate 35. Some of the amenities in the apartment complex would include a pool, spa, clubhouse, laundry facilities and fenced tennis courts. The apartment units would have all electric kitchens with refrigerators, washer/dryer connections, cable connections, smoke detectors, and some with fireplaces. The one bedroom units would contain from 500 to 600 square feet and the two bedroom units would contain 860 square feet.

Mr. Shryock further stated that the estimated cost of this project would be $6,000,000. which would bring approximately $21,000. in taxes to the City, $51,000. to the School District, and $13,000. to the Utility Authority. Mr. Shryock introduced his engineer, Mr Greg Edwards, who informed the Commission and the audience of the drainage problems and their plans to alleviate them. He stated that they plan to construct a tennis court which would serve as a detention pond during rains.

Chairman Gilliland opened the meeting to questions from the Commission and the audience. Ron Kee expressed concern of the drainage problems and Mr. Greg Edwards further explained their proposed plans for alleviating such. Mrs. Carolyn Green, manager of Lake Haven Estates Mobile Home Park, expressed concern of the proposed street being too close to her property line. There was also concern of the impact on the school system if, at a later date, the apartment complex should become family oriented. Mr. Shryock stated that he did not know of a way to control the type of tenants if he sold his complex.

Chairman Gilliland closed the public hearing on Mr. Shryock's petition at approximately 10:15 p.m.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

FEBRUARY 2, 1984

Members Present: Linwood Gilliland, Chairman
Gene Welborn
John Rushing
Phil Kemery
Ron Kee
Charles Berry, Building Inspector
Donna Stephens, Secretary

Member Absent: Pam Schaefer

I. Chairman Gilliland called the meeting to order at 10:30 p.m.

II. Gene Welborn moved to approve the minutes of the January 5, 1984 meeting as submitted. Ron Kee seconded the motion and it carried unanimously.

III. John Rushing moved to recommend to City Council the denial of Mr. James Kinley's petition for a change in zoning from R1-7200 (Single Family) to R1-4000 (Single Family - Mobile Homes) classification on a 159.7 acre tract of land out of the T. White and T. White, Jr. Surveys. Gene Welborn seconded the motion and it carried unanimously.

IV. Ron Kee moved to recommend to City Council the approval of Mr. Burt Shryock's petition for a change in zoning from C-1 (Commercial) and M-1 (Light Industrial) to R-3 (Multi-Family) on a 8.315 acre tract of land out of the J.W. Simmons Survey. Gene Welborn seconded the motion and it carried unanimously.

V. Phil Kemery moved to approve the preliminary plat for the Inland Addition, a 14.568 acre tract of land out of the J.W. Simmons Survey. John Rushing seconded the motion and it carried unanimously.

VI. Review and amendments to Zoning Ordinance No. 100 - Postponed.

VII. New Business - None

VIII. Old Business - None

IX. Gene Welborn moved to adjourn the meeting. Phil Kemery seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting at 11:00 p.m.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

JANUARY 5, 1984

Members Present:	Linwood Gilliland, Chairman Gene Welborn Pam Schaefer John Rushing Phil Kemery Ron Kee Charles Berry, Building Inspector Donna Stephens, Secretary
Members Absent:	None

Chairman Gilliland called the Public Hearing to order at 7:35 p.m. Jerry Blazewicz presented a petition for a Special Use Permit for mini-warehouses at 140 West Hundley Drive. After some discussion of crime prevention and access to the buildings by fire trucks, the hearing was adjourned.

Chairman Gilliland called the regular meeting to order. The minutes from the November 3, 1983 meeting were read. Ron Kee moved that the minutes be approved as read. Gene Welborn seconded the motion and it carried.

Gene Welborn moved to recommend to City Council the approval of a Special Use Permit as requested by Jerry Blazewizc for mini-warehouses at 140 West Hundley with the following conditions: building plans be approved by the Fire Marshall, pavement and drainage plans be approved by the City Engineer, and a six feet wooden fence be constructed around project before occupancy. John Rushing seconded the motion and it carried unanimously.

The Zoning Commission discussed the minimum dwelling size requirements for mobile homes and decided to take action at their February meeting to increase the requirements.

Gene Welborn moved to adjourn the meeting. Pam Schaefer seconded the motion and it carried unanimously. Chairman GIlliland adjourned the meeting at 9:00 p.m.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

NOVEMBER 3, 1983

Members Present:	Linwood Gilliland, Chairman Gene Welborn Phil Kemery Ron Kee Charles Berry, Building Inspector Donna Stephens, Secretary
Members Absent:	Pam Schaefer John Rushing

Chairman Gilliland called the meeting to order at 7:45 p.m. Ron Kee moved that the minutes be approved as submitted. Phil Kemery seconded the motion and it carried.

Mr. Bert Elsey, consulting engineer, presented plat plans of the Ryland Group, Inc. proposed project. The Commission reviewed the drainage plans and was informed by Jean Chambers, City Secretary, that Greg Edwards, City Engineer, had reviewed the plans and he has requested that some changes be made. The fire protection system was reviewed and Jerry McCutcheon, Fire Marshall, explained the changes he was requesting. Also representing Ryland were Lon Cooke, Lew Schwartz and Stan Marcinkowski. Gene Welborn moved to approve the plans contingent upon the City Engineers approval. Phil Kemery seconded the motion and it carried unanimously.

Ron Kee moved to recommend to City Council the deletion of Ordinace No.52, Article III, Section (A) which reads: "Any mobile home existing and occupied at the time of the passage of this ordinance is exempt from the terms of the ordinance, and the owner or occupant of any existing mobile home may substitute that mobile home or house trailer with a new or newer mobile home or house trailer". Gene Welborn seconded the motion and it carried unanimously.

Phil Kemery moved to recommend to City Council that the following amendments be made to Ordinance No. 25, Subsection D, R-1,6000: Minimum Dwelling Size shall be twelve hundred (1200) square feet of living floor area per family and two (2) off street, covered parking spaces shall be provided for each dwelling unit. Ron Kee seconded the motion and it carried unanimously.

Phil Kemery moved to adjourn the meeting. Ron Kee seconded the motion and it carried. Chairman Gilliland adjourned the meeting at 10:00 p.m.

_____

Linwood Gilliland, Chairman

_____

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

OCTOBER 6, 1983

Members Present: Linwood Gilliland, Chairman
Pam Schaefer
Gene Welborn
John Rushing
Ron Kee
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: Phil Kemery

Chairman Gilliland called to order the public hearing to consider rezoning of Lots 1-6, Block A, 1st Highway Addition from Light Industrial to Commercial-Liquor. Mr. Lon Brown and Mr. McAlhaney spoke in favor of the rezoning stating that Mr. Brown wishes to construct a building so that Mr. McAlhaney can move his present liquor business from Lot 6 to Lot 4 in order to have more room.

Mr. Burt Shryock, Mrs. Georgia Johnson and Mr. Randolph spoke in opposition to the change stating they thought there were enough liquor stores or vacant lots zoned for liquor already and that more liquor zoning was not needed. A petition containing forty signatures of Lake Dallas residents who are opposed to the rezoning, was presented to Chairman Gilliland.

Donna Stephens, Secretary, informed the Commission that nine letters were sent to property owners withing 200 feet of the properties in question. One reply was was received in favor of the change and two replies were received in opposition. This constitutes more than 20% and it would require a four-fifths vote of the Commission and City Council to approve the change.

The public hearing to consider rezoning of Lots 1-6, Block A, 1st Highway Addition was adjourned.

Chairman Gilliland called to order the public hearing to consider the petition of Martha Russell requesting a Special Use Permit for a Day Care Center at 512 Atchison. There were not any persons opposed to the Special Use. Mr. John Powers stated that he was upset because he thought he had commercial zoning on his property which is located adjacent to the Day Care Center.

Mrs. Russell informed the Commission that the Day Care Center would remain as it is for the present time but they may enlarge it at a later date.

Chairman Gilliland adjourned the public hearing for a Special Use Permit at 512 Atchison at 8:00 p.m.

Chairman Gilliland called the regular meeting to order at 8:10 p.m. The minutes from the September 1, 1983 meeting were approved as submitted.

Pam Schaefer moved to recommend to City Council the denial of a change in zoning on Lots 1-6, Block A, 1st Highway Addition. Ron Kee seconded the motion and it carried with the prevailing votes: Ayes: Pam Schaefer, Ron Kee, Gene Welborn and John Rushing. Noes: none.

Gene Welborn moved to recommend to City Council the approval of a Special Use Permit for a Day Care Center at 512 Atchison with the following conditions: Permit will expire thirty months from the day of issue or if ownership changes. John Rushing seconded and the motion carried with the prevailing vote: Ayes: Gene Welborn, John Rushing, Pam Schaefer and Ron Kee. Noes: none.

After much discussion on masonry requirements in the R1-7200 zoning, the Commission agreed that additions to existing homes and all assessory buildings would not have to meet the masonry requirements.

Gene Welborn moved that masonry would not be required in the R1-6000 Zone District. John Rushing seconded the motion and it carried with the prevailing vote: Ayes: Gene Welborn, John Rushing and Pam Schaefer. Noes: Ron Kee.

Gene Welborn moved to adjourn the meeting. John Rushing seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting at 10:15 p.m.

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

SEPTEMBER 1, 1983

Members Present:	Linwood Gilliland, Chairman Pam Schaefer Gene Welborn Ron Kee Charles Berry, Building Inspector Donna Stephens, Secretary
Members Absent:	John Rushing Phil Kemery

Chairman Gilliland called the meeting to order at 7:35 p.m. The minutes from the July 7, 1983 meeting were approved as submitted.

Gene Welborn moved to amend Ordinance No. 25, Section 6, Article 9d, sentences one and two which shall read as follows:

> A private barn or stable will be permitted on a lot provided that it is located not less than one hundred (100) feet from any property line and one hundred fifty (150) feet from existing residences on adjacent properties. On such lots there shall be two and one-fourth acres (98,000 square feet) of grazing area for the first animal and three-fourths of an acre (32,670 square feet) of grazing area for each additional animal.

Pam Schaefer seconded the motion and it carried unanimously.

The Commission discussed amending the R1-6000 zone district in regards to masonary requirements on new construction. No decisions were made.

It was agreed that the Commission should make some decisions at their next meeting regarding amendments to the zoning codes.

Pam Schaefer moved to adjourn the meeting. Gene Welborn seconded the motion and it carried. Chairman Gilliland adjourned the meeting at 10:30 p.m.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

JULY 7, 1983

Members Present: Linwood Gilliland, Chairman
John Rushing
Pam Schaefer
Phil Kemery
Ron Kee
Donna Stephens, Secretary

Members Absent: Gene Welborn
Charles Berry, Building Inspector

Chairman Gilliland called the meeting to order at 7:40 p.m. The minutes from the June 2, 1983, meeting were approved as submitted.

Mr. Harry Down, representing Ryland Homes, informed the Commission of plans to build a metal building with a brick front office on a tract of land in the J.W. Simmons Survey. Ryland Homes intends to construct trusses and prefab walls within the building and possibly to build modular homes in the future. Mr. Down stated that they are aware of drainage problems on the property and they had been in contact with an engineering firm familar with the area. He also stated that the firm would employ about sixty persons. The Commission expressed concern regarding noise, safety of school children next door, and insufficient access on Swisher Road.

The Commission discussed at length the pros and cons of requiring brick exteriors on single family homes in the R1-6000 District. Other problems, such as unsightly homes and businesses, were discussed.

Pam Schaefer moved to adjourn the meeting. John Rushing seconded the motion and it carried.

Chairman Gilliland adjourned the meeting at 11:00 p.m.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

JUNE 2, 1983

Members Present: Linwood Gilliland, Chairman
Gene Welborn
John Rushing
Pam Schaefer
Phil Kemery
Ron Kee
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: None

Chairman Gilliland called the meeting to order at 7:35 p.m. The minutes from the May 5, 1983 meeting were approved as submitted.

Gene Welborn moved to elect John Rushing as Vice-Chairman. Pam Schaefer seconded the motion and it carried unanimously.

The Commission went into an executive session with the City Council and the City Attorney to discuss possible legal problems with C-3 (Commercial-Liquor) Zoning.

The Commission discussed the need for more restrictive zoning regarding farm animals such as horses, cows, etc. and decided to study this problem and eventually amend the zoning code.

R1-6000 zoning was discussed and it was decided to have a workshop on June 16, 1983, to work on codification of residental zoning.

Chairman Gilliland adjourned the meeting at approximately 10:00 p.m.

Linwood E Gilliland

Linwood Gilliland
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

MAY 5, 1983

Members Present: Linwood Gilliland, Chairman
Gene Welborn
John Rushing
Phil Kemery
Ron Kee
Donna Stephens, Secretary

Members Absent: Pam Schaefer
Charles Berry, Building Inspector

Chairman Gilliland called the meeting to order at 7:40 p.m. The minutes from the April 7, 1983 meeting were approved as submitted.

The Commission decided to postpone the election of a Vice-Chairperson until all of the members are present.

The Commission discussed the Mayor's request to rezone Lots 1-6, Block A of the First Highway Addition from Light Industrial to Commercial (Beer & Alcohol). Several citizens in attendane were opposed to the rezoning because they felt the City needed light industrial zoning more than it needed commercial zoning. Phil Kemery moved to not consider the proposed rezoning. John Rushing seconded the motion and it carried unanimously.

Hazel Randolph informed the Commission that a neighbor had four horses on three acres and that when the horses eat all the grass off the land, it will cause an erosion problem. She stated that the zoning should read one horse per acre instead of one horse per ten thousand square feet. The majority of the commission felt that this request would be too restrictive for those who properly cared for their horses. Ms. Randolph stated that she had contacted the Health Department but they had not inspected the property yet to determine if the run-off from this property would pollute the stream at the bottom of the hill. Ms. Randolph said she would have the Health Dept. contact Donna Stephens after their inspection. The Commission also felt she should contact the Humane Society about the horses if she thought they were not being cared for properly.

The Commission informed Ron Kee and Phil Kemery, who are new members, of their current work on codification of the zoning ordinances.

Gene Welborn moved to adjourn the meeting. John Rushing seconded the motion and it carried. Chairman Gilliland adjourned the meeting at 9:00 p.m.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

APRIL 7, 1983

Members Present: Linwood Gilliland, Chairman
Gene Welborn
Pam Schaefer
John Rushing
Charles Berry, Building Inspector
Donna Stephens, Secretary

Members Absent: Ronny Kee

Chairman Gilliland called the Public Hearing to order at 7:40 p.m. Mr. Lon Brown presented a petition requesting a change in zoning from M-1 (Light Industrial) to C-3 (Commercial-Alcohol) classification on Lots 3 & 4, Block A, First Highway Addition. Mr. Brown stated that he wished to construct a building with approximately 4,500 square feet. Around 1,500 square feet would contain a liquor store leased by Mr. McAlhaney who recently purchased the stock from J.B Liquor Store. The other portion of the building may be leased to Robby Robertson, a carpet retailer. Mr. John Carnathan stated that he was against the rezoning because he thought there were enough liquor stores. Mr. Burt Shryock was opposed because he thought the city needed industrial zoning and should not give up this zoning for commercial zoning because there are too many empty commercial buildings. Three letters were received from property owners: one in favor and two against. Chairman Gilliland received three phone calls in opposition to the change. The Commission expressed concern of the traffic problem at the proposed location and the fact that an adjoined property was denied the same change less than a year ago. Chairman Gilliland adjourned the public hearing.

Chairman Gilliland called the regular meeting to order. The minutes from the March 3, 1983 meeting were approved as submitted.

Gene Welborn moved to recommend to City Council the denial of Mr. Lon Brown's petition requesting a change in zoning from M-1 (Light Industrial) to C-3 (Commercial) on Lots 3 & 4, Block A, First Highway Addition. Pam Schaefer seconded the motion and it carried unanimously. Mr. Brown was instructed that his petition would be heard at the April 14, 1983, meeting of the City Council.

The Commission discussed several persons to serve on the Commission to replace Sue Rucker who resigned. Individual members will contact these prospective members to inquire if they would like to serve on the Commission and then report back to Donna Stephens so that she can submit these names to City Council.

The Commission discussed proposed codification of the zoning ordinances and their plan of attack. It was decided that they needed to get approval of the new Council before going forward on the project. Chairman Gilliland will attend the next Council meeting and request a joint meeting between the Commission and Council. The Commission discussed zoning of modular homes and decided to get a legal opinion on restricting modulars to a specific zoning.

Gene Welborn moved to adjourn the meeting. John Rushing seconded the motion and it carried unanimously. Chairman Gilliland adjourned the meeting.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING

MARCH 3, 1983

Members Present:	Linwood Gilliland, Chairman Pam Schaefer Gene Welborn J. Wm. Davidson John Rushing Donna Stephens, Secretary
Members Absent:	Sue Rucker Charles Berry, Building Inspector

Chairman Gilliland called the Public Hearing to order at 7:30 p.m. Mr. Louis Drozd, representing Lake Dallas Boat Co., presented a petition requesting a change in zoning from R1-7200 (Single Family) to C-3 (Commercial) classification on a 60' x 100' tract of land located in the M.E.E. & P.R.R. Survey, Abstract No. 924. This property is also known as the Lake Dallas Boat Company Gas Dock. Mr. Drozd stated that his marina wished to sell beer to customers as a convience and to help defray costs. He also stated that selling beer at the gas dock would not take business from other local stores since most of his customers usually brought beer from Dallas because it was not available at the marina. Pam Schaefer presented documentation of alcohol related accidents and stated that the Commission should not add to this problem by making beer more available to boaters. Mr. Drozd pointed out that instead of bringing a case of beer from Dallas, customers would probably buy a six pack which could cut down on consumption. After a question and answer period between Mr. Drozd, Mr. Davidson moved to adjourn the Public Hearing. Gene Welborn seconded the motion and it carried. Chairman adjourned the hearing at 8:00 p.m.

Chairman called the regular meeting to order. The minutes from the February 17 meeting were read and approved.

After a lengthy discussion, John Rushing moved to table the petition of Lake Dallas Boat Company requesting a change in zoning from R1-7200 to C-3. Bill Davidson seconded the motion. The motion carried with the following vote: Ayes: John Rushing, Bill Davidson, Pam Schaefer. Noyes: Gene Welborn.

The Commission discussed the possibility of several changes in members on the Commission and City Council after the election on April 2, 1983 and the fact that these new members would being making the decisions on the zoning request of the Lake Dallas Boat Company. After discussing the problems related to this change in members, Gene Welborn moved to rescend the motion to table the request for a change in zoning made by Lake Dallas Boat Company. John Rushing seconded the motion and it carried with the following vote: Ayes: Gene Welborn, John Rushing Bill Davidson. Noyes: Pam Schaefer.

Gene Welborn moved to recommend to City Council the rezoning of a 60' x 100' tract of land out of the M.E.E. & P.R.R. Survey from R1-7200 Single Family) to C-3 (Commercial) as requested by the Lake Dallas Boat Company. John Rushing seconded the motion and it carried with the following vote: Ayes: Gene Welborn, John Rushing. Noyes: Bill Davidson, Pam Schaefer. Chairman Gilliland broke the tie with an aye vote.

Chairman Gilliland reported on a joint meeting between the Zoning Commissions of the Lake Cities area held on February 23, 1983 and sponsored by the Lake Cities Chamber of Commerce. He said the Chairmans of each Commission were meeting to

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBLIC HEARING & SPECIAL MEETING

FEBRUARY 17, 1983

Members Present:	Linwood Gilliland, Chairman Sue Rucker Pam Schaefer Gene Welborn J. Wm. Davidson Donna Stephens, Secretary
Members Absent:	John Rushing Charles Berry, Building Inspector

Chairman Gilliland called the Public Hearing to order at 7:35 p.m. Several persons in attendance spoke in favor of the proposed amendments to Zoning Ordinance No. 25 relative to R1-7200 zoning district. There were not any objections to the amendments. Chairman Gilliland adjourned the Public Hearing.

Chairman Gilliland called the meeting to order at 8:00 p.m. The minutes from the January 6, 1983 and January 20, 1983 meeting were read. Gene Welborn moved to approve the minutes for the January 6, 1983 meeting. Pam Schaefer seconded the motion and it carried. Pam Schafer moved to approve the minutes for the January 20, 1983 meeting. Sue Rucker seconded the motion and it carried.

Pam Schaefer moved to recommend to City Council the approval of the amendments to Zoning Ordinance No. 25 which are attached to and a part of these minutes. Sue Rucker seconded the motion and it carried unanimously.

The Commission discussed proposed codifications to the Zoning Ordinances and decided to discuss R1-6000 zoning at their meeting on March 3, 1983.

Chairman Gilliland informed the Commission of a joint meeting of the Planning and Zoning Boards from the Lake Cities area on February 23, 1983 at 7:00 p.m. at the Coors Hospitality Room.

Bill Davidson moved to adjourn the meeting. Sue Rucker seconded the motion and it carried. Chairman adjourned the meeting at 8:50 p.m.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING - JANUARY 20, 1983

Members Present:	Linwood Gilliland, Chairman Sue Rucker Pam Schaefer Gene Welborn John Rushing Charles Berry, Building Inspector Donna Stephens, Secretary
Members Absent:	J. Wm. Davidson

Chairman Gilliland called the meeting to order at 7:30 p.m.

Mr. Jay Haas, representing Payless Cashways, Inc., presented the plans for proposed construction of a distribution center to be located at Stemmons and Swisher Rd. Mr. Haas answered questions from the Commission. Fire Chief McCutcheon informed the Commission that the Fire Department, Building Inspector and representatives from Payless Cashways will meet on January 27th to discuss the fire protection system. Gene Welborn moved to approve the building plans. John Rushing seconded the motion and it carried.

Mr. Jesse Evans and Mr. Bill Singleton, homeowners in the Oak Lakes Subdivision, requested the Commission to upgrade the zoning in their subdivision. They stated that their deed restrictions require a minimum of fifteen hundred square feet living area and one hundred percent exterior masonary construction whereas the city zoning only requires twelve hundred square feet of living area and no masonary requirements. They stated that houses have been permitted that have only twelve hundred square feet and no masonary which devalues their property. The Commission informed Mr. Evans and Mr. Singleton that they were in sympathy with their problem and would start procedures to amend the zoning ordinance to require a minumum of fifteen hundred square feet living area and a masonary requirement on exterior surfaces.

The Commission discussed the proposed zoning ordinance codification and decided to work on one type of district at each meeting. It was decided, in order to assist the owners in the Oak Lakes Subdivision, to procede with amending Sections 1 and 6 of Ordinance No. 25. Proposed changes, deletions and additions were agreed upon and are attached to and are a part of these minutes. Gene Welborn moved to hold a Public Hearing on February 17, 1983 at 7:30 p.m. in the City Hall Building regarding proposed amendments to Zoning Ordinance No. 25, Sections 1 and 6. John Rushing seconded the motion and it carried unanimously.

Gene Welborn moved to adjourn the meeting. John Rushing seconded the motion and it carried. Chairman Gilliland adjourned the meeting.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

PROPOSED AMENDMENTS TO ORDINANCE #25

SECTION 1. DEFINITIONS

Add: Masonary: Materials allowed under this code as exterior facade, including fired clay brick, stone, finished stucco, aggregate concrete, other brick and materials as determined by the Zoning Commission.

SECTION 6. DISTRICT R-1 7200 SINGLE FAMILY DWELLING

USE REGULATIONS

Delete: Article 9.c. - A garage may be constructed across a common lot line by mutual agreement between property owners.

Change: Article 9.d., sentence 2 - On such lots there shall not be kept more than one horse for each ten thousand (10,000) square feet of lot area, or one cow or two goats or two sheep for each twenty thousand (20,000) square feet of lot area.

HEIGHT AND AREA REGULATIONS

Change: Minimum Dwelling Size: From twelve hundred (1200) square feet to fifteen hundred (1500) square feet.

Change: Parking Regulations: Two (2) off street, covered parking spaces shall be provided for each dwelling unit. Such parking spaces shall be located on the same lot and not projecting beyond the established building lines.

Add: Exterior Construction: Exterior surfaces shall consist of approved masonary materials covering no less than eighty (80) percent of total exterior surface exclusive of windows, doors, gables and second story. Structures existing at the time of passage of this ordinance shall be exempt from the provisions of this regulation.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING - JANUARY 6, 1983

Members Present:	Linwood Gilliland, Chairman Pam Schaefer J. Wm. Davidson John Rushing Gene Welborn Charles Berry, Building Inspector Donna Stephens, Secretary
Members Absent:	Sue Rucker

Chairman Gilliland called the meeting to order at 7:30 p.m. The minutes were approved as read.

John Rushing moved to recommend to City Council the abandonment of a road dedication in the H.H. Swisher Survey as requested by Jackson Concrete Co. pending conformation from the City Attorney that Jackson Concrete Co. has legal ownership of said property. Gene Welborn seconded the motion and it carried unanimously.

The Commission discussed the proposed codification of the zoning ordinances. Chairman Gilliland appointed Gene Welborn and John Rushing to review C-1, C-2 & C-3 zoning classifications and compare with zoning restrictions of surrounding cities. Pam Schaefer was appointed to study R-2 & R-3 classifications and Chairman Gilliland will study R-1 and Modular Home classifications. They will report their findings at the next meeting.

Pam Schaefer moved to place the petition for Special Use Permit as requested by John Lugenheim on the agenda for February, 1983. John Rushing seconded the motion and it carried.

Donna Stephens informed the Commission of a Special Meeting on January 20, 1983 to review building plans for Payless Cashways.

Gene Welborn moved to adjourn the meeting. John Rushing seconded the motion, and it carried unanimously.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

Richard S. Podgorski
ATTORNEY AT LAW

N.E. Corner Courthouse Square
P.O. Box 1912
Denton, Texas 76201

Office: (817) 382-0833
(817) 387-4441
Metro: 434-2073
Residence: (817) 382-8771

January 10, 1983

Ms. Jean Chambers
City Secretary
Lake Dallas City Hall
Lake Dallas, TX 75065

Re: Jackson Concrete Company road

Dear Jean:

In regards to the road that was dedicated to the City of Lake Dallas that is located on property belonging to Jackson Concrete Company, it is my opinion that since the City has not made use of said road that they have lost their right to use said road because of the time lapse between the time of dedication and the present time.

It is further my opinion that said property has now reverted back to Jackson Concrete Company and for land title purposes the only thing that is now needed is the approval of the Planning and Zoning Committee.

If you have any questions concerning this matter, please feel free to call me.

Sincerely yours,

Richard S. Podgorski
Attorney for the City
of Lake Dallas, Texas

RSP/geb

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
DECEMBER 2, 1982

Members Present:	Linwood Gilliland, Chairman
	Sue Rucker
	Pam Schaefer
	J. Wm. Davidson
	Charles Berry, Building Inspector
	Donna Stephens, Secretary
Members Absent:	Gene Welborn
	John Rushing

Chairman Gilliland called the meeting to order at 7:30 p.m. The minutes were approved as read.

Bill Davidson moved to recommend to City Council the denial of the petition for abandonment of Peyton Street. Sue Rucker seconded the motion and it carried.

Sue Rucker moved to postpone a recommendation on the petition for abandonment of an easement as requested by Jackson Concrete Company pending further information. Bill Davidson seconded the motion and it carried.

The Commission agreed to discuss the proposed codification at their January meeting. They requested the secretary to contact Mr. Cryan and ask him to return the master copy of the zoning map. They also requested her to obtain copies of zoning ordinances from the cities of Lewisville, Hickory Creek, Corinth and Shady Shores.

Sue Rucker moved to adjourn the meeting. Bill Davidson seconded the motion and it carried.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 4, 1982

Members Present: Linwood Gilliland, Chairman
Pam Schaefer
J. Wm. Davidson
Gene Welborn
John Rushing
Donna Stephens, Secretary
Charles Berry, Building Inspector

Members Absent: Sue Rucker

Chairman Gilliland called the meeting to order at 7:35 p.m. Mr. Rushing moved that the minutes be approved as read. Mr. Davidson seconded the motion and it carried.

Mr. Jerry Graves and Mr. Rusty Holland presented their petition for abandonment of Payton Street. They stated that they want sixty feet of the east end of the street closed to prohibit vehicular traffic and to improve the land which now has large trees growing in it. They pointed out other obstacles in the street such as a sewer cleanout and guard post at the east end. A report from the Lake Cities Utility Authority stated that they would need a Utility Easement Declaration if the street were abandoned because of utility lines in the street. After much discussion, the Commission stated a desire to retain ownership of the street right-of-way for future use but to let the petitioners use the land until such time. Gene Welborn moved to postpone a decision pending legal advice of granting an easement instead of abandoment. Pam Schaefer seconded the motion and it carried.

Discussion was held regarding the proposed codification of the zoning ordinances. It was decided that the Commission and City Council still need to have a combined workshop to discuss the codification.

Chairman Gilliland adjourned the meeting.

Linwood E. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 7, 1982

Members Present: Linwood Gilliland,Chairman
Sue Rucker
Pam Schaefer
J. Wm Davidson
Gene Welborn
John Rushing
Donna Stephens, Secretary
Charles Berry, Building Inspector

Members Absent: None

Chairman Gilliland called the meeting to order at 9:00 p.m. There were not any minutes from September because a meeting was not held due to lack of a quorum.

Pam Schaefer moved to recommend to City Council the denial of the change in zoning on 30.5 acres out of the M.E.P. & P.R.R. Survey from Multi-family (R-3) to Mobile Homes (R-1-4000) as requested by Lake Highland Developement Co. of Texas. Sue Rucker seconded the motion and it carried with the following vote:

Ayes: Pam Schaefer
Sue Rucker
Gene Welborn
John Rushing

Noes: None

Abstaining: J. Wm. Davidson

Pam Schaefer moved to table the Petition for Special Use Permit on Tract 50-5 out of the Mary Wright Survey to construct mini-warehouses as requested by John Lugenheim. J. Wm. Davidson seconded the motion and it carried with the following vote:

Ayes: Pam Schaefer
J. Wm. Davidson
Sue Rucker
Gene Welborn
John Rushing

Noes: None

Abstaining: None

J. Wm. Davidson moved to adjourn the meeting. John Rushing seconded the motion and it carried unanimously.

Chairman Gilliland adjourned the meeting at 10:00 p.m.

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING
CASE #82-10-2

Chairman Gilliland called the public hearing to order at 7:30 p.m. Mr. Paul Bryant, representing Lake Highland Developement Co. of Texas, presented a petition requesting a change in zoning from Multi-family (R-3) to Mobile Homes (R-4000) classification on a 30.5 acre tract of land out of the M.E.P. & P.R.R. Survey. Mr. Bert Singleton of Clayton, Williams & Sherwood Mobile Home Park Developers, presented a slide show on manufactered homes. Mr. Joe Gary, an attorney representing Lake Highland Developement Co., pointed out basic benefits the City would receive from this developement such as increased tax revenues, increased local trade and city growth. Mr. Gary discussed urban services and the effect the mobile home park would have on them (See attachments).

Chairman Gilliland asked if there were any other persons in the audience who wished to speak in favor of the change in zoning. There were none.

Chairman Gilliland asked if there were any persons wishing to speak in opposition to the change in zoning. Several persons spoke, pointing out areas of concern such as overloading of the sewer system, traffic problems, increased burden on the Fire Department, drainage problems, neighborhood congestion, undesirable transiet citizens, and decrease in property values.

Chairman Gilliland adjourned the public hearing.

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

BASIC BENEFITS TO LAKE DALLAS

1. Continued city growth without street or utility maintenance.

2. Jobs created with development under construction.

3. Improved local economy as more consumer dollars spent by workers during development and residents after completion.

4. Annual *average Local Tax Income:

City	$19,565.00
School	$38,571.00
MUA	$11,739.00
Total	$69,875.00

*Figures based on information derived from 1981 estimates from Denton County Appraisal District and Lake Dallas ISD Tax Office using 36 acres, 252 spaces, 252 homes, and a Common Area with office, swimming pool, tennis court, and boat dock.

36 acres @ $9,000.00/acre	=	$324,000.00
252 spaces @ $3,000.00/each	=	$756,000.00
Office & Amenities @ Cost	=	$100,000.00
Total Land Tax Valuation	=	$1,180,000.00
252 spaces @ 1 home/space @ 70% of sales price ($25,000.00/home -average)	=	$4,410,000.00
Total Personal Property Tax Valuation	=	$4,410,000.00
Total Overall Taxable Valuation		$5,590,000.00

-----On a 100% Valuation Tax Base-----

City Tax @	35¢/$100.00 on $5,590,000.00	=	$19,565.00
School Tax @	69¢/$100.00 on $5,590,000.00	=	$38,571.00
MUA Tax @	21¢/$100.00 on $5,590,000.00	=	$11,739.00
Total Local Tax @	$1.25/$100.00 on $5,590,000.00	=	$69,875.00 or more per year

URBAN SERVICES

SERVICE	ENTITY	CONTACT	CONCERN	RESPONSE
Electricity	TP&L	Mike Sulak	None	N/A
Natural Gas	Lone Star Gas	Mr. Butler	None	N/A
Telephone	LD Tel. Co.	Gregg Gross	None	N/A
Sanitation	City of LD	Johnny Webber	None	N/A
Fire Safety	LCVFD	Randy Webb	Conforming type and density of plugs	Developmental conformity
Security	LDPD	Chief Carr	Animal control, truancy, domestic disturbances, on-street parking	All controlled by Park Restrictions
Water & Sewage	LCMUA	Martin Highbaugh	Present sewage treatment facility badly overloaded	Co-ordinate development's need with future waste treatment facility's ability
Streets	City of LD	Bill Schoel	Primary streets need improved traffic control	Direct increased daily traffic, through logical accesses, onto Carlisle
Schools	LDISD	Bill Honse	Room only for additional students: Primary (K-2) 90 Elementary (3-6) 85 Middle (7-8) 25 High (9-12) 110	Park Restrictions would limit total maximum number of student age children to $_{80}$ in grades K-5.

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING
CASE #82-10-1

Chairman called the public hearing to order. Mr. John Lugenheim presented his petition for Special Use Permit on Tract 50-5 out of the Mary Wright Survey, requesting to construct mini-warehouses. Mr. Lugenheim showed the Commission a preliminary plot of the property and discussed several requirements which are needed for approval of the project.

Mr. Lon Brown, representing Mrs. B.E. Brown and fifteen mobile home owners who reside on property located north of the proposed project, told the Commission that these residents were opposed to the Special Use Permit. He stated that most of these citizens were senior citizens and were afraid mini-warehouses would entice thieves into their neighborhood. No other persons spoke in opposition.

One written response was received in favor of the request.

Chairman Gilliland adjourned the public hearing.

Linwood L. Gilliland

Linwood Gilliland, Chairman

Donna Stephens

Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 1, 1982

Members Present: Linwood Gilliland, Chairman
Sue Rucker
Pam Schaefer
J. Wm. Davidson
Donna Stephens, Secretary
Charles Berry, Building Inspector

Members Absent: Gene Welborn
John Rushing

Chairman Gilliland called the meeting to order at 7:40 p.m. Sue Rucker moved that the minutes be approved as presented. Bill Davidson seconded the motion and it carried.

Mr. Ron Hewitt, representing the Commercial Developement Committee of the Lake Cities Chamber of Commerce, presented ideas for future planning of the Lake Cities area. An outline of his speech is attached and becomes a part of these minutes. Mr. Kyle Shipp informed the Commission that their committee would be happy to assist the Zoning Commission in planning. Other members of the Commercial Developement present were: Martin Highbaugh, LeeRoy Schramm, Fred Stephens, Mike Murphy, Jean Chambers and Olive Stephens.

Mr. Bill Singleton, representing a citizens group from Oak Lakes Subdivision, informed the Commission that deed restrictions and zoning for their subdivision were not compatable. Deed restrictions require a masonary exterior and zoning does not, and deed restrictions require 1500 square feet of living area and zoning requires 1200 square feet. The citizens group would like for zoning to be as restrictive as the deed restrictions. The Commission informed the group of their present work on zoning amendments which will require 65% masonary on residences in the future and urged the citizens group to support their efforts at the City Council level.

Jean Chambers informed the Commission of the need to adopt the Unform Building Codes and Charles Berry recommended their adoption. Mr. Bill Davidson moved to recommend to City Council the adoption of the 1979 Uniform Building Codes. Sue Rucker seconded the motion and it carried.

Charles Cryan reviewed the rough draft of the zoning codification with the Commission. After much discussion, it was decided that the Commission needed more time to study the proposed codification. The next workshop is scheduled for July 15, 1982 at 7:30 p.m.

Pam Schaefer stated that in the future, members of the Commission should not make decisions, such as recommending who should be hired to codify the ordinances, without a quorum. It was pointed out to her that there was not a formal recommendation made to City Council because of the fact that there was not a quorum and that Council has the power to make certain decisions without recommendations from the Commission.

Mr. Gilliland adjourned the meeting at 10:20 p.m.

_____
Chairman

_____

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION
REGULAR MEETING & PUBLIC HEARING

JUNE 3, 1982

Members Present: Linwood Gilliland, Chairman
Sue Rucker
Pam Schaefer
J. Wm. Davidson
John Rushing
Donna Stephens, Secretary

Members Absent: Gene Welborn
Charles Berry, Building Inspector

Chairman Gilliland called the Public Hearing to order at 7:30 p.m. Mr. Ed Anderson, representing Mr. W.C. Miller and Mr. Odell Bollier, presented a petition requesting a change in zoning from Light Industrial (M-1) to Commercial (C-3) classification on Lots 1 & 2, Block A, First Highway Addition. Mr. Anderson stated that Mr. Bollier wished to use the property for a beer and wine store and a package store instead of the current food establishment. He pointed out that there were other package stores in the immediate area. There were not any citizens in attendance who spoke for or against the matter. It was noted that six notices were sent to property owners lying within 200 feet of the property in question. Only two written replies were received and they were both in opposition to the change in zoning. It was noted that these replies represented more than 20% of the property owners and that it would take a four-fifths (4/5) vote of the City Council to approve the request.

Mr. Gilliland called the regular meeting to order.

Mr. Bill Davidson moved to recommend to City Council the denial of the change in zoning on Lots 1 & 2, Block A, First Highway Addition from Light Industrial (M-1) to Commercial (C-3). Pam Schaefer seconded the motion and it carried unanimously.

Mr. Charles Cryan and the Commission reviewed the zoning ordinances and discussed various changes they wished to make during the codification process. Mr. Cryan will draw up a rough draft of the codification and present it to the Commission for review before the next regular meeting on July 1, 1982. Mr. Cryan will present a rough draft of the updated zoning map at this meeting.

Chairman Gilliland adjourned the meeting at 9:45 p.m.

Linwood E. Gilliland

Linwood Gilliland,
Chairman

Donna Stephens

Donna Stephens,
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 6, 1982

Members Present: Linwood Gilliland, Chairman
J. William Davidson
Donna Stephens, Secretary
Charles Berry, Building Inspector

Members Absent: Sue Rucker
Gene Welborn
Pam Schaefer
Betty Martin

Chairman Gilliland called the meeting to order at 7:35 p.m.

Because of the lack of a qourom, there was not any official business conducted.

Mr. Charles Cryan presented his proposal for upgrading planning and zoning maps, documents, and procedures. The commission members present agreed to request City Council to approve funding for upgrading the zoning map and codifying the zoning ordinances at this time.

Chairman Gilliland adjourned the meeting at 9:00 p.m.

Linwood E. Gilliland

Linwood Gilliland,
Chairman

Donna Stephens

Donna Stephens,
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
APRIL 1, 1982

Members Present: Linwood Gilliland, Chairman
Sue Rucker
Pam Schaefer
J. William Davidson
Donna Stephens, Secretary

Members Absent: Gene Welborn
Betty Martin

Chairman Gilliland called the meeting to order at 7:34 p.m. The minutes were approved as read.

Mr. Alan Efrussy, a representative of Burnett-Baldwin, addressed the Commission on the subject of developing a master plan and codification of ordinances. After a lengthy discussion, Mr. Efrussy told the Commission he would study information to be provided by the City and the Council of Governments, and present cost estimates for a development plan and codification of ordinances.

Mr. Greg Gross, representing Lake Dallas Telephone Co., presented a petition requesting a change in zoning from Single Family (R1-6000) to Commercial (C-2) classification on an .4 acre tract out of the Mary Wright Survey. Mr. Gross stated that immediate plans are to use this property for storage of telephone cable and the only construction will be a chain link fence. There were not any written or verbal responses from citizens. Bill Davidson moved to recommend to City Council the approval of the requested change in zoning. Sue Rucker seconded the motion and it carried unanimously.

The Commission discussed zoning for modular homes. Mr. Gilliland will study ordinances from other cities and make recommendations.

The Commission recommended that the Building Inspector should reinspect mobile homes and leave red tags on those that have not been under-pinned. Donna Stephens agreed to contact the City Attorney about nullifying all ordinances pretaining to mobile homes with the exception of Number 100.

Sue Rucker moved to recommend to City Council the reappointment of Bill Davidson to the Commission. Pam Schaefer seconded the motion and it carried unanimously.

Chairman Gilliland adjourned the meeting at 10:05 p.m.

Linwood E. Gilliland
Linwood Gilliland, Chairman

Donna Stephens
Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 4, 1982

Members Present:	Linwood Gilliland, Chairman Betty Martin J. Wm. Davidson Donna Stephens, Secretary
Members Absent:	Sue Rucker Pam Schaefer Gene Welborn

Donna Stephens called the meeting to order at 7:35 p.m.

J. William Davidson moved that the minutes be approved as read. Betty Martin seconded the motion and it carried unanimously.

Betty Martin moved that Linwood Gilliland be elected as Chairman to replace Tony Franzen who resigned. Bill Davidson seconded the motion and it carried.

Linwood Gilliland informed the Commission that he had contacted several cities in reference to modular home zoning. He stated that he would request copies of their ordinances for us to use for guidelines.

Chairman Gilliland adjourned the meeting at 8:40 p.m.

Linwood E. Gilliland
Linwood Gilliland
Chairman

Donna Stephens
Donna Stephens
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 4, 1982

Members Present: Tony Franzen, Chairman
Betty Martin
Sue Rucker
Pam Schaefer
J. Wm. Davidson
Donna Stephens, Secretary

Members Absent: Gene Welborn

Chairman Franzen called the meeting to order at 7:35 p.m.

Chairman Franzen stated that if there were no objections or changes, the minutes be approved as read. No objections were heard.

Sue Rucker moved to recommend to City Council final plat approval of Borchardt Estates Subdivision, 5.5 acres out of the Mary Wright Survey, with the private road easement platted as fifty feet wide. Betty Martin seconded the motion and it carried unanimously.

Tony Franzen advised the Commission that he is resigning from the Commission as of March 1, 1982.

Sue Rucker moved to recommend to City Council the appointment of Linwood Gilliland to the Commission to replace Mr. Franzen. Betty Martin seconded the motion and it carried unanimously.

Pam Schaefer moved to recommend to City Council that Tony Franzen be presented with a Certificate of Appreciation for his work on the Commission. Sue Rucker seconded the motion and it carried unanimously.

Bill Davidson informed the Commission of future park development plans and future major street improvements.

Pam Schaefer inquired about guidelines concerning modular homes. Mr. Davidson requested that the secretary contact Ms. Terry Wieserkoff at North Central Texas Council of Governments for information.

The Commission requested the secretary to contact McKee Realators to inform them that Betty's Little People Day Care Center could not be used as such by a new owner except by Special Use Permit.

Chairman Franzen adjourned the meeting at 9:00 p.m.

Donna Stephens
Donna Stephens, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 7, 1982

Members Present:	Tony Franzen, Chairman Betty Martin Gene Welborn J. Wm. Davidson Donna Stephens, Secretary
Members Absent:	Pam Schaefer Sue Rucker

Chairman Franzen called the meeting to order at 7:35 p.m.

Chairman Franzen stated that if there were no objections or changes, the minutes be approved as read. No objections were heard.

A pre-application conference was held with Jean Stone regarding the subdivision of 5.5 acres out of the M. Wright Survey. The purpose of dividing the property is to settle the estate of Mrs. P.A. Borchardt.

There was not any old business or new business.

Betty Martin moved to adjourn the meeting. Gene Welborn seconded the motion and it carried. Chairman Franzen adjourned the meeting at 9:00 p.m.

Anton A. Franzen, Jr.
Chairman

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

DECEMBER 3, 1981

Members Present: Sue Rucker, Vice-Chairman
Pam Schaefer
Betty Martin
Donna Stephens, Secretary

Members Absent: Tony Franzen, Chairman
Gene Welborn
J. William Davidson
Charles Berry, Building Inspector

Vice-Chairman Sue Rucker called the meeting to order at 7:40 p.m.

Vice-Chairman Rucker stated that if there were no objections or changes, the minutes be approved as read. No objections were heard.

Mr. Linwood Gilliland made a request that the City have Marina Drive dedicated. Donna Stephens suggested that Mr. Gilliland submit a signed peition to the City Secretary requesting the dedication.

There was discussion regarding modular homes, but no motions were made.

Betty Martin moved to adjourn the meeting. Pam Schaefer seconded the motion and Sue Rucker adjourned the meeting.

Sue Rucker
Vice-Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
NOVEMBER 5, 1981

Members Present: Tony Franzen, Chairman
Sue Rucker
Pam Schaefer
Betty Martin
Gene Welborn
Donna Stephens, Secretary
Charles Berry, Building Inspector

Member Absent: J. William Davidson

Chairman Franzen stated that if there were no objections or changes, the minutes be approved as read. No objections were heard.

Chairman Franzen called the Public Hearing to order at 7:40 p.m. Mr. Marvin Sparks , representing Vibra-Whirl, Inc., presented his petition for a change in zoning classification on a 2.485 acre tract of land out of the Mary Wright Survey. He presented a plot plan to the Commission, which is attached and made a part of these minutes. He stated that the intended building would house an office and storage area. The storage area would house materials for paving tennis courts and running tracts. Such materials would consist of fifty pound bags of rubber, rubber base paint and weed killer. The storage area would also be used to garage some trucks and equipment and to do minor maintenance on the same. Mr. Sparks stated that there would not be much traffic into his business because it will be used as a base for out of town jobs, although there would be a semi-truck unloading supplies three to four times per year.

Several neighbors owning property within 200 feet of said tract asked questions and were generally opposed to the requested change because of the traffic and noise. P.O. Byers pointed out that there was already a large greenhouse and a car wash in the neighborhood. The Commission members stated that they were generally opposed because of the following reasons: inacessibility to Main Street, location and opposition of neighbors.

Chairman Franzen called for a recommendation to City Council on the petition of Mr. Marvin Sparks. Pam Schaefer moved to recommend denial of rezoning, Sue Rucker seconded the motion, but motion failed by a vote of two ayes and three noes. Chairman Franzen recessed the meeting for five minutes. After the recess, Gene Welborn moved to recommend to City Council that the tract of land referred to above remain as presently zoned. Pam Schaefer seconded the motion and it carried with the following vote: four ayes and one no.

Mr. Paul Bryant presented a petition for abandoment of a street right-of-way located in Harbourtown Villas, M.E.E. & P.R.R. Survey. Gene Welborn moved to recommend to City Council the abandoment, Betty Martin seconded the motion and it carried.

Betty Martin moved to recommend to City Council the passing of a resolution adopting the attached Preliminary Subdivision Checklist. Sue Rucker seconded the motion and it carried.

There was discussion of requesting dedication of Marina Drive from the Corps of Engineers so that artery streets could remain open. No motions were made.

Charles Berry, Building Inspector, ask for a recommendation on placing modular homes in R-1 6000 and R-1 7200 Zoning Classifications. The Commission was unable to make a recommendation until further study of the matter.

Chairman Franzen adjourned the meeting at 11:00 p.m.

Anton A. Franzen, Jr.
Chairman

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING

OCTOBER 1, 1981

Members Present: Sue Rucker, Vice-Chairman
Betty Martin
J. Wm. Davidson
Donna Stephens, Secretary
Chas. Berry, Building Inspector

Members Absent: Pam Schaefer
Gene Welborn
Tony Franzen, Chairman

Sue Rucker called the meeting to order at 7:30 p.m.

The minutes of September 1, 1981 were approved as read.

Mr. Paul Bryant presented a petition for abandoment of a Street Right-of-Way abutting Tracts 12A, 12B, 13A and 13B in the M.E.P. & P.R.R. Survey, Abstract No. 924. No motions were made due to the lack of a quorum.

Bill Davidson gave a review of the Planning and Zoning Workshop held on September 17, 1981.

Sue Rucker adjourned the meeting at 8:30 p.m.

Anton A. Franzen, Jr.
Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
SEPTEMBER 1, 1981

I

Members Present: Tony Franzen, Chairman
Sue Rucker
Pam Schaefer
Gene Welborn
Betty Martin
J. Wm. Davidson
Donna Stephens, Secretary
Larry Kingston, Building Inspector

Members Absent: None

Tony Franzen called the meeting to order at 8:30 p.m.

II Chairman Franzen stated that if there were no objections or changes, the minutes be approved as read. None were heard.

III Russell Holland and Jerry Graves presented their petition for the east end of Payton Street stating that the road has not been maintained for some years, that it dead ends on Corps of Engineers property and therefore it should be closed permanently. Linwood Gilliland spoke in opposition stating he wants the street open for pedistrian and emergency vehicle traffic and that the Corps recently barricaded the east end of Payton Street by request of Mr. Graves. The City Staff recommended that only sixty feet of the east end of Payton be abandoned to allow access of emergency vehicles to houses located on the east end. Fire Chief Jerry McCutcheon said that fire trucks would not need access to the lake from East Payton as the department would not use lake water in the event of a structure fire. City Secretary Jean Chambers stated that she had confered with the manager of the Utility Authority about utility lines which do exist in East Payton. Gene Welborn moved to table a decision until further study of utility lines and the Corps of Engineers plans to barricade streets leading to Corps property. Pam Schaefer seconded the motion and it carried unanimously.

IV Betty Martin moved to recommend to City Council final plat approval of Althea Subdivision with the following recommendations to be included as a part of the Councils approval:

(1) That the alley on the east side of the property be increased to 25 feet in width and extended to Gotcher Street. This alley should be designated as a fire lane and all parking prohibited. This recommendation was made to the Commission by both the Fire Chief and Building Inspector.
(2) Ordinance #25, Section 10, does not allow for outdoor gas sales at this location and the Building Inspector and Fire Chief recommend that the future pumps be removed from the plot plan.
(3) Based on recommendations from the Building Inspector and the Fire Chief, the Commission recommends that 1 hour fire walls be required between each of the commercial building units in the shopping center.
(4) That the final location of all electrical meters be approved by the Building Inspector.

(5) That the attached recommendations of the Fire Department concerning provision of fire hydrants for this development be included. The size of the feed lines could be reduced to 6" on the south and east sides if two independent feeds are provided to the loop.
(6) As recommended by the Building Inspector, that the location of all underground electrical lines and associated transformers be approved by the Building Inspector as well as Texas Power & Light.
(7) That the developer will place one-fourth of the estimated cost of necessary street improvements on Shady Shores and Hundley Drive on deposit to offset their portion of construction costs.

Gene Welborn seconded the motion and it carried unanimously with Chairman Franzen voting.

V Pam Schaefer moved that the Commission be provided with a guideline, check list and/or procedures to follow in preliminary plat and plat cases. Betty Martin seconded the motion and it carried unanimously.

VI Old Business - None.

VII Gene Welborn moved to adjourn the meeting. Betty Martin seconded the motion, and it carried unanimously. Chairman Franzen adjourned the the meeting at approximately 11:30 p.m.

Anton A. Franzen, Jr.
Chairman

Donna Stephens
Secretary

P. O. BOX 968
KE DALLAS, TEXAS 75065

Bus. (817) 497-3263
Emer. (817) 497-2929

LAKE CITIES VOLUNTEER FIRE DEPARTMENT

Serving the Communities of Lake Dallas Hickory Creek Corinth and Shady Shores

Sept.1, 1981

Attention: Planing and Zoning Board.

Attached is a rough drawing of the property located at the intersection of Shady Shores and Hundley Dr, which is now in the planning stages of building a commercial building and a series of four-plexes. Also noted on the drawing are our recommendations for fire protection within the development.

ITEM ONE: FIRE HYDRANTS

Hydrant one located at the intersection of Shady Shores Rd. and Hundley Dr. on the Northwest corner of the property is needed instead of the hydrant located across the street, because this street is a major traffic artery, and it is not feasible to lay firehose across this intersection.

Hydrant two and three are needed because of the total footage in distance from one unit to the other fire hydrant exceed the ability of the fire engines in footage of firehose available.

NOTE: Each fire hydrant is located on an eight inch main because of the amount of water neede in case of two or more units were to be involved with fire at one time. The six inch loop will insure adequate water flow and pressure. Also be aware of the fact that we are dealing with multi-family dwelling and in front we are dealing with gasoline dispersement.

ITEM TWO: SMOKE DETECTORS

It is our recommendation that each individual unit in each four-plex be equipped with an electric smoke detector. [Not a battery type]

Your consideration in this matter will assure the safety of the occupants in each unit and will also assure the demise of prperty damage due to fire.

Jerry McCutcheon
Fire Chief

HUNDLEY DR

8" MAIN

GAS PUMPS

SHADY SHORES ROAD

8" MAIN

8" MAIN

EX. PROPERTY LINE

8" MAIN

SOUTH PROPERTY LINE

CITY OF LAKE DALLAS
LAKE DALLAS, TEXAS 75065

TEL. 817-497-2226

P. O. BOX 368

M. JEAN CHAMBERS
CITY SECRETARY

JOHNNY J. VINSON
MAYOR

Dear Mayor and City Council:

On the 1st of September, 1981, the Planning and Zoning Commission met to consider the final plat of Althea Subdivision.

The final plat was approved with the following modifications. It is recommended that the alley on the east side of the property be increased to 25 feet in width and extended to Gotcher Street. This alley should be designated as a fire lane and all parking prohibited. This recommendation was made to the Commission by both the Fire Chief and Building Inspector.

The following recommendations are made concerning the plot plan submitted with the final plat and should be included as conditions to final plat approval by the City Council. Ordinance #25, Section 10, does not allow for outdoor gas sales at this location and the Building Inspector and Fire Chief recommend that the future pumps be removed from the plot plan. Based on recommendations from the Building Inspector and Fire Chief, the Commission recommends that 1 hour fire walls be required between each of the commercial building units in the shopping center. The Commission based on the information provided by the Building Inspector, recommends that the final location of all electrical meters be approved by the Building Inspector.

Attached you will find the recommendations of the Fire Department concerning provision of fire hydrants for this development. The size of the feed lines could be reduced to 6" on the south and east sides if two independent feeds are provided to the loop. The Commission and Building Inspector support this recommendation.

The Building Inspector recommends that the location of all underground electrical lines and associated transformers be approved by the Building Inspector as well as Texas Power & Light.

All recommendations presented herein were made by the Building Inspector and Fire Chief based on proper protection of the lives of the numerous persons who will live and work in this development. Therefore, the Commission strongly recommends that prior to your final approval that the developer is notified that these recommendations are adopted and become the formal position of the City Council. Along with these recommendations, it is the understanding of the Commission that the developer will place one-fourth of the estimated cost of necessary street improvements on Shady Shores and Hundley Drive on deposit to offset their portion of construction costs. We recommend that this procedure be followed.

Sincerely,

Anton A. Franzen, Jr. by DL

Anton A. Franzen, Jr.
Chairman
Planning & Zoning Commission

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGUALR MEETING
AUGUST 11, 1981

Members Present: Tony Franzen, Chairman
Sue Rucker
Pam Schaefer
Gene Welborn
J. Wm. Davidson
Donna Stephens, Secretary

Members Absent: Betty Martin

Tony Frazen called the meeting to order at 7:30 p.m.and apologized for the postponement of the regularly scheduled meeting of August 6, 1981 due to the lack of a quorum.

Chairman Franzen stated that if there were no objections or changes, the minutes be approved as read. No objections were heard.

Mr. Mike Drozd, representing Lake Dallas Boat Company, presented his petition for a change in zoning classification on a 60' x 100' tract of land out of the M.E.E. & P.R.R. Survey, Abstract No. 924. Gene Welborn moved to recommend to City Council the rezoning of above referenced property from R-1-7200 to C-3. Sue Rucker seconded the motion and it carried by the following vote:

Ayes: Gene Welborn and Sue Rucker
Noes: Pam Schaefer and J. Wm. Davidson
Chairman Tony Franzen voted aye to break the tie.

The Commission reviewed the preliminary plat of Lots 7,10,11,14, 15,18,19 & 22, Block 2, Gotcher Addition as presented by J.J. Donald. J. Wm. Davidson moved to recommend approval of the preliminary plat contingent upon an agreement being reached concerning intersection construction at Shady Shores and Hundley as designed by Schoels, Fields and Associates, and upon approval of a variance concerning necessary square footage of the individual apartment units. Gene Welborn seconded the motion and it carried unanimously.

Mr. J.J. Donald was informed by Chairman Franzen that he could request permission to begin construction from City Council at their regular meeting on August 13, 1981. There was some doubt among the Board of issuing building permits before a contract is signed concerning street improvements. Chairman Franzen stated that he would attend the City Council meeting and inform them of the Boards feelings on this matter.

The Commission expressed a desire to start procedures of rezoning of approximately 336 acres of land owned by the Corps of Engineers whiched was annexed on May 23, 1978.

Chairman Franzen adjourned the meeting at 10:30 p.m.

Anton A. Franzen, Jr., Chairman

Donna Stephens, Secretary

CITY OF LAKE DALLAS
LAKE DALLAS, TEXAS 75065

TEL. 817-497-2226

P. O. BOX 368

M. JEAN CHAMBERS
CITY SECRETARY

JOHNNY J. VINSON
MAYOR

August 12, 1981

The Honorable Mayor & City Council
City of Lake Dallas
City Hall
Lake Dallas, Texas 75065

Dear Mayor and City Council:

On the 11th of August, 1981, the Planning and Zoning Commission met in regular session.

After a public hearing held on the 6th of August, 1981, discussion was held concerning the zoning change requested by Lake Dallas Boat Company on June 18, 1981. On a motion and second, the Commission voted 3 to 2 to recommend that the City Council amend our current zoning ordinance to reflect a change from R-1-7200 to C-3 as requested on referenced petition.

The Planning and Zoning Commission also reviewed the preliminary plat presented by J.J. Donald of lots 7,10,11,14,15,18,19 & 22, block 2, Gotcher Addition. After considered discussion, the Commission voted to recommend approval of the preliminary plat with the stipulation that agreement be reached concerning construction of necessary street improvements and the notice that the plat contains a variance concerning necessary square footage of the individual apartment units.

Sincerely,

Anton A. Franzen, Jr. by DL

Anton A. Franzen, Jr.
Chairman
Planning and Zoning Commission

AAF/ds

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING
AUGUST 6, 1981

Members Present: Pam Schaefer
Gene Welborn
Betty Martin
Donna Stephens, Secretary

Members Absent: Tony Franzen, Chairman
Sue Rucker, Vice-Chairman
J. Wm. Davidson

Gene Welborn, acting Chairman, called the Public Hearing to order at 7:30 p.m.

Mr. Louis Drozd and Mr. Mike Drozd, representing Lake Dallas Boat Company, presented their petition requesting a change in zoning from Single Family (R-1-7200) to Commercial (C-3) classification on a 60' X 100' tract of land located in the M.E.P. & P.R.R. Survey, Abstract No. 924. There were no persons in attendance other than the Planning & Zoning Board and the Petitioners. After a period of discussion between the Board and the petitioners, Gene Welborn adjourned the Public Hearing.

Because of the lack of a quorum, the regular meeting of the Planning & Zoning Board was postponed until Tuesday, August 11, 1981.

Gene Welborn
Acting Chairman

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS
LAKE DALLAS, TEXAS 75065

TEL. 817-497-2226

P. O. BOX 368

M. JEAN CHAMBERS
CITY SECRETARY

JOHNNY J. VINSON
MAYOR

July 17, 1981

Mr. Mike Folse
Rainbow Development Co.
P.O. Box 1230
Lake Dallas, Texas 75065

Dear Mr. Folse:

On July 16, 1981, the Planning and Zoning Commission of Lake Dallas, Texas was requested, as a part of their workshop, to make recommendations concerning a survey plat of a resubdivision of lots 2,3,6,7,10, 11,14,15,18,19 & 22 of the Gotcher Addition to the City of Lake Dallas, Texas.

The following recommendations are provided for your assistance in completion of a preliminary plat for submission on this project. All recommendations refer to Section 5 of Ordinance Number 26 and the various subsections thereof:

The preamble of this section requires that five (5) copies of the preliminary plat be submitted not less than thirty (30) days prior to the time the plat is to be approved by the Planning and Zoning Commission.

Subsection 5(a) requires that the subdivision have a proposed name and show the names of adjacent subdivisions.

Subsection 5(b) requires the names of the owner and engineer responsible for the design.

Subsection 5(d) requires the location and width of existing and proposed streets, roads, lots (approximate dimensions) and alleys, building lines, easements, parks, school sites, and other features of the proposed subdivision. The plan shall show outline of adjacent properties for a distance of at least one hundred (100) feet, and how the streets, alleys or highways in the proposed subdivision may connect with those adjacent which are of record.

Subsection 5(f) requires a survey of the physical features of the property and a topographic map of the property at intervals not less than two (2) feet with the survey to be tied to a U. S. G. S. bench mark.

Subsection 5(g) requires approximate gradients of all streets.

Subsection 5(h) requires designation of land use in the subdivision.

The Planning and Zoning Commission does request a center line profile of the proposed street improvements on Shady Shores Drive and Hundley Drive.

Section 10 of Ordinance Number 26 prohibits the City Staff from issuing building permits until the requirements of this ordinance are met.

Sincerely,

Anton A. Franzen, Jr.
Chairman,
Planning & Zoning Commission

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 2, 1981

Members Present: Tony Franzen, Chairman
Pam Schaefer
J. Wm. Davidson
Donna Stephens, Secretary

Members Absent: Sue Rucker
Gene Welborn
Betty Martin

Tony Franzen called the meeting order at 7:50 p.m.

Discussion was held regarding several building and zoning problems within the City. No motions were made.

The meeting was adjourned at approximately 9:15 p.m.

Anton Franzen, Jr.
Chairman

Donna Stephens
Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PLANNING WORKSHOP

JUNE 18, 1981

Members Present: Tony Franzen, Chairman
Gene Welborn
Betty Martin
Donna Stephens, Secretary

Members Absent: Sue Rucker
Pam Schaefer
J. Wm. Davidson

Tony Franzen called the meeting to order at 7:30 p.m.

In order to upgrade the present zoning ordinances, Tony Franzen appointed the following persons to work on the following headings:

Ordinance #25 & amendments:	Gene Welborn & Pam Schaefer
Mobile Home Ordinances:	Betty Martin & Sue Rucker
Subdivision & Platting:	Bill Davidson & Tony Franzen
Updating Zoning Map:	Donna Stephens

The meeting was adjourned at approximately 10:00 p.m.

Anton Franzen, Jr.
Chairman

Donna Stephens
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
JUNE 4, 1981

Members Present: Sue Rucker, Vice-Chairperson
Pam Schaefer
Betty Martin
J. Wm. Davidson
Tony Franzen
Donna Stephens, Secretary
Larry Kingston, Building Inspector

Members Absent: Gene Welborn

Sue Rucker called the Public Hearing to order a 7:30 p.m.

Mr. J.J. Donald presented his petition requesting a change in zoning from Single Family (R-1-6000) to Multi-Family (R-3) classification on a tract of land located in the 200 Block of South Shady Shores. This is Lots 7,10,11,14,15,18,19 & 22; Block 2; Gotcher Addition of the Mary Wright Survey. There were no citizens in attendance speaking in favor of the request. Three persons owning property within 200 feet of referenced tract spoke in opposition of requested zoning change stating reasons such as heavy population density and adverse traffic conditions. Two of these property owners indicated a preference of commercial over multi-family zoning. Thirteen letters were sent to property owners within 200 feet of the referenced tract. Two favorable letters and six letters of protest were received.

After a considerable amount of questioning and discussion, Sue Rucker adjourned the Public Hearing.

Sue Rucker called the regular meeting to order at 8:12 p.m.

Bill Davidson moved to approve the minutes as read, Betty Martin seconded the motion and it carried.

Sue Rucker opened to the floor for nominations for a Chairperson. Bill Davidson moved to nominate Tony Franzen and Pam Schaefer seconded the nomination. There being no other names placed in nomination, Sue Rucker called for a vote on the nomination of Tony Franzen and he was elected unanimously.

Tony Franzen, Chairperson, called for a recommendation to City Council on the petition of J.J. Donald requesting a change in zoning from R-1-6000 to R-3 on a tract of land located in the 200 block of South Shady Shores. Bill Davidson moved to recommend denial of rezoning, Pam Schaefer seconded the motion and it carried unanimously.

Tony Franzen informed the Planning and Zoning Board that they have the right to recommend to City Council a zoning change on any property without the request of the owner as long as rezoning procedures are followed. There was discussion of starting zoning change procedures on the tract of land owned by J.J. Donald from R-1-6000 to commercial. No motions were made.

Discussion was held regarding upgrading our present zoning ordinances and creating a master plan. Four of the Board members decided to go to North Central Texas Council of Governments to get information and model ordinances. The Board also decided to meet on the third Thursday of each month at 7:30 p.m. for a planning workshop.

Bill Davidson moved to adjourn the meeting, Pam Schaefer seconded the motion and it carried unanimously. Tony Franzen adjourned the meeting at 10:35 p.m.

Donna Stephens, Secretary

Anton A. Franzen, Jr.
Chairman

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF MAY 7, 1981

Members Present: Sue Rucker, Vice-Chairperson
Pam Schaefer
Betty Martin
Gene Welborn
J. Wm. Davidson
Donna Stephens, Secretary

Members Absent: Leon Pledger

Sue Rucker called the meeting to order at 7:40 p.m.

Betty Martin moved to approve the minutes as read, Pam Schaefer seconded the motion and it carried. Donna Stephens presented a letter of resignation from Leon Pledger.

Bill Davidson moved to postpone the election of a Chairperson until the City Council appoints a Board member to replace Leon Pledger. Pam Schaefer seconded the motion and it carried.

Mr. Jay Haas presented the petition of Payless Cashways, Inc. requesting a change in zoning from Commercial (C-1) to Light Industrial (M-1) classification on an 9.37 acre tract located on the southwest corner of Swisher and Stemmons. This is Tract 'A' of the J.W. Simmons Survey. There was not any opposition received from the audience or by mail. Bill Davidson moved to recommend to City Council the rezoning request of Payless Cashways, Inc. Gene Welborn seconded the motion and it carried unanimously.

Discussion was held about various problems and violations of the City Zoning and Building Codes and the need for the Building Inspector or City Staff to take action to correct these violations. The Board decided to attend the City Council meeting on April 14, 1981 to ask for a special meeting between the Planning & Zoning Board and the City Council and to recommend to City Council the appointment of Tony Franzen to the Planning & Zoning Board.

Pam Schaefer moved to adjourn the meeting, Betty Martin seconded the motion and it carried.

Sue Rucker adjourned the meeting at 8:45 p.m.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF APRIL 2, 1981

Members Present: Sue Rucker, Vice-Chairman
Betty Martin
Pam Schaefer
Donna Stephens, Secretary

Members Absent: Jim Duncan, Chairman
Leon Pledger

Sue Rucker called the meeting to order at 7:38 p.m.

Betty Martin moved to approve the minutes as read, Pam Schaefer seconded the motion and it carried.

Betty Martin made the motion to request that the Planning & Zoning Commission be put on the City Council Agenda for April 9 to discuss appointment of a Council Member to the P & Z Board as set out in Ordinance No. 7, and to discuss the future development of Lake Dallas. Pam Schaefer seconded the motion and it carried.

Pam Schaefer moved to adjourn the meeting, Betty Martin seconded the motion, and it carried.

Sue Rucker, Vice Chairman, adjourned the meeting at 8:40 p.m.

Donna Stephens

Donna Stephens
Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION
REGULAR MEETING OF JANUARY 5, 1981

Members Present: Jim Duncan, Chairman
Leon Pledger
Betty Martin
Sue Rucker
Pam Schaefer
Donna Stephens, Secretary
Charles Cryan, City Planner

Jim Duncan called the meeting to order at 5:03 p.m.

The minutes were read and approved with the following addition: in conditions set forth for Special Use Permits for Betty Harper and Diane Tisdale, both requesting permits to use residential property as day care centers, off street loading zone should consist of a circular drive.

Clyde Fisher presented a petition for a Special Use Permit on property located at 301 North Shady Shores, presently zoned C-1, to be used for mini-warehouses. Pam Schaefer moved to recommend to City Council the approval of a Special Use Permit for mini-warehouses with the following conditions:

1. A permanently maintained wood privacy fence of either cedar or spruce is to be constructed with a minimum height of six feet upon completion of warehouse construction and prior to occupation of said mini-warehouses; and said fence shall be maintained in good physical condition so long as said warehouses continue to exist on the property; said fence shall follow the south property line, the west property line, the north property line and shall run 80 feet along the front building line beginning at the north property line. No fence or other obstruction shall be placed beyond the front building line.

2. This Special Use Permit shall expire at the end of two years on and after the date of final approval or at the time the property herein described is passed to a person or persons other than Billy L. Brown and/or Clyde Fisher, unless construction is substantially underway or completed. After construction is totally complete, this Special Use Permit will continue with said property so long as the warehouse structures are in use and well maintained.

3. Any person or persons violating any provision of these conditionsshall be guilty of a misdemeanor, and each day such violation exists shall be deemed to be a separate offense and, upon conviction, shall be fined a sum not to exceed two hundred dollars.

The motion was seconded by Leon Pledger and it carried unanimously.

Leon Pledger moved to elect Sue Rucker as Vice-Chairman of Planning and Zoning. Pam Schaefer seconded the motion and it carried.

Pam Schaefer moved to have the Planning & Zoning Agenda published in the Lake Cities Sun. Leon Pledger seconded the motion and

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF DECEMBER 15, 1980

Members Present: Jim Duncan, Chairman
Leon Pledger
Betty Martin
Sue Rucker
Pam Schaefer
Donna Stephens, Secretary
Charles Cryan

Jim Duncan called the meeting to order at 5:33 p.m.

Floyd West presented his petition for a Special Use Permit on property located at 203 - 215 West Hundley Drive, presently zoned C-1, to include mini-warehouses. Leon Pledger moved to recommend to City Council the Special Use Permit for mini-warehouses with the following conditions:

1. Front office building will be constructed before or simultaneously with mini-warehouse construction.

2. A six foot wooden fence will be built along the entire length of the rear property line and 100' from the rear line along the east property line.

3. Mini-warehouses will not be constructed within 125' of front property line.

The motion was seconded by Sue Rucker and it carried unanimously.

Sue Rucker moved to adjourn the meeting, Pam Schaefer seconded the motion, and it carried unanimously.

Jim Duncan, Chairman, adjourned the meeting at 6:05 p.m.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF DECEMBER 4, 1980

Members Present:	Jim Duncan, Chairman
	Leon Pledger
	Betty Martin
	Sue Rucker
	Charles Cryan, City Planner
	Donna Stephens, Secretary
Member Absent:	Pam Schaefer

Jim Duncan called the meeting to order at 5:00 p.m.

The petition for Special Use Permit requested by Floyd West was postponed until December 15, 1980 at 5:00 p.m.

Representatives of Kingswood, Inc. presented developement plans for Kingswood, Phase II. The proposed plans included modular homes on 50' x 100' lots with 10' rear setbacks& 14' front setbacks. There were several persons in the audience that spoke against such developement. The Planning and Zoning Board voted not to recommend to City Council the drafting of an ordinance for modular homes.

Kathleen Gilliland presented a petition for the abandonment of the west section of Payton Street from Julian Street. Betty Martin moved to recommend to City Council the acceptance of the petition for abandonment of 182 feet of Payton Street. Leon Pledger seconded the motion and it carried.

Sue Rucker moved for adjournment of the meeting. Betty Martin seconded the motion and it carried.

Chairman Duncan adjourned the meeting at 6:30 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF NOVEMBER 6, 1980

Members Present:	Jim Duncan, Chairman Leon Pledger Pam Schaefer Betty Martin Sue Rucker Charles Cryan, City Planner Donna Stephens, Secretary
Members Absent:	None

Jim Duncan called the meeting to order at 5:03 p.m.

Betty Harper presented her petition for a Special Use Permit on property located at 111 Lakeview, presently zoned R1-6000, to be used as a Day Care Center. Betty Martin moved to approve a "Special Use Permit" for a Day Care Center at the above mentioned address with the following conditions: (1) permit will expire at the end of 30 months after final acceptance; (2) permit expires upon sale or transfer of title from present owners; (3) off street loading and unloading will be provided in the form of a CIRCULAR DRIVE. Sue Rucker seconded and it carried unanimously.

Diane Tisdale presented her petition for a Special Use Permit on property located at 512 Atchison, presently zoned R1-6000, to be used as a Day Care Center. Betty Martin moved to approve a "Special Use Permit" for a Day Care Center at the above mentioned address with the following conditions: (1) permit will expire at the end of 30 months after final acceptance; (2) permit expires upon sale or transfer of title from present owners; (3) off street loading and unloading will be provided IN THE FORM OF A CIRCULAR DRIVE. Leon Pledger seconded the motion and it carried unanimously.

Sue Rucker moved to adjourn the meeting, Pam Schaefer seconded the motion, and it carried unanimously.

Jim Duncan, Chairman, adjourned the meeting at 5:25 p.m.

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF OCTOBER 21, 1980

Members Present:	Jim Duncan, Chairman Leon Pledger Pam Schaefer Sue Rucker Betty Martin Charles Cryan, City Planner Donna Stephens, Secretary
Members Absent:	None

Jim Duncan called the meeting to order at 5:00 p.m.

Betty Martin moved to recommend to City Council the passage of an ordinance amending the City Zoning Code allowing for commercial storage facilities (mini-warehouses) as a "Special Use" by permit only in C-1, C-2, and C-3 Zone Districts. Sue Rucker seconded the motion, and it carried unanimously.

Leon Pledger moved to adjourn the meeting, Betty Martin seconded the motion, and it carried unanimously.

Jim Duncan, Chairman, adjourned the meeting at 5:25 p.m.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

PUBIC HEARING & REGULAR MEETING OF OCTOBER 2, 1980

Members Present: Jim Duncan, Chairman
Leon Pledger
Pam Schaefer
Sue Rucker
Betty Martin
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: None

Jim Duncan called the Public Hearing to order at 7:30 p.m. Discussion was held regarding the rezoning of 58.1 acres of the Nathaniel French Survey from R1-7200 to R1-4000 classification. Mr. Jim Boyles presented the case on behalf the petitioner, Kingswood, Inc. Mr James Chapman spoke in favor of the rezoning pointing out the economics of mobile home ownership and the additional revenues planned development would add to the City. The following persons spoke in opposition of the rezoning: Lilian DeBurgess, Marsha Howard, R.J. Howard, Bill Early, George Jones, Barbara Garrison, Mrs. Norman Heitz, Larry Kingston, Rev. James Babb and others. They stated that rezoning and development of said property would overburden the following: Fire Department, Police Department, Water and Sewer Systems, streets, and the school system. Some residents of Kingswood, Phase I, complained that Kingswood, Inc. had not followed through with promises made to buyers in Phase I. A question and answer period was held. Betty Martin moved for adjournment of the Public Hearing, Pam Schaefer seconded the motion and it carried. Chairman Duncan adjourned the Public Hearing at 8:31 p.m.

Jim Duncan called the regular meeting to order at 8:33 p.m. The minutes were read and approved.

Jim Duncan moved to recommend to City Council the denial of rezoning of 58.1 acres of the Nathaniel French Survey by Kingswood, Inc. from R1-7200 to R1-4000 classification. Betty Martin seconded the motion, and it carried unanimously.

Discussion was held regarding the petition for Special Use Permit for a Day Care Center at 111 N. Lakeview, Lots 8 & 9, Block A, Garza Beach Estates. Sue Rucker moved to postpone action until the petitioner, Betty Harper, could be present. Pam Schaefer seconded the motion, and it carried unanimously.

Leon Pledger moved to adjourn the meeting, Betty Martin seconded the motion, and it carried unanimously.

Jim Duncan, Chairman, adjourned the meeting at 8:45 p.m.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JULY 22, 1980

Members Present: Jim Duncan, Chairman
Leon Pledger
Pam Schaefer
Sue Rucker
Charles Cryan, City Planner

Members Absent: Betty Martin
Donna Stephens, Secretary

Jim Duncan called a Public Hearing to order at 7:30 p.m. Discussion was held regarding the rezoning of Lots 19 & 20, Block K, Oak Lakes Subdivision from R-1 7200 to R-3 Classification. There was no opposition received from the audience or by mail. Leon Pledger moved for adjournment of the public hearing, Sue Rucker seconded the motion and it carried.

Jim Duncan called the regular meeting to order at 7:45 p.m.

Leon Pledger moved to recommend to City Council the rezoning of Lots 19 & 20, Block K, Oak Lakes Subdivision from R-1 7200 to R-3 Classification. Sue Rucker seconded the motion and it carried.

Discussion was held regarding the amendment of the Zoning Ordinance to include mini-warehouses under the Special Use Permits and that a rough draft of such be presented at the next regular meeting.

Discussion was held to change the regular meeting time of the Planning & Zoning Commission to the first Thursday of each calendar quarter with the next regular meeting to be held on Thursday, October 2, 1980 at 7:30 p.m.

Sue Rucker moved for adjournment of the meeting, Leon Pledger seconded the motion and it carried.

Chairman Duncan adjourned the meeting.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF JULY 8, 1980

Members Present: Jim Duncan, Chairman
Leon Pledger
Pam Schaefer
Sue Rucker
Betty Martin
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: None

Jim Duncan called a Public Hearing to order at 7:34 P.M. Discussion was held regarding the rezoning of Tracts 20B and 20B-4, M. Wright Survey from R-1 6000 & C-3 to C-2. Greg Gross, representing the Lake Dallas Telephone Co. and Avis Collins, representing herself, presented their cases. There was no opposition received from the audience or by mail. Pam Schaefer moved for adjournment of the public hearing, Leon Pledger seconded the motion and it carried .

Jim Duncan called the meeting to order at 7:52 P.M. Betty Martin moved for approval of the minutes as read, Pam Schaefer seconded the motion and it carried.

Sue Rucker moved to recommend to City Council the rezoning of Tract 20B, Mary Wright Survey from R-1 6000 and C-3 to C-2. Leon Pledger seconded the motion and it carried unanimously.

Betty Martin moved to recommend to City Council the rezoning of Tract 20B-4, Mary Wright Survey from R-1 6000 and C-3 to C-2. Pam Schaefer seconded the motion and it carried unanimously.

Leon Pledger moved for adjournment of the meeting, Pam Schaefer seconded the motion and it carried.

Chairman Duncan adjourned the meeting at 8:06 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF MARCH 25, 1980

Members Present: Jim Duncan, Chairman
Leon Pledger
Pam Schaefer
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Sue Rucker
Betty Martin

Jim Duncan, Chairman, called the meeting to order at 7:38 P.M.

Chairman Duncan extended a welcome to Pam Schaefer, new Planning & Zoning Board member.

Pam Schaefer moved for approval of the minutes as read, Leon Pledger seconded the motion and it carried.

Leon Pledger moved to recommend to City Council the acceptance of a petition for abandonment of an 18 foot easement adjoining Lots 1 & 17, Block 8 and Lots 10 & 20, Block 7, Lake Dallas Shores Addition. Pam Schaefer seconded the motion and it carried.

Leon Pledger moved for adjournment of the meeting, Pam Schaefer seconded the motion and it carried.

Chairman Duncan adjourned the meeting at 7:58 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF FEBRUARY 26, 1980

Members Present: Jim Duncan, Co-Chairman
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Leon Pledger

Co-Chairman Jim Duncan called the meeting to order at 7:33 P.M.

Sue Rucker moved for approval of the minutes as read, Betty Martin seconded the motion and it carried unanimously.

Betty Martin moved to appoint Jim Duncan as Chairman to fill the vacancy of Jack Ezzell who resigned. Sue Rucker seconded the motion and it carried unanimously.

Charles Cryan discussed pending litigation involving the Harbourtown Villa Apartment Project and other problems related to the project.

Betty Martin moved to adjourn the meeting, Sue Rucker seconded the motion and it carried unanimously.

Chairman Duncan adjourned the meeting at 7:53 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JANUARY 22, 1980

Members Present:	Jim Duncan, Co-Chairman Betty Martin Leon Pledger Donna Stephens, Secretary
Members Absent:	Jack Ezzell, Chairman Sue Rucker Charles Cryan, Planner

Co-Chairman Jim Duncan called the meeting to order at 7:36 P.M.

Leon Pledger moved for approval of the minutes, Betty Martin seconded the motion and it carried unanimously.

Betty Martin moved to adjourn the meeting, Leon Pledger seconded the motion it carried unanimously.

Co-Chairman Duncan adjourned the meeting at 7:47 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF NOVEMBER 27, 1979

Members Present: Jack Ezzell, Chairman
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Leon Pledger
Jim Duncan

Chairman Ezzell called the meeting to order at 7:50 P.M.

Betty Martin moved for approval of the minutes, Sue Rucker seconded the motion and it carried unanimously.

Discussion was held regarding the zoning of mini-warehouses, but no motions were made.

Betty moved to adjourn the meeting, Sue Rucker seconded the motion and it carried unanimously.

Chairman Ezzell adjourned the meeting at 8:00 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF OCTOBER 23, 1979

Members Present: Jack Ezzell, Chairman
Jim Duncan
Leon Pledger
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens

Members Absent: None

Jack Ezzell, Chairman, called the meeting to order at 7:35 P.M.

Jim Duncan moved for approval of the minutes as read, Leon Pledger sedonded the motion and it carried unanimously.

A public hearing was held on the rezoning for lots 9-12, Block 4, Lake Dallas Sites from R-1, 6000 to R-1, 4000. Motion was made by Jim Duncan and seconded by Betty Martin to reject the change requested for Lots 9-12, Block 4, Lake Dallas Sites from R-1, 6000 to R-1, 4000 and this recommendation to be passed on to the Lake Dallas City Council for final action. Motion passed by a unanimous vote of the Zoning Commission, present and voting.

Discussion was held regarding the abandonment of street right of way on Crest Drive. Jim Duncan moved to accept the petition of property owners of Lots 17 through 32 inclusive, Block 8, and Lots 1 through 12 inclusive, Block 11 to recommend abandonment of said street right of way, Crest Drive, adjoining said property and granting such right of way equally to opposing property owners in accordance with front footage of said lots. Leon Pledger seconded the motion and it passed by a unanimous vote fo the members present and voting.

Betty Martin moved for adjournment of the meeting, Sue Rucker seconded the motion and it carried unanimously.

Jack Ezzell, Chairman, adjourned the meeting at 8:35 P.M.

Donna Stephens

Donna Stephens, Recording Secretary

Zoning Change Request: City Planner's Report

Request Number 79-2

Location: Lots 9-12, Block 4, Lake Dallas Sites

1. Existing Contitions

   a. Several mobile homes are already in the area

   b. Lot is too shallow (50') for construction of site built home as presently constituted

   c. This lot and all surrounding property for more than 200' is zoned for site build homes, not less than 900 square feet with not less than 6000 square feet of property area

2. Recommendations

   a. Recommend disallowance of this zone change as petitioned for from R-1, 6000 to R-1, 4000.

   b. Reasons

      (1) To change would be spot zoning which is illegal

      (2) There is presently existing in Lake Dallas a good deal of property for mobile homes

      (3) Placement of a mobile home would limit the use of the property for other types of structures more in line with the planned use of the area

      (4) There is not sufficient debth for the placement of any unit which would not encroach on either the front or rear setbacks (25' and 30' respectively)

Recommended Motion:

Motion was made by JIM DUNCAN and seconded by BETTY MARTIN to reject the change requested for Lots 9-12, Block 4, Lake Dallas Sites from R-1, 6000 to R-1, 4000 and this recommendation to be passed on to the Lake Dallas City Council for final action. Motion passed by a UNANIMOUS vote of the Zoning Commission, present and voting.

Report of the City Planner

RE: Abandonment of street right of way Crest Drive East from its East intersection with North Crest Drive to its West intersection with Lake Street

1. Existing Conditions

   a. Street is unusable in present condtion

   b. Street contains electric, water and sewer, and telephone utilities

   c. All property is accessible from presently existing roadways which are in use

2. Recommendations

   a. Recommend abandomment to the City Council

   b. Make Abandonment conditioned upon

      (1) Signed petition by all adjoining property owners (in hand)

      (2) Payment by adjoining property owners of $20.00 per seperate deed (6) to offset the city's legal cost for the quit claim deeds and administration

      (3) Inclusion of a 15' easement to be shared equally by opposing property owners

      (4) Execution by all property owners of quit claim deeds and proper filing with the Denton County Clerk

Recommended Motion:

I, JIM DUNCAN move to accept the petition of property owners of Lots 17 through 32 inclusive, Block 8, and Lots 1 through 12 inclusive, Block 11 to recommend abandonment of said street right of way adjoining said property and granting such right of way equally to opposing property owners in accordance with front footage of said lots and including the above condtions.

Seconded by LEON PILDER. Passed by a UNANIMOUS vote of the members voting and present.

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF SEPTEMBER 25, 1979

Members Present: Jim Duncan, Vice-Chairman
Leon Pledger
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Jack Ezzell, Chairman

Jim Duncan, Vice-Chairman, Called the meeting to order at 7:34 P.M.

Leon Pledger moved for approval of theminutes as read, Betty Martin seconded the motion and it carried unanimously.

Sue Rucker moved to recommend to City Council the acceptance of a petition for abandonment of Wall Street from Crest Drive to Lake Drive. Leon Pledger seconded the motion and it carried unanimously.

Betty Martin moved for adjournment of the meeting, Leon Pledger seconded the motion, and it carried unanimously.

Vice-Chairman DUNCAN adjourned the meeting at 7:43 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF AUGUST 28, 1979

Members Present: Jack Ezzell, Chairman
Jim Duncan
Leon Pledger
Betty Martin
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Sue Rucker

Jack Ezzell, Chairman, called the meeting to order at 7:35 P.M.

Jim Duncan moved for approval of the minutes as read, Leon Pledger seconded the motion, and it carried unanimously.

Jim Duncan moved to recommend to City Council the acceptance of a petition by the Lake Cities Municipal Utility Authority for a Special Use Permit on Lot 28, Block K, Oak Lakes Subdivision. Betty Martin seconded the motion and it carried unanimously.

Jim Duncan moved to recommend to City Council the acceptance of a petition for abandonment of Grand Avenue from Lakeview Drive to Crest Drive. Leon Pledger seconded the motion and it carried unanimously.

Leon Pledger moved for adjournment of the meeting, Jim Duncan seconded the motion, and it carried unanimously.

Chairman Ezzell adjourned the meeting at 8:25 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JULY 24, 1979

Members Present: Leon Pledger
Jim Duncan
Betty Martin
Donna Stephens, Secretary

Members Absent: Jack Ezzell
Sue Rucker
Charles Cryan, City Planner

Jim Duncan, Vice-Chairman, called the meeting to order at 7:37 P.M.

Betty Martin moved for approval of the minutes as read, Leon Pledger seconded the motion and it carried unanimously.

There was no formal business and no motions were made.

Leon Pledger moved to adjourn the meeting, Betty Martin seconded the motion, and it carried unanimously.

Vice-Chairman Duncan adjourned the meeting at 7:50 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JUNE 26, 1979

Members Present: Leon Pledger
Sue Rucker
Jim Duncan
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Jack Ezzell
Betty ~~Rucker~~ MARTIN

Charles Cryan, Acting Chairman, called the meeting to order at 7:40 P.M.

Leon Pledger moved for approval of the minutes as read, Jim Duncan seconded the motion. It carried unanimously.

Sue Rucker moved that Jack Ezzell serve as Chairman, Jim Duncan seconded the nomination, and it carried unanimously.

Sue Rucker moved that Jim Duncan serve as Vice-Chairman, Leon Pledger seconded the nomination, and it carried unanimously.

Discussion was held regarding the abandonment of unused alleys.

Sue Rucker moved to adjourn the meeting, Leon Pledger seconded the motion, and it carried unanimously.

Vice-Chairman Duncan adjourned the meeting at 8:10 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF MAY 22, 1979

Members Present: Jack Ezzell, Chairman
Leon Pledger
Betty Martin
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Sue Rucker

Chairman Ezzell called the meeting to order at 7:35 P.M.

Leon Pledger moved for approval of the minutes as read, Betty Martin seconded the motion and it carried unanimously.

Discussion was held regarding several matters, but no motions were made.

Betty Martin moved to adjourn the meeting, Leon Pledger seconded the motion and it carried unanimously.

Chairman Ezzell adjourned the meeting at 8:00 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF APRIL 24, 1979

Members Present: Jack Ezzell, Chairman
Leon Pledger
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Chairman Ezzell called the meeting to order at 7:35 P.M.

Sue Rucker moved for approval of the minutes as read, Leon Pledger seconded the motion and it carried unanimously.

Sue Rucker made the motion to accept final replat of lots 47, 48, and 49 of Kingswood Estates; Betty Martin seconded the motion and it carried unanimously.

Betty Martin moved to accept final replat of lots 30 - 39, Kingswood Estates; Sue Rucker seconded the motion and it carried unanimously.

Leon Pledger moved to adjourn the meeting, Sue Rucker seconded the motion and it carried.
Chairman Ezzell adjourned the meeting at 8:10 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF MARCH 27, 1979

Members Present: Howard Davis
Leon Pledger
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absentee: Jack Ezzell, Chairman

Acting Chairman Howard Davis called the meeting to order at 7:45 P.M.

Leon Pledger moved for approval of the minutes, Betty Martin seconded the motion and it carried unanimously.

Betty Martin made a motion that Howard Davis serve as Vice-Chairman. Sue Rucker seconded the motion and it carried unanimously.

Sue Rucker moved for adjournment of the meeting, Betty Martin seconded the motion and it carried unanimously. Acting Chairman Howard Davis adjourned the meeting at 7:55 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF FEBRUARY 27, 1979

Members Present: Jack Ezzell, Chairman
Leon Pledger
Howard Davis
Betty Martin
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent: Sue Rucker

Chairman Ezzell called the meeting to order at 7:40 P.M.

Howard Davis moved for approval of the minutes, Leon Pledger seconded the motion and it carried unanimously.

Motion was made by Howard Davis and seconded by Betty Martin to "Accept the application for preliminary replat of lots 47, 48 and 49, Kingswood Estates with final acceptance of final replat conditioned upon further documentation of non-injury to other contingent land owners". The motion carried unanimously.

Mr. Pledger moved for adjournment of the meeting; Mr. Davis seconded the motion and it carried unanimously.
Chairman Ezzell adjouned the meeting at 8:20 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JANUARY 23, 1979

Members Present	Jack Ezzell, Chairman Leon Pledger Howard Davis Sue Rucker Betty Martin
Members Absent	Charles Cryan, Planner Donna Stephens, Secretary

Chairman Ezzell called the meeting to order at 7:35 P.M.

Howard Davis moved for approval of the minutes, Sue Rucker seconded the motion and carried unanimously.

Louis Drozd, Jr. appeared before the Board to discuss possible rezoning of his business property at Lakeview Marina to C-3 in order for him to sell beer. Chairman Ezzell stated that he did not think the Board would approve. No motions were made due to lack of formal request.

H. Davis moved for adjournment of the meeting; Mr. Pledger seconded the motion and it carried unanimously. Chairman Ezzell adjourned the meeting at 8:25 P.M.

Donna Stephens

Donna Stephens,
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

SPECIAL MEETING OF JANUARY 3, 1979

Members Present — Jack Ezzell, Chairman
Leon Pledger
Howard Davis
Betty Martin
Sue Rucker
Charles Cryan, City Planner
Donna Stephens, Secretary

Members Absent — None

Chairman Ezzell called the meeting to order at 7:35 P.M.

Motion was made by Howard Davis and seconded by Leon Pledger to "Accept the final replat of a portion of Harbourtown Villas, Phase I, out of the M.E.P. & P.R.R. Survey, Abstract No. 924, Lake Dallas, Denton County, Texas conditioned upon attachment of ownership rights and responsibilities within each replatted block such that each Lot C of any block is attached by deed to the ownership of both Lot A and B of the same block; and contingent upon the legal acceptability of extending common ownership rights and powers and the Homeowner's Organization to the replatted areas of the above mentioned surveyed property". The motion carried unanimously.

Mr. Davis moved for adjournment of the meeting; Mrs. Martin seconded the motion and it carried unanimously. Chairman Ezzell adjourned the meeting at 8:05 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF DECEMBER 27, 1978

Members Present	Jack Ezzell Leon Pledger Howard Davis Betty Martin
Members Absent	Sue Rucker

Chairman Ezzell called the meeting to order at 7:35 P.M. Mr. Davis moved for approval of the minutes as read of the regular meeting held November 28, 1978. Mr. Pledger seconded the motion, and it carried unanimously.

Gene Worrell of Worrell & Associates, representing California Texas Land Corporation, presented a proposed replat of a portion of Harbourtown Villas, Phase I, out of the M.E.P. & P. R. R. Survey, Abstract No. 924, Lake Dallas, Denton County, Texas.

No motion was made pending study of Harbourtown Villas Homeowners Association Rules. A special meeting was called for January 3, 1978.

Mr. Pledger moved for adjournment fo the meeting, Mrs. Martin seconded the motion and it carried unamiously. Chairman Ezzell adjourned the meeting at 8:50 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF NOVEMBER 28, 1978

Members Present	Jack Ezzell Leon Pledger Sue Rucker Howard Davis
Members Absent	None

Chairman Ezzell called the meeting to order at 7:40 P.M. Mr. Davis moved for approval of the minutes as read of the regular meeting held October 24, 1978. Mr. Pledger seconded the motion, and it carried unanimously.

Charles Cryan, City Planner, presented a petition for preliminary replat of Harbourtown Villas, Phase I, M.E.P. & P.R.R. Survey, Abstract-924. Leon Pledger made a motion to recommend that said property be plated into blocks instead of lots to insure that parking areas and contingent buildings are plotted together. Howard Davis seconded the motion and it carried unamiously.

Mr. Davis moved for adjournment of the meeting, Mrs. Rucker seconded the motion and it carried unamiously. Chairman Ezzell adjourned the meeting at 8:25 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF OCTOBER 24, 1978

Members Present: Jack Ezzell
Leon Pledger
Sue Rucker
Howard Davis

Members Absent: Harvey Johnston

Chairman Ezzell called the meeting to order at 7:35 P.M. Mr. Davis moved for approval of the minutes as read of the regular meeting held September 26, 1978. Mr. Pledger seconded the motion and it carried unanimously.

Mr. Tim H. Willis and Mr. Mike Frye presented a petition asking that the zoning classification of Tracts 16A(4) and 18 located in the Mary Wright Survey, Zone District C-3, be amended to include Boat Storage Units as an allowable use under the provisions of Ordinance 25, Section 3 of the City of Lake Dallas, Texas. Proposed development plans were submitted. Charles Cryan, City Planner, recommended that boat storage units should be included in Zoning Classification C-2, and that it would take approximately 3 months to create a C-2A Zoning Classification. After much discussion on the proposed petition, Mr. Davis moved to table the petition, Mr. Pledger seconded the motion, and it carried unanimously.

The following recommendations are made to City Council:

1. Mini-Warehouses and Boat Storage Units should be included in C-2 Zoning Classification.
2. All construction in C-1, C-2 & C-3 shall be of 50% masonry exterior.
3. All driveways and parking areas in C-1, C-2 & C-3 shall be of hard surface materials as provided in specifications.

Sue Rucker moved for approval of the above recommendations, Mr. Davis seconded the motion and it carried unanimously.

The following names were recommended to City Council as a replacement for Harvey Johnston to the Planning & Zoning Commission: Rusty Martin & Jeff Crossland.

Mr. Davis moved for adjournment of the meeting, Ms. Rucker seconded the motion and it carried unanimously. Chairman Ezzell adjourned the meeting at 10:35 P.M.

Donna Stephens

Donna Stephens, Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF SEPTEMBER 26, 1978

Members Present:	Jack Ezzell, Chairman Leon Pledger Sue Rucker Howard Davis
Members Absent:	Harvey Johnston

Chairman Ezzell called the meeting to order a 7:30 P.M. Mr. Pledger moved for approval of the minutes as read of the regular meeting held August 22, 1978. Ms. Rucker seconded the motion, and it carried unanimously.

Discussion was held regarding the zoning of boat storage buildings and it was suggested that an addition to commercial zoning would control where such could be located.

Charles Cryan, City Planner, informed the Commission of possible future rezoning requests.

There being no further business for discussion, Mr. Davis moved for adjournment of the meeting. Ms. Rucker seconded the motion and it carried unanimously. Chairman Ezzell adjourned the meeting at 8:35 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF AUGUST 22, 1978

Members Present:	Jack Ezzell Leon Pledger Sue Rucker
Members Absent:	Harvey Johnston Howard Davis

Chairman Ezzell called the meeting to order at 7:45 P.M. Mr. Pledger moved for approval of the minutes as read of the regular meeting held July 25, 1978. Ms. Rucker seconded the motion, and it carried unanimously.

Discussion was held regarding the closing of the 200 block of Goliad Street. No recommendation was made pending further action by the Assembly of God Church.

Ken Frady, representative of the Chamber of Commerce, was present and stated that the Chamber of Commerce was willing to work with the Planning and Zoning Commission toward industrial developement.

Discussion of proper zoning of mini-warehouses was held and it was recommended that the City Planner check to see how they are zoned in other cities.

The Planning & Zoning Commission requested that the City Planner try to get zoning maps of surrounding cities.

There being no further business for discussion, Ms. Rucker moved for adjournment of the meeting. Mr. Pledger seconded the motion, and it carried unanimously. Chairman Ezzell adjourned the meeting at 8:30 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JULY 25, 1978

Members Present: Jack Ezzell
Leon Pledger
Howard Davis

Members Absent: Harvey Johnston
Sue Rucker

Chairman Ezzell called the meeting to order at 7:40 P.M.

Mr. Davis moved for approval of the minutes as read of the regular meeting held June 27, 1978. Mr. Pledger seconded the motion, and it carried unanimously.

Discussion of the purchase of a chalkboard for Planning & Zoning use was held.

There being no further business for discussion, Mr. Davis moved for adjournment of the meeting. Mr. Pledger seconded the motion, and it carried unanimously. Chairman Ezzell adjourned the meeting at 8:05 P.M.

Donna Stephens

Donna Stephens,
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JUNE 27, 1978

Members Present: Jack Ezzell
Howard
Leon Pledger
Sue Rucker

Members Absent: Harvey Johnston

Chairman Ezzell called the meeting to order at 7:40 P.M.

Mr. Davis moved for approval of the minutes as read of the regular meeting held May 23, 1978. Mr. Pledger seconded the motion, and it carried unanimously.

Discussion of a possible beer and wine only zoning district was held with the possibility of limiting such to larger stores.

Chairman Ezzell requested Mr. Cryan to invite the Lake Cities Chamber of Commerce to meet with Planning & Zoning at their next regular meeting in July to discuss bringing industrial business into Lake Dallas.

There being no further business for discussion, Mr. Davis moved for adjournment of the meeting. Mrs. Rucker seconded the motion, and it carried unanimously. Mr. Ezzell adjourned the meeting at 8:20 P.M.

Donna Stephens

Donna Stephens,
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF MAY 23, 1978

Members Present: Mary Mayfield
Howard Davis
Leon Pledger
Harvey Johnston

Members Absent: Jack Ezzell, Chairman

Mary Mayfield, acting chairperson, called the meeting to order at 7:30 P.M.

Howard Davis moved for approval of the minutes as read of the regular meeting held April 25, 1978. Harvey Johnston seconded the motion, and it carried unanimously.

Discussion of a proposed ordinance calling for a separate zoning district permitting the sale of beer and wine only: Charles Cryan, City Planner, reported that the City Attorney, Ronald Vanzura, said that such is possible. No motions were made.

Mr. Cryan discussed zoning of M K & T Railroad property located just south of Tract 25, Mary Wright Survey. The original zoning of the property was M-1, but the revised zoning map shows it to be R-6000. The revised map was found to be in error on the above property and that the original zoning of M-1 was correct. City staff will correct revised map.

Mary Mayfied resigned from the Planning & Zoning Commission effective May 24, 1978.

There being no further business for discussion, Mr. Pledger moved for an adjournment of the meeting. Mr. Davis seconded the motion, and it carried unanimously. Mrs. Mayfield adjourned the meeting at 8:00 P.M.

Donna Stephens

Donna Stephens
Recording Secretary

SPECIAL JOINT MEETING OF CITY COUNCIL AND
THE PLANNING AND ZONING COMMISSION
OF THE CITY OF LAKE DALLAS WITH THE
LAKE CITIES MUNICIPAL UTILITY AUTHORITY
HELD AT CITY HALL APRIL 25, 1978

Mr. Jack Ezzell presided, calling the meeting to order at 7:30 P.M. with the following persons present:

LAKE DALLAS CITY COUNCIL

Johnny J. Vinson, Mayor
Thurman Bartley, Councilman
Charlie W. Berry, Councilman
Anne Kennedy, Councilwoman
J. C. Payne, Councilman
Charles Cryan, City Planner
M. Jean Chambers, City Secretary

PLANNING & ZONING COMMISSION

Jack Ezzell, Chairman
Howard Davis, Member
Harvey Johnston, Member
Mary Mayfield, Member
Leon Pledger, Member

Councilman James W. Hutto was absent.

LAKE CITIES MUNICIPAL UTILITY AUTHORITY

Jack Young, President
Ernest Jernigan, Secretary
Bob Klem, Member
Don Lee, Member
J. B. Briggs, Manager

Mr. Ezzell stated the purpose of the meeting is to make a concerted effort to assist the City Government and the Water Authority in reaching an agreement of each entity's responsibility to improve and maintain fire hydrant service in the City.

Mr. Briggs indicated on a map places where new lines need to be placed in service, old lines in need of replacement with larger ones, and new fire hydrants placed in service and old hydrants replaced.

After much discussion of the matter, the following was agreed to by all persons present:

LAKE CITIES MUNICIPAL UTILITY AUTHORITY will:

1. Install fire hydrants, valves, cement blocking, pipe and taps where new water lines are being placed in service.
2. Install fire hydrants where 2" water lines are being replaced with 6" water lines.
3. Purchase plug and valve, and provide manpower and equipment (in cooperation with the City) for the installation of fire hydrant replacement on existing 6" water line.
4. Will be responsible for the maintenance of all fire hydrants after installation of new hydrants on new lines and replacement of inoperable hydrants on existing lines, with the Lake Cities Volunteer Fire Department being responsible for regular inspection of the hydrants and reporting any needed repairs to LCMUA.

THE CITY OF LAKE DALLAS will:

1. Be responsible for street repairs where 2" water lines are being replaced with 6" water lines.
2. Purchase fire hydrant, and provide manpower and equipment (in cooperation with LCMUA), for the replacement of inoperable fire hydrants on existing 6" water lines.

Councilman Payne stated he felt the agreement should be set out in writing, and Mr. Young agreed. Mr. Johnston suggested all procedures, work orders, etc. should also be set out in writing.

It was further agreed the City Planner and the Water Authority Manager would be responsible for the drafting of the agreement.

Mr. Ezzell stated the meeting would be recessed for ten minutes to allow for the departure of Council and Water Board members, and will reconvenue at 8:35 taking up the regular business of the Planning and Zoning Commission.

Mrs. Mayfield moved for approval of the minutes as read of the regular meeting held March 28, 1978. Mr. Johnston seconded the motion, and it carried unanimously.

Mr. Davis moved for denial of Mr. Bob Hilliard's request for a change in zoning classification from the C-1 District to the C-3 District for Lot Nos. 14 and 15, Block K, of the Oak Lakes Subdivision. Mrs. Mayfield seconded the motion, and it carried unanimously.

Mr. Ezzell called for discussion on the matter of recommending to City Council a proposed ordinance calling for a separate zoning district permitting the sale of beer and wine only. City Planner stated it is possible to rewrite the zoning ordinance to permit beer and wine sales where liquor sales are not permitted. The matter was discussed in great detail, but no motions were made.

There being no further business for discussion, Mr. Johnston moved for an adjournment of the meeting. Mr. Pledger seconded the motion, and it carried unanimously. Mr. Ezzell adjourned the meeting at 8:55 P.M.

M. Jean Chambers

M. Jean Chambers, City Secretary
CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING & PUBLIC HEARING OF MARCH 28, 1978

Members Present:	Jack Ezzell, Chairman Mary Mayfield Leon Pledger Harvey Johnston
Members Absent:	Howard Davis

Public Hearing regarding proposed zoning change on Lots 14 & 15, Block K, Oak Lakes Subdivision, Lake Dallas, Texas, opened at 7:45 P.M. Proposed change is from C-1 to C-3 classification. Mr. Robert Hilliard requested the change.

Zoning Board discussed the change with one (1) property owner whose property is behind the property in question.

Regular meeting of the Lake Dallas Planning and Zoning Commission was called to order at 8:00 P.M. Minutes of the previous meeting were read. Leon Pledger moved to approve the minutes as read, Mary Mayfield seconded the motion. Motion carried unanimously.

There was further discussion of the proposed zoning change. Leon Pledger moved to postpone action until the next regular meeting on April 25, 1978. Harvey Johnston seconded the motion. Motion carried by the following vote:

AYES: Messrs. Johnston, Pledger and Ezzell.
NOES: Mary Mayfield.

Roy Lee Lester attended the meeting to present an evaluation of existing and proposed fire plugs. He stated that 13 of the existing 33 plugs were inoperable. Mary Mayfield moved to publish a coded map in the Lake Cities Sun and to publicize the need for replacement and additional plugs. Harvey Johnston seconded the motion. Motion carried unanimously.

Leon Pledger moved for adjournment. Harvey Johnston seconded the motion. Motion carried unanimously. Meeting adjourned at 9:00 P.M.

Margaret Coulter
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING & PUBLIC HEARING OF FEBRUARY 28, 1978

Members Present: Jack Ezzell
Mary Mayfield
Leon Pledger
Howard Davis

Members Absent: Harvey Johnston

Public Hearing regarding proposed zoning change on lots 11 through 17, block K, Oak Lakes Subdivision, Lake Dallas, Texas, opened at 7:45 P.M.. Proposed change is from R-1, 7200 classification to C-1, commercial. Change is proposed in order to bring City zoning in line with the Deed Restrictions of the subdivision.

Zoning Board answered questions from two (2) property owners whose property backs up to some of the lots being changed.

Regular meeting of the Planning & Zoning Commission was called to order at 8:05 P.M. Minutes of the previous meeting were read. Howard Davis moved to approve the minutes as read, Leon Pledger seconded the motion, motion carried unanimously.

First item on the agenda was the above zoning change. Mary Mayfield moved to recommend to Council that Lots 11 through 17, Block K, Oak Lakes Subdivision, Lake Dallas, Texas, be changed in zoning classification from R-1, 7200, to C-1 Commercial. Howard Davis seconded the motion. Motion carried unanimously.

Second item on the agenda was a request from Messrs. W. R. Beene and Jim Boyles for plat approval to subdivide the presently privately owned Kingswood Mobile Home Community for property sale as Mobile Home lots. They further stated, the existing streets will be dedicated to the City, and the existing water and sewer lines will be dedicated to the Lake Cities Municipal Utility Authority. Leon Pledger moved that recomendation be submitted to the City Council approving the request contingent upon the existing streets being improved to meet accepted City standards and an amendment to the zoning ordinance be drafted and approved permitting a mobile home subdivision. Howard Davis seconded the motion, and the motion prevailed by the following vote:

AYES: Messrs. Howard Davis and Leon Pledger.
NOES: Mrs. Mary Mayfield.

Third on the agenda was a request for a zoning change made by Robert Hilliard. Property in question is Lot 15, Block K of the Oak Lakes Subdivision. Proposed change is from C1 to C3 classification. Public Hearing to be set for regular meeting day on March 28, 1978.

The final item discussed was fire hydrants. It was agreed to invite Roy Lee Lester to the next regular meeting to present the findings on a recent evaluation of existing and proposed fire hydrants.

Howard Davis moved for adjournment, Leon Pledger seconded the motion. Motion carried unanimously. Meeting adjourned at 8:50 P.M.

Margaret Coulter
Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF JANUARY 24, 1978

Members Present:	Mary Mayfield Howard Davis Jack Ezzell Leon Pledger Harvey Johnston
Members Absent:	None

Chairman Ezzell called the meeting to order at 7:35 P.M. Minutes of the December meeting were read, corrected and approved.

Three items were discussed by the Commission as follows:

(1) Public hearing on Oak Lakes zoning to be held Tuesday, February 28, 1978.

(2) Improving zoning code.

(3) Area planning.

Mary Mayfield moved for adjournment, Howard Davis seconded the motion. Motion carried unanimously. Meeting adjourned at 8:40 P.M.

Margaret Coulter

Margaret Coulter, Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF DECEMBER 27, 1977

Members Present:	Mary Mayfield Howard Davis Leon Pledger Harvey Johnston
Members Absent:	Jack Ezzell, Chairman

Due to the absence of Chairman Ezzell, Mary Mayfield was asked to serve as acting chairman.

Meeting was called to order at 7:35 P.M.. Reading of the minutes of the previous meeting was waived.

The only item on the agenda was the zoning change on eight (8) lots in the Oak Lakes Subdivision. Only one (1) property owner attended the meeting and he was in favor of the zoning change. Other property owners had contacted the City Planner before the meeting and were in favor of the change. Commission discussed recommending to City Council that Lots 11 through 18, Block K of the Oak Lakes Subdivision be zoned Commercial. (Letters had been sent to all owners of the above mentioned lots).

Harvey Johnston moved to adjourn, seconded by Leon Pledger. Motion carried unanimously and meeting was adjourned at 8:00 P.M.

Margaret Coulter

Margaret Coulter, Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING COMMISSION

REGULAR MEETING OF NOVEMBER 22, 1977

Members Present:	Jack Ezzell, Chairman Howard Davis Mary Mayfield Leon Pledger Charles Cryan, City Planner
Members Absent:	Harvey Johnston

Meeting was called to order at 7:45 P.M.

Minutes of the previous meeting were read and approved. Chairman Ezzell welcomed new Board member Leon Pledger. Another new member, Harvey Johnston, was unable to attend because of a conflict in scheduling.

The date for the December meeting was discussed. It was decided that the regular date would be convenient for everyone.

City Planner, Charles Cryan, presented an excerpt from the Deed Restrictions of the Oak Lakes Subdivision showing the intention of having some commercial lots in Oak Lakes. He suggested that, since our zoning map does not show these lots to be commercial, the Board should invite those owners of eight (8) lots now being used as commercial to meet with the Board to schedule re-zoning of those lots at the City's expense. Mary Mayfield moved to ask the owners to come discuss a zoning change with the Board. Howard Davis seconded the motion. Motion carried unanimously.

Mary Mayfield moved to adjourn, seconded by Howard Davis. Motion carried unanimously and meeting adjourned at 8:15 P.M.

Margaret Coulter, Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

JOINT REGULAR MEETING & PUBLIC HEARING

OCTOBER 25, 1977

Members Present: Jack Ezzell, Chairman
Howard Davis
Mary Mayfield
Charles Cryan, City Planner

Members Absent: Ray Pinkerton
Clyde Edwards

Meeting was called to order at 7:45 P.M.

Chairman Ezzell opened the public hearing to comments from interested persons present relative to the request for a change in zoning from the R-1 7200 District to the C-2 District as made by Mrs. H. B. James on Tract 16, 1.458 acres out of the L. Cobb Survey. Mr. Cryan explained that Mr. Terry Danyeur wishes to purchase this property, construct a garage and a new home. Mr. Danyeur stated that a 6 to 7 foot wooden fence will enclose the area surrounding the garage. Mrs. Frank Herendeen questioned Mr. Danyeur extensively, and stated that she had no opposition to his plans.

Mary Mayfield moved to recommend to City Council that zoning be changed to C-2 as requested by Mrs. James. Howard Davis seconded the motion. Motion carried unanimously.

The Commission discussed the possibility of attending COG's seminar on Planning, Zoning & Development to be held in Arlington November 11 & 12, 1977.

Howard Davis moved to adjourn, seconded by Mary Mayfield. Motion carried unanimously and meeting was adjourned at 8:30 P.M.

M. Jean Chambers

M. Jean Chambers, Recording Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

REGULAR MEETING OF SEPTEMBER 27, 1977

Members Present: Jack Ezzell, Chairman
Mary Mayfield

Members Absent: Howard Davis
Ray Pinkerton
Clyde Edwards

Due to lack of quorum, meeting was not called to order.

Informal discussion on proposed zoning change request. Request is being made by Mrs. H. B. James. Property located at 709 South Main Street. Public Hearing will be held on the next regular meeting date -- October 25, 1977.

Margaret Coulter

Margaret Coulter, Secretary
Planning & Zoning Commission

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

PUBLIC HEARING & REGULAR MEETING OF AUGUST 23, 1977

Members Present: Jack Ezzell
Mary Mayfield
Clyde Edwards
Howard Davis

Members Absent: Ray Pinkerton

Chairman Ezzell called the meeting to order at 7:40 P.M. Minutes of the previous meeting were read and approved.

No one attended the meeting to be heard on zoning corrections or changes.

Mr. Leon Pledger offered to serve on the Zoning Board whenever a vacancy occurred.

City Councilman, LeeRoy Schramm, attended as an "interested spectator".

The Board discussed several areas on the map that may possibly require future changes.

Mary Mayfield moved for zoning requirements to be more carefully checked before building permits are issued, and for the applications to be signed by the City Planner. Motion was seconded by Howard Davis.

Clyde Edwards moved to cancel the special meeting scheduled for Thursday, August 25, 1977 and Mary Mayfield seconded the motion. Vote was unanimous in favor of the motion.

Mr. Edwards then moved to approve the zoning map, Mrs. Mayfield seconded the motion. Motion carried unanimously.

Howard Davis Moved to adjourn the meeting, Clyde Edwards seconded the motion. Motion carried and meeting adjourned at 9:20 P.M.

Margaret Coulter

Secretary
Planning & Zoning Board
CITY OF LAKE DALLAS

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

REGULAR MEETING OF JULY 26, 1977

Members Present: Jack Ezzell
Mary Mayfield
Howard Davis

Members Absent: Ray Pinkerton
Clyde Edwards

Chairman Ezzell called the meeting to order at 7:30 P.M. Minutes of the previous meeting were read and approved.

City Planner, Charles Cryan, presented his report regarding the adoption of the zoning map. He advised the Board that it would be necessary to hold a public hearing before P & Z approves the map. After P & Z approval, it is sent to City Council for approval.

Public Hearing was set for August 23, 1977. Called Session for finalization on zoning map set for August 25, 1977. Zoning Map will be presented to Council on September 8, 1977.

Notice of the Public Hearing will be published in the Lake Cities Sun ten (10) days prior to the meeting. Also, notice will be published ten (10) days prior to the City Council meeting. Public notices will be posted at City Hall for all three meetings.

Mary Mayfield moved for adjournment, Howard Davis seconded the motion. Vote was unanimously in favor of adjournment. Meeting adjourned at 8:40 P.M.

Margaret Coulter

Secretary
Planning & Zoning Commission

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING OF JUNE 28, 1977

Members Present: Ray Pinkerton
Howard Davis
Mary Mayfield

Members Absent: Jack Ezzell
Clyde Edwards

Due to the absence of Chairman Ezzell, Ray Pinkerton was elected to serve as acting chairman.

Reading of the minutes of the previous meeting was waived following a motion made by Mary Mayfield and seconded by Howard Davis.

Old business was discussion of proper procedure of notifying property owners of the zoning classification assigned their property. Mary Mayfield made a motion for the City Planner to consult with the City Attorney regarding the adoption of the zoning map. Howard Davis seconded the motion.

Acting Chairman Pinkerton requested that City Planner's report be placed on the agenda for the July meeting.

Howard Davis moved for adjournment, Mary Mayfield seconded the motion and the vote was unanimously in favor of adjournment. Meeting adjourned at 9:00 P.M.

Margaret Coulter

Secretary
Planning & Zoning Commission

CITY OF LAKE DALLAS
PLANNING & ZONING BOARD
SPECIAL MEETING OF JUNE 21, 1977

Members Present:	Jack Ezzell, Chairman Mary Mayfield Howard Davis Ray Pinkerton
Members Absent:	Clyde Edwards

Chairman Ezzell called the meeting to order at 7:45 P.M.

City Secretary, Jean Chambers, introduced the new City Planner, Charles Cryan, to the Commission and stated he would be working with them on their planning projects. Mr. Cryan said work would begin on the land use map. The remainder of the meeting was devoted to map work.

Howard Davis moved to adjourn, seconded by Ray Pinkerton, motion carried unanimously and meeting was adjourned at 10:00 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING BOARD
SPECIAL MEETING OF MAY 31, 1977

Members Present: Jack Ezzell, Chairman
Clyde Edwards
Mary Mayfield
Howard Davis

Members Absent: Ray Pinkerton

Chairman Ezzell called the meeting to order at 7:50 P.M.

First matter to be discussed was the necessity of having the regularly scheduled meetings each month whether or not there is anything on the agenda. It was decided that these meetings will be held.

City Secretary, Jean Chambers, introduced the proposed zoning map, and work was begun on making the needed corrections.

Mary Mayfield moved for adjournment, Howard Davis seconded, motion carried unanimously. Meeting adjourned at 10:45 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING BOARD
REGULAR MEETING OF APRIL 26, 1977

Members Present:	Jack Ezzell, Chairman Mary Mayfield
Members Absent:	Clyde Edwards Howard Davis Ray Pinkerton

Meeting was not called to order due to lack of quorum.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF MARCH 22, 1977

Members Present:

Jack Ezzell, Chairman
Ray Pinkerton
Mary Mayfield
Howard Davis
Clyde Edwards

Joe Yalenty, City Planner

Chairman Ezzell called the meeting to order at 7:40 P.M. Minutes of the February 22, 1977 meeting were read, corrected and approved.

Motion was made,by Howard Davis, to postpone any decision on the zoning of Clyde Edwards' property at this time. Ray Pinkerton seconded the motion and vote was unanimous in favor of the postponement. (Clyde Edwards abstained from voting).

Chairman Ezzell requested that the City Planner and the Secretary prepare advance notice of items to be placed on the agenda, in order that the Commission be able to study and be more familiar with these items before an upcoming P & Z meeting.

Discussion followed concerning recent seminar attended by Jack Ezzell, Mary Mayfield and Clyde Edwards. It was suggested that the Secretary write a letter to Mr. Bob Wegner of COG thanking him for his participation in the seminar and inviting him to attend one of the Lake Dallas Planning & Zoning meetings.

Discussion then turned to the need for a new zoning map. It was agreed to resume efforts to color that elusive butterfly, the zoning map.

Mary Mayfield requested to be placed on the agenda for April 26, 1977 meeting, for renewal of her Special Use Permit.

Howard Davis moved for adjournment, Ray Pinkerton seconded, motion carried unanimously. Meeting was adjourned at 9:00 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS
PLANNING & ZONING BOARD
MEETING OF FEBRUARY 22, 1977

Members Present: Howard Davis
Jack Ezzell
Mary Mayfield
Clyde Edwards

Members Absent: Ray Pinkerton

Jack Ezzell was asked to act as chairman until a new chairman could be elected.

Meeting was called to order at 8:05 P.M. Minutes of the January 25, 1977 meeting were read and approved as read.

First order of business was to elect a new chairman, due to the continued absences of Chairman Kermit Fonteno. Mary Mayfield nominated Jack Ezzel and Howard Davis seconded the nomination. There were no further nominations and Mr. Ezzell was elected unanimously.

The new chairman welcomed new P & Z member Clyde Edwards.

Second item on the agenda was for documentation of land use of property on Dobbs Road owned by Clyde Edwards. This property was annexed by Lake Dallas in 1967, but has not been given a zoning designation. Mr. Edwards requested that it be given a C-2 classification in order that he might operate a landscape/nursery business there. Mr. Edwards had documentation showing commercial use of the property prior to his purchase of it. Chairman Ezzell asked for additional documentation and recommended study of the situation and further discussion at the next Planning & Zoning meeting. Mary Mayfield moved to accept the chairman's recommendation and Howard Davis seconded her motion. (Clyde Edwards abstained from any voting in this matter).

see attached

Howard Davis
~~Clyde Edwards~~s moved to pass on a letter addressed to the Planning & Zoning Board from City Planner Joe Yalenty, to the City C ouncil for approval. Mary Mayfield seconded the motion. Motion carried unanimously. (Copy of letter attached).

Jack Ezzell, Mary Mayfield and Clyde Edwards expressed an interest in attending the Planning Commissioner's Workshop in McKinney on March 12 and March 19, 1977. They paid $15.00 each and asked the Secretary to send the reservation card with the money. They will request that the City Council refund the money to the Board members.

The Chairman recommended that the Board request, from City Council, Council representation at each P & Z meeting and access to legal advice from the City Attorney. Also, for a $200.00 annual budget for the Board to purchase supplies with. Mary Mayfield moved to present these requests to the Council. Howard Davis seconded the motion. Vote was unanimous in favor of the motion.

Mrs. Mayfield moved that the meeting be adjourned, Mr. Davis seconded the motion. Motion carried and meeting adjourned at 9:15 P.M.

Margaret Coulter

Margaret Coulter, Secretary
Planning & Zoning Commission

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

REGULAR MEETING OF JANUARY 25, 1977

Members present: Jack Ezzell
Howard Davis
Ray Pinkerton
Mary Mayfield

Members absent: Kermit Fonteno

Due to the absence of Chairman Fonteno, Jack Ezzell was elected to serve as Acting Chairman.

The meeting was called to order at 7:50 P.M. Secretary read the minutes from the special meeting held on January 4, 1977. Minutes were approved as read.

First item on the agenda was consideration of application for zoning change (from C-2 to C-3) made by Mr. Lynn Bural for property at Hundley Drive and Shady Shores Road.

Mr. Bural had requested change in zoning for 1.11 acres out of the M.E.P. & P.R.R. Co. Survey in order to comply with a request from Winn-Dixie Company (Buddies Supermarkets) that they be permitted to sell beer and wine in their proposed supermarket facility. Mr. Bural presented to the Commission a letter from Mr. Buddy Oujesky, Division Real Estate Manager (see attached letter) of the Winn-Dixie company which confirmed that company's interest in being a part of Mr. Bural's proposed shopping center at this location. However, the letter also indicated that Winn-Dixie's interest was contingent upon there being a full shopping center and their being permitted to sell beer and wine.

Mr. Ezzel, acting Chairman, inquired of Mr. Bural if Winn-Dixie was serious about their proposal. Mr. Bural answered that they were very serious.

After some additonal information was provided the Commission on the proposal, Mr. Ezzel asked if there were any citizens present who wished to speak for or against the change in zoning.

Mrs. Anne Kennedy, a resident of the Kings Manor Addition was the first to speak up and she voiced her opposition to the change because she wanted the sale of alcohol to stay where it was.

Gayle Kayashima voiced her opposition to the change because her property in Kings Manor backed right up to the area of the change. Additonally, she inquired if there would be some kind of a fence to seperate the new facility and Kings Manor.

Mr. Bural answered that he would build some kind of a wall seperating the two places.

Mr. Johnny Boyd spoke against the new facility because he was opposed to any expansion of the liquor.

Mrs. Johnny Boyd also spoke against the change because she believed that it would create additional traffic problems.

Mr. John Owens asked about the distance that the facility would have to be from churches and schools. He was told 300'. He stated his general opposition to the change.

Charles Cole, representing Sabine Valley Industries, owners of 2 acres of land across from Kings Manor on Shady Shores Road stated that since they proposed to construct some apartments on their land not far from the facility, they felt that the new store would be a convenience to the inhabitants of the proposed apartments.

Theresa Gladys, also a resident of Kings Manor, spoke against the change.

Maureen Garrison spoke against the change.

Gloria Owens spoke against the change.

Larry Kingston asked about an alley that supposedly ran between Kings Manor and the new facility.

Jean Chambers indicated that there had been some kind of a committment from one of the builders of Kings Manor to put up a masonry fence or wall along the south property line of Kings Manor.

Mr. Woodruff, one of the owners of the property in question, stated that it was unfair to ask a major store chain to come in and not be able to compete on the same basis and with the same products as a store that was already here.

Mr. Ray Pinkerton, a member of the Commission, stated that he thought that this change might amount to spot zoning and he would rather not engage in that kind of zoning.

Generally, some discussion ensued as to whether any stipulations could be attached to the change in zoning which would permit Winn-Dixie alone to have the change in zoning and not another owner or developer should Winn-Dixie fail to follow through on their plans. The consensus was that no such stipulations could be attached.

Discussion then ensued regarding the taking of a vote to change or deny the request or to table the request. The Commission decided to vote on the matter.

Ray Pinkerton made the motion to vote, Mary Mayfield seconded, and the vote was taken.

All Commission members voted unanimously to deny the request.

Next on the agenda was a request for final plat approval from Sabine Valley Industries.

Mr. Harry Gray, City Engineer, spoke first to the engineering aspects of the proposed Sabine Valley project and stated that everything was in order except that the builders has not yet submitted a topographic map. Mr. Gray stated that the topo would be forthcoming shortly.

Mr. Peter Galier, architect for the project, stated that Sabine was almost ready to request a building permit.

At this point Mr. Galier reviewed comments submitted from the acting Fire Marshall, Mr. Jerry McCutcheon (comments attached), and stated that they could comply with the requests for alternating "fire lane" and "no parking" stencils in the fire lane, moving of the dumpsters away from the buildings, wet plugs in service when construction began, and paved ingress and egress roads to the construction site when construction began. However, Mr. Galier debated the necessity for three (3) fire plugs on the site.

Mr. McCutcheon was called from another meeting to personnally comment on his request. After hearing from various parties, it was decided that 2 plugs, located in the Northeast and Southwest corners of the project, would be sufficient for fire protection. Additionally, Mr. Galier requested that Sabine not be required to build rear exits from each apartment. This was agreed to.

The Commission then voted on each individual requirement which Mr. Galier had requested exemption from and each vote was unanimous to exempt Sabine from those particular requirements.

The plat was then voted on and accepted unanimously with Ray Pinkerton making the motion and Mary Mayfield seconding it.

A letter is to be sent to Sabine stating that the plat is approved contingent upon their compliance with the aforementioned requirements.

Motion to adjourn by Ray Pinkerton, second by Howard Davis. Unanimous to adjourn at 9:10.

Margaret Coulter, Sec.
Planning & Zoning Board

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF JANUARY 4, 1977

Members Present:	Howard Davis Mary Mayfield Jack Ezzell
Members Absent:	Kermit Fonteno Ray Pinkerton

Due to the absence of Chairman Fonteno, Jack Ezzell was elected to serve as Acting Chairman.

Meeting was called to order at 7:45 P.M.

City Planner, Joe Yalenty, requested that Mr. Ezzell explain the purpose of the meeting. Mr. Ezzell explained the plat of Lynnwood estates as submitted by Mr. Lynn Bural as a preliminary plan.

After such explanation, Mr. Davis moved that said preliminary plan be approved, motion seconded by Mrs. Mayfield, motion approved unanimously.

Mr. Davis moved that the meeting be adjourned, Mrs. Mayfield seconded the motion, motion carried and meeting adjourned at 7:50 P.M.

Joseph A. Yalenty

Joseph A. Yalenty
Acting Secretary

Letter sent to Mr. Lynn Bural giving notice of P. & Z's action.

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

DECEMBER 28, 1976

Members Present: Howard Davis
Jack Ezzell

Members Absent: Kermit Fonteno
Mary Mayfield
Ray Pinkerton

Not enough members present to constitute a quorum, therefore, meeting not called to order.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

NOVEMBER 23, 1976

Members present: Jack Ezzell, Acting Chairman
Mary Mayfield
Howard Davis

Members absent: Kermit Fonteno
Ray Pinkerton

Reading of the minutes of the previous meeting was dispensed with.

No items were on the agenda.

Discussion was held on the need to continue work on the zoning map. Jack Ezzell suggested that after the zoning map is complete, the Board should study the possibility of zoning more property Commercial.

Meeting adjourned at 8:25 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING AND ZONING COMMISSION

REGULAR MEETING

AUGUST 24, 1976

Members present: Kermit Fonteno, Chairman
Ray Pinkerton
Mary Mayfield
Jack Ezzell
Howard Davis
Roy Harper, Councilman

Chairman Fonteno called the meeting to order at 7:45 P.M. and called for a motion to waive the reading of the minutes of the July 27, 1976 meeting. Jack Ezzell made the motion and the vote was unanimous in favor of not reading the minutes.

One item appeared on the agenda as follows:

1. Discussion of a possible zoning change for the length of Hundley Drive between Denton Drive and Lakeview Drive to a C-1 classification. Jack Ezzell advised the Board that he had talked to a number of the people who reside on Hundley Drive and that most were in favor of the change. Mr. Jess Stowe requested (to Jack Ezzell) that the lot behind the old laundry building be included in the classification change. Joe Yalenty, City Planner, presented to the Board a proposal to stay within the property lines with the re-zoning, instead of taking a straight 200 feet which would cut through the middle of some of the property.

Chairman Fonteno suggested that the City Planner make a map showing an outline of the proposed re-zoning and that the meeting be recessed until such time.

Ray Pinkerton made the motion to recess until Wednesday, September 1, 1976 at 7:30 P.M.. Jack Ezzell seconded the motion. Vote was unanimous in favor of the recess.

Meeting recessed at 8:45 P.M.

MEETING RECONVENED ON WEDNESDAY, SEPTEMBER 1, 1976 AT 7:30 P.M. with the following members present:

Ray Pinkerton, Mary Mayfield, Howard Davis and Jack Ezzell. Kermit Fonteno was absent.

Continued --

Ray Pinkerton served as Acting Chairman due to the absence of Kermit Fonteno. Mr. Pinkerton called for a motion to waive the reading of the minutes. Jack Ezzell made the motion and it was seconded by Mary Mayfield.

Discussion continued on the possible zoning change on Hundley Drive as stated on the agenda.

Chair recognized Mr. G. O. "Woody" Woodruff and Mr. Lynne Burral of the Regional Airport Investment Company, who requested that their property on Hundley Drive (28.08 acres) remain a C-2 classification.

Chair then recognized Mrs. Helen James, who also requested that her property on Hundley Drive (SW corner of Hundley & Shady Shores Rd.) remain in the C-2 classification.

Board agreed to recommend to the City Council the following points:

1. To have Hundley Drive surveyed.

2. To let all presently zoned C-2 property remain unchanged.

3. To let all public school or church property retain its present classification.

4. To have new boundary's surveyed.

5. Have boundary lines, where possible, follow property lines, or a 200' depth.

Jack Ezzell moved that the City Planner should draw up the above recommendations for initialing by the Board before presenting to Council, Howard Davis seconded the motion. Vote was unanimous in favor of the motion.

Jack Ezzell moved for the meeting to be adjourned, Howard Davis seconded the motion. Meeting adjourned at 9:35 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

July 27, 1976

Members present:

Kermit Fonteno, Chairman
Mary Mayfield
Ray Pinkerton
Howard Davis
Jack Ezzell
Roy Harper, Councilman

Chairman Fonteno called the meeting to order at 7:40 P.M.. Minutes of the previous meeting were read and approved. The first order of business was to select a Vice-Chairman for the Planning & Zoning Board. Chairman Fonteno stated that as he is a property owner that could be affected by the action the Board would take, he would like to open the floor to nominations for a Vice-Chairman to preside over the meeting. Howard Davis made a motion that Ray Pinkerton be chosen to be Vice-Chairman. Mary Mayfield seconded the motion, and the vote was unanimous in favor of Mr. Pinkerton.

There was one item on the agenda as follows:

1. Public Hearing on a possible zoning change for the length of Hundley Drive between Denton Drive and Lakeview Drive to a C-1 classification. Joe Yalenty, City Administrator, presented the City's request for re-zoning. Attached to these minutes are copies of Mr. Yalenty's presentation. After discussion by the Board, citizens were invited to speak pro or con or to ask questions. It was decided by the Board that they needed to delay any decision and recommendation until the next regular meeting date, when they would discuss the matter of re-zoning Hundley Drive further.

Meeting was adjourned at 8:45 P.M..

Margaret Coulter

Margaret Coulter, Secretary

Meeting was taped.

JOINT MEETING

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

&

BOARD OF ADJUSTMENT

JUNE 15, 1976

P & Z Members Present: Kermit Fonteno, Chairman
Howard Davis
Mary Mayfield
Ray Pinkerton
Jack Ezzell

Board of Adjustment Members Present: Alvin Buchanan
Bill Holmes
Anne Kennedy
Kathy Kleam
Bennie Stephens

P & Z meeting was called to order at 7:30 P.M. Three items were discussed as follows:

1. Jimmie Richardson's application for a building permit for a hobby shop on Betchan & Sargent Streets. Building Inspector, Larry Kingston, turned down the application.

2. Ray Weikum's application for a permit to build a personal garage. Building Inspector advised the Board to request that Mr. Weikum re-submit altered plans.

3. R. J. Howard: Needs to move structure (already built) forward to comply with set-back requirements.

Joint meeting of Planning & Zoning Board and Board of Adjustment was called to order at 8:15 P.M. City Administrator, Joe Yalenty, explained duties and responsibilities of the Board of Adjustment and introduced new application forms for Special Use Permits and for Variances (see attached). Members of the Board of Adjustment, to approved by City Council, are as follows: Alvin Buchanan, Bill Holmes, Anne Kennedy, Kathy Kleam and Bennie Stephens.

Meeting adjourned at 9:05 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF MAY 25, 1976

Members present: Kermit Fonteno, Chairman
Mary Mayfield
Howard Davis

Members absent: Ray Pinkerton

Chairman Fonteno called the meeting to order at 7:40 P.M.. Minutes of the May 4, 1976 meeting were read, corrected, and then approved.

A memo from Joe Yalenty, City Administrator, was read by Chairman Fonteno (see attached). Mr. Fonteno said he would like to have more information on the request for zoning change on Hundley Drive. Howard Davis made a motion that more information be obtained; Mary Mayfield seconded the motion.

Chairman Fonteno advised the Board that he has requested some forms from the City of Irving and Dallas Urban Planning, and is in the process of developing an application form to aid Planning and Zoning.

Howard Davis made a motion to adjourn; Mary Mayfield seconded. Meeting adjourned at 8:15 P.M..

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF APRIL 27, 1976

Members present: Kermit Fonteno, Chairman
Mary Mayfield
Ray Pinkerton
Howard Davis
LeeRoy Schramm

Members absent: James Hutto, City Council
Johnny J. Vinson, Mayor

Chairman Fonteno called the meeting to order at 7:55 P.M.. Minutes of the previous meeting were read and approved. There were three items on the agenda as follows:

1. Examination and discussion of an application for a building permit for a hobby shop to be located at the southwest corner of Betchan and Sargent Streets. Applicant is Mr. Jimmie A. Richardson. Mr. Richardson presented his plans to the Board and stated that he felt he should not have to approach the Planning & Zoning Board, but is doing so in the interest of cooperation. He feels he is building a residential garage in an area zoned residential and therefore, sees no reason for P. & Z. action. Mr. Richardson asked that the Board pay particular attention to the City Ordinance that refers to artists working in their homes -- he feels pottery sculpture qualifies as art.

Chairman Fonteno entertained motion to postpone any decision until we can determine whether action from P & Z Board is necessary. Howard Davis made the motion and Ray Pinkerton seconded. Show of hands was unanimously in favor of postponement.
Special meeting was called for Tuesday, May 4, 1976.

2. Discussion of pending construction of a 40' x 40' personal garage at the Shore Drive residence of Ray G. Weikum. Howard Davis made the motion that decision be delayed until the Board can determine whether whether adjacent property owners have to be notified and whether Board can grant variance zoning on rear yard. Mary Mayfield seconded the motion.

3. Acceptance of resignation of Board member LeeRoy Schramm. Mr. Schramm was recently elected to the Lake Dallas City Council.

In other business, Chairman Fonteno suggested that a new building permit application form is needed. Time factor is needed in the interest of professionalism. Also need to have zoning ordinances on hand at P & Z meetings.

Howard Davis made a motion to adjourn. Ray Pinkerton seconded. Adjourned at 9:30 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

SPECIAL MEETING OF MARCH 30, 1976

Members Present: Howard Davis
LeeRoy Schramm
Mary Mayfield
Ray Pinkerton
James Hutto, City Council member

Members Absent: Kermit Fonteno

Meeting was called to order at 7:50 P.M. by Acting Chairman James Hutto. There were two items on the agenda, as follows:

1. Discussion regarding City's request for zoning change from R-I to M-I on property located at 351 Betchan (old gin lot). Letters had been sent to property owners within 200 feet of said lot. Two of these property owners came to the meeting to voice their views. Mrs. Elva Pockrus said she does not want any more "junk" at her back door, and cannot go along with that type of structure (City barn) being built there. She said she is merely trying to protect the investment she has in her property. Mr. Ivan Bounds said he feels that the City will "do what they want to do" and that if the City can do exactly as they please, then he should be able to do anything he wants to his property. Board member, LeeRoy Schramm said he felt that the City should have presented their plans for any building to the Planning & Zoning Board for approval. Other members of the Board felt that to change the zoning on the City property would be spot-zoning and that they have worked hard to eliminate spot-zoning. Ray Pinkerton made a motion to deny the request for a zoning change on the property at 351 Betchan. Howard Davis seconded the motion. Acting Chairman Hutto asked for a show of hands. All four Board members voted in favor of denying request for zoning change.

2. It was decided that since the Chairman was absent, work on the zoning map should be postponed until another work session could be called.

LeeRoy Schramm made a motion for adjournment; Ray Pinkerton seconded the motion. Meeting adjourned at 8:35 P.M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

WORK SESSION MEETING OF MARCH 16, 1976

Members present: Kermit Fonteno, Chairman
LeeRoy Schramm
Ray Pinkerton
Howard Davis
Mary Mayfield

Members absent: James Hutto, City Council
Johnny Vinson, Mayor

Meeting was called to order at 7:50 P.M. by Chairman Fonteno. There were two items on the agenda, as follows:

1. Discussion regarding approving a Resolution to be presented to Council favoring the issuance of a Special Use Permit for C. J. and Mary Mayfield's greenhouse. Chairman Fonteno called for discussion either for or against. Mr. Schramm asked Mrs. Mayfield about parking for customers and she replied that there was room in her driveway for about eight cars. There was no further discussion and Mr. Fonteno called for a motion for a vote. Mr. Schramm made the motion and Howard Davis seconded. Vote was 3 in favor of (Mr. Schramm, Mr. Pinkerton and Mr. Davis), 0 against, and one abstaining (Mrs. Mayfield).

2. Resumed work on the zoning map.

Meeting adjourned at 9:20 P. M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

WORK SESSION MEETING OF MARCH 9, 1976

Members present: Kermit Fonteno, Chairman
LeeRoy Schramm
Mary Mayfield
Howard Davis
Ray Pinkerton
James Hutto, City Council
Johnny Vinson, Mayor

No members were absent.

Meeting was called to order at 7:40 P. M. by Mr. Fonteno. There were three items on the agenda, as follows:

1. Discussion regarding approval of plat for the HarbourTown Villa development.

Discussion included street repairs and fences. Chairman Fonteno said approval of plat should not be contingent on these points. Building Inspector Larry Kingston was present at the meeting, and said that Mr. Cox and Mr. Reeves had complied with all the building codes and had done everything they had said they would do. Mayor, Johnny Vinson, said that he would make sure the street (Cain St.) was repaired. Examination of the plat by Board members followed. Chairman Fonteno called for discussion of opposed views; street repair was again brought up, and Mayor Vinson repeated that he would see to it. No further comments on unopposed views. Motion was made and seconded that the matter be voted on. 4 votes "yes", 0 votes "no". Plat was approved and signed by Chairman Fonteno.

2. Consideration of approval of a Resolution establishing the intent and desire of the Lake Dallas Planning and Zoning Commission that those areas of the city east of Lakeview Drive receive priority consideration for capital improvements.

It was explained to the Board that if the Resolution was passed, the City of Lake Dallas could make application for a Federal Grant of $100,000.00, to be used for a Hydraulic study (study of the drainage problem of the entire city) and for capital improvements in the area mentioned above (curbing and gutters). The following points were discussed: (a) City Administrator, Joe Yalenty, would be in charge of the project; (b) the seriousness of the city's drainage problem; (c) $100,000.00 is the limit that can be applied for by a city with a population under 5,000; (d) it is a grant, not a loan; (e) the grant is for one (1) year, with a possibility of getting more money the following year; (f) money must be used in a low-income area.

Motion was made and seconded that the Resolution be voted on. Vote was 4 to 0 in favor of approving the Resolution.

3. The remainder of the meeting was a work session for researching and up-dating the zoning map. Another work session meeting was scheduled for Tuesday, March 16, 1976 at 7:30 P.M.

Meeting adjourned at 10:20 P. M.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF FEBRUARY 24, 1976

Members present: Kermit Fonteno, Chairman
Mary Mayfield
Howard Davis
James Hutto
LeRoy Schramm

Members absent: Ray Pinkerton
Johnny Vinson

The Lake Dallas City Planning and Zoning Board met on February 24, 1976. This was the regular monthly meeting with no business on the agenda.

The meeting was not officially called to order. Members discussed the following:

1. The need for Planning & Zoning packets for each member. Secretary, Margaret Coulter is to make up packets for next meeting.

2. A work session to begin up-dating zoning map and ordinances. Tuesday, March 9, 1976 was the date agreed on for this meeting.

There being no further business, the Board adjourned.

Margaret Coulter

Margaret Coulter, Secretary

CITY OF LAKE DALLAS

PLANNING & ZONING BOARD

MEETING OF JANUARY 27, 1976

Members present: Kermit Fonteno
Mary Mayfield
Howard Davis
LeRoy Schramm

Members Absent: Jim Culpin
James Hutto
Johnny Vinson

Meeting was called to order at 7:45 P. M. by Mr. Fonteno.

Minutes of the December meeting were not available to be read. They will be read at the next meeting.

The first order of business was study and discussion of plans for apartments on Shady Shores Road. Board discussed drainage problems, parking (off street), number & placement of fire plugs. Larry Kingston was present and briefed the Board on several points concerning the apartments. The Board agreed to give tentative approval of the site plans subject to the recommendations of the Fire Marshall, the City Engineer and the Building Inspector. Howard Davis made the motion and Mary Mayfield seconded the motion.

It was discussed and decided that Board Members who have resigned should return their information packets so that present Board Members can use them.

Board agreed that they would like to work on a long-range plan for the Lake Cities Area. Mr. Kingston suggested that they obtain a twenty year flood plain map from the Corps of Engineers to aid in this study.

Final order of business was the discussion of a replacement for Mr. Jim Culpin, who has resigned from the Board. Mr. Kingston suggested the Board consider Mr. Ray Pinkerton, an architect, as a possible replacement. Mr. Fonteno requested that Mr. Pinkerton be contacted.

Howard Davis made the motion to adjourn and LeRoy Schramm seconded the motion. The motion was carried.

Margaret Coulter

Margaret Coulter, Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on July 18, 2013 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, and Clyde Fisher. Mike McCaleb – Council Liaison to Planning and Zone Commission.
Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for April 18, 2013 meeting.**
Motion to approve the minutes from April 18, 2013 was made by Commissioner Byers; second by Commissioner Fisher.
Ayes: Byers, Fisher, Shelton, Gilbert
Noes: None

Motion Passed

2. **Public Hearing on proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District.**

Chairperson Gilbert asked if the owner of the property or a representative was present. Ronnie Boliver of 520 N Shady Shores Rd came forward. He advised that they would like to change the zoning ordinance so that when someone does want to buy the land it could immediately be sold for commercial purposes such as for a possible grocery store.

Charles Gaynier of 22 Oakwood came forward in regards to this zoning change. He asked exactly what commercial district it was changing to. Char DuPree advised it is being changed to C-1 which is the most restricted. This district allows for retail or professional building, for example a doctor's office or accountant. He asked about the plan for apartments across the street and how they were zoned. She responded that the area for the apartments was rezoned for planned development so it is a completely different zoning district.

Motion Passed

3. **Consideration and Action to approve the proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District.**

Clyde Fisher just added that it was a natural progression for the city. Commissioner Byers also added that it will take time to get anything built in that area.

Motion to accept the proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District was made by Clyde Fisher; second by Diane Byers.

Ayes: Fisher, Byers, Gilbert, Shelton
Noes: None

Motion Passed

4. **Discussion on adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same.**

Chairperson Gilbert asked for background on the topic. Char DuPree advised it came up as a result of Lake Dallas residents wanting to build a small home for their elderly and sick parents on their property. Other communities do have this, either called a guest house or mother-in-law suite, but it is also called an accessory dwelling unit. She advised we do not have an ordinance either for it or against it so when this issue came up it was determined it was better to propose changing the ordinance than just requesting an exception in this one situation.

The residents that initially brought up the request are present and are willing to speak on the details. The packet included a letter written by the resident Lisa Boen and pictures of their home taken by Char DuPree.

Commissioner Fisher asked if this was very common and if it would be worthwhile to go through the ordinance just for one instance. Char DuPree advised it would be good because we would be "ahead of the game" since this won't be an isolated case. We need to have this in place so the city can have rules set in place for future requests. Commissioner Fisher added that it has been an issue with just regular accessory buildings so it is good to already have the restrictions determined.

Char DuPree talked about the spreadsheet that was made up reviewing other Texas cities that already have the Accessory Dwelling Units. She also mentioned that even the AARP said this is a "wave of the future." Commissioner Fisher said he has seen it more himself with more families wanting to live together.

Chairperson Gilbert asked is everyone looked at the information gathered. He also added that he felt it would be best if the setbacks be the same as the primary residence. Char DuPree stated based on her initial research she thought the setbacks should be 10 ft from

each property line, however the city attorney David Burman thought it should also be the same as the primary residence which is 25 ft from the front, 30 ft from the rear and 5 or 7 ft from the side setback, depending on their prospective residential zoning district. She had also initially thought the lot size should be 10,000 sq ft but after talking to the City Manager Ristagno they determined it should be around 12,000 sq ft which is a little less than a third of an acre. Chairperson Gilbert added it would take a large piece of property anyway and Commissioner Fisher asked how many properties would even qualify. Char DuPree responded that she wasn't sure of the number but there can't be many. The Boen's have almost an acre so they have an ideal piece of land for this situation.

Commissioner Fisher said it makes good sense to go ahead and change the ordinance instead of asking for an exception in this one instance. Char DuPree suggested that each project could still need approval by city council and Commissioner Fisher said he felt it isn't necessary. A standard can just be set and if anyone wants to have a variance from that standard, at that time they can go through the city council.

Lisa and Bryan Boen from 703 Payton St Lake Dallas came up to speak with the Commission members. She handed all of them a picture of Bryan's parents taken in 2010. She thanked everyone for considering the zoning change. Both parents are very sick and can barely get out of bed. They live in a small town just south of Stephenville with the roundtrip to Lake Dallas being eight hours. They are sure moving them to this area will help them to have better healthcare options. They understand there are other places they could live; such as a nursing home, but this is what they feel is best for their family. She also mentioned how the surrounding cities have these ordinances already set in place and that Lake Dallas needs to join them. The Boen's understand the city need to set restrictions for this type of request, but, they are hopeful that this zoning ordinance can pass as they do have a unique piece of property that would fit this situation perfectly. It was also explained how they cannot add an addition to their home because of the setbacks and problems with sewer and drainage. This additional building will just be added to the large piece of their property that is not otherwise being utilized.

Mr. Boen asked if anyone had any questions. Clyde Fisher just confirmed it was for his parents and asked again for the city that they currently live in. Gilbert just reiterated that tonight is just a discussion and it will be voted on in the next meeting. He also instructed the Boens to go ahead and get their plans set up and they mentioned they have already given the tentative restrictions to their chosen builder.

This is when Kathy Montalvo came up asking if this will affect Kingswood Mobile Home Park at all. It was determined that she meant to speak on the other zoning change on swisher. Commissioner Byers told her it shouldn't affect her as it won't be any different than when swisher courts was built near their property.

F. Future Agenda Items:

Char DuPree said the only thing for next month is adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes.

G. Adjournment

Motion to adjourn was made by Commissioner Byers; second by Commissioner Gilbert.

Motion Passed

The meeting adjourned at 7:25 PM

Ben Gilbert, Chair

Khara Sherrill

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on March 21, 2013 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Diane Byers, and Clyde Fisher. Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Lisa Everett.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one was present to come forward. And Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for February 21, 2013 meeting.**
Motion to approve the minutes for February 21, 2013 was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Diane Byers, and Clyde Fisher.
Noes: None.

Motion Passed

2. **Public Hearing to approve the proposed rezoning of Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retail District. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article VIII, C-1 Retail District, Section 122-321 (2)(d), allows for application to be made. This property is located at 215 Swisher Rd, Lake Dallas, Texas.**

Rachel and Mike Mohn of 129 Whitney Dr. , Hickory Creek, Texas stated that their request for the Rezoning of 215 Swisher Rd. to a Farmers Insurance office would have little impact on traffic as most of their business in conducted online and over the phone. There are four employees total and three of those are part-time. The hours of operation would be 8:30 until 5:30 Monday through Friday. Rachel stated she has been an agent for 13 years and her current office which her company has outgrown is located at 303 Swisher Rd. does not have a lot of foot traffic. Rachel stated that she wants her business to stay rooted in the community but she needs a larger space.

Chairperson Gilbert asked whether or not they currently owned the property?
Mike Mohn stated that yes they have already made the purchase.

Commissioner Fisher asked if the pool was filled in yet?

Rachel Mohn stated that they were already working on plans to fill in the pool. Mike Mohn said that if the Rezoning was approved, the dirt removed to prepare the parking lot will be used as fill in.

Commissioner Fisher asked about the wood deck.

Mike Mohn explained that the deck was not a part of the property he purchased.

Chairperson Gilbert asked if anyone in attendance wanted to speak to the agenda item.

Marvin Chisum of 204 Hillcrest St, Lake Dallas, Texas voiced concern that approving the possible Zoning change could open the door to SOBs, liquor stores and gas stations in his neighborhood. Chisum's concerns are about increased traffic and safety for the children in the neighborhood. Chisum stated that if more businesses locate to the area he wants a brick wall built to buffer the noise.

Char DuPree explained that C-I is the most restrictive Commercial Zoning. The concerns mentioned do not fall in this type of zoning.

Commissioner Fisher stated that due to the bridge this area is going to eventually become commercial. When someone sells their home they will not be able to sell and it will sit vacant unless zoning changes are eventually made.

Joan Fortune of 507 Oak Crest stated she does not want the area to become a commercial area.

Commissioner Byers stated that eventually the entire area will go commercial.

Ken Howe of 205 Swisher Rd., Lake Dallas, Texas is concerned about the slowly making the transition to commercial stating the entire street should be rezoned all at the same time. The concerns of the homes remaining residential not being maintained and sitting empty if current owners move could be a real problem if the zoning were not changed.

Commissioner Fisher compared the transition of this area to the transition that took place in Ole Town Lewisville several years back, explaining it was a process and it took time.

Bonnie Brown of 299 Texhoma, Hickory Creek, Texas and has rental property in Lake Dallas sold this property to the Mohn's. Brown stated that the Mohn's knew it was zoned residential but they made the purchase hoping that the rezoning would take place. Brown stated that the Mohn's are the kind of people you want as neighbors.

Sherry (last name unknown) 509 Hillcrest, Lake Dallas, Texas asked if a traffic light could be installed due to traffic.

Chairperson Gilbert stated that call is not for the City of Lake Dallas to determine.

Chairperson Gilbert closed the Public Hearing.

3. **Consideration and Action to approve the proposed rezoning of Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retail District.**

Commissioner Gilbert asked if the Mohn's had thought about the impact of drainage due to the parking lot.

Mike Mohan said he had thought about that and was working on a resolution.

Commissioner Fisher asked about the current drainage.

Mike Mohn stated that the elevation now drains to the back of the property.

Char DuPree stated that the parking lot will require a permit and an engineer's report and drainage would be addressed at that time.

Chairperson Gilbert asked if there were any questions. There were no further questions. Clyde Fisher thanked theMohn's.

Motion to rezone Lot 34, Block F of Oak Lakes Subdivision, City of Lake Dallas, Denton County, Texas from R-1-7200 Single-Family Dwelling District to C-1 Retai District was made by Clyde Fisher; second by Diane Byers.
Ayes: Ben Gilbert, Clyde Fisher, and Diane Byers.
Noes: None.

Motion Passed

F. Future Agenda Items:

Char DuPree stated we are still waiting on the plans for the Apartments and she expects something by April or May.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Clyde Fisher.

Motion Passed

The meeting adjourned at 7:40 p.m.

Ben Gilbert, Chair

Lisa Everett, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on August 15, 2013 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Clyde Fisher and Commissioner Jenny Warmbrodt and Mike McCaleb – Council Liaison to Planning and Zone Commission. Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for July 18, 2013 meeting.**
Motion to approve the minutes for July 18, 2013 was made by Clyde Fisher ; second by Diane Byers.
Ayes: Byers, Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

2. **Public Hearing for action to approve an ordinance adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions.**

Lisa Boen of 703 Payton St came forward. She just advised she was present to thank everyone for passing the ordinance and apologized that she didn't have the items needed to actually start the build.
Chairperson Gilbert closed the public hearing at 7:06 pm.

3. **Consideration and Action to approve an ordinance(s) adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same.**

Chairperson Gilbert asked Char DuPree to give an overview for the new member of the commission Jenny Warmbrodt. Char DuPree reviewed how it all started with the Boen's wanting to build a small home on their large piece of property for their elderly parents that are not in good health. According to the current ordinance they could not build an additional dwelling unit on their land. The Community Development department

did research to see what other cities have in place for accessory dwelling units. Through that research and discussion the City Council and Planning and Zoning Commission thought it was good to pass this ordinance and have the guidelines set in place for this and future instances. It won't matter what district they are in, whether is it is R-1-6000, R-1-7200 and R-1-10000 since the minimum lot size would have to be 12,000 sq ft to even build. Clyde Fisher asked if the R-1-6000 district would qualify. Everyone was reminded that the Boen's house is in R-1-6000 district but they have a large amount of land. After the last city council meeting it was determined the ordinance could be passed at this Planning and Zoning Meeting and the Boen's hope to bring the replat for their property to the next meeting.

Motion to approve an ordinance(s) allowing the use of accessory buildings for dwelling purposes as written for R-1-6000, R-1-7200, and R-1-10000 was made by Diane Byers; second by Jenny Warmbrodt.
Ayes: Byers, Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

Motion Passed

F. Future Agenda Items

Char Dupree advised there isn't anything set right now but at sometime this year, possibly September, there will be some ordinance changes that will need to be reviewed for approval.

G. Adjournment

Motion to adjourn was made by Fisher; second by Shelton.

The meeting adjourned at 7:12 .

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on July 18, 2013 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, and Clyde Fisher. Mike McCaleb – Council Liaison to Planning and Zone Commission.
Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for April 18, 2013 meeting.**
Motion to approve the minutes from April 18, 2013 was made by Commissioner Byers; second by Commissioner Fisher.
Ayes: Byers, Fisher, Shelton, Gilbert
Noes: None

Motion Passed

2. **Public Hearing on proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District.**

Chairperson Gilbert asked if the owner of the property or a representative was present. Ronnie Boliver of 520 N Shady Shores Rd came forward. He advised that they would like to change the zoning ordinance so that when someone does want to buy the land it could immediately be sold for commercial purposes such as for a possible grocery store.

Charles Gaynier of 22 Oakwood came forward in regards to this zoning change. He asked exactly what commercial district it was changing to. Char DuPree advised it is being changed to C-1 which is the most restricted. This district allows for retail or professional building, for example a doctor's office or accountant. He asked about the plan for apartments across the street and how they were zoned. She responded that the area for the apartments was rezoned for planned development so it is a completely different zoning district.

Motion Passed

3. **Consideration and Action to approve the proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District.**

Clyde Fisher just added that it was a natural progression for the city. Commissioner Byers also added that it will take time to get anything built in that area.

Motion to accept the proposed zoning change of approximately 23 acres at the northeast corner of Shady Shores Road and Swisher Road from R-1-10000 to C-1 Retail District was made by Clyde Fisher; second by Diane Byers.

Ayes: Fisher, Byers, Gilbert, Shelton
Noes: None

Motion Passed

4. **Discussion on adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes and establishing conditions and guidelines for same.**

Chairperson Gilbert asked for background on the topic. Char DuPree advised it came up as a result of Lake Dallas residents wanting to build a small home for their elderly and sick parents on their property. Other communities do have this, either called a guest house or mother-in-law suite, but it is also called an accessory dwelling unit. She advised we do not have an ordinance either for it or against it so when this issue came up it was determined it was better to propose changing the ordinance than just requesting an exception in this one situation.

The residents that initially brought up the request are present and are willing to speak on the details. The packet included a letter written by the resident Lisa Boen and pictures of their home taken by Char DuPree.

Commissioner Fisher asked if this was very common and if it would be worthwhile to go through the ordinance just for one instance. Char DuPree advised it would be good because we would be "ahead of the game" since this won't be an isolated case. We need to have this in place so the city can have rules set in place for future requests. Commissioner Fisher added that it has been an issue with just regular accessory buildings so it is good to already have the restrictions determined.

Char DuPree talked about the spreadsheet that was made up reviewing other Texas cities that already have the Accessory Dwelling Units. She also mentioned that even the AARP said this is a "wave of the future." Commissioner Fisher said he has seen it more himself with more families wanting to live together.

Chairperson Gilbert asked is everyone looked at the information gathered. He also added that he felt it would be best if the setbacks be the same as the primary residence. Char DuPree stated based on her initial research she thought the setbacks should be 10 ft from

each property line, however the city attorney David Burman thought it should also be the same as the primary residence which is 25 ft from the front, 30 ft from the rear and 5 or 7 ft from the side setback, depending on their prospective residential zoning district. She had also initially thought the lot size should be 10,000 sq ft but after talking to the City Manager Ristagno they determined it should be around 12,000 sq ft which is a little less than a third of an acre. Chairperson Gilbert added it would take a large piece of property anyway and Commissioner Fisher asked how many properties would even qualify. Char DuPree responded that she wasn't sure of the number but there can't be many. The Boen's have almost an acre so they have an ideal piece of land for this situation.

Commissioner Fisher said it makes good sense to go ahead and change the ordinance instead of asking for an exception in this one instance. Char DuPree suggested that each project could still need approval by city council and Commissioner Fisher said he felt it isn't necessary. A standard can just be set and if anyone wants to have a variance from that standard, at that time they can go through the city council.

Lisa and Bryan Boen from 703 Payton St Lake Dallas came up to speak with the Commission members. She handed all of them a picture of Bryan's parents taken in 2010. She thanked everyone for considering the zoning change. Both parents are very sick and can barely get out of bed. They live in a small town just south of Stephenville with the roundtrip to Lake Dallas being eight hours. They are sure moving them to this area will help them to have better healthcare options. They understand there are other places they could live; such as a nursing home, but this is what they feel is best for their family. She also mentioned how the surrounding cities have these ordinances already set in place and that Lake Dallas needs to join them. The Boen's understand the city need to set restrictions for this type of request, but, they are hopeful that this zoning ordinance can pass as they do have a unique piece of property that would fit this situation perfectly. It was also explained how they cannot add an addition to their home because of the setbacks and problems with sewer and drainage. This additional building will just be added to the large piece of their property that is not otherwise being utilized.

Mr. Boen asked if anyone had any questions. Clyde Fisher just confirmed it was for his parents and asked again for the city that they currently live in. Gilbert just reiterated that tonight is just a discussion and it will be voted on in the next meeting. He also instructed the Boens to go ahead and get their plans set up and they mentioned they have already given the tentative restrictions to their chosen builder.

This is when Kathy Montalvo came up asking if this will affect Kingswood Mobile Home Park at all. It was determined that she meant to speak on the other zoning change on swisher. Commissioner Byers told her it shouldn't affect her as it won't be any different than when swisher courts was built near their property.

F. Future Agenda Items:

Char DuPree said the only thing for next month is adding a provision to the zoning ordinance to allow the use of accessory buildings for dwelling purposes.

G. Adjournment

Motion to adjourn was made by Commissioner Byers; second by Commissioner Gilbert.

Motion Passed

The meeting adjourned at 7:25 PM

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on January 17, 2013 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, and Clyde Fisher. Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one was present to come forward.

E. Business:

1. **Consideration and Action on approval of Minutes for December 6, 2012 meeting.**
Motion to approve the minutes for December 6, 2012 was made by Clyde Fisher; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Clyde Fisher.
Noes: None.

Motion Passed

2. **Consideration and Action to approve the proposed replat of Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16 of the Lake Dallas Sites into 3 lots becoming 104, 106, 108 Pearl Street.**

Clyde Fisher recused himself as he is the owner of the property listed in the agenda which is in consideration for a proposed replat and proposed site plan.

Clyde Fisher of 747 Carlisle, Lake Dallas, Texas stated that his request for the Planning and Zoning Commission is that the fourteen lots mentioned be replatted into three lots, making them big enough on which to build homes. He mentioned that his plan, should he get permission from the Commission and City Council, is to build three houses similar to ones he built about a year and a half ago. The homes will be one story starter homes that will each be about 1500 square feet with three bedrooms, two bathrooms, and double garages. He stated everything will comply with the regulations of the R-1-6000 Zoning that is currently in place for this area. He said he looked forward to getting approval and getting started around the first of February. He asked if anyone had any questions, while stating that Char DuPree had house plans available similar to what should be expected.

He added that he would be adding fireplaces to these homes, as fireplaces seem to add value to homes. He explained that he was doing everything he could to save the trees, as he may have to move one home back a little in order to save a particular tree.

Chairperson Gilbert asked whether or not the City staff or City Engineer had looked over the plans and approved the drainage and other relevant items, to which Char DuPree answered that they were on their way to Tom Hoover, the City Engineer, adding that Clyde Fisher has met with LCMUA, as well. Clyde Fisher agreed and added that he has already been to Oncor, who is putting in new overhead poles for electricity at the site. He said the homes will be all electric. He explained there is already sewer and water at the site and he has made arrangements with LCMUA about where to place any lines. Chairperson Gilbert questioned whether or not there was natural gas, to which Clyde Fisher replied that he did not think gas was present in that area. Char DuPree confirmed and together they said there would not be gas in the homes. Clyde Fisher added that while gas was good, he feels all electric will be fine. He plans to put a good energy package in the homes. He feels he will market the homes somewhere in the $130,000 range, but he still has to look at all of the construction costs. These will be starter homes, however he hopes to fill them up. He feels the close proximity to the primary school and the sidewalks, which will be added with the widening of Lakeview, will be assets to young families. Char DuPree said she feels the fireplace is a good idea. Clyde Fisher agreed, saying the fireplace is an added cost, but he believes it will sell.

Chairperson Gilbert asked if there were any questions. There were no further questions. Clyde Fisher thanked the Commission.

Motion to accept the proposed replat of Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16 of the Lake Dallas Sites into 3 lots becoming 104, 106, 108 Pearl Street as is was made by Diane Byers; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, and Diane Byers.
Noes: None.

Motion Passed

3. **Consideration and Action to approve the proposed site plan for 104, 106, 108 Pearl Street.**

Char DuPree addressed the Commission, explaining they had before them the civil plans that are being reviewed by Tom Hoover, the City Engineer. She added that Clyde Fisher would make whatever changes were necessary to conform. She said she has not gotten any feedback from Mr. Hoover at this point in regards to him having any issues with the plans.
Motion to accept the proposed site plan for 104, 106, 108 Pearl Street was made by Diane Byers; second by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton, and Diane Byers.
Noes: None.

Motion Passed

F. Future Agenda Items:

Char DuPree stated there are two items coming up: 1) the apartment site plan with extensive details in order to avoid issues and 2) a Special Use Permit for the old Houghton house on Dobbs and Shady Shores, where there was once an SUP for a Montessori school, for a weekend craft retreat house for ladies.

Clyde Fisher asked if the apartments would be discussed at the next Planning and Zoning meeting. Char DuPree answered that the apartment developer was planning on it, stating that the next meeting would be on the third Thursday in February.

Char DuPree explained that since the Montessori school changed the inside of the home on Dobbs, the house would have to have a lot of work to become a residence again. It is zoned residential, but the SUP has been applied for. Clyde Fisher added that he showed this house, which had been on the market for a long time, saying he was disappointed at having to show the inside of the house. He said there were ceiling leaks and stains, saying they had really let the house go downhill. He stated that it was a beautiful looking home on about two acres. Char DuPree added that they filled in the swimming pool and they would do a lot of work to fix the other problems.

Char DuPree told the Commission that the lady applying for the SUP has been involved in this type of business before; apparently she has a couple of these businesses, one in McKinney and one in Frisco. Clyde Fisher inquired whether or not this was religious. Char DuPree replied that it is not, explaining that it is a craft retreat. Diane Byers added that her boss does this about two or three times a year; friends get together and stay at the house for the weekend. Customers take their scrapbook supplies, they learn how to do different things, and they pay for lodging, food and other supplies. Clyde Fisher stated that the house is large and open, making it good for this.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Ben Gilbert.

Motion Passed

The meeting adjourned at 7:15 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on December 6, 2012 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, and Clyde Fisher. Staff present: City Manager Earl Berner, Chief Nick Ristagno, Community Development Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for October 18, 2012 meeting.**
Motion to approve the minutes for October 18, 2012 was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Clyde Fisher.
Noes: None.

Motion Passed

2. **Public Hearing on a proposed rezoning of a 7.29 acre portion of Tract 20 of the A0424a French Survey, City of Lake Dallas, Denton County, Texas from Agriculture to Planned Development. This Property is located at 502 Shady Shores, Lake Dallas, Texas.**

Barbara Garrison of 508 N Shady Shores Road, Lake Dallas, Texas came forward to represent her family in requesting that the property described above be rezoned from Agriculture to Planned Development. She referred questioning to Bill Fisher.

Bill Fisher of 5430 LBJ Freeway, Suite 1200, Dallas, Texas came forward on behalf of Odyssey Residential Holdings, the contract party to buy the property from the Bolivar Estate in order to develop a multi-family property using the Planned Development approach. He stated they first contacted the owners as the property was advertised for sale. The location of the property made it a candidate for multi-family property. He explained how he met with the City in regards to how to approach the development idea. He explained some of the development plans, site plan details and details about the apartments.

Commissioner Clyde Fisher inquired about the rental being subsidized housing. Bill Fisher explained that 10% of the units are equipped for veterans and families with disabilities. Money from the state goes towards equipping these units. To answer Commissioner Fisher, Bill Fisher stated there are no HUD, no Secion 8, and no Housing Authority of any kind. Bill Fisher stated that this is a Market Rate development, stating that rent averages approximately $1.20 per square foot.

Commissioner Fisher inquired about parking, and Bill Fisher assured the Commission that the parking was adequate given the number of units. He showed proposed building plans.

Chairperson Gilbert reminded all that this meeting was strictly for considering the rezoning.

Commissioner Byers inquired about the setbacks on the back property lines, referring to whether the units will be able to see into the houses of the neighboring properties. Bill Fisher said there is a 25 foot setback from the perimeter of the property to the single-family neighborhood next to it. He added that the heavily tree-lined setback that exists will not be changed, retaining the natural screening.

Bill Fisher explained these are two and three story buildings and there are only two buildings on the back along that line, believing only eight apartment units total that look into the neighborhood. Commissioner Byers asked whether the setback is 25 or 15 feet. Bill Fisher stated that the setback was 25 feet from the property line to the building.

Chairperson Gilbert reminded everyone that this was a public hearing, explaining this was the only time it was appropriate for citizens to come forward with questions, comments or concerns.

Nick Bazaldva of 491 Liberty Way, Lake Dallas, Texas asked how many individual apartments would there be, to which Bill Fisher answered 140.

Levi Dartt of 498 Grayson, Lake Dallas, Texas stated that the Oaks community was concerned that this development would negatively affect their property values and potentially increase transient people living in the area, causing issues with the people who live in the nearby neighborhoods.

Chairperson Gilbert asked if anyone else wanted to come forward and as no one else came forward, he closed the public hearing.

3. **Consideration and Action to approve the rezoning of a 7.29 acre portion of Tract 20 of the A0424a French Survey, City of Lake Dallas, Denton County, Texas from Agriculture to Planned Development. This Property is located at 502 Shady Shores, Lake Dallas, Texas.**

Commissioner Fisher asked for confirmation of the exact location of the property on the map that was given in the Planning and Zoning information packets. He asked about the rectangular strip of land between the two properties. Char DuPree explained

that this is part of the Oaks at North Lakeview common area. It is also a flood zone so there will be no development there. Commissioner Fisher stated that this would be a buffer zone between the apartments and the neighboring houses.

Chairperson Gilbert asked for any further comments. There were none, so he asked for a motion.

Motion to accept the proposed rezoning of the property from R1-10,000 to PD-R3 was made by Clyde Fisher; second by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers and Clyde Fisher.
Noes: None.

Motion Passed

F. Future Agenda Items:

Char DuPree stated that the only current item planned for January 2013 is the site plan for the apartment project, which should be a regular Planning and Zoning meeting.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Clyde Fisher.

Motion Passed

The meeting adjourned at 7:22 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on October 18, 2012 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, and Clyde Fisher. Staff present: City Manager Earl Berner, Community Development Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for September 20, 2012 meeting.**
Motion to approve the minutes for September 20, 2012, with the correction of Diane Byers' name, was made by Clyde Fisher; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Clyde Fisher.
Noes: None.

Motion Passed

2. **Public Hearing on a proposed rezoning of Tract 53 of the A0284a Cobb Survey, City of Lake Dallas, Denton County, Texas from C-1 to C-3. This Property is located at 314 Carlisle Drive, Lake Dallas, Texas.**

Tony Marino of 727A Main Street, Lake Dallas, Texas, presented the zoning request of his property from C-1 to C-3. Mr. Marino stated the location and details of the property, including that there is currently a tenant. He explained that the objective is to turn the property into outdoor parking for RVs and boats. He explained how the property would be fenced and screened, adding that it was a temporary use of the property. He said the proposed changes would allow for the potential to adapt as development moves to the Lake Cities.

Mr. Marino asked for a temporary waiver of the solid base to a flex or concrete base. He is looking into wood or metal fencing and an electric gate similar to that of Ace Hardware and plans to plant bushes that would act as screening and be visually appealing. He stated that it would add another tax base for businesses in town, then asked if anyone had any questions.

Commissioner Fisher asked if the fencing facing Carlisle Drive would be wood or metal. Mr. Marino restated that the decision had not been made, however it would be solid wood with stain or metal with a solid shrub screening. Mr. Marino added that entrance to the business would be on the right of the property rather than the front. Mr. Marino restated that he thought as City growth continues the property might be able to develop into even more viable opportunities in the future. Potential future business ideas were discussed.

Commissioner Fisher asked about whether engineers would need to be contacted regarding water run-off. Mr. Marino said that is not an issue at this point.

Chairperson Gilbert reminded the Commission that the issue at hand was the re-zoning request. City Manager Berner explained the relevance of potential businesses to the re-zoning.

Commissioner Byers asked what the property around 315 Carlisle is zoned. Mr. Marino said right next to it is the railroad and on the frontage is an open property which is C-1. The body shop is diagonally positioned and southeast is R1-7200. Chairperson Gilbert pointed out that the property borders a residential area.

Commissioner Fisher asked if it was against the zoning ordinance to pull trailers on Carlisle Drive. Code Enforcement Officer Char DuPree agreed that trucks with trailers are not allowed. Mr. Fisher explained that trucks pulling campers would have to use Lake Dallas Drive and Mr. Berner agreed.

Mr. Gilbert added that the rental house located on the property is non-conforming under C-1, therefore it would no longer be allowed to be a rental home if the property was rezoned C-3. Mr. Marino was under the impression that this situation would fall under the grandfather rule but Ms. DuPree stated it did not. She explained that as a result of the zoning change, the property would then have to follow the C-3 zoning regulations. She added that the Downtown Overlay District does not extend to this property for mixed use. Discussion took place regarding the home on the property. Suggestions were as follows: the building could be used commercially or the land could be re-plated.

Glenn Manos of 316 Carlisle came forward to oppose the re-zoning, saying that his concern is that it would become a junk yard and drop the value of his property. No one else came forward.

Ms. DuPree was asked to list what was allowed in both C-1 and C-3 zones. Mr. Fisher expressed concern that C-3 allowed heavier use. Additionally, he was concerned about the traffic on Carlisle Drive since heavy trucks and trailers are prohibited.

Ms. Byers asked Mr. Marino if he still wanted to continue with the request, asking if he wanted to tell his tenants they would have to move. Mr. Marino answered that his tenants were on a contract, so he would respect the opinions and decision of the Committee.

3. **Consideration and Action to approve the rezoning of Tract 53 of the A0284a Cobb Survey, located at 314 Carlisle Drive, City of Lake Dallas, Denton County, Texas from C-1 to C-3.**

Motion to deny the proposed rezoning of Tract 53 of the A0284a Cobb Survey, City of Lake Dallas, Denton County, Texas from C-1 to C-3 was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers and Clyde Fisher.
Noes: None.

Motion Passed

F. Future Agenda Items:

Char DuPree stated there would be a meeting next month for a proposal for a planned development for apartments on a portion of the Boliver property at Swisher and Shady Shores. There will be 140 units. The property is currently zoned agricultural, R1-10,000.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Clyde Fisher.

Motion Passed

The meeting adjourned at 7:35 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on September 20, 2012 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Gilbert, Commissioners Peggy Shelton and Clyde Fisher. Absent: Commissioner Diane Byers, Alternate Terry Tuck and City Council Liaison. Staff present: City Manager Earl Berner, Community Development Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for March 17, 2012 meeting.**
Motion to approve the minutes for March 17, 2011 was made by Ben Gilbert; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, and Clyde Fisher.
Noes: None.

Motion Passed

2. **Public Hearing on a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive, City of Lake Dallas, Denton County, Texas.**

Bob MacDonald of 505 Thompson Drive, Lake Dallas, Texas came forward to explain the request for the ice and water machine. He expressed the main idea behind the structure is the convenience of purchasing ice and water. He explained that the tie to the existing business and the growing market for filtered water were also motivating factors. He explained the filtration process and the product that will be provided.

Mr. MacDonald asked if there were any questions. Mr. Fisher asked if the building used its own receptacle. Mr. MacDonald said the only discharge is potable water, melted ice, and any excess will normally run into the sewer. Mr. Fisher commented on the attractiveness of the structure and Mr. MacDonald agreed and added that it can put out 180 bags of ice a day. He stated that he had a contractor lined up to fulfill the installation of the structure.

Mr. Fisher asked how soon he would like to get started with construction and Mr. MacDonald said he would like to get started as soon as possible, especially because the company was still in the surrounding area fulfilling a contract with Dallas, making it convenient for them to come by for the final installation and explanation of how it operates.

Ms. DuPree stated that permits would have to be obtained. Mr. MacDonald expressed agreement.

Mr. Gilbert stated that this was a public hearing and asked if anyone wanted to come forward. No one came forward.

3. **Consideration and Action to approve a Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive, City of Lake Dallas, Denton County, Texas.**

Motion to approve the Special Use Permit to allow the installation of an ice and water vending machine structure located at Ace Hardware, 505 Thompson Drive, City of Lake Dallas, Denton County, Texas was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, and Clyde Fisher.
Noes: None.

Motion Passed

F. Future Agenda Items:
Char DuPree explained there would be a meeting the third Thursday in October to address two rezoning requests. The first request is for the Boliver property, requesting to rezone from Agricultural R1-10,000 to Planned Development with the intention to build apartments. The second request to rezone is from C1 to C3. This is Tony Marino's property on Carlisle, and he is looking at using the property for vehicle storage.

G. Adjournment

Motion to adjourn was made by Peggy Shelton; second by Clyde Fisher.

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on March 15, 2012 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with the notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Diane Byers, Peggy Shelton, Clyde Fisher and Mike McCaleb. Absent: Alternate Terry Tuck and City Council Liaison James Harper. Staff present: Community Development Char DuPree and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for February 16, 2012 meeting.**
Motion to approve minutes for February 16, 2012 was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Mike McCaleb.
Noes: None.

Motion Passed

2. **Public Hearing on a proposed Special Use Permit to allow the use of arcade and video games at the property located at 501 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial.**

Aziz Bhimani, 1705 Metocrest Drive in Carrollton, explained the purpose of his request is to provide an arcade with games for children to play while their parents are frequenting the nearby Laundromat, believing it will keep them from running around on the streets. He stated that he understands the child curfew law and will maintain hours of operation that abide by the curfew law.

Chairperson Gilbert invited anyone in the public to come forward with comments or questions. As no one came forward, he closed the public hearing.

3. **Consideration and Action to approve the proposed Special Use Permit to allow the use of arcade and video games at the property located at 501 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1355a Wright, Tract 78, and it is zoned C-3 Commercial.**

Clyde Fisher made note of the list of games, which Mr. Bhimani agreed were listed on the back of the SUP application.

Mike McCaleb addressed the issue of chaperones and how many would be on site. Mr. Bhimani answered that his father, a hired security guard, other employees and sometimes himself will be on site.

Mike McCaleb asked if refreshments would be available. Mr. Bhimani said that no snacks will be provided, as customers may frequent the nearby convenience store. He added that initially food and beverages were going to be provided at an adult section near the pool table, however it was decided that the place would be for children only.

Mike McCaleb asked if there will be an age minimum. Mr. Bhimanit stated that there will be no age minimum and children would be allowed as long as parents are aware and give their permission. He added that the security guard is on duty should there be any mishap.

Clyde Fisher asked Mr. Bhimani if he has ever ran a video game store before. Mr. Bhimani answered that he has ran a video games store and currently has one in Houston. He added that he has convenience stores and gas stations, two in Houston and two in Dallas. He went on to say that this sort of business is what his family does.

Clyde Fisher asked for the square footage of the building. Mr. Bhimani did not know as he stopped work there as soon as he found out about the Special Use Permit, not wanting to put money into the arcade until he heard whether or not he would be allowed to open the business.

Clyde Fisher asked what was in the space before. Mr. Bhimani said it used to be a thrift store and before that it was a post office.

Char DuPree noted that she had a picture of the inside of the space in question and the photo was passed among the committee. At this time Mr. Bhimani explained that he will decorate the inside of the space but does not plan to do any construction.

Clyde Fisher inquired about the noise level. Mr. Bhimani explained that the volume levels are adjustable but his experience has shown that the noise is what attracts business. He stated that the noise would not be so loud as to be heard across the street. He added that he is still undecided about whether or not to play music but if music is played, the genre of music will be chosen age appropriately.

Mike McCaleb addressed the issue of ebb and flow in daily business, assuming Mr. Bhimani is prepared for that, stating more business would require more supervision. Mr. Bhimani explained that he has interviewed more than eighty people; therefore he feels he has options should he begin the business and see that he needs more employees.

Mr. Bhimani stated that he is in the process of buying the whole strip of property should he receive approval for the arcade. He explained that the convenience store was opened to run off the arcade, so he does not foresee continuing the convenience store should the arcade not receive approval, at which time he would not buy the property.

Mike McCaleb inquired as to whether Mr. Bhimani has made plans for signage, to which he answered that there was signage at the property and further signage was put on hold awaiting the outcome of the Special Use request.

Clyde Fisher asked what other types of business Mr. Bhimani envisions will open there. Mr. Bhimani explained that the current businesses will continue to operate there and there are no spaces available for a new business at this time.

Mike McCaleb asked Mr. Bhimani if he was going to buy the Laundromat. Mr. Bhimani explained that the laundry mat was part of the property owned by his family and the owner of the Laundromat has a six year lease on the space and the machines. He added that the salon has a six year lease as well. Each business will take care of its own responsibilities as usual. He explained that his father oversees the convenience store and will oversee the arcade, too, since he is occupied with his construction business which often takes him out of town. Should the Special Use Permit be approved and his family buys the property, Mr. Bhimani's father will manage the property. While they have the option to end the leases at this point, he feels this is too much to undertake and everyone should continue to operate their own businesses.

Chairperson Gilbert stated that they must decide how long the Special Use Permit will be granted.

Clyde Fisher inquired about the amount of parking space available. Mr. Bhimani stated that there are parallel parking spaces available in front and an adequate parking lot in the back. An agreement has already been made with the boat storage business so that boats will be moved if more parking is needed for Mr. Bhimani's business.

Diane Byers asked Mr. Bhimani how long he would like the Special Use Permit to be. He stated that he was unaware there was a time limit but felt he would need at least six months to one year to see how successful the business would be. Clyde Fisher recommended one year, and Diane Byers agreed but at a minimum of one year. Mr. Bhimani agreed and explained that the idea arose because the security guard said there was nothing for the children to do. He added if the children had something to do they would not be on the streets.

Clyde Fisher expressed concern that traffic could be a situation if children are riding bikes as the street is not very wide. Mr. Bhimani is not aware of bicycle riders but has seen motorcycle riders. Clyde Fisher pointed out there sidewalks are not present along the street.

Mike McCaleb asked what Mr. Bhimani will do if a 25 or 30 year old person comes into the arcade. Mr. Bhimani replied that there is a place in the back for adults waiting on children to relax and watch TV. If an older person wanted to relax there while waiting on their laundry, there will be a flat screen TV and free Wi-Fi available. Mike McCaleb asked if there was going to be anything in back where people could get into trouble while. Mr. Bhimani assured him there was nothing back there for anyone to get into trouble. He explained how they had considered allowing customers to bring alcohol into that area of the arcade but decided against allowing alcohol in order to avoid causing issues with the City or other local businesses.

Chairperson Gilbert asked if Mr. Bhimani was aware that should the Special Use Permit be approved, he would have to reapply for another one once the current one expires. Mr. Bhimani said he was not previously aware of this but as he sees no other option, he accepts the fact that he will have to request a new Special Use Permit in order to continue his business. Clyde Fisher asked if this could be waived. Chairperson Gilbert said we do not normally like to waive the reapplication. Diane Byers noted that should Mr. Bhimani reapply for the Special Use Permit, it would not necessarily be limited to one year and Chairperson Gilbert agreed.

There was discussion among the committee as to the number of years that should be allowed for this permit. Mr. Bhimani explained that he would be losing money the first six to eight months due to costs of the business. Diane Byers expressed that the nature of this business necessitates a longer time, maybe two to three years, even five. Mr. Bhimani felt two or three years would give him a good indication of the success of the business.

Motion to approve the Special Use Permit for three years was made by Diane Byers.

Clyde Fisher expressed that he has problems with this. Chairperson Gilbert stated that, as a motion had been made, it needed a second, then discussion and a vote.

Chairperson Gilbert seconded the motion. The committee discussed issues related to traffic, children on bicycles, and the fact that there are not many activities for children in Lake Dallas. The issue of the length of the permit was revisited in relation to the cost of investment. Mike McCaleb asked about whether or not video games become obsolete, like computers. Mr. Bhimani stated that video games are not the same and often have a very long standing and gave examples. Mr. Fisher expressed that as a business owner Mr. Bhimani would be making his decision on games based on return on his investment. Mr. Bhimani shared that while the cost of games run from $800 to $1,500, sometimes two games must be purchased in order for customers to play each other and each game can only charge from twenty five cents to one dollar per game. He does not have the option of charging $3.00 per game in order to make more money. Mr. Fisher and Mr. McCaleb asked Mr. Bhimani where he would be in one year and Mr. Bhimani replied that he believes he will be at ground zero in one year. He believes that in one year he may make back what he has spent, however he cannot be sure as games have the potential of malfunction, resulting in repair costs.

Clyde Fisher recommended a two year time period for the permit. City Manager Earl Berner said an amendment could be made to the motion. Char DuPree said the motion should be amended before the vote.

Motion to amend the motion, approving the Special Use Permit for two years rather than three years was made by Clyde Fisher; second by Mike McCaleb. Chairperson Gilbert asked if there was any further discussion. There was no further discussion.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Mike McCaleb.
Noes: None.

Motion Passed

Mr. Bhimani asked what he would need to do to donate a bounce house to the Kids and Cops event. Mr. Berner let him know he should submit his request to the Chief of Police and obtain a letter of authorization.

4. **Public Hearing on a proposed Special Use Permit to allow the business of tattooing at the property located at 303 W. Hundley Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1163a J.W. Simmons, Tract 25, and it is zoned C-3 Commercial, I-35 Corridor.**

Adam Tjosvold, 2560 Tower Ridge, #328 in Corinth, stated that he had already opened his tattoo studio a few months ago, stating there was some confusion on his part after speaking to Mrs. DuPree and Mr. Berner. He was allowed to get his Certificate of Occupancy on a temporary basis the last day of December [2011]. He asked for approval based on the fact that this was a big commitment for him and his family, as he had already signed a lease and had put his life savings into starting the business.

Mr. Tjosvold explained that he lives locally, his wife is a stay at home mom and his children attend the Lake Dallas school system. He stated that tattooing has come a long way from the past views of the art. He said that a lot of his clientele is local. He explained that in addition to tattoo art, he accepts commissioned art work requests and his business partner does vehicle pin-striping and artwork.

Mike McCaleb asked Mr. Tjosvold how long he had been doing this. Mr. Tjosvold answered that he had been doing professional artwork for eight years but has been involved in art for most of his life.

Mr. McCaleb asked where the shop is located. Mr. Tjosvold explained that the shop is in the strip mall where Shax's Liquor, a convenience store and the taqueria is located.

Mr. Tjosvold explained that he is licensed by the State, and he and his business partner, Matt Bell are very strict in regards to State restrictions and regulations. They do not tattoo minors, and parents cannot consent to tattoo minors. Minors are not allowed on the premises unless they are accompanying a parent.

Mike McCaleb asked for the hours of operation. Mr. Tjosvold answered Monday through Thursday from 1:00 PM until 8:00 PM, Friday and Saturday from 1:00 PM to 10:30 PM, and closed on Sundays. Mr. McCaleb inquired about the number of customers expected. Mr. Tjosvold said there would be about six to twelve customers on a busy day. He, also, explained scheduling appointments, the amount of time he spent in consultations, and the time it takes to create the artwork, as they are all original.

Mike McCaleb asked for the size of the shop. Mr. Tjosvold said the shop was about 1,000 square feet, and Mrs. DuPree pointed out the photo that was included in the packet.

Mr. Tjosvold added that he wanted to grow with and be involved in the community. He explained his connection to charity events, especially cancer awareness. He hopes to be able to give free cancer ribbon tattoos as a grand opening event.

Matt Palmieri of 618 Grayson Lane, Brian Jones of 702 Glen Rhea, Mahoob Chowdhury, Mr. Tjosvold's landlord, of 307 W. Hundley, Neva Suddereth of 702 Glen Rhea, Shawn Brightman of 4232 Caldwell Avenue in The Colony, and Jorge Rebolla of 205 Motecito Drive in Denton came forward to speak on Adam Tjosvold's and Matt Bell's behalf. Citizens spoke well of their character and business. Each citizen was advocating the approval of Mr. Tjosvold's SUP request.

5. **Consideration and Action to approve the proposed Special Use Permit to allow the business of tattooing at the property located at 303 W. Hundley Drive, City of Lake Dallas, Denton County, Texas. The legal description of the property is A1163a J.W. Simmons, Tract 25, and it is zoned C-3 Commercial, I-35 Corridor.**

Chairperson Gilbert asked Mr. Tjosvold for what time period he was hoping and he answered that he hoped for five years. Mr. McCaleb asked Mr. Tjosvold how long it would take him to break even after startup costs. Mr. Tjosvold said it would take him three years to replace his investment, adding that he brought with him a decent clientele with whom he has fostered relationships. He, also, gets new customers on a regular basis.

Motion to approve the Special Use Permit with a five year time period was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Mike McCaleb.
Noes: None.

F. Future Agenda Items

Char DuPree stated there are no future items at this time.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Clyde Fisher.

Motion Passed

The meeting adjourned at 7:45 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on February 16, 2012 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Gilbert, Commissioners Diane Byers, Peggy Shelton, Rebecca Waldrop, and Clyde Fisher. Absent: Alternate Terry Tuck and City Council Liaison. Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for November 17, 2011 meeting.**
   Motion to approve the minutes for November 17, 2011 was made by Rebecca Waldrop; second by Clyde Fisher.
   Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
   Noes: None.

Motion Passed

2. **Public Hearing on a proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots.**

   Chairperson Gilbert asked Doyle Cameron to come forward as there were no other citizens present for comment.

   Mr. Cameron stated he was present to answer questions, explaining that the plat and plans were unchanged and met all requirements.

   Commissioner Fisher asked if lot number 9 was the unbuildable lot. Mr. Cameron answered that there would not be a house on lot number 9. It would have a detention pond so as to not dump any more water there, as previously assured.

Commissioner Fisher asked when Mr. Cameron expected building to commence. Mr. Cameron explained that he would like to start building as soon as Council approves the final plat.

No one else came forward and the public hearing was closed.

3. **Consideration and Action to approve the proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots.**

Motion to approve the proposed final plat of Abstract #1355 of the Mary Wright Survey, City of Lake Dallas, Denton County, Texas into twenty two (22) lots was made by Clyde Fisher; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None.

Motion Passed

F. Future Agenda Items:

Char DuPree explained there would be a meeting next month to consider two requests for Special Use Permits, one for an arcade and one for a tattoo and art shop. Chairperson Gilbert inquired about the location of each business. Mrs. DuPree answered that the tattoo shop is in the strip mall where Shax is located. The arcade is in the same strip mall where Sunny's used to be.

G. Adjournment

Motion to adjourn was made by Rebecca Waldrop; second by Clyde Fisher.

Motion Passed

The meeting adjourned at 7:10 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on November 17, 2011 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Diane Byers (present at 7:05), Peggy Shelton, Rebecca Waldrop, and Clyde Fisher. Alternate Terry Tuck was absent. Council Liaison: James Harper. Staff present: City Manager Earl Berner, Code Enforcement Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for October 20, 2011 meeting.**
   Motion to approve the minutes for October 20, 2011 was made by Rebecca Waldrop; second by Clyde Fisher.
   Ayes: Ben Gilbert, Peggy Shelton, Clyde Fisher, and Rebecca Waldrop.
   Noes: None.

Motion Passed

2. **Public Hearing on a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas.**

   James Doolin, 1402 N. Parkway in Lewisville, explained the purpose of his request for a Special Use Permit is to have a place to store his boats.

   Commissioner Clyde Fisher asked how many boats would be at the property, and Mr. Doolin said there would be three or four boat trailers. Mr. Doolin presented photos, and he and Commissioner Fisher discussed the previous use of the facility.

   Commissioner Fisher asked if there will be enough room for the boats so as not to be seen from the street, and Mr. Doolin replied affirmatively.

Commissioner Fisher asked if problems will arise in the future if more sections are leased to other businesses. Mr. Doolin responded by saying there was plenty of room for his business and future businesses.

Chairperson Ben Gilbert asked about the length of the lease to which Mr. Doolin responded month to month.

Chairperson Gilbert asked how long Mr. Doolin expected to lease the property to which Mr. Doolin stated he hoped he could continue his business there forever.

Chairperson Gilbert expressed that the business seems to be seasonal, but Mr. Doolin expressed that the business should be successful all year.

Commissioner Clyde Fisher stated that he didn't see how the business would be a problem.

Chairperson Gilbert explained that, if passed, the business must continue to operate under the Special Use Permit as long as the business remains in operation.

3. **Consideration and Action to approve a proposed Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive, City of Lake Dallas, Denton County, Texas.**

Motion to approve the Special Use Permit to allow the storage of boats and jet skis located at 503 S. Lake Dallas Drive was made by Chairperson Ben Gilbert; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None.

Motion Passed

4. **Public Hearing on a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas.**

Rock Hostetler, 161 Paradise Cove in Shady Shores, presented his request for a self-service ice and water machine. Mr. Hostetler explained the use of the ice and water machine, its location to the car wash and cosmetic design. He gave the dimensions of the machine and costs of all services.

Commissioner Clyde Fisher asked if the machine is self-contained, and Mr. Hostetler answered affirmatively.

Commissioner Fisher asked how the machine will arrive. Mr. Hostetler explained how the machine is transported and set up.

Commissioner Fisher expressed how Mr. Hostetler had upgraded the car wash since he has owned it. The two men commented on upgrades that have been made.

5. **Consideration and Action to approve a proposed Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores, City of Lake Dallas, Denton County, Texas.**

Motion to approve the Special Use Permit to allow the installation of an ice and water vending machine structure located at 304 S. Shady Shores was made by Commissioner Rebecca Waldrop; second by Commissioner Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None.

Motion Passed

F. Future Agenda Items:
There were no future agenda items. The next Planning and Zoning Commission meeting will be on December 15, 2011.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None

Motion Passed

The meeting adjourned at 7:20 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on October 20, 2011 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Gilbert, Commissioners Diane Byers, Peggy Shelton, Rebecca Waldrop, and Clyde Fisher. Alternate Terry Tuck was absent. Council Liaison: James Harper. Staff present: City Manager Earl Berner, Code Enforcement Char DuPree, and Planning and Zoning Secretary Donna Goode.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
Chairperson Gilbert announced Items 4 and 5 on the Agenda were cancelled.
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for September 1, 2011 meeting.**
   Motion to approve the minutes for September 1, 2011 was made by Diane Byers; second by Clyde Fisher.
   Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
   Noes: None.

Motion Passed

2. **Chairperson Gilbert announced that the application to change zoning district from R1-6000 to C-1 had been withdrawn by the applicant.**

3. **Public Hearing on a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview.**

   John Lugenheim, 209 Thistle Ridge in Denton, explained the purpose of his request and how he contacted Larry Lantrip regarding the success of such residential use. He stated the advantages approval will give him and the City.

   Clyde Fisher was concerned about multiple families and parking.

Mr. Lugenheim stated that there are four parking spaces in front and three in back for each building. Handicap parking and eight other spaces are available.

The business will be downstairs with living space upstairs. Mr. Lugenheim will be the developer.

James Harper asked what types of businesses might be involved.

Mr. Lugenheim said they might be used as offices, showrooms or for plumbing, A/C, or making products.

No one else came forward and Chairperson Gilbert closed the public hearing.

Chairperson Gilbert wanted to know if there would be a limit of time. City Manager Berner suggested no time limit to the SUP. Mr. Lugenheim expressed that a tight limit would hinder sales. Commissioner Fisher agreed with Mr. Lugenheim.

Commissioner Byers asked about the exterior, and Mr. Lugenheim stated the exterior is 100% brick.

4. **Consideration and Action to approve a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview.**

Motion to approve the Special Use Permit to approve a proposed Special Use Permit to allow residential use in the upstairs of commercial buildings for structures located at 104, 106, 108 Adolphus and 105,107,109 N. Lakeview was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None.

5. **Chairperson Ben Gilbert stated that applicant Jerry Goodale, owner, withdrew application for a change in zoning from R-1-6000 Single Family Dwelling to C-1 Commercial for lots located at the northeast corner of Lakeview Drive and Shore Drive, City of Lake Dallas, Denton County, Texas. The legal description of these properties is Block 4, Lots 1,2,3,4,5,6,11,12,13,14,15,16, Lake Dallas Shores Addition.**

6. **Chairperson Gilbert removed Items E.4 and E.5 from the agenda.**

F. **Future Agenda Items:**
The next Planning and Zoning Commission meeting will be on November 17, 2011. Agenda items will include two a Special Use Permit for a boat, jet ski business at 503 S. Lake Dallas and a Special Use Permit for an ice/water building at Falcon Car Wash on Shady Shores.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher, and Rebecca Waldrop.
Noes: None

Motion Passed

The meeting adjourned at 7:23 p.m.

Ben Gilbert, Chair

Donna Goode, Planning and Zoning Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on September 1, 2011 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Gilbert, Commissioners Peggy Shelton, Rebecca Waldrop, Diane Byers and alternate Terry Tuck. Commissioner Clyde Fisher was absent.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for January 20, 2011 meeting.**
Motion to approve the minutes for January 20, 2011was made by Rebecca Waldrop; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop, Diane Byers and Terry Tuck
Noes: None

Motion Passed

2. **Public Hearing on a proposed rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a (115 S. Lakeview Drive) from the current zoning of R-1-6000 to the Planned Development District.**

Doyle Cameron, 420 Longfellow Drive in Highland Village, spoke as the owner of the property and contractor of this project. He explained he was the builder for Lakebridge Estates I and II. The house product would be similar but the proposed lots would be smaller, averaging 5,000 square foot each. The lots at the end of the cul-de-sac would be larger. The homes would meet or exceed the R1-6000 zoning district requirements. This subdivision would not have a Home Owners Association (HOA).

Mr. Cameron further stated the drainage issue will be addressed and not add any further storm water runoff than there is currently. The water will be directed toward Lakeview with buffers against the school property. A preliminary drainage map was given to the City Manager for review.

There will also be a perimeter fence around the entire subdivision with each lot having its own fenced back yard.

Kim Stolle, 608 Lakeview in Lake Dallas, asked how many homes would be built and what the square footage they would be. Mr. Cameron stated there would be 21

residential homes with an average size of 1,450 sq. ft. with the largest no bigger than 1800 sq. ft. Prices would start from $140,000.00.

No one else came forward and Chairperson Gilbert closed the public hearing.

3. **Consideration and Action to approve a proposed rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a (115 S. Lakeview Drive) from the current zoning of R-1-6000 to the Planned Development District.**

Ben asked how long this project would take; Mr. Cameron thought it would be approximately two (2) years.

Diane was concerned about the disruption to the neighbors during construction. Mr. Cameron felt it would be very little considering the construction activity would be limited to the one interior street. She asked the City Manager if he thought Lakeview could handle the traffic, etc. during this time to which Mr. Berner replied yes. This project will be on-going, along with the second phase of the Lakeview widening project.

Motion to approve the rezoning of Tracts 2 and 2a of the M. Wright Survey, Abstract 1355a (115 S. Lakeview Drive) was made by Ben Gilbert; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop, Diane Byers and Terry Tuck
Noes: None

Motion Passed

F. Future Agenda Items

The next Planning and Zoning Commission meeting will be on October 20, 2011. Agenda items will include the rezoning request for 500 Lakeview from residential to a commercial zoning district.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop, Diane Byers and Terry Tuck
Noes: None

Motion Passed

The meeting adjourned at 7:18 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on January 20, 2011 at 7:00 in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Rebecca Waldrop. Commissioner Diane Byers and City Council Liaison James Harper were absent.

Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for December 2, 2010 meeting.**

Motion to approve the minutes for December 2, 2010 meeting was made by Clyde Fisher; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

2. **Consideration and Action to an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition.**

Z Flooring owner Kevin Zablosky, 9213 Sovereign Row, Dallas, explained the reasons for the exemption request; cost being the driving force. The brick on both building is the same style but the percentages are different due to the metal doors on the warehouse building. The exemption requested is 40% masonry.

The Commission members stated their concern about setting a masonry precedence in the area since Z Flooring is the first commercial project on this land parcel.

City Manager Berner responded there are several commercial buildings in this area of the city that do not meet the 80% masonry requirement.

Mr. Zablosky expects the construction to be completed by April 2011, May for sure.

Motion to approve the 80% masonry exemption as submitted at 40% was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

F. Future Agenda Items

No future agenda items at this time.

G. Adjournment

Motion to adjourn was made by Peggy Shelton; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

The meeting adjourned at 7:14 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on December 2, 2010 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher, Rebecca Waldrop and City Council Liaison James Harper. Commissioner Diane Byers was absent.
Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for November 18, 2010 meeting.**

Motion to approve minutes for the November 18, 2010 meeting was made by Clyde Fisher; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

2. **Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition.**

Paul Perry, 350 Betchan, represented Z Flooring regarding the site plan and construction project. Two buildings will be built, each approximately 59 ft. wide and 108 ft. long. The office building will be on the east side of the property and the warehouse on the west. The planned construction is two beige metal buildings with crimson trim with a country building design.

No one else came forward and Ben Gilbert closed the public hearing.

3. **Consideration and Action to an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton**

County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition.

Clyde Fisher stated he welcomes new businesses but is concerned about setting precedence in approving such a low percentage of masonry for this project. The plans as submitted are close to 0 percent.

Council Liaison Harper asked the masonry exception approved for the Swisher Courts project on Swisher Rd. and was informed it was 35 to 40% masonry.

Paul Perry commented he is not in favor of the spray on masonry because it is not a good looking and durable product plus it would cost as much as installing brick.

Rebecca Waldrop would like at least a 40% masonry design.

The Commission decided to table this issue and have an improved design submitted for review at the January meeting. Ben Gilbert asked Mr. Perry to increase the masonry design between now and the January meeting.

Motion to table this issue until the January 2011 Planning & Zoning meeting was made by Clyde Fisher; second was made by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed To Table This Agenda Item

4. **Consideration and Action to approve a site plan for the proposed commercial structure Z Flooring to be located at 350 Betchan, City of Lake Dallas, Denton County, Texas. The legal description for this property is Lot 1, Block A of the Z Flooring Addition.**

Paul Perry explained the submitted site plan and stated the company does not store huge amounts of wood and supplies on site. Large volumes of supplies are taken directly to the job site. The buildings would be built to the City's required specifications. Although the building will have masonry on the exterior walls, the roof would remain metal but he isn't sure what color it will be. Z Flooring wants this project to be an attractive addition to the area.

The Commission questioned the detention pond depth and questioned if there would be a fence around it. Mr. Perry replied the pond would range from 1 ft. at the shallow end to a maximum depth of 3 ft. and would comply with whatever the City required around the pond.

City Manager Berner stated the parameter landscaping for the project needed to be addressed at a later date and that the flatwork could not be past the building line in the front area of the property.

Motion to approve the site plan for the proposed commercial structure Z Flooring, meeting all City and Building Codes, to be located at 350 Betchan, was made by Rebecca Waldrop; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

F. Future Agenda Items

The tabled exterior masonry exception for Z Flooring will be reviewed in January.

G. Adjournment

Motion to adjourn was made by Peggy Shelton; second by Rebecca Waldrop.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

The meeting adjourned at 7:45 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
Count of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on November 18, 2010 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher, Rebecca Waldrop (Lamb) and City Council Liaison James Harper. Commissioner Diane Byers was absent

Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for June 17, 2010 meeting.

Motion to approve minutes for the June 17, 2010 meeting was made by Peggy Shelton; second by Clyde Fisher
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Waldrop and Clyde Fisher
Noes: None

Motion Passed

2. Public Hearing on a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000.

Several residents spoke against the zoning change during the Public Hearing.

Dick Calvert, Calvert & Co Architects, 1001 W. Main in Carrollton, Texas, spoke on behalf of the Phillips family who requested this zoning change. He said this type of zoning is the wave of the future. The Phillips family does not plan to build at this time but wanted to have the added flexibility provided by the Downtown Overlay zoning district.

Lester Raborn, 613 Lakeland Rd., feels this property is not part of the downtown area. He further stated approving this zoning change will increase traffic and decrease property values.

Michael Hausam, 114 S. Lakeview Drive, is concerned about neighborhood safety if this is approved along with the widening of south Lakeview Drive. There are 100 homes in the immediate area; this change would increase traffic and lower property values.

Tracy West, 229 S. Lakeview Drive, said she was also against this zoning change for the same reasons as previously stated.

Earl Stolle, 608 Lakeland Road, does not want this zoning change to pass, again for the same reasons stated by previous residents.

Debbie Pierce, 512 Atchison, has lived in Lake Dallas for 23 years and said this property is literally adjacent to her back yard. She is concerned about losing her privacy with the mixed use building that this zoning change would allow.

Cecilia Montalvo, 516 Atchison, has four small children and feels this zoning change would decrease the safety of the neighborhood as well decrease her property value.

Catherine Arent, 296 S. Lakeview Drive, expressed the same concerns about increased traffic in the area.

Robert Reiter, 201 S. Lakeview Drive, stated he is against approval of this request.

Amy Niewenhuyse, 704 Lakeland, expressed she was against this change as well.

Norman Phillips, 7820 Plainview Road, Krum, Texas, said the purpose of his request was to improve the City and find the best use of the land. He stated he could have the property platted into 15 home lots. He did not feel the traffic would increase any more under the Downtown Overlay District than it would in building 15 homes.

No one else came forward and Ben Gilbert closed the public hearing on this matter.

3. Consideration and Action to approve a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000.

The Commission generally agreed with residents that approving this zoning change was not in the best interest of the community.

Motion to deny a zoning change to Tracts 2 and 2b of the M. Wright Survey, Abstract 1355a (113 and 115 S. Lakeview Drive) to add the Downtown District Overlay to the current zoning of R-1-6000 was made by Clyde Fisher; second by Rebecca Waldrop.

Ayes: Ben Gilbert, Peggy Shelton, Clyde Fisher and Rebecca Waldrop
Noes: None

Motion To Deny Request Passed

F. Future Agenda Items

There will be a special Planning and Zoning meeting on December 2, 2010 at 7:00 p.m. Agenda items Include the site plan for Z Flooring as well as an exterior surface exception for Z Flooring. This new project will be located at 350 Betchan in Lake Dallas

G. Adjournment

Motion to adjourn was made by Clyde Fisher; second by Peggy Shelton
Ayes: Ben Gilbert, Peggy Shelton, Clyde Fisher and Rebecca Waldrop
Noes: None

Motion Passed

The meeting adjourned at 7:25 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
Count of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on June 17, 2010 at 7:10 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Clyde Fisher. Commissioners Diane Byers and Rebecca Lamb were absent as well as Council Liaison James Harper.
Staff present: Planning and Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for May 6, 2010 meeting.

Motion to approve minutes for the May 6, 2010 meeting was made by Peggy Shelton; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton and Clyde Fisher
Noes: None

Motion Passed

2. Public Hearing on an application for special use permit for a convenience store and gas station selling alcohol located at 1000 and 1002 S. Stemmons Freeway, Lake Dallas.

Anu-Bhattarai Pouder, 1413 Constantina in Denton, stated she wants to open the business with her family as soon as possible. The building is being refurbished at this time.

No one else came forward to speak and Chairperson Gilbert closed the public hearing.

3. Consideration and Action to approve an application for special use permit for a convenience store and gas station selling alcohol located at 1000 and 1002 S. Stemmons Freeway, Lake Dallas.

Ben Gilbert asked if all TABC requirements have been met and permits issued; Ms. Pouder replied yes.

Clyde Fisher inquired if the family had operated a business before and was informed they had not. Ms. Pouder further stated they had signed a five (5) year lease with the property owner.

The Commission discussed how many years the Special Use Permit would be valid if approved and decided two (2) would be appropriate.

Motion to approve the Special Use Permit for a convenience store and gas station selling alcohol at 1000 and 1002 S. Stemmons for two (2) years was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Clyde Fisher
Noes: None

Motion Passed

F. Future Agenda Items

There are not any pending items at this time.

G. Adjournment

Motion to adjourn was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Clyde Fisher
Noes: None

Motion Passed

The meeting adjourned at 7:18 p.m.

Char DuPree, Planning and Zoning Secretary

Ben Gilbert, Chair

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on May 6, 2010 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order
B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb. Council Liaison James Harper was absent.
Staff present: Planning and Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for February 18, 2010 meeting.**

Motion to approve minutes for the February 18, 2010 meeting was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

2. **Public Hearing on an application for special use permit for a mobile concession sandwich shop at 105 Gotcher Avenue; Block 2, Lots 1, 4, 5, & 8, Gotcher Addition.**

Jon Kingston, 1910 Sharon Drive in Corinth, explained his business plan of opening a mobile sandwich shop and concession stand in the parking lot of the American Legion located at 105 Gotcher. He will be purchasing a new concession trailer that will have an alarm and fire suppression system. The mobile unit will be parked from 11 a.m. to dusk each day and will be taken to his home each evening. Mr. Kingston also explained his planned menu.

No one else came forward to speak and Chairperson Gilbert closed the public hearing.

3. **Consideration and Action to approve application for special use permit for a mobile concession sandwich shop at 105 Gotcher Avenue; Block 2, Lots 1, 4, 5, & 8, Gotcher Addition.**

Commissioner Byers asked what type of fire suppression system would be used and if the mobile unit was completely self-contained. Mr. Kingston stated the fire system was a US approved system specially made for this type of unit and the trailer was completely self-contained meeting all health code requirements. In addition, all cooking oil used would be recycled.

Commissioner Fisher questioned Mr. Kingston as to the number of workers in the mobile unit at one time and where in the American Legion parking lot the trailer would be located.

In response, Mr. Kingston stated there would be no more than 2 employees at a time and the mobile unit would be located where the wooden train is now. The Legion would be moving the train to another area once he was ready to bring in his food unit. He further stated the City of Corinth does not have a problem with the trailer size or with him keeping it at his home. Electrical power to the mobile unit will be provided 24/7 to keep all food items at the proper temperature for human consumption.

Ben Gilbert recommended a 2-year Special Use Permit.

Motion to approve a 2-year Special Use Permit for a mobile concession sandwich shop at 105 Gotcher was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

F. Future Agenda Items

Planning and Zoning Secretary stated another Special Use Permit application would be on the agenda for the regularly scheduled June meeting.

G. Adjournment

Motion to adjourn was made by Peggy Shelton; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

The meeting adjourned at 7:21 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on February 18, 2010 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order
B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Rebecca Lamb and Clyde Fisher. Council Liaison James Harper was absent.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for January 22, 2010 meeting.**

   Minutes to be considered and approved were for the meeting held December 17, 2009; there was not a meeting held in January 2010. Therefore, this item was tabled until the next agenda for approval.

2. **Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Swisher Courts located at 501and 504 Swisher Road.**

   Alan Bieke, Lakewood Village TX, project manager explained why he was requesting an exemption to the commercial 80% masonry requirement. Installing 80% masonry will be too costly to the point of not being able to move forward with this project. If approved, Mr. Bieke will have either stucco or stone on the front and both sides of the building. The rear of the building backs up to the woods and is not seen from either side or front of the building.

   No one else came forward and the public hearing was closed.

3. **Consideration and Action to approve an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure Swisher Courts located at 501 and 504 Swisher Road.**

   Mr. Bieke further explained he wants to put more into the interior of the building in the form of equipment and sports fields than into an expensive exterior. Currently there will be four (4) basketball and six (6) volleyball courts. He has been working with these type of projects for 15 years and had two (2) previous indoor sports complexes in Dallas and Plano. Both of those facilities were sold to allow him to pursue this project.

   Mr. Berner added that Mr. Bieke has purchased thirteen (13) acres from the City CDC to build this complex.

Motion to approve the exemption for the 80% masonry exterior requirement was made by Diane Byers; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

4. **Consideration and Action to approve the site plan for Swisher Courts, 501 and 504 Swisher Road.**

The site plan meets current parking requirements now with approximately 300 spaces. Mr. Bieke is still looking to expand the parking area for the volleyball tournament traffic this facility will attract. Six (6) months of the year volleyball will be played with basketball played the other 3 months of the year. All teams are off for the summer. He stated the facility might also be used for an entertainment venue.

The Commission inquired if the fire marshal had reviewed the site plan, and Mr. Berner explained that is part of the technical review process not the site plan review.

Motion to approve the site plan for Swisher Courts was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

5. **Consideration and Action to approve preliminary site plan for Lot 26 Block A Garza Beach Estates.**

John Lugenheim, 209 Thistle Ridge in Denton, is planning to purchase Lot 26 Block A of Garza Beach Estates to build an office/warehouse business building. His contract to purchase the property is contingent upon the City's approval of the preliminary site plan. Access to the building will be by a 14 ft. wide driveway from Lot 26 to Lakeview Drive along the easement area of the surrounding properties. Mr. Lugenheim will also improve Adolphus located west of his property. He further stated he has obtained financing and has reviewed his plans with the Lake Cities Municipal Utility Authority (LCMUA).

Commissioner Fisher stated he was concerned about the lot size being too small for this type of project. This project meets all set back requirements for the C-1 zoning district.

In response, Mr. Lugenheim stated there will be 6 parking spaces and that will be enough since he will not have stop and go business traffic or large trucks. It will only be vehicles and primarily his car. He will be the only on-site employee. The building will be two-story with a warehouse on the first floor and office/storage space on the second.

Initially Mr. Lugenheim is only purchasing this single lot but he does have the option for purchasing the other five (5) lots in this parcel.

Motion to approve the preliminary site plan for Lot 26 Block A Garza Beach Estates was made by Diane Byers; second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb

Noes: None

Motion Passed

F. Future Agenda Items

Mr. Berner had nothing at this time.

G. Adjournment

Motion to adjourn was made by Ben Gilbert; second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Rebecca Lamb
Noes: None

Motion Passed

The meeting adjourned at 7:32 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on December 17, 2009 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Curtis Trivitt, Rebecca Lamb, Alternate Clyde Fisher and Council Liaison James Harper.
Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for September 17, 2009 meeting.**

Motion to approve the Minutes for September 17, 2009 was made by Peggy Shelton; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

2. **Public Hearing on a request for a replat of Lots 17, 18, 19 and 20 of Block F of the Garza Beach Estates Addition, City of Lake Dallas, Denton County, Texas into three (3) lots (new Stockard subdivision).**

Chris Fisher, 3840 Glad Road, Denton, Texas, will be assisting in building these homes and feels they will be an asset to the community.

No one else came forward and Chairperson Gilbert closed the public hearing.

3. **Consideration and Action to approve a request for a replat of Lots 17, 18, 19 and 20 of Block F of the Garza Beach Estates Addition, City of Lake Dallas, Denton County, Texas into three (3) lots (new Stockard subdivision).**

Chris Fisher, 3840 Glad Road, Denton, Texas, spoke on behalf of the builder of this project. The replat will allow three (3) good-sized homes to be built. The builder will install a new street for this subdivision. The Lake Cities Municipal Utility Authority (LCMUC) will share in the cost of the last 60 ft. of asphalt needed to complete the street up to LCMUC utility gate at the end of the new street

City Manager Berner stated the Board of Adjustment has already approved the rear setback exception of 20 ft.

Motion to approve the replat of Lots 17, 18, 19 and 20 into three (3) lots was made by Curtis Trivitt; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

4. **Consideration and Action to approve the site plan for the new Stockard subdivision.**

Motion to approve site plan for the new Stockard subdivision was made by Curtis Trivitt; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

5. **Consideration and Action to approve the site plan for Daniels, 209 Shady Shores Road.**

Cary Daniels, 510 E. Hundley Drive, Lake Dallas, explained a new facility at 209 S. Shady Shores Road will be built and their current building leased to another business. The soil has already been tested for the engineered foundation. The lot does have some issues but nothing major. The building will be approximately 30 ft. from the new railway tracks.

Motion to approve the site plan for Daniel's Air Conditioning at 209 S. Shady Shores Road was made by Rebecca Lamb; second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

F. Future Agenda Items

At this time, Commissioner Curtis Trivitt submitted his letter of resignation to the Planning & Zoning Commission saying he enjoyed his time with the Commission.

Earl Berner stated the sit plan for the new Swisher Courts, sports complex, will be on the January 2010 agenda.

G. Adjournment
Motion to adjourn was made by Rebecca Lamb; second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

The meeting adjourned at 7:14 p.m.

Ben Gilbert, Chair

Char DuPree, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on September 17, 2009 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Diane Byers, Curtis Trivitt, Peggy Shelton, Rebecca Lamb and Alternate Clyde Fisher.

Staff Present: City Manager Earl Berner and Acting Planning and Zoning Secretary Beverly Weikum.

C Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for August 20, 2009 regular meeting**

Motion to approve the Minutes for August 20, 2009 was made by Curtis Trivitt; second by Peggy Shelton.
Ayes: Ben Gilbert, Diane Byers, Curtis Trivitt, Peggy Shelton and Rebecca Lamb
Noes: None

Motion Passed

2. **Public Hearing on a proposed Ordinance for the change in zoning for tracts 25, 26, 28A, 40, 52, 53, 56, 59, 60, and 65 OF Abstract 1355 M. Wright Survey property; Gotcher Addition Block 1 Lots 7, 8 (all), and 9 (north 30'), Block 1 Lot 9 south 70' of west half and Lot 10 (north 10' of west half; and OT Garza Block 1 Lots 1, 2, 3, 4, and 5, Block 2 Lots 1, 2, and 3, Block 3 Lots 1, 2, and 3, and Block 4 Lots 1, 2, and 3, in the City of Lake Dallas, Denton County, Texas. The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-1 Retail District.**

City Manager Berner explained which properties would be rezoned using the current zoning map of the area. The purpose of the rezoning is to let property owner take the opportunity to use and/or sell their properties as commercial in the downtown overlay district that also allows for mixed use residential and business. He also stated those owners who did not want to be rezoned would be removed from the rezoned property list of property identification numbers list.

Chairman Gilbert then opened the public hearing.

Terry Lantrip, 275 Market Street, stated he appreciates the downtown revitalization work being done but he does not want his properties to be rezoned. He further stated he would request the rezoning when he is ready. He requested properties #161041 and 66089 be removed from the proposed rezoning request.

Chairman Gilbert closed the public hearing at 7:10 p.m.

3. **Consideration and Action to approve an Ordinance for the change in zoning for tracts 25, 26, 28A, 40, 52, 53, 56, 59, 60, and 65 OF Abstract 1355 M. Wright Survey property; Gotcher Addition Block 1 Lots 7, 8 (all), and 9 (north 30'), Block 1 Lot 9 south 70' of west half and Lot 10 (north 10' of west half; and OT Garza Block 1 Lots 1, 2, 3, 4, and 5, Block 2 Lots 1, 2, and 3, Block 3 Lots 1, 2, and 3, and Block 4 Lots 1, 2, and 3, in the City of Lake Dallas, Denton County, Texas. The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-1 Retail District.**

The Commission discussed the property tax impact on properties being rezoned from residential to commercial and the resale impact for those property owners wanting to sell their homes. The Commission also reconfirmed with the City Manager that property owners could request their properties not be rezoned.

Motion to approve the proposed rezoning with the exception of Terry Lantrip's properties was made by Alternate Clyde Fisher; second by Curtis Trivitt.
Ayes: Ben Gilbert, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: Diane Byers and Peggy Shelton

Motion Passed

This item goes to city council next week per Chairperson Gilbert.

F. Future Agenda Items

None

G. Adjournment

Motion to adjourn was made by Curtis Trivitt; second by Clyde Fisher.
Ayes: Ben Gilbert, Curtis Trivitt, Rebecca Lamb, Peggy Shelton, Diane Byers and Clyde Fisher
Noes: None

Motion Passed

The meeting was adjourned at 7:22 p.m.

Ben Gilbert, Chair

Beverly Weikum
Acting Planning and Zoning Commission Secretary

State of Texas
City of Lake Dallas
County of Denton

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on August 20, 2009 at 7:02 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Curtis Trivitt, Rebecca Lamb, Alternate Clyde Fisher, and City Council Liaison James Harper

Staff Present: Planning and Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

Robert Ryder, 201 S. Lakeview, stated his opposition to the $50.00 fee for a fence permit. The Planning and Zoning Secretary explained the fee is required to ensure a fence is installed in accordance with the Lake Dallas Municipal Code and to cover the final inspection once a fence has been installed.

Richard Webb, 408 Alamo, asked why letters were not sent to notify residents of the postponement of the agenda item for rezoning of several Lake Dallas downtown properties. The Planning and Zoning Secretary stated this was a last minute decision and there had not been enough time before this meeting to send letters to affected residents.

E. Business:

1. **Consideration and Action on approval of Minutes for May 7, 2009 special meeting (tabled at June 18, 2009 meeting)**
   Motion to approve the minutes for the May 7, 2009 meeting with the start time correction from 7:30 p.m. to 7:00 p.m. was made by Curtis Trivitt; second by Clyde Fisher. Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb, and Clyde Fisher **Noes:** None

   Motion Passed

2. **Consideration and Action on approval of Minutes for June 18, 2009 meeting.**
   Motion to approve approval of Minutes for June 18, 2009 meeting was made by Curtis Trivitt; second by Peggy Shelton.

Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb, and Clyde Fisher
Noes: None

Motion Passed

3. **Consideration and Action on approval of an Ordinance to amend Section 122-1267, "Zoning change signs," of Article XXIII, "Amendments," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code. (City Manager)**

Ben Gilbert explained the reason for the sign size change. He further stated an applicant obtains the sign from City Hall and pays a deposit that is returned when the signs are brought back to City Hall.

Motion to approve an Ordinance to amend Section 122-267, "Zoning change signs," of Article XXIII, "Amendments," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code was made by Rebecca Lamb; second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb, and Clyde Fisher
Noes: None

Motion Passed

F. Report from Planning and Zoning Commission Secretary

The Planning and Zoning Commission Secretary explained the intersection closures due to the DCTA rails being installed. She also announced the opening of Neal's Italian Restaurant, Polo's Italian Grill and Kanapkis Subs and Salads. Also opening in the next couple of weeks will be the Quik Trip on Swisher Road.

G. Future Agenda Items

Future items will include the development of Swisher Road from the toll bridge to Shady Shores.

H. Adjournment Meeting was adjourned at 7:22 p.m.

Ben Gilbert, Chair

Char DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on June 18, 2009 at 7:02 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Curtis Trivitt, Alternate Clyde Fisher, and City Council Liaison James Harper

Staff Present: Planning and Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for May 7, 2009 special meeting

Motion to move Consideration and Action of the Minutes from the May 7, 2009 special meeting to next scheduled meeting was made by Curtis Trivitt; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Clyde Fisher
Noes: None

Motion Passed

2. Consideration and Action on approval of a minor modification to the site plan for Lake Cities Municipal Utilities Authority

Kyle Hoag from G & A Consultants spoke on behalf of the Lake Cities Municipal Utility Authority (LCMUA) and explained the reason the building construction was being moved on the site plan.

There were no other questions or comments regarding the site plan modification.

Motion to approve the minor site plan modification for Lake Cities Municipal Utilities Authority was made by Curtis Trivitt; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Clyde Fisher
Noes: None

Motion Passed

F. Future Agenda Items

James Harper mentioned there has been some discussion of a DART station in Lake Dallas but there is not any definite plan.

G. Adjournment

The meeting adjourned at 7:13 p.m.

Ben Gilbert, Chair

Char DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on May 7, 2009 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the m3eeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Trivitt, Shelton, Gilbert, Lamb & Fisher
No Council Liaison

C. Pledge of Allegiance

D. Citizen's Agenda

E. Business:

1. **Consideration and Action on approval of Minutes for March 19, 2009 meeting.**

2. **Consideration and Action on approval of an Ordinance to amend Section 122-802, Allowed Signs Requiring Issuance of a Sign Permit, of Article XX, Signs, of Chapter 122, Zoning of the Lake Dallas Municipal Code.**

3. **Consideration and Action on approval of application for residential storage building exterior surface exemption.**

   Build onto metal structure and want to add to it with the same exterior; store an RV. Owner has picture of property he shared with the commission to show how large his property is; max height 16 ft., current structure 9.5 ft. (? By Clyde Fisher)

   Mr. Fisher drove by property; it is a large property.

   Neighbor behind him on Clancy has no issue with height of structure.

   Resided in house since 1992. Structure will be painted white.

   Gauge will be 12 to 14 on poles; asked Ben. Not sure about sides and roof; standard is 24 to 26 gauge. Owner wants heaviest that is offered.

   Fisher: Was an exemption required rather than a variance; yes

   Most residents have those type of shops and storage areas.

State of Texas
County of Denton
City of Lake Dallas

F. Future Agenda Items

LCMUA- Changes to building position of property and reason why explained by Mr. Berner.

Also explained the advantages of changing the location of the new building, including drainage & removal of fence on the corner.

G. Adjournment

Meeting adjourned at 7:18 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on March 19, 2009 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Diane Byers, Curtis Trivitt, Rebecca Lamb, Alternate Clyde Fisher and Council Liaison James Harper

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for February 19, 2009 meeting.**

Motion to approve the February 19, 2009 minutes was made by Curtis Trivitt; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance to amend Sections 122-93, 122-143, and 122-193 Exterior Surfaces of Chapter 122, Zoning, for R-1-6000, R-1-7200, and R-1-1000 single family dwelling districts.**

The City Manager explained the Council's intention in providing a waiver for residents wanting to have an exception to the City Code masonry requirement rather than a specific list of acceptable exteriors.

Commissioner Byers stated the phrase "good cause" in the proposed ordinance amendment gives the Planning & Zoning Commission and City Council power to determine what a homeowner can and cannot have in these residential districts. A lawyer would have issue with this phrase if their request were denied. "Good cause" is open to interpretation. She does not feel this is fair to the residents and is an abuse of power by the City Council. Ms. Byers also feels the proposed fee is absurd and there should be no fee applied to the waiver request.

Ms. Byers feels the new proposed ordinance should have included the allowed exteriors that were considered at the February meeting so not every homeowner would be required to request a waiver for any surface other than masonry.

Mr. Berner responded by explaining the Council's reasoning behind the proposed waiver and required review. In addition, he stated he does not see an issue with proper justification. He further explained the waiver required staff processing time and the fee would ensure only serious applicants applied for the waiver.

Council liaison James Harper added the previous ordinance did not allow metal buildings and now this waiver process will allow for that if property owners want that type of accessory building.

Mr. Harper stated that although the 80% masonry requirement was still there, the waiver request offers residents another option.

Curtis Trivitt asked for clarification of what had changed in the proposal since last month, was it just paragraph b. He also asked if additional wording could be added allowing certain exterior surfaces without requesting a waiver. He felt the waiver was good but would have liked the other surfaces to be included in the new proposal.

Mr. Berner replied the Commission could be approved as is and then they could change the wording to include the other surfaces and remove the fee at the next meeting. Right now we have resident at 309 Wilson who is anxious to build his storage building and cannot do so until this issue is resolved.

Diane Byers stated she would support whatever the majority of the Commission wanted.

Clyde Fisher felt the issue had been beat to death and did not want to get tied up on the tiny details and get nothing done. He can live with the proposal the way it is written and does not feel the fee is a great deal of money.

Curtis Trivitt made the motion to approve the ordinance as written; second by Ben Gilbert.

Motion to amend the previous motion and include the previous acceptable materials without a waiver and retain the waiver for those materials not included in the list was made by Rebecca Lamb; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt, and Rebecca Lamb
Noes: None

Motion Passed

Motion to approve the main motion as amended was made by Rebecca Lamp; second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt, and Rebecca Lamp
Noes None

Motion Passed

3. **Consideration and Action on approval of a variance for an accessory building at 309 Wilson Drive.**

Brian Gilliland, 309 Wilson, want to erect a large metal storage building behind his home. He will store his boat and other vehicles. The color of the building will be a muted gray with rust trim. The building will have a cement floor.

Motion to approve the masonry waiver for 309 Wilson was made by Diane Byers; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

F. Future Agenda Items

Mr. Berner stated he did not have any future items at this time.

James Harper spoke about his concern with the development of Swisher and feels a joint workshop between with the Commission and the City Council would be beneficial for a successful development plan.

Mr. Berner said a core property study will need to be conducted and be worked through the Commission and the Council. He also stated a street light will be installed at the corner of Swisher and Shady Shores. The City will be responsible for the light maintenance. There is mixed zoning districts in this area. As far as development between Shady Shores and the toll bridge, there is a 32 acre parcel that belongs to the Boliver family.
Earl showed the Commission the area discussed.

G. Adjournment
Motion to adjourn was made by Peggy Shelton; second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

The meeting was adjourned at 7:45 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on February 19, 2009 at 7: 30 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Diane Byers, Curtis Trivitt, Alternate Clyde Fisher and City Council Liaison James Harper.

Staff Present: Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for January 21, 2009 meeting.

Motion to approve the January 21, 2009 minutes was made by Alternate Clyde Fisher; second by Commissioner Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Clyde Fisher
Noes: None

Motion Passed

2. Consideration and Action on approval of an amendment to replace Section 122-687, Exterior Surfaces of Division 3, Downtown District, of Chapter 22, Zoning.

Motion to approve the amendment to replace Section 122-687 was made by Curtis Trivitt; second by Diane Byers
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Clyde Fisher
Noes: None

Motion Passed

3. Consideration and Action on any changes to Section 122-679, Prohibited Uses of Division 3, Downtown District, of Chapter 22, Zoning.

Commissioner Byers asked about the new tire shop at 214 Main Street. Chairperson Gilbert explained the shop was opened prior to the adoption of the Downtown Zoning District by the City Council.

Motion to approve any changes to Section 122-679 was made by Curtis Trivitt; second by Clyde Fisher.

Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Clyde Fisher

Noes: None

Motion Passed

4. Consideration and Action on approval of an Ordinance to amend Sections 122-93, 122-143, and 122-193 Exterior Surfaces of Chapter 122, Zoning, for R-1-6000, R-1- 7200, and R-1-1000 single family dwelling districts.

The Commission discussed each zoning district exterior surface and how this would affect accessory buildings in each district. Commissioners felt the entire change ordinance was appropriate in the R1-6000 district.

Chairperson Gilbert stated he disagreed with adding wood as an acceptable exterior surface in accessory buildings in R1-7200 or R1-10000. He felt the City was being less restrictive with accepting concrete plank siding and Exterior Insulated Finishing Systems (EIFS) and that provided enough flexibility in the district for property owners wishing to install an accessory building in excess of 120 sq. ft.

Commissioner Byers felt that the wood exterior surface for accessory buildings should remain in the proposed changes in the residential districts. She felt that the City was restricting citizen's rights without good cause.

Commissioner Trivitt agreed with Chairperson Gilbert and felt even without approving wood surfaces the City was providing residents with addition exterior options.

The general consensus of the Commission was the wood surface was never an applicable exterior surface in R1-7200 and R1-10000 because the Council felt it deflated property values and required more upkeep and they thought that was appropriate.

Motion to approve the R1-6000 changes as written and to approve the R1-7200 and R1- 10000 changes excluding wood as an acceptable accessory building exterior surface was made by Curtis Trivitt; second by Clyde Fisher.

Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Clyde Fisher

Noes: Diane Byers

Motion Passed

F. Future Agenda Items

None at this time.

G. **Adjournment**

Motion to adjourn was made by Diane Byers; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Clyde Fisher
Noes: None
Motion Passed
The meeting was adjourned at 7:31 pm.

Ben Gilbert, Chair

Charmaine DuPree

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on January 15, 2009 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Curtis Trivitt, Rebecca Lamb and Alternates Clyde Fisher and Jan Spencer.

Staff Present: City Manager Earl Berner and Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for November 20, 2008 meeting.

Motion to approve the November 20, 2008 minutes was made by Commissioner Rebecca Lamb; second by Commissioner Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

2. Public Hearing on an Ordinance to create a Downtown Zoning District

City Manager Berner explained the purpose of the downtown zoning overlay district to the Commission and attending citizens. He stated this zoning district would protect what is currently in the downtown area and encourage future growth while restricting certain uses that do not fit into the overall City plan. This district will allow mixed-use buildings such as those built by Terry Lantrip and the current construction at 203 Main Street. It would establish an area for retail, restaurants and quaint shops reflecting the approved 1850's Lakeside theme previously adopted by the City.

Barbara Garrison, 208 Gotcher, asked if the downtown-zoning district would affect the current residential use of her property. Mr. Berner replied the current R1-6000 zoning would allow the continuance of this use in addition to the overlay usages allowed by the downtown zoning ordinance.

John Emery, 1622 Mallard in Corinth, stated he owns property behind the VFW Post and Ace Hardware just outside of the proposed zoning area. He showed Chairperson Gilbert

where his property is located on the proposed district map. He asked how the zoning area had been determined and why the area wasn't squared off along Lakeview. He wanted his property located at 229 S. Lakeview to be included in the Downtown Zoning District. In addition, Mr. Emery asked when the Lakeview widening project would begin.

Mr. Berner said the districts boundary lines were arbitrary and felt this was a reasonable request that the Commission could consider it when reviewing the new ordinance. He also stated the plans to widen Lakeview are 90% complete and the City hopes to start the project in 3 to 4 months.

No one else came forward and the public hearing was closed.

3. **Consideration and Action on approval of an Ordinance to create a Downtown Zoning District.**

Alternate Fisher asked what recourse Mr. Emery would have if the zoning district were approved as is. Mr. Berner advised new letters would need to be sent to property owners stating Mr. Emery's property would be included in the downtown district boundaries. Mr. Fisher asked if the other properties along Lakeview could be included in the district area.

Commissioner Trivitt stated he would be fine with approving Mr. Emery's property in the district but not the other properties since those owners had not attended the meeting.

Motion to approve the Ordinance to create a Downtown Zoning District including the property at 229 S. Lakeview was made by Alternate Clyde Fisher; second by Commissioner Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

4. **Discussion on building materials for accessory buildings in some areas of the R-1-6000 Single-Family Dwelling District.**

Mr. Berner explained there is a wide range of home building types such as wood, siding and brick in this zoning district. In some areas the properties are quite large and the owner wants a large storage building but the cost of masonry prohibits building it. In other areas the current residence is wood and the brick storage structure would not match their home. The current zoning ordinance requires all storage buildings over 120 sq. ft. be built with 80% masonry material without any exception or variance process for those homeowners. He would like the Commission the possibility of amending the ordinance with language that would allow a property owner to obtain a variance when it seems appropriate to do so.

Mr. Fisher asked if hardiplank was an approved material and Mr. Berner stated it was not approved in the City Code.

Mr. Gilbert asked what the Code started before the masonry change was adopted but that was unknown.

The Commission agreed this situation should be remedied and asked the City to submit recommended verbiage for their review.

Mr. Berner agreed to work on the variance verbiage and submit it to the Commission for review.

F. Future Agenda Items

There were no other future items at this time.

G. Adjournment

Motion to adjourn was made by Commissioner Trivitt; second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

The meeting adjourned at 7:28 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on November 20, 2008 at 7:00 pm in the Lake Dallas City Hall located at 121 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Curtis Trivitt, Rebecca Lamb, Alternate Clyde Fisher and City Council Liaison Karl Hammond

Staff Present: City Manager Earl Berner and Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for October 30, 2008 meeting.

Motion to approve the October 30, 2008 minutes was made by Alternate Clyde Fisher; second by Rebecca Lamb.
Ayes: Ben Gilbert, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

2. Public Hearing on application for rezoning of Block 2 Lot 13 (s12'), 16, and 17 (n31') of Gotcher Addition (111 Gotcher Avenue). The change in zoning would be from R-1-6000 Single-Family Dwelling district to C-2 Commercial District.

Karen McCouwn, 8000 Clear River Lane in Denton spoke on behalf of the proposed zoning change and business venture, "Steel Magnolias." This will be a full service salon and spa that will perform all services except acrylic nails. The current lease in Denton expires in two weeks and they hope to take possession of the property and start the refurbish process at 111 Gotcher immediately thereafter.

Kay Swihart, 3354 Oak Creek Drive in Corinth owns 111 Gotcher. She stated the house was built in the 1800's and is a historical home that was moved to the property in the 1950's. She feels the spa would be a perfect commercial fit for this property.

No one else came forward to speak and Chairperson Gilbert closed the public hearing.

3. **Consideration and Action on approval of an Ordinance to rezone Block 2 Lot 13 (s12'), 16, and 17 (n31') of Gotcher Addition (111 Gotcher Avenue) from R-1-6000 Single-Family Dwelling district to C-2 Commercial District.**

Ben Gilbert stated concern that the three lots being rezoned would not meet C-2 Commercial zoning requirements. He asked why the rezoning was being done prior to replatting the three lots into one commercial lot.

Ms. Swihart explained the property was sold as one lot and didn't realize there were three lots until the survey was completed. She plans to address the replat at a later date when the second business project on the property was confirmed.

Clyde Fisher inquired about the back alley access for a second business. Ms. Swihart responded the proposed business is an engineering company with no street traffic. The back alley entrance would accommodate their needs.

Ben Gilbert recommended the Commission approve the rezoning and require the replat be processed within six months of City Council approval; the Commission agreed.

Motion to approve the rezoning of 111 Gotcher Avenue from $1-6000 to C-2 Commercial Zoning District with the required replat processed within 6 months of City Council action was made by Rebecca Lamb; second by Curtis Trivitt.
Ayes: Ben Gilbert, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

4. **Review of the First Draft of Downtown Zoning District Ordinance.**

City Manager Berner explained the background of the proposed zoning ordinance. The 4-B Corporation studied proposed Main Street themes and reviewed the Main Street master plan. The 1850's Lakeside theme was chosen. The downtown revitalization plan will cost approximately 3 million dollars, will be done in segments and will allow for mixed-use buildings without needing a special use permit. This is the first step. The City is not ready to make changes to the surrounding area but will concentrate on Main Street right now. Under the new ordinance, existing buildings and businesses will be grandfathered without a time limit to this usage.

City Council Liaison Karl Hammond emphasized the 100% masonry requirement in the proposed zoning district.

The Commission asked how the new Dart line would affect this zoning district; Mr. Berner stated the line should be operational within the next 2 years. There will be quiet zones in the area to prevent any noise nuisance.

Voting on this new Downtown Zoning Ordinance will be scheduled at the next Planning & Zoning meeting after the commissioners review the proposed ordinance.

F. Future Agenda Items

The Downtown Zoning Ordinance public hearing and vote will be on the agenda.

G. Adjournment

Motion to adjourn was made by Curtis Trivitt; second by Rebecca Lamb.
Ayes: Ben Gilbert, Curtis Trivitt, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

The meeting adjourned at 7:31 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on October 30, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Rebecca Lamb and Alternate Clyde Fisher.

Staff Present: Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for September 18, 2008 meeting.

Motion to approve the September 18, 2008 minutes was made by Alternate Clyde Fisher; second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Lamb and Clyde Fisher
Noes: None

Motion Passed

2. Consideration and Action on approval of the site plan for Lake Cities Municipal Utilities Authority.

Kyle Hoag, project engineer, G & A consultants, Inc., 111 Hillside Drive, Lewisville, Texas, explained the project and site plan to the Commission. He stated there was no city engineer civil comments to report and the carport building had been eliminated from the site plan. This elimination removed any concern regarding the masonry requirements.

Motion to approve the site plan for Lake Cities Municipal Utilities Authority was made by Rebecca Lamb; second by Clyde Fisher.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Lamb and Clyde Fisher.
Noes: None

Motion Passed

F. Future Agenda Items

The first draft of the Downtown Zoning District Ordinance should be available for review at the next meeting.

G. Adjournment

Motion to adjourn was made by Rebecca Lamb; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Rebecca Lamb and Clyde Fisher.
Noes: None

Motion Passed

The meeting was adjourned at 7:07 pm.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on August 21, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Curtis Trivitt and Rebecca Lamb and City Liaison Karl Hammond.

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for July 17, 2008 meeting.

Motion to approve the July 17, 2008 minutes was made by Rebecca Lamb; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

2. Public Hearing on approval of an Ordinance allowing for a Special Use Permit to operate a child daycare facility in a structure on property located between Lake Highlands Drive on the west, Lakeway Drive on the east and south, and Cain Street on the north, Lake Dallas, Texas; legal description being: "common areas" of Harbortown Villas, Phase 1. This location is in an R-3, Multifamily Residence District.

Georgina Gougeon, 717 Cain Street, Volunteer Harbourtown Home Owners Association (HOA) President spoke on behalf of the David Wright, applicant for the Special Use Permit. Ms. Gougeon has obtained 90% approval of the 20 homeowners to sell the 1.75 acres of the common area. Mr. Wright purchase contract is in escrow at this time. He wants to open a day care center in the former clubhouse. The daycare hours will be 6 a.m. to 6 p.m. with a maximum of 20 to 30 children.

No else came forward and the public hearing was closed.

3. **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit to operate a child daycare facility in a structure on property located between Lake Highlands Drive on the west, Lakeway Drive on the east and south, and Cain Street on the north, Lake Dallas, Texas; legal description being: "common areas" of Harbortown Villas, Phase 1. This location is in an R-3, Multifamily Residence District.**

   General consensus of Commission was positive.

   Motion to approve the Special Use Permit to operate a child daycare facility was made by Curtis Trivitt; second by Rebecca Lamb.
   Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
   Noes: None

Motion Passed

F. Future Agenda Items

City Manager Earl Berner stated the first draft of the downtown zoning district ordinance will be available soon for the Commission's review and comments.

G. Adjournment

Motion to adjourn was made by Rebecca Lamb; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

The meeting was adjourned at 7:10 pm.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on July 17, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Gilbert, Commissioners Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb and City Council Liaison Karl Hammond

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for June 26, 2008 meeting.

Motion to approve the June 26, 2008 minutes was made by Curtis Trivitt; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

2. Consideration and Action on approval of a site plan for Sonic Drive In of Lake Dallas.

McKee Yant, 7116 Helsem Bend in Dallas and owner of Sonic Drive In of Lake Dallas, showed pictures of a new Sonic building to illustrate what the new site will look like. He stated Sonic will become a drive through and drive-in fast food restaurant; a change for the better. The current building will be completely demolished, except for the sign. A modern LED board will replace the existing message board.

City Manager Berner noted the parking and landscaping variances that had already been approved by the Board of Adjustment. There will be a new front sidewalk that will complement the renovation plans for Main Street.

Motion to approve the site plan for the Sonic Drive In of Lake Dallas was made by Diane Byers. Second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb.

Noes: None

Motion Passed

3. **Consideration and Action on approval of an Ordinance amending Section 122-412, "Maximum Lot Coverage," of Article X, "C-3 Commercial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

   Motion to approve Ordinance to amend Section 122-412 was made by Diane Byers. Second by Curtis Trivitt.
   Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
   Noes: None

Motion Passed

4. **Consideration and Action on approval of an Ordinance amending Section 122-81, "Permitted Uses," Section 122-82, "Accessory Uses," and Section 122-83, "Conditions for Accessory Uses," of Article III, "R-1-6000 Single-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

   Motion to approve Ordinance to amend Section 122-81, 82 & 83 was made by Diane Byers. Second by Peggy Shelton.
   Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
   Noes: None

Motion Passed

5. **Consideration and Action on approval of an Ordinance amending Section 122-32, "Accessory Uses," and Section 122-133, "Conditions for Accessory Uses," of Article IV, "R-1-7200 Single-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

   Motion to approve Ordinance to amend Section 122-32 and 122-133 was made by Curtis Trivitt. Second by Diane Byers.
   Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
   Noes: None

Motion Passed

6. **Consideration and Action on approval of an Ordinance amending Section 122-182, "Accessory Uses," and Section 122-183, "Conditions for Accessory Uses," of Article V, "R-1-10000 Single-Family Dwelling-District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

   Motion to approve Ordinance to amend Section 122-182 and 183 was made by Curtis Trivitt. Second by Peggy Shelton.

Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

7. **Consideration and Action on approval of an Ordinance amending Section 122-231, "Permitted Uses," of Article VI, "R-2 Two-Family Dwelling District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Motion to approve Ordinance to amend Section 122-231 was made by Diane Byers. Second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

8. **Consideration and Action on approval of an Ordinance amending Section 122-271, "Permitted Uses," of Article VII, "R-3 Multifamily Residence District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Motion to approve Ordinance to amend Section 122-271 was made by Diane Byers. Second by Rebecca Lamb.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

F. Future Agenda Items

City Manager Berner stated the overlay zoning district ordinance for downtown will be coming to the Commission soon, in addition to the transition district that surrounds the downtown area.

G. Adjournment

The meeting was adjourned at 7:15 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a special meeting on June 26, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Curtis Trivitt, Peggy Shelton and Rebecca Lamb, and Council Liaison Karl Hammond

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairperson Ben Gilbert led the Pledge of Allegiance

D. Citizen's Agenda

None came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:
1. Consideration and Action on approval of Minutes for May 15, 2008 meeting.

Motion to approve the Minutes was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

2. Public Hearing on approval of a Special Use Permit for the sale of alcoholic beverages at 302 Swisher Road, Lake Dallas, Texas; Block A, Lot 1 of the KWIK Addition.

J. D. Dudley, 14450 Trinity Blvd, #300, Ft. Worth, from Kwik Industries explained the purpose of the Special Use Permit.

No one else came forward and Chairperson Gilbert closed the public hearing.

3. Consideration and Action on approval of an Ordinance for a Special Use Permit for the sale of alcoholic beverages at 302 Swisher Road, Lake Dallas, Texas; Block A, Lot 1 of the KWIK Addition.

Commission consensus was in favor of Special Use Permit but also wanted a term limit on the Permit of 10 years.

City Manager Berner was in favor of a long term time limit on the Permit.

Motion to approve Special Use Permit was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

4. Consideration and Action on approval of a site plan for TTMJ Mixed Use Development at 203-207 Main Street.

Donny Mack, 2970 FM 455, Suite 1, Sanger Texas is the general contractor for the project and available to answer any questions.

City Manager Berner recommends approval of project, one phase at a time.

Chairperson Gilbert expressed concern about having enough parking available to customers, employees and residents. The parking areas were explained to the Commission.

Motion to approve the site plan for TTMJ Mixed Use Development was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

F. Future Agenda Items

City Manager Berner stated there will be some ordinance changes next month.

G. Adjournment

Motion to adjourn was made by Peggy Shelton. Second by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton, Curtis Trivitt and Rebecca Lamb
Noes: None

Motion Passed

Meeting adjourned at 7:10 p.m.

Ben Gilbert, Chair

Charmaine DuPree, Secretary
Planning and Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on May 15,2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Curtis Trivitt and Council Liaison Karl Hammond.

Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for April 17, 2008 meeting.

Motion to approve the Minutes was made by Peggy Shelton. Second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

2. Consideration and Action on approval of Final Plat for Lakebridge Estates Phase II out of the M.E.P. and P.R.R. Survey, Abstract No. 924 in the City of Lake Dallas, Denton County, Texas.

Doyle Cameron, 2330 F.M. 407, Suite 100, in Highland Village explained the proposed plan submitted with the Final Plat for the new subdivision.

Motion to approve the Final Plat for Lakebridge Estates Phase II was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

3. Consideration and Action on appointment of City of Lake Dallas official or employee to be authorized to approve replats of up to 4 lots per HB 2281.

The City Manager Earl Berner explained the recent State Law change that allows a City Official to approve simple replats of up to 4 lots. City Attorney, David Berman submitted a good review of the new ordinance, included in the Planning & Zoning package. Mr. Berner feels handling simple replats this way will benefit the citizens as well as the City. If approved the Planning and Zoning Secretary Char DuPree will be responsible for processing these replats.

Motion to approve appointment of City of Lake Dallas official or employee to be authorized to approve replats of up to 4 lots was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

4. **Consideration and Action on approval of site plan for QuikTrip.**

J. D. Dudley, 14450 Trinity Blvd, #300 in Ft. Worth, is the Field Supervisor for QuikTrip. He explained the site plan to the Commission. The new site plan will replace the current carwash and use the open lot adjacent to it. All utility issues have been addressed on the site plan.

Motion to approve the site plan for QuikTrip was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

F. Future Agenda Items

There will be a meeting in June but right now the City is unsure what all will be on that agenda.

G. Adjournment

Motion to adjourn was made by Peggy Shelton. Second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

Meeting adjourned at 7:09 p.m.

Ben Gilbert, Chair

Charmaine DuPree, Secretary
Planning and Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on April 17, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Curtis Trivitt and Peggy Shelton, and Council Liaison Karl Hammond

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for March 20, 2008 meeting.**

   Motion to approve the March 20, 2008 minutes was made by Curtis Trivitt. Second by Peggy Shelton.
   Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
   Noes: None

   Motion Passed

2. **Public Hearing on approval of an Resolution to authorize an exemption to allow less than 80% masonry on a new structure to be built by Ace Hardware at 501 Thompson.**

   Bob McDonald, owner of Ace Hardware at 505 Thompson, explained the primary structure is metal and he is requesting the storage building be constructed of metal also. He feels this would be a better fit than a masonry structure. This accessory building will be used to store a small amount of lumber inventory.

3. **Consideration and Action on approval of a Resolution to authorize an exemption to allow less than 80% masonry on a new structure to be built by Ace Hardware at 501 Thompson.**

   When asked about the building design and color, Mr. McDonald stated this building would be the same height with a similar roofline as the primary property structure. The exterior color will be white to match the main building.

Motion to approve the 80% masonry exemption was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

F. Future Agenda Items

Nothing at this time

G. Adjournment

Motion to adjourn was made by Peggy Shelton. Second by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

Meeting adjourned at 7:06 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on March 20, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Curtis Trivitt, and Council Liaison Karl Hammond.

Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda

E. Business:

1. Consideration and Action on approval of Minutes for February 21, 2008 meeting.

Motion to approve the February 21, 2008 Minutes was made by Peggy Shelton. Second was made by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

2. Public Hearing on approval of an Ordinance to authorize a change in zoning for Tract 72 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to R-1-6000 Single-Family Dwelling District.

Paul Forgey, 402 S. Lakeview Drive, explained the reasons why he is asking for this zoning change for his property.

Pasty Farrow, 508 Main Street, supports the zoning change. Paul is her nephew and a good neighbor.

No one else came forward and the public hearing was closed.

3. Consideration and Action on approval of an Ordinance to authorize a change in zoning Tract 72 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to R-1-6000 Single-Family Dwelling District.

Motion to approve the zoning change from C-1 Retail District to R1-6000 at Tract 72 of Abstract 0924A MEP & PRR Survey property was made by Curtis Trivitt. Second was made by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

4. Consideration and Action on approval of site plan for Ace Hardware on Thompson Drive.

Bob McDonald, owner of Ace Hardware at 505 Thompson in Lake Dallas wants to install security wrought iron fence around the eastern parameter of the property. It will be 7 ft. tall, coming up to the front of the building, approximately 111 linear ft., with a sliding gate so delivery trucks can deliver inventory. Mr. McDonald gave an updated plan to the Commission.

An additional 20 x 40 ft. building will be constructed to store a small supply of lumber. It will include roll-up doors on the front & side of the building. The side overhang of the existing building will be extended to the back of the building with a dock modification allowing more room to operate pick-up and deliveries. Asphalt will be installed to the rest of the parking lot and a cement slab will be constructed under the kerosene supply.

Mr. McDonald state the new building would be metal with steel interior posts on a cement slab, similar to the existing building.

Motion to approve the site plan for Ace Hardware was made by Peggy Shelton. Second was made by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion passed

F. Future Agenda Items

Mr. Berner stated the new Quiktrip site plan would be submitted to the Commission within a couple of months.

G. Adjournment

Motion to adjourn was made by Peggy Shelton. Second was made by Curtis Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on February 21, 2008 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Gordon McQuillin

C. Pledge of Allegiance

Pledge of Allegiance was led by Chairperson Ben Gilbert.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for December 20, 2007 meeting.

Motion to approve the December 20, 2007 Minutes was made by Peggy Shelton. Second by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin
Noes: None

Motion Passed

2. Public Hearing on approval of an Ordinance to authorize a change in zoning for Tract 62 and Tract 71 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to PD Planned Development district.

Doyle Cameron, 420 Longfellow, explained the why he requesting a zoning change and summarized the planned development project. He stated the property is a transition piece and would improve the current neighborhood. This will be a zero lot line residential area, meeting the R1-7200 specs except for the sq. ft. requirement. Mr. Cameron is requesting a minimum sq. ft. of 1,200 for the 12 proposed units. Home prices will be reasonable. If approved the front portion of the property on Main Street will be given to the City for a small park.

No one else came forward and the public hearing was closed.

3. Consideration and Action on approval of an Ordinance to authorize a change in zoning for Tract 62 and Tract 71 of Abstract 0924A MEP & PRR Survey property from C-1 Retail District to PD Planned Development district

Ben Gilbert requested confirmation that no building will be done in the flood plain area.

Mr. Cameron stated his engineer would make sure no building occurred in the flood plain and all drainage requirements would be met to ensure proper drainage on each lot.

Mr. Berner explained the Council had reviewed the preliminary plans during a workshop at the last meeting and had not noted any issues of concern.

Motion to approve the rezoning from C-1 Retail District to a PD Planned Development District was made by Gordon McQuillin. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin
Noes: None

Motion Passed

4. Public Hearing on approval of a replat Lots 1, 2, 3, 4, and 5 of Block 8 and Lots 1, 2, 3, 4, 5, and 6 of Block 9 of OT Garza Survey, and Tract 28 of A1355a Wright Survey in the City of Lake Dallas, Denton County, Texas into one (1) lot.

   Since the balance of the agenda is regarding the new school, Mr. Berner requested Mr. Eversole make one presentation regarding all agenda items.

   Wes Eversole, 2512 Jenny Lane in Flower Mound and Superintendent of the Lake Dallas Independent School District, explained master plan of school district in building the new Lake Dallas Elementary School.

   The new school plans to open the fall of 2009 with the front facing Main Street. This school replicates the building and floor plan of Shady Shores Elementary School with an estimated 750 to 850-student population and a building size of approximately 120,000 sq. ft.

   John King, DMS Architects, 300 College Avenue in Ft. Worth, explained traffic flow on Main Street and the needed street abandonment for the school and traffic flow. He also explained the student drop off plan in the back of the school by the gymnasium.

   Gordon McQuillin expressed his concern about having a single lane entrance to the school off of Main Street. Mr. King explained how the stacking process is working at Shady Shores Elementary School without the benefit of a left hand turning lane on Dobbs Road. The entrance intersection on Main Street will be a four-way stop. The single lane opens into two lanes once the traffic is past the special education building.

   No one else came forward and the public hearing was closed.

5. Consideration and Action on approval of a replat Lots 1, 2, 3, 4, and 5 of Block 8 and Lots 1, 2, 3, 4, 5, and 6 of Block 9 of OT Garza Survey, and Tract 28 of A1355a Wright Survey in the City of Lake Dallas, Denton County, Texas into one (1) lot.

   Motion to approve replat was made by Gordon McQuillin. Second by Peggy Shelton.
   Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin.
   Noes: None

Motion Passed

6. Public Hearing on approval of an Ordinance to abandon Market Street (a 60 foot right-of-way) line of San Jacinto Avenue (a 60 foot right-of-way) to the west right-of-way line of Falcon Drive ((a 60 foot right-of-way) aka Texas Drive); and, Falcon Drive ((a 60 foot right-of-way) aka Texas Drive) from the South a right-of-way line of Sycamore Street (a 60 foot right-of-way) to the north right-of-way line of Main Street (a variable width right-of-way).

   Please see above comments from Mr. Eversole.

   No one else came forward and the public hearing was closed.

7. Consideration and Action on approval of an Ordinance to abandon Market Street (a 60 foot right-of-way) line of San Jacinto Avenue (a 60 foot right-of-way) to the west right-of-way line of Falcon Drive ((a 60 foot right-of-way) aka Texas Drive); and, Falcon Drive ((a 60 foot right-of-way) aka Texas Drive) from the South a right-of-way line of Sycamore Street (a 60 foot right-of-way) to the north right-of-way line of Main Street (a variable width right-of-way).

   Mr. King added there is a major telephone line on Stadium and the School District has worked with CenturyTel on this issue. All other utility lines will be moved.

   Motion to approve the street abandon was made by Gordon McQuillin. Second by Ben Gilbert.
   Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin.
   Noes: None

   Motion Passed

8. Consideration and Action to approve the Lake Dallas Independent School District site plan for new school on Main Street.

   Motion to approve site plan for new elementary school on Main Street, contingent upon technical reviews being approved, was made by Gordon McQuillin. Second by Ben Gilbert.
   Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin.
   Noes: None

   Motion Passed

F. Future Agenda Items

There is nothing pending right now. Mr. Doyle Cameron will be back in March or April with his subdivision development plans.

G. Adjournment

Motion to adjourn was made by Peggy Shelton. Second by Gordon McQuillin.
Ayes: Ben Gilbert, Peggy Shelton and Gordon McQuillin

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on December 20, 2007 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Ben Gilbert, Peggy Shelton, Diane Byers, Curtis Trivitt, and Karl Hammond, Council Liaison

Staff Present: Earl Berner, City Manager and Char DuPree, Planning & Zoning Secretary

C. Pledge of Allegiance

Pledge of Allegiance was led by Chairperson Ben Gilbert.

D. Citizen's Agenda

No one came forward and Chairperson Gilbert closed the Citizen's Agenda

E. Business:

1. **Consideration and Action on approval of Minutes for October 18, 2007 meeting.**
Motion to approve the October 18, 2007 Minutes was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Curtis Trivitt
Noes: None

Motion Passed

2. **Consideration and Action on selection of new board officers for 2007-2008 year.**
Motion to reappoint Ben Gilbert as chair was made by Curtis Trivitt. Second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Curtis Trivitt
Noes: None

Motion Passed

Motion to reappoint the current officers as the new commission officers was made by Curtis Trivitt. Second by Ben Gilbert.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Curtis Trivitt
Noes: None

Motion Passed

3. **Public Hearing on an application to operate a child daycare facility in a house located at 215 Betchan Drive, Lake Dallas, Texas; Tract 65 of the M. Wright Survey, Abstract 1355. This location is in an R-1-6000 Single Family Dwelling District.**

Kimberly Berry, 58 Robins Nest, Hickory Creek, stated the reason for her request for a Special Use Permit.

4. **Consideration and Action on approval of an Ordinance to allow a Special Use Permit for a child daycare facility in a house located at 215 Betchan Drive, Lake Dallas, Texas; Tract 65 of the M. Wright Survey, Abstract 1355. This location is in an R-1-6000 Single Family Dwelling District.**

Ms. Berry answered the questions of the commissioners.

She plans to have a maximum of 40 children enrolled. The student ratio to each employee would be 20 to one for the 3-year-olds; 14 to one for 4-year-olds; 11 to one for ages 6 weeks to three years old. She would be open Monday through Friday from 7 am to 6 pm. She will comply with all state requirements. She will be equipped to also take special needs children. They will be reviewed on a case-to-case basis. After the day care center is fully staffed she thinks the maximum amount of employees will be six.

Since she will need to have a drop off area plus one space for each employee she will conform to the parking regulations. She plans to widen the circular driveway.

Motion to approve Special Use Permit for child daycare facility at 215 Betchan Drive was made by Curtis Trivitt. Second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers and Curtis Trivitt
Noes: None

Motion Passed

F. Future Agenda Items
City Manager Earl Berner said there is nothing pending.

G. Adjournment
Motion to adjourn was made by Curtis Trivitt. Second by Diane Byers.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, and Curtis Trivitt
Noes: None

Motion Passed

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on October 18,2007 at 7:00 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present were: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Curtis Trivitt and Council Liaison Karl Hammond.

Staff Present: City Manager Earl Berner and Planning and Zoning Commission Secretary Char Dupree.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward to speak and Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for September 20, 2007 meeting.**

Motion to approve the Minutes of September 20, 2007 was made by Commissioner Shelton. Second was made by Commissioner Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion passed

2. **Public Hearing on an application for a rezoning change for 215 Betchan from R-1-6000 Single-Family Residential district to C-3 Commercial district.**

John Smith, 149 Garth in Hickory Creek owns the property at 215 Betchan.

Rick Webb, 408 Alamo in Lake Dallas, owns adjoining property to 215 Betchan.

No one else came forward to speak so Chairperson Gilbert closed the public hearing.

3. **Consideration and Action on approval of an ordinance for a rezoning change for 215 Betchan from R-1-6000 Single-Family Residential district to C-3 Commercial district.**

The City Manager explained the property owners are requesting the zoning change to allow the property to be used as a public meeting facility. Mr. Berner further explained the parking issues concerning the use of the City Hall parking area and the SUP request to allow the serving of alcohol in the building.

Mr. Smith stated some of the property improvements would include demolishing the old portion of the current building and rebuilding a new portion to the west of the remaining building. The primary times of operation would be evenings and weekends.

Ben feels the zoning change is appropriate given the direction of the downtown revitalization process.

Motion to approve the zoning change from R1-6000 Residential district to C-3 Commercial district was made by Chairperson Gilbert. Second was made by Commissioner Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

4. **Public Hearing on a Special Use Permit Petition for 215 Betchan to allow for a meeting facility.**

Mr. Smith stated the hours of operation would not go beyond midnight and could start in the late morning or early afternoon hours. There would not be any outside bands, only organ or piano music played in the outdoor wedding area. The building occupancy, according to the current Fire Code, would allow 128 people. Currently there are 13 parking spaces; this occupancy level would require 18 additional spaces.

Mr. Webb is still concerned about the noise level and how this type of facility will affect close neighbors and the neighborhood as a whole.

No one else came forward and Chairperson Gilbert closed the public hearing.

5. **Consideration and Action on approval of an ordinance for a Special Use Permit to allow for a meeting facility.**

The Commission and City Manager discussed the times of operation and parking restrictions that would be appropriate for this type of meeting facility and allow a successful operation without being a hindrance to the neighborhood or City Hall.

Motion to approve a Special Use Permit to allow for a meeting facility with time and parking restrictions was made by Commissioner Trivitt. Second was made by Commissioner Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

6. **Consideration and Action on approval of a site plan for 215 Betchan.**

Discussion between Mr. Smith and the Commission included other facilities considered for this project, fence installation to help restrict noise and continued discussion of parking issues.

Chairperson Gilbert said he felt Mr. Smith was requesting a lot from the City and was reluctant to approve the site plan because of the parking situation. He also requested more detail on the site plan before it went before the City Council for review.

Motion to approve the site plan for 215 Betchan with more details added that addressed the concerns of the Commission was made by Commissioner Trivitt. Second was made by Commissioner Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

7. **Consideration and Action on approval of City of Lake Dallas zoning districts map as revised January 8, 2007.**

The City Manager stated the revised map would ensure all new zoning changes had been documented on the map.

Motion to approve the new zoning map was made by Commissioner Trivitt. Second was made by Commissioner Shelton.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

F. Future Agenda Items

Mr. Berner stated the downtown and area surrounding downtown new zoning ordinance would be coming before the Commission for review soon.

G. Adjournment

Motion to adjourn was made by Chairperson Gilbert. Second was made by Commission Trivitt.
Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
Noes: None

Motion Passed

The meeting adjourned at 7:40 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on September 20, 2007 at 7:02 pm in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present were: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Curtis Trivitt

Staff Present: City Manager Earl Berner and Planning and Zoning Commission Secretary Char Dupree.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward to speak so Chairperson Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for May 17, 2007 meeting.**
   Motion to approve the Minutes of the May 17, 2007 meeting was made by Commissioner Trivitt. Second was made by Commissioner Shelton.
   Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
   Noes: None

   Motion Passed

2. **Public Hearing on a request for a proposed zoning change for Tract 80 of Abstract 0924A MEP and PRR survey in the 600 block of Main Street from C-2 Commercial district to R-1-7200 Single-Family Dwelling district.**

   No one came forward to speak so Chairperson Gilbert closed the public hearing.

3. **Consideration and Action on a request for a proposed zoning change for Tract 80 of Abstract 0924A MEP and PRR survey in the 600 block of Main Street from C-2 Commercial district to R-1-7200 Single-Family Dwelling district.**

   Mr. James Curry, 616 A/B Main Street, stated he was requesting the zoning change to allow him to reside in the property when he is in town. Eventually he would like to have the property zoned for residential and commercial use.

   Motion to approve the proposed zoning change to R1-7200 was made by Commissioner Shelton. Second was made by Commissioner Trivitt.
   Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
   Noes: None

   Motion Passed

4. **Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning by adding Section 122-584, to be entitled "Skirting and Additions" in R-1-4000 Manufactured Home Residential District.**

   Motion to approve the addition to Chapter 122-584 entitled "Skirting and Additions" was made by Commissioner Shelton. Second was made by Commissioner Trivitt.
   Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
   Noes: None

   Motion Passed

5. **Consideration and Action on approval of an Ordinance to amend Chapter 122 Zoning by adding Section 122-611, to be entitled "Skirting and Additions" in R-1-4000C Commercial Manufactured Home Residential District.**

   Motion to approve the addition to Chapter 122-611 entitled "Skirting and Additions" was made by Commissioner Shelton. Second was made by Commissioner Trivitt.
   Ayes: Ben Gilbert, Peggy Shelton and Curtis Trivitt
   Noes: None

   Motion Passed

F. Future Agenda Items

Earl Berner stated future items would include the downtown Main Street rezoning. He also announced the State law has changed to allow City Administration to approve simple replat requests in house when all the utilities are already in place.

G. Adjournment
The meeting was adjourned at 7:12 pm.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on May 17, 2007 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present were: Ben Gilbert, Diane Byers, and Curtis Trivitt

Staff Present: City Manager Earl Berner and Planning and Zoning Commission Secretary Charmaine DuPree.

C. Pledge of Allegiance
Led by Chairman Ben Gilbert.

D. Citizen's Agenda:
No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for December 21, 2006 meeting.**
   Motion to approve the Minutes of the December 21, 2006 meeting was made by Diane Byers. Second by Ben Gilbert.
   Ayes: Ben Gilbert, Diane Byers, and Curtis Trivitt
   Noes: None
   Motion Passed

2. **Public Hearing on proposed Ordinance to amend Section 122-807(b)(3)(b), election signs exception, of the Lake Dallas Municipal Code.**
   No one came forward to speak so Chairman Gilbert closed the public hearing.

3. **Consideration and Action on proposed Ordinance to amend Section 122-807(b)(3)(b), election signs exception, of the Lake Dallas Municipal Code.**
   Motion to approve the Ordinance was made by Diane Byers. Second by Curtis Trivitt.
   Ayes: Ben Gilbert, Diane Byers, and Curtis Trivitt
   Noes: None
   Motion Passed

4. **Consideration and Action to accept Cliff Elton's resignation from the commission.**
   Motion to accept Cliff Elton's resignation letter was made by Diane Byers. Second by Curtis Trivitt.
   Ayes: Ben Gilbert, Diane Byers, and Curtis Trivitt
   Noes: None
   Motion Passed

5. **Public hearing on a proposed replat of Lots 5 and 6 of Block A of the Summers Addition City of Lake Dallas, Denton County, Texas.**
   Michele, 728 Summers, said she is in favor of the replat.

6. **Consideration and Action on approval of a proposed replat of Lots 5 and 6 of Block A of the Summers Addition City of Lake Dallas, Denton County, Texas.**
   Motion to approve the proposed replat of Lots 5 and 6 of Block A of the Summers Addition **was** made by Diane Byers. Second by Curtis Trivitt.
   Ayes: Ben Gilbert, Diane Byers, and Curtis Trivitt
   Noes: None

   Motion Passed

7. **Public hearing on proposed Ordinance to amend a Special Use Permit to expand the Lake Dallas Point Restaurant by adding 1900 square feet to be used as a lounge and game room at 303 Swisher Road, #100, Lake Dallas, Texas; Swisher Road Addition, North, Lot 3, Block 1.**
   Kristen Taylor, manager of the Point, 303 Swisher Road, said it would bring employment to the area and that no one under the age of 21 would be allowed in the room with the pool tables.

   Brian Herwick, 140 Whitney Drive, Hickory Creek, said he/she is a customer who is very pleased with the Point.

8. **Consideration and Action on proposed Ordinance to amend a Special Use Permit to expand the Lake Dallas Point Restaurant by adding 1900 square feet to be used as a lounge and game room at 303 Swisher Road, #100, Lake Dallas, Texas; Swisher Road Addition, North, Lot 3, Block 1.**
   The general consensus was that the Point is a nice establishment to eat at.
   Motion to approve the proposed Ordinance was made by Curtis Trivitt. Second by Diane Byers.
   Ayes: Ben Gilbert, Diane Byers, and Curtis Trivitt
   Noes: None

   Motion Passed

F. Adjournment
The meeting was adjourned at 7:20 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on June 15, 2006 at 7: 02 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairman Ben Gilbert, Commissioners Peggy Shelton, Gordon McQuillin and Alternate Tina Martin.

Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for May 18, 2006 meeting.**

   Motion to approve the minutes for the May 18, 2006 was made by Commissioner Martin. Second by Commissioner Shelton.
   Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
   Noes: None

   Motion Passed

2. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 37R, 38R, 39R, 40, 41, and 42 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District to R-1-6000, Single-Family Dwelling District.**

   No one came forward and Chairman Gilbert closed the public hearing.

3. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 37R, 38R, 39R, 40, 41, and 42 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District to R-1-6000, Single Family Dwelling District.**

   Motion to approve the rezoning as stated was made by Commissioner Martin. Second by Commissioner McQuillin.
   Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
   Noes: None

   Motion Passed

4. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1A-R, 1B-R, 4A-R, 4B-R, 5A-R, 8A-R, 8B-R, 9A-R, 9B-R, 10A-R, 10B-R, 11A-R, 11B-R, 12A-R, 12B-R, 13A-R, 19A-R and 19B-R of Harbourtown Villas, City of Lake Dallas, Denton County, Texas from Group Housing District to R-1-7200, Single Family Dwelling District.**

   John Schuh, 737 Harbourtown Dr., asked where the lots were located. In addition, since his home is a duplex, if it was destroyed could he rebuild the duplex is it is.

   Mr. Berner illustrated where the lots were located on the zoning map. In addition he stated Mr. Schuh could rebuild his home as a duplex or a single family residence.

   Phyllis Lawson, 708 Harbourtown, asked if the rezoning would affect the condos on Harbourtown because they are in need or repair and maintenance.

   Mr. Berner responded that the Home Owners Association has been revamped and the outside of these buildings are going to be taken care of.

5. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1A-R, 1B-R, 4A-R, 4B-R, 5A-R, 8A-R, 8B-R, 9A-R, 9B-R, 10A-R, 10B-R, 11A-R, 11B-R, 12A-R, 12B-R, 13A-R, 19A-R and 19B-R of Harbourtown Villas, City of Lake Dallas, Denton County, Texas from Group Housing District to R-1-7200, Single Family Dwelling District.**

   Motion to approve the rezoning as stated was made by Commissioner McQuillin.
   Second by Commissioner Martin.
   Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
   Noes: None

   Motion Passed

6. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1 and 2 of the Bishop Addition, City of Lake Dallas, Denton County, Texas from R-1-6000 Single Family Dwelling District to C-1 Retail District.**

   Chairman Gilbert stated this property is across from the City Public Works Yard.

   Frank Barnard, 328 Betchan, is in favor of this zoning change.

7. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1 and 2 of the Bishop Addition, City of Lake Dallas, Denton County, Texas from R-1-6000 Single Family Dwelling District to C-1 Retail District.**

   Motion to approve the rezoning as stated was made by Commissioner McQuillin.
   Second by Commissioner Martin.
   Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
   Noes: None

   Motion Passed

8. **Public Hearing on approval of an Ordinance for the proposed rezoning of Tract 28A of the N. French Abstract 0424A, City of Lake Dallas, Denton County, Texas from R-1-10000, Single Family Dwelling District to M-1, Light Industrial District.**

   Chairman Gilbert stated this property is located near the sewage plan off of Lakeview.

9. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tract 28A of the N. French Abstract 0424A, City of Lake Dallas, Denton County, Texas from R-1-10000, Single Family Dwelling District to M-1, Light Industrial District.**

   Motion to approve the rezoning as stated was made by Commissioner McQuillin.
   Second by Commissioner Martin.
   Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
   Noes: None

Motion Passed

F. Adjournment

Mr. Berner announced there will be a small town planning workshop in McKinney, Texas on Saturday, July 22, 2006 if anyone is interested in attending. He also said the Ground Breaking Ceremony for Willow Grove Park will be Tuesday, June 20, 2006 at 7 p.m.

Motion to adjourn was made by Commissioner McQuillin. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
Noes: None

Motion Passed

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on October 19, 2006 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairman Ben Gilbert, Commissioners Gordon McQuillin and Alternate Tina Martin, and Council Liaison Karl Hammond.

Staff present: Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for June 17, 2006 meeting.**
Motion to approve the minutes for the June 17, 2006 was made by Commissioner Martin. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Commissioners McQuillin and Martin
Noes: None

Motion Passed

2. **Consideration and Action on selection of chair and vice chair for the Planning and Zoning Commission to serve for October 2006 to October 2007 selections.**
Motion to keep the same officers (Chair: Ben Gilbert and Vice Chairman Cliff Elton) was made by Commissioner Martin. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Commissioners McQuillin and Martin
Noes: None

Motion Passed

3. **Public Hearing on a proposed replat of the north half of Lot 25 of Block H in the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.**
John Donahue, 203 Hickory Lane, Hickory Creek, wants to build homes that are in compliance with the R1-6000 zoning requirements, similar to homes are Texas Street. He explained all other lots in this area are 50 x 100 ft. The original plat from 1926 has a 200 x 200 ft. lot reserved for a community center. The property to the south is 100 x 200 ft.

Tom Brown, 401 Stockard, is not in favor of subdividing these lots and having them developed. He wanted to buy these lots and not develop them, however, the owner wanted too much for them. He feels Lake Dallas is getting too crowded. Parking is also an issue in this area and the Police have been called several times due to violations. In addition, he does not want the old, large tree in the middle of the property removed. It is between 150 and 200 years old.

Mr. Donahue stated that tree would remain on property because it is at the corner where all 4 properties meet.

No one else came forward and Chairman Gilbert closed the public hearing.

4. **Consideration and Action on approval of the proposed replat of the north half of Lot 25 of Block H in the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.**
   Motion not to approve the proposed replat was made by Commissioner Martin. Second by Chairman Gilbert
   Ayes: Chairman Gilbert and Commissioner Martin
   Noes: Commissioner McQuillin

Motion Not Passed

F. **Adjournment**
Motion to adjourn was made by Commissioner McQuillin. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Commissioners McQuillin and Martin
Noes: None

Motion Passed

Meeting adjourned at 7:30 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on December 21, 2006 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present were: Chairman Gilbert, Commissioners Byers and Martin.

Staff Present: Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for October 19, 2006 meeting.**
Motion to approve the Minutes from the October 19, 2006 meeting was made by Commissioner Martin. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Byers and Martin.
Noes: None

Motion Passed

2. **Public Hearing on an application for a Special Use Permit, Section 122.691(6), uses permitted by Special Use Permit, Article XVI, Special Use Permits, to operate a child daycare facility in a house located in the southwest corner of Lake Shore Baptist Church property, 276 Hundley Drive, Lake Dallas, Texas; Block 1, Lot 1R-A of the Lake Shore Baptist Church replat. This location is in C-1, Retail Zoning District.**

Derek Hanks, project architect from Aubrey, TX spoke on behalf of Jackie Strausz. He explained the design and will bring this up to handicap standards within 2 years of opening the daycare as allowed by the Federal ADA requirements. This will include handicap parking and a ramp leading into the facility. The daycare does not have any special needs children enrolled and will delay those enrollments until they have the resources to provide those services. The driveway will have a flex space to allow a circular turnaround for parents to pick up children.

Ms. Strausz, 735 Winding Oak Bend in Lake Dallas, has attended state required training and the State will inspect the facility to ensure the daycare meets all requirements.

Mr. Brad Strausz stated the State Inspector would ensure compliance to all State and Health facility requirements.

No one else came foreard and Chairman Gilbert closed the public meeting.

3. **Consideration and Action on approval of a Special Use Permit, Section 122.691(6), uses permitted by Special Use Permit, Article XVI, Special Use Permits, to operate a child daycare facility in a house located in the southwest corner of Lake Shore Baptist Church property, 276 Hundley Drive, Lake Dallas, Texas; Block 1, Lot 1R-A of the Lake Shore Baptist Church replat. This location is in C-1, Retail Zoning District.**

   The Commission discussed the approval of the permit for a 2-year period. At that time the Special Use Permit would be reviewed for an extension.

   Ms. Strausz said she plans to be in this facility for approximately 5 years.

   Motion to approve the Special Use Permit to operate a child daycare facility for 2 years was made by Commissioner Martin. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Commissioners Byers and Martin.
   Noes: None

Motion Passed

F. Adjournment

Motion to adjourn was made by Commissioner Martin. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Byers and Martin.
Noes: None

Motion Passed

The meeting adjourned at 7:23 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met in a regular meeting on May 18, 2006 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Ben Gilbert, Vice-Chairman Cliff Elton, Commissioner Diane Byers, Alternate Tina Martin and Council Liaison Karl Hammond.

Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for March 16 2006 meeting.

Motion to approve the minutes for the March 16, 2006 was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Martin.
Noes: None

Motion Passed

2. Public Hearing on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition-North in the City of Lake Dallas, Denton County, Texas.

Zini Kreka, 5549 Big River Drive, The Colony, owner of South City Bar & Grill, explained he wants to open a facility that will service lunch, dinner and the late entertainment crowd. He has already applied for his TABC license, which determines what percentage of food and alcohol will be served. Mr. Kreka stated it will be approximately 50% of each. He has the same type of business in Addison, Texas and it has been in operation for 24 years. Hours of operation have not been determined yet, but he would like to stay open until 2 a.m. to maximize his business potential. There are pool tables in the restaurant to serve all types of customers. The menu will be burgers, salads, kids meals, etc. Their menu is three to four pages long and it is not just snack food. In addition, Mr. Kreka stated he did not want to attract the wrong type of crowd.

3. **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit to operate a private club at 303 Swisher Road, #100, as part of Lot 3, Block 1, of Swisher Road Addition-North in the City of Lake Dallas, Denton County, Texas.**
   Motion to approve the Special Use Permit was made by Commissioner Byers.
   Second by Chairman Gilbert.
   Ayes: Chairman Gilbert and Commissioner Byers.
   Noes: Vice Chairman Elton and Commissioner Martin.
   Motion Failed

   Special Use Permit request is sent to the City Council without recommendation from the Planning & Zoning Commission.

4. **Public Hearing on approval of an Ordinance for the proposed rezoning of Block A, Lot 1-R of the ICC Addition, City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to M-1, Light Industrial District.**

   City Manager Berner gave a brief overview of the rezoning items on the agenda.

   Chairman Gilbert stated this property is on Overly Street in front of Silestone. Businesses in this area are all light industrial. C1-A zoning has been eliminated with the new zoning ordinance adopted by the City Council.

   No one came forward to speak so Chairman Gilbert closed the Public Hearing.

5. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Block A, Lot 1-R of the ICC Addition, City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to M-1, Light Industrial District.**
   Motion to approve the proposed rezoning as stated was made by Commissioner Byers. Second by Commissioner Martin.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
   Noes: None
   Motion Passed

6. **Public Hearing on approval of an Ordinance for the proposed rezoning of Tracts 2 and 3 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-1, Retail District.**

   Ron Olson, Unified Aircraft, asked if their business can continue with this zoning change and can the property continue to be used in a warehouse capacity if it is sold. City Manager answered yes to both questions.

   Ken Howe, 205 Swisher, asked the City and Commission to look at both sides of Swisher when rezoning and do it at the same time. He also asked when the City was going to do a comprehensive plan to address all the zoning issues.

City Manager Berner stated we have to make this change now because the current zoning does not exist anymore. Property cannot be left without having designated zoning. A comprehensive city plan will be addressed within the next 2 years.

Commissioner Byers added that property that is not zoned creates a danger of someone coming in and using the property in an unwanted capacity. Zoning C1 is restrictive enough to protect the property usage until the new master plan is complete.

7. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tracts 2 and 3 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-1, Retail District.**
Motion to approve rezoning as stated was made by Commissioner Martin. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

8. **Public Hearing on approval of an Ordinance for the proposed rezoning of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-1, Retail District.**

Tom Coulter, 314 Carlisle, lives on the south side of this property. He asked if this action was initiated by the Commission/City or did someone asked for this rezoning and what the difference is between C1-A and C1. He also commented he didn't want another fast food restaurant by him.

City Manager Berner explained this change was initiated by the City to ensure all properties zoned C1-A was rezoned as a result of the elimination of C1-A.

9. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-1, Retail District.**
Motion to approve rezoning as stated was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

10. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1, 2, and 3 of Block 11 of the Old Town Garza property, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-3, Commercial District.**

    Ivan Bounds, 440 Betchan Street, wants to be able to drill in Lake Dallas for gas.

    Chairman Gilbert referred Mr. Bounds to the City Manager and said maybe he could come to speak on the Citizens Agenda at the next meeting.

11. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1, 2, and 3 of Block 11 of the Old Town Garza property, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District, to C-3,**
    City Manager Earl Berner explained retail businesses allowed in C1; all businesses around it are C-3 which is the least restrictive.
    Motion to approve the rezoning as stated was made by Vice Chairman Elton.
    Second by Commissioner Martin.
    Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
    Noes: None

    Motion Passed

12. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 1, 2, 3, and 4, Block 1, of the Swisher Road Addition-North, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-3, Commercial District.**

    Mrs. Stepp, 542 Briar Oaks, said she did not understand why the City needs a C-3 business in a C-1 district. She asked when KJ's, O'Rielly's and the Hotel properties were rezoned. She also said she and other residents were not informed of prior meeting regarding this issue.

    Chairman Gilbert responded saying the rezoning had occurred 3 to 4 years ago.

    Council Liaison Hammond stated open meetings regarding the construction of the Best Western Hotel were held for almost a year and a half. Only a few residents came to voice their opinions on this matter.

    Mike Fahey, 144 Kingswood, stated he was on the Planning & Zoning in the 80's when Lake Dallas had liquor stores and surrounding cities were dry. Lake Dallas needed the revenue from these businesses. Now surrounding cities also sell alcohol. The City doesn't need any more places with alcohol sales. He feels the zoning should be more restrictive than C-3.

13. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 1, 2, 3, and 4, Block 1, of the Swisher Road Addition-North, in the City of Lake Dallas, Denton County, Texas from C-1-A, Restricted Business District to C-3, Commercial District.**
Motion to approve the rezoning as stated was made by Vice Chairman Elton.
Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

14. **Public Hearing on approval of an Ordinance for the proposed rezoning of Block 2, Lots 7 through 32; Block 3, Lots 4 through 67; and Block 4, Lots 1 through 24 of the Lakebridge Estates Phase One Subdivision, in the City of Lake Dallas, Denton County, Texas from Group Housing to R-1-7200, Single-Family Dwelling District.**
No one came forward to speak so Chairman Gilbert closed the Public Hearing.

15. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Block 2, Lots 7 through 32; Block 3, Lots 4 through 67; and Block 4, Lots 1 through 24 of the Lakebridge Estates Phase One Subdivision, in the City of Lake Dallas, Denton County, Texas from Group Housing to R-1-7200, Single-Family Dwelling District.**
Motion to approve the rezoning as stated was made by Commissioner Byers.
Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

16. **Public Hearing on approval of an Ordinance for the proposed rezoning of Tract 9 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**

City Manager Berner stated this involves Lake Haven Estates. Basically the City is correcting the zoning for this commercial mobile home park.

Maureen Garrison, 109 N. Shady Shores Road, asked what would be brought into the property if Lake Haven were moved out. Could her property be rezoned commercial and then could she be forced out.

City Manager stated the City plans would affect her residential property. This rezoning was correctly zoning Lake Haven Estates.

Robert Clark, 624 Beck, asked why Shady Shores and Hundley was already zoned commercial. What prevents the City from changing our homes to commercial property?

The discussion that followed assured residents there were no plans to change the residential zoning currently on Shady Shores.

Commissioner Byers explained the difference between residential and commercial mobile home park.

You aren't going to change those homes to commercial? Mrs. Garrison.
City Manager Earl Berner explained that the city plans will not affect her residential property.

17. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tract 9 of the J. W. Simmons Abstract 1163A, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**
Motion to approve rezoning as stated was made by Commissioner Martin. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

18. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 26, 27, 28 and 29 of the J. V. Thompson Subdivision in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**

Chairman Gilbert closed the Public Hearing when no one came forward to speak.

19. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 26, 27, 28 and 29 of the J. V. Thompson Subdivision in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**
Motion to approve the rezoning as stated was made by Commissioner Byers. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

20. **Public Hearing on approval of an Ordinance for the proposed rezoning of Lots 2 and 4 of Block A, of the Hansen Estates Subdivision, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**

Chairman Gilbert closed the Public Hearing when no one came forward to speak.

21. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Lots 2 and 4 of Block A, of the Hansen Estates Subdivision, in the City of Lake Dallas, Denton County, Texas from R-1-4000, Manufactured Home Residential District, to R-1-4000-C, Commercial Manufactured Home Residential District.**
Motion to approve the rezoning as stated was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

22. **Public Hearing on approval of an Ordinance for the proposed rezoning of Tract 21C (13.934 Acres) and Tract 21B (6.143 Acres) of the French Abstract 0424A, in the City of Lake Dallas, Denton County, Texas, from C-1-A, Restricted Business District to C-3, Commercial District.**

Mike Fahey, 144 Kingswood, distributed map showing flood plain in this area. He is recommending residential zoning in this area even though there is a flood plain. Lake Dallas doesn't need any more liquor. The City needs to deal with the flood plain. The residence at 28 Pecan is about 150 ft. from this area. A park should be put in the flood plain area.

Neoma Spinks, Kingswood Mobile Home Park, doesn't want building right behind her. Businesses back there wouldn't work next to the sewer plant; it stinks. Traffic will just get worse.

Vice Chairman Elton said he would like to entertain another zoning.

Commissioner Byers said the road is going through and the City can't leave a piece of property without zoning.

The City Manager explained the master plan for this property.

23. **Consideration and Action on approval of an Ordinance for the proposed rezoning of Tract 21C (13.934 Acres) and Tract 21B (6.143) Acres of the French Abstract 0424A, in the City of Lake Dallas, Denton County, Texas, from C-1-A, Restricted Business District to C-3, Commercial District.**
Motion was by Vice Chairman Elton to approve rezoning said property to C-1 and not C-3. Second was made by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

F. Adjournment

The Commission expressed their appreciation for the citizens attending the meeting and expressing their views.

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Martin.
Noes: None

Motion Passed

The meeting was over at 8:40 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning and Zoning Commission met in a regular meeting on March 16, 2006 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, and Alternate Martin. Also present was Council Liaison Karl Hammond.

Staff present: City Manager Earl Berner, Community Development Director Kali Wood and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action items related to Mayfest.

Kali Wood stated the Mayfest would be held May 18th – 21st. On Saturday evening a celebrity impersonator review show from Las Vegas will perform on stage. This year the Mayfest will be moved from the railroad property along Denton Drive to the Lake Dallas City Park.

Motion to approve the move of Mayfest from the railroad property to City Park was made by Vice Chairman Elton. Second by Alternate Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton and Alternate Martin.
Noes: None

Motion Passed

2. Consideration and Action on approval of Minutes for February 16, 2006 meeting.

Motion to approve minutes for the February 16, 2006 meeting was made by Alternate Martin. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton and Alternate Martin.
Noes: None

Motion Passed

F. Open Records Training Session

The open records' training video started at 7:07 p.m. and was viewed by all those in attendance.

G. Adjournment

Motion to adjourn was made by Vice Chairman Elton. Second by Alternate Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton and Alternate Martin.
Noes: None

Motion Passed

Meeting adjourned at 8:04 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning and Zoning Commission met in a regular meeting on February 16, 2006 at 7:00 PM in the Lake Dallas City Hall located at 212 main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call:

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners McQuillin and Martin. Also present Mayor Johnson, Council Members Marino and Martin. Commissioners Shelton and Byers were absent.

Staff present: City Manager Earl Berner, Community Development Director Kali Wood and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward and Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Public Hearing on proposed replat of Lots 37R, 38R, 39R, 40, 41, 42 and 43 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into six (6) lots.**

Tony Marino, 727-A Main Street, spoke on behalf of the property owners Michael and Isabel Marino. Property as previously replatted did not allow enough land on lot 7 to develop, therefore, another replat reducing the total number of lots from 7 to 6 was necessary. The surveyor drew the new replat plans. The lot size was determined by the type of home to be built, with an average lot width of 52 ft., meeting the R1-6000 zoning requirements.

No one else came forward and Chairman Gilbert closed the public hearing.

2. **Consideration and Action on approval of proposed replat of Lots 37R, 38R, 39R, 40, 41, 42 and 43 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into six (6) lots.**

Motion to approve proposed replat as submitted was made by Commissioner McQuillin. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners McQuillin and Martin
Noes: None

Motion Passed

3. **Consideration and Action on approval of Minutes for December 15, 2005 meeting.**

Motion to approve the minutes for the December 15, 2005 meeting was made by Vice Chairman Elton. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners McQuillin and Martin
Noes: None

Motion Passed

F. Open Meeting Training Session
Video provided by the Attorney General's office of the State of Texas regarding open meetings procedures and the Public Information Act.
The open meeting procedures training video was viewed by all those in attendance. Due to the length of this video, Chairman Gilbert gave a directive the Public Information Act training video would be viewed at the next scheduled meeting.

G. Adjournment
Prior to adjournment, City Manager Earl Berner introduced the new Community Development Director Kali Wood to the Commission. He also stated The Point, located in front of the new Best Western Hotel, will be applying for a Special Use Permit for a private club status.
Motion to adjourn was made by Vice Chairman Elton. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners McQuillin and Martin
Noes: None

Motion Passed

Meeting adjourned at 8:37 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning and Zoning Commission met in a regular meeting on December 15, 2005 at 7:03 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and McQuillin. Also present Council Liaison Hammond, City Attorney David Berman and Linda Jordan from Schrickel, Rollins & Associates.

Staff Present: Earl Berner, City Manager and Char DuPree, Planning & Zoning Secretary.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward and Chairman Gilbert closed the public hearing.

E. Workshop:

1. **Zoning Ordinance - Revisions to Chapter 122 of the Lake Dallas Municipal Code.**

There was a positive general consensus to support the current revision of Chapter 122 of the Lake Dallas Municipal Code. Discussion by the Commission was brief.

F. Business:

1. **Public Hearing re: zoning Ordinance.**

No one came forward and Chairman Gilbert closed the public hearing.

2. **Consideration and Action on approval of Ordinance revising Chapter 122 of the Lake Dallas Municipal Code.**

   Motion to approve the Ordinance revision, as is, of Chapter 122 of Lake Dallas Municipal Code was made by Commissioner Byers. Second was made by Commissioner McQuillin.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and McQuillin.
   Noes: None

Motion Passed

3. **Consideration and Action on approval of Minutes for November 17, 2005 meeting.**

   Motion to approve the minutes for the November 17, 2005 meeting was made by Vice Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and McQuillin.
   Noes: None

Motion Passed

G. **Adjourn**
   Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and McQuillin.
   Noes: None

Motion Passed

The meeting adjourned at 7:14 p.m.

Ben Gilbert, Chair

Charmaine Dupree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning and Zoning Commission met in a regular meeting on November 17, 2005 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

Call to Order

Roll Call

Present: Chairman Gilbert, Vice Chairman Elton and Commissioner Byers. Also present: Council Liaison Karl Hammond.
Staff Present: Earl Berner, City Manager and Char Dupree, Planning & Zoning Secretary.

Pledge of Allegiance

Chiarman Gilbert led the Pledge of Allegiance.

Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward and Chairman Gilbert closed the public hearing.

Business:

1. **Consideration and Action on approval of Minutes for October 20, 2005 meeting.**

   Motion to approve the minutes for the October 20, 2005 meeting was made by Vice Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton and Commissioner Byers.
   Noes: None

Motion Passed

2. **Public Hearing on approval of an application for the exemption from the 80% masonry requirement for Joy Pools, 5002 South Stemmons.**

Mike Truesdell, 5002 S. Stemmons, represented Joy Pools. He is requesting the exemption to allow the Company to erect a blue metal building to store equipment and supplies needed for his business. No chemicals will be stored in the building. There is adequate hard surface for parking. The entrance and exit will continue to be on the service road. This building will be professionally built.

Chairman Gilbert requested some landscaping on Denton Road and around the building to soften the look of the metal building. He would like to see trees planted every 20 ft. that measure 2 to 2 ½ calipers in diameter. Mr. Truesdell was agreeable to this suggestion.

3. **Consideration and Action on approval of an application for the exemption from the 80% masonry requirement for Joy Pools, 5002 South Stemmons.**

Motion to approve the 80% masonry requirement with the suggested tree landscaping was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton and Commissioner Byers.
Noes: None

Motion Passed

4. **Public Hearing on approval of a replat of Block 7,lots 7, 8, 9, 10, 17, 18, 19 & 20 and Block 8 Lots 1, 2, 3, 17, 18 & 19 into Block 7, Lot 7R, Lake Dallas Shores, City of Lake Dallas, Denton County, Texas.**

Mr. Clif Garrett is the property owner and spoke on his own behalf. He thought this replat was done 6 years ago when he built his home. Each lot is approximately 25 ft. by 50 ft.

5. **Consideration and Action on approval of a replat of Block 7,lots 7, 8, 9, 10, 17, 18, 19 & 20 and Block 8 Lots 1, 2, 3, 17, 18 & 19 into Block 7, Lot 7R, Lake Dallas Shores, City of Lake Dallas, Denton County, Texas.**

Motion to approve the replat of Block 7, lots 7, 8, 9, 10, 18, 19 & 20 and Block 8, lots 1, 2, 3, 17, & 19 into Block 7, Lot 7R was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton and Commissioner Byers.
Noes: None

Motion Passed

Workshop:

1. **Schrickel, Rollins and Associates review of new zoning ordinance.**

Linda Jordan from Schrickel, Rollins & Associates stated this zoning draft included the changes that had been discussed at the previous workshop held on September 15, 2005 during the Planning & Zoning Meeting.

Some suggestions discussed by the Commission during this workshop included listing the major differences between zoning areas, making the ordinance more user friendly. In addition, using generic business families for the retail and service industries allowed in each zoning area would be beneficial. It would allow the City more flexibility in approving a certificate of occupancy for a business without requiring a Special Use Permit.

In discussing the Special Use Permit, it was suggested that liquor package stores also be required to have a Special Use Permit (SUP) to operate this type of business. The SUP would be authorized for that business owner and not to the particular business. A new business owner would be required to apply for a new SUP. Current liquor storeowners would be grandfathered.

Mr. Berner and Linda will rewrite the complete ordinance with the approved changes thus far. An additional workshop, public hearing and approval will be held at the December Planning & Zoning meeting if the City Council approves the ordinance final draft.

G. Adjourn

Motion to adjourn was made by Chairman Gilbert. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton and Commissioner Byers.
Noes: None

Motion Passed

The meeting was over at 8:35 p.m.

Ben Gilbert, Chair

Charmaine Dupree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on October 20, 2005 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, and McQuillin and Council Liaison Hammond.

Staff Present: Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of Minutes for September 15, 2005 meeting.

Motion to approve the minutes for the September 15, 2005 meeting with the noted correction on page 3, 122-335, from 70% to 80%, was made by Commissioner McQuillin. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and McQuillin.
Noes: None

Motion Passed

2. Consideration and Action on approval of a site plan for the Ship Inn, 201 Main Street.

Ann Gardner, 201 Main Street and owner of the Ship Inn, stated she wanted to build a patio cover with an enclosed area to allow her to grill food even in bad weather. She feels this will be beneficial for her business and patrons.

Motion to approve the site plan for the Ship Inn was made by Commissioner McQuillin. Second by Commissioner Byers.

Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioner Byers and McQuillin.
Noes: None

Motion Passed

F. Workshop:

1. Schrickel, Rollins and Associates review of new zoning ordinance.

The workshop was cancelled because of a schedule conflict with the Schrickel, Rollins and Associates representative.

G. Adjourn

Motion to adjourn was made by Vice Chairman Elton. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and McQuillin.
Noes: None

The meeting adjourned at 7:10 PM.

Ben Gilbert, Chair

Charmaine Dupree, Secretary
Planning & Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on September 15, 2005 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton, McQuillin and Council Liaison Hammond. Staff Present: City Manager Earl Berner and Planning & Zoning Secretary Char Dupree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of final plat for the Oaks at North Lakeview.

Kevin Kessler represented Carter & Burgess, Inc. He requested the final plat for this subdivision be approved as submitted.

Mr. Berner stated the construction details have been approved by the City Engineer, Fire Chief and the utility companies.

Motion to approve the final plat for the Oaks at North Lakeview was made by Commissioner McQuillin. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners McQuillin and Shelton.
Noes: None

Motion Passed

2. Consideration and Action on approval of Minutes for August 18, 2005 meeting.

Motion to approve the minutes for August 18, 2005 meeting was made by Commissioner McQuillin. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners McQuillin and Shelton.
Noes: None

Motion Passed

F. Workshop:

1. Schrickel, Rollins and Associates presentation of new zoning ordinance.

Linda Jordan from Schrickel, Rollins & Associates explained the purpose of the workshop to the Commission. She stated the current ordinance is not as user friendly as it could be. Her goal is to make the ordinance more consistent within the Municipal Code and streamline the information. She wants the City to do an in-depth review of the proposed changes. Underlined sections in the proposed ordinance represent an addition to the existing code. Linda also recommended not reference other sections within the verbiage of the City Code if possible.

Mr. Berner added that if something raises a concern or question he would like it to be addressed in the workshop.

Commissioner McQuillin asked how often an in-depth review would be needed.

Per Mr. Berner, some of the ordinance is up to 20 years old. He is hopeful with this in-depth review the revised ordinance could remain in effect for 5 to 10 years, with some slight tweaking as needed for future growth. It is important for the City to have a comprehensive plan. So far he is comfortable with the changes but wants the Commission and City Council to conduct a thorough review before approving it.

Chairman Gilbert raised several questions and concerns, which follow:

Section 122-88: this section is obsolete because the City passed an ordinance that required all property be connected to the sewer system within 10 years of this ordinance passage. Linda said if this were correct, this section would be deleted. Section 106-34 is the code that requires this sewer system connection.

Sections 90-100:
We need to look at lot depth for R1-10000 lots to ensure the 40 ft. front and 30 ft. back setbacks are met. Do we want to grandfather homes? Do we want to permanently grandfather these homes or just make them non-conforming?

R1-7200 (122-140) & R1-6000 (122-190): would a lot depth be implemented?

Section 122-193 Exterior surfaces: Would we grandfather previous construction? The response from the Mr. Berner and Linda was yes; this was added to the zoning ordinance to bring R1-6000 up to par with the other districts in the City.

Section 122-238: Is this new verbiage a change to the existing ordinance? It is not a change; it has been reworded to streamline the ordinance. The most important point of this section is the minimum square foot of the lot.

Section 122-278 (2): The minimum lot size for townhouses and condominiums is 3,000 sq. ft. A duplex requires a 3,600 sq. ft. lot. Mr. Berner feels this is reasonable.

Section 122-279: Why is there no minimum lot width required for apartments? Mr. Berner explained the lot width is not required because of the parking areas needed for apartment complexes.

Section 122-280: Why were the apartment size requirements being reduced in the ordinance revision? Is there a minimum size requirement in the residential building code? Mr. Berner will review the building code before the next workshop is held.

Section 122-284: Does the ordinance require an addition of a recreation facility or the option of having a recreation facility? Ben also feels the recreational facility should have the same masonry requirements as the main building. He likes the clarification of the section but wants a little more detail.

Section 122-335: Although Ben feels the City needs to leave the masonry requirement in the ordinance, he is concerned it could chase away businesses. Corporations 4A & B want to raise the bar for new development. Ben suggested the ordinance include a special exception section or only require a 80% masonry requirement without any exceptions to build some flexibility into the Code.

Sections 122-341 through 122-349: Asked why these sections were being deleted. Linda stated she could not find the purpose for C1-A zoning so it seemed logical to combine C1 and C1-A, and include the retail district.

Section 122-405: What is the reason for increasing the maximum building height from 2 to 5 stories. Per Mr. Berner, increasing the maximum height of buildings in C3 could develop economic growth that could support the lunch business in the City. He also stated the fire department did not feel the increased building height would be an issue.

Article XI, Sections 122-441 through 122-530: Why is this whole zoning district being deleted? This section is no longer needed with the creation of the PUD ordinance.

Section 122-533 through 122-537: Why are we implementing a maximum height in M1 zoning? Mr. Berner said he was not sure the City would want to have a warehouse building too high. Chairman Gilbert also question not having a masonry requirement in M1 or a lot width requirement. These requirements have never existed; does the City want to consider implementing this?

Section 122-543 (2): Does the City want to consider any restrictions on radio towers? Is a setback needed for a radio tower? Should a setback be as much as the tower is tall so if it fall it would not hit another building? Would this setback apply to all of Lake Dallas, not just in this district?

Section 122-544 through 122-546: Does the City want to consider lot width requirements?

Section 122-549: Should the City look at the different type of buildings in the Marina District to determine the exterior surface requirements? Height is also an issue in this district; when a boat is hoisted up for repairs the building must be high enough to accommodate this activity. Linda stated the ordinance could list which uses would require the minimum masonry requirement and which ones would not.

Section 122-601: Chairman Gilbert would like this section carefully reviewed because there are a lot of non-conforming properties in Lake Dallas. He also feels the City Attorney should review the proposed ordinance. Linda stated the Schrickel, Rollins & Associates legal consultant submitted the bold print information in this section.

Section 122-694: Does the City want to keep track of the project for 9 months or 1 year?

Article XVIII- Signs: Linda added some new sign definitions.

Section 6-105: this section would be removed from the ordinance because it is already a part of the Building Code.

122-797 & 799: Chairman Gilbert was concerned about the deletion of #797 & 799. This would be deleted because it is already in the Building Code and this was a duplication of information.

Linda stated she would make the revisions discussed in this workshop and present it again at a workshop scheduled during next month's Commission meeting.

G. Adjourn

Motion to adjourn was made by Commissioner McQuillin. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners McQuillin and Shelton.
Noes: None

Motion Passed

Meeting adjourned at 8:40 p.m.

Ben Gilbert, Chair

Charmaine Dupree, Secretary
Planning & Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on August 18, 2005 at 7:00PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton, Byers, McQuillin and Council Liaison Hammond. Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing. In accordance with the Open Meetings Act, the Commission is prohibited from acting on or discussing (other than factual responses to specific question) any items brought before them at this time. Citizen's comments will be limited to 3 minutes.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. **Consideration and Action on approval of a site plan for a monument sign at the Montserrat Jesuit Retreat House.**

No representative from Montserrat Jesuit Retreat House came to speak on this issue.

Chairman Gilbert stated he liked the landscape plan and the sign is well designed.

Motion to approve the site plan for a monument sign at the Montserrat Jesuit Retreat House was made by Commissioner Byers. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and McQuillin.
Noes: None

Motion Passed

2. Consideration and Action on approval of a site plan for Main Street Commercial/Retail/Loft Residential by Terry Lantrip.

Terry Lantrip, 275 Market in Lake Dallas, wants to build something that is new and unique to downtown Lake Dallas. This project will cost a little over a half-million dollars. The builder said building will take six months, but Terry is planning on nine months to complete. He will try to keep the larger trees on the property. The building will be all brick with the parking lot on the side and back of the building. Terry plans to make the double-decked bus a coffee shop or hot dog stand in the future.

Earl Berner, City Manager, stated the site plan is consistent with the City goal for downtown. Some details will be forthcoming such as the engineering report.

Motion to approve the site plan pending receipt of the engineering report was made by Commissioner Byers. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and McQuillin.
Noes: None

Motion Passed

3. Consideration and Action on approval of Minutes for July 21, 2005 meeting.

Motion to approve minutes for July 21, 2005 was made by Commissioner Shelton. Second by commissioner McQuillin.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and McQuillin.
Noes: None

Motion Passed

F. Adjourn

Mr. Berner announced that Mercedes Homes would be at next month's meeting to request approval for the subdivision plat for The Oaks at North Lakeview.

He also stated he met with Linda Jordan, consultant from Schrickel, Rollins & Associates, to review the Lake Dallas zoning ordinances. The 4A Corporation is paying this consultant to assist in the ordinance revision. They will be requesting a sub-committee at next month's meeting to review the proposed changes.

Motion to adjourn was made by Commissioner McQuillin. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and McQuillin.
Noes: None

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on July 21, 2005 at 7:02 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton and McQuillin, Alternate Martin and Council Liaison Hammond. Staff present: Planning & Zoning Secretary Joni Vaughn and City Manager Earl Berner.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of a site plan for Technician's on Wheels, 718 East Hundley, to allow for micro storage buildings.

Dave Snyder, 718 E. Hundley, gave a report regarding the project.

Motion to approve the site plan, as long as the rental business on the property continues, was made by Commissioner McQuillin. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
Noes: None

Motion Passed

2. Consideration and Action on approval of a site plan for parking lot expansion for Golden Distributors, 400 North Stemons Freeway.

Doug Cochran represented Golden Distributors, 400 N. Stemmons Freeway. Additional parking is needed because of the increased number of employees. The parking lot expansion is the first step in expanding the facility plant site.

Twenty-seven new parking spots will be added. Golden Distributors will comply with all landscape and setback requirements. The southwest corner of the property will not be used for parking to allow space for the delivery trucks to turn around safety without creating a hazard for pedestrians.

Motion to approve the site plan contingent upon adjhering to additional comments was made by Commissioner McQuillin. Second was made by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin
Noes: None

Motion Passed

3. **Consideration and Action on approval of Minutes for June 16, 2005 Meeting.**

Motion to approve the Minutes for the June 16, 2005 Meeting was made by Commissioner McQuillin. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin.
Noes: None

Motion Passed

F. **Adjourn**

Motion to adjourn was made by Commissioner Shelton. Second by Chairman Gilbert
Ayes: Chairman Gilbert, Commissioners Shelton, McQuillin and Martin.
Noes: None

Motion Passed

The meeting was over at 7:20PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on June 16, 2005 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Alternates McQuillin and Martin. Staff present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. **Consideration and Action on approval of Minutes for the May 19, 2005 meeting.**

Motion to approve the Minutes for the May 19, 2005 meeting was made by Commissioner Byers. Second by Commissioner McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, McQuillin and Martin.
Noes: None

Motion Passed

2. **Consideration and Action on approval of a site plan to include modified setback requirements for landscaping and the off-street parking requirements for Lake Cities Business Park LP, Building II, 2002 South Stemmons Freeway.**

Kyle Hoag of GNA Consultants represented the property owner, Mike Woverton. Mr. Woverton is requesting a 10 ft. setback instead of 15 ft. The variance is needed for the business park driveway only.

Richard Dallof stated no calls have been received opposing this modification to the set back requirement. The Board of Adjustment will not meet until the third Monday of July. This issue is on the City Council agenda on June 23, 2005.

Motion to approve the site plan subject to the granting of the variance by the Board of Adjustment was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, McQuillin and Martin.
Noes: None

Motion Passed

3. **Consideration and Action on acceptance of Karl Hammond's resignation.**

Motion to accept Commissioner Hammond's resignation was made by Vice Chairman Elton. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, McQuillin and Martin.
Noes: None

Motion Passed

4. **Consideration and Action on recommendation for City Council appointment to Planning & Zoning Commission vacancy.**

Motion to recommend and approve Alternate McQuillin for the Commission was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, McQuillin and Martin.
Noes: None

Motion Passed

F. Adjourn

Before adjourning, Richard Dallof stated a special Planning & Zoning meeting is scheduled for June 22, 2005. Golden Distributing (Coors) is adding to their driveway. They will also be refurbishing the facility within the next 6 to 12 months. The excavation has already started and will add 30 to 40 parking spaces because of increased personnel. The City would like this completed as soon as possible.

Richard also announced that Silestone is thinking of doing another addition to the current facility.

Motion to adjourn was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, McQuillin and Martin.
Noes: None

Motion Passed

The meeting was over at 7:23 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on May 19, 2005 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and Alternate McQuillin. Staff present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of Minutes for the April 21, 2005 meeting.

Motion to approve the Minutes for the April 21, 2005 meeting was made by Commissioner Byers. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and McQuillin.
Noes: None

Motion Passed

2. Consideration and Action on approval of a site plan for Pappa's Family Restaurant.

Edith Cheadle, 2704 Parkview Drive in Corinth and owner of Pappa's Family Restaurant, stated they want to build a small shed outside the SE corner of the building to store the restaurant smoker. The smoker will be stored in the shed during cooking but will have a ceiling opening for the smoker stack. The building will be metal including the roof and the exterior color will be beige. This will allow the smoker to be locked in the storage building and left on the property.

Richard stated the fire chief would review the building to ensure it meets all fire safety requirements.

Motion to approve the site plan for Pappa's Family Restaurant pending the Fire Chief approval was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and McQuillin.
Noes: None

Motion Passed

3. Consideration and Action on approval of a site plan for the Ship Inn.

No one spoke on behalf of the Ship Inn.

Richard stated the Fire Chief had already approved the site plan. The cinder block building will be attached to the main building and house the refrigeration unit. Access to the cooler will be from inside the Ship Inn; there will be no outside door.

Motion to approve the site plan for Ship Inn was made by Commissioner Shelton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and McQuillin.
Noes: None

Motion Passed

F. Future Agenda Items

Richard stated Mike Woverton's addition to the Lake Dallas Business Park at 2002 S. Stemmons would be on the next agenda. Information will be provided to the Commission before that meeting.

Richard distributed the Community Development report to the Commissioners. He also stated the City Municipal Code was going to be reviewed for redundancy and clarification by an outside vendor. Chairman Gilbert explained the information included in the report.

Commissioner Hammond announced this is his last meeting due to being elected to the Lake Dallas City Council and thanked everyone for his or her support.

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and McQuillin.
Noes: None

Motion Passed

Meeting adjourned at 7:17 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on April 21, 2005 at 7:02 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Hammond, Byers and Alternate Martin. Staff present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of Minutes for the March 17, 2005 meeting.

Motion to approve the Minutes for the March 17, 2005 meeting was made by Commissioner Byers. Second by commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Byers, Hammond and Martin.
Noes: None

Motion Passed

2. Public Hearing on application for Special Use Permit for mixed use zoning for 209 Main Street, City of Lake Dallas, Denton County, Texas.

Terry Lantrip, 275 Market Street of Lake Dallas distributed the updated project plan and explained his vision for this property. The proposed development will include a mixed use of first floor businesses with residential lofts on the second floor. This concept is popular in Denton, Dallas, Plano, Addison Circle and Mockingbird Circle. He wants to bring something unique to the downtown area that no other Lake City is doing. There will be 4,000 sq. ft. of business space; possible tenants such as financial and realty offices have already been lined up. With this kind of development, Lake Dallas has a good possibility of attracting high-class businesses on this side of the interstate. This development would face Main and Market Streets.

Chairman Gilbert closed the public hearing when no one else came forward to speak.

3. **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit for mixed residential/commercial use zoning for 209 Main Street, City of Lake Dallas, Denton County, Texas.**

Richard Dallof stated the City Attorney recommends approval with a metes & bounds report and no time restraint on the SUP.

Motion to approve the Special Use Permit for 209 Main Street was made by Commissioner Byers. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Commissioner Byers, Hammond and Martin.
Noes: None

Motion Passed

4. **Consideration and Action on landscaping/beautification plan for sign application for D & J Liquor Store.**

Paul Kim, 631 S. Denton Drive in Lake Dallas explained he wants an additional sign attached to the existing pole at 631 & 633 Denton Drive to attract more business now that the other cities allow the sale of alcohol. The TABC will allow the new signage. The sign will be 3 ft. by 7 ft. with additional landscaping at the foot of the sign.

Motion to approve the landscaping/beautification plan for the sign application was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Byers, Hammond and Martin.
Noes: None

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioner Byers, Hammond and Martin.
Noes: None

Motion Passed

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on March 17, 2005 at 7: 00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Hammond, Byers and Alternate Martin. Staff present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of Minutes for the February 17 and 23, 2005 meetings.

Motion to approve the Minutes for the February 17 and February 23, 2005 meetings was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. Workshop:

1. Discussion on zoning/usage issues for property on west side of 100 block of North Lakeview.

Frank Bourland, 1434 Hidden Oaks Cr, Corinth, is the property owner. He is interested in developing this property, currently zoned C-2. Mr. Bourland has researched his options and feels the best use would be to change zoning from commercial to residential. He is considering building single-family attached homes that would allow 8 homes, 1,400 to 1,700 sq. ft. He distributed a picture of what the homes would look like to the Commission. Mr. Bourland

wants feedback from the Commission to determine the direction he should go in developing this property. Access to these homes would be Lakeview, however, if Adolphus were opened residents would be able to access property from Hundley. Three lots are land locked unless Adolphus is opened up.

Building Official Richard Dallof agreed that the best property use would be residential rather than commercial and feels area residents would feel the same way. This property could be approved with variances as R1-6000; attached homes are R2. Our ordinance would allow the variances needed to build these homes. Mr. Bourland has met with City Manager Earl Berner but all other issues such as fire access and review by the City Engineer would need to be done. The cost to open up Adolphus access could be $100,000 to $300,000.

The Commission agrees that residential development would be better for this property than commercial. In addition, Vice Chairman Elton felt opening Adolphus would alleviate some of the traffic congestion on Lakeview.

With this positive Commission consensus Mr. Bourland plans to move forward in his development process.

2. **Discussion on proposed amendment(s) to Chapter 62, Manufactured Homes and Trailers and Chapter 122, Zoning, Article XX, Commercial Manufactured Home Parks restricting replacements to 1990 or newer model year.**

Rod Courtney, 162 Kingswood Drive, stated the section of the Municipal Code being discussed doesn't apply to Kingswood Mobile Home Park because it is not a commercial park. Kingswood is a property owned private residential park.

Mike Minnis, 204 Oakwood, and Vice-President of the Kingswood Home Owners Association (HOA) wants to see an upgrade in future homes brought into Kingswood but wants to work this issue through the HOA. He wants to address this issue with the City using one voice through a HOA resolution. This issue will be addressed at the next HOA meeting in June 2005.

Alan Carmen, 47 Lake Vista Circle and President of the Kingswood HOA, stated the HOA by-laws require a 30 day notice to address subdivision restrictions such as this. In addition to the age of homes brought into Kingswood, he would like to address home and garage height restrictions so property owners can have some of the wider, newer homes including 2 stories. The Association Board is concerned about the percentage of non-owner occupied homes increasing. The by-laws require a 51% owner occupied level in order to maintain the HOA. He asked if the City could coordinate with the HOA to ensure old home are not brought into the park by not issuing permits for those homes.

Richard Dallof stated in researching this issue he found other cities such as Denton, Corinth, Lewisville and Little Elm do not restrict the age of mobile homes. Our City Ordinance (Section 122-885) only restricts homes to 1976 or newer because that's when HUD defined minimum home requirements. The City can only regulate code compliance such as plumbing, electrical, etc. Richard will discuss any coordination efforts with the City Attorney. The HOA should look at any height restriction changes and get back with Richard within 2 weeks.

G. Future Agenda Items

None

H. Adjourn:

Motion to adjourn was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

The meeting was adjourned at 8:07 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on February 23, 2005 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton, Hammond, Alternates McQuillin, Martin and Council Liaison Marino. Staff present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. **Public Hearing on a proposed Special Use Permit to operate a church at 703 Main Street, Lake Dallas, Denton County, Texas.**

Pastor Marion Palmer, 1713 Morning Glory, Corinth, spoke on behalf of Lifespring Fellowship Church. The current congregation is approximately 35 adults and 5 children. Property is zoned C-2 and has 19 to 20 parking spaces which is more than adequate at this time. The church will be using the front building only. Building will be in use on Sunday mornings for services, Sunday evening 6 to 8 p.m. for youth group and two weeknights 7 to 9 p.m. for Bible Study. The church office is open 9 a.m. to 5 p.m. four days per week with 2 employees.

2. **Consideration and Action on approval of an Ordinance to allow a Special Use Permit to operate a church at 703 Main Street, Lake Dallas, Denton County, Texas.**

Motion to approve Special Use Permit was made by Alternate Martin. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Shelton & Hammond and Alternates McQuillin and Martin.
Noes: None

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton & Hammond and Alternates McQuillin and Martin.
Noes: None

Motion Passed

Meeting adjourned at 7:16 p.m.

Ben Gilbert, Chairman

Charmaine DuPree
Planning & Zoning Comission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on February 17, 2004 at 7:00 P.M. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, Hammond, Alternates McQuillin, Martin and Council Liaison Tony Marino.
Staff present: City Manager Earl Berner and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. **Consideration and Action on approval of Minutes for the January 20, 2005 meeting.**

   Motion to approve the Minutes for January 20, 2005 was made by Commissioner Byers. Second by Vice Chairman Elton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
   Noes: None

   Motion Passed

2. **Consideration and Action on approval of Ordinance to amend masonry requirements for buildings and storage sheds.**

   Earl Berner, City Manager, explained the purpose of this action was to simply add Hardie Plank as another approved masonry material.

   Motion to approve the Ordinance to amend masonry requirement for accessory buildings and storage sheds was made by Commissioner Byers. Second by Vice Chairman Elton.

Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

3. **Public Hearing to consider proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district.**

City Manager Berner explained the history of the lawsuit involving this property. The property replat is part of the Planned Unit Development (PUD) rezoning per City Ordinance regarding PUD's. The development would have 153 homes that meet the R1-7200 building requirements with an average lot size of 5,500 to 6,000 sq. foot. He recommends approval of this zoning change, as it is part of the lawsuit settlement.

Jennifer Heil of Mercedes Homes, 11494 Luna Road #210, Farmers Branch, spoke on behalf of the builder who is contracted with Resort Realty to build the homes. The plans call for 15 3 single-family homes priced from $140,000 to $190,000 each. The builder will try to keep as many trees as possible on the property in addition to planting new trees. Each lot will have 2 trees.

Mike Fayee, 144 Kingswood, Lake Dallas was not aware of the legal settlement but was concerned about the amount of planned small homes and traffic. He felt the property should remain commercially zoned because it would be a better use for this parcel of land.

Linda Barnard, 5315 Kingsmanor, spoke as a resident and income property owner. She is concerned about the number of new homes planned, traffic issues and the widening of Lakeview to accommodate more traffic.

Randy Squier, 560 N. Lakeview Drive feels Lakeview is one on the worst roads in Lake Dallas and cannot handle the additional traffic this development will bring. He would like to see bigger homes and lots, which would still bring the city the same tax benefits. In addition, the sewer treatment plant expels an awful odor that should be corrected before any homes are built.

Barbara Garrison Boliver, 512 N. Shady Shores and Donna Boliver, 514 N. Shady Shores, expressed the same traffic concerns; the sewer treatment issue and they do not want to see the property destroyed by the proposed development. Drainage is also an issue with this development.

Margaret Tisdale, 524 Howard, stated the same issues as the other citizens. She also said Lake Dallas is over built with small home that people do not stay in very long.

Hipolito Gutierrez, 501 Howard, expressed the same concerns as the other who spoke.

Citizens also asked what choice the City Council would have if this zoning change were not approved and part of a legal settlement. Darrell G. Noga, attorney for the City, 13155 Noel Rd., #1000, Dallas, stated the matter would have to go back through the legal system.

Chairman Gilbert closed the public hearing when no one else came forward to speak on this matter.

4. **Consideration and Action to approve an Ordinance for a zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French Property from C-1-A Commercial zoning district to a Planned Unit Development district.**

In response to Commission questions, Jennifer from Mercedes Homes stated the beginning of construction will be in 2 phases; land improvements will begin in July with home construction starting the first of the year. Project completion is estimated to be in 3 to 4 years. The subdivision exits will be (1) onto to Swisher Rd. and (2) onto Lakeveiw. The homes will meet R1-7200 requirements per the legal agreement.

Vice-Chairman Elton expressed his concern for the school district to handle the number of new students a subdivision of this size would bring. He also said he is worried about the increased traffic, the sewer treatment matter, and the property environment with the destruction of the trees. In Lake Dallas we have plenty of residential areas but lack commercial development.

Commission Alternates Martin and McQuillin stated their concern about the number of homes, lot size, proper drainage and correction of the sewer plant odor.

City Manager Berner said the sewer plant issue is an Upper Trinity responsibility.

In response to the other issues, Mr. Noga said larger lots are not consistant with the legal agreement. The agreement has the tentative parameters of the development but the Cy Council has final approval. This legal resolution has taken 3 ½ years to reach and has involved the Plaintiffs, Denton County Lake Dallas 4A & B Committees, the City and Mercedes Homes.

Motion to approve the zoning change was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Hammond and Byers.
Noes: Commissioner Shelton and Vice Chairman Elton.

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Chairman Gilbert. Second by Commissioner Byers
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

Meeting adjourned at 8:32 p.m.

Ben Gilbert, Chair

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on January 20, 2005 at 7:03 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, commissioners Shelton, Byers, Hammond, Alternates McQuillin, Martin and Mayor Johnson. Staff present: City Manager Earl Berner, Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. **Consideration and Action on approval of Minutes for the December 16, 2004 meeting.**

Motion to approve the Minutes for December 16, 2004 meeting was made by Alternate Martin. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

2. **Consideration and Action on approval of a proposed site plan for hotel on Swisher Road.**

Robert Harris of Robert Harris Realty represents Lake Dallas Hotels, L.P. spoke on behalf of the property owner and project engineer, JDJR Engineering. He submitted the most recent revised site plan to the Commission.

The hotel will be 3 stories high, approximately 38 ft., with the entrance tower being the highest point at 55 ft. There will be no room balconies but there will be a deck on the first floor of the hotel to provide outside laundry room access for

employees. The landscaping will have trees such as live oaks in the front of the hotel and Italian Cypress trees will line the back fence to provide privacy to residents located behind the hotel site. The pool will close no later than 9 p.m. Both driveways in and out of the hotel are designed for two-way traffic.

Richard Dallof, Building Official, stated all utility companies and the fire chief attended a pre-construction site plan review. They approved the site plan with the revision of the fire lane. The City engineer, Tom Hoover, and the project engineer have addressed the drainage issues. All drainage concerns will be corrected before the building permit is issued. Richard further stated the Jackson Ranch Home Owners Association (HOA) had been invited to this evening's meeting.

Motion to approve the proposed site plan for hotel on Swisher Road was made by Commissioner Hammond. Second by Alternate Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. Workshop:

1. Discussion on proposed commercial zoning district on Dobbs Road.

Earl Berner, City Manager, presented comments from Linda Jordan of Schrickel, Rollins & Associates, the City Planning Consultants. It would be a more viable retail property it included the corner of Dobbs Rd. and Shady Shores. A garden office style might be successful and a mini storage would be appropriate as well as a nursery as long as setback requirements were met, noise levels were monitored and strict business hours were maintained. Issues such as hours, noise. No more than 2 entrances should be allowed into business area from Dobbs road. Mr. Berner will convey this information to Clyde Edwards.

2. Discussion on masonry requirements for buildings and storage sheds and proposed amendments to the Lake Dallas Municipal Code.

Mr. Berner presented a memo to the Commission regarding the use of hardie plank siding for sheds and accessory buildings. Hardie plank would be an approved masonry material for an accessory building but not the primary building or garage. If this strategy is acceptable to the commissioner, it will be given to the City Attorney to draft an ordinance for the Commission and City Council to review.

G. Future Agenda Items

None

H. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

Meeting adjourned at 7:37 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on December 16, 2004 at 7:05 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Alternate Martin. Commissioner Shelton and Alternate McQullin was excused.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

E. Business:

1. Consideration and Action on approval of Minutes for the November 18, 2004 meeting.

Motion to approve the Minutes for November 18, 2004 was made by Vice Chairman Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond & Alternate Martin.
Noes: None

Motion Passed

2. Consideration and Action on approval of proposed site plan for Unified Aircraft expansion. [as allowed by Board of Adjustment]

Steven Wall, Isbell Engineering Group, Inc., contracting engineer for Unified Aircraft Services explained the expansion. All previous concerns brought up by the Planning & Zoning Commission, City Council and Board of Adjustment have been addressed. All technical issues have been reviewed and approved.

Motion to approve proposed site plan was made by Commissioner Byers. Second by Alternate Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Alternate Martin.
Noes: None

Motion Passed

F. Workshop:

1. Discussion on proposed commercial zoning district on Dobbs Road.

Chairman Gilbert opened the workshop by giving a brief summary of the previous Planning & Zoning workshop on this subject in November.

Clyde Edwards, 3011 Kiln Drive in Shady Shores, has owned his Dobbs Rd. property for almost 30 years. He would like the property to be rezoned from residential to commercial (C-2) so he can build a professional medical building, a boat storage facility and a nursery. He does not have any doctors or other professional interested in this project, nor has he discussed this idea with a building contractor. Mr. Edwards wants some developmental direction from the City. Once the bridge opens on Swisher Rd., Dobbs Rd. will be the only east/west main road left that is still open.

Mr. Crow, owner of Yardley Montessori School at 102 Dobbs Rd. stated he would be interested in seeing a marked up commercial plan.

Consensus of the Commission and City Manager is further discussions on this matter should be deferred until the master city plan is completed the end of January. There was also concern about the property zoning being changed to C-2 that allows body shops, etc. The Commission would like to see a well planned and coordinated effort in that area if the land is rezoned to commercial.

2. Discussion on masonry requirements for buildings and storage sheds.

Earl Berner, City Manager, explained the City Council wanted this subject work shopped due to the issue that arose when Terry Lantrip wanted to use the home located at 209 Main Street as a commercial business but also wanted to preserve the building's original building integrity because of it's age. In addition citizens have expressed objection to the masonry requirements in the City Ordinance for storage buildings.

The Commission discussed how expensive these requirements are for the homeowner, the installation requirements and the sturdiness of other materials that could be used. They stated a change of this ordinance would need to cover an umbrella of materials that could be used and also look at how other products would look as well as how it performs.

Commissioner Byers said she didn't feel a brick building behind a back yard fence to store lawn equipment and seasonal items, however, Vice Chairman felt storage buildings should match the home to keep a better neighborhood appearance.

G. Future Agenda Items

None

H. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Commissioner Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Alternate Martin.
Noes: None

Motion Passed

Meeting adjourned at 7:50 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on November 18, 2004 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton, Alternate McQuillin and Alternate Martin. Also present were Building Official Richard Dallof, Planning & Zoning Secretary Char DuPree, City Manager Earl Berner, and Mayor Marjory Johnson. Commissioner Byers was excused.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Jackie Kovsky, 311 Surf, spoke against the proposed replat of lots 37, 38 & 39 of the J. V. Thompson Subdivision.

Carl and Linda Thomas, 736 Thompson, also spoke against the same proposed replat. Thompson Rd. is a tight knit neighborhood with long time residents. This is an important issue. The objection is to 7 homes with 50 ft. wide lots. In other neighborhoods where it worked well there were 2 ways in and out of area; this is a dead end street and it would create too much traffic. The park will have 12 parking spots that will create enough extra traffic without adding 7 more homes. The street is too narrow for more traffic. Mrs. Thomas distributed their written objections to the Commission.

Richard Martin, 610 Thompson, supports the replat and new home plans. He is satisfied with proposed custom homes and that the city will do what is best for that area.

E. Business:

1. **Consideration and Action on approval of Minutes for the October 21, 2004 meeting.**

Motion to approve the Minutes for the October 21, 2004 was made by Karl Hammond. Second by Vice-Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton & Alternate McQuillin.
Noes: None

Motion Passed

2. Consideration and Action on approval of proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots. [Tabled at October 21 meeting]

Commissioner Gilbert stated the proper process would accept the replat to 7 lots. Vice Chairman commented that up to 9 manufactured homes could have been placed on these lots and 7 custom homes would be much better for the city.

Tony Marino, 727 A Main Street, stated he has researched the area and what would be best for this area and the city tax base. He feels this is the best choice.

Commissioner Hammond asked if anything had changed with the original plan review or replat request. Richard stated nothing had changed.

Motion to approve proposed replat was made by Commissioner Hammond. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Hammond & Alternate McQuillin.
Noes: None

Motion Passed

F. Workshop:
1) Discussion on proposed commercial zoning district on Dobbs Road.

Richard distributed a map of the property area to be discussed during the workshop.

Clyde Edwards, 3011 Kiln, Corinth, has owned these properties for 32 years. He has approximately 10 acres total. The property is currently zoned R1-7200. He feels the long term planning should include rezoning property to C2 Commercial and a way to relieve traffic on Swisher Rd., once the lake bridge is built. He would like to open a boat/RV storage facility and nursery. He feels we need to keep more commercial industry in Lake Dallas. In addition Mr. Edwards wants to build a professional doctor's building there. Per his discussions with neighbors, they would not object to rezoning the property.

Chairman Gilbert felt more discussion on this matter is needed, which should include other property owners and residents. Letters will be sent to neighbors to advise them of the workshop to be held at the December Planning & Zoning meeting.

Mayor Johnson would like more discussion with the Planning & Zoning Commission regarding future uses of this property.

Commissioner Elton felt there is almost enough property that a PUD could be considered. One of the things he is concerned about is the hodge-podge of different businesses instead of a cohesive business community in that area.

G. Future Agenda Item:

Several issues were raised for future agenda items including a review of all other R1-4000 properties and David Berman, attorney for the City, presenting a seminar on property replats, legal & non-legal issues.

Commissioner Hammond also asked about the progress of business dumpster screening and the business temporary sign issue.

Richard responded that there has been success in screening dumpsters at businesses on Stemmons. Chilitos and the Ship Inn will also be screened. At some point all business dumpsters will have to be screened because no one is exempt from this requirement. The temporary sign issue is still a work in progress as this matter comes up.

H. Adjourn:

Motion to adjourn was made by Commissioner Hammond. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Hammond and Alternate McQuillin.
Noes: None

Motion Passed

Meeting was adjourned at 7:51 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on October 21, 2004 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Byers, Alternate McQuillin and Alternate Martin. Also present were Building Official Richard Dallof, Planning & Zoning Secretary Char DuPree, City Manager Earl Berner, and Mayor Marjory Johnson. Commissioner Shelton was excused.

C. Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.
No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for the September 16, 2004 meeting.**

Motion to approve the Minutes for the September 16, 2004 was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Alternate McQuillin.
Noes: None

Motion Passed

2. **Public Hearing on application for exemption to the requirement of 80 percent masonry for exterior surfaces [Code of Ordinances Section 122-409] for the structure located at 209 Main Street, City of Lake Dallas, Denton County, Texas.**

Terry Lantrip, 275 Market St., Lake Dallas and owner of 209 Main Street. He is requesting the exemption because he'd like the building to remain as original as possible and would blend with the theme for Main Street. In refurbishing the building he plans to use for his printing business, square nails were found. This means the building could be between 90 and 100 years old. He is not going to add on to the building, only planning to erect a white picket fence in front yard.

Richard stated the building is currently a conforming/non-conforming residence. The change to a business usage requires the building meet the C-3 commercial zoning masonry requirements.

No one else came forward to speak and the public hearing was closed.

3. **Consideration and Action on approval of an application for exemption to the requirement of 80 percent masonry for exterior surfaces [Code of Ordinances Section 122-409] for the structure located at 209 Main Street, City of Lake Dallas, Denton County, Texas.**

The commission consensus appreciated Terry's work on the building and keeping his business in Lake Dallas.

Motion to approve exemption requirement for the structure located at 209 Main Street was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers & Hammond and Alternate McQuillin.
Noes: None

Motion Passed

4. **Public Hearing for proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots.**

Tony Marino, 727 Main St of Lake Dallas, spoke as the property owner representative for his father, Michael Marino. The current owner purchased the property a year ago. Property is zoned R-1-4000 and used to be a mobile home park, then a storage area for boats and cars. The owner would like to build seven custom homes using builder John Allen. The lots would be at least 50 ft. wide. All homes will meet R-1-6000 building requirements and would increase the property value in the area.

Carl Thomas, 736 Thompson Road, has lived there since 1980. He opposes the change to seven lots. He would prefer the lots to remain at three so only three homes could be built. He understands that no more mobile home parks can be added.

Paula Blackshear, 721 Thompson, feels seven homes would be too crowded and increase traffic. There is also a drainage issue.

Jackie Kovsky, 311 Surf, would be okay with three houses but feels that seven houses is just too many.

Chairman Gilbert closed the Public Hearing when no one else came forward to speak.

5. **Consideration and Action on approval of proposed replat of Lots 37, 38 and 39 of the J. V. Thompson Subdivision, City of Lake Dallas, Denton County, Texas into seven (7) lots.**

Richard said he can understand the citizens concerns. He said they have met with the City Manager, City Engineer, and the Fire Chief. Lakebridge Estates is zoned R-1-6000, which requires 60 feet wide lots, but the lots in that subdivision are only 50 feet wide. This is an example of exceptions to lot widths. He said that Jackson Ranch also has some narrow lots. These are very nice homes. Subdivision code allows the Planning & Zoning Commission and City Council to make exceptions. Lakebridge did that in 1996-1997.

Currently, a modular home or a small 780 sq. ft. home could be placed on each lot. Mr. Marino wanted to build affordable homes with quality. Vice Chairman expressed concern with homes being close together and traffic.

The Commission would like to see the owner and area residents reach some common ground with the issues brought up at tonight's meeting.

Chairman Gilbert stated consideration should be tabled at this time until after the rezoning of property to R-1-6000. John Allen builds a quality home by first hand knowledge of the commission.

Motion to table this item was made by Vice Chairman Elton. Second by Alternate McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond and Alternate McQuillin.
Noes: None

Motion Passed

F. Future Agenda Items

We should schedule a workshop to discuss rezoning some property on Dobbs Road to commercial.

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioner Byers and Hammond and Alternate McQuillin.
Noes: None

Motion Passed

Meeting adjourned at 7:43 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on September 16, 2004 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton, Byers, Alternate McQuillin and Alternate Martin. Also present was Planning & Zoning Secretary Char DuPree. Council Liaison Tony Marino was excused.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for the August 19, 2004 meeting.

Motion to approve the Minutes for the August 19, 2004 meeting was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

The meeting was over at 7:04 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a special meeting on August 5, 2004 at 7: 00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton, Alternate McQuillin, Alternate Martin and Council Liaison Tony Marino. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree. Commissioner Byers was excused.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

Public Hearing on proposed Ordinance of the City of Lake Dallas amending Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, by amending Section 122-323(b) Of Article VIII, "C-1 Restricted Business District,", Section 122-343(b) of Article VIII-A, "C-1-A Business District," Section 122-363(b) of Article IX, "C-2 Commercial District," and Section 122-403(b) of Article X, "C-3 Commercial District," to allow for changes in the maximum allowable height of buildings and structures.

No one came forward to speak so Chairman Gilbert closed the public hearing.

Consideration and Action on proposed Ordinance of the City of Lake Dallas amending Chapter 122, "Zoning" of the Code of Ordinances of the City of Lake Dallas, by amending Section 122-323(b) Of Article VIII, "C-1 Restricted Business District,", Section 122-343(b) of Article VIII-A, "C-1-A Business District," Section 122-363(b) of Article IX, "C-2 Commercial District," and Section 122-403(b) of Article X, "C-3 Commercial District," to allow for changes in the maximum allowable height of buildings and structures.

Council Liaison Marino questioned the possibility of having a maximum of 4 or 5 floors instead of the limit of 3 floors. The Commission discussed this possibility but decided to approve the maximum height of 3 floors.

Motion to approve the maximum allowable height of building and structures in C-1 Restricted Business District, C-1-A Business District, C-2 Business District and C-3 Business District was made by Commissioner Shelton. Second by Commission Alternate McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton and McQuillin.
Noes: None

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Vice Chairman Elton. Second by Commission Alternate McQuillin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Hammond, Shelton and McQuillin.
Noes: None

Motion Passed

The meeting was over at 7:08 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on July 15, 2004 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond, Shelton and Alternate McQuillin. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char Dupree. Excused were Alternate Martin and Council Liaison Marino.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Consent Agenda:

1. **Consideration and Action on approval of Minutes for the June 17, 2004 meeting.**

   Motion to approve the minutes was made by Commissioners Hammond. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners byers, Hammond and Shelton.
   Noes: None

Motion Passed

2. **[Consideration and Action on approval of an Ordinance amending Section 78-56, "Fee and Duration," of Article II, "Itinerant Merchants," of Chapter 78, "Peddlers and Solicitors," of the Lake Dallas Municipal Code.]**

ADDENDUM: E-2. REMOVE FROM AGENDA: This item is NOT a Consideration and Action item for the Planning & Zoning Commission for approval of an Ordinance amending Section 78-56, "Fee and Duration," of Article II, "Itinerant Merchants," of Chapter 78, "Peddlers and Solicitors," of the Lake Dallas Municipal Code. It will be heard on the City Council agenda July 22.

3. **Consideration and Action on acceptance of withdrawal of Special Use Permit application for Lot 13, Block A of the Oak Lakes Subdivision by the Swisher Cemetery Association.**

Motion to accept the withdrawal of Special Use Permit application from the Swisher Cemetery Association was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

F. Business:

1. **Consideration and Action on approval of a site plan for Silestone located on Overly Drive.**

Dave Jones, Tri-Star Construction in Lewisville, explained the additional space would run the length of the current building and extend out 39 ft. further. They need the additional space for storage because the business is growing.

Silestone has already corrected the issues expressed by the Lake Dallas Engineer, Tom Hoover.

Motion to approve the site plan for Silestone was made by Commissioner Byers. Second by Comissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

2. **Public Hearing on approval of an Ordinance amending Section 22-246, "Height Restrictions," of Article III, "Fences," of Chapter 22, "Buildings and Building Regulations," of the Lake Dallas Municipal Code.**

No one came forward to speak so Chairman Gilbert closed the Public Hearing.

3. **Consideration and Action on approval of an Ordinance amending Section 22-246, "Height Restrictions," of Article III, "Fences," of Chapter 22, "Buildings and Building Regulations," of the Lake Dallas Municipal Code.**

Chairman Gilbert stated Kingswood Mobile Home Park was zoned R1-4000 Residential. The height of the fence restriction would be changed from 4 to 6 foot.

Motion to amend Section 22-246, "Height Restrictions," of Article III, "Fences," of Chapter 22, "Buildings and Building Regulations," was made by Vice Chairman Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

4. **Public Hearing on approval of an Ordinance to establish 15 categories of zoning districts by adding "C-1-A," "M-A," and "PUD" as zoning district classifications and to repeal Article XVI, "Group Housing Projects," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

ADDENDUM: F-4. Public Hearing on approval of an Ordinance to amend Subsection (a) of Section 122-7 ("Zoning Districts Established") of Article I ("In General") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code to establish 15 categories of Zoning Districts by Adding "C-1-A," "M-A," and "PUD" as zoning district classifications; to repeal Article XVI ("Group Housing Projects") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code and to replace it with a new Article XVI, establishing and providing regulations for the "PUD" Planned Unit Development District.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

5. **Consideration and Action on approval of an Ordinance to establish 15 categories of zoning districts by adding "C-1-A," "M-A," and "PUD" as zoning district classifications and to repeal Article XVI, "Group Housing Projects," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

ADDENDUM: F-5. Consideration and Action on approval of an Ordinance to amend Subsection (a) of Section 122-7 ("Zoning Districts Established") of Article I ("In General") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code to establish 15 categories of Zoning Districts by Adding "C-1-A," "M-A," and "PUD" as zoning district classifications; to repeal Article XVI ("Group Housing Projects") of Chapter 122 ("Zoning") of the Lake Dallas Municipal Code and to replace it with a new Article XVI, establishing and providing regulations for the "PUD" Planned Unit Development District.

Motion to approve the ordinance was made by Vice Chairman Elton. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

6. **Consideration and Action on approval of site plan for expansion inside current facilities of Video Plus.**

Chairman Gilbert read the City Ordinance 122-606, "A nonconforming use of a building or a building containing a nonforming use, except single-family dwellings, may not be enlarged, extended reconstructed or altered unless such use is made to conform to the regulations of the district in which it is located; however, in case of evident hardship, a building containing a nonconforming use may be enlarged containing a nonconforming use may be enlarged by variance from the board of adjustment after public hearing." Based on this ordinance Chairman Gilbert recommended the site plan for expansion be denied.

Motion to deny the approval for site plan expansion inside the current facilities of Video Plus was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

G. Future Agenda Items

None

H. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Shelton.
Noes: None

Motion Passed

The meeting was adjourned 7:17 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on June 17, 2004 at 7:01 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Alternate Martin. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree. Excused were Commissioner Shelton and Alternate McQuillin.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for the June 3, 2004 meeting.**

   Motion to approve the Minutes was made by Commissioner Byers. Second by Commissioner Hammond.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Martin.
   Noes: None

   Motion Passed

2. **Consideration and Action on approval of removal of building from site at 214 Gotcher.**

   Sam Montavlo, 608 GlenRhea Dr. in Lake Dallas owns the building at 214 Gotcher and wants to move it to McKinney, TX. A Denton contractor will be moving the commercial building after obtaining the required permit.

Motion to approve removal of the building at 214 Gotcher was made by Vice Chairman Elton. Second by Alternate Martin.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Martin.
Noes: None

Motion Passed

F. Workshop:

1. Discussion on amending Section 22-246, Height Restrictions, of Article III, Fences, of Chapter 22, Buildings and Building Regulations of the Lake Dallas Municipal Code.

Richard addressed this issue, recommending a new ordinance allowing a 6 to 8 ft. fence in R1-4000, the same as other residential zoning areas. He cited an example of a resident needing to build a 6 ft. fence because their dog kept getting out of the yard. The resident was given a citation because the fence was in violation of the Lake Dallas Municipal Code. The Lake Dallas Municipal Court dismissed the ticket because the higher fence was needed. Richard also consulted the Fire Chief regarding this issue. The fence height would not hinder the fire department in any way.

The Commission discussed the issue and agreed the ordinance should be changed. The height allowed should be determined after listening to residents during the public hearing.

2. Discussion and consideration on amending Article XVI ("Group Housing") of the Comprehensive Zoning Ordinance (Chapter 122 of the Municipal Code) to repeal the Group Housing zoning classification and to adopt Planned Unit Development zoning regulations.

Richard led the discussion of this issue that included previous workshop. When the building of the Harbourtown Garden Homes was being considered.

The Commission consensus is a Planned Unit Development (PUD) is needed for Lake Dallas if the marina area is going to be developed and for future growth in the area. The new ordinance would provide basic guidelines with the specifics being mapped out on a site plan when needed.

F. Future Agenda Items

Commissioner Hammond asked the status of the implementation of the new temporary sign ordinance. Richard is working this issue with business owners in Lake Dallas. Business owners have been paying for their temporary signs and banners but it is still a work in progress.

Commissioner Hammond also asked how the enforcement process for screening business dumpsters was coming. Richard stated the fencing of garbage dumpsters with any new Certificate of Occupancy (C/O) has been enforced and business owners have complied; three within the past month. Current business owners have one (1) year to comply with these requirements.

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Hammond and Martin.
Noes: None

Motion Passed

The meeting was adjourned at 7:38PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a special meeting on June 3, 2004 at 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Shelton, Byers, Hammond and Alternate McQuillin. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. Consideration and Action on approval of Minutes for the May 20, 2004 meeting.

Motion to approve the Minutes was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

2. Public Hearing on a proposed replat of Lot 3A of Block 1 of the Swisher Road Addition – North into Lots 3 and 4.

No one came forward to speak and the hearing was closed.

3. Consideration and Action to approve a replat of Lot 3A of Block 1 of the Swisher Road Addition – North into Lots 3 and 4.

Richard Dallof stated the replat would divide one lot into two with the second lot being left for future development. Site Plan completed but replat was not considered at the last regular meeting.

Motion to approve Swisher Road Addition replat was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

4. **Public Hearing on an application for a Special Use Permit for the Swisher Cemetery Association for Lot 13, Block A, of the Oak Lakes Subdivision in the City of Lake Dallas, Denton County, Texas.**

No one came forward and the hearing was closed.

5. **Consideration and Action on approval of an Ordinance allowing for a Special Use Permit for the Swisher Cemetery Association for Lot 13, Block A, of the Oak Lakes Subdivision in the City of Lake Dallas, Denton County, Texas.**

Chairman Gilbert stated no action would be taken on this item because the City had received a restraining order regarding this issue. The City Attorney advised no action be taken at this time. Steve Wohr, resident and former mayor of Lake Dallas, asked that all owners of the upper lots in the Oak Lakes subdivision be notified when this item comes on the agenda again as a courtesy even though regulations do not require this notification.

Commissioner Shelton abstained from voting because she is a member of the Swisher Cemetery Association.

Motion to take no action at this time was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Byers, Hammond and Alternate McQuillin.
Noes: None

Motion Passed

6. **Consideration and Action on approval of a site plan for Northstar Bank.**

Kyle Hoag, GNA Consultants of Lewisville, explained the site plan is in preparation of the new Northstar Bank building.

Motion to approve the Northstar Bank site plan was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. Future Agenda Items

None

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

The meeting adjourned at 7:12 p.m.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on May 20, 2004 at 7: 7:00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Hammond and Council Liaison Marjory Johnson. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for the April 15, 2004 meeting.**

Motion to approve the Minutes was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton and Hammond.
Noes: None

Motion Passed

2. **Public Hearing to consider amending Article XIX, "Manufactured Homes, Generally," Division 2, "District R-1, 4000, Manufactured Home Residential," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Mike Fahey, 140 Kingswood, Kingswood Mobile Home Park, spoke in favor of amending this ordinance.

3. **Consideration and Action to approve an Ordinance amending Article XIX, "Manufactured Homes, Generally," Division 2, "District R-1, 4000, Manufactured Home Residential," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code.**

Chairman Gilbert stated this issue had been work shopped at the Planning & Zoning meeting on April 15, 2004.
Motion to approve an Ordinance amending Article XIX, "Manufactured Homes, Generally," Division 2, "Manufactured Home Residential," of Chapter 22 was made by Vice Chairmain Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton and Hammond.
Noes: None

Motion Passed

4. **Public Hearing on a proposed replat of Block A, Lots 12, 13 and 14 and Block B, Lots 8 [south 20 feet], 9, 10, 11 and 12 into one lot. Barmarchar Sites.**

Kyle Hoag, GNA Consultants, stated the replat request is in preparation for building the new Northstar Bank. He also said the name of the site is the Northstar Bank Edition.

5. **Consideration and Action to approve the replat of Block A, Lots 12, 13 and 14 and Block B, Lots 8 [south 20 feet], 9, 10, 11 and 12 into one lot. Barmarchar Sites.**

Motion to approve replat was made by Vice Chairman Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commisioners Shelton and Hammond.
Noes: None

Motion Passed

6. **Public Hearing on a proposed replat of Lots 3 and 4 of Block 1 of the Swisher Road Addition – North into one tract.**

No one came forward to speak.

7. **Consideration and Action to approve the replat of Lots 3 and 4 of Block 1 of the Swisher Road Addition – North into one tract.**

Motion to take no action on this item because item was posted and published incorrectly was made by Commissioner Hammond. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton and Hammond.
Noes: None

Motion Passed

8. Public Hearing on a Special Use Permit to operate a church at 523 Hundley.

Mr. Bob McDonald, 1422 Bogard Ln., Lewisville, TX and Mr. Tyrone Lister, 1728 Timberidge Circle, Corinth, TX represented the property owner and church pastor. Mr. McDonald and Mr. Lister entered into a one year lease without realizing a special use permit was required. Mr. Lister is requesting the special use permit for his church because the congregation has outgrown meeting at his home in Corinth. He distributed an information brochure describing the church and its beliefs.

There are currently 15 church members and they hope to grow to a maximum of 40 members in this facility. The site plan contains 14 parking spaces in front of the property with an additional 7 spaces on the side of the building. Meeting times would consist of Sunday mornings and Tuesday evenings with noise being kept to a minimal level. The first 30 minutes of each service would be praise and the remainder would be mostly ministry.

Mr. McDonald met with Ms. Aldena Gregory regarding her concerns with having the church lease the building and other business owners in the area. They do not have an issue with the church leasing this facility.

Mr. Lister is meeting with Fire Chief Jason Collier at 2 p.m., May 21, 2004.

Chairman Gilbert closed the public hearing.

9. Consideration and Action to approve an Ordinance for a Special Use Permit to operate a church at 523 Hundley.

The Commission discussed the information given by Mr. McDonald and Mr. Lister.
Motion to approve the Special Use Permit for a period of one year, restricted to the meeting times stated and contingent upon the approval of Chief Collier was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton and Hammond.
Noes: None

Motion Passed

G. Future Agenda Items

The City Council will replace Marjory Johnson as the Commission Liaison since she has been elected Mayor of Lake Dallas.

H. Adjourn

Motion to adjourn was made by Vice Chairman Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton and Hammond.
Noes: None

Motion Passed

The meeting adjourned at 7:35 p.m.

Ben Gilbert, Chair

Char Dupree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on April 15, 2004 at 7: 00 PM in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond, Alternate McQuillin and Council Liaison Marjory Johnson. Also present were Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Discussion and Action on approval of Minutes for the March 18, 2004 meeting.**

   Motion to approve the Minutes was made by Commissioner Hammond. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Hammond.
   Noes: None

   Motion Passed

2. **Discussion and Action to approve a site plan for La Parrilla Vargas, 207 Main Street.**

   Mike Vargas, owner of La Parrilla Vargas, explained site plan to remove 2 walls, install 1 new wall and expansion of restaurant. Kitchen area will remain the same.

Motion to approve site plan made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

3. **Discussion and Action to approve a site plan for Swisher Road Business Park.**

Jim Dewey, Jr., JDJR Engineers & Consultants, Inc., represented the owner and developer of the project. Developer has addressed all City concerns. Plat will be submitted within the next couple weeks. Site plan is for a multi-tenant retail development. Each building would have 3 to 4 tenants. Fire Chief has approved site plan.

Per Richard Dallof, project developer has addressed all concerns of the City engineer. Site Plan meets all C1A zoning requirements.

Mr. Dewey requested a clarification of property uses allowed in C1A zoning areas. He feels the ordinance language is vague. He wanted uses clarified and some assurance from the Planning & Zoning Commission so property developer can be comfortable of tenant usage before development begins.

Marshall Merritt, project developer, stated their attorney advised them to submit the site plan with the listed property uses for approval.

Ms. Johnson, City Council Liaison, said this is not a usage issue but a land issue. You cannot receive a zoning variance on a site plan request. Clarification must come from the building official, city manager or city council.

Motion to approve site plan with property uses to be clarified by City Building Official, Manager and Council was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. Workshop:

1. Public hearing and workshop for considering amendments to various sections of Article XIX, Manufactured Homes Generally; Division 2, District R-1-4000, Manufactured Home Residential, of the Lake Dallas Municipal Code with regards to carports.

Rod Courtney, 162 Kingswood, represented the Kingswood Association and residents. He distributed a drawing to illustrate why the ordinance regarding carport setbacks should be amended. They want the setback to be changed from 14 ft. from the neighbor's mobile home to 4 ft. This would allow a property owner to cover the entire driveway way not just a half of it. In addition residents want a clarification as to where the carport side posts should be placed. They feel the side posts should be placed next to the property line not on the property line. Mr. Courtney also stated 35 of the current 53 carports do not meet ordinance setback requirements.

Richard Dallof reported the Lake Cities Fire Chief the way the ordinance reads now is unfair to property owners and the fire code would not be an issue if the footage were changed. Richard's recommendation is to allow the change to 4 ft. and leave other property setbacks the same.

Workshop closed.

G. Future Agenda Items

No new agenda items were submitted for discussion.

H. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Vice Chairman Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

The meeting was adjourned at 7:50 PM.

Ben Gilbert, Chair

Charmaine DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on March 18, 2004 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairman Gilbert, Vice-Chairman Elton, Commissioners Byers, and Hammond.
Commissioner Shelton was absent due to health problems.
Also present were City Manager Ray Kendall, Building Official Richard Dallof and Planning & Zoning Commission Secretary Char DuPree. Marjory Johnson, Council Liaison was absent.

C. Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.
No one came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

E. Business:

1. **Discussion and Action on approval of Minutes for the February 19, 2004 meeting.**

Motion to approve the Minutes was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Elton, Byers, and Hammond.
Noes: None

Motion Passed

2. **Discussion and Action to approve a site plan for Enrique's Place, 219 Main Street.**

Enrique Vierya, Copper Canyon, addressed the commission regarding the remodeling changes they want to make at the building at 219 Main Street. They would like to start moving into building March 28. The plan is to build one wall and cut an opening in an existing wall for a bar. The doorway will be an arch.

Chairman Gilbert asked that the site plan show the doors that will remain as the emergency exit. The Building Official stated that the fire official would inspect property to insure that it is in compliance with the fire code. The changes requested are mostly cosmetic.

Motion to approve the site plan was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Elton, Byers, and Hammond.
Noes: None

Motion Passed

F. New Business

There was no new business.

G. Adjourn

Motion to adjourn was made by Commissioner Hammond. Second by Commissioner Elton.
Ayes: Chairman Gilbert, Commissioners Elton Byers, and Hammond
Noes: None

Motion Passed

The meeting was adjourned at 7:15 p.m.

Ben Gilbert, Chair

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on February 19, 2004 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice-Chairman Elton, Commissioners Byers, Hammond, Shelton and City Council Liaison Johnson. Staff Present: Building Official Richard Dallof and Planning & Zoning Commission Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak.

E. Business:

1. **Discussion and Action on approval of Minutes for the January 15, 2004 meeting.**

   Motion to approve January 15, 2004 minutes was made by Vice-Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
   Noes: None

   Motion Passed

2. **Public Hearing to approve an Ordinance for a Special Use Permit to allow the installation of a ground monument sign for a private school located at 102 Dobbs Road [Legal description: Lot 1, Houghton Addition].**

   Russell Crow, 5316 Colonial Drive in Flower Mound, explained the sign would let the public know the Yardley Montessori School was there. They feel the school would be an asset to the neighborhood in conjunction with the new Shady Shores Elementary School to be built. The monument sign would aesthetically match the school building.

James Acker, daughter attends the school, is in favor of the sign. He feels by making the public aware of the private school it would slow down the traffic speed and provide a safer environment.

Keith Drennan, 2707 Wondering Oak Trail in Corinth whose daughter attends the school is also in favor of the sign and doesn't feel it would have a negative impact on the neighborhood.

Clyde Edwards, 3011 Kiln Drive in Corinth, opposes the sign. He opposed the Special Use Permit when it was initially issued to the private school and feels it's approval is turning this residential area into a commercial property. Mr. Edwards is concerned about what "special" request will be next. Seven of his properties are affected by this property. Signs are not attractive and are intrusive to residents. Parking is also an area of concern.

3. **Discussion and Action to approve an Ordinance for a Special Use Permit to allow the installation of a ground monument sign for a private school located at 102 Dobbs Road [Legal description: Lot 1, Houghton Addition].**

   Vice-Chairman Elton expressed concern with the size of the sign. Chairman Gilbert said the size of the sign should be reviewed in proportion to the property size.

   Council Liaison Johnson stated the requested sign would be behind the property fence. Also, the elementary school is going to be built and the neighborhood will not remain as it is today.

   The building official stated a ground sign could be as high as 35 ft. per our City Code; the monument sign requested is only 5 ft. high and is designed in good taste. The City Attorney stated the sign would be allowed, if approved, under the Special Use Permit. Approval was recommended.

   Motion to allow installation of a ground monument sign for the Yardley Montessori School was made by Vice-Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
   Noes: None

   Motion Passed

4. **Discussion and Action on approval of an Ordinance amending Ordinance 03-06 to change a Special Use Permit on Lot 1, Houghton Addition, 102 Dobbs Road.**

Motion to approve amending Ordinance 03-06 to change a Special Use Permit on Lot 1, Houghton Addition, 102 Dobbs Road was made by Vice-Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

5. **Discussion and Action to approve a site plan to install a canopy on the building for D & J Liquors, 633 South Denton Drive.**

The building official stated the business had not submitted all the necessary information and recommended this action be tabled.

Motion to table this action made by Commissioner Byers. Second by Vice-Chairman Elton.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. New Business

Planning & Zoning Commission discussed and agreed upon a new meeting start time of 7 PM.

G. Adjourn

Motion to adjourn meeting made by Chairman Gilbert. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

Meeting adjourned at 7:34 PM.

Ben Gilbert, Chairman

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

2004

The Lake Dallas Planning & Zoning Commission met in a regular meeting on January 16, 2003 at 7:16 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice-Chairman Elton, Commissioners Byers, Hammond, Shelton and City Council Liaison Johnson. Staff Present: City Manager Ray Kendall, Building Official Richard Dallof and Planning & Zoning Commission Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak

E. Business:

1. Discussion and Action on approval of Minutes for the November 20, 2003 Minutes.

Motion to approve November 20, 2003 minutes was made by Commissioner Hammond. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

2. Discussion and Action to amend Section 6-47 (Portable, temporary signs) and 48 (Cloth signs) of Chapter 6, Advertising of the Lake Dallas Municipal Code.

Richard presented a picture slide show of miscellaneous banners and approved signs in the Lake Dallas area with an explanation of why more specific guidelines are needed in the City Code. He reviewed ordinances from close by cities to illustrate examples of requirements Lake Dallas could implement and a draft Lake Dallas ordinance.

The commission agreed that banners should be used to promote a specific event and not to replace a regular business sign. The banner can be erected a maximum of 30 days before the event and must be removed no more than 3 days after the event.

The banner sign area shall not exceed a total of 50 sq. ft., a maximum height of 6 ft., and restricted to (2) on premise signs per site. The duration of the permit is 60 calendar days, not to exceed 30 days per event with a 60-day separation between events.

Temporary, Portable Signs, such as sandwich signs can be outside of the business during daylight business hours only, must be safe & anchored, maintained in good appearance and only 1 per business. Permit must be renewed annually.

Motion to approve amendment of Section 6-47 (Portable, temporary signs) as discussed and recommend no change to Section 6-48 was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

Motion Passed

F. New Business

The Commission discussed changing the meeting time from 7:30 p.m. to 7 p.m.

G. Adjourn

Motion to adjourn was made by Vice-Chairman Elton. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice-Chairman Elton, Commissioners Shelton, Byers and Hammond.
Noes: None

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on November 20, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Commissioners Byers and Northrup, Alternate Commissioner Hammond. Staff Present: City Manager Ray Kendall, Building Official Richard Dallof and Planning & Zoning Commission Secretary Char DuPree.

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak

E. Business:

1. **Discussion and Action on approval of Minutes for the October 16, 2003 Minutes.**

   Motion to approve October 16, 2003 minutes was made by Commissioner Byers. Second by Commissioner Northrup.
   Ayes: Chairman Gilbert, Commissioners Byers, Northrup and Hammond.
   Noes: None

   Motion Passed

2. **Discussion and Action to approve a site plan for Video Plus property.**

   Mark Deloach, CFO for Video Plus, 806 Sir Galahad, Lewisville 75057, explained the company's plans to add 400 sq. ft. of office space and restroom facilities in the current warehouse. The building already has a sprinkler system but they will be adding electricity and plumbing.

   Motion to approve site plan for Video Plus property made by Commissioner Northrup. Second by Commissioner Byers.

Ayes: Chairman Gilbert, Commissioners Byers, Northrup and Hammond.
Noes: None

Motion Passed

3. **Discussion and Action to allow modifications to a cell tower located at 601 South Denton Drive.**

Lisa Schmidt from Spectrasite, 12 Arrowhead Circle, Hickory Creek 75065, stated the Company would be adding antennas to the existing pole for T-Mobile. They would also add stabilization at the bottom of the pole to support the additional antennas. The area would continue to have secured access.

Motion to approve modification to the current cell tower located at 601 S. Denton Drive was made by Commissioner Byers. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Commissioners Byers, Northrup and Hammond.
Noes: None

Motion Passed

F. New Business

None

G. Adjourn

Motion to adjourn was made by Commissioner Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Commissioners Byers, Northrup and Hammond.
Noes: None

Motion Passed

The meeting ended at 7:50 p.m.

Ben Gilbert, Chair

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on October 16, 2003 at 7:31 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Northrup, Alternate Commissioner Hammond and City Council Liaison Johnson.
Staff Present: City Manager Ray Kendall and Planning & Zoning Commission Secretary Char DuPree.

C. The Pledge of Allegiance
Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak.

E. Business:

1. **Discussion and Action on approval of Minutes for the September 18, 2003 Minutes.**

   Correction to September 18, 2003 minutes:
   Roll Call: Marjory Johnson, Council Liaison, was also in attendance.

   Motion to approve corrected September 18, 2003 minutes was made by Vice Chairman Elton. Second by Commissioner Hammond.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
   Noes: None

   Motion Passed

2. **Discussion and Action on election of officers for fiscal year 2004.**

   Motion to approve Ben Gilbert as Chairman for the Planning and Zoning Commission was made by Vice Chairman Elton. Second by Commissioner Northrup.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
   Noes: None

Motion Passed

Motion to approve Cliff Elton as Vice Chairman for the Planning and Zoning Commission was made by Chairman Gilbert. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissionners Byers, Northrup and Hammond.
Noes: None

Motion Passed

3. **Discussion and Action to establish attendance rules for the Planning & Zoning Commission meetings.**

   Commissioner Byers expressed her concern regarding "called" meetings being held against a member in the attendance rules. The City Manager stated the primary purpose of this agenda item is attendance for regularly scheduled meetings.

   Motion to approve attendance policy excluding the "called" meeting provision was made by Vice Chairman Elton. Second by Commissioner Northrup.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
   Noes: None

Motion Passed

4. **Public Hearing to hear comments about amending Section 122-1132 (c), Location of Required Screening, of Division 2, Screening, of Article XXV, Screening, Landscaping and Tree Preservation, of Chapter 122, Zoning, of the Lake Dallas Municipal Code.**

   The City Manager spoke to this issue. The two issues involved are the length of time allowed to comply with the ordinance and the location of the dumpster with regard to the zoning set back requirements. Mr. Kendall is recommending waiving the building permit fee for the screening construction and Board of Adjustment appeals.

5. **Discussion and Action to approve amending Section 122-1132 (c), Location of Required Screening, of Division 2, Screening, of Article XXV, Screening, Landscaping and Tree Preservation, of Chapter 122, Zoning, of the Lake Dallas Municipal Code.**

Motion to approve amending Section 122-1132 ©, Location of Required Screening, of Division 2, Screening of Article XXV, Screening, Landscaping and Tree Preservation, of Chapter 122, Zoning was made by Commissioner Byers. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
Noes: None

Motion Passed

6. **Public Hearing to hear comments about a zoning change for Block 11, Lots 1, 2 and 3 of the Old Town Garza property, from C-3, Commercial District, to C-1, Restricted Business district.**

   No one came forward to speak and hearing was closed.

7. **Discussion and Action to approve a zoning change for Block 11, Lots 1, 2 and 3 of the Old Town Garza property, from C-3, Commercial District, to C-1, Restricted Business district.**

   Motion to approve zoning change was made by Vice Chairman Elton. Second by Commissioner Northrup.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
   Noes: None

Motion Passed

F. **New Business**

Commissioner Northrup announced he will resign as of the end of 2003 due to his work schedule.

G. **Adjourn**

Motion to adjourn was made by Commissioner Byers. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers, Northrup and Hammond.
Noes: None

Motion Passed

The meeting ended at 7:53 p.m.

Ben Gilbert, Chair

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning & Zoning Commission of the City of Lake Dallas met in a regular meeting on September 18, 2003 at 7:30 p.m. at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Alternate Commissioner Hammond. Staff Present: City Manager Kendall, Building Official Dallof and Planning & Zoning Secretary DuPree.
MARJORY JOHNSON, COUNCIL LIAISON.
Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

Motion to excuse Robert Northrop was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
Noes: None

Motion Passed

Motion not to excuse Peggy Shelton was made by Vice Chairman Elton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
Noes: None

Motion Passed

C. Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak.

E. Business:

1. **Discussion and Action on approval of Minutes for the August 21 and September 9, 2003 Minutes.**

   Correction to August 21, 2003 minutes:
   Motion to excuse Cliff Elton was made by Commissioner Shelton. Second by Commissioner Byers.
   Ayes: Commissioners Shelton and Byers
   Noes: Chairman Gilbert and Commissioner Hammond

   Motion to approve corrected August 21, 2003 minutes and September 9, 2003 Minutes was made by Commissioner Byers. Second by Vice Chairman Elton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
   Noes: None

   Motion Passed

2. **Discussion and Action to approve a site plan which includes an application for Eighty Per Cent Masonry Exemption in Commercial Districts.**

   Removed from agenda.

3. **Discussion and Action to approve a site plan for Market Square project.**

   Agenda item tabled to allow Terry Landtrip more time to work on building plans.

   Motion to table this agenda item was made by Vice Chairman Elton. Second by Commissioner Hammond.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
   Noes: None

   Motion Passed

4. **Public Hearing to hear comments about amending Article 1, In General, of Chapter 122, Zoning, by amending section 122-7, Zoning Districts Established.**

   Richard Dallof stated this was an administrative housecleaning issue. No one else came forward to speak.

5. **Discussion and Action to approve amending Article 1, In General, of Chapter 122, Zoning, by amending section 122-7, "Zoning Districts Established."**

   Motion to approve amending Article1, In General, of Chapter 122, Zoning, by amending section 122-7 was made by Commissioner Byers. Second by Commissioner Hammond.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
   Noes: None

   Motion Passed

6. **Public Hearing to hear comments about amending Chapter 122, Zoning, by removing certain fee amounts to become part of the Building and Code Fee Schedule attachment to a new Ordinance.**

   Richard Dallof clarified this request, what was changing and the new fees. By removing the fees from the City Ordinance fees can be changed without having to be approved by the Planning & Zoning Commission. Ordinance requirements will not change.

7. **Discussion and Action to approve Ordinances:**
   a) **Adopt a new fee schedule for building permits.**
   b) **Amend Section 22-2, "Electricians License" of Chapter 22, "Buildings and Building Regulations."**
   c) **Amend Section 22-123(a), "Application for Certificate of Occupancy" of Chapter 22, "Buildings and Building Regulation," Division 3, Boarding Houses, Lodging Houses, and lodging Units.**
   d) **Amend Section 122-802, "Manufactured Home Permit; Required, Cost" of Chapter 122, "Zoning."**
   e) **Amend Section 122-916, "Manufactured Home Permit; Required Cost" of Chapter 122, "Zoning," Division 2, R-1, 4000C, Commercial Manufactured Home Residential District.**
   f) **Amend Section 122-1021, "Required" of Chapter 122, "Zoning," Article XXIII, Building Permits.**
   g) **Amend Section 122-1023, "Separate Permits" of Chapter 122, "Zoning," Article XXIII, Building Permits.**

   Motion to approve ordinances made by Commissioner Hammond. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
   Noes: None

   Motion Passed

8. **Discussion and action to approve site plan for commercial use at 101 Lakeview.**

   Del Hill and Linda Holsclaw, 210 Forest View Rd., Hickory Creek, own the dental lab and explained what kind of work is done in a lab. They primarily use acrylic and porcelain to make dentures and use no bio-hazard chemicals. There are only 2 employees and a runner who picks up and delivers dentures to dentists. Traffic impact will be minimal. The biggest change to the property will be the parking lot addition and a small business sign.

   Motion to approve site plan made by Commissioner Hammond. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
   Noes: None

Motion Passed

F. New Business

No new business.

G. Adjourn

Motion to adjourn was made by Commissioners Byers. Second by Commissioner Hammond.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Byers and Hammond.
Noes: None

Motion Passed

The meeting ended at 8:50 p.m.

Ben Gilbert, Chairman

Char DuPree, Secretary
Planning & Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on August 21, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Present: Chairman Ben Gilbert, Peggy Shelton, Diane Byers, Karl Hammond and Council Liaison Johnson. Staff Present: City Manager Ray Kendall, Building Official Richard Dallof and Planning & Zoning Commission Secretary Char DuPree.

Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.

Motion to excuse Robert Northrup was made by Commissioner Shelton. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond.
Noes: None

Motion Passed

Motion to excuse Cliff Elton was made by Chairman Gilbert. Second by Commissioner Byers.
Ayes: Commissioners Shelton and Byers
Noes: Chairman Gilbert and Commissioner Hammond

Motion Failed

B. The Pledge of Allegiance

Chairman Gilbert led the Pledge of Allegiance.

C. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak.

D. Business:

1. **Discussion and Action on approval of Minutes for July 17, 2003 meeting.**

Motion to approve the Minutes was made by Commissioner Hammond. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
Noes: None

Motion Passed

2. **Discussion and Action on acceptance of resignation letter from Gary Johnson.**

Motion to accept the resignation was made by Commissioner Byers. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
Noes: None

Motion Passed

3. **Public Hearing on approval of a proposed replat of Lot 9 and Lot 10 of Block 1 of Gotcher Addition and Tracts 23 and 24 of Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza into one lot.**

   Terry Lantrip explained his vision of Market Street with combo of apartment and retail buildings which would create a new town center. He distributed a packet of information for the Commission to review. He only wants to replat a portion of the original plan. He plans to build the first building before building the second one. There will be four office/retail units downstairs and four apts. upstairs.

   Chairman Gilbert advised that they are only dealing with the replat right now.

   Rod Courtney, 162 Kingswood, said he'd like to see this approved.

   Kathy King, 213 Main Street, is in favor of this.

4. **Discussion and Action on approval of a proposed replat of Lot 9 and Lot 10 of Block 1 of Gotcher Addition and Tracts 23 and 24 of Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza into one lot.**

   Motion to approve an amended replat of Lots 1 through 4 of Block 5 of Old Town Garza and Tracts 23 and 24 of Wright Abstract 1355A into Block A, Lots 1 and 2 was made by Commissioner Byers. Second by Commissioner Hammond.
   Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
   Noes: None

   Motion Passed

5. **Public Hearing on approval of a Special Use Permit to allow a mixed use of apartments and retail, personal services, and light commercial uses in the 100 block of Market Street. [Legal description: Lot 9 (south 70' of east half) and Lot 10 (east half) of Block 1 of the Gotcher Addition, Tracts 23 and 24 of the Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza]**

Terry Lantrip said the lots would be for mixed use with he lower floor used for office space. There will be no heavy industrial use.

Building Official Dallof said the Special Use Permit can only be used for the replat.

6. **Discussion and Action on approval of an Ordinance for a Special Use Permit to allow a mixed use of apartments and retail, personal services, and light commercial uses in the 100 block of Market Street. [Legal description: Lot 9 (south 70' of east half) and Lot 10 (east half) of Block 1 of the Gotcher Addition, Tracts 23 and 24 of the Wright Abstract #1355A and Lots 1 through 4 of Block 5 of Old Town Garza]**

Chairman Gilbert explained special use permit and how it applies to this project. At some future date there will be special zoning for this type of project.

Motion was made by Commissioner Shelton to approve the Special Use Permit. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
Noes: None

Motion Passed

7. **Public Hearing on approval of a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French property from C-1-A Commercial zoning district to a Planned Development district.**

Arthur Anderson, attorney representing Pulte Homes, 5400 Renaissance Tower, 1201 Elm St, Dallas, discussed the commercial and residential requirements of the property. He spoke about the extension of the Swisher bridge and how it would impact the development of this area. Pulte wants to develop property for single-family homes.

Rod Courtney, 162 Kingswood, Lake Dallas, stated this is a rezoning issue only at this time. The plat would have to come before the commission and council before approval would be granted. It is a concern of the Kingswood residents as this property adjoins Kingswood. He voiced concerns about the possibility of more traffic through the mobile home park. He said he thought Pulte would provide a good home development but he would like to keep it 150 feet back from road for future commercial development.

Jack Roe, Resort Realty, spoke about having a three-foot wall separating the highway from the property. He would like to know how all this will work out.

Neoma Spinks, 57 Lakeridge, asked about the drainage system.
Chairman Gilbert advised this would be addressed at later date.

Norma McAlavy, 25 Oakwood, said there needs to be six to ten foot fence to shut out noise environment.

Don Dystra, Pulte Homes, stated they would appreciate the opportunity to build again in Lake Dallas.

Mike Fahey, 144 Kingswood, has concerns about the lot size in the development. He is also concerned about road and flood issues. The floodplain goes through Kingswood and he is worried about the drainage.

No one else came forward to speak so Chairman Gilbert closed the public hearing.

8. **Discussion and Action on approval of a proposed zoning change to approximately 37.3 acres of Tract 21 of Abstract 0424A N. French property from C-1-A Commercial zoning district to a Planned Development district.**

   Chairman Gilbert stated we do not have PUD zoning district and cannot approve this at this time. He suggested that this be tabled for now and a workshop be scheduled at a later date.

   Motion was made to table the item and schedule a workshop by Commissioner Byers. Second by Commissioner Shelton
   Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
   Noes: None

   Motion Passed

E. New Business

F. Adjourn
Motion to adjourn was made by Commissioner Hammond. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton, Byers, and Hammond
Noes: None

Motion Passed

The meeting was over at 8:02 PM.

Ben Gilbert, Chairman

Char Dupree, Secretary
Planning & Zoning Commission

State of Texas
City of Lake Dallas
County of Denton

The Lake Dallas Planning & Zoning Commission met in a regular meeting on July 17, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Present: Chairman Ben Gilbert, Vice-Chairman Cliff Elton, Commissioners Peggy Shelton, Diane Byers, and Alternate Karl Hammond; Council Liaison Marjory Johnson, City Manager Ray Kendall, Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

Alternate Gary Johnson was excused.

B. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Gilbert.

C. **Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.**

No one came forward and Chairman Gilbert closed the public hearing.

D. Business:

1. **Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.**

   Excused absence of Alternate Gary Johnson accepted into minutes.

   Motion to accept absence into minutes was made by Vice Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrup.
   Noes: None

Motion Passed

2. **Discussion and Action on approval of Minutes for June 19, 2003 meeting.**

   Motion to approve minutes from June 19, 2003 was made by Vice Chairman Elton. Second by Commissioner Byers.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrup.
   Noes: None

Motion Passed

3. **Discussion and Action on approval of a site plan for Lakeview Custom Pools.**

   Lance Hill, 1600 Buena Vista, Denton, TX 76210 represented Lakeview Custom Pools. He is asking for site plan approval to build a display pool, meeting all easements and setback requirements. It would be nice to look at from highway with lots of landscaping, and a 6 ft wrought iron fence. A screen fence is on the plans by request of city inspector to hide equipment. They also want a carport that will be 80% masonry. It is important to Lakeview Custom Pools to look nice and enhance the community. They plan to buy the property in the future. There is enough parking for the 6 office employees; most of the other staff carpool and ride the bus. There will not be any hazardous chemicals on the property. The Company office is in the brick model home.

   Richard Dallof added the Company has worked hard to meet all Lake Dallas requirements. City Manager Kendall stated that at the time of purchase they will have to pave and screen the property and cannot park vehicles on a gravel base. Trucks are required to enter onto access roads.

   Motion to approve site plan for Lakeview Custom Pools was made by Commissioner Byers. Second by Chairman Gilbert.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrup.
   Noes: None

   Motion Passed

4. **Discussion and Action on approval of a site plan for Barfly's Sports Bar and Grill.**

   Gary Cutlip, owner of Barfly's Sports Bar and Grill, 5006 Stemmons, wants to construct an outside patio with 12" x 12" concrete block pavers, surrounded by wrought iron fence in front of the restaurant. It will also have an awning with drop sides on them. Potted Palm trees around patio. Mr. Cutlip wants to focus on more family dining in early hours of the evening. It will be staffed at all times while restaurant is open. The patio will probably close during the winter months.

   City Manager Kendall is concerned with adequate parking, which can be addressed by reconfiguring parking area adding 2 more spots.

   Motion to approve site plan for Barfly's Sports Bar and Grill was made by Commissioner Byers. Second by Vice Chairman Elton.

Ayes: Commissioner Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrup.
Noes: None

Motion Passed

5. **Discussion and Action on approval of an Ordinance to amend Chapter 6, Advertising, Article II, Signs, Section 6-47, Portable, temporary signs.**

Motion to table action to amend Chapter 6, Article II, Signs, Section 6-47, Portable, temporary signs was made by Vice Chairman Elton. Second by Commissioner Elton.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrop.
Noes: None

Motion Passed

E. New Business

There was no new business to discuss.

F. Adjourn

Motion to adjourn was made by Commissioner Shelton. Second by Robert Northrup.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Northrop.
Noes: None

Motion Passed

The meeting was over at 8:21 PM.

Ben Gilbert, Chairman

Char DuPree, Secretary
Planning & Zoning Commission

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on June 19, 2003 at 7:30--- PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Present: Ben Gilbert, Cliff Elton, Peggy Shelton, Diane Byers, Gary Johnson, and Karl Hammond; Council Liaison Marjory Johnson; City Manager Ray Kendall, Building Official Richard Dallof, and Planning & Zoning Secretary Char DuPree.
Robert Northrup was excused.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward and Chairman Gilbert closed the public hearing.

C. Presentation to Lake Cities Girl Scout Troup 1295.

Marjory Johnson presented plaque to Girl Scout Troop 1295 after the Mission Statement discussion to allow for all scouts to be present for presentation.

D. Business:

1. **Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.**

   Excused absence of Robert Northrup accepted into minutes.

   Motion to accept absence into minutes was made by Alternate Gary Johnson. Second by Chairman Gilbert.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Alternates Johnson & Hammond.
   Noes: None

   Motion Passed

2. **Discussion and Action on approval of Minutes for the May 15, 2003 meeting.**

   Motion to approve minutes from May 15, 2003 meeting was made by Commissioner Byers. Second by Commissioner Shelton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Alternates Johnson & Hammond.
   Noes: None

Motion Passed

3. **Discussion and Action on Vision Statement recommendation to City Council.**

   The Commission felt all proposed mission statement were basically the same. Discussion revealed concerns regarding the words describing Lake Dallas such as an exciting and charming community. Commissioners Elton and Byers wanted to be sure we adopt a mission statement that was attainable and didn't misrepresent ourselves. The Commission agreed on recommending the first mission statement to the City Council without using the words exciting and charming in the text.

   Motion to recommend the first proposed mission statement to the City Council was made by Commissioner Byers. Second by Vice Chairman Elton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Alternates Johnson & Hammond.
   Noes: None

Motion Passed

4. **Discussion and Action on determining the time for the Commission's meetings.**

   After discussion of the meeting starting, the general consensus of the Commission was to keep the time at 7:30 p.m. The City Manager stated the 7:30 p.m. time was difficult for the City Staff, but several Commission members felt it would be difficult for them to start the meeting at 7 p.m.

   Motion to continue the current meeting time was made by Alternate Hammond. Second by Vice Chairman Elton.
   Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Alternates Johnson & Hammond.
   Noes: None

Motion Passed

D. New Business

There was no new business to discuss.

E. Adjourn

Motion to adjourn was made by Chairman Gilbert. Second by Commissioner Byers.
Ayes: Chairman Gilbert, Vice Chairman Elton, Commissioners Shelton, Byers, and Alternates Johnson & Hammond.
Noes: None

_____
Ben Gilbert, Chairman

_____
Char DuPree, Secretary
Planning & Zoning Commission

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning & Zoning Commission met in a regular meeting on May 15, 2003 at 7:32 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Ben Gilbert, Cliff Elton, Robert Northrup
A letter of resignation was received from former Chair, Tony Marino, Councilmember 1.
Council liaison, Marjory Johnson, was present.
Staff present: City Manager Ray Kendall, Building Official Richard Dallof and City Secretary Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Ray Kendall, 619 Lakebridge Drive, said he would like to start at the Planning & Zoning Commission meetings at 7 PM in the future unless there is a reason for the 7:30 time. In reference to agenda item C-2, he said he is partly responsible for the citizens of City of Lake Dallas and has concerns about adding any more traffic to Swisher Road. He said the County is currently surveying Swisher Road so there will be more problems with traffic congestion and health and safety issues.

C. Business:

1. Discussion and Action on approval of Minutes for April 17, 2003 meeting.

Motion to accept the Minutes was made by Commissioner Elton. Second by Commissioner Northrup.
Ayes: Vice Chair Gilbert, Commissioners Elton & Northrup
Noes: None

Motion Passed

2. Discussion and Action on approval of a site plan for Unified Aircraft Services, 500 N. Stemmons.

Mr. Olsen, Manager of Unified Aircraft Services, 500 North Stemmons, said that DART, who operates the rail track, has told them to find another entrance because they're not going to let them cross the tracks. They want to put an entrance to their property off Swisher Road. Unified has no rail traffic. They are currently paying $1600 per year to DART so they can cross the right of way for DART's tracks to get into their property.
Motion to decline the item was made by Commissioner Elton. Second by Commissioner Northrup
Ayes: Vice Chair Gilbert, Commissioners Elton and Northrup
Noes: None

Motion Passed

3. **Public Hearing on approval of an Ordinance to amend Section 122-571 Uses permitted by Special Use Permit.**

Vice Chair Gilbert closed public hearing when no one came forward to speak.

4. **Discussion and Action on approval of an Ordinance to amend Section 122-571 Uses permitted by Special Use Permit.**

Motion to accept the amended Section 122-571 Uses permitted by Special Use Permit was made by Commissioner Elton. Second by Commissioner Northrup.
Ayes: Vice Chair Gilbert, Commissioners Elton and Northrup
Noes: None

Motion Passed

5. **Discussion and Action on naming interim chair and vice chair positions.**

This position will last until October when new appointments are made.
Motion to name Ben Gilbert as Chair was made by Commissioner Elton. Second by Commissioner Northrup.
Ayes: Vice Chair Gilbert, Commissioners Elton and Northrup.
Noes: None

Motion Passed

Motion to name Cliff Elton as Vice Chair was made by Chairman Gilbert. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Commissioners Elton and Northrup
Noes: None

Motion Passed

D. New Business

It's hard for people to get here for meetings by 7 PM. We need to decide on a meeting time.

E. Adjourn

Motion to adjourn was made by Commissioner Elton. Second by Commissioner Northrup.
Ayes: Chairman Gilbert, Commissioners Elton and Northrup
Noes: None

Motion Passed

Meeting was over at 8:15 PM

Ben Gilbert, Vice Chair

Beverly Welkum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on April 17, 2003 at 7:32 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call

Present: Tony Marino, Ben Gilbert, Diane Byers, Cliff Elton, and Robert Northrup; Council Liaison Marjory Johnson; City Manager Ray Kendall, Building Official Richard Dallof, and Planning & Zoning Secretary Char DuPree.
Peggy Shelton was excused.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Terry Lantrip, Sun Printing, 275 Market St., presented his plan for development of a "Market Street Square" which would combine retail with residential on his Market Street property. He owns 4 lots that total approximately ½ acre. Currently zoning is C3.

C. Business:

1. Discussion and Action on approval of Minutes for March 20, 2003 meeting.

Motion to approve Minutes by Vice Chairman Gilbert made March 20, 2003 meeting. Second by Commissioner Byers.
Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioners Byers, Elton and Northrup.
Noes: None

Motion Passed

2. Public Hearing on approval of a Special Use Permit to operate a child care facility at 102-A Dobbs Road, Lake Dallas, Texas; Lot 1 of the Houghton Addition.

Russell Crow, representing Laura Leigh Crow, presented a detailed proposed plan for the Montessori childcare facility. This will include interior and exterior modifications. School will be open Monday through Friday, 9 a.m. to 3:15 p.m. and will be closed during the summer months. Students are 3 to 6 years of age. Thirty-four students is the facility maximum.

Conrad Neitzel, P. O. Box 821, Lake Dallas owns property adjacent to the proposed school and wants to build a future residence on this land. He does not want a business in this residential area and opposes the issuance of the Special Use Permit.

Christie Houghton, 102A Dobbs Rd., Laury Scharber, P. O. Box 164, and Julie Coker, 2001 Wickwood Ct. in Argule, spoke in favor of issuing the Special Use Permit. All have children in the school at the current location.

Laurie Snider, 2141 Pembrook Place, Denton, son attends this school. She is in favor of the Special Use Permit; school is quiet and well organized.

3. **Discussion and Action on approval of a Special Use Permit to operate a child care facility at 102-A Dobbs Road, Lake Dallas, Texas; Lot 1 of the Houghton Addition.**

Motion to approve Special Use Permit was made by Commissioner Byers. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioner Byers, Elton and Northrup.
Noes: None

Motion Passed

4. **Public Hearing on approval of a proposed replat of Lots 13 and 14 (Part of each), Block 1 of the W. D. Franks University Camp addition into one tract.**

Mr. AliReza Hemmati spoke on behalf of the family. They want to make 1 lot from the 2 lots. The current house was built in 1957. The plan is to demolish the old house and build a new 2-story house in its place.

5. **Discussion and Action on approval of a proposed replat of Lots 13 and 14 (Part of each), Block 1 of the W. D. Franks University Camp addition into one tract.**

Motion to approve replat of Lots 13 and 14 was made by Vice Chairman Gilbert. Second by Chairman Marino.
Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioners Byers, Elton and Northrup.
Noes: None

Motion Passed

6. **Discussion and Action on approval of site plan for 'Your Barber Shop' on Denton Drive.**

Motion to approve site plan for "Your Barber Shop" was made by Commissioner Byers. Second by Commissioner Northrup.

Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioners Byers, Elton, and Northrup.
Noes: None

Motion Passed

D. New Business

No new business.

E. Adjourn

Motion to adjourn was made by Chairman Marino. Second by Vice Chairman Gilbert.
Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioners Byers, Elton, and Northrup.
Noes: None

Motion Passed

_____
Tony Marino, Chairman

_____
Char DuPree, Secretary
Planning & Zoning Commission

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning & Zoning Commission met in a regular meeting on March 20, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Present: Tony Marino, Ben Gilbert, Peggy Shelton, Diane Byers, and Cliff Elton; Council Liaison Marjory Johnson; City Manager Ray Kendall, Building Official Richard Dallof, and City Secretary Weikum.
Robert Northrup was excused.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak.

C. Business:

1. **Consideration and Action on approval of proposed final plat plan for 11.218 acres described as parts of Block C, Block D, Block G, Block J, and Block M of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924 (Legacy Oaks).**

Motion to approve the plat plan was made by Commissioner Gilbert. Second by Commissioner Byers.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Byers, and Elton
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance amending Section 122-83 "Private garages; covered carports" of the Lake Dallas Municipal Code.**

Motion to accept item C-2 was made by Commissioner Elton. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Byers, and Elton.
Noes: None

Motion Passed

3. **Consideration and Action on approval of Minutes for February 20, 2003 meeting.**

Motion to approve the Minutes was made by Commissioner Gilbert. Second by Commissioner Elton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Byers, and Elton
Noes: None

Motion Passed

D. Workshop:

1) Discussion of mission statement for the Planning & Zoning Commission.

It was decided to wait until joint meeting with the City Council for this discussion.

E. New Business

F. Adjournment

Motion to adjourn was made by Chairman Marino. Second by Commissioner Elton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Byers, and Elton
Noes: None

Motion Passed

Meeting was adjourned at 7:50 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on February 20, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino
Ben Gilbert
Peggy Shelton
Cliff Elton
Robert Northrup

Commissioner Diane Byers was excused. Staff present: Building Inspector Richard Dallof & Zoning Secretary Char DuPree.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1. Public Hearing on proposed replat of Tract 32 of Cobb Survey, Abstract 284.

Chairman Marino abstained because he is the property owner. He explained the reason for the replat is to meet the R1-7200 zoning requirements.

2. Consideration and Action on approval of a replat of Tract 32 of Cobb Survey, Abstract 284.

Chairman Marino abstained because he is the property owner.

Motion to approve replat of Tract 32 of Cobb Survey by Commissioner Elton. Second by Commissioner Peggy Shelton.
Ayes: Vice Chairman Gilbert, Commissioners Shelton, Elton and Northrup.
Noes: None

Motion passed

3. Consideration and Action on approval of a site plan for the Lake Cities Municipal Utility Authority.

Kyle Hogue, B & H Consultants, spoke on behalf of the Lake Cities Municipal Utility Authority for this project. The proposal is to demolish an existing building north of the current facility and build the new building on that site. After completion, the current building would also be demolished. A 6 ft. fence will be constructed between the drive through and residents, with an additional fire lane. Builders will need a landscaping variance because ordinance requires 10 ft. landscaping which they won't have; the fence will be there instead. LCMUA plans to occupy the new facility within 4 months of the initial demolition.

Motion to approve the site plan for the new Lake Cities Municipal Utility Authority facility by Vice-Chairman Gilbert. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice-Chairman Gilbert and Commissioners Shelton, Elton and Northrup.
Noes: None

Motion passed.

4. **Consideration and Action on approval of a site plan for James D. Currey.**

Mr. Curry, 715 Lakeridge, wants to add a concrete patio, storage building and fence on his C-2 property located at 616 Main Street. Building will be used for a consultant recruiting business and one other tenant. There was discussion of the storage building height and fence. The fence will be 6 ft. from the street.

Motion to approve site plan for James D. Curry was made by Commissioner Shelton. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice-Chairman Gilbert and Commissioners Shelton, Elton and Northrup.
Noes: None

Motion Passed

5. **Consideration and Action on approval of a site plan for the Lake Cities Library.**

Betty Brown presented floor plan changes and internal remodeling of the Lake Cities Library. The City Ordinance requires any commercial/public building structure changes to be presented to the Planning & Zoning Commission. Ms. Brown would like to obtain approval for all future changes diagrammed. The main entrance will be the side door and the handicap parking will be relocated. The only external change would be two new windows.

Motion to approve site plan for the Lake Cities Library was made by Commissioner Elton. Second by Vice-Chairman Gilbert.
Ayes: Chairman Marino, Vice-Chairman Gilbert and Commissioners Shelton, Elton and Northrup.
Noes: None

Motion Passed.

6. **Consideration and Action on approval of Minutes for January 16, 2003 meeting.**

Motion to approve the Planning & Zoning Minutes for January 16, 2003 meeting was made by Vice-Chairman Gilbert. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice-Chairman Gilbert and Commissioners Shelton, Elton and Northrup.
Noes: None

Motion passed

D. Adjourn

Motion to adjourn made by Chairman Marino. Second by Vice-Chairman Gilbert.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Elton and Northrup.
Noes: None

Motion Passed

Tony Marino, Chair

Char Dupree, Secretary
Planning & Zoning Commission

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning & Zoning Commission met in a regular meeting on January 16, 2003 at 7:30 p.m. at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Ben Gilbert, Vice Chairman
Cliff Elton

Commissioner Peggy Shelton was absent. Commissioner Diane Byers and Alternate Allen were excused. Staff Present: Building Inspector Richard Dallof and Planning & Zoning Secretary Char DuPree.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1. Public Hearing on proposed replat of Tract 32 of Cobb Survey, Abstract 284.

As owner of this property, Chairman Marino was abstained from this process. As a result there was not a quorum of the commission and this item could not be addressed.

2. Consideration and Action on approval of a replat of Tract 32 of Cobb Survey, Abstract 284. Not enough commission to vote.

As owner of this property, Chairman Marino was abstained from this process. As a result there was not a quorum of the commission and this item could not be addressed.

3. Consideration and Action on approval of a revision to the site plan for the Cornerstone Wash I, LLC on Swisher Road.

Richard Dallof stated this must be tabled because Cornerstone Carwash did not have the replat revision back from their engineers.

Motion to table approval of the site plan for the Cornerstone Wash by Vice Chairman Gilbert. Second by Chairman Marino.
Ayes: Chairman Marino, Vice Chairman Gilbert and Commissioner Elton.
Noes: None

Motion Passed

4. Consideration and Action on approval of an Ordinance to amend preliminary plat filings.

Motion to approve amending the preliminary plat filings from 30 to 10 by Commissioner Elton. Second by Vice Chairman Gilbert.
Ayes: Chairman Marino, Vice Chairman Gilbert and Commissioner Elton.
Noes: None

Motion Passed

5. Consideration and Action on approval of Minutes for December 19, 2002 and January 2, 2003 meetings.

Motion to approve the Minutes for December 19, 2002 and January 2, 2003 meetings by Vice Chairman Gilbert. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice Chairman Gilbert and Commissioner Elton.7
Noes: None

Motion Passed

D. Adjourn

Motion to adjourn made by Chairman Marino. Second by Vice Chairman Gilbert.
Ayes: Chairman Marino, Vice Chairman Gilbert and Commissioner Elton.
Noes: None

Motion Passed

The meeting adjourned at 7:55 p.m.

Tony Marino, Chairman

Char DuPree
Planning & Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a special meeting on January 2, 2003 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Ben Gilbert, Vice-Chairman
Peggy Shelton
Diane Byers
Cliff Elton

Staff present: Building Official Richard Dallof and Char DuPree, Planning and Zoning Secretary.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward, Chairman closed the citizen's agenda.

C. Business:

1. **Public Hearing on proposed replat of 11.218 acres described as Block C, Lots 1 through 10 and 23 through 32, Block D, Lots 1 through 10 and 23 through 32, Block G, Lots 1 through 10 and 23 through 32, Block J, Lots 1 through 10 and 23 through 32, and Block M, Lots 1 through 10, of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.**

Laird Lind, 737 Carlisle, said the legal description didn't reflect the correct legal description according to the original 1924 plat. He is concerned with a 40 ft. city right of way near Texas, Adolphus, and Stockard. These are all dead end streets and he hoped the city would use it for another street to provide access in and out of this older development. Neal Hellums, Justin, Texas: introduced new plat removing lot 47 resulting in 58 lots instead of 59. He will need a variance on lots 47 through 52. Average lot size will be 7300 square ft. Mr. Hellums' proposed development is north of the 40 ft. right of way in question. The sewer is on this easement line to the South.

Richard stated the city engineer and fire marshal hadn't reviewed the plat but a vote needed to be taken tonight so this could go to the city council. Commissioner Elton feels they should approve the plat contingent upon review of the city manager, engineer and fire marshal. Mr. Lind expressed his concern about the rush to push this proposal through the approval process.

2. **Consideration and Action on approval of a replat of 11.218 acres described as Block C, Lots 1 through 10 and 23 through 32, Block D, Lots 1 through 10 and 23 through 32, Block G, Lots 1 through 10 and 23 through 32, Block J, Lots 1 through 10 and 23 through 32, and Block M, Lots 1 through 10, of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.**

Motion to approve the replat contingent upon approval of the city engineer and fire chief by Commissioner Byers. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Byers and Elton.
Noes: None

Motion Passed

3. **Consideration and Action on approval of a site plan for the replat of 11.218 acres in Garza Beach Estates in the MEP & PRR Survey in Abstract 924.**

Motion to approve proposed site plan by Commissioner Byers contingent upon approval of city engineer and fire chief. Second by Chairman Marino.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Byers and Elton.
Noes: None

Motion Passed

4. **Consideration and Action on approval of a site plan for Lake Cities Municipal Utility Authority.**

Richard showed the plans for the new utility building. In order to build the new building the current building must be torn down. In the meantime, a temporary storage building is needed. Per Marjory Johnson, City Council Liaison, does this storage building require a permit; no because it's only 120 sq. ft. (6 ft. x 12 ft.).

Motion to approve the site plan for the Lake Cities Municipal Utility Authority by Commissioner Elton. Second by Commission Shelton.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Byers and Elton.
Noes: None

Motion Passed

5. **Consideration and Action on approval of a revision to the site plan for the Cornerstone Wash I, LLC on Swisher Road.**

Richard stated this issue needed to be tabled.

Motion to table this issue until the next meeting by Commissioner Byers. Second by Commissioner Shelton.
Ayes: Chairmain Marino, Vice-Chairman Gilbert, Commissioners Shelton, Byers and Elton.
Noes: None

Motion Passed

C. Adjourn

Motion to adjourn was made by Commissioner Shelton. Second by Commissioner Byers.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Byers and Elton.
Noes: None

Motion Passed

Meeting was adjourned at 8:15 PM.

Tony Marino, Chairman

Char DuPree, Secretary
Planning & Zoning Commission

STATE OF TEXAS

COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on December 19, 2002 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Ben Gilbert, Vice Chairman
Linwood Gilliland
Diane Byers
Cliff Elton

Commissioner Peggy Shelton and Alternate Rick Allen were excused. Staff Present: Building Official Richard Dallof, Planning & Zoning Secretary Char DuPree, and City Secretary Beverly Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1. Public Hearing on proposed replat of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355.

No one came forward to speak so Chairman Marino closed the Public Hearing.

2. Consideration and Action on approval of a replat of Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355.

Richard explained that 5 lots were to be condensed into 2 lots; also displayed replat of plans. He stated the site would be used as office and retail space with a road in between the 2 buildings.

Motion to approve replat by Vice-Chairman Gilbert. Second by Commissioner Byers.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Gilliland, Byers and Elton.
Noes: None

Motion Passed

3. Consideration and Action on approval of a site plan for Tract 17 of the J. W. Simmons Survey in Abstract 1163.

Jerry Goodhill, representing U-Haul Concrete, explained the purpose of this business as a do it yourself, not commercial, concrete use. They are willing erect a fence to hide machinery, a small concrete mixer.

Commissioner Byers asked him to explain how this business complies with C1 Ordinance. Business sells the consumer use of a yard of concrete, not a commercial amount, with a low noise level. The only thing not inside a building is the equipment. Richard suggested using a special use permit to fit this situation because it doesn't really fit any commercial zoning ordinance as is.

Motion to approve the site plan for Tract 17 with the addition of an 8 ft. fence that will screen the equipment made by Commissioner Gilliland. Second by Vice-Chairman Gilbert.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Gilliland, Byers, and Elton.
Noes: None

Motion Passed

4. **Consideration and Action on approval of an Ordinance amending paragraph (5) Screening Alternate E of Section 122-1133, Screening standards of the Lake Dallas Municipal Code.**

Richard showed commission picture of fence and explained board on board warranty issues due to wind damage. This fence would be put up between residential and commercial properties.

Motion to approve amending ordinance paragraph (5) by Commissioner Elton. Second by Commissioner Byers.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Gilliland, Byers and Elton.
Noes: None

Motion Passed

5. **Consideration and Action on a preliminary replat and site plan for 11.218 acres described as Block C, Lots 1 through 10 and 23 through 32, Block D, Lots 1 through 10 and 23 through 32, Block G, Lots 1 through 10 and 23 through 32, Block J, Lots 1 through 10 and 23 through 32, and Block M, Lots 1 through 10, of the Garza Beach Estates in the MEP & PRR Survey in Abstract 924.**

Mr. Hellums stated the property was platted for 81 lots similar to Kingsmanor area. New lots will be 43% larger than Kingsmanor. There will be a 25 ft setback with a 10 ft. right of way similar to Jackson Ranch. Mr. Hellums wants to change setback to 20 ft front and 30 ft. in back with the additional 10 ft. right of way in the front. Lot will be110 ft from front to back; most narrow lot will be 65 ft wide. A total of 150 trees are on property but about 30 trees will need to be removed. Average size of house will be 1600 sq. ft. with a price range of $105,000 to $150,000. There was discussion about leaving lots the way they are but asking for a variance. Reason for setback issue: houses are 50 to 52 ft. in length.

Mr. Hellums will probably need to ask for variance on the depth showing each lot that needs variance. Bring proposal to 1/2/03 meeting. Commission discussed how the Jackson Ranch variances were handled. Corner lots 46 and 48 will not meet 15 ft requirement and they may lose a lot.

Motion: made by Commissioner Gilliland to move forward with preliminary plan and review proposal at the 1/2/2003 Planning and Zoning meeting. Second by Commissioner Byers.
Ayes: Chair Marino, Vice-Chairman Gilbert, Commissioners Byers, Gilliland and Elton.
Noes: None

Motion Passed

6. **Consideration and Action on approval of a revision to the site plan for the Cornerstone Wash I, LLC on Swisher Road.**

This item will not be heard tonite because the owner was not satisfied with the current information he received from his architect/engineer.

7. **Consideration and Action on approval of Minutes for November 21, 2002 meeting.**

Motion made by Commissioner Gilliland to approve Minutes for the November 21, 2002 meeting. Second by Commissioner Elton.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Byers, Gilliland and Elton.
Noes: None

Motion Passed

D. Adjourn

Motion to adjourn was made by Chairman Marino. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Byers, Gilliland and Elton.
Noes: None
Motion Passed

Motion Passed

The meeting was adjourned at 9 p.m.

Char DuPree, Secretary
Planning & Zoning Commission

Tony Marino, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on November 21, 2002 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Ben Gilbert, Vice Chairman
Peggy Shelton
Linwood Gilliland
Diane Byers
Cliff Elton, Alternate

Staff present: Char DuPree & City Secretary Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1. **Public Hearing on proposed replat of Lots 1 through 32 of Block I, Lots 1 through 32 of Block L and Lots 1 through 16 of Block O of Garza Beach Estates and Tract 10 of MEP & PRR Abstract 0924A.**

Mike Davis from Dunaway & Associates explained the construction of the new 20 million dollar Lake Dallas Middle School and why the building is needed. He distributed updated plans & replat.

Chairman Marino closed the public hearing when no one else asked to speak.

Motion Passed

2. **Consideration and Action on approval of a replat of Lots 1 through 32 of Block 1, Lots 1 through 32 of Block L and Lots 1 through 16 of Block O of Garza Beach Estates and Tract 10 of MEP & PRR Abstract 0924A.**

Motion to approve the replat was made by Vice Chairman Gilbert. Second by Chairman Marino.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Gilliland, and Byers.
Noes: None

Motion Passed

3. **Consideration and Action on approval of a site plan for the replatted lot belonging to the Lake Dallas Independent School District.**

Motion to approve the site plan was made by Commissioner Gilliland. Second by Chairman Marino.
Ayes: Chairman Marino, Vice-Chairman Gilbert, Commissioners Shelton, Gilliland, and Byers.
Noes: None

Motion Passed

4. **Public Hearing on the proposed rezoning of Tract 32 of Cobb Abstract 0284A from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Tony Marino, 305 Lakeview Drive, Lake Dallas explained he had purchased the property and wants to build his new home there. He is aware that the back corner of the property backs up to the 100-year flood plan but the lot is 1 ½ acres and will not be near the new residence

Vice-Chairman Gilbert stated the zoning change sign was not there within 48 hours of the application. City Secretary Weikum discussed this issue with the City Attorney Berman. Mr. Berman stated as long as the sign was there for 2 weeks before council consideration, we've complied with regulations.

Vice-Chairman Gilbert closed the public hearing when no one else asked to speak.

5. **Consideration and Action on approval of an Ordinance for a zoning change of Tract 32 of Cobb Abstract 0284A from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Motion to approve the ordinance for a zoning change was made by Commissioner Byers. Second by Commissioner Alternate Elton.
Ayes: Vice-Chairman Gilbert, Commissioners Shelton, Gilliland, Byers, and Alternate Elton.
Noes: None
Abstentions: Chairman Marino

Motion Passed

6. **Consideration and Action on approval of Minutes for October 24, 2002 meeting.**

Motion was made by Commissioner Gilliland to approve Minutes for October 24, 2002 meeting. Second by Commissioner Shelton.
Ayes: Chairman Marino, Vice Chairman Gilbert, Commissioners Shelton, Gilliland, and Byers.
Noes: None

Motion Passed

D. Workshop:

1. Creation of a Planned Development Ordinance.

The Commission discussed the advantages and need for the creation of a Planned Development Ordinance. Commissioner Byers explained there were real advantages for a community who had room for such a development but Lake Dallas didn't have the property for such a development. If the marina was developed in the future a special use permit might work just as well.

Chairman Marino suggested the discussion be resumed when the need arises for such an ordinance. Chairman Marino closed the workshop when the Commission agreed to delay this issue until there was a need.

2. Review of Screening Standards in the Lake Dallas Municipal Code, Section 122-1133.

There was a discussion by the Commission of a solid wood fence versus a board on board fence. Paragraph 5 in Section 122-1133 of the City Code was reviewed in detail. It was felt that the board on board fence, where fence boards overlap each other, would provide a stronger more private fence screening. The consensus felt this type of fence would be within the current guidelines of this ordinance.

E. Adjourn

Motion to adjourn was made by Vice-Chairman Gilbert. Second by Chairman Marino.
Ayes: Commissioners Shelton, Gilliland, Byers.
Noes: None

Motion Passed

The meeting was adjourned at 8:30 p.m.

Tony Marino, Chairman

Char DuPree, Secretary
Planning and Zoning Commission

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a special meeting on October 24, 2002 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Linwood Gilliland
Peggy Shelton
Ben Gilbert
Cliff Elton

Council Liaison Marjory Johnson was present.
Staff present: Building Official Dallof, Admin. Assistant DuPree, and City Secretary Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Chairman Marino closed the Citizen's Agenda when no one came forward to speak.

C. Business:

1. **Public Hearing on proposed replat of Tracts 1 and 2 of the First Highway Addition into one tract.**

John Cole, 2817 Quail Ridge, Carrollton, said he is the representative for Mr. Lee. The purpose of the replat is so the property can be developed into a small retail strip and Mr. Lee can move his existing business into it.
Chairman Marino closed public hearing when no one else came forward to speak.

2. **Consideration and Action on approval of a replat of Tracts 1 and 2 of the First Highway Addition into one tract.**

Motion was made by Commissioner Gilbert to approve the replat. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland and Elton.
Noes: None

Motion Passed

3. **Public Input on approval of a site plan for Lot 1-R, Block A of First Highway Addition.**

John Cole, architect for Mr. Lee, said that currently there are 2 concrete drives with a gravel drive between them. Mr. Lee wants to remove the gravel drive and put in landscaping. They have provided adequate parking spaces. They have met with Lake Cities Municipal Utility Authority and the Lake Cities Fire Department and there is a hydrant across the street. The fire marshal doesn't think they needed another hydrant or a fire lane. There was discussion about fence requirements.
Chairman Marino closed the public hearing when no one else came forward to speak.

4. Consideration and Action on approval of a site plan for Lot 1-R, Block A of First Highway Addition.

Motion was made by Commissioner Gilliland to approve the site plan for Lot 1-R, Block A of First Highway Addition. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Elton
Noes: None

Motion Passed

5. Consideration and Action on approval of an Ordinance creating a Planned Development zoning area. [Tabled at October 17 meeting]

Motion was made by Commissioner Gilbert to deny the creation of a Planned Development zoning area. Second by Commissioner Elton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Elton
Noes: None

Motion Passed

6. Consideration and Action on approval of an Ordinance for a zoning change from R-2 Two-Family Dwelling district to a Planned Development (PD) or Group Housing Project (GHP) zoning district for Lots 1A-R, 1 B-R, 4A-R, 4B-R, 5A-R, 8A-R, 8B-R, 9A-R, 9B-R, 10A-R, 10B-R, 11A-R, 11B-R, 12A-R, 12B-R, 13A-R, 19A-R, and 19B-R. [Tabled at October 17 meeting]

Motion was made by Commissioner Elton to accept the Ordinance with a change to the setback of 6 feet instead of 7 feet (Item 5). Second by Commissioner Gilbert.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Elton
Noes: None

Motion Passed

7. Consideration and Action on approval of Minutes for October 17, 2002 meeting.

Motion was made by Commissioner Gilliland to approve the Minutes. Second by Commissioner Elton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Elton
Noes: None

Motion Passed

D. Adjourn

Motion to adjourn was made by Commissioner Shelton. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland and Elton
Noes: None

Motion Passed

Meeting was adjourned at 7:30 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on October 17, 2002 at 7:35 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino, Chairman
Linwood Gilliland
Peggy Shelton
Diane Byers
Rick Allen

Ben Gilbert was excused. Alternate Cliff Elton arrived at 8:50 PM. Council Liaison Marjory Johnson was present. Staff present: Richard Dallof, Char Dupree, City Manager Layton, & City Secretary Weikum.

Chairman Marino announced that there will be a special City Council Meeting on Monday, October 21 at 7:30 PM. The meeting is about the 4a/4b sales tax corporations

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Chairman Marino closed the Citizen's Agenda when no one came forward to speak.

C. Business:

1. **Consideration and Action on approval of an Ordinance amending the front setbacks for C-1-A Business district.**

Motion to approve the Ordinance was made by Commissioner Gilliland. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners, Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

2. **Consideration and Action on approval of an Ordinance providing for drilling and mining restrictions within the City of Lake Dallas.**

Motion to approve the Ordinance was made by Commissioner Gilliland. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

3. **Public Hearing on a proposed zoning change for Lot 1-R of the I.C.C. Addition from M-1 Light Industrial district to C-1-A Business district.**

Thanna Bounds, 440 Betchan Street, asked what the difference is between M-1 and C-1-A zoning. She was told M-1 is light industrial district and C-1-A is commercial retail.

Chairman Marino closed the public hearing when no one else asked to speak.

4. **Consideration and Action on approval of an Ordinance for a zoning change for Lot 1-R of the I.C.C. Addition from M-1 Light Industrial district to C-1-A Business district.**

Motion to approve the Ordinance as written was made by Commissioner Byers. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners, Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

5. **Public Hearing on an application for a Special Use Permit to operate a church at 625 South Denton Drive**

Jim Stembridge, 722 Summers Lane, said they wanted a church in the area so when the building became available they took it over. Later they were told they needed a special use permit. The currently have 40 – 45 members. Parking is ample at this time. They had previously met in peoples' homes. They probably can't handle more than 100 – 150 people where they are. The bar around the corner just gives them another field to work in. They want to be asset to the community.

Chairman Marino closed public hearing when no one else came forward to speak.

6. **Consideration and Action on approval of an Ordinance for a Special Use Permit to operate a church at 625 South Denton Drive.**

Motion was made by Commissioner Byers to accept the Special Use Permit Ordinance. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen.
Noes: None

Motion Passed

7. **Public Hearing on a proposed zoning change for Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district.**

Chairman Marino closed the public hearing when no one came forward to speak.

8. **Consideration and Action on approval of an Ordinance for a zoning change for Tracts 86, 86A, 86B, 89 and 90 of the Wright Abstract 1355A from C-1 Restricted Business to C-1-A Business district.**

Motion was made by Commissioner Gilliland to approve agenda item 8. Second by Commissioner Allen.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

9. **Public Hearing on approval of an Ordinance creating a Planned Development zoning area.**

Councilmember Marjory Johnson said she has a concern about this and thinks there should be a workshop. Commissioner Gilbert had called her and asked her to bring it up in the meeting since he could not attend. Commissioner Gilliland said a workshop would be good.
Chairman Marino closed public hearing when no one came forward to speak.

10. Consideration and Action on approval of an Ordinance creating a Planned Development zoning area.

Motion to table item 10 was made by Commissioner Allen. Second by Commissioner Byers.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen.
Noes: None

Motion Passed

11. Public Hearing on a proposed replat for Lots 1A & B, 4A & B, 5A, 8A & B, 9A & B, 10A & B, 11A & B, 12A & B, 13A, and 19A and B of Harbourtown Villas.

Larry Schneider, 1016 Elton Park Circle, Denton, said he is a developer and builder. He said the houses will have no windows or doors on one side and that side is 3 – 5 feet setback and on the patio side the setback will be 10 feet. For privacy the patio side of one home faces the side with no windows or doors of the next home. He said these homes are usually occupied by a single person. He will not build in here until he puts in drainage in the areas needing changed. He would like to start building as soon as possible. He has 5 lots that don't need the drainage work. He wants to build about 5 at a time. He's trying to keep them within the $120,000's. He hopes he doesn't have to get redrawings.

Chairman Marino closed the public hearing when no one else came forward to speak.

12. Consideration and Action on approval of a replat for Lots 1A & B, 4A & B, 5A, 8A & B, 9A & B, 10A & B, 11A & B, 12A & B, 13A, and 19A and B of Harbourtown Villas.

Motion to approve the replat was made by Commissioner Byers. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

13. Public Hearing on a proposed zoning change from R-2 Two-Family dwelling district to Planned Development (P-D) zoning district for Lots 1A-R & B-R, 4A-R & B-R, 5A-R, 8A-R & B-R, 9A-R & B-R, 10A-R & B-R, 11A-R & B-R, 12A-R & B-R, 13A-R, and 19A-R and B-R of Harbourtown Villas.

Chairman Marino closed the public hearing when no one came forward to speak.

14. Consideration and Action on approval of an Ordinance for a zoning change from R-2 Two-Family dwelling district to Planned Development (P-D) zoning district for Lots 1A-R & B-R, 4A-R & B-R, 5A-R, 8A-R & B-R, 9A-R & B-R, 10A-R & B-R, 11A-R & B-R, 12A-R & B-R, 13A-R, and 19A-R and B-R of Harbourtown Villas.

Motion to table this item was made by Commissioner Byers. Second by Commissioner Allen.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

15. Consideration and Action on approval of Minutes for September 19, 2002 meeting.

Motion to approve the Minutes was made by Commissioner Shelton. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen
Noes: None

Motion Passed

16. Consideration and Action on content and set up of Planning and Zoning Commission page on the City of Lake Dallas website.

Motion to appoint Chairman Marino to be a liaison to Councilmember Fletcher for the webpage and plan for a picture at the regular meeting in November was made by Commissioner Byers. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, and Byers
Noes: None
Commissioner Allen was absent from the table at the time roll was called.

Motion Passed

D. Workshop:

1) Review of consistency in setbacks for accessory buildings/carports as related to setbacks for main buildings.

There was discussion with Building Official Dallof about carports. He discussed front building lines and side setbacks. He said attached carports are in the ordinances. If a carport is not attached it must be 10' from main structure. This is in R-1-6000 and R-1-7200 zoning areas. It was the consensus of Commissioners to leave the Ordinance as it is. Chairman Marino closed the workshop.

E. New Business:

F. Adjourn:

Motion to adjourn was made by Commissioner Gilliland. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, Byers, and Allen.
Noes: None

Motion Passed

The meeting was adjourned at 9:10 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on September 19, 2002 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Tony Marino
Ben Gilbert
Peggy Shelton
Linwood Gilliland
Diane Byers
Cliff Elton, alternate

Alternate Rick Allen was excused. Council Liaison Marjory Johnson was present. Staff Present: Building/Code Official Richard Dallof and Building/Code Admin. Asst. Char DuPree, and City Secretary Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Chairman Marino closed the Citizen's Agenda when no one came forward to speak.

C. Business:

1. **Consideration and Action on approval of Minutes for August 15, 2002 meeting.**
   Motion was made by Commissioner Gilbert to approve the minutes. Second by Commissioner Byers.
   Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers.
   Noes: None

   Motion Passed

2. **Consideration and Action on approval of an Ordinance providing for Planned Development zoning areas.**
   Motion was made by commissioner Gilliland to table Item C-2. Second by Commissioner Gilbert.
   Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers.
   Noes: None

   Motion Passed

D. Workshop:

1) Review of front setbacks for commercial zoning districts.

The commissioners asked for an ordinance changing the front setbacks for C-1-A Business districts to 25 feet to be a business item at next month's meeting.

2) Review of drilling restrictions within the City of Lake Dallas.

The commissioners asked for an ordinance restricting oil and mineral drilling to be presented as a business item at next month's meeting.

E. Adjourn

Motion to adjourn was made by Commissioner Gilliland. Second by Commissioner Byers. The meeting was adjourned at 7:49 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning and Zoning Commission met in a regular meeting on August 15, 2002 at 7:35 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Tony Marino
Ben Gilbert
Peggy Shelton
Linwood Gilliland
Diane Byers

Alternates Lance Wilson and Frank Barnard were absent.
Council Liaison Marjory Johnson was present.
Staff present were Building/Code Official Richard Dallof and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Lori Farney, 315 White Oak Drive, said she wanted to talk about the 4a/4b tax election. It's a sales tax increase which would bring it to us our legal cap. 4a is for development and 4b used for community development such as parks, senior centers, etc. The big thing for the 4a is that the money is to be used to bring in new business and help existing businesses. This would give the City more money to work with. She urged everyone to show up on September 14 to vote.

Chairman Marino closed the Citizens agenda when no one else came forward to speak.

C. Business:

1. Public Hearing on an application for a proposed zoning change for Lots 1and 2, Block A, First Highway Addition from C-1 Commercial zoning district to C-3 Commercial zoning district.

Larry Jones, 2311 Timbercrest Lane, Highland Village, said he is the representative for Mr. Steven Lee, owner of the property. He said Mr. Lee is honest and works hard and will realize his ambition. He asked Mr. & Mrs. Lee to stand to be recognized. Mr. Lee left Korea and came to America to fulfill his ambitions and dreams. In 1983 he established his own business. In 1987 he became a U. S. citizen. In 1998 he made another economic decision when he bought the property on Denton Drive. This property has stood vacant. He has contributed to the community in many ways. He's not intending to open another liquor store in Lake Dallas. He just wants to move from his existing location where he is renting and use his own property for his business. He needs your approval. The new location would mean higher traffic exposure and increased revenue in sales. By moving and expanding he would have 100% more inventory and that will help the sales tax revenue by approximately $4,000/year.

The building will be larger than it is currently and will bring in more property taxes. It will also include 1500 SF of new retail space. If he is allowed to move and expand his business the city will benefit as well. He asked that the commission grant the request.

Tom Coulter, 314 Carlisle, said he's the former owner of that property. It was sold in 1973 to Dairy Queen. In the memory of his mother and her views about liquor he asked that the zoning stay as it is.

Chairman Marino closed the public hearing when no one else came forward to speak.

2. Consideration and Action on approval of an application for a proposed zoning change for Lots 1 and 2, Block A, First Highway Addition from C-1 Commercial zoning district to C-3 Commercial zoning district.

Motion was made by Commissioner Byers to approve the zoning change from C-1 to C-3. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Shelton, Gilliland, and Byers
Noes: Commissioner Gilbert

Motion Passed

3. Consideration and Action on recommendation for removal/appointment of alternate members for the Planning and Zoning Commission.

Motion was made by Commissioner Byers to remove Alternates Barnard and Wilson due to lack of attendance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

4. Consideration and Action on approval of Minutes for July 18, 2002 meeting.

Motion was made by Commissioner Gilliland to approve the Minutes. Second by Commissioner Gilbert.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

D. Workshop:

1. Review of consistency in setbacks for accessory buildings as related to setbacks for main buildings.

There was discussion about the differences in garages, carports and accessory buildings.
Building/Code Official Dallof will work on this for next meeting. The setbacks will be addressed and 'carport' should be defined in our code.

E. Adjourn

Motion to adjourn was made by Commissioner Gilliland. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

Meeting was adjourned at 8:37 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on July 18, 2002 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:
Ben Gilbert
Peggy Shelton
Linwood Gilliland

Chairman Marino was excused. Diane Byers, Lance Wilson, and Frank Barnard were absent.

Council Liaison Marjory Johnson was present. Also present were City Manager Layton, Building Inspector Dallof, and City Secretary Weikum.

B. Visitors/Citizens Agenda:
Chairman Gilbert closed the Citizens agenda when no one came forward to speak.

C. Business:

1. **Public Hearing on an application for a Special Use Permit to operate an Adult Amusement Center at 205 Main Street, Tract 20 of the Wright Survey, Abstract 1355A.**

Michael & Connie Aslany, 1209 Rockledge Drive, Garland, TX said it would be a video game room for adults 18 years of age and over. The machines would be 8-liners like the ones on the side street.

Connie Ray, 2611 Hutchison Lane, Corinth, said she has children in the Lake Dallas school district. She expressed concerns with it going in so close to a school and on our Main Street and close to the Sonic where kids congregate. There must be something in our Ordinances that would keep us from granting this permit.

Gary Johnson, 609 Cain Street, said he was speaking on behalf of Eva Johnson who resides in a nursing home and he's her power of attorney. He expressed concerns with that type of business on Main Street.

Chairman Gilbert closed the public hearing when no one else came forward to speak.

2. **Consideration and Action on approval of an application for a Special Use Permit to operate an Adult Amusement Center at 205 Main Street, Tract 20 of the Wright Survey, Abstract 1355A.**

Motion was made by Commissioner Gilliland not to approve the application. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

3. **Public Hearing on a proposed replat of Lot 1 of the I.C.C. Addition. If approved, Lot 1 would become Lots 1R and 2R of the I.C.C. Addition.**

Steve Chambliss, 2455 Hwy. 121E, Lewisville said they would like to have the replat approved.
Chairman Gilbert closed the public hearing when no one else came forward to speak.

4. **Consideration and Action on approval of a proposed replat of Lot 1 of the I.C.C. Addition. If approved, Lot 1 would become Lots 1R and 2R of the I.C.C. Addition.**

Motion was made by Commissioner Gilliland to approve the replat of Lot 1 to Lots 1R and 2R of the I.C.C. Addition. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

5. **Consideration and Action on review of site plan for Silestone of Dallas on Overly Drive.**

Doug Greenlee, 2455 Hwy. 121E,Lewisville, and Steve Chambliss, 2455 Hwy. 121E, Lewisville, said they have met with the building inspector. Mr. Dallof has taken the plans to LCMUA and the Chief Collier of the fire department and made any necessary recommendations.

Motion was made by Commissioner Gilliland to approve this item. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

6. **Consideration and Action on review of site plan for Kwik Industries on Swisher Road.**

Ron Berlin, 7615 Southwestern, Dallas, TX said he wants to speak before Eric Smith does. He has spent several million dollars in improvements on our city. The liquor store was built beyond the spec's required. He said the property that Items 6 & 7 of the agenda was originally zoned industrial and the zoning was changed to C-2. His first & foremost intention was to bring a restaurant into our city on the north side of Swisher Road. This site on the south side is an unusual shape. He asks respectfully, for a favorable vote for the site plans for items 6 & 7.
Eric Smith, 4725 Nall Road, said he will answer any questions we have. He said the landscaping and parking will be addressed.
Richard Dallof, Building Inspector said they have been working with the water department.
Motion was made by Commissioner Gilliland to approve the site plan for Kwik Industries on Swisher Road. Second by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

7. **Consideration and Action on review of site plan for California Carwash on Swisher Road.**

Ron Berlin gave some information about the site location.
Tim Peters said he is the president of Cornerstone Carwash. This is not the early version of carwashes. It will be completely brick on the outside with a gable roof similar to KJ's. It is not adjacent to any residences, library, or parks, as the others in Lake Dallas are. The location would serve the north of Lake Dallas, plus Hickory Creek, Corinth and Highland Village and that could bring money to our other businesses. It will be very well lighted. There would be uniformed attendants, modern equipment, as well as an automatic bay for use by the elderly & women. The common access drive will be shared with Kwik Industries. He respectfully requested the approval of the site plan.

Richard Dallof, Building Inspector, said that originally C-2 zoning did allow car washes. We did amend C-2 and removed vehicle washing facilities. It is currently under Special Use Permits. Mr. Berlin said they were never notified of the change of the Ordinance. He respectfully asked that they approve this and let it go to council.

Mr. Blackwell said he thinks there is a 12-month 'safe harbor' from changing the Ordinance.

Motion was made by Commissioner Gilliland to approve this site plan. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

8. **Consideration and Action on approval of an Ordinance amending the height restriction on accessory buildings.**

Motion was made by Commissioner Gilliland to approve the Ordinance amending the height restriction on accessory buildings. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

9. **Consideration and Action on approval of Minutes for June 20 and June 25, 2002 meetings.**

Motion was made by Commissioner Gilliland to approve the minutes. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

D. Workshop:

1. Review of fencing and accessory buildings for single family residential areas.

It was determined that a garage and accessory buildings should have the same setback as the house. The R-1-10000 code should be checked out for differences and amend the ordinance.

2. Review of screening for multi-family units (apartments, 4-plexes).

City Manager Layton said that Berman got back to him yesterday and it appears that we have a little room to do enforcement on the 4-plexes but he's not 100% positive. It's something we'll get resolved.

E. Adjourn

Motion to adjourn was made by Commissioner Gilliland. Second by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Gilliland and Shelton.
Noes: None

Motion Passed

Meeting was adjourned at 9:35 PM.

CITY OF LAKE DALLAS, TEXAS

Ben Gilbert, Vice Chairman

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a special meeting on June 25, 2002 at 7:00 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. **Roll Call:**
Ben Gilbert, vice chair
Peggy Shelton
Linwood Gilliland
Diane Byers

Chairman Marino was excused. Frank Barnard & Lance Wilson were absent. Councilmember Marjory Johnson was present. City Manager Layton and City Secretary Weikum were present.

B. **Visitors/Citizens Agenda**

No one came forward to speak so Vice-Chairman Gilbert closed the Citizen's Agenda.

C. **Business:**

1. **Consideration and Action on approval of a site development plan for O'Reilly Auto Parts on Swisher Road.**

Motion was made by Commissioner Byers to accept the site development plan for O'Reilly Auto Parts. Second by Commissioner Gilliland.
Ayes: Vice-Chairman Gilbert, Commissioners Shelton, Gilliland, and Byers.
Noes: None

Motion Passed

D. **Adjourn**

Motion to adjourn was made by Commissioner Gilliland. Second by Commissioner Byers.
Ayes: Vice-Chairman Gilbert, Commissioners Shelton, Gilliland, and Byers.
Noes: None

Motion Passed

Meeting was adjourned at 7:10 PM

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on June 20, 2002 at 7:30 PM at the Lake Dallas City Hall located at 212 Main Street with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Tony Marino
Ben Gilbert
Peggy Shelton
Linwood Gilliland

Diane Byers and Lance Wilson were excused. Frank Barnard was absent.
Council Liaison Marjory Johnson was in attendance. Also present were City Manager Layton and City Secretary Weikum.

B. Visitors/Citizens Agenda:

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1. **Public Hearing on an application for a Special Use Permit for expansion of an arcade at 611 South Denton Drive.**

Bob Altman, 308 Georgian Oak Court, said he wants to use the front half of the other section as a no-smoking section area of his present operation.
Chairman Marino closed the Public Hearing.

2. **Consideration and Action on approval of an application for a Special Use Permit for expansion of an arcade at 611 South Denton Drive.**

Motion was made by Commissioner Gilbert to approve a Special Use Permit for expansion of an arcade at 611 South Denton Drive. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert and Shelton
Noes: Commissioner Gilliland

Motion Passed

3. **Public Hearing on an application for a Special Use Permit to operate a private club at 5008 South Stemmons.**

Frederick Gilani, 111 Lakehill Court, Hickory Creek, handed out some information about the proposed sport bar and grill. He said it would be 4675 SF. It would be somewhere people could come and have a good meal and shoot pool. His goal is to build something a little different than the average bar. There would be ample parking space. He would like to get business from neighboring cities. He said it would be classy and something to be proud of in the neighborhood. They would be members of the Chamber of Commerce.

He said they will have an officer in the area for the first 90 days in order to get established. The dress code would be casual. They would serve breakfast all the time but popular American food such hamburgers would also be available. The hours would be from 12 noon until midnight or 1 AM or 2 AM, whatever the Ordinance allows. They have a club, the Red Lion, on Highway 407 on the border between Lewisville and Flower Mound. They have a long-term lease with an option to buy on this property in Lake Dallas.

Chairman Marino closed the public hearing.

4. **Consideration and Action on approval of an application for a Special Use Permit to operate a private club at 5008 South Stemmons.**

Motion was made by Commissioner Gilliland to approve an application for a Special Use Permit to operate a private club at 5008 South Stemmons. Second by Commissioner Gilbert.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, and Gilliland
Noes: None

Motion Passed

5. **Consideration and Action on approval of a final plat for Silestone of Dallas project on Overly Drive.**

No action was taken because this was the wrong action item.

6. **Consideration and Action on approval of the Minutes for the May 16, 2002 meeting.**

Motion was made by Commissioner Gilbert to approve the Minutes for the May 16, 2002 meeting. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton and Gilliland
Noes: None

Motion Passed

D. Workshop:

1. Review of Carport codes and regulations.

We may use the same standards as we have for accessory buildings.
We will try to draft something up and maybe use a chart as for the accessory buildings and have it available for the next regular meeting.

2. Review of screening for multi-family units (apartments, 4-plexes).

We will get a reading from our attorney about Section 122-1132 of Article XXV. Screening, Landscaping and Tree Preservation as to the applicability.
Section 122-1133. Screening standards, Paragraph (5) Screening alternate E.

3. Review of height for accessory buildings.
A maximum height of 12 feet was agreed upon. If someone wants a building taller than 12 feet they can make an application at the city offices.

4. (Addendum) Discussion on creation of Planned Development zoning.
City Manager Layton said he has been talking with someone who would like to build some garden homes between Lakebridge and the old apartments. The zoning will not allow that. It would be a nice transition between a nice neighborhood and one that's going downhill. Rather than having lots of exceptions we could just do a Planned Development for those seventeen lots. The homes would be owner-occupied.

D. Adjourn

Motion to adjourn was made by Commissioner Gilliland. Second by Commissioner Gilbert.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, and Gilliland
Noes: None

Motion Passed

Meeting was adjourned at 9:10 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on May 16, 2002 at 7:32 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

A. Roll Call:
Tony Marino
Ben Gilbert
Peggy Shelton
Linwood Gilliland
Diane Byers

Commissioners Barnard and Wilson were absent.

Staff Present: City Manager Layton, Melena Narvaja, and City Secretary Weikum.

B. Visitors/Citizens Agenda
No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:
1. Public input on approval of a preliminary site development plan for Silestone located on Overly Drive.

Steve Chambless, 2455 Highway 121 East, Suite 104, Lewisville, said Silestone is a stone product. It works and feels a lot like granite but it is man made. It weighs the same as granite. They take the slabs and make them into countertops for vanities, kitchens, and hospitals. The product has been in the USA for about 7 years. They've been in business for 5 years. There are 85 distributors in the states now. Home Depot displays their product. Their facility in Lewisville is 13, 500 SF and they need a bigger place with ability to add on in the future.

Doug Greenlee, CEO of Silestone, said there would be no environmental problem with this product or the manufacturing. The slabs are imported from Spain and come into Houston by ship and are then trucked to their facility. They cut the slabs here with diamond blades and water. The slabs measure 55x155. Silestone cuts the slabs into slices and then polishes and shapes them. The finished products are sent out in trucks for installation. There is no residue because the dust is collected in the water as they cut and it goes into a recycle system in the water and is collected in underground tanks. The tanks get drained out once a month and the water is recycled back into their machines for more grinding.

Mr. Chambless said they do have a dust collection system if they do dry cuts. They have met with OSHA and insurance people and they've done tests. He referred to the site plan and said there's some drainage issues they had to take care of.

Dave Jones, Tri Star Construction, Inc., 220 Elm Street, Lewisville, said when we started looking at this property we discovered (with John Spires, Engineer) that there was a significant water problem regarding the drainage in that area. There's a small pond that kind of rides the property line and the water was backed up to the apartments during a heavy rain about a month ago. The water goes down into a 24" pipe which drains into another retention base at Video Plus and then goes on down Swisher Road to Shady Shores and on to the lake. Mr. Jones said he went to the council table and explained to the Council about the drainage plan. There will be a catch basin and when the property develops there will be a road. Mr. Jones said they are waiting for information about the elevation of the gas line now. Lone Star can't give them any information on it now. They don't think their road will conflict too much with that line. Mr. Jones said they will be looping the water line.

There was discussion about the problem the gas company had with their line through that property in 1979. It was something to do with a transition line and repairs. It was torn up for about 6 months during the repairs.

They sell some retail but the majority of their sales is to Home Depot.

Mr. Chambless said Silestone employs about 50 people.

It was brought to the attention of the Silestone representatives by the P & Z that there would be 52 employees and 2 bathrooms in the office and only one bathroom for the back.

Mr. Greenlee said they would have 23 people on the day shift and 19 on the night shift.

Chairman Marino closed the public hearing.

2. Consideration and Action on approval of a preliminary site development plan for Silestone located on Overly Drive.

Motion was made by Commissioner Gilliland to approve the preliminary site development plan. Second by Commissioner Gilbert.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

3. Consideration and Action on appointing a vice-chairperson. (Tabled at March 21 meeting)

Motion was made by Chairman Marino to nominate Ben Gilbert as vice chairperson. Second by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

4. Consideration and Action on approval of April 18, 2002 and May 2, 2002 Minutes.

Motion was made by Commissioner Shelton to approve the minutes. Second by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

D. Workshop:

1. Review of Carport codes and regulations.

2. Review of screening for multi-family units (apartments, 4-plexes).

3. Review of height for accessory buildings.

There was discussion among the commissioners and City Manager Layton about the City Council's attempt to make the ordinances more uniform. Staff will get information from other cities about these items and these will be put on the next P & Z agenda.

D. Adjourn

Motion to adjourn was made by Commissioner Shelton. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, Gilliland, and Byers
Noes: None

Motion Passed

Meeting was adjourned at 8:22 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning & Zoning Commission met in a special meeting on May 2, 2002 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

Roll Call:

Members Present:
Acting Chair, Linwood Gilliland
Diane Byers
Ben Gilbert
Peggy Shelton

Tony Marino was excused. Frank Barnard and Lance Wilson were absent.
Councilmembers Gary Johnson and Marjory Johnson were present.
Staff present: City Manager Jim Layton, Melena Narvaja and City Secretary Weikum.

A. Visitors/Citizen's Agenda:

No one came forward to speak so Chairman Gilliland closed the Citizen's Agenda.

B. Business:

1) Public Hearing on approval of a preliminary site development plan for O'Reilly Auto Parts located on Lot 2, Block 1 of Swisher Road Addition - North.

Ron Coombs, Surveyor for O'Reilly Auto Parts was in attendance.
Items of discussion were the business hours, parking spaces, what type of fence, landscaping, lighting privacy from the neighboring residential property, how tall the building will be, and the driveways.
Mr. Coombs said he was sure they will be more than willing to comply with the ordinances.

City Manager Layton said Mr. Berlin still owns the property just west and north of this property. There are some issues with the Lake Cities Municipal Utility Authority and fire hydrants. He said an upscale retail is important. They are aware of the street widening.

Chairman Gilliland closed the public hearing.

2) Consideration and Action on approval of a preliminary site development plan for O'Reilly Auto Parts located on Lot 2, Block 1 of Swisher Road Addition - North.

Motion was made by Commissioner Gilbert for approval. Second by Commissioner Shelton.
Ayes: Chairman Gilliland, Commissioners Byers, Gilbert, and Shelton
Noes: None

Motion Passed

C. Adjournment

Motion to adjourn was made by Commissioner Byers. Second by Chairman Gilliland.
Ayes: Chairman Gilliland, Commissioners Byers, Gilbert, and Shelton
Noes: None

Motion Passed

Meeting was adjourned at 7:45 PM.

Linwood E. Gilliland
Linwood Gilliland, Acting Chairman

Beverly Weikum
Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on April 18, 2002 at 7:50 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Members present:
Linwood Gilliland, Acting Chairman
Ben Gilbert
Lance Wilson

Tony Marino & Peggy Shelton were excused. Frank Barnard was absent.
Staff present: Melena Narvaja and City Secretary Weikum.

B. Visitors/Citizen's Agenda:

No one came forward to speak to Acting Chairman Gilliland closed the Citizen's Agenda.

C. Business:

1) Consideration and Action on approval of an Ordinance amending Article VIII-A, C-1-A Business District, Section 122-338, Exterior Surfaces; Article VIII, C-1 Restricted Business District, Section 122-329, Exterior Surfaces; Article IX, C-2 commercial District, Section 122-368, Exterior Surfaces; Article X, C-3 Commercial District, Section 122-409, Exterior Surfaces; and Article XII-A MA Marina District, Section 122-549, Exterior Surfaces; of Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of reasoning for exemption.

Motion was made by Commissioner Gilbert to approve the Ordinance. Seconded by Commissioner Wilson.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: none

Motion Passed

2) Consideration and Action on approval of an Ordinance amending Article III, R-1-10000 Single-Family Dwelling District, Section 122-85, Accessory Buildings; Article IV, R-1-7200 Single-Family Dwelling District, Section 122-133, Accessory Buildings; Article V, R-1-6000 Single-Family Dwelling District, Section 122-183, Accessory Buildings; of Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, allowing for the changes of setbacks.

Motion was made by Commissioner Gilbert to approve the Ordinance. Seconded by Commissioner Wilson.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: None

Motion Passed

3) Public Hearing on approval of an Ordinance for a proposed zoning change of Tracts 75 and 76 of Abstract 0924A MEP and PRR property (612 Main Street) from C-2 Commercial District to R-1-7200 Single-Family Dwelling District.

Laird Lind, 735 Carlisle, said he has been asked by Tony Smith to address the Planning and Zoning Commission on this item. This piece of property had housed the CLS pre-school but the owner would like to have it rezoned back to R-1-7200 since it been vacant for the past 2 years and attempts to lease it as commercial property have been futile. Mike and Sherry Bergan have been residents of Lake Dallas for a long time and are now ready to become homeowners. That area has a lot of residential in it. Mr. Lind said he sent out 9 letters about the rezoning action and received two favorable responses by mail and one by telephone. The city has received no responses at all on this proposed action. He thinks it would be in the city's best interests to approve the application.

Acting Chairman Gilliland closed the public hearing

4) Consideration and Action on approval of an Ordinance for a proposed zoning change of Tracts 75 and 76 of Abstract 0924A MEP and PRR property (612 Main Street) from C-2 Commercial District to R-1-7200 Single-Family Dwelling District.
Motion was made by Commissioner Gilbert to approve the Ordinance. Seconded by Commissioner Wilson.
Ayes: Acting Chairman Gilliland, Commissioners Gilbert and Wilson
Noes: None

Motion Passed

5) Public Hearing on an application for a proposed replat of Tract 3 of the H. H. Swisher Survey Abstract Number 1220. If approved, part of Tract 3 would become Lot 2, Block 1 of Swisher Road Addition - North.

Ron Coombs, said he is the surveyor who prepared the plat. O'Reilly Auto Parts is planning on building an auto supply store on this property. He's here to answer any questions. The store will be in the center of the lot and parking will be in front and on the west side. In answer to a question about how high the fence would be on the side adjacent to the Jackson Ranch subdivision he said he didn't know what the requirements were at this time. Mr. Coombs did not know what hours the store would be open.

Acting Chairman Gilliland closed the public hearing.

6) Consideration and Action on approval of an application for a proposed replat of Tract 3 of the H. H. Swisher Survey Abstract Number 1220. If approved, part of Tract 3 would become Lot 2, Block 1 of Swisher Road Addition - North.
Motion was made by Commissioner Gilbert to approve the replat. Seconded by Commissioner Wilson.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: None

Motion Passed

7) Public Hearing on an application for a proposed replat of Tract 3A of the J. W. Simmons Abstract 1163A. If approved, Tract 3A would become 2 lots to be designated Lots 1 and 2 of Block A of KWIK Addition.
Eric Smith, Kwik Industries representative, said this is almost right across from the O'Reilly's store. He's asking for approval and is here to answer any questions. Lot 1 is for sale and lot 2 will be for the laundry. There will be a 24' mutual ingress/egress along the depth of the property and they will be giving dedication of easement for widening of the highway. They are hoping to save the trees in the back and plan no development back there.
Acting Chairman Gilliland closed the public hearing.
8) Consideration and Action on approval of an application for a proposed replat of Tract 3A of the J. W. Simmons Abstract 1163A. If approved, Tract 3A would become 2 lots to be designated Lots 1 and 2 of Block A of KWIK Addition.
Motion was made by Commissioner Gilbert to approve the replat. Seconded by Commissioner Wilson.
Ayes: Acting Chairman Gilliland, Commissioners Gilbert and Wilson
Noes: none

Motion Passed

9) Public Hearing on an application for a proposed replat of Lots 1 - 3 and 11 - 13, Block 7 of Lake Dallas Shores Addition. If approved, these lots would become one lot designated as Lot 1R of Block 7 of Lake Dallas Shores Addition.
John Donahue said he's buying the property from Mr. Pickard and then will build a 1300 SF brick home with a garage like the homes he has built on Texas Street. The house will face Shore Drive and back will be on Crest Drive.
Acting Chairman Gilliland closed the public hearing.
10) Consideration and Action on approval of an application for a proposed replat of Lots 1 - 3 and 11 - 13, Block 7 of Lake Dallas Shores Addition. If approved, these lots would become one lot designated as Lot 1R of Block 7 of Lake Dallas Shores Addition.
Motion was made by Commissioner Wilson to approve the replat. Seconded by Commissioner Gilbert.
Ayes: Acting Chairman Gilliland, Commissioners Gilbert and Wilson
Noes: None

Motion Passed

11) Consideration and Action on appointing a vice-chairperson.
Motion was made by Commissioner Wilson to table the appointing of a vice-chairperson until next meeting. Seconded by Commissioner Gilbert.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: None

Motion Passed

12) Consideration and Action on approval of Minutes for March 21, 2002 meeting.
Motion was made by Acting Chairman to approve the Minutes of the March 21, 2002 meeting. Seconded by Commissioner Gilbert.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: None

Motion Passed

D. Workshop:

1) Review of Carports -- Lake Dallas Municipal Code Sections 122-83, 122-132 (3), and 122-182 (2)

2) Review of screening for commercial property.

Motion was made by Acting Chairman Gilliland to table Items D - 1 & 2. Seconded by Commissioner Wilson
Ayes: Acting Chairman Gilliland, Commissioners Gilbert and Wilson
Noes: None

Motion Passed

E. Adjournment
Motion to adjourn was made by Commissioner Wilson. Seconded by Commissioner Gilbert.
Ayes: Acting Chairman Gilliland, Commissioners Wilson and Gilbert
Noes: None

Motion Passed

Meeting was adjourned at 8:25 PM.

Linwood E. Gilliland
Linwood Gilliland, Acting Chairman

Beverly Weikum
Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

SECRETARY OF STATE
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on March 21, 2002 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Members present:
Tony Marino, Chairman
Ben Gilbert
Peggy Shelton
Linwood Gilliland

Frank Barnard and Lance Wilson were absent. Councilmember Marjory Johnson was present. Staff present: City Manager Jim Layton, Melena Narvaja and City Secretary Weikum.

B. Visitors/Citizen's Agenda :

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1) **Consideration and Action on approval of an Ordinance amending Article III, "R-1-10,000 Single Family Dwelling District," Section 122-82, "Accessory Uses;" Article IV, "R-1-7200 Single-Family Dwelling District," Section 122-132, "Accessory Uses;" and Article V, "R-1-6000 Single Family Dwelling District, Section 122-182, "Accessory Uses;" of Chapter 122 "Zoning" of the Code of Ordinances for the City of Lake Dallas, allowing for the changes of accessory uses and setbacks.**

Motion was made by Commissioner Gilliland by to approve the Ordinance with amendments stating anything under 10' should have 5' setbacks and anything over 10' should have 7' setbacks. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, and Gilliland
Noes; None

Motion Passed

2) **Consideration and Action on Approval of Minutes for the February 21, 2002 meeting.**

Motion was made by Commissioner Gilliland to approve the Minutes.
Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, and Gilliland
Noes: None

Motion Passed

D. Workshop:

1) Review of exemption to 80% masonry requirements in C-1-A Business District, C-1 Restricted Business District, C-2 Commercial District, C-3 Commercial District, and MA Marina District.

Exterior surfaces 122-329 (c-1)/122-368 (c-2)/122-409 (c-3)/and C-1-a should be more uniform. The ordinance should state that in order to be exempt from the requirement of 80% masonry surfaces you must prove an architectural theme as a member of a chain of stores or restaurants or an individual theme that would require a different type of exterior.

2) Review of sizes and permits for accessory buildings and setbacks for accessory buildings in R-1-10,000, R-1-7200, and R-1-6000 Single-Family Dwelling Districts.

The setbacks should also be uniform for all residential districts. Accessory buildings 10' or less in height will have a 5' setback and accessory buildings over 10' in height will have a 7' setback.

E. Adjournment

Motion to adjourn was made by Commissioner Gilliland. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilbert, Shelton, and Gilliland
Noes: None

Motion Passed

The meeting was adjourned at 9:05 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on February 21, 2002 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Members present:
Tony Marino, Chairman
Linwood Gilliland
Peggy Shelton

Al Bavon has sent a letter of resignation. Frank Barnard and Lance Wilson were absent.
Staff present: Melena Narvaja and Beverly Weikum.

B. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

Chairman Marino closed the Citizen's Agenda when no one came forward to speak.

C. Business:

1) **Consideration and Action on approval of an Ordinance amending Article VIII-A, "C-1-A Business District," of Chapter 122, "Zoning" of the Lake Dallas Municipal Code by amending Section 122-330, "Permitted Uses," by deleting item (1); amending Section 122-337, "Site Plan Approval;" and amending Section 122-338 "Exterior Surfaces."**

Motion was made by Linwood Gilliland to approve the Ordinance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Shelton and Gilliland
Noes: None

Motion Passed

2) **Consideration and Action on approval of an Ordinance amending Article VIII, "C-1 Restricted Business District," of Chapter 122, "Zoning" of the Lake Dallas Municipal Code by replacing Section 122-329, "Exterior Surfaces;" and by adding Section 122-330, "Site Plan Approval."**

Motion was made by Linwood Gilliland to approve the Ordinance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

3) **Consideration and Action on approval of an Ordinance amending Article IX, "C-2 Commercial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-361, "Permitted Uses;" replacing Section 122-368, "Exterior Surfaces;" and by adding Section 122-369, "Site Plan Approval."**

Motion was made by Peggy Shelton to approve the Ordinance with the changes.
Second by Linwood Gilliland
Ayes: Chairman Marino, Commissioners Shelton and Gilliland
Noes: None

Motion Passed

4) **Consideration and Action on approval of an Ordinance amending Article X, "C-3 Commercial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-409, "Exterior Surfaces;" and by adding Section 122-410, "Site Plan Approval."**

Motion was made by Linwood Gilliland to approve the [amended] Ordinance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

5) **Consideration and Action on approval of an Ordinance amending Article XII, "M-1 Light Industrial District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-538, "Site Plan Approval."**

Motion was made by Linwood Gilliland to approve the Ordinance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

6) **Consideration and Action on approval of an Ordinance amending Article XII-A, "MA Marina District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-548, "Site Plan Approval;" and replacing Section 122-549, "Exterior Surfaces."**

Motion was made by Peggy Shelton to approve the [amended] Ordinance. Second by Linwood Gilliland.
Ayes: Chairman Marino, Commissioners Shelton and Gilliland
Noes: None

Motion Passed

7) **Consideration and Action on approval of an Ordinance amending Article XI, "C-P Planned Business District," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-442, "Application for Rezoning."**

Motion was made by Linwood Gilliland to approve the Ordinance. Second by Chairman Marino.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

8) **Consideration and Action on approval of an Ordinance amending Article XIII, "Special Use Permits," of Chapter 122, "Zoning," of the Lake Dallas Municipal Code by replacing Section 122-571, "Uses Permitted by Special Use Permit."**

Motion was made by Linwood Gilliland to approve the [amended] Ordinance. Second by Peggy Shelton
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

9) **Consideration and Action on Approval of Minutes for the January 17, 2002 meeting.**

Motion was made by Linwood Gilliland to approve the Minutes. Second by Peggy Shelton.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

D. Adjournment

Motion to adjourn was made by Linwood Gilliland. Second by Peggy Shelton.
Ayes: Chairman Marino, Commissioners Gilliland and Shelton
Noes: None

Motion Passed

Meeting was adjourned at 8:10 PM

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning & Zoning Commission met in a regular meeting on January 17, 2002 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call

Members present:
Tony Marino, Chairman
Alan Fletcher
Linwood Gilliland
Peggy Shelton

Al Bavon was excused. Frank Barnard was absent. Lance Wilson arrived at 7:40 PM. Councilmember Johnson was present. Staff present: Melena Narvaja and City Secretary Weikum.

B. **Visitors/Citizen's Agenda:**

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. **Business:**

1) Public Hearing on approval of an Ordinance for a proposed zoning change to Lots 1, 2, 3, 4, 7, 8, 9, 10 and 11 and Lot E of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.

Chairman Marino closed the public hearing when no one came forward to speak.

2) Consideration and Action on approval of an Ordinance for proposed zoning change to Lots 1, 2, 3, 4, 7, 8, 9, 10 and 11 and Lot E of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.

Motion was made by Commissioner Fletcher to approve the Ordinance for the proposed zoning change to Lots 1, 2, 3, 4, 7, 8, 9, 10 and 11 and Lot E of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district. Seconded by Commissioner Gilliland.
Ayes: Chairman Marino, Commissioners Fletcher, Gilliland, and Shelton
Noes: None

Motion Passed

3) Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District. (This property is on the south side of Swisher Road between the Payless property and Phillips 66 Station).

Ron Berlin, 7615 Southwestern Blvd., Dallas, Texas 75225, said he is the owner of this tract of land in the request for down-zoning and the owner of the tract of land on the north side between KJ's and Jackson Ranch. They acquired the south side property in 1999 and the north side also in 1999. It is important on these dates because this property was already zoned C-3. He did not promise a grocery store on that tract as the rumors say. Over the last 3 years he worked closely with Steward Fairburn and this was a partnership with the city. He said he had no objections to the rezoning of the Payless Cashways properties. With Mr. Fairburn's help they were able to accomplish the drainage and retention pond on south side of Swisher Road as well as drainage on the north side. He spoke about what all he has done for Hickory Creek. He had a proposal for the P & Z: take the C-3 and down-zone it to C-2 which will make sure there is no liquor store on the north side and leave the C-2 zoning alone on the south side. That would be a compromise. He has tried to get some restaurants in both locations. He has had several fast foods in mind but has elected to go on the west side with them. This is a hardship after putting all the dollars into the retention pond and drainage issues. This sends the message to not go into a city and buy some property because you are going to get down-zoned. What that does if you bring in a restaurant then you would have to have something worked out to have membership for drinks. He said that just last year we down-zoned him on the south side of Swisher by rezoning from M-1 to C-2. He owns the liquor store but doesn't own the business that is on the north side of the street.

George Blackman, 3540 Milton Avenue, University Park, said he is a land use attorney representing Mr. Berlin. He said they appreciate the Commission's time this evening. This rezoning was called to the owner's attention 2 weeks ago. One of the tracts is on the north side and the second tract is on the south side.

Chairman Marino asked to just discuss the south side at this time.

Mr. Blackman referred to his packet that he had given copies of to the commissioners. This property has a couple of industrial business properties next to it. Payless, that has gone into bankruptcy, and Video Plus to the east; and Coors on the south. The liquor store was constructed by using high quality materials and it's indicative of his client's commitment to quality. He then discussed the west side of 35 and Hickory Creek and all the things Mr. Berlin has made possible for that city. They are committed to bringing in quality

businesses that are attractive and a plus to the community and provide ad valorem taxes. Crown Partners were not involved in the attempt to rezone the north side to C-3 and put in a grocery store. A contract has been negotiated but not signed with putting an O'Reilly Auto Parts on the north side of the road and a Kwik Wash on the south side. Lake Dallas would be hurting their property values and damaging his client. The packet provided for the Commissioners includes a written protest which references the State statute that it will take 75% of the council to approve a zoning change that is being protested.

Ron Berlin and Mr. Blackman appreciate the Commissioners' time and hope they consider their recommendation to the Council. He said they are open to any questions.

Questions from the Commission were about what type of car wash -- a full service or coin operated and was C-2 preferred because it allowed fix-it shops and car washes?

Eric Smith, 4725 Noll Road, Dallas, said Kwik has a high-end car wash; they also do laundro-mats, and lube centers. They have lots of things they could do with that property.

In response to a question if they had businesses on the west side of the highway, Mr. Smith said yes. He said it won't be another lube center, but it would match the buildings that they have across the highway. It would take them 3 - 4 months until build-out from the time they could start. There would be no sales tax from the car wash and the laundry on the inside. The city only has one laundro-mat.

Mr. Berlin said that the city has already down-zoned that property from light industrial to C-2 and they've paid the premium. It has a retention pond, they have given easement to Upper Trinity and they took it out of the flood plain. They spent $100,000 to bring it into this condition. It's such a tight area to build anything in and there is still a moratorium on it. He said the City is restricting him after spending $100,000 plus by trying to get sales tax dollars out of the property. He doesn't feel he should have to come back for a Special Use Permit to put any businesses on his properties. He said that if he brought in a medical facility or a bank (he brought that bank into Hickory Creek) that they do not pay sales tax. The bank at Garrison and Swisher will probably be a $3 million facility bringing in property taxes to that city. He respectfully requests that they keep the south side as C-2 and down zone the north side to C-2.

Chairman Marino closed the public hearing.

4) Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District.

Motion was made by Commissioner Fletcher that that we approve the Ordinance for a proposed zoning change to Tract 3-A of Abstract 1163 of the J. W. Simmons Survey, from C-2 Commercial district to C-1-A Business District. Seconded by Chairman Marino
Ayes: Chairman Marino, Commissioners Fletcher and Shelton
Noes: Commissioners Gilliland and Wilson

Motion Passed

5) Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 3A of the H. H. Swisher survey from C-3 Commercial zoning district to C-1-A Business District. (This property is between KJ's Fine Wine and Spirits and the entrance to Jackson Ranch subdivision).

Mr. Berlin said you are going to do what you're going to do. You have taken my heart away from me. If you can strip somebody of a heart on a project, you just did. You have taken away my desire to bring things here. He can be very comfortable with what he has done for the city at this point.

George Blackman said we've covered the general facts. He's still asking that they deny the zoning change on the sales tax issue. The great majority of his practice is working with developers to create employment and taxes. The way to attract new businesses to this community is not to be heavy handed. We need a win-win situation.

Rod Courtney, 162 Kingswood Drive, said he would like to give some background on Jackson Ranch. Some of you were not here when we did Jackson Ranch. We had a difficult time with Mr. Jackson and his daughter. They wanted to put in apartment buildings throughout the entire ranch. It took about 2 years to reach an agreement to have various housing plus commercial and a certain number of acres into parks. The people who bought the 5 acres of C-3 was an investment group and they tried to develop the property but the drainage issue was too great. They found Mr. Berlin to buy the property and in order to do the drainage properly Mr. Berlin had to buy that property on the south side to do the retention pond and underground drainage under Swisher. He thinks the city was very fortunate to have someone come in and do that. He hates to see them downgrade his property.

Mr. Berlin made his closing statements.

Chairman Marino closed the public hearing.

6) Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 3A of the H. H. Swisher survey from C-3 Commercial zoning district to C-1-A Business District.

Motion was made by Chairman Fletcher to approve the Ordinance for a proposed zoning change to Tract 3A of the H. H. Swisher survey from C-3 Commercial zoning district to C-1-A Business District. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Fletcher and Shelton
Noes: Commissioners Gilliland and Wilson

Motion Passed

7) Approval of Minutes for the November 15 and December 6, 2001 meetings.
Motion was made by Commissioner Fletcher to approve the Minutes for the November 15 and December 6, 2001 meetings. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Fletcher, Gilliland, Shelton and Wilson
Noes: None

Motion Passed

D. Adjournment
Motion to adjourn was made by Commissioner Gilliland. Seconded by Commissioner Fletcher.
Ayes: Chairman Marino, Commissioners Fletcher, Gilliland, Shelton and Wilson
Noes: None

Motion Passed

Meeting was adjourned at 8:50 PM.

CITY OF LAKE DALLAS, TEXAS

Beverly Welkum, TRMC
City Secretary

Tony Marino, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission meet in a special meeting on December 6, 2001 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call:
Members Present:

Al Bavon, Co-Chairman
Alan Fletcher
Lance Wilson
Peggy Shelton
Linwood Gilliland

Chairman Tony Marino was excused. Commissioner Barnard was absent. Staff present: Melena Narvaja

B. Visitors/Citizen's Agenda

Ivan Bounds, 440 Betchan Drive, said he has a problem with the property next to his. He said that his neighbor had a surveyor come out to survey his property, and he did so incorrectly. Mr. Bounds owns property on both sides of his neighbor's property, so it is clear to him where the mistake lies. He brought surveys and maps of the area and showed the Commissioners where his property is and where his neighbor's property is.

The response was that the city could not do anything to help him because they are not surveyors. They recommend that he hire a surveyor to solve the dispute.

Linwood Gilliland, 703 Payton Street, read from a newspaper article regarding arcades. He pointed out that often times these arcades are run improperly. They are not supposed to give away cash prizes and the coupons or tokens they give away are not to exceed five dollars in worth. Mr. Gilliland pointed out that there was a recent occurrence, in our city, where a person gambled away one thousand dollars in one month, and it is unlikely that the individual did that for a five dollar prize. The article pointed to some vendors who were found to be using these gaming machines incorrectly. They went to court, were found guilty, and the machines were smashed. Mr. Gilliland said he doesn't see a reason why the city should have any more of these.

The response was that the rules need to be defined so that the police would have some reasonable form of action if they were found to be running these gaming machines incorrectly. This would even be hard to accomplish because the only real way to find out if one is being run improperly would be for a police officer to go in under cover. This would take a considerable of time, and we can not expect our police officers to be able to do this.

Chairman Bavon closed the Visitors/Citizen's agenda at 7:55 PM.

C. Business:

1) **Public Hearing on approval of an Ordinance for a proposed zoning change of Lots 1, 2, 3, 4, 7, 8, 9, 10, and 11 of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.**

No one came forward to speak on this item because it has been rescheduled for a later meeting.

2) **Consideration and Action on approval of an Ordinance for a proposed zoning change of Lots 1, 2, 3, 4, 7, 8, 9, 10, and 11 of Block E of Lakeview Camp Addition and Block J (all but the southeast corner) of Lakeview Camp Addition from M-1 Light Industrial District to MA (Marina) zoning district.**

No action was taken because this item has been rescheduled for a later meeting.

3) **Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 2 of Abstract 1163 of the J.W. Simmons Survey, (Video Plus, Inc. property) from M-1 Light Industrial District to C-1-A Business District.**

Mark DeLoach, 5616 Preston Oaks, Dallas, said he is the financial officer for Video Plus, Inc. Video Plus, Inc. has been a corporate citizen for eleven years, and at the present time, they are trying to find a use for the land that was previously rented by Payless Cashways, before they folded. A he feel that the reason the city wants to change the zoning is based on the premise of the new road being put in. He suggests that the city wait for the road to actually come through before making arrangements for it. He would like to make use of his land today, and not five to ten years down the road. He would like to be able to lease the land to someone who would put a mobile building on it, something that would ideally not be permanent in any way. His petition for a variance was denied by the City Council.

Chairman Bavon closed the public hearing at 8:10 PM.

4) **Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 2 of Abstract 1163 of the J.W. Simmons Survey, (Video Plus, Inc. property) from M-1 Light Industrial District to C-1-A Business District.**

There was discussion about reaching a compromise. They need to move ahead with this zoning because anyone could go in there and build a warehouse that would conform with the M-1 zoning, and we would be stuck with the warehouse as a permanent structure. The commission recalled Mr. DeLoach saying that he does not have a problem with zoning the property C-1-A, he just wants to be able

to make temporary use of the property now. The conclusion was made that they could go ahead and change the zoning to C-1-A and he may be able to get a variance at that point. One member recounted that getting a variance would require the man to prove a hardship. The response was that the variance was turned down from M-1 because there was a moratorium on it, they may be more receptive to grant a variance on C-1-A zoning.

Motion was made by Commissioner Fletcher to approve the Ordinance for a proposed zoning change to Tract 2 of Abstract 1163 of the J.W. Simmons Survey, (Video Plus, Inc. property) from M-1 Light Industrial District to C-1-A Business District. Seconded by Co-Chairman Bavon.
Ayes: Chairman Bavon, Commissioners Wilson, Fletcher, Shelton, and Gilliland.
Noes: None

Motion Passed

5) **Public Hearing on approval of an Ordinance for a proposed zoning change to Tract 20 of Abstract 424 of the Nathaniel French Survey from R-1-10000 to C-1-A Business District.**

Lenard Norup, 1023 Kings Manor Drive, said he had several questions he wanted to address. He first asked to see where on the map the zoning request was for, and where the proposed road would go in at. After seeing that his back property line would be very close to the proposed road, he asked would a business be able to squeeze in there. He also asked how this would affect his property value, and he wanted to know if there is a particular buyer who is interested in buying the property.

The reply was that it is unlikely that a business would fit in between his property, and the proposed road. His property, however, will be close to the road itself. They could not respond to questions about his property value. There is no one in particular that wants to buy the property now, but the idea is to get retail in that area: maybe hotels, restaurants, and strip mall centers. They addressed his concerns by explaining that the proposed right of way will be coming in, and essentially splitting the property in half. The long-term plan is not to have the entire property be retail, the plan would be to have the owners of the property submit plans, and possibly rezone a portion of the property, that could be residential, for instance.

Barbara Garrison, 508 North Shady Shores Road, she is very against the rezoning of her property, she feels that it should be up to the property owners to decide what they want to do with the land. This is family owned land. She could understand if they were merely speculators and the city wanted to change the zoning. She has been to all of the Planning and Zoning meetings regarding this property. On the last meeting she was at, she recalled the commission working very hard at the consideration of a zoning change (the property to the east of her property). She said that the committee decided to recommend a 200-feet set back from the proposed road. She then went to the Council meeting, and they

did not consider what the Planning and Zoning Commission discussed. She said that she feels that she and the entire Commission wasted their time working on the Ordinance, if the Council wouldn't even consider it. She also could not understand why the City wants to zone all of that property C-1-A.

The reply was to explain that the Planning and Zoning Commission is an advisory board, and they make recommendations to the Council, and then it is up to them to decide. They said that the plan is not to have all that actually retail space. The idea is to go in and zone the whole property C-1-A, then come back later, after the proposed right of way is in tact, then the owners can present further ideas of what they'd like to see done with the property.

Neal Boliver, 514 North Shady Shores Road, he is Barbara's brother-in-law and he is here in support of everything she just said. He sees no point in rezoning now. He said that the city is jumping ahead to fast when no one really knows for sure about this road.

There was no response.

Chairman Bavon closed the public hearing at 8:35 PM.

6) **Consideration and Action on approval of an Ordinance for a proposed zoning change to Tract 20 of Abstract 424 of the Nathaniel French Survey from R-1-10000 to C-1-A Business District.**

There was a discussion about how the property owners must be feeling. The Commission felt that the entire property should be not be zoned C-1-A. At the present time, there is no way in and out of that area, only the area around the proposed right of way should be zoned C-1-A. They agreed that they liked what they came up with at the last meeting (regarding the rezoning of the property to the east of the Boliver property), and they wanted to know why it did not get brought up at the City Council meeting. One Commissioner replied that it did not get put on the agenda the way it was decided at the Planning and Zoning meeting. One Commissioner suggested that some members of Planning and Zoning should go to this meeting and express their decisions. Another responded by saying that the Council members, before their meeting, should read the minutes from tonight's meeting. We would like to go on the record as requesting that our recommendation be written on the agenda as follows and that the City Council, either listen to the tape, or read the meeting minutes.

Motion was made by Commissioner Fletcher to approve the Ordinance for a proposed zoning change to an area 200-feet from the border of the proposed road right of way to Tract 20 of Abstract 424 of the Nathaniel French Survey from R-1-10000 to C-1-A Business District. Seconded by Commissioner Wilson.
Ayes: Chairman Bavon, Commissioners Wilson, Fletcher, Shelton, and Gilliland.
Noes: None

Motion Passed

D) Adjournment:

Motion was made by Commissioner Fletcher. Seconded by Commissioner Gilliland.
Ayes: Chairman Bavon, Commissioners Wilson, Fletcher, Shelton, and Gilliland.
Noes: None

Motion Passed

The meeting was adjourned at 8:48 PM.

CITY OF LAKE DALLAS, TEXAS

Melena Narvaja

Al Bavon, Co-Chairman
RESIGNED — NOT AVAILABLE for SIGNATURE.

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a regular meeting on November 15, 2001 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members Present:
Tony Marino, Chairman
Alan Fletcher
Lance Wilson
Peggy Shelton
Linwood Gilliland

Commissioner Bavon was excused. Commissioner Barnard was absent.
Staff present: Melena Narvaja and City Secretary Weikum.

B. VISITORS/CITIZENS AGENDA:

No one came forward to speak so Chairman Marino closed the public hearing.

C. Business:

1) **Public Hearing on an application for a proposed Ordinance to change the zoning of Tract 62 of Abstract 0924A MEP & PRR property from R-3 Multifamily residence district to R-1-7200 Single Family residence district.**

Doyle Cameron, 2300 Highland Village Road, Highland Village, Texas, said he is the owner of this property. He said this property is zoned C-1. He said he had a plat that was approved in 1996 or 1997 for duplexes.

Chairman Marino closed the pubic hearing when no one else came forward to speak.

2) **Consideration and Action on approval of a proposed Ordinance to change the zoning of Tract 62 of Abstract 0924A MEP & PRR property from R-3 Multifamily residence district to R-1-7200 Single Family residence district.**

Motion was made by Commissioner Fletcher to approve the Ordinance to change the zoning of Tract 62 of Abstract 0924A MEP & PRR property from R-3 Multifamily residence district to R-1-7200 Single Family residence district. Seconded by Commissioner Wilson.
Ayes: None
Noes: Chairman Marino, Commissioners Wilson, Fletcher, Shelton, and Gilliland

Motion Failed

3) **Consideration and Action on review of subdivision plat for Lakeside Estates (Tract 21 of Abstract 0424A Nathaniel French property).**

Motion was made by Commissioner Fletcher to review the subdivision plat. Seconded by Chairman Marino.

During the discussion Chairman Marino gave Mr. Roe a copy of the engineer's report. There are items of concern that need to be addressed before we can move forward. Mr. Roe said he would have their engineer contact our engineer.

Motion was made by Commissioner Fletcher to deny the subdivision plat for Lakeside Estates. Seconded by Chairman Marino.

Ayes: Chairman Marino, Commissioners Wilson, Fletcher, Shelton, and Gilliland

Noes: None

Motion Passed

4) **Public Hearing on approval of an Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Tract 78 of Abstract 1355A Wright Survey.**

Ranvir Singh, 501 South Denton Drive, is the owner of the property and said he wants to open a game room there. They would be the same type as at Lucky 7's and there would be no food or beverages. The hours would be 10 AM to midnight. They would pay off with tokens or coupons and not money.

Jim Doerr, 332 Scenic Drive, Highland Village, said he wants to lease the property. He ran the games at Lucky 7 until he lost his lease. There would be no alcohol. They give away cokes and snacks.

Cindy Nelson, 812 Lake Bluff Drive, asked how much money would that bring into our city.

The City would only receive property tax from that type of business.

Chairman Marino closed the public hearing.

5) Consideration and Action on approval of an Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Tract 78 of Abstract 1355A Wright Survey.

Motion was made by Commissioner Fletcher to approve an Ordinance to issue a Special Use Permit to operate an arcade at 503 South Denton Drive, Lake Dallas, Texas, Tract 78 of Abstract 1355A Wright Survey for a limit for one year during the hours of 10 AM to midnight 7 days a week. Commissioner Gilliland seconded the motion.

Ayes: Chairman Marino, Commissioners Wilson, Fletcher, and Shelton

Noes: Commissioner Gilliland

Motion Passed

6) Approval of Minutes for the October 18, October 23, and November 1, 2001 meetings.

Motion was made by Commissioner Fletcher to approve the Minutes for the October 18, October 23, and November 1, 2001 meetings. Seconded by Commissioner Gilliland.

Ayes: Chairman Marino, Commissioners Wilson, Fletcher, Shelton, and Gilliland

Noes: None

Motion Passed

D. Workshop:

1) Review of setbacks, accessory uses, height for accessory buildings, and setbacks for parking of recreational vehicles in all residential zoning districts.

After some discussion it was determined that there should be a joint workshop with the City Council regarding this item.

E. Adjournment:

Motion to adjourn was made by Commissioner Fletcher. Seconded by Commissioner Gilliland.

Ayes: Chairman Marino, Commissioners Wilson, Fletcher, Shelton, and Gilliland.

Noes: None

Motion Passed

Meeting was adjourned at 8:45 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a special meeting on November 1, 2001 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Members present:
Al Bavon, Co-Chairman
Alan Fletcher
Peggy Shelton
Linwood Gilliland

Chairman Marino was excused. Commissioners Barnard and Wilson were absent. Staff present: Melena Narvaja and City Secretary Weikum.

B. Visitors/Citizen's Agenda:

No one came forward to speak so Chairman Bavon closed the Citizen's Agenda.

C. Business:

1) **Public Hearing on approval of an Ordinance for a 120 day moratorium on the acceptance for filing and the issuance of building permits and all other development applications and permits for zoning, platting and subdividing in the R-1-10000 zoning districts.**

No one came forward to speak so Chairman Bavon closed the Public Hearing.

2) **Consideration and Action on approval of an Ordinance for a 120 day moratorium on the acceptance for filing and the issuance of building permits and all other development applications and permits for zoning, platting and subdividing in the R-1-10000 zoning districts.**

Motion was made by Commissioner Fletcher to approve the Ordinance for a 120 day moratorium on the acceptance for filing and the issuance of building permits and all other development applications and permits for zoning, platting and subdividing in the R-1-10000 zoning districts. Seconded by Commissioner Gilliland.
Ayes: Commissioners Bavon, Fletcher, Shelton, and Gilliland.
Noes: None

Motion Passed

D. Adjournment

Motion to adjourn was made by Commissioner Fletcher. Seconded by Commissioner Shelton.

Ayes: Commissioners Bavon, Fletcher, Shelton, and Gilliland

Noes: None

Motion Passed

Meeting was adjourned at 7:40 PM.

Al Bavon

Al Bavon, Co-Chairman

CITY OF LAKE DALLAS, TEXAS

Beverly Welkum

Beverly Welkum, TRMC
City Secretary

State of Texas
County of Denton
State of Texas

The Lake Dallas Planning and Zoning Commission met in a special meeting on October 23, 2001 at 7:30 PM at City Hall located at 303 Alamo Avenue, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call:

Members present:
Tony Marino, Chairman
Alan Fletcher
Peggy Shelton
Lance Wilson
Linwood Gilliland

Commissioner Frank Barnard arrived late so Alternate Linwood Gilliland stepped down and did not participate in voting. Commissioner Al Bavon was excused. Councilmember Johnson was in attendance. Staff present: Melena Narvaja and City Secretary Weikum.

B. Visitors/Citizen's Agenda:

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1) Consideration and Action on approval of a proposed zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district.

Jack Roe, his office is 6116 N. Central Expressway, Suite 1300, Dallas and his residence is in Athens. He is vice president of Resort Realty who is the owner of the property. They are opposed to the zoning change for several reasons. It doesn't make sense and thinks it is being done very prematurely. They think the City is exposing itself to a huge amount of liability by rezoning at this time. They were served last week with a condemnation hearing with Denton County. He will be at the City Council meeting Thursday night. Should the rezoning affect their settlement with Denton County adversely they will be looking to the city to make up those damages. He asked if the Boliver property had been rezoned. It has not. He also mentioned having discussed what to do with the property with City Manager Fairburn in the past. He asked if there could be a workshop with the City Council to try to work out some solutions.

Neoma Spinks, 57 Lakeridge, asked where the area is that is being discussed.

A map showing the location was shown. This will not affect the residents in the Kingswood Estates.

Barbara Garrison, 508 North Shady Shores, thinks you need to take the owner into consideration and see what he wants.

The bridge will be elevated as it goes over the lake. We don't know if there will be access to the proposed road off Lakeview Drive.

The commissioners looked over the map and discussed 200 feet on either side of the proposed road alignment. The commission needs to make a recommendation tonight so the City Council can take action on this at their meeting on Thursday night since it had been advertised by public notice.

If the road wasn't going through there we wouldn't be trying to change zoning. We have to have a plan that the County and Toll Authority can look at so they can't impose their will on us. Maybe on each side of the road we could have an area of commercial with restrictions. That would give the residential area a buffer zone from the road. The Economic Development Committee is trying to do something to expand our commercial tax base. Everybody here and on the City Council is going to try to do what's right.

Some citizen said it is too bad nothing was done with Main Street. An invitation for them to attend the Economic Development Committee meetings was extended.

Mr. Roe said we need some negotiation so that it is advantageous to all of us. There's the possibility that we may back off 400 - 500 feet for a buffer zone depending on what commercial wants to come in. That takes some give and take and that will take a meeting that would make it good for both of us. He said they are willing to work with the City.

The Planning and Zoning Commission is providing a recommendation. It's not final.

Motion was made by Commissioner Barnard to deny the zoning change on Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district and recommend that the City Council, Economic Development Committee, and future plans of Lake Dallas and the road consider all that and not just that one piece of property. No one seconded the motion.

Motion died due to lack of a second.

Motion was made by Commissioner Fletcher to approve the Ordinance for the zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district and actually reword to where it's a portion of Tract 21 two hundred feet (200') on the alignment of the proposed road from R-1-10000 to C-1-A and leave the rest of it as R-1-10000 existing zoning. Seconded by Chairman Marino.
Ayes: Chairman Marino and Commissioner Fletcher
Noes: Commissioners Barnard, Wilson and Shelton

Motion Failed

Motion was made by Commissioner Fletcher to approve a zoning change to Tract 21 of the A-0424A N. French Property a portion of Tract 21 to two hundred feet (200') on each side of the proposed alignment of the new Swisher Road extension from R-1-10000 Residential to C-1-A Commercial zoning district and leave the rest of the property as R-1-10000 Residential. Seconded by Commissioner Wilson.
Ayes: Chairman Marino, Commissioners Fletcher, Wilson, and Shelton
Noes: Commissioner Barnard

Motion Passed

D. Adjournment

Motion was made by Commissioner Fletcher to adjourn. Seconded by Commissioner Barnard.
Ayes: Chairman Marino, Commissioners Fletcher, Barnard, Shelton and Wilson
Noes: None

Motion Passed

Meeting was adjourned at 8:50 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met in a regular meeting on October 18, 2001 at 7:30 PM at the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Roll Call:
Members Present:

Tony Marino, Chairman
Al Bavon, Co-Chairman
Alan Fletcher
Peggy Shelton
Linwood Gilliland

Commissioners Barnard and Wilson were absent. Staff present: Melena Narvaja and City Secretary Weikum.

B. Visitors/Citizen's Agenda

No one came forward to speak so Chairman Marino closed the Citizen's Agenda.

C. Business:

1) Public Hearing on an application for a proposed zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district. This property is bordered on the east by Lakeview Drive; on the south by homes on Howard Drive; on the west by Tract 20 of the N. French property and several properties in the Kingswood Estates; and on the north by the Montserrat Retreat area.

Jack Roe, 108 Willowbrook, Athens, said he is the vice president of Resort Realty. He represents the owner and they are opposed to the rezoning of the property in question. They intend to plat under the zoning it is now. They are totally opposed to the rezoning. This bridge is 10 years in the future. They do not feel it is fair to rezone it at this time. They will turn those plats in Monday or Tuesday for consideration at their next meeting. They have owned this property with affiliates for 30 years. They had originally planned on platting it like they had done Kingswood. They have bickered with the City before. They finally have a developer who will plat it into R-1-10000 lots.

Gladys Aston, 212 Pecan Lane, Kingswood Estates, said she and several residents in Kingswood Estates are concerned there is some industry that wants to build on this property. Which property in Kingswood is involved?

The response was that the city wants to provide for commercial property in the future. The Kingswood Estates property is not involved in the rezoning other than to be notified because the City is required to notify people who live within 200 feet of the property.

Mike McFadden, 187 Oakwood, said he received one of these letters. This is the first time he's been to one of these meetings. What will this mean to him?

The response was that last week the City Council approved C-1-A zoning which is commercial but has certain restrictions. This zoning allows for shops, restaurants, retail stores, bed and breakfasts. Basically, no wholesale sales and no products stored outside. Restaurants and banks may have a drive-up service. Buildings shall not exceed 2 stories. The first property to be rezoned C-1-A was the Payless Cashways property. When it is purchased it will no longer be zoned industrial because we want to attract businesses that will produce sales tax revenue.

Alan Carmen, 47 Lake Vista Circle, said the plat he saw showed it was only 200 feet from Kingswood. He wanted to know what regulations are in place for the trees.

That is where the toll road will be going across.

Mike McFadden, 187 Oakwood, was concerned about those living in Kingswood Estates having to relocate.

This zoning change does not affect Kingswood Estates. The zoning change is for unoccupied land.

Gladys Aston, expressed concern about the traffic on Swisher Road, the Boliver property and Oakwood Drive in Kingswood.

Swisher Road will eventually be 4 lanes and have a light. The Boliver property is not being rezoned. The road will be going through the edge of where the apartments are and across the corner of the Boliver property and come out where the animal shelter is and miss the Upper Trinity plant.

Mike Newberry, 508 North Lakeview, said he wants some clarification. He said that for 2 or 3 years this company has tried to change this area for modular homes or for mobile homes and we fought that hand and tooth. Now he hears a representative say that they're going in and put in 10000 SF lots. The tax base that will bring to the city blows him away. His property is right across the street from this. He can't see rezoning this at this time. That bridge is so far down the road. He is also concerned with property values.

This property is over 50 acres. It would be a good area for some commercial and it's a beautiful area for some nice homes. Someone in the audience said there's room for both.

Mr. Newberry asked how many homes/lots that would entail.
Jack Roe answered there are 123 lots.

Ann Bradt said she had been told that if 20% of the property owners who received the letter protested the rezoning there would have to be a unanimous vote.

Barbara Garrison said she lives on the Boliver property. Let the owners do what they want.

Someone had a question about a marking on a map. It designated the flood zone and did not represent a road.

Chairman Marino closed the public hearing at 8:10 PM.

2) Consideration and Action on approval of a proposed zoning change to Tract 21 of the A-0424A N. French Property from R-1-10000 Residential district to C-1-A Commercial zoning district.

There was discussion about having all of that land as commercial. We need to ask the City Council what they really want. We need to have a map up that shows where the road is going to go and where the flood plain is. We have not made a very good case to show these people what we want. Perhaps it can be put on a workshop and have some P & Z members there so we can rethink this. With this location by the sewer plant who will want to go to a restaurant where they will get that awful smell -- by the same token, who will want to buy a large home where you are going to get whiffs from the sewer plant. We'll get some maps and converse with the City Council.

Motion was made by Commissioner Gilliland to table this item. Seconded by Commissioner Bavon.
Ayes: Chairman Marino, Commissioners Bavon, Fletcher, Shelton and Gilliland.
Noes: None

Motion Passed

3) Approval of Minutes for the October 4, 2001 meeting.

Motion was made by Commissioner Fletcher to approve the minutes. Seconded by Chairman Bavon.
Ayes: Chairman Marino, Commissioners, Bavon, Fletcher, and Shelton
Noes: None
Abstentions: Commissioner Gilliland

Motion Passed

Chairman Marino called for a break at 8:20 PM.
Chairman Marino called the meeting back to order at 8:32 PM.

D. Workshop:

1) Review of setbacks, accessory uses, height for accessory buildings, and setbacks for parking of recreational vehicles in all residential zoning districts.

A fence should not come up to the street. It would have to be set back to the building setback line. It has been recommended that accessory buildings have a height limit of 20 feet instead of 35 feet. There has been discussion about detached garages and carports that the City Council is considering a distance of ten to fifteen feet from the house. There may be issues on what materials need to be used for screening. We have also discussed setbacks for RV's.

2) Review of R-2 and R-3 zoning requirements for screening, off-street covered parking, and landscaping.

No discussion at this meeting.

3) Discussion about possible zoning requirements on Swisher Road extension property.

No discussion at this meeting.

E. Adjournment

Meeting was adjourned at 9:00 PM.

Tony Marino, Chairman

Beverly Weikum

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Planning & Zoning Commission met in a special meeting on October 4, 2001 at 7:34 PM at the Lake Dallas Community Center located at 302 South Shady Shores road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL:

Members Present:

Tony Marino, Chairman
Alan Fletcher
Lance Wilson

Commissioners Bavon and Shelton were excused. Commissioner Barnard arrived at 7:36 PM. Commissioner Danner had turned in his resignation.
Staff present: Melena Narvaja and City Secretary Weikum.

B. VISITORS/CITIZENS AGENDA

Chairman Marino closed the Citizens Agenda when no one came forward to speak.

C. BUSINESS:

1) Public Hearing on an application for a proposed replat of Tracts 38 and 39 of A-1355A Wright into one tract. The property location is in the 500 block of Main Street between Main and Lakeview.

Kurt Sutherland, Valleyview, Texas, owner of the property, said they currently have their business on Gotcher with North Texas Drywall.

Chairman Marino closed the public hearing when no one else came forward to speak.

2) Consideration and Action on approval of the replat of Tracts 38 and 39 of A-1355A Wright into one tract.

Motion was made by Commissioner Barnard to accept the replat as presented making the two tracts into one tract. Seconded by Commissioner Wilson.

Ayes: Chairman Marino, Commissioners Barnard, Fletcher and Wilson
Noes: None

Motion Passed

3) **Public Hearing on an application for a proposed zoning change to Tract 32 of A-0284A Cobb, 727 South Main Street, Lake Dallas, Texas from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Paul Wiersema, 703 Carlisle Court, said it is property they purchased from the Chastains and would like to build a house on that lot. It is a 1 - 1/2 acres lot.

No one else came forward to speak so Chairman Marino closed the public hearing.

4) **Consideration and Action on approval of an ordinance for a zoning change for Tract 32 of A-0284A Cobb, 727 South Main Street, Lake Dallas, Texas, from C-1 Restricted Business District to R-1-7200 Single Family Dwelling District.**

Motion was made by Commissioner Barnard to okay the request as presented. Seconded by Commissioner Wilson.
Ayes: Chairman Marino, Commissioners Barnard, Wilson, and Fletcher.
Noes: None

Motion Passed

5) **Public Hearing on the creation of a C-1-A Retail/Restaurant/Hotel/Motel zoning district for the City of Lake Dallas.**

Tanja Haylock, 213 Swisher Road said she just wants an explanation of what we're trying to do.

The reply was that the city wants to encourage a business district that would allow restaurants, hotels, and motels instead of more liquor stores.

Chairman Marino closed the public hearing when no one else came forward.

6) **Consideration and Action on approval of an Ordinance creating a C-1-A Retail/Restaurant/Hotel/Motel zoning district for the City of Lake Dallas.**

Motion was made by Commissioner Barnard to accept the action of approval of the C-1-A Zoning district. Seconded by Commissioner Fletcher.
Ayes: Chairman Marino, Commissioners Barnard, Wilson, and Fletcher
Noes: None

Motion Passed

7) Public Hearing on an Ordinance for a proposed zoning change to A-1663A J.W. Simmons, Tract 3 (the Payless Cashways property on Swisher Road), Lake Dallas, Texas from M-1 Light Industrial district to C-1-A Retail/Restaurants/ Hotel/Motel Zoning district.

Ken Howe, 205 Swisher, said he lives directly across the street from Payless and he is opposed to any changes right now. He feels it will cause traffic problems and lower their property values. How will that fit into the master plan? How soon will the city be looking at changing the zoning on their side of the street?

Perry Manley, 202 Hillcrest, said he is concerned about the traffic. He thinks traffic will triple if we get hotels, motels and restaurants in that area. Why are we changing the zoning when there may a possibility of a company moving in?

M-1 light industrial zoning districts are not desirable as commercial zoning districts. Payless is in bankruptcy and the property will be sold.

Marvin Chisum, 204 Hillcrest, said he wants to repeat what has already been said. He thinks that will add the criminal element by adding hotels, motels, and restaurants. If it was left as light industrial the tax base will be there and it would probably bring more jobs to the city. He's in the restaurant business but he doesn't think that's the right place for that type of business.

Tanja Haylock, 213 Swisher, asked if the city has a developer looking at the Payless property and why are we moving so quickly on the zoning change?

Payless plans to be out of the property by the end of October and the City is trying to change zoning to commercial for sales tax revenue. The City would not consider the use the eminent domain process unless public health and safety was a concern.

Larry Nykoruk, 207 Swisher Road, said you can see the outpouring of people here tonight to express their concerns. The homeowners are concerned about retaining their property values. He asked what else can the City exclude besides the liquor? We're all interested in development for the community but he suggested the City consider an extension on this item until there is more information available and more hearings have been held. Perhaps we could exclude hotels and motels as well as liquor. There shouldn't be any problem with bed and breakfast inns.

Ray Hopper, 507 Ridgewood, agrees with what everyone's already said. He asked that they consider the depreciation of the neighborhood.

Tracy Powell, 206 Hillcrest, said everyone has said what she feels. She likes what Larry said about giving them more time. She doesn't want a hotel in her back yard, but doctor's office would be fine.

Chairman Marino closed the public hearing when no one else came forward.

8) Consideration and Action on an Ordinance for a proposed zoning change to A-1663A J. W. Simmons, Tract 3, Lake Dallas, Texas from M-1 Light Industrial district to C-1-A Retail/Restaurants/Hotel/Motel Zoning district.

There was discussion about needing to act since Payless has gone into bankruptcy. We need to get more specifics: what is the projection for increased traffic in five years; buffers, fences, and screening should be part of the requirements. Hotels and Motels would be limited to 35' in height. We shouldn't take too long to move because some less desirable business could be allowed in there.

Motion was made by Commissioner Barnard to approve the change in zoning as written from M-1 to C-1-A and put hotels, motels, bed and breakfast inns and strike the word facilities (Section 122-330 item 3) under Special Use Permits for Tract 3, the Payless Cashways property. Seconded by Commissioner Fletcher.
Ayes: Chairman Marino, Commissioners Barnard, Wilson, and Fletcher
Noes: None

Motion Passed

9) Approval of Minutes for September 6 and September 20 meetings.

Motion was made by Commissioner Barnard to approve the minutes for September 6 and September 20 meetings. Seconded by Commissioner Wilson.
Ayes: Chairman Marino, Commissioners Barnard, Wilson, and Fletcher
Noes: None

Motion Passed

D. Workshop:

1) Review of setbacks, accessory uses, height for accessory buildings, and setbacks for parking of recreational vehicles in all residential zoning districts.

2) Review of R-2 and R-3 zoning requirements for screening, off-street covered parking, and landscaping.

3) Discussion about possible zoning requirements on Swisher Road extension property.

The Planning and Zoning Commission decided to table the workshop items until their next meeting, October 18, 2001.

E. Adjournment

Motion to adjourn was made by Commissioner Barnard. Seconded by Commissioner Fletcher.
Ayes: Chairman Marino, Commissioners Barnard, Wilson and Fletcher
Noes: None

Motion Passed

Meeting was adjourned at 8:57 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 20, 2001 at 7:40 PM in a special meeting at the Lake Dallas Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members Present:

Tony Marino, Chairman
Al Bavon, Vice Chair
Lance Wilson
Alan Fletcher

Commissioners: Bernard and Shelton were excused. Commissioner Danner was absent. Staff present: Melena Narvaja.

B. VISITORS/CITIZENS AGENDA:

Chairman Marino closed the Citizens Agenda when no one came forward to speak.

C. WORKSHOP:

1) Review of setbacks, accessory uses, height for accessory buildings, and setbacks for parking of recreational vehicles in all residential zoning districts.

Clyde Fisher, 747 Carlisle Dr., stated that his main agenda was to be able to park his motor home at his residence in R1-10, 000.

The Commissioners had received a letter from Cindy Nelson, 812 Lakebluff Dr. Chairman Marino read the letter aloud.

One definition of an accessory building could be any building that is not an integral part of the main dwelling; including private detached garages, covered carports, private barns or stables, shops, portable buildings, and storage sheds. The code states that any accessory building over 120-sq. ft. must be 80% masonry. Should carports be required to be 80% masonry? Not everyone agreed because usually a basic carport is four legs and some type of covering or awning. We should not need to specify exterior surfaces of carports. The setbacks and sizes of carports and detached garages should be the same.

Setbacks were probably designed to protect the neighbors of property owners who have accessory buildings. Possibly the minimum the setback requirements should be uniform at five feet no matter how large or small the lot is.

Clyde Fisher pointed out the fact that there are not too many other people living in an R1-10, 000 district and that there is a possibility that he would be the only one effected by an ordinance change. He asked the commission if they had talked to the city attorney about parking of a recreational vehicle. There was no answer for Mr. Fisher.

It was proposed that the code should allow the parking of recreational vehicles with the same setbacks as an accessory building in R1-10, 000. For example, an accessory building should not be closer than ten feet to any other building or structure on the lot, or closer than five feet from any lot line; nor less than seven feet from any alley line, except that when the rear lot line is common to a side or rear lot line, and in the case of corner lots, not less than fifteen feet should be required. All of these setback requirements should also be applied to the parking of recreational vehicles, since recreational vehicles are about the size of must accessory buildings. According to some research on recreational vehicles the heights range from eight to twelve feet, and the width is usually six to eight feet.

Recommendations for the City Council:

- For R1-10, 000, accessory building set backs should be no closer than five feet from any lot line; nor less than seven feet from any alley line, except that when the rear lot line is common to a side or rear lot line, and in the case of corner lots, not less than fifteen feet should be required.
- No accessory building should exceed 20 feet in height.
- Masonry requirements will not apply to covered carports.
- In R1-10, 000 a recreational vehicle must be screened in a closed area.

2) Review of fence requirements and height for back fences in residential districts.

There was only a brief discussion on this item.

3) Review of R-2 and R-3 zoning requirements for screening, off-street covered parking, and landscaping.

Tabled until next meeting. The commissioners should look around and take pictures of areas in this zoning and work through the issue next meeting.

4) Discussion about possible zoning requirements on Swisher Road extension property.

No discussion on this item.

Chairman Marino closed the Workshop and made arrangements to meet again in two weeks on October 4, 2001.

D. Adjournment

Motion to adjourn was made by Vice Chairman Bavon. Seconded by Commissioner Wilson.
Ayes: Chairman Marino, Commissioners Bavon, Fletcher and Wilson
Noes: None

Motion Passed

The meeting was adjourned at 9:45 PM.

CITY OF LAKE DALLAS, TEXAS

Melena Narvaja

Tony Marino, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 6, 2001 at 7:40 PM in a special meeting at the Lake Dallas Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members Present:

Tony Marino, Chairman
Frank Barnard
Randy Danner
Alan Fletcher

Commissioners Bavon and Shelton were excused. Commissioner Wilson was absent. Staff present: Building/Code Inspector Richard Dallof, Melena Narvajah, and City Secretary Weikum.

B. VISITORS/CITIZENS AGENDA:

Chairman Marino closed the Citizens Agenda when no one came forward to speak.

C. BUSINESS:

1) **Public Hearing on an application for a Special Use Permit to operate a church at 310-312 South Shady Shores Road, Tract 15 of A-1355A Wright Survey, Lake Dallas, Denton County, Texas.**

Kevin Hardesty, 5430 Prince Drive, the applicant, said they look forward to being part of the community. They have lived in Lake Dallas for seven years. They have ventured out into supporting local sports. They would appreciate approval of the application at the old Tim's Produce for their church.

In answer to questions from the commissioners he said there are approximately 25 members at this time. There should be enough available parking spaces and they could possibly gain 7 or 8 more spaces depending on whether some property belongs to Sonic or the building they are leasing. Chief Thompson said they could have 45-50 people in the building and be in compliance. If they grow past that point they would probably go to multiple services. They were meeting at the school. The main church is out of a church on Fox Avenue in Lewisville. They currently have a two-year lease. Their plan is to have their own building in a residential area. This building fits their needs at this time.

Chairman Marino closed the Public Hearing.

2) **Consideration and Action on an application for a Special Use Permit to operate a church at 310-312 South Shady Shores Road, Tract 15 of A-1355A Wright Survey, Lake Dallas, Denton County, Texas.**

Motion was made by Commissioner Danner to accept the Special Use Permit and it will stay in effect for as long as the permitholder's occupancy is at that location. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Barnard, Danner, and Fletcher
Noes: None

Motion Passed

3) **Approval of Minutes for June 21, 2001 meeting.**

Motion was made by Commissioner Barnard to accept the minutes of the meeting on June 21, 2001. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Barnard, Danner, and Fletcher
Noes: None

Motion Passed

D. **Workshop:**

1) **Review of setbacks, accessory uses, height for accessory buildings, and setbacks for parking of recreational vehicles in all residential zoning districts.**

There should be a definition for a carport since they are not the same as a building. The height should be limited for accessory buildings.

The definitions and requirements for R-1-7200 and R-1-6000 read better than the R-1-10000 district. We should look at changes for the R-1-10000 district.

RV's should have a definition. This is a resort town. We should not take away from what many people are already doing.

The setbacks on residential districts are all different, but what can be put on them should be consistent. Should an RV have the same setbacks as a building has?

2) **Review of fence requirements and height for back fences in residential districts.**

There are probably not any changes necessary with fences unless we want to allow them to be higher so people don't have to see a neighbor's RV. The code for R-1-6000 and R-1-7200 says no fences over 8 feet high but there is nothing stated for the R-1-10000 district.

3) Review of R-2 and R-3 zoning requirements for screening, off-street covered parking, and landscaping.

The duplexes on Cain Street have outside patios and are not required to conceal whatever people put on their patios and they are not required to have fences. Some screening requirements should be put into effect. R-2 and R-3 should have offstreet covered parking requirements. R-3 should have landscaping requirements. Multi-family and commercial zoning could require non-maintenance barrier walls.

4) Discussion about possible zoning requirements on Swisher Road extension property.

The City would like to have some commercial/retail development on both sides along the extension to improve the tax base. A planned business district may need to be discussed.

E. Adjournment.

Motion to adjourn and continue the workshop on the regularly scheduled meeting this month was made by Commissioner Barnard. Seconded by Commissioner Danner.
Ayes: Chairman Marino, Commissioners Barnard, Danner and Fletcher
Noes: None

Motion Passed

Meeting was adjourned at 10:15 PM.

CITY OF LAKE DALLAS, TEXAS

Beverly Welkum, TRMC
City Secretary

Tony Marino, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on June 21, 2001 at 7:30PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members Present:
Peggy Shelton
Frank Barnard
Lance Wilson
Carol Ann Connors
Randy Danner

Tony Marino and Al Bavon had excused absences.
Staff present: City Manager Kyle McCain, and Acting City Secretary Joni Vaughn.

B. Visitors/Citizens Agenda:

Tommy Brewer, Realtor, 1126 Oak Hurst, Denton, has a potential user for a piece of property in the M-1 district which is under a moratorium. Mr. Brewer expressed a desire for further information regarding the M-1 moratorium and asked the Commission to consider shortening the time frame of the M-1 moratorium.

Commissioner Barnard said the Commission would like to get back to Mr. Brewer with further information and work with him as much as possible.

Citizens Agenda was closed by Commissioner Barnard.

C. Business:

1) **Public Hearing on approval of an Ordinance amending Section 122-571 of Article XII relating to uses permitted by Special Use Permit.**

No one requested to speak. Public Hearing closed by Commissioner Barnard.

2) **Consideration and Action on approval of an Ordinance amending Section 122-571 of Article XII relating to uses permitted by Special Use Permit.**

Motion was made by Commissioner Wilson to accept the ordinance as presented. Seconded by Commissioner Danner.
Ayes: Commissioners Shelton, Barnard, Wilson, Connors, and Danner.
Noes: None

Motion Passed

3) Approval of Planning and Zoning Minutes for May 17, 2001 meeting.

Motion was made by Commissioner Wilson to accept the minutes with a correction to the first sentence of the final paragraph on page two to read as follows: "A motion to reconsider an item on a previous agenda can be done during New Business on an agenda by a person who voted for ***or against*** that previous business item and now wants to reconsider the item." Seconded by Commissioner Shelton.
Ayes: Commissioners Shelton, Barnard, Wilson, Connors, and Danner.
Noes: None

Motion Passed

D. Adjournment

Motion was made by Commissioner Wilson to Adjourn. Seconded by Commissioner Danner.
Ayes: Commissioners Shelton, Barnard, Wilson, Connor and Danner.
Noes: None

Motion Passed

Meeting was adjourned at 8:50 PM.

Frank Barnard, Acting Chairman

Joni Vaughn
Acting City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on May 17, 2001 at 7:35 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members Present:
Tony Marino, Chairman
Al Bavon, Vice Chairman
Peggy Shelton
Frank Barnard
Lance Wilson

Alternates Carol Ann Connors and Randy Danner had excused absences.
Mayor Wohr and Councilmembers Johnson, Stapleton, and Harper were present.
Staff present: Acting City Manager Ristagno, City Attorney David Berman, and City Secretary Weikum.

B. Visitors/Citizens Agenda:

Jill Rael, 19 Wolter, Hickory Creek, said they would appreciate it if council would let them keep the items stored in part of the community center for a little longer. They have no where to take it or any way to transport the items at this time. She has talked with the library board about purchasing a storage building.

Mayor Wohr said he would discuss this with Acting City Manager Ristagno next week.

Rhonda Howe, 205 Swisher Road, asked if they could continue their summer reading program at the community center. The schedule is every Monday from June 11 through July 9 from 9:30 AM until 12:30 PM.

Mayor Wohr said staff could contact the cemetery association about any conflict of times. He said the library people could come and talk with the Council at their meeting on May 24.

Chairman Marino said they would discuss these items with the council.

Commissioner Barnard asked if it was against the law for the Council to be at a meeting. The City Attorney said questions can be answered if it is a recitation of what policy is.

David Shershen, 166 Kingswood Drive, said a number of years ago some citizens got together because they weren't happy with how things were run. He handed out copies of the application of the zoning change request for First Highway Addition, Lots 1 through 4. He said he understands that Council can't respond so he will come to the council meeting. He thinks a mistake needs to be corrected.

Odie Harrelson, 907 Vista Oaks, said he was at the previous city council meeting and he thinks it went good. The meeting agenda was in the paper and it was posted. That should be the final vote.

Chairman Marino closed the citizens' agenda at 7:58 PM.

C. Business:

1) Approval of Planning and Zoning Commission minutes for April 19, 2001 meeting.

Motion was made by Commissioner Barnard to accept the minutes as presented. Seconded by Commissioner Shelton.

Ayes: Chairman Marino, Commissioners Bavon, Shelton, Barnard, and Wilson
Noes: None

Motion Passed

D. Orientation by David Berman, City Attorney.

Mr. Berman referenced the Planning and Zoning Commission handbook that had been distributed. The most important thing is the open meetings act. The Planning and Zoning Commission is a recommendation board. A lawful meeting has to be posted 72 hours in advance since members of the public have the right to attend and observe and any discussion is limited to the agenda items. Before you come to a meeting, look at the agenda and get familiar with the agenda items. You are not required to have a citizens' agenda but it's not recommended to leave it off an agenda. People shouldn't repeat what someone else has already said on the citizens' agenda. The Planning and Zoning Commission would probably never need to have a closed meeting. Anyone can tape record or video your meetings. The only limitation would be if the conduct or procedure interferes with the meeting. If two members meet and conspire on how to vote on an issue, that is a crime. There's nothing wrong with talking with one another and canvassing, but if you reach an agreement about how you are going to vote then you have a conspiracy.

The members may want to do site visits regarding some of the issues that come before them. They can we go to the property and look but it could be considered trespassing if you actually go on the property. If you walk around the property with the owner it could look improper. We could ask the property owners to submit pictures of the property with the submittal of the application but if the property owner doesn't want to do that we cannot force the issue.

Roberts Rules of Order has the basic principals as to how meetings should be conducted. It is a guideline, not a law. The Chairman should avoid making motions. There should first be a discussion of an issue, then a motion and then a second. After that there can be discussion among the board members. Regulate the discussion the best way possible and then call for a vote.

A motion to reconsider an item on a previous agenda can be done during New Business on an agenda by a person who voted for that previous business item and now wants to reconsider the item. If everyone is willing to reconsider it can then be put on the next agenda with the same exact wording as the original item. Two members of the council can have an item put on an agenda.

An abstention is generally a 'yes.' Our Home Rule Charter says is shall be considered a non-vote. Conflicts of interest can get you in a lot of trouble. You must file an affidavit in advance of the meeting and abstain from discussion. It would be better to step down from the table. Chapter 171 of the Local Government Code is the regulation about conflicts of interest. The manual does not have a comprehensive description.

The purpose of zoning is to promote the public health, safety, morals, or general welfare of a city. We have a comprehensive plan and zoning should be in accordance with the comprehensive plan. The Comprehensive Plan can be as specific as our zoning map. Every zoning change must be done by ordinance. A Comprehensive Plan is a wish list and every zoning change is an amendment to the comprehensive plan. Mr. Berman briefly addressed the spot zoning question.

When there is a zoning change it must be filed by the property owner or his representative. There is nothing wrong with making sure that the applicant is the sole owner of that property or representative. If the ten day notification is not sent out, do not hold a public hearing. Once you begin a public hearing and do all the notification at taxpayers' expense, finish the public hearing. If something comes up and there will be a need to hear more information at another hearing you can say, "This public hearing will be tabled and will be heard [at a specific date and time]," or else the City Secretary has to re-notify. If you are in the Consideration and Action portion of the issue it can then be tabled and reset as much as you want. You don't have to have another public hearing if only Consideration and Action was tabled. In the notification of property owners, if a landlord chooses not to notify commercial tenant of the public hearing that is the landlord's prerogative. If 20 percent of the property owners file a written protest, then state law requires that there must be a majority vote on the item.

Preliminary plats must be filed. When the final plat is filed it must be approved within 30 days or it is automatically is approved. If the plat meets all the requirements it must be approved. Staff should make an application for Preliminary Plat filings and develop a checklist of what is needed for the filing. Any property going from one to two or more lots should have a preliminary plat and final plat submitted. Denial of a preliminary plat does not mean a final plat cannot be filed.

Matters that take a simple majority and there are only four members at meeting--if the vote is 2 & 2 then the mayor calls for another motion. If it cannot be decided at that meeting it should be put on next agenda and hope it will be acted on then.

There is nothing in our ordinances that gives someone any authority to withdraw from asking for a zoning change. The answer to a question about if there is ever a time where a City Council could waive an application was you should not because you are spending taxpayer money. If it is the city's fault that a zoning change doesn't go through, then the city must republish and pay for it from city funds. The city can do it's own zoning change as a basis or recommendation of the comprehensive plan.

E. Workshop:

1) **Business Development Zones.**
2) **Spot Zoning definitions.**
3) **Rear setbacks for accessory buildings in all zoning districts.**

We need to have a quorum of the both the City Council and the Planning and Zoning Commission to have a joint workshop.

The workshop will be discussed at a future meeting.

F. Adjournment

Motion was made by Commissioner Barnard to Adjourn. Seconded by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Bavon, Shelton, Barnard and Wilson
Noes: None

Motion Passed

Meeting was adjourned at 9:55 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on April 19, 2001 at 7:30 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members Present:

Lance Wilson, Temporary Chairman
Frank Barnard
Carol Ann Connors
Randy Danner
Peggy Shelton

Chairman Tony Marino and Vice Chair Al Bavon were excused. Staff present: City Secretary Weikum.

A. CITIZENS' AGENDA:

No one came forward to speak so Chairman Wilson closed the Citizens' Agenda.

B. BUSINESS:

1) **Public Hearing on an application for proposed replat of Lots 13-16, 27, 28 and a portion of Lots 17 and 18, Block K, Oak Lakes Subdivision into one lot.**

Frank Graham, 314 S. Shady Shores Road of Shady Shores, Texas said he is on the LCMUA board. Over the years they have purchased various lots and earlier this year they completed a deal where the County took off about a 50' slice of the lots on Swisher Road. They are planning for the future. There are no immediate plans for building at this time. Eventually they plan to build an office where the station is now.

Roy Perches, 106 Hillcrest, said he lives right behind LCMUA's equipment yard. He asked Mr. Graham if they currently have any short term plans and if they were planning long term expansion. He asked if the lot where the equipment is kept will be big enough. He said the rear entrance to the LCMUA yard is off Meadowview.

Mr. Graham said they do not have a need to purchase more equipment. What is on the lot now is there so it will be available whenever the need should arise. He was unaware of the entrance off Meadowview. LCMUA was formed as an independent governmental entity and they serve Lake Dallas and Shady Shores and part of Hickory Creek.

Chairman Wilson closed the Public Hearing at 7:43 PM when no one else came forward to speak.

2) Consideration and Action on an application for proposed replat of Lots 13 - 16, 27, 28 and a portion of Lots 17 and 18, Block K, Oak Lakes Subdivision into one lot.

It was determined that all lots involved in the replat are in the same zoning district.

Commissioner Connors said that before a motion is made that her husband is on the LCMUA board and that the City Attorney had advised her through the City Secretary that she could participate in the discussion but that it would look better if she did not vote so she would abstain.

Motion was made by Commissioner Barnard to accept the replat as written and presented. Seconded by Commissioner Danner.

Ayes: Chairman Wilson, Commissioners Shelton, Barnard and Danner.
Noes: None
Abstentions: Commissioner Connors

Motion Passed

3) Public Hearing on proposed Ordinance to create a Marina (MA) zoning district.

Ben Gilbert, 709 Nick Street, lives 25 feet away from the area. He said when this came before the Planning and Zoning Commission several months ago the city attorney wrote the ordinance and only the first 6 items of all the items on the current ordinance were on the original ordinance. There were several Planning and Zoning Commission workshops and meetings with the Marina owners. The new ordinance has gone from 6 items to 11 items. He said the commission has really increased the uses of this property from the original plan. He asked if they have discussed the exterior surfaces of these buildings? Currently these items fit in C-1, C-2 and C-3 and those districts have restrictions for height not to exceed 2 stories and 80% masonry exteriors. The marina district was supposed to be a marina district. It is all residential zoning around this. Are you going to give unlimited restrictions to this area? He thinks the loading and driving areas should be hard surface. What about landscaping and screening?

No one else came forward to speak so Chairman Wilson closed the public hearing.

4) Consideration and Action on a proposed Ordinance to create a Marina (MA) zoning district.

The height was considered because of the way the land slopes and was agreed to by the commissioners.

Tommy Drozd, one of the owners of the Marina, 300 Marina Drive, explained the operation of the travel lift and why the building needed to be 42' high. He also said that they are grandfathered in just the way they are. If the commission wants to leave it M-1 zoning that it's okay with them. Their family has been in that location since 1942. He would prefer to work with everyone -- he doesn't want people coming up and taking something away from them that they've been doing all their lives. If you want to limit office buildings to 35 feet that would be all right. They were just assuming that 80% masonry was required. The screening process is part of what's been worked on in the workshops.

The commissioners decided to add more things to the Ordinance so no assumptions would be made. Big capacity buildings would not necessarily need to be 80% masonry.

Motion was made by Commissioner Barnard on the Ordinance for Article XII-A MA Marina District to approve it as written and presented with only the following additions:
1) To add hard surfaces as written in 122-728 (b)
2) 80% masonry or by prior approval of change by the Planning and Zoning Commission and City Council.
3) Tree and Landscape preservations as addressed in 122-1135.

Seconded by Commissioner Connors.
Ayes: Chairman Wilson, Commissioners Shelton, Barnard, Connors, and Danner.
Noes: None

Motion Passed

Chairman Wilson said that Commissioner Connors had asked to be excused at 8:55 PM.

5) Public Hearing on an application for a proposed zoning change to First Highway Addition Lots 5 and 6, Block A from C-1 commercial zoning district to C-3 Commercial zoning district.

Odie Harrelson, 907 Vista Oaks, said it's a shame we have to go through this every year. He is against this for so many reasons. We have enough zoning for that on the other side of the street. It's too close to a nursery (day care) and a residential area. He said he is highly against it and hopes that they have the good sense to just say no.

J. W. Lively, 527 Oak Lake Drive, said he has been before the commission several times on issues of these matters as well as before the City council and he will go before the City Council again. It's almost humorous how many times we try to rezone for this. The only way you can get into Lake Dallas is to go past a liquor store. He commended them for turning it down last time and hopes they turn it down again. We do not need any more C-3 zoning. Vote this down and send it to council next week.

David Shershen, 166 Kingswood Drive, said we have had vacant property there for a long time. There is nothing else for us to annex. In the long run we may be annexed. Council averted a tax increase this year by raising building permit fees. This is not just about liquor, it's about commerce, the free enterprise system. There's a separation of church and state and the board needs to keep that in mind. He thinks that property used to be C-3 and it was a political move that changed it. Most of our citizens are seniors living on fixed income and would be unable to handle property tax increases. He is asking people to vote for the good of the city. If you allow yourself to be swayed by personal opinion you are not serving the people of the community. It takes all of us to work together.

J. W. Lively said there were a couple of points he failed to make. It has nothing to do with religious beliefs, it goes back to supply and demand. He would feel the same way if we had 10 sporting goods stores here and needed to zone it so we could put in another sporting good store. When Denton and Lewisville goes wet our supply and demand is going to go down hill. He's not pleased with Wal-Mart moving in. It's going to hurt our economy. If Goody-Goody comes in and buys Buckeye, it's going hurt a lot of stores here already. We would be jeopardizing the other liquor stores already here.

Lonnie Nowlin, one of the property owners, said he sunk lots of money into a furniture store here but there was not a draw for that store here. He had to move. The people here wouldn't support him. You want business here but you don't support when it is here. He was spending $1200/month in advertising to try to get people here from Lewisville or Denton. He's not for liquor stores, but, what else is there to go in there? He said if it was a club or strip joint he'd be hollering, too. Something has to help the city. C-3 opens doors to other things. We would not be getting another liquor store, they're going to move. He has $140,000 invested in that building and asked what he is supposed to do. He doesn't like having his building empty for almost a year.

Ernesto Lopez, Jr., 55 Kingswood, said Mr. Lively does his homework for the medical field but not for the liquor stores. Buckeye's been a Goody-Goody for several months, but Mr. Vince made sure the name of that store would never be anything but Buckeye. Mr. Barnard, Mr. Shikle, and Mr. Minnis were on that board making sure no skin places would be here. He said it would not be another liquor store. His help is TABC certified. They check ID's at their store and use TABC undercover officers for a sting. His daughters have high morals and one was graduated from A & M. They were raised by him and went to school on money he made at the liquor store. This is about commerce. He does wholesale and retail. He said he will be here every year until he gets it.

David Shershen - anyone's allowed to get up in this country and say anything they want. The tax derived from liquor stores is planned on in the city's budget.

Chairman Wilson closed the public hearing at 9:20 PM.

6) Consideration and Action on an application for a proposed zoning change to First Highway Addition Lots 5 and 6, Block A from C-1 Commercial zoning district to C-3 Commercial zoning district.

Motion was made by Commissioner Barnard to table this until we meet with the City Council to get direction and have a workshop on zoning changes and how C-3 fits with the Comprehensive Plan and set a guideline that would address C-3 zoning within the city and address the spot-zoning definition prior to lots 5 & 6 coming back to the Planning and Zoning Commission. Seconded by Commissioner Shelton.

Ayes: Chairman Wilson, Commissioners Shelton, Barnard, and Danner
Noes: None

Motion Passed

6) Approval of Minutes for March 1 and March 29, 2001 meetings.

Motion was made by Commissioner Barnard to accept the minutes as written. Seconded by Commissioner Danner.
Ayes: Chairman Wilson, Commissioners Shelton, Barnard, and Danner.
Noes: None

Motion Passed

C. Adjournment

Motion to adjourn was made by Commissioner Barnard. Seconded by Commissioner Shelton.
Ayes: Chairman Wilson, Commissioners Shelton, Barnard, and Danner
Noes: None

Motion Passed

The meeting was adjourned at 9:52 PM.

CITY OF LAKE DALLAS, TEXAS

Lance Wilson
Temporary Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 29, 2001, at 7:30 PM in a special meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members Present:

Tony Marino, Chairman
Al Bavon, Vice Chairman
Peggy Shelton
Frank Barnard
Lance Wilson
Carol Ann Connors
Randy Danner, Alternate

Commissioner Wilson was excused. Staff present: Acting City Secretary Vaughn.

CITIZENS' AGENDA:

No one came forward to speak so Chairman Marino closed the Citizens' Agenda.

B. BUSINESS:

1. Public Hearing on proposed replat of Tract 100 of A 1355A Wright, 600 block of Sargent Street on the west side of the street.

Ivan Bounds, 440 Betchan Street, said this property is next to his and is staked off wrong.

Mark Lucas, 609 Sargent, said Sargent is not geared to a lot of traffic. He expressed concern about drainage and sewage in the area with the addition of 4 new homes on the street.

Frank Barnard, 328 Betchan, said he had purchased the property six years ago and had recently decided to have it replatted. It is in R-1-6000 Residential district zoning district. He said he paid to have the survey done and did not think anything dishonest had been done in the surveying process. There will be city sewer. The zoning will not be changed to group housing. There will be normal setbacks. He addressed the definition of 'subdivision' on page CD94:3 in the municipal code. He said he does not agree that his replat should be subject to Sec. 94-112 Street design in the municipal code. He said Sargent Street is not a major thoroughfare. He assured Mr. Bounds that he was not going to take any of Mr. Bounds' property.

Chairman Marino closed the Public Hearing. After a short discussion among the commissioners Chairman Marino re-opened the Public Hearing.

Frank Barnard, 328 Betchan, said he still was concerned with the definition of subdivision and the street design for a thoroughfare. He does not want to have to pay for another survey.

Mark Lucas, 609 Sargent, said he hopes the issue of the drainage will be looked at by the City Council when this comes before them.

2. Consideration and Action on proposed replat of Tract 100 of A 1355A Wright, 600 block of Sargent Street on the west side of the street.

Motion was made by Commissioner Connors to approve the replat of Tract 100 of A 1355A Wright, also known as 603 Sargent Street, 1.29 acres, and it is the opinion of the Planning and Zoning Commission that under Subdivisions Sec. 94-112 paragraph (b) of the Municipal Code does not apply. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Bavon, Shelton, Connors, and Danner
Noes: None
Abstentions: Commissioner Barnard

Motion Passed

3. Consideration and Action on proposed Ordinance to change rear setbacks for accessory buildings in the R-1-1000, R-1-7200 and R-1-6000 Dwelling districts.

Motion was made by Commissioner Connors to accept the proposed ordinance to change the rear setbacks for accessory buildings in R-1-10000, R-1-7200, and R-1-6000 and Section 122-133 paragraph (b) and Section 122-183 paragraph (b) the last half of the sentence to read no closer that three (3) feet from the rear or side lot lines for R-1-7200 and R-1-6000 and that Section 122-85 add a paragraph (b) to reflect three (3) feet from rear and side lot lines. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Bavon, Shelton, Barnard, and Connors
Noes: None

Motion Passed

C. Workshop:

1. Review of proposed Ordinances to create a Marina (MA) District and review of addition of MA District regulations to the Table for signs.

There was discussion among the commissioners and Mike Drozd. Changes made were under Section 122-541 Permitted uses. Changes were made to:
(4) Warehousing and storage of any items except junk or salvage in an enclosed structure.
(5) Office buildings limited to forty-two (42) feet.
(11) Hotels.

No additional changes were made to the signs table.

D. Adjournment

Motion was made by Commissioner Barnard to adjourn. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Bavon, Shelton, Barnard, and Connors.
Noes: None

Motion Passed

Meeting was adjourned at 9:30 PM.

CITY OF LAKE DALLAS, TEXAS

Joni Vaughn
Acting City Secretary

Tony Marino, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 15, 2001, at 7:35 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members Present:

Tony Marino, Chairman
Frank Barnard
Lance Wilson
Randy Danner

Commissioners Bavon and Connors were excused. Commissioner Shelton was absent. Staff present: Acting City Secretary Vaughn.

CITIZENS' AGENDA:

No one came forward to speak so Chairman Marino closed the Citizens' Agenda.

B. BUSINESS:

1. Approval of minutes for February 15, 2001 meeting.

Motion was made by Commissioner Danner to approve the minutes. Seconded by Chairman Marino.
Ayes: Chairman Marino, Commissioners Barnard, Wilson and Danner
Noes: None

Motion Passed

C. Workshop:

1. Review of proposed Marina District regulations ordinance.

Item (4) of the Ordinance should read "Warehousing, wholesaling and storage of any marina related items except junk or salvage."

Item (5) of the Ordinance should read "Office buildings limited to 2 1/2 stories or 35 feet."

Item (11) of the Ordinance should read "Hotels limited to 2 1/2 stories or 35 feet."

2. Review of Sign Ordinance regulations for Marina District.

Reference to Note 5 under 'Spacing' should be removed.

3. Review of R-2 Two-Family Dwelling District regulations.

This item was tabled until a later meeting.

4. Review of R-3 Multifamily Residence District regulations.

This item was tabled until a later meeting.

5. Review of setbacks for accessory buildings in all residential districts.

The definitions of a garage or a storage building were discussed. The Commission proposed that Section 122-183(b) and Section 122-133 (b) of the Lake Dallas Municipal Code should be changed to "not closer than three feet from any lot line." In Section 122-85 of the municipal code the last line referring to yard requirements should be deleted. A paragraph (b) should be added as in Sections 122-183 and 122-133 to read for R-1-10000 that distances from lot lines be three feet.

D. Adjournment

Motion was made by Commissioner Barnard to adjourn. Seconded by Commissioner Danner.
Ayes: Chairman Marino, Commissioners Barnard, Wilson and Danner.
Noes: None

Motion Passed

Meeting was adjourned at 10:05 PM.

CITY OF LAKE DALLAS, TEXAS

Tony Marino, Chairman

Joni Vaughn
Acting City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on February 15, 2001, at 7:30 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members Present:

Tony Marino, Chairman
Al Bavon, Vice Chairman
Carol Ann Connors
Randy Danner

Commissioners Shelton and Barnard were excused. Commissioner Danner arrived at 7:47 PM. Commissioner Wilson was absent. Staff present: City Secretary Weikum.

CITIZENS' AGENDA:

Steven Bertrand, 707 Oakley, said if he can speak on workshop about the setbacks for accessory buildings he will wait until that time.

No one else came forward to speak so Chairman Marino closed the Citizens' Agenda.

B. BUSINESS:

1. Public Hearing on an application for Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey.

Gerald Hartley, 403 E. Rock Island Avenue, Boyd, Texas, is an attorney and he represents Jim Doerr, the applicant. He'd like to discuss both sides. He gave a background on the Doerrs and understands from the net that the city is interested in the Food Fare Building. If the SUP is granted there is existing language in Mr. Doerr's contract with the owners of Food Fare to allow Mr. Doerr to get out of his lease if the City purchases the building. There are also provisions in the lease in case Denton County takes a position on 7 liners so Mr. Doerr could get out of the lease and let someone else use the bldg. He discussed the handout he had prepared for the commissioners. He said it is in a mixed-use area. There is appropriate parking there. He's proposing to put in 35 machines and there are more than 35 parking spaces. They're here to answer their questions. When asked if alcohol would be served, Mr. Hartley answered there would not. The plan is only to serve snack foods. The hours would be 10 AM until midnight. You have to be 21 years of age to participate.

Geneva Tyree, 504 Howard, Lake Dallas Café owner, said she wants to see the arcade at that location. Since the bar closed she has lost twenty customers.

Sherry Shelton, 82 Lakewood, Hickory Creek, said they enjoy going to the arcade. She thinks Jim and Kathy Doerr are great people.

Edie Martin, 332 South Shady Shores, Shady Shores, said we need more recreation for older people.

Sandra Bush, 1432 Crestnut, Lewisville, said she has been employed by the Doerrs for a year and a half and would like to see it come back. The Doerrs are great people.

Betty Shelton, 82 Lakewood, Hickory Creek, said she would like to see it come back. It was a place to go to have good, clean fun. The older people could get together and enjoy it.

Chairman Marino closed the Public Hearing when no one else came forward to speak.

2.Consideration and Action on an application for Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey.

Motion was made by Commissioner Connors to approve the application for a Special Use Permit to operate an arcade at 210 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey. Seconded by Commissioner Bavon.
Ayes: Chairman Marino, Commissioners Bavon, Connors and Danner
Noes: None

Motion Passed

2. Approval of minutes for January 18, 2001 meeting.

Motion was made by Chairman Marino to approve the minutes. Seconded by Commissioner Bavon.
Ayes: Chairman Marino, Commissioners Bavon, Connors, and Danner
Noes: None

Motion Passed

C. Workshop:
1. Review of proposed Marina District regulations ordinance.

Mike Drozd submitted Item (3) to read: Manufacturing, fabrication or assembling of any wood, composites, metals and any marine related products including trailers -- except junk, salvages, chemical laboratories or concrete and asphalt batching plants. He said composites would include fiberglass. They are requesting 42 feet on the height limit. The ordinance will be revised to include these changes before the next workshop.

2. Review of Sign Ordinance regulations for Marina District.

Mike and Tommy Drozd said that on Item (8) of the sign ordinance they'd like to request 200 square feet for the size. They said the sign would be facing the lake. They asked the commission to look at changing the height of 25 feet to a higher limit. Since the M-1 zoning district has a height restriction of 35 feet the commission was willing to allow 35 feet as the height restriction for the Marina District. Mr. Drozd asked that on Section 6-35 they would like the construction type permitted to be R-W.

3. Review of R-2 Two-Family Dwelling District regulations.

The commission decided to table this item until they had more information. This district may need to have stricter requirements.

4. Review of setbacks for accessory buildings in all residential districts.

Steven Bertrand - 707 Oakley Drive, stated that last month that he had received a letter from the city requiring him to move his building by April 15. It was generated by complaint from neighbor behind him who said the building was too close to the back fence. There are other neighbors around him as well as all around town that are not adhering to the required setbacks for accessory buildings. He's asking that setback requirements be the same for all residential zonings. Thinks it should be uniform.

D. Adjournment

Motion was made by Commissioner Connors to adjourn. Seconded by Commissioner Bavon.
Ayes: Chairman Marino, Commissioners Bavon, Connors and Danner.
Noes: None

Motion Passed

Meeting was adjourned at 8:45 PM.

Tony Marino, Chairman

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 18, 2001, at 7:30 p.m. in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Tony Marino, Chairman
Frank Barnard
Peggy Shelton
Randy Danner

Commissioner Bavon and Alternate Connors were excused. Commissioner Wilson arrived at 7:45 PM. Staff present: Joni Vaughn. Councilmembers Johnson and Harper were present.

A. Citizens' Agenda

Steven Bertrand, 707 Oakley Drive, said he had received a letter from the Community Development Department of the City of Lake Dallas about his storage building in his back yard being too close to the fence. He requested the Commission to consider changing the ordinance in a future meeting.

Chairman Marino closed the Citizen's Agenda when no one else came forward to speak.

B. Business

1. Public Hearing on application on proposed replat of Lot 8 and Lot 9 of Block A Barmarchar Sites into one lot.

David Jackson, owner of the building, spoke about the uses planned for the building to be constructed on this replat.

Chairman Marino closed the public hearing when no one else asked to speak.

2. Consideration and Action on proposed replat of Lot 8 and Lot 9 of Block A Barmarchar Sites into one lot.

Motion was made by Commissioner Barnard to accept the application for replat. Seconded by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners Shelton, Barnard, Wilson, and Danner
Noes None

Motion Passed

3. **Consideration and Action on proposed zoning change from R-1-6000 Residential zoning district to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas.**

Motion was made by Commissioner Barnard to deny the proposed zoning change from R-1-6000 Residential zoning district to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas. Seconded by Commissioner Wilson.
Ayes: Chairman Marino, Commissioners Shelton, Barnard, Wilson, and Danner.
Noes: None

Motion Passed

4. **Consideration and Action on naming Vice Chair for Planning and Zoning Commission.**

Motion was made by Chairman Marino to nominate Al Bavon as vice chairman. Seconded by Commissioner Barnard.
Ayes: Chairman Marino, Commissioners, Shelton, Barnard, Wilson, and Danner.
Noes: None

Motion Passed

5. **Approval of minutes for January 4, 2001 meeting.**

Motion was made by Chairman Marino to approve the minutes for the January 4, 2001 meeting. Seconded by Commissioner Shelton.
Ayes: Chairman Marino, Commissioners, Shelton, Barnard, Wilson, and Danner
Noes: None

Motion Passed

C. **Workshop:**
1) **Development of proposed Marina District regulations.**

Mike Drozd of the Lakeview Marina was there for the discussion about marina district regulations. Changes will be made to items (3) and (8) of Section 122-541; a change to item (a) of Section 122-543; a change to Section 122-544.

2) Sign Ordinance Workshop

A change to Section 6-35 of the Municipal Code is recommended to add MA district regulations: maximum area in square feet of 120; maximum height in feet of 25; construction type of W (wall sign); no setback required; under Spacing show Note 5; lighting is yes; flashing is no; motion is no; maximum duration is permanent; additional requirements is Note 7 - Facing the Lake.

D. Adjournment

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Chairman Marino.

Ayes: Chairman Marino, Commissioners Shelton, Barnard, Wilson, and Danner

Noes: None

Motion Passed

Meeting was adjourned at 9:20 PM

Tony Marino
Chairman

Joni Vaughn

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 4, 2001, at 7:30 p.m. in a special called meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Tony Marino, Vice Chairman
Al Bavon
Peggy Shelton
Carol Ann Connors
Randy Danner

Commissioner Barnard was absent. Commissioner Wilson arrived at 8:37 PM. He did not take a place at the table. Staff present: City Secretary Weikum.

A. Citizens' Agenda
No one came forward to speak.

B. Business

1. **Public Hearing on application to consider a zoning change from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1663 A. J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Guadalupe Gomez, 111 Hundley Drive, said they had received legal and financial advice to have the property zoned residential in order to better obtain financing for this property.

No one else came forward to speak.

Vice Chairman Marino closed the public hearing.

2. **Consideration and Action on application to consider a zoning change from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1663 A. J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas.**

Motion was made by Commissioner Connors to approve the application for a zoning change from C-1 Commercial zoning district to R-1-7200 Residential zoning district for A1163 A.J. Simmons, Tract 19; street address 111 Hundley Drive, City of Lake Dallas, Denton County, Texas. Seconded by Vice Chairman Marino.
Ayes: Vice Chairman Marino, Commissioners Shelton, Connors, and Danner
Noes Commissioner Bavon

Motion Passed

3. **Consideration and Action on naming Chairperson for Planning and Zoning Commission. (tabled from December 21 meeting)**

Commissioner Bavon nominated Vice Chairperson Marino to be Chairperson. Seconded by Commissioner Shelton.
Ayes: Commissioners Bavon, Shelton, Connors, Danner, and Vice Chairman Marino
Noes: None

Motion Passed

4. **Approval of minutes for December 21, 2000 meeting.**

Motion was made by Chairman Marino to approve the minutes for the December 21, 2000 meeting. Seconded by Commissioner Shelton.
Ayes: Chairperson Marino, Commissioners Bavon, Shelton, Connors, and Danner
Noes: None

Motion Passed

C. **Workshop:**

1) **Development of proposed Marina District regulations.**

There was discussion among the commissioners and Mike and Tommy Drozd (owners of the property to be designated as Marina area). Other input was made by Ben Gilbert and Linwood Gilliland. The commission and the owners agreed on several changes to be made to the current proposed MA zoning requirements. This ordinance is to be re-worked and presented to all parties prior to another workshop to be scheduled for the regular meeting on January 18.

D. **Adjournment**

Motion was made by Commissioner Connors that the meeting be adjourned. Seconded by Commissioner Bavon.
Ayes: Chairperson Marino, Commissioners Bavon, Shelton, Connors, and Danner
Noes: None

Motion Passed

Meeting was adjourned at 9:35 PM

Tony Marino
Chairperson

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on December 21, 2000, at 7:30 p.m. in a regular meeting at City Hall located at 303 Alamo Avenue, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Frank Barnard
Carol Ann Connors
Randy Danner

Vice Chairman Marino and Commissioner Shelton were excused. Commissioner Wilson arrived at 7:45 PM. Staff present: City Secretary Weikum.

A. Citizens' Agenda
No one came forward to speak.

B. Business

1. Consideration and Action on election of officers for the commission.

Motion was made by Commissioner Bavon to table this item until the next meeting and appoint Commissioner Barnard as temporary Chairperson for tonight. Seconded by Commissioner Connors.
Ayes: Commissioners Bavon, Barnard, Connors, and Danner
Noes None

Motion Passed

2. Public Hearing on application to consider a zoning change from R-1-6000 Residential to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas.

Ronnie Phillips, 113 South Lakeview Drive, said he lives next door to the property and wants to find out what's going to happen.

Norman Phillips, 402 South Lakeview Drive, said he's the one who's trying to get it rezoned. He said he is trying to get a street in there. The homes would be single family and brick. They would be comparable to homes already there. They will move the trailer. The lot sizes would vary. They plan to live in one and some family would live in a couple others. The rest of the homes would be rental units.

Robert Reiter, 201 South Lakeview Drive, stated that the plan looked more commercial to him and he's trying to look to the future. He was concerned with what the distance would be from his fence. He also said it could possibly lower his property value with rental units there.

Carla Jo Thomas, 101 South Lakeview, expressed concern about rental properties on that property.

3. **Consideration and Action on application to consider a zoning change from R-1-6000 Residential to Group Housing zoning district for A1355A Wright, Tract 2, street address 115 South Lakeview Drive, City of Lake Dallas, Denton County, Texas.**

There was discussion regarding setbacks. Concern was expressed about group housing zoning which could allow duplexes or four-plexes. The zoning doesn't appear to be proper for this area and perhaps a variance would be the procedure that should be followed.

Motion was made by Commissioner Barnard to table this item and get clear direction from the City Council to determine the criteria for the zoning; get a clear definition from our City Attorney on what spot zoning is; and, should we follow the city-approved Comprehensive Plan in making decisions. Seconded by Commissioner Connors.
Ayes: Commissioners Bavon, Barnard, Wilson, Connors, and Danner
Noes: None

Motion Passed

4. **Approval of minutes for November 16 and December 7, 2000 meetings.**

Motion was made by Commissioner Wilson to approve the minutes. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Barnard, Wilson, Connors and Danner
Noes: None

Motion Passed

C. **Workshop:**
1) **Development of commercial zoning regulations for the Swisher Road extension.**

The workshop was tabled due to lack of information and the length of time before the extension will be accomplished.

D. **Adjournment**
Motion was made by Commissioner Wilson that the meeting be adjourned. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Barnard, Wilson, Connors, and Danner
Noes: None

Motion Passed

Meeting was adjourned at 8:10 PM

Frank Barnard
Temporary Chairperson

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on December 7, 2000, at 7:30 p.m. in a special meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Tony Marino
Peggy Shelton

Commissioners Bavon and Fahey were excused. Alternate Barnard was excused. Alternate Wilson was absent. Staff present: City Secretary Weikum.

A. Citizens' Agenda
No one came forward to speak.

B. Business

1. Public Hearing on proposed ordinance creating the MA -- Marina zoning district.

Mike Drozd, 114 Noyes Street, said City Manager Fairburn had told them to write up a proposal of items they would like to see in the new district.

Tom Drozd, 704 Oakley Drive, said he approves of the MA instead of the M-1, but he wants some other changes to what was listed to be part of the ordinance creating the MA zoning district. He said they need to do outside repairs. If the lake level stays down it hurts their business and they may need to resort to fabricate boat docks as a way to generate revenue. He said he is building race cars and has lumber there that he sells. If their business continues to be down because of the lake level he has given thought to putting in a sports arena for kids. He feels that would be a good moneymaker. He asked the commission to table this item and schedule a workshop with them before it goes to the council.

2. Consideration and Action on proposed ordinance creating the MA -- Marina zoning district.

Chairman Gilbert said the uses and building they currently have would be grandfathered.

Motion was made by Commissioner Marino to table this item and to schedule a workshop for January 4. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Marino and Shelton.
Noes None

Motion Passed

3. Approval of Minutes for October 19 and November 2 meetings.

Motion was made by Commissioner Marino to approve the minutes. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Marino and Shelton
Noes: None

Motion Passed

4. Public Hearing on proposed replat of Lots 20A, 20B, 20C and 20D of the second replat of Harbourtown Villas Phase I as amended.

Blake Wagner said he is the general contractor and doing the building for the owner of the property. He said the duplex on lots A & B is within 5' setbacks. The setbacks on C & D were 2' off. With the replat the will be able to meet the setbacks.

Marjory Johnson, 905 Vista Oaks Court, asked what the distance would be between the two duplexes. Mr. Wagner said fifteen feet, 2 inches.

5. Consideration and Action on proposed replat of Lots 20A, 20B, 20C and 20D of the second replat of Harbourtown Villas Phase I as amended.

Motion was made by Commissioner Marino to accept the replat of Lots 20A, 20B, 20C, and 20D of the second replat of Harbourtown Villas Phase I as amended. Seconded by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Marino and Shelton
Noes: None

Motion Passed

6. Consideration and Action on nominating and selecting a vice chair person for the Planning and Zoning Commission.

Chairman Gilbert nominated Commissioner Marino to be the vice-chairperson. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Shelton and Marino
Noes: None

Motion Passed

Chairman Gilbert reported that Commissioner Mike Fahey had turned in his resignation.

Chairman Gilbert said this was his last meeting on the Planning and Zoning Commission. He has served his term. He said he wanted to thank everyone and said all those with the city had been a big help.

C. Adjourn

Motion was made by Commissioner Marino that the meeting be adjourned. Seconded by Commissioner Shelton.

Ayes: Chairman Gilbert, Commissioners Marino and Shelton

Noes: None

Motion Passed

Meeting was adjourned at 8:05 p.m.

Ben Gilbert, Chairman

Beverly Welkum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on November 16, 2000, at 7:33 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Peggy Shelton
Frank Barnard

Commissioners Marino and Fahey were excused. Commissioner Wilson arrived at 7:55 PM
Staff present was City Secretary Weikum.

A. **Citizens' Agenda**
David Shershen, 166 Kingswood, congratulated the board for listening and for showing renewed interest in our city.

Tom Drozd, 704 Oakley, said he's been working with City Manager Fairburn closely on the MA zoning district. He said 35' height will not be enough; they will need 45' for height. He said they sand boats so there will be dust. He asked the Planning and Zoning Commission to work with them.

Richard Lamberti, 781 Texas Oak Trail, said he is really upset about allowing more liquor stores in town.

Gene Tisdale, 524 Howard, said he remembers a mayor who said no more mobile homes. That mayor is no longer here but the mobile homes are. He hopes the people who have moved here noticed we are 'wet' and have a marina.

B. **Business**
1. **Public Hearing on proposed ordinance amending the Comprehensive Zoning Map by changing zoning on W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27 and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district.**

Dave Snider, 7 Point Vista Drive, asked for a little more than 5 minutes to speak. He said the economics of the city have been sad the past few years but the sales tax revenues have increased about 14 per cent. He talked about how he started his business, Technicians on Wheels, and how it has progressed. He said there are advantages and disadvantages to C-1 and C-2 zoning. He thinks M-1 zoning district presents endless possibilities. He has a buyer coming soon and that if his property is rezoned that may drive him out of business. He said Technicians on Wheels is not going to move out of town.

Bob Davis, 73 Lakeridge, said Mr. Snider has done so much for this community. He has been voted Citizen of the Year in Hickory Creek. Until we get more business down by the lake, don't change the zoning.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on November 16, 2000, at 7:33 PM in a regular meeting at the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Peggy Shelton
Frank Barnard

Commissioners Marino and Fahey were excused. Commissioner Wilson arrived at 7:55 PM Staff present was City Secretary Weikum.

A. **Citizens' Agenda**
David Shershen, 166 Kingswood, congratulated the board for listening and for showing renewed interest in our city.

Tom Drozd, 704 Oakley, said he's been working with City Manager Fairburn closely on the MA zoning district. He said 35' height will not be enough; they will need 45' for height. He said they sand boats so there will be dust. He asked the Planning and Zoning Commission to work with them.

Richard Lamberti, 781 Texas Oak Trail, said he is really upset about allowing more liquor stores in town.

Gene Tisdale, 524 Howard, said he remembers a mayor who said no more mobile homes. That mayor is no longer here but the mobile homes are. He hopes the people who have moved here noticed we are 'wet' and have a marina.

B. **Business**

1. **Public Hearing on proposed ordinance amending the Comprehensive Zoning Map by changing zoning on W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27 and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district.**

Dave Snider, 7 Point Vista Drive, asked for a little more than 5 minutes to speak. He said the economics of the city have been sad the past few years but the sales tax revenues have increased about 14 per cent. He talked about how he started his business, Technicians on Wheels, and how it has progressed. He said there are advantages and disadvantages to C-1 and C-2 zoning. He thinks M-1 zoning district presents endless possibilities. He has a buyer coming soon and that if his property is rezoned that may drive him out of business. He said Technicians on Wheels is not going to move out of town.

Bob Davis, 73 Lakeridge, said Mr. Snider has done so much for this community. He has been voted Citizen of the Year in Hickory Creek. Until we get more business down by the lake, don't change the zoning.

Harry Whitaker, 713 Hundley, said he's is opposed to the rezoning. There is enough traffic with the current businesses. He likes it as it is.

David Shershen, 166 Kingswood, said any time change happens there is an action and reaction. The marina and Hundley Boats is what brought people here. We need to look for new business and growth but also need to take care of those who are already there.

Byron Hundley, Denton, said he is opposed to the change in the zoning. He and his dad built their business there on Hundley in 1940.

Margaret Tisdale, 509 Howard, doesn't think it's right to change the zoning.

Mike Minnis, 204 Oakwood, said any time a business comes to the board for help they should try to accommodate them.

Winston Harper, 390 S. Lakeview, said we need to fill up spaces down here without worrying about changing zoning down there. He doesn't think it's a healthy thing to change right now.

Eric Ko, owns 715 Hundley, is pleased with the way it is now. Don't generate more noise.

2. **Consideration and Action on proposed ordinance amending the Comprehensive Zoning Map by changing zoning on W. D. Franks University Camp Block 1, Lots 20, 21, 22, 23, 24, 25, 26, 27 and 28 from M-1 Light Industrial zoning district to C-2 Commercial zoning district.**

There was discussion about the uses allowed in C-2 zoning district so the list was read to the audience since the Commission felt there was a misconception about this change. Most towns don't have M-1 because it's undesirable and allows such business as freight terminals. The change is part of the Comprehensive Plan and would be a good result in the long run. The businesses that are already there are grandfathered. There was a suggestion to change the ordinances regarding the zoning district instead of changing zoning.

Motion was made by Commissioner Bavon to accept the ordinance amending the zoning map by rezoning Lots 20-28, Block 1 of W. D. Franks University from M-1 to C-2. Seconded by Commissioner Barnard if the motion would be amended.

Motion was made by Commissioner Bavon to accept the ordinance amending the zoning map by rezoning Lots 20-28, Block 1 of W. D. Franks University from M-1 to C-2 with a 90 day grace period. Seconded by Commissioner Barnard.
Ayes: Chairman Gilbert, Commissioners Bavon, Shelton and Barnard
Noes: Commissioner Wilson

Motion Passed

3. Public Hearing on an application for a special use permit to operate a private club at 210 Main Street.

Bill Dahlstrom, Dallas, represents the building's owner where the special use permit application has been requested. He said it would be a private club and restaurant not a liquor store. Mr. Barnes is a very conscientious operator. He would generate revenue. Mr. Barnes is involved in civic activities in Lewisville. The club would help funnel business back to the Main Street area. He respectfully requested approval of the permit.

J. W. Lively, 527 Oak Lake Drive, said this club or restaurant is not what we need on Main Street. He's okay with the building sitting empty.

Odie Harrelson, 907 Vista Oak, said it's way too close to all the schools on Main Street. He said there's enough C-3 zoning on the west side of town

Bill Dahlstrom said the owner of the building has not been able to find any other business to go in at that site. They cannot let it set empty. It's a detriment to the owner as well as the city.

Betty Harper, 390 S. Lakeview Drive, said there was a gentleman who had come before the Council with ideas for a youth center in that building. He owns the sports shop by Albertson's.

4. Consideration and Action on an application for a special use permit to operate a private club at 210 Main Street.

The commissioners asked the applicant to come forward.
Keith Barnes, 1174 Settlers Way, Lewisville, said he planned to put a restaurant and club in the building. There would be live music and dancing, darts and billiards leagues and horseshoes. It would be an entertainment facility. The food percentage would probably be about 25% until business picked up. His club would be more upscale than the other two clubs that are already in the city. His hours would be 12 noon until 2 am for 7 days a week. He said the concerns about the noise and traffic shouldn't interfere with any residences.

Motion was made by Commissioner Barnard to deny the special use permit as requested. Seconded by Commissioner Wilson.
Ayes: Commissioners Bavon, Shelton, Barnard, and Wilson
Noes: Chairman Gilbert

Motion Passed

5. Public Hearing on an application for rezoning of lots 1 - 4 Block A of First Highway Addition along Denton Drive from C-1 commercial zoning district to C-3 commercial zoning district.

Odie Harrelson, 907 Vista Oak, said there is no use bringing in another liquor store. We have to make things better in this city. If one little child gets killed here due to alcohol it won't be worth all the dollars the store will bring in.

J. W. Lively, 527 Oak Lake, said we do not need to have another liquor store here.

David Shershen, 166 Kingswood, gave a letter from the owners and manager of D & J to the members of the Planning and Zoning Commission. He said they were unable to attend the meeting tonight and asked him to represent them. He said Mr. Lee would not be opening another package store, they would simply be moving. He said they also planned to put some specialty items at this location, not just alcohol.

Bonnie Brown Garcia, Post Office Box 25, said Mr. Lee bought the property over a year ago. She thinks both sides of Denton Drive should be C-3. She doesn't believe in spot zoning and that's why she joined the petition. She said Mr. Lee has been in Lake Dallas for 17 years and the change would give Mr. Lee more space for his business.

Odie Harrelson, 907 Vista Oaks, said he is opposed to the change.

Thanna Bounds, 440 Betchan, said this is the third time this has come up. The Council has turned it down twice and should turn it down again.

Margaret Tisdale, 509 Howard, said she's against liquor stores but that supply and demand should take care of that.

Linwood Gilliland, 703 Payton, said he doesn't think we need more liquor stores.

Winston Harper, 390 S. Lakeview, said he thinks we should spend as much energy on trying to get things to come here as trying to keep liquor out. This man has a building and he can't use it for his business. We need to get these vacant buildings filled.

6. **Consideration and Action on an application for rezoning of lots 1 - 4 Block A of First Highway Addition along Denton Drive from C-1 commercial zoning district to C-3 commercial zoning district.**

Motion was made by Commissioner Barnard to deny the ordinance to change the zoning on lots 1-4, Block A of the First Highway Addition from C-1 to C-3. Seconded by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Bavon, Barnard, and Wilson
Noes: None
Abstentions (without affidavit): Commissioner Shelton

Motion Passed

7. **Consideration and Action on proposed parking lot for commercial development on 10R Barmarchar Estates, north of bank on I-35E frontage road.**

Motion was made by Commissioner Bavon to approve 37 parking spaces for the proposed development on the frontage road north of the bank (Barmarchar Estates) pending a deed of easement. Seconded by Commissioner Wilson.
Ayes: Chairman Gilbert, Commissioners, Bavon, Shelton, Barnard, and Wilson
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Bavon that the meeting be adjourned. Seconded by Commissioner Wilson.

Ayes: Chairman Gilbert, Commissioners Bavon, Shelton, Barnard, and Wilson

Noes: None

Motion Passed

Meeting was adjourned at 10:50 p.m.

Ben Gilbert, Chairman

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on November 2, 2000, at 7:30 p.m. in a special meeting in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Tony Marino
Mike Fahey
Frank Barnard

Commissioners Bavon and Shelton were excused. Alternate Wilson arrived at 7:37 p.m. Staff present: City Manager Fairburn and City Secretary Weikum.

A. Citizens' Agenda
No one came forward to speak.

B. Business

1. Public Hearing on proposed replay of Lot 17 and Lot 18 of Block K of Garza Beach Estates into Lot 17R, Block K of Garza Beach Estates.

No one came forward to speak.

2. Consideration and Action on proposed replat of Lot 17 and Lot 18 of Block K of Garza Beach Estates into Lot 17R, Block K of Garza Beach Estates.

Motion was made by Commissioner Barnard to approve the replat of Lots 17 and 18 of Block K in Garza Beach subdivision. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Marino, Fahey, and Barnard
Noes None

Motion Passed

3. Consideration and Action on parking requirements for a proposed business park north of the Northstar Bank of Texas on the I-35E frontage road.

City Manager Fairburn stated that the owner and developer were unable to attend the meeting tonight. This could be re-scheduled for a later date. The commissioners could discuss and bring forward questions for the owner and developer to address at that meeting.

Commissioner Wilson arrived during the discussion.

Motion was made by Commissioner Fahey to table this item. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Marino, Fahey, Barnard, and Wilson
Noes: None

Motion Passed

C. Workshop

1) Zoning for Swisher Extension.

City Manager Fairburn said we have not received a response to a letter written to the owners of Kingswood Development. We may try to bring them in to the next meeting and could talk with them at that time regarding the flood plain as well as the 200 feet of commercial property on either side of the Swisher Road extension.

2) Development of Marina zoning district regulations.

City Manager Fairburn said that some of the changes made to the draft were: 1) repair work can be done outside; 2) height of building can be three stories or 50 feet, instead of two stories; 3) front yard setback will be 40 feet instead of 15 feet; 4) rear yard, when abutting other districts, will be 20 feet instead of 25 feet; 5) off-street parking shall be determined by the commission; 6) plan approval must come to the Commission prior to permitting. There was discussion between the commissioners and Tommy Drozd, owner of the marina. Mr. Drozd was asked if he could possibly be okay with a 35 foot height instead of a 50 foot height. It was suggested that those properties be replatted so the marina need only be concerned with one front setback. No sign issues had been addressed at the previous meeting. We will need to add MA sign requirements to the municipal code. There will be a special meeting to be held the first Thursday in December.

D. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Wilson.

Ayes: Chairman Gilbert, Commissioners Marino, Fahey, Barnard, and Wilson

Noes: None

Motion Passed

Meeting was adjourned at 8:33 p.m.

Ben Gilbert, Chairman

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on October 19, 2000, at 7:35 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Tony Marino
Peggy Shelton
Mike Fahey

Alternate Barnard was absent. Alternate Wilson arrived at 7:58 p.m. Staff present: City Manager Fairburn and City Secretary Weikum.

A. **Citizens' Agenda**
No one came forward to speak.

B. **Business**

1. **Public Hearing on an ordinance amending the comprehensive Zoning Map by changing zoning of Second replat of Harbourtown from R-3 to R-2.**

Odie Harrelson, 907 Vista Oaks Court, said it would definitely help their area. It would be an upgrade to the area.

Charles Boner, 810 Lakebluff Drive, said he believes R-2 would be much better

Bonita Heston, 634 Harbourtown, asked when it changed to R-3. City Manager Fairburn said it had been R-3 for some time. When it was replatted in 1996 or 1997 it was already R-3.

Tom Barnes, 438 Lake Highland, said apartments would mean more problems and we don't have enough police now.

John Schuh, 737 Harbourtown, said this is the best we can do right now. He suggested something be done about parking regulations.

Chairman Gilbert closed the Public Hearing at 7:45 p.m.

2. **Consideration and Action on AN ORDINANCE AMENDING THE COMPREHENSIVE Zoning Map by changing zoning of Second replat of Harbourtown from R-3 to R-2.**

Motion was made by Commissioner Fahey to change the zoning from R-3 to R-2.
Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton and Fahey
Noes None

Motion Passed

3. Approval of minutes for meeting on September 21, 2000.

Commissioner Fahey asked that the minutes be amended to show that he had made a comment regarding item 8: Since there are many other towns around that are wet the C-3 zoning is not as important as it used to be.

Motion was made by Commissioner Bavon to approve the minutes as amended. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

C. Workshop

1) Zoning for Swisher Extension.
City Manager Fairburn gave a report on the Swisher Road extension to connect with the toll bridge. The property in the area the road will be passing through is currently zoned R-1-10000. In some of the discussions regarding the Comprehensive Plan the Planning and Zoning Commission has looked at making some of the property commercial zoning. A two hundred-foot strip on either side of the road seems to be a good figure. It would also be a good buffer between the road and residential areas. Lakeview will tie in to the new road. We could set up a meeting with the owners of the Kingswood Development area to get their input.

2) Development of Planned Development Zoning.
City Manager Fairburn gave his report that we currently have a planned residential zone and a planned commercial zone. Perhaps they could be combined into one ordinance. This will come back to the commission at a later date.

3) Development of Marina zoning district regulations.
City Manager Fairburn presented the draft regulations. Mike Drozd, marina owner, was present. There was discussion between Mr. Drozd and the commission about fencing, setbacks, building heights, private roads, parking, and rear yards. It was decided that MA should denote the Marina district on zoning maps. Metal buildings would be allowed (not corrugated metal) and there would be no masonry requirements.

D. Adjourn
Motion was made by Commissioner Bavon that the meeting be adjourned. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 8:55 p.m.

Beverly Weikum, City Secretary

Ben Gilbert, Chairman

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on October 19, 2000, at 7:35 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Tony Marino
Peggy Shelton
Mike Fahey

Alternate Barnard was absent. Alternate Wilson arrived at 7:58 p.m. Staff present: City Manager Fairburn and City Secretary Weikum.

A. **Citizens' Agenda**
No one came forward to speak.

B. **Business**

1. **Public Hearing on an ordinance amending the comprehensive Zoning Map by changing zoning of Second replat of Harbourtown from R-3 to R-2.**

Odie Harrelson, 907 Vista Oaks Court, said it would definitely help their area. It would be an upgrade to the area.

Charles Boner, 810 Lakebluff Drive, said he believes R-2 would be much better

Bonita Heston, 634 Harbourtown, asked when it changed to R-3. City Manager Fairburn said it had been R-3 for some time. When it was replatted in 1996 or 1997 it was already R-3.

Tom Barnes, 438 Lake Highland, said apartments would mean more problems and we don't have enough police now.

John Schuh, 737 Harbourtown, said this is the best we can do right now. He suggested something be done about parking regulations.

Chairman Gilbert closed the Public Hearing at 7:45 p.m.

2. **Consideration and Action on AN ORDINANCE AMENDING THE COMPREHENSIVE Zoning Map by changing zoning of Second replat of Harbourtown from R-3 to R-2.**

Motion was made by Commissioner Fahey to change the zoning from R-3 to R-2.
Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton and Fahey
Noes None

Motion Passed

3. Approval of minutes for meeting on September 21, 2000.

Commissioner Fahey asked that the minutes be amended to show that he had made a comment regarding item 8: Since there are many other towns around that are wet the C-3 zoning is not as important as it used to be.

Motion was made by Commissioner Bavon to approve the minutes as amended. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

C. Workshop

1) Zoning for Swisher Extension.
City Manager Fairburn gave a report on the Swisher Road extension to connect with the toll bridge. The property in the area the road will be passing through is currently zoned R-1-10000. In some of the discussions regarding the Comprehensive Plan the Planning and Zoning Commission has looked at making some of the property commercial zoning. A two hundred-foot strip on either side of the road seems to be a good figure. It would also be a good buffer between the road and residential areas. Lakeview will tie in to the new road. We could set up a meeting with the owners of the Kingswood Development area to get their input.

2) Development of Planned Development Zoning.
City Manager Fairburn gave his report that we currently have a planned residential zone and a planned commercial zone. Perhaps they could be combined into one ordinance. This will come back to the commission at a later date.

3) Development of Marina zoning district regulations.
City Manager Fairburn presented the draft regulations. Mike Drozd, marina owner, was present. There was discussion between Mr. Drozd and the commission about fencing, setbacks, building heights, private roads, parking, and rear yards. It was decided that MA should denote the Marina district on zoning maps. Metal buildings would be allowed (not corrugated metal) and there would be no masonry requirements.

D. Adjourn
Motion was made by Commissioner Bavon that the meeting be adjourned. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 8:55 p.m.

Beverly Weikum, City Secretary

Ben Gilbert, Chairman

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 21, 2000, at 7:31 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Tony Marino
Peggy Shelton
Mike Fahey
Frank Barnard, Alternate

Commissioner Wilson was absent.

Staff present: City Secretary Weikum.

A. Citizens' Agenda

Keith Barnes, 1174 Settlers Way, Lewisville, Texas asked that the Planning and Zoning Commission rule in favor of raising the moratorium on Main Street.

Chairman Gilbert replied that the Planning and Zoning Commission is only an advisory board.

Alan Mann, partner in the L. D. Shopping Center, 210-212 Main Street, said he was there to help Keith Barnes. He is hoping the moratorium will be resolved October 12 with no problems regarding the C-3 and C-2 zoning. He said Mr. Barnes is a very abiding citizen who would like to run a nightclub in his building. Mr. Mann said they had signed a lease with him and would like for him to get started. He asked the Planning and Zoning Commission to lift the moratorium.

Chairman Gilbert said the commission will make recommendations tonight.

Chairman Gilbert closed the Citizens' Agenda at 7:37 p.m. as no one else came forward to speak.

B. Business

1. Public Hearing on Commercial zoning requirements.

Chairman Gilbert said there have been no drastic changes. This has been worked on for several months. It has been to the City Council and came back to the Planning and Zoning Commission for any other recommendations.

Rod Courtney, 162 Kingswood, said he would like to see M-1 zoning changed to Commercial. He referred to the old Houghton property on Denton Drive and said if it could be rezoned to C-3 it would bring in a new building and business. This would generate more sales tax revenue and keep property tax raises from occurring. We need to put business in where people will stop and spend money on their way to the lake.

Chairman Gilbert read the C-1 and C-2 uses and said nothing had been changed very much. We were just streamlining the wording.

Linwood Gilliland, 703 Payton, said one of the problems we've overlooked in the past is the 15' setbacks. Most big cars and pickups are longer than that.

Chairman Gilbert said the commission had recommended 25' set backs. He closed the Public Hearing at 7:50 p.m.

2. Consideration and Action on Commercial zoning requirements.

Motion was made by Commissioner Fahey to approve the recommendations for Commercial zoning. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton and Fahey
Noes None

Motion Passed

3. Public Hearing on Manufacturing zoning requirements.

Chairman Gilbert read the permitted uses. No one came forward to speak on this item so Chairman Gilbert closed the Public Hearing at 7:52 p.m.

4. Consideration and Action on Manufacturing zoning requirements.

Motion was made by Commissioner Marino to approve the recommendations as written. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

5. Public Hearing on uses and procedures for Special Use Permits.

Chairman Gilbert read the uses that had been dropped from the list and said there no longer has to be a unanimous vote to pass the recommendation to Council.

6. Consideration and Action on uses and procedures for Special Use Permits.

Motion was made by Commissioner Bavon to approve the Special Use Permits uses and procedures. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None

Motion Passed

7. Public Hearing on rezoning the Main Street district from C-3 to C-2. This is Main Street east from Denton Drive to Lakeview Drive and Thompson Drive from Main Street to Lakeview Drive.

Chairman Gilbert read the full report on changing the zoning for this area.

Rod Courtney, 162 Kingswood, was speaking on behalf of his sister-in-law, Veronica. He said when she wants to retire and sell her C-3 property the down-zoning would devaluate her property. He said we have a ghost town and it's up to the city to make a difference. We need business here not all on the other side of I-35. He does not want the zoning changed.

Linwood Gilliland, 703 Payton, said we've never had a liquor store on Main Street past Alamo. The school is zoned C-3 and that needs to be changed. We should only change from Alamo east from C-3 to C-2. Going to C-2 where Food Fare is isn't going to bring anything in. Whatever we can get in on this little strip, we'd better do it. He asked the Commission to please take a hard look at this.

David Shershen, 166 Kingswood, said he appreciated Rod's and Linwood's comments. He asked the Planning and Zoning Commission to look toward the future and remember the past. Right now there's not a lot of opportunity to get businesses on Main Street. We'll have to put our personal preferences aside (short of pornography). He doesn't want any more liquor stores, but clubs should be welcome.

Winston Harper, 390 South Lakeview, said he has property next door. He would not buy any more commercial property in Lake Dallas. He said he has tenants in the building next door. He said he's not against clubs but we have enough regulations in our C-3 zoning. He said he has encouraged PaPa's BBQ to serve beer in their restaurant. He said we're beyond being choosers. He's not for the X-rated stuff and we have safeguards about that. He said changing to C-2 limits his choices and devaluates the property value. The Brown property should be changed. We need all the help we can get. He said we can't guarantee a club won't be there, but, no more package stores.

Ernesto Lopez, Jr., 55 Kingswood, referenced Mr. Harper's C-3 and Veronica's C-3. He said most people don't like to go to places when the next door is vacant. He said the Planning and Zoning Commission is making people run scared. Liquor's not number one, but it's here.

Chairman Gilbert closed the Public Hearing at 8:33 p.m. when no one else came forward to speak.

8. Consideration and Action on rezoning the Main Street district from C-3 to C-2. This is Main Street east from Denton Drive to Lakeview Drive and Thompson Drive from Main Street to Lakeview Drive. COMMISSIONER FAHEY SAID THAT SINCE THERE ARE SO MANY OTHER TOWNS AROUND THAT ARE WET THE C-3 ZONING IS NOT AS IMPORTANT AS IT USED TO BE. BGW Chairman Gilbert said that every time the alcohol issue comes up we have a full house. He said maybe we need to look over this a little bit.

Motion was made by Commissioner Fahey to rezone the Main Street District from C-3 to C-2. Seconded by Chairman Bavon.
Ayes: Commissioners Bavon and Fahey
Noes: Chairman Gilbert, Commissioners Marino and Shelton
Motion Failed

Commissioner Gilbert called for a break at 9:05 p.m.

Commissioner Gilbert called the meeting back to order at 9:10 p.m.

8. Approval of minutes for meeting on August 17, 2000.

Motion was made by Commissioner Fahey to approve the minutes of August 17, 2000. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes None
Motion Passed

C. Adjourn

Motion was made by Chairman Gilbert that the meeting be adjourned. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Shelton, and Fahey
Noes: None
Motion Passed

Meeting was adjourned at 9:12 p.m.

Ben Gilbert, Chairman

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on August 17, 2000, at 7:32 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Tony Marino
Mike Fahey
Lance Wilson

Commissioners Shelton and Barnard were excused.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda
Chairman Gilbert closed the Citizens' Agenda as no one came forward to speak.

B. Business

1. Consideration and Action on recommendations amending Commercial zoning districts.

Motion was made by Commissioner Bavon to accept the recommendations amending commercial zoning districts; C-1 and C-2 zoning districts would require one parking space for each 100 square feet of service floor area; 25' front and rear setbacks; R-1-10000 needs updated regarding side yards; drop the C-1 and C-3 requirements for dwellings. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Wilson.
Noes: None

Motion Passed

2. Consideration and Action on recommendations amending Special Use Permits.

There was discussion about refundable deposits for the Special Use Permit signs as well as the size of 4' x 4'.

Motion was made by Commissioner Bavon to approve the recommendations amending the uses and procedures for Special Use Permits. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Wilson
Noes: None

Motion Passed

3. Consideration and Action on recommendations amending M-1 zoning district requirements.

Linwood Gilliland, 703 Payton Street, said he doesn't think we can change ordinances on existing properties. He suggests waiting until someone comes in and needs special zoning. He said he appreciates the Planning and Zoning Commission and that they are doing a good job.

Motion was made by Commissioner Marino to accept the M-1 zoning recommendations. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Wilson
Noes: None

Motion Passed

4. Approval of Minutes for meeting on July 20, 2000.

Motion was made by Commissioner Marino to accept the July 20, 2000 minutes as written. Seconded by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Wilson
Noes: None

Motion Passed

Commissioner Gilbert called for a break at 8:50 p.m.

Commissioner Gilbert called the meeting back to order at 8:55 p.m.

C. Workshop:

1) Discussion of possible changes to M-1 and C-3 zoning districts at east end of Hundley and Lakeview Marina.

City Manager Fairburn said he would draft up something from the items brought up during discussion regarding a 'marina district.' After the commissioners look at the draft the property owners will be invited to a meeting for discussion.

D. Adjourn

Motion was made by Commissioner Marino that the meeting be adjourned. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey and Wilson
Noes: None

Motion Passed

Meeting was adjourned at 9:10 p.m.

Ben Gilbert, Chairman

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

A G E N D A

City of Lake Dallas

Planning and Zoning Commission
Council Chambers
303 Alamo

July 20, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on July 20, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. **Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.**

B. **Business:**

1) **Public Hearing on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial the west 375 feet of tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.**
2) **Consideration and Action on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial the west 375 feet of tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.**
3) **Approval of minutes for meeting on June 15, 2000.**

C. **Workshop:**
1) **Comprehensive Plan implementation**
2) **M-1 Light Industrial Zoning requirements**
3) **Special Use Permits**

D. **Adjourn**

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on July 14, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on July 20, 2000, at 7:35 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Tony Marino
Frank Barnard

Commissioners Bavon and Fahey were excused. Commissioner Shelton was absent and Alternate Wilson was absent.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

Chairman Gilbert closed the Citizens' Agenda as no one came forward to speak.

B. Business

1. **Public Hearing on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial the west 375 feet of tract 104 or A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the West.**

Chairman Gilbert called for a Staff Report.

City Manager Fairburn said the owner had been at the last meeting and thought C-2 zoning was more appropriate than residential. He said the City Council approved the change from M-1 to C-2 zoning for the eastern 125 feet of this property.

Chairman Gilbert closed the Public Hearing and called for a motion.

2. **Consideration and Action on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial the west 375 feet of tract 104 or A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the West.**

Motion was made by Commissioner Marino to approve the zoning district changes from M-1 Light Industrial to C-2 Commercial the west 375 feet of tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west. Seconded by Chairman Gilbert

Ayes: Chairman Gilbert, Commissioners Marino and Barnard
Noes: None

Motion Passed

3. Approval of Minutes for meeting on June 15, 2000.

Motion was made by Commissioner Marino to accept the June 15, 2000 minutes as written. Seconded by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Marino and Barnard
Noes: None

Motion Passed

C. Workshop:

1) Comprehensive Plan Implementation

City Manager Fairburn recommended that the Commission determine how much of the Swisher extension should be commercial and how much residential. The extension will include the Boliver Property and Kingswood Development area. Sound buffering will be needed. The County doesn't want many intersections. Traffic signals may need to be placed at Shady Shores and Jackson Ranch.

There was discussion about the Subdivision regulations in the Municipal Code. City Manager Fairburn will update some of the items and bring back to the Commission for approval.

There are some zoning issues that need to be addressed. There is M-1 at the east end of Hundley and a little C-3 by the marina. The park zoning can define what kinds of uses and the school system can be LDISD. This will come back to the Planning and Zoning Commission as an ordinance.

2) M-1 Light Industrial Zoning requirements

Chapter 122, Article 12 was looked at. A lot of M-1 uses could also be in C-1, C-2 or C-3. City Manager Fairburn will make those changes agreed upon and bring back to the Commission.

3) Special Use Permits

The Municipal Code requirements for Special Use Permits are in various sections and referred to under amendments. It was suggested that all the Special Use Permit requirements be put into one place in the code book.

D. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Marino and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 9:10 p.m.

Ben Gilbert, Chairman

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on June 15, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Peggy Shelton
Mike Fahey

Commissioners Bavon and Marino were excused. Commissioner Barnard asked to be excused due to conflict of interest regarding an agenda item.

Staff present: City Manager Stewart Fairburn and Joni Vaughn.

A. Citizens' Agenda

Chairman Gilbert closed the Citizens' Agenda as no one came forward to speak.

B. Business

1. Public Hearing on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial and R-1-6000 Residential for tract 104 or A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the West.

Chairman Gilbert called for a Staff Report.

City Manager Fairburn gave a report regarding the proposed change.

Marvin Sparks, the owner of the property in question, stated that he wanted to protest the change of zoning because he feels that it would be incompatible with residential. He has no immediate plans to develop the rest of the property. He has considered a storage facility or a business park. Mr. Sparks reiterated that he wants to file an objection to the change.

Larry Anderson, Anderson's Automotive, which is located on the property in question, stated that he did not see a need for a change in the zoning.

Chairman Gilbert closed the Public Hearing and called for a motion or discussion.

2. **Consideration and Action on proposed Zoning District changes M-1 Light Industrial to C-2 Commercial and R-1-6000 Residential for tract 104 of A1355A Wright, 2.49 acres, bordered by Main Street on the east; Betchan Street on the north; and Sargent Street on the west.**

Commissioner Fahey asked what type of citizen response the City of Lake Dallas receives when people hear of storage units going in.

City Manager Fairburn explained that certain types of storage units or a business park would be permissible under C-2. He explained that M-1 could bring in types of businesses not wanted near residential areas, but it did not have the masonry requirement that C-2 has.

Mr. Sparks assured the Commission that the property would be properly and carefully developed. He asked that the Commission not change the zoning until he decides what he wants to do with the property.

Commissioner Fahey read the list of businesses acceptable under M-1 and under C-2 zoning.

The Commissioners discussed making all of the property in question C-2.

Motion was made by Commissioner Fahey to approve C-2 Commercial and deny R-1-6000 Residential. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Fahey and Shelton
Noes: None

Motion Passed

3. **Approval of Minutes for meetings on May 18 and June 1, 2000.**

Motion was made by Commissioner Fahey to accept the May 18 and June 1, 2000 minutes as written. Seconded by Chairman Gilbert.
Ayes: Chairman Gilbert, Commissioners Fahey and Shelton
Noes: None

Motion Passed

C. **Workshop:**

1) **Comprehensive Plan Implementation**
City Manager Fairburn gave a report and made recommendations regarding implementation of the Comprehensive Plan.

a) **First Year Priorities**
Chairman Gilbert asked the City Manager to report back with more information regarding Swisher Road.

b) **Economic Development Group**
City Manager Fairburn gave a report on the status of the Economic Development Committee.

c) Zoning Issues

City Manager Fairburn gave a report on zoning issues. He recommended that the Commission move ahead in the next few months with regard to rezoning schools and parks.

Chairman Gilbert indicated that he would like to defer to the Economic Development Committee the C-3 and C-2 on Main Street issue. The Commission would like to concentrate on Swisher Road.

Chairman Gilbert welcomed new Commissioner Peggy Shelton.

D. Adjourn

Motion was made by Commissioner Fahey that the meeting be adjourned. Seconded by Commissioner Shelton.
Ayes: Chairman Gilbert, Commissioners Fahey and Shelton
Noes: None

Motion Passed

Meeting was adjourned at 8:40 p.m.

Ben Gilbert
Chairman

Joni Vaughn

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Special Meeting
Council Chambers
303 Alamo

June 1, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on June 1, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.

B. Business

1) **Public Hearing on a proposed replat of Lots 4 and 5 of Carlisle Court Addition, Cobb Survey A0284A.**
2) **Consideration and Action on a proposed replat of Lots 4 and 5 of Carlisle Court Addition, Cobb Survey A0284A.**

C. Adjourn

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on May 26, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

PLANNING AND ZONING COMMISSION

Name	Orig.Appt.	Re-Appt.	Term Ends	Max.Term
Al Bavon 335 Stately Oak Lane 940-321-3908(home)	2-11-99 940-565-2318(work)		2-11-00	2-11-03
Diane Byers 699 Lakeland Court Post Office Box 422 940-321-3582 or 4489	4-11-96(alt)	6-13-96/6-11/98	4-11-00	4-11-00
Ben Gilbert 707 Nick Street 940-321-5639(home) PAGER : 817-499-0980	7-11-96(alt)	2-13-97(reg)	2-13-00	7-11-00
Linwood Gilliland, Chair 703 Payton Street 940-321-3840	10-12-95	12-11-97	10-12-99	10-12-99
M. J. Graham 1013 Kings Manor 940-321-3682	12-11-97(alt)	10-8-98(reg)	4-10-01	12-11-01
Alternates: Mike Fahey 144 Kingswood 940-497-2426	7-23-98		7-23-00	7-23-02
Frank Barnard 328 Betchan 940-321-6034	6-3-99			

Planning and Zoning Commission

	Orig. Appt	Re-appt	Term ends	Max. term
out 4/99 Kevin Spraggins	4-13-95	12-11-97	4-13-99	4-13-99
735 Oak Dale Ave.	321-9401hm	214-871-3311wk	214-871-0757	
Linwood Gilliland	10-12-95	12-11-97	10-12-99	10-12-99
703 Payton Street	321-3840			
Diane Byers	4-11-96 (Alt)	6-13-96/6-11-98	4-11-00	4-11-2000
699 Lakeland Ct. PO Box 422	321-3582 no her house and home 321-4489			
Ben Gilbert	7-11-96 (alt)	2-13-97(reg)	2-13-00	7-11-2000
709 Nick Street	321-5639			
M.J. Graham	12-11-97alt	10-8-98reg	4-10-01	12-11-2001
1013 Kings Manor	321-3682			
Alternate				
Mike Fahey	7-23-98		7-23-00	7-23-2002
144 Kingswood hm 497-2426	wk 972-304-3609			
4/99 Al Bavon	2-11-99		2-11-00	2-11-03
335 Stately Oak Lane hm 321-3908	wk 940-565-2318			
Council liaison				
Mike Minnis				

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on June 1, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Al Bavon
Diane Byers
Tony Marino
Mike Fahey

Frank Barnard was absent.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

Linwood Gilliland, 703 Payton Street, raised concerns about the Fire Department not being included in the COMCO building. We need to have written approvals from Fire, LCMUA, and other utilities prior to City approvals.

No one else came forward to speak so Chairman Gilbert closed the Citizen's Agenda.

B. Business

Public Hearing on a proposed replat of Lots 4 and 5 of Carlisle Court Addition, Cobb Survey A0284A.

Ed Fortuna, 3634 Fairview Drive, Corinth, gave the background on the purchase of the lots and gave a hand drawn plan for the house design and garage. It will have 2600 square feet on the lower level and 1700 square feet on the top level. The detached garage will be 800 square feet.

Jamie James, 704 Carlisle, said she is opposed to the replat. She wrote the letter that was signed by all the neighbors on Carlisle Court and copies went to the Planning and Zoning Commission and City Councilmembers. She was also opposed to the garage.

Linwood Gilliland, 703 Payton Street, said it meets the requirements and standards. He thinks it would be a tremendous addition to the neighborhood.

No one else came forward to speak so Chairman Gilbert closed the Public Hearing.

1. **Consideration and Action on a proposed replat of Lots 4 and 5 of Carlisle Court Addition, Cobb Survey A0284A.**

Motion was made by Commissioner Fahey to approve the replat of Lots 4 and 5 in Carlisle Court Addition to become Lot 4R. Seconded by Commissioner Marino.

Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Marino, and Fahey
Noes: None

Motion Passed

This will go to the City Council at their June 8 meeting.

C. Adjourn

Motion was made by Commissioner Byers that the meeting be adjourned. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Marino, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 8:00 p.m.

Ben Gilbert
Chairman

Beverly Welkum
City Secretary

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Council Chambers
303 Alamo

May 18, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on May 18, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. **Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.**

B. **Business:**

1) **Public Hearing on a Special Use Permit for a daycare operation at 409 Columbia Circle.**
2) **Consideration and Action on a Special Use Permit for a daycare operation at 409 Columbia Circle.**
3) **Approval of minutes for meeting on April 20, 2000.**

C. **Workshop:**

1) **Comprehensive Plan Implementation**

a) Zoning Issues
b) Economic Development Group
(i) Scope of work
(ii) Recommendations for members

D. **Adjourn**

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on May 12, 2000 at 5:00 p.m.

Beverly Weikum
Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on May 18, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert, Chairman
Tony Marino
Mike Fahey
Frank Barnard

Diane Byers was excused. Commissioner Bavon arrived at 7:43 p.m.
Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

Chairman Gilbert closed the Citizens' Agenda as no one came forward to speak.

B. Business

1. Public Hearing on a Special Use Permit for a daycare operation at 409 Columbia Circle.

City Manager Fairburn said our zoning ordinance allows home-based businesses as long they do not have any external evidence of occupation or increase in traffic. We believe that a day care operation would have some external effects. A Special Use Permit allows for a daycare operation with the approval of the Planning and Zoning Commission and City Council and a Public Hearing is required. Chairman Gilbert asked the applicant to come forward.

Shay Sanders, 409 Columbia Circle, said it would be after school care. The children would be dropped off at her house by the school bus or she will pick them up from the schools. The maximum would be 9 children and the hours would be 2:30 to 5:30 p.m. They would stay in her house or her back yard at all times. The only other times involved would be on school holidays, school vacations and summers. The times would then be 7:30 to 5:30, Monday through Friday.

Dorothy Walkup, 708 Wildwood, said her greatest concern would be parking because you cannot park in front of the house or across the street because of curves and hedges. The parents would have to park on Columbia or Wildwood when they picked up the children. Her other concern is the safety for the children. They would have to walk up and down the street. She said there would be a lot of congestion due to the ingress and egress since both streets involved are dead-ends. She said the mail would not be placed in the mailboxes if someone is parked in front of the mailbox. Does the home meet state and local code for home care and how many children are allowed? The area is zoned residential, not business. She asked that the application be denied.

R. B. Geisinger, 620 Wildwood, said he is her neighbor at the back and asked if week-ends would be involved. Ms. Sanders said, 'no.' He asked how old the children would be. The answer was school-age children. He asked how many children she had and the answer was one. He said we have a lot of traffic in that area. He thinks if she can keep them 'corralled, it would be okay.

Jo McCutcheon, 401 Columbia Circle, said we already have seven kids in 10 houses. With 9 more that would make 16 kids.

2. Consideration and Action on a Special Use Permit for a daycare operation at 409 Columbia Circle.

The commissioners discussed the fence at Ms. Sanders' home. The chain link fence on one side would need some kind of screening or a wood fence. Ms. Shay said the fence had been a consideration as funds are available. Chairman Gilbert said that the plants that are there now provide some sort of screening but could die. She said she could get 4 vehicles in her driveway when asked about the off-street parking availability. Chairman Gilbert asked how many letters had been sent out regarding the Public Hearing. The answer was 42 letters and we had received no written responses. Ms. Sanders said she goes to the State for her orientation on June 7 and then the State inspects before she takes care of children and every three months after that. There is no time limit on a Special Use Permit and it could not be revoked. City Manager Fairburn said in the approval process there could be restrictions placed on the Special Use Permit.

A question was brought up about a tree on Ms. Sander's property that has a chain on it at this time. She said that was caused by the rain a couple of weeks ago. The tree began to fall so there is a winch holding it back at the present time. She has someone coming to install permanent rods for the tree and the winch would be removed at that time. Ms. Sanders also said that her street has a cul-de-sac which allows the school bus to turn around. She also said the State limits how many children can be cared for after they inspect the house and yard.
Motion was made by Commissioner Barnard to deny the Special Use Permit for a daycare operation at 409 Columbia Circle. Seconded by Commissioner Fahey.
Ayes: Commissioners Barnard and Fahey
Noes: Chairman Gilbert, Commissioners Bavon and Marino

Motion Failed

There was more discussion among the Commissioners.
Motion was made by Commissioner Marino to grant the Special Use Permit for a daycare operation at 409 Columbia Circle with the stipulations that 9 children is the maximum; the hours would be 2:30 p.m. to 5:30 p.m. Monday through Friday on school days and 7:30 a.m. to 5:30 p.m. during school holidays and the summer months; the permit would expire in two years and she could reapply; copies of the State inspections will be on file with the City; the tree must be repaired; and the back side should have a wood fence. Seconded by Commissioner Bavon.

Ayes: Chairman Gilbert, Commissioners Bavon and Marino
Noes: Commissioners Barnard and Fahey

Motion Passed

This will go to the City Council at their June 8 meeting.

3. Approval of minutes for meeting on April 20, 2000.

Motion was made by Commissioner Barnard to accept the April 20, 2000 minutes as written. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Barnard
Noes: None

Motion Passed

C. Workshop:

1) Comprehensive Plan Implementation

a) Zoning Issues

City Manager Fairburn asked if the Commission wanted to move forward with any zoning changes at this point. There was discussion about various areas of C-3 zoning and leaving the M-1 on Overly. There is additional M-1 zoning on Hundley by the boat company. The C-3 and public buildings zoning should be done at a later time. After more discussion it was determined that the first area to be discussed in a Public Hearing would be the M-1 Zoning to C-2 Zoning and R-1-6000 Zoning along the south side of Betchan from Main Street to Sargent Street. The proportions are to be determined. It was decided to have the Public Hearing at the June meeting.

b) Economic Development Group

(i) Scope of Work

(ii) Recommendations for members

City Manager Fairburn said that Council has approved the preliminary list they had sent to them. We need two members of the Planning and Zoning Commission. The group will have a lot of meetings to develop an economic plan for all the commercial areas and will include talking about the ½ cent economic development sales tax and how to use those funds for various purposes: recreation facilities, streets, roads, public buildings, etc. Chairman Ben Gilbert and Commissioner Marino volunteered to serve on the Economic Development Group. City Manager Fairburn asked for names of business owners the Commissioners would like to have contacted. Some of the names were Bonnie Brown Garcia, the owner of Southwest Cedar Furniture, the owner of D & J's building, Kathy Helm, Mike and Sammie Shields, the president of Chalkers, the new owner of the Main Street Café, True Value's Norman Beaty, Ace Hardware owner, Mingo's Barbershop owner, Ken Kennemer from Kingswood Estates. City Manager Fairburn said the Chamber of Commerce will come up with someone and Steve Taylor from TXU is interested. He also suggested an owner or manager of the Video Plus plant and someone from the Kingswood Development Corporation.
The two open appointments for the Planning and Zoning Commission should be made on June 8 by the City Council.

D. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Marino.

Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Fahey, and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 8:50 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Council Chambers
303 Alamo

April 20, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on April 20, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. **Citizen's Agenda - Residents and visitors invited to speak on items not on a public hearing.**

B. **Workshop:**
   1) **Comprehensive Plan Implementation – Zoning areas for public buildings, parks, and commercial properties.**
   2) **Requirements for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts**

C. **Business:**
   1) **Approval of minutes for meeting on March 30, 2000.**

D. **Adjourn**

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on April 14, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on April 20, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Diane Byers
Ben Gilbert, Chairman
Marj Johnson
Frank Barnard

Tony Marino and Mike Fahey were excused.

Staff present: City Secretary Beverly Weikum. City Manager Stewart Fairburn came in at 8:10 p.m. after waiting for the Council meeting to reach quorum.

A. Citizens' Agenda

Chairman Gilbert closed the Citizens' Agenda as no one came forward to speak.

B. Workshop

1. Comprehensive Plan Implementation – Zoning for public buildings, parks, and commercial properties.

Commissioner Gilbert said that the Planning and Zoning Commission had been working on the Comprehensive Plan for over a year. He told the people in the audience that we had invited them to the meeting to get their input after he explained some of the first goals and objectives. One of those goals is commercial development. He said we are in the process of forming an Economic Development Committee and said we are looking for people to serve on this committee. The development of Main Street is the first objective as well as improve Church Street for easier access and changing of zoning along Swisher Road.

Jim Bennett, 105 S. Denton, asked what the authority of the Planning and Zoning Commission is and what they do.

Chairman Gilbert said when issues come before them for planning or zoning the Commission has a public hearing and vote on the issue. They then make a recommendation to the City Council. He asked if anyone was there representing any certain area. The plan for Main Street right now is to consider changing the C-3 zoning there to C-1 or C-2 with existing businesses being grandfathered.

Willie Bulen, 103 S. Denton Drive, said he had lived there for 43 years and was not ready to give up his home. He also asked what C-3 zoning means.

Chairman Gilbert said the Commission is not out to get anyone out of their homes. Commissioner Johnson said that one of our objectives is to protect those people there. C-3 can have any business allowed in C-1 and C-2 plus alcohol.

Jack Roe, representative for Resort Realty said they have 53 undeveloped acres in Lake Dallas. He said that a year ago they had tried to get a zoning change because it is zoned R-1-10000.

Mr. Roe said it could be a nice residential area but they are looking for a more favorable zoning. He said the habitation in that area does not call for $300-$400 thousand dollar homes.

There was discussion among the Commissioners with Mr. Roe: what types of homes and what zoning; when the Swisher extension is accomplished there could be room for some commercial development; there is an access problem at this point. The Commission would like to see a plan for this area from Mr. Roe. Mr. Roe said they would like to do a mixture of different sized homes. He said they would be glad to work out a plan that would be acceptable to the City.

Commissioner Gilbert said we had not yet discussed the Railroad Property. Chick Anderson asked if that was where there had been talking about apartments. The reply was that there haven't been any actual plans made at this time. We had been considering a Planned Unit Development in which we would have more control over what goes in there.

Tom Mason, 1708 Wildwood Drive, asked if the Commission had given any thought place for Industrial Revenue Bonds. The answer to that was that the City does not have enough land to purchase and develop for sale to a private industry.

The Commission asked for input for Shady Shores and Hundley. Chairman Gilbert said the City also wants to change the zoning for schools, churches, and parks with a special zoning instead of C-3 which is the zoning for a lot of those properties at this time. Property west of Denton Drive will probably remain as C-3. We would like more public input. The Comprehensive Plan was developed to encourage development.

There was more discussion among the Commissioners and no more public input. Chairman Gilbert thanked everyone for coming to the meeting and asked them to come back. He asked them to bring any concerns or issues to the Commission because we're trying to do what is in the best interests for everyone.

2. Requirements for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts.
Chairman Gilbert explained that they had decided last month to leave it as it was and that was their recommendation to the City Council. The Commissioners has mentioned that they might want to define the height of the accessory buildings so the Councilmembers sent the item back to the Planning and Zoning Commission to get the definition clear. There was lengthy discussion about setbacks, placement from fences, whether it should be masonry when the residence is not. The masonry requirement is only if the accessory building exceeds 10' x 12'.

City Manager Fairburn asked if there were any changes to bring back for Consideration and Action at the next meeting. Chairman Gilbert said he felt this issue should be left as it is.

C. Business:

1) Approval of minutes for meeting on March 30, 2000

Motion was made by Commissioner Johnson to approve the minutes of the March 30, 2000 meeting. Seconded by Commissioner Bavon.

Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Johnson, and Barnard
Noes: None

Motion Passed

D. Adjourn

Motion was made by Commissioner Johnson that the meeting be adjourned. Seconded by Commissioner Bavon.

Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Johnson, and Barnard
Noes: None

Motion Passed

Meeting was adjourned at 8:45 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission

Special Meeting

Council Chambers

303 Alamo

March 30, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on March 30, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. Citizen's Agenda – Residents and visitors invited to speak on items not on the agenda

B. Business:

1. **Public Hearing on amended plat for COMCO Addition at 306 W. Overly**
2. **Consideration and Action on amended plat for COMCO Addition at 306 W. Overly.**
3. **Public Hearing on replat of Lots 5 and 6 of the Mollie Cain subdivision located at Cain and Lakeview.**
4. **Consideration and Action on replat of Lots 5 and 6 of the Mollie Cain subdivision located at Cain and Lakeview.**
5. **Public Hearing on replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision located at Falcon and Main.**
6. **Consideration and Action on replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision located at Falcon and Main.**
7. **Public Hearing on request to be exempted from the 80% masonry requirement for commercial buildings at Lot 4 on Gotcher south of Hundley Drive.**
8. **Consideration and Action on request to be exempted from the 80% masonry requirement for commercial buildings at Lot 4 on Gotcher south of Hundley Drive.**
9. **Approval of minutes for March 2 and March 16, 2000 meetings.**
10. **Comprehensive Plan Review**

C. Adjourn

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on March 24, 2000 at 5:00 p.m.

Beverly Weikum

Beverly Weikum, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 30, 2000, at 7:33 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Ben Gilbert, Chairman
Marj Johnson
Tony Marino
Mike Fahey

Diane Byers and Frank Barnard were absent.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

Paul Lockman, 1241 Valley Vista, Grapevine, Texas, said they had planned to open a business on Main Street. His concern is with Main Street since it has been rebuilt. Whenever it rains the water runs straight down the road and floods the existing building at 321 Main. When the Fire Department washes their fire trucks the water runs down on the sidewalk in front of the building. He wanted to be sure that the City was aware of it.

City Manager Fairburn said the contractor would be out next week to fix the problem.

Norman Phillips, 402 South Lakeview, said he has pictures of the water in the building and he is aware that City Manager Fairburn has already talked with Peachtree Construction.

Chairman Gilbert closed the Citizens' Agenda when no one else came forward to speak.

B. Business

1. Public Hearing on amended plat for COMCO Addition at 306 W. Overly.
No one came forward to speak.

City Manager Fairburn said this is an easement being moved a few feet by the request of the LCMUA.

2. Consideration and Action on amended plat for COMCO Addition at 306 West Overly.
Motion was made by Commissioner Fahey to approve the amended plat for COMCO addition at 306 West Overly. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Johnson, and Fahey
Noes: None

Motion Passed

3. Public Hearing on replat of Lots 5 and 6 of the Mollie Cain subdivision located at Cain and Lakeview.

City Manager Fairburn reported that the existing two lots were being proposed to be three lots. They would meet the required distances for R-1-6000 properties. There was some concern pertaining to storm drainage on the western lot. A home with 1200 square feet should leave enough room between all the various easements.

Jeff Houghton, owner of Sunnyside Homes, brought the replat forward. He said they are aware of the storm drain situation. They find no problem in getting out of the flood zone. They had talked with the LCMUA about the storm drain under Main Street and perhaps building a little wall to help contain the excess flow. They plan to build three nice houses with at least 70% masonry as required.

Georgina Gougeon, 717 Cain Street, asked Mr. Houghton if the houses would be 1 story or 2 story houses. Mr. Houghton said that right now they plan to build 1 story houses, but possibly 2 story.

Ms. Gougeon said she was concerned because the neighborhood does not reflect 2 story homes. Her biggest concern was with the flooding that occurs in that area when we get heavy rains.

Neal Malone, 607 Cain, said he lives next door to the lots. He has no objections and thinks Mr. Houghton is quite capable of developing the property.

Winston Harper, 390 South Lakeview, doesn't feel three houses can be put there without being in the flood plain. He said he feels the same as Ms. Gougeon about 2 story houses. He said he would like to see only the two lots there and maybe they'll have more room.

Chairman Gilbert closed the public hearing at 7:50 p.m.

4. Consideration and Action on replat of Lots 5 and 6 of the Mollie Cain subdivision located at Cain and Lakeview.

There was discussion among the Commissioners. They looked at the flood plain map. They had questions about the setbacks and measurements of the lots. Mr. Houghton said they would utilize the land properly and that if it was going to be an issue he had no problem with building single story houses. There was ongoing discussion.

Motion was made by Commissioner Fahey to approve the replat of Lots 5 and 6 of the Mollie Cain subdivision. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners, Bavon, Marino, Johnson, and Fahey.
Noes: None

Motion Passed

5. Public Hearing on replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision located at Falcon and Main.

City Manager Fairburn reported that this block is bordered by Main Street, Falcon, Market and San Jacinto. The replat would allow the existing Lake Dallas Café to be on one lot and the remaining lot will be for development.

Norman Phillips, 402 S. Lakeview, said he owns the property and Mr. Lockman wanted to rent the other property. When the Building Official checked it out it was discovered that the café is located on a lot line so a replat was necessary.

Paul Lockman, 1241 Valley Vista, Grapevine, Texas, said he and his wife had hoped to open a business here by January 1 but have run into these problems. The business will be a re-sale or consignment shop selling second-hand baby clothes.

Chairman Gilbert closed the public hearing at 8:05 p.m.

6. Consideration and Action on replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision located at Falcon and Main.

Motion was made by Commissioner Johnson to approve the replat of Lots 1 through 6 of Block 9 of the Original Town of Garza subdivision into 2 lots. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Johnson, and Fahey
Noes: None

Motion Passed

7. Public Hearing on request to be exempted from the 80% masonry requirement for commercial buildings at Lot 4 on Gotcher south of Hundley Drive.

City Manager Fairburn said a building was going in on Gotcher 2 doors north of the Houghton Electric and would be very similar to that building. By looking at their measurements and taking out for windows and doors it looked to be 41 – 43% masonry.

Cheryl Smith, 401 S. Shady Shores, Shady Shores, Texas, said she was there with her husband, Al Smith, and they brought along Mr. Joel Sayers, who had drawn the plans.

Joel Sayers, 3801 Crosstimbers, Flower Mound, and said he was there to answer any questions. The front half of the building will be offices and the back half will be warehousing.

Linwood Gilliland, 703 Payton, said the City had turned down Mr. Houghton's request and he had to go with the 80% masonry. He feels we should keep the requirement as it is.

Jeff Houghton said they sold the property to him and he and Robbie Houghton had talked about it. He understood the north side was going to be all masonry as well as other portions of the building. They have no objections to the current plans if it is fenced in.

Al Smith, 401 S. Shady Shores Road, said that the plans show that the north and south sides of the building has 20 feet back from the front. He said he made an agreement with Robbie Houghton today that would include masonry on the north side all the way to the back of the building. He said the east

side of the building is doors and approximately 80 feet of the south side will be metal because it is mostly doors.

Mr. Sayers gave some figures regarding the doors and windows. He said about 24% of the building will be doors.

Linwood Gilliland, 703 Payton, said he is not against what they are doing, but the ordinance calls for 80% masonry for commercial buildings.

City Manager Fairburn said that a new ordinance was passed which was designed to give businesses with a trademark building an exemption to the 80% masonry rule.

Mrs. Smith said they're not trying to get something other people don't have. They are trying to bring in a company with a beautiful building with landscaping. They would bring in good money and be a good neighbor.

Winston Harper, 390 S. Lakeview, said if there's only a 20% difference we should approve this. We should encourage all the business we can get.

Cheryl Smith, 401 S. Shady Shores, said if everyone wants 80% masonry that is okay.

There was more discussion from the floor in answer to questions from the Commissioners.

Chairman Gilbert closed the public hearing at 8:28 p.m.

8. Consideration and Action on Request to be exempted from the 80% masonry requirement for commercial buildings at Lot 4 on Gotcher south of Hundley

There was discussion among the Commissioners and the general consensus was to be consistent.
Motion was made by Commissioner Bavon to not approve an exemption to the 80% masonry requirement for commercial buildings. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Johnson, and Fahey
Noes: None

Motion Passed

9. Approval of minutes for March 2 and March 16, 2000 meetings.

Motion was made by Commissioner Johnson to approve the minutes of the March 2 and March 16, 2000 meetings. Seconded by Commissioner Marino
Ayes: Chairman Gilbert, Commissioners Bavon, Johnson, Marino, and Fahey
Noes: None

Motion Passed

10. Comprehensive Plan Review.

City Manager Fairburn said that at the last meeting the Planning and Zoning Commission had approved the priorities of the objectives and had asked staff to prepare a letter to the City Council to start working on the objective of the Economic Development Plans. He said the draft letter was in the packet for their approval of the requirements. The Commissioners agreed upon the letter as written.

There was discussion about the April meeting and items that might be on the agenda for that meeting. That is the date the Commission had selected to meet with the business owners.

C. Adjourn

Motion was made by Commissioner Bavon that the meeting be adjourned. Seconded by Commissioner Johnson.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, Johnson, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 8:40 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Council Chambers
303 Alamo
March 16, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on March 16, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. **Citizen's Agenda - Residents and visitors invited to speak on items not on the agenda**

B. **Business**

1. Public Hearing on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts.

2. Consideration and Action on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts.

3. Consideration and Action on priorities of objectives of first five years of Comprehensive Plan

4. Approval of minutes for meeting on February 17, 2000.

C. **Workshop – Comprehensive Plan implementation**
Redefining Commercial zoning districts
Planned Unit Developments

D. **Adjourn**

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on March 10, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 16, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Ben Gilbert, Chairman
Marj Johnson
Tony Marino

Diane Byers, Mike Fahey, and Frank Barnard were excused.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

No one came forward to speak on the Citizen's Agenda

B. Business

1. Public Hearing on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts.

No one came forward to speak.
City Manager Fairburn said that the current reading is that accessory buildings larger than 10' x 12' must meet the building code for the R-1-7200 and R-1-10000 zoning. This does not apply to the R1-6000 or R-1 4000 zoning. The storage building cannot be larger than 10% of the backyard area.

Chairman Gilbert closed the Public Hearing at 7:36 p.m.

2. Consideration and Action on changes to the 80% masonry rule for accessory buildings in R-1-7200 and R-1-10000 Zoning Districts.

During the Commission's discussion about the item it was decided that the height of accessory buildings should be addressed and possibly added to the Municipal Code.

Motion was made by Commissioner Johnson to leave the 80% masonry rule for accessory buildings the same in R-1-7200 and R-1-10000 Zoning Districts. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Johnson, and Marino.
Noes: None

Motion Passed

3. Consideration and Action on priorities of objectives for first five years of Comprehensive Plan.

City Manager Fairburn presented packets that included the first year objectives, second year objectives and the third through fifth year objectives. He suggested that the commission pick one or two items to address instead of attempting to work on all of them at the same time. The Commission requested that staff draft a letter from the Planning & Zoning Commission to the City Council saying that we want to begin with A-1 which is Economic Development and develop a committee consisting of business owners, Chamber of Commerce members, various utility company representatives and bring it back to the Planning and Zoning Commission at the next meeting.
Motion was made by Commissioner Bavon to accept the action and priorities of the objectives for the first five years of the Comprehensive Plan. Seconded by Commissioner Marino.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, and Johnson
Noes: None

Motion Passed

4. Approval of minutes for meeting on February 17, 2000
Motion was made by Commissioner Johnson to approve the minutes of the February 17, 2000, meeting. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Johnson, and Marino
Noes: None

Motion Passed

C. Workshop -- Comprehensive Plan Implementation

Redefining Commercial zoning districts and Planned Unit Developments. City Manager Fairburn said he has not had the opportunity to draft up the changes suggested for the C-1, C-2 and C-3 uses. He said the planned unit development will take more research. He said it is an area that provides the City with additional flexibility, such as a Special Use Permit. The Swisher Road extension has been discussed with an idea to having that property facing the road as commercial with residential behind that. There was discussion about the zoning. A write-up on commercial districts needs to be done and given to the City Council. The Commission decided to get input from the Main Street owners and Swisher Road owners in a workshop session regarding zoning and planning issues. The zoning changes for Parks and Public zoning could also be included in this meeting. This should be scheduled for the April 20 meeting.

C. Adjourn

Motion was made by Commissioner Marino that the meeting be adjourned. Seconded by Commissioner Bavon.
Ayes: Chairman Gilbert, Commissioners Bavon, Marino, and Johnson
Noes: None

Motion Passed

Meeting was adjourned at 8:15 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Special Meeting and Workshop
Council Chambers
303 Alamo

March 2, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on March 2, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. Citizen's Agenda – Residents and visitors invited to speak on items not on the agenda

B. Workshop on Comprehensive Plan implementation

First five year objectives priorities
Zoning review C-1 through M-1 and PUD

C. Adjourn

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on February 25, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 2, 2000, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Diane Byers
Ben Gilbert, Chairman
Marj Johnson
Tony Marino
Mike Fahey, Alternate

Al Bavon was excused. Frank Barnard was absent.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

J. T. Sayers, 3922 Willow Run, Flower Mount, Texas, asked to get an item on an agenda prior to the April meeting. This item requires publication in the newspaper plus the notification of residents within 200 feet of the property involved.

City Manager Fairburn asked the commissioners if they would be agreeable to a special meeting on March 29 or 30. It was agreed to meet on March 30.

Chairman Gilbert closed the Citizen's Agenda.

B. Workshop on Comprehensive Plan Implementation

First five year objectives priorities
Zoning review C-1 through M-1 and PUD

City Manager Fairburn led a discussion and review of the goals and objectives. The timing for each objective was discussed. There are ongoing objectives that are worked on each year. There are higher priority objectives that would need to be worked on first such as developing committees to work on economic development plans.

There was discussion about the current zoning: a separate zoning district for parks; as for the school properties. They looked at a zoning map and the various areas were discussed. The definitions of the current C-1, C-2 and C-3 zoning districts were discussed. The definitions can be expanded and/or changed. The Commissioners will bring back to another meeting the types of businesses they think would be compatible on the I-35 frontage road, Swisher Road, Denton Drive, Main Street, etc.

City Manager Fairburn said the Commission should work towards what the highest and best uses of the undeveloped property would be and also what would be best for property values, sales taxes and property taxes. There was more discussion about what kinds of businesses should be considered in the C-1, C-2 and C-3 zoning areas. Those businesses already established would be grandfathered if any zoning changes were made to where those businesses are located. Churches can basically go in any zoning. An entertainment district could be established in the zoning. Private clubs can now go into C-1, C-2, or C-3. The State regulates the 75% distinction regarding liquor sales. Right now Main Street has food, late night entertainment, schools, the telephone company, a utility company, and some shops. The apartments on Swisher Road are being bought out. LCMUA has bought the property to the north of their facilities.

City Manager Fairburn said he could work up a re-write regarding the uses.

Chairman Gilbert called for a short break at 9:24 p.m.

Chairman Gilbert called the meeting back to order at 9:30 p.m.

C. Adjourn

Motion was made by Commissioner Byers that the meeting be adjourned. Seconded by Commissioner Johnson.
Ayes: Chairman Gilbert, Commissioners Byers, Johnson, Marino, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 9:30 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on February 17, 2000 at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL
Members present:

Al Bavon
Diane Byers
Ben Gilbert, Chairman
Marj Johnson
Tony Marino
Frank Barnard, Alternate

Mike Fahey was absent. Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Weikum

Chairman Gilbert welcomed Tony Marino to the Planning and Zoning Commission as the newest member.

A. Citizen's Agenda – Residents and visitors invited to speak on items not on the agenda

No one came forward to speak.

B. Business

1. Consideration and Action on replat of all of Lot 225 and the north ½ of Lot 226 in Kingswood Estates

Rod Courtney, 162 Kingswood, said he is in the process of buying this property. It is being replatted by Hammett and Nash of Denton and meets the requirements according to the county and state laws and hopes it meets the approval of the Planning and Zoning Commission. He gave the areas of what the lots will be and stated that they would meet the R-1 4,000 requirements.

Michelle Snyder, Ponder, Texas, is an escrow title officer for Denton County Title and stated that she is handling the contract for the sale from George Treed. There has been some delay in getting signatures due to the location of the owner and grandchildren.

In answer to some questions from the Commissioners Mr. Courtney said that the triangular lot was within the size required but did not have 40' of frontage. He said there were 8 to 10 lots in Kingswood that do not have the 40'.

Ken Kennemer, 17 Oakwood Drive, of the Kingswood Homeowners Association said he was against any more replats in Kingswood. The directors oppose this action.

Bob Davis, 73 Lakeridge, asked the Planning and Zoning Commission to give consideration to this based on the merits of the size of the lots.

Frank Barnard, 328 Betchan, said he is one of the 5 directors on the Kingswood Board and has one vote as a director. He said the Kingswood Board had not been contacted about this replat. He said he was against the replat. He said he had a letter from John H. Carter, Jr. who is the owner on the other side. Mr. Carter's concern is that the replat will negatively affect his property value. He expressed concern that an older, smaller home would be the only size home that could replace the one there now.

There was discussion among the Commissioners and questions were asked regarding the sewer system and drainage for Kingswood and would there be any negative consequences by putting two homes instead of one on this replat. Mr. Barnard said he didn't think there would be any problems.

Mr. Courtney asked to respond. He said a larger home could replace the current home that is on the property at this time. He said there are water and sewer hookups on both properties.

Bob Davis responded to the Commission's concern about density. He said it had been predesigned for another mobile home so there could already have been a home there.

Mr. Courtney said it meets all the specifications and measurements and asked for a favorable consideration from the Commission. In answer to the concern about getting a larger home on the lot, he said that it would not be a problem.

City Manager Fairburn answered the question about the pie-shaped lot. He said it should be 40' but the access to that lot is from Shady Shores Road.

Motion was made by Commissioner Johnson to approve the amended plat on Lot 225R and the north ½ of Lot 226R, Kingswood Estates. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Marino, and Johnson
Noes: Chairman Gilbert and Commissioner Byers

Motion Passed

2. Approval of minutes for January 6 and January 20, 2000 meetings.

A correction of January 20, 2000 minutes on page 1: The last sentence should read "Chairman Gilbert closed the public hearing."

Motion was made by Commissioner Byers to approve the minutes of the January 6 and January 20, 2000, meetings as amended. Seconded by Commissioner Johnson.
Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Marino, and Johnson
Noes: None

Motion Passed

C. Workshop – Implementing the Comprehensive Plan
Redefining Commercial zoning districts
Prioritizing first five year objectives

City Manager Fairburn stated that the approval of the Comprehensive Plan by the City Council will be in the March meeting. The first five year objectives need to be looked at to decide which items should be started. In the joint meeting Council asked Planning and Zoning Commission to look at redefining the Commercial zoning districts. Right now we have 3 commercial zoning districts. We could look at different areas and see what we would like to see on Swisher Road, Denton Drive, etc. The Planned Unit Development would allow mixed use. The Commission had previously mentioned mixed use on the Swisher Road extension when the bridge goes in.

There was discussion among the Commissioners. It was decided to have a workshop on March 2 at 7:30 p.m. to go over some of these issues.

There was discussion about the adjacent property owners when planning is being done. City Manager Fairburn said we would do the customary 200' notification and said the notifications are mailed to the addresses on registered with the tax office which includes post office boxes. We also put signs on property when re-zoning is requested. The question was asked about how the 200' was determined. City Manager Fairburn said we move down the property line with a ruler and compass and determine all property owners in those areas. He suggested the commissioners drive around and see if they see things side by side that do or don't fit and bring it back for discussion. We don't have much vacant land; the railroad property is 15 acres and the Swisher vacant property is 5 acres. The use of M-1 property is either C-1 and C-2 plus manufacturing.

Discussion about the exemption from the 80% masonry requirements for commercial properties gave the example of a company with trademark buildings such as the Cracker Barrel buildings. The company would have to go through the public hearings process.

The property north of the bank on the frontage road is now being looked at by the owners to build a one story 'L'-shaped office complex. The Commission needs to determine what they want to see along the frontage road, also.

D. Adjourn

Motion was made by Commissioner Bavon that the meeting be adjourned. Seconded by Commissioner Johnson.
Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Marino, and Johnson
Noes: None

Motion

Meeting was adjourned at 9:15 p.m.

Ben Gilbert, Chairman

Beverly Welkum
City Secretary

CITY OF LAKE DALLAS, TEXAS

A G E N D A

for the

City of Lake Dallas

Planning and Zoning Commission
Council Chambers
303 Alamo

February 17, 2000

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on February 17, 2000, at 7:30 p.m. in the City of Lake Dallas Council Chambers, 303 Alamo, Lake Dallas, Texas. The agenda follows:

Roll Call

A. Citizen's Agenda - Residents and visitors invited to speak on items not on the agenda

B. Business
   1. Consideration and Action on replat of all of Lot 225 and the north ½ of Lot 226 in Kingswood Estates.

   2. Approval of Minutes for January 6 and January 20, 2000.

C. Workshop – Implementing the Comprehensive Plan
   Redefining Commercial zoning districts
   Prioritizing first five year objectives

D. Adjourn

I, Beverly Weikum, City Secretary, certify that this agenda was posted on the City of Lake Dallas bulletin board as required on February 11, 2000 at 5:00 p.m.

Beverly Weikum
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 20, 2000 at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL
Members present:

Al Bavon
Diane Byers
Ben Gilbert, Chairman
Marj Johnson
Mike Fahey
Frank Barnard, Alternate

M. J. Graham was absent. As only one alternate was needed to serve it was determined that Mike Fahey would act as a commissioner for this meeting by reason of seniority. The two alternates are to be seated together as decided at a previous meeting. Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Weikum

A. Business

1. Public Hearing on Draft Comprehensive Plan.
No one came forward to speak.

2. Consideration and Action on acceptance of Draft Comprehensive Plan.

City Manager Fairburn said he had been to a meeting of the I-35 plan. He said they were talking of a long-term plan, twenty years. One of the changes which would affect our city in the long term is connecting Hundley and Turbeville which would eliminate the overpass just north of the Hundley exit. Hickory Creek has some plans for commercial growth.
Motion was made by Commissioner Byers to accept the Draft Comprehensive Plan and send it on to the City Council for their comments. Seconded by Commissioner Johnson.
Ayes: Commissioners Bavon, Byers, Johnson, Fahey, and Chairman Gilbert
Noes: None

Motion Passed

3. Public Hearing on amending Chapter 18.30.020 to allow less than a unanimous vote of the Planning and Zoning Commission and Council to approve a Special Use Permit.

Linwood Gilliland, 703 Payton Street, asked what is the use of our Special Use Permit; he thought it was for adult entertainment. City Manager Fairburn said that's just one of many uses. Mr. Gilliland asked if this would affect any of our businesses already in existence in our city. City Manager Fairburn replied, no. Mr. Gilliland said he didn't understand why it affected the person who moved his existing business to the Food Fare building. City Manager Fairburn said that the Planning and Zoning Commission recommended and the City Council passed an ordinance requiring a Special Use Permit for those establishments which sell liquor by the drink and that was why when he moved to a new location a permit was required. Mr. Gilliland asked if the ordinance wasn't in effect when the Jolly Roger opened and Mr. Fairburn confirmed that. City Manager Fairburn said that Chalkers has expanded since they were exempt from the ordinance and will go before the Board of Adjustment next month regarding a variance from the sprinkler requirements. Chairman Gilbert closed the public hearing ~~at 7:30 p.m.~~.

4. Consideration and Action on amending Chapter 18.30.020 of the Municipal Code to allow less than a unanimous vote of the Planning and Zoning Commission and Council to approve a Special Use Permit.

City Manager Fairburn provided an overview of the issue. Chairman Gilbert said he thought it should be left as it is because it has worked in the past. There was a lengthy discussion by the Commissioners. **Motion** was made by Commissioner Byers to recommend to the City Council that a Special Use Permit will require a super majority of the City Council to approve it after hearing the recommendation of the Planning and Zoning Commission. Seconded by Commissioner Bavon.

Ayes: Commissioners Bavon and Byers
Noes: Chairman Gilbert, Commissioners Johnson and Fahey

Motion Failed

Motion was made by Commissioner Johnson that a Special Use Permit requires a unanimous vote by the Planning and Zoning Commission but goes to the City Council. **Motion** was withdrawn.

Motion was made by Commissioner Fahey to recommend to the City Council that a Special Use Permit would require a super majority vote of both the Planning and Zoning Commission and the City Council for approval. Seconded by Commissioner Johnson.

Ayes: Commissioners Johnson and Fahey
Noes: Chairman Gilbert, Commissioners Bavon and Byers

Motion Failed

5. Consideration and Action on approval of an amended plat on Lot 4R Block 1 of the of the Cedar Hill Subdivision, 209 Julian.

Kevin Green, 209 Julian, said the property involved is three adjoining lots and upon a recommendation by Building Official Harp he is asking to have them replatted into one lot. There should be no future problems with drainage on the side or frontal property after the remodel. Commissioner Gilbert asked if the property would be on city sewer service and if any elevation would change. Mr. Green said that part of the remodeling would include city sewer service, no more septic system. Mr. Green also said the drainage will change a little, it will be in the same pattern but it will flow forward into a city street and will remain a one story single family unit.

Motion was made by Commissioner Johnson to approve the amended plat on Lot 4R Block 1 of the Cedar Hill Subdivision, 209 Julian. Seconded by Commissioner Fahey.

Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Johnson, and Fahey
Noes: None

Motion Passed

6. Review of January 22 joint meeting with City Council.

City Manager Fairburn said that we would be talking about the 4a and 4b sales tax. There will be a representative from the City of Allen who will tell us how they have used it. He said an Economic Development Corporation would need to be formed and we would have to decide whether to ask for ¼ cent or ½ cent tax. There will be discussion with the City Council about the Comprehensive Plan. It may take some time since this was their first opportunity to look at it. May need to be reworked during February and then back to the City Council in March.

City Manager Fairburn said the discussion on the R-3 Regulations and Planned Unit development (like Kingswood) was brought about by the Fitch Investment people who had come before the Planning and Zoning Commission and City Council and they were told to let us see your plans. The property they are interested in is not zoned R-3. We don't have mixed use so we need to review items such as set backs and see if the City Council would be interested in having the Planning and Zoning Commission come up with Planned Unit Development. He said there will also be lunch and said that would be the end of the joint meeting but invited them to stay for the rest of the meeting.

7. Approval of minutes for November 4, 1999, and December 2, 1999, meetings.

Commissioner Bavon commented that his name was not listed as present on the Roll Call though he was at the meeting.
Motion was made by Commissioner Byers to approve the minutes of the November 4, 1999, and December 2, 1999, meeting as amended. Seconded by Commissioner Fahey.
Ayes: Chairman Gilbert, Commissioners Bavon, Byers, Johnson, and Fahey
Noes: None

Motion Passed

B. Adjourn

Motion was made by Commissioner Byers that the meeting be adjourned. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Johnson, and Fahey and Chairman Gilbert
Noes: None

Motion

Meeting was adjourned at 8:40 p.m.

Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 6, 2000, at 7:04 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Diane Byers
Ben Gilbert
Marj Johnson
Mike Fahey, Alternate

M. J. Graham and Frank Barnard were excused.

Staff present: City Manager Stewart Fairburn and City Secretary Beverly Weikum.

A. Citizens' Agenda

No one presented themselves to speak.

Chairman Gilbert closed the Citizen's Agenda.

B. Business

1. Workshop on Comprehensive Plan

Chairman Gilbert asked City Manager Fairburn for an update on the Comprehensive Plan. City Manager Fairburn said that formal reviews with public hearings could be held every three years and that the Planning and Zoning Commission could review the plan annually as to how many zoning changes or other changes had occurred. He presented a table which showed percentages of zoning uses in the City. City Manager Fairburn said the Parks and Recreation Board had discussed Arbor Day at their meeting this week. It was a thought that perhaps a tree-planting program could be added to the plan since we have no replacement trees and some trees are dying out. There was also discussion about balancing land uses and what would define a well-proportioned tax base. The plan should be an action plan: it should provide guidance for the next five years as well as looking forward to what could be in twenty years. City Manager Fairburn said there would be a public hearing at the January 20 meeting that will give the public a chance to look at the plan and make comments. There will be a joint workshop with the City Council on January 22. The plan is that at the next Planning and Zoning Commission meeting we can make any adjustments needed. Concern was raised about preventing action comparable to what is happening to Countryside Mobile Home Park. A suggestion was made to look at the impact that adverse zoning changes would have on existing and adjacent properties.
Copies of the plan will be available to the public at City Hall and at the Library. The public hearing and joint workshop with the City Council could lead to more meetings.

2. Consideration and Action on adding commercial uses to the Tax Abatement Policy.

City Manager Fairburn told the Planning and Zoning Commission that the City Council had authorized a 50 – 30 –10 tax abatement over the next three years to COMCO. There was a short discussion about retail tax abatements.

Motion was made by Commissioner Byers to add retail as one of the areas who can apply for a tax abatement. Seconded by Commissioner Johnson.
Ayes: Commissioners Bavon, Byers, Gilbert, Johnson, and Fahey.
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Johnson that the meeting be adjourned. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Gilbert, Johnson, and Fahey
Noes: None

Motion Passed

Meeting was adjourned at 8:10 p.m.

Ben Gilbert
Chairman

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on December 2, 1999, at 7:00 pm in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members Present:

AL BAVON BGW
Diane Byers
Ben Gilbert
Marj Johnson
Mike Fahey, Alternate
Frank Barnard, Alternate

MJ Graham was not present but was excused. Alternate member Fahey sat in for Commissioner Graham.

Staff present:

City Manager Stewart Fairburn, Building Official Truman Harp

A. Citizen's Agenda:

No one presented themselves to speak.

B.Business

1A. Public Hearing on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-1 the Lots 86A, 89, 86B, 87, 88, 89 and 90 of the M. Wright Addition, and lots 1,2,3,4,5,6,7,8,9,10 of the First Highway Addition and Lot 53 of the L. Cobb Addition.

Frank Barnard 328 Betchan
Mr. Barnard spoke in favor of the change stating the M-1 district was not good. He reminded the commission that there is still R-1-6000 on Lot 90 to the east of the C-1 designation.

Rod Courtney 162 Kingswood
Mr. Courtney stated that he would like to see the railroad track as the dividing line for C-3.

Rick Webb 408 Alamo
Mr. Webb asked for an explanation of the issue and process. City Manager Fairburn provided an overview of the issue and process.

Public Hearing was closed.

2A. Consideration and Action on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-1 the Lots 86A, 89, 86B, 87, 88, 89 and 90 of the M. Wright Addition. and lots 1,2,3,4,5,6,7,8,9,10 of the First Highway Addition and Lot 53 of the L. Cobb Addition.

Commissioner Byers stated that it is a good idea to change it. It is not good to have light industrial next to residential. Commissioner Fahey stated that the property has been sitting vacant and tat C-1 will provide for commercial use. Commissioner Bavon stated that it matches the ideas presented in the comprehensive plan.

Motion was made by Commissioner Fahey to change the zoning for this property form M-1 to C-1. Seconded by Commissioner Bavon.
Ayes: Commissioners Fahey, Bavon, Byers, Gilbert, and Johnson
Noes: None

Motion Passed

1b. Public Hearing on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-2 that part of Lot 3 Payless Cashways Inc #910.

City Manager Fairburn provided an overview of the issue.

Rod Courtney 162 Kingswood
Mr. Courtney was in favor of the change.

Frank Barnard 328 Betchan
Mr. Barnard stated that it was the proper thing to do.

Public Hearing was closed.

2b Consideration and action on proposed amendments to the Comprehensive Zoning Ordinance of the City of Lake Dallas. These amendments would change the zoning district from M-1 to C-2 that part of Lot 3 Payless Cashways Inc #910.

Motion was made by Commissioner Johnson to change the zoning district from M1 to C-2. Seconded by Commissioner Byers.
Ayes: Commissioners Johnson, Byers, Gilbert, Fahey, Bavon
Noes: None

Motion Passed

3. **Public Hearing on possible changes to the 80% masonry rule for residential and commercial buildings.**

Frank Barnard 325 Betchan
Mr. Barnard felt that the residential requirements should be left alone. He stated that the city should provide flexibility for businesses that need a different look. Existing non-masonry would not have to change to masonry if rezoned.

Laird Lind – 735 Carlisle
Presented a hardy plank and asked that it be considered a masonry alternative under the ordinance.

Linwood Gilliland – 703 Payton
He stated that if a commercial use wants a different look, they should come before the Planning and Zoning Commission.

4. Consideration and action on possible changes to the 80% masonry rule for residential and commercial buildings.

Commissioner Byers stated that there should be no other changes other than providing more flexibility for commercial buildings. Commissioner Fahey stated that now is not the time to start lowering standards; keep the 80% rule. Commissioner Bavon felt that current standards should be kept with the option for commercial buildings.

Commissioner Bavon moved to leave things the same and not approve the ordinance. Motion failed for lack of a second.

Motion was made by Commissioner Byers to keep the 80% masonry requirements with the addition of the ordinance that allows for commercial business to apply for an exemption. Seconded by Commissioner Johnson.
Ayes: Commissioners Byers, Johnson, Bavon, and Gilbert.
Noes: Commissioner Fahey

Motion Passed

5. Comprehensive Plan Review

City Manager Fairburn gave an overview. The final sections are still needed including the CIP. Commission also has to look at the timing of 5 and 10 years. The Commissioners stated that they would meet in special session on January 6 at 7:00 to review the plan.

6. 4a and 4b sales tax – information and discussion.

City Manager Fairburn provided an overview. Discussion indicated that there might be some use for the 4b sales tax.

Addendum
Consideration and action on approval of amended plat for lot 7R Block 4 of Lake Dallas Shores, known as 605 Shore Drive.

Motion was made by Commissioner Byers to approve the amended plat. Seconded by Commissioner Fahey.
Ayes: Commissioners Byers, Fahey, Bavon, Gilbert, and Johnson.
Noes: None

Motion Passed

Addendum: Consideration and action on approval of landscaping plan for business tin the Swisher Addition.

Motion was made by Commissioner Byers to accept the plan contingent on final written plan turned into city showing types of plants and locations. Seconded by Commissioner Fahey.
Ayes: Commissioners Byers, Fahey, Bavon, Gilbert, and Johnson.
Noes: None

Motion Passed

7. Election of Vice Chair

Motion was made by Commissioner Bavon to nominate and approve Commissioner Byers as the Vice Chair. Seconded by Commissioner Fahey.
Ayes: Commissioners Bavon, Byers, Gilbert, and Johnson.
Noes: None

Motion Passed

8. Approval of minutes for October 7, 1999 meeting
This item should have read November 4, 1999 meeting. Item to be postponed to the next meeting.

C. Adjourn

Motion was made by Commissioner Fahey to adjourn the meeting. Seconded by Commissioner Byers.
Ayes: Commissioners Fahey, Byers, Gilbert, Johnson, and Bavon.
Noes: None

Motion Passed

Meeting adjourned at 9:30 PM.

Chair

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on November 4, 1999, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Diane Byers
Ben Gilbert
Marj Johnson
Mike Fahey, Alternate
Frank Barnard, Alternate

Al Bavon and Frank Barnard were excused and M. J. Graham arrived at 7:55 p.m.

Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Lucke

Vice Chairman Gilbert welcomed Marjorie Johnson to the Planning and Zoning Commission membership.

A. Citizens' Agenda

No one presented themselves to speak.

Vice Chairman Gilbert closed the Citizen's Agenda.

B. Business

1. Consideration and Action on tax abatement for COMCO.

Vice Chairman Gilbert asked City Manager Fairburn to give a report. Several months ago the Planning and Zoning Commission and the City Council looked over a tax abatement policy which Council approved at a 5 year and 50% maximum. COMCO will be out first one. City Manager Fairburn said it has been a longer process than COMCO had anticipated due to utility costs and availability on the property they had purchased on Overly Drive. He also said we don't have a value on the building being constructed by COMCO but he estimates an abatement of $7000 to $10,000 over the five years. He said there are no negative costs to the City due to this development; it will add a meter or two which is how the cost of our fire service is determined. The employees of COMCO may move here to be closer to their work; they will spend money here for lunches, gasoline, etc. The sales tax could be enhanced as COMCO expands their retail business. His report included the location near to the service road so that trucks making deliveries and pickups will have close proximity to the freeway.

Vice Chairman Gilbert asked David Carder, president of COMCO, if he had any comments. Mr. Carder said he will appreciate any abatement but the full 50% would be greatly appreciated. Almost 1 full acre out of the parcel was donated to the City, granted as right-of-way. He said they are presently posting a sign in anticipation of hiring 5 - 6 additional employees.

Motion was made by Commissioner Byers to recommend to the City Council a 50% tax abatement for COMCO. Seconded by Commissioner Fahey.
Ayes: Commissioners Byers, Gilbert, Johnson, and Fahey
Noes: None

Motion Passed

2. Consideration and Action on seating/selecting new Chair and other officers, if needed.

City Manager Fairburn said Commissioner Gilbert is Vice Chair and we have no other officers at this time. We need to nominate and appoint a chairperson at this time.

Motion was made by Commissioner Byers to nominate/appoint Ben Gilbert as Chairman. Seconded by Commissioner Fahey.
Ayes: Commissioners Byers, Gilbert, Johnson, and Fahey.
Noes: None

Motion Passed

After some discussion it was determined it would be best to wait until all members could be present before naming a vice chairperson.

Motion was made by Commissioner Fahey to table the vice chairman vote until the next meeting. Seconded by Commissioner Johnson.
Ayes: Commissioners Byers, Gilbert, Johnson, and Fahey.
Noes: None

Motion Passed

3. Consideration and Action on meeting procedures including how to sit alternates and taking of roll call votes on action items.

City Manager Fairburn said one of the items suggested was already being done and that was the roll call vote. Another concern is how to seat and determine which of the two alternates will be the voting alternate if there is a lack of quorum of commissioners. One way it had been done in the past was the senior alternate came up and sat in the absent commissioner. Commissioner Graham came in at this point. Another suggestion was the name plate could say 'Voting Alternate' or 'Non-Voting Alternate." Other commissioners said when they were alternates they sat in the audience unless needed to complete quorum. Motivation occurs when alternates are allowed to take part in the discussion. Alternates could be seated at the ends and an announcement could be made stating which alternate would be sitting in for the absent commissioner.

Motion was made by Commissioner Johnson that the alternate be seated at the table by seniority and if the regular member arrives they will be seated at the next agenda item and voting members will be denoted by their nameplates and an announcement would be made who would be voting and if that were to change it would be re-announced. Seconded by Commissioner Fahey.
Ayes: Commissioners Byers, Gilbert, Johnson, Graham, and Fahey
Noes: None

Motion Passed

4. Consideration and Action on timing of Planning and Zoning Commission meetings with City Council Meetings.

City Manager Fairburn said this was brought up by the City Council in reference to the last couple of public hearings. Council wanted to see the minutes of the Planning and Zoning so we furnished 'draft' copies of the minutes which are unofficial. Council wanted to see what had been said by those citizens who had expressed concern or favor for the items. They have asked for reasoning behind Planning and Zoning decisions but the reasons could be entirely different and reasons do not actually have to be given. Chairman Gilbert asked why they took the liaison out because there used to be the liaison who took the information back to Council. City Manager Fairburn said the Council didn't think it was necessary for a councilmember to be there since the City Manager was in attendance and he also said that sometime Chairman Gilliland or other members of the Planning and Zoning Commission would attend the Council meetings when the hearings were being given. Council may be wanting a 'yea' or 'nay' because ' . . ' The third Thursday was suggested as an option for the Commission meetings as opposed to the first Thursday each month. The biggest difficulties with that could be the Public Hearings schedules and what the citizens are used to. We would have to look at the ordinances and it will also need to go to the City Council.

Motion was made by Commissioner Johnson to move the regular Planning and Zoning meetings to the third Thursday instead of the first Thursday of each month. Seconded by Commissioner Byers.

Ayes: Commissioners Byers, Gilbert, Johnson, Graham, and Fahey
Noes: None

Motion Passed

5. Workshop on development of the Comprehensive Plan.

City Manager Fairburn recommended a couple of changes on page 15 of the revised draft of the Comprehensive Plan which resulted from the September 2nd, 8th and 20th meetings. He said there would be some changes as to areas of concerns of citizens, various parts of the "Visions" section and specifically that part that defined the City as a 'regional gateway.'

Page 16 - Under 5 and goal 1.0 regarding commercial and multi-family, the Planning and Zoning Commission would be open to seeing plans regarding multi-family units. The DART parking could be dropped since the City Council is not open minded to that. Alternate Fahey stated he was still opposed to multi-family but thought the parking would be good. Commissioner Byers said she's not for multi-family particularly but would be open to seeing something nice and she thought a negative use for the property would be a parking facility. There was discussion about what wording to use so the zoning could be left more open. Everyone was in agreement that M-1 is not the proper zoning for that area.

Page 17 - First paragraph changes regarding new housing development; move warmth and charm under this expansion;

Page 21 - Fourth paragraph where reference is made to Swisher Road being adjacent to Thousand Oaks, changed to Jackson Ranch; typo referred to Lakeside, changed to Lakeview.

Page 22 - As recommended dropped the water and sewer treatment plants and drinking water facilities; dropped the public and private infrastructure; changed to have excellent or high level or superior roads, drainage and integrity of our infrastructure. This will all come back to the Commissioners for final agreement as to wording and layout.

Page 24 - In the second section the first paragraph which shows the average cost for single family homes, we don't have the number yet. All the numbers on the comprehensive plan elements need to be checked out. The last paragraph of the last section repeated a statement which had already been deleted. It also states that 1999 and 2000 will be banner years for road projects.

Page 25 - Under Goal 3 - rezoning available land for residential use, this is again talking about the railroad property. We should probably strike 3.1 because it's suggesting residential. Objective 3.2 talks about references multi-layered zoning which City Manager Fairburn said he thinks that mixed uses bumping against each other.

There was discussion among the Commissioners and City Manager about the zoning throughout the City. All of our available land is already residential with the exception of what few areas of M-1 and some commercial are there.

Page 29 - We had dropped 'required development' 3.0; objective 2.1 we also dropped 'required development.'

Page 30 - This is listing full-time police officers and reserve officers; we will be more specific in listing the number of sergeants and officers, etc.

Page 31 - The response time for police officers is there but 'element' will be dropped.

Page 32 - Economic Development Section - in the first paragraph we discussed how the tax base would be increased so don't need to discuss lowering taxes. One paragraph was dropped because it was included in paragraph 12.

Page 38 - Zoning & Land Use Plan - removed the 10 recently annexed acres north of Kings Manor because it is old news. Paragraph about Planning Horizons was dropped because the Charter has different amount of years. Also dropped paragraph about Planning Principles and the part about higher densities because it is not key to the overall comprehensive plan.

City Manager Fairburn asked the Commissioners to look over this Comprehensive Plan and the old minutes and make any corrections deemed necessary. We could have a Chapter about the Future of Lake Dallas and could discuss transportation, public safety, police protection, economic development as a section and discuss Main Street identity there. Quality of life - what section would you prefer that to be in. He said he could combine some of these things and bring it back to the December meeting.

Page 46 - In the old section is also on page 24 about Main Street doesn't seem to apply and he would like to drop. Implementation for higher density for Main Street was recommended in their plan but is not applicable at this point. This was approved by the Commission.

Under Community Development: the annexation east of Shady Shores has been done; the retreat at Monserrat will not be considered and the land bordering the Marina is not likely to support a hotel or motel.

Parks: They have a Master Plan which is separate from the Comprehensive Zoning Plan.

Dobbs Road - Council wants more development.

Page 48 - Administrative Actions: Planning and Zoning may wish to set up one meeting per year and send something to the City Council. He plans to rearrange the ending paragraphs.

6. Approval of minutes of October 7, 1999, meeting.

Alternate Fahey asked that the minutes be recorrected to reflect the statement he had said on Page 3 under Item 2: "Alternate Fahey was against the zoning change due to the possibility of sexually oriented businesses going in."
Motion was made by Commissioner Graham to approve the minutes of October 7, 1999, as corrected. Seconded by Alternate Fahey.
Ayes: Commissioners Byers, Gilbert, Johnson, Graham and Alternate Fahey
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Byers that the meeting be adjourned. Seconded by Commissioner Johnson.
Ayes: Commissioners Byers, Gilbert, Graham, Johnson, and Alternate Fahey
Noes: None

Motion

Meeting was adjourned at 9:30 p.m.

Chairman

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on October 7, 1999, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Diane Byers
Ben Gilbert
Linwood Gilliland
Mike Fahey, Alternate
Frank Barnard, Alternate

M. J. Graham was absent

Staff present: City Manager Fairburn and City Secretary Lucke

A. Citizens' Agenda

Rod Courtney, 162 Kingswood, spoke in recognition of Linwood Gilliland. This would be Chairman Gilliland's last meeting as a member on the Planning and Zoning Commission. Mr. Courtney said Chairman Gilliland has been on every board for the City of Lake Dallas and the City Council plus being involved with some Denton County functions.

Chairman Gilliland closed the Citizen's Agenda when no one else offered to speak.

B. Business

1. Public Hearing regarding a zoning change from M-1 Light Industrial District to C-3 Commercial District for First Highway Addition Lots 1, 2, 3, 4, 5 & 6, Block A, Lake Dallas, Denton County, ,Texas

Steve Lee, 608 Johnson, Coppell, gave petitions to each of the Commissioners which showed the number of names and addresses of customers who had signed the petition. He runs D & J Liquor, 633 South Denton Drive. He said the property referenced is within the TABC regulations regarding day cares, schools, and churches. If this property is rezoned to C-3 they would relocate their business to that location and promised there would be no adult entertainment allowed on Lots 1 through 6.

Bonnie Brown Garcia, Post Office Box 25/427 South Denton Drive, said some years ago this property had been zoned C-3. She said their family would appreciate the zoning change since theirs is the only property that's not C-3 on Denton Drive. She said they might develop the property and possibly erect a metal building. She also said spot-zoning is not fair.

Chairman Gilliland said she would have to come to the Planning and Zoning Commission before they could put up a metal building.

Steve Wohr, 715 Lakeland, said he was speaking not as the Mayor but as a citizen. He asked the Commissioners to think very hard about this zoning. He said the other side of the street is zoned C-3. The citizens have asked for streets, parks, and other amenities and these things take money. Constant demands on the budget means the City doesn't have huge surpluses. If we had enough commercial property tax we wouldn't have to raise the property tax of the residents.

Ernesto Lopez, Jr., 55 Kingswood, said the issue here is not the liquor, it's growth for the City. There is not enough retail on the East side of Denton Drive. The tax base would be higher and we could put more money into streets and sidewalks and the City could get parks like Hickory Creek and Corinth have.

Norma McAlavy, 25 Oakwood, said we have enough liquor stores. Save our town from any more booze.

Allen Meyer, 6519 Meyers Road, Dallas, said it could be rezoned to C-1 or C-2 and still have retail. This didn't come up until Mr. Lee bought the property. The City doesn't need any more C-3. Hickory Creek will have C-3 and will have liquor which will take away from Lake Dallas' liquor business. What will happen to the tax base if the City gets too many liquor stores and some will have to go out of business? He said D & J is his tenant with a 5 year lease and a 3 month cancellation clause.

Sal Reyes, 605 South Denton Drive, said he is a new citizen and is against changing the zoning.

Betty Harper, 390 S. Lakeview, asked Mr. Reyes what his business is and Mr. Reyes replied, "Liquor."

Charley _____, Lewisville, said he had talked with Mrs. Garcia the previous night and if C-3 passes the cost of the property will be higher. He wants to put in offices.

Albert Moussa, said he bought Spiritz but bought a house in Corinth so his children could have a nice place to grow up. There are too many liquor stores in Lake Dallas. He sells beer and wine only.

Ernesto Lopez, Jr., 55 Kingswood, said they would not be opening another liquor store; they would be moving to a better site. They also sell wholesale and service some clubs.

Mike Minnis, 204 Oakwood, said the Commission should take into account that 4 liquor store operators are opposing the rezoning.

Doris Eckleberry, 905 Vista Oaks Court, said why not rezone to commercial but not for liquor. The City can still make money with commercial. People will start moving out because it's getting pretty disgusting having so many liquor stores here.

Lonnie Nowlin, owns Great Southwest Cedar Company, 604 S. Denton Drive. He has the property under contract to purchase from the Fosters and hadn't been told by them about the rezoning. He is not in favor of the rezoning.

Carolyn Green, 201 North Shady Shores, asked why is this issue coming back? She said she has nothing against liquor. She said so many people are bringing up the taxes issue. We were promised we'd have streets if the City went wet. She has witnessed people drinking in their cars right after a purchase from a store. Progress calls for more taxes. She has no problems with a zoning change to C-1 or C-2.

Bonnie Brown Garcia, 427 S. Denton Drive, said they don't have the desire to sell their property unless they can get the price they want. She thinks it's important to be C-3 and keep in continuity with the rest of Denton Drive.

Steve Wohr, 715 Lakeland, said the amount of liquor stores in the City is governed by economics. The property has been there without a real tax base for a long time. He thinks it's a good choice due to the location which also has a body shop and the railroad tracks are behind it. He stated that it was not appropriate to listen to competitors.

David Shershen, 166 Kingswood, said a lot of things that were said here tonight have nothing to do with planning and zoning. It's the responsibility of the Planning & Zoning Commission to collect information and to make recommendations to the City Council. That's one of the things that our Constitution is based on. It's free enterprise and competition.

Marg Johnson, 905 Vista Oaks, said she doesn't agree with the zoning change; both sides of the street don't need to be C-3.

Daisy Haley, 5409 Prince, said she has just lived her since May and has noticed how many stores there are and now a new one is going in on Swisher. She does not agree with the zoning change.

2. **Consideration and Action on a zoning change from M-1 Light Industrial District to C-3 Commercial District for First Highway Addition Lots 1, 2, 3, 4, 5 & 6, Block A, Lake Dallas, Denton County, Texas**

During discussions about the Comprehensive Plan, the Commission had given some thought to changing this M-1 area to C-1 or C-2 but were in agreement about not changing it to C-3. There was concern about 2 of the businesses in this area which did not want the zoning changed. Liquor stores have helped the community over the years through their revenue but there is a lot of vacant property that already is zoned C-3. A recent rezoning change on North Shady Shores had been denied by Council and even more recently Council denied a Special Use Permit to a club that was moving from one location to another location which was already zoned C-3. Commissioner Gilbert stated he was against the change. Commissioner Byers said her concern is that not all the owners are in agreement about the change. Chairman Gilliland said M-1 is not good but the change is not appropriate. Commissioner Barnard said the Comprehensive Plan discussions talked about C-1 or C-2 but not C-3. The City has denied the M-1 to C-3 on the south side of Swisher, said no to Slick's. Council denied Moonlighters on C-3 that Planning and Zoning passed. Denton raises the bar to improve development. ALTERNATE FAHEY WAS AGAINST THE ZONING CHANGE DUE TO THE POSSIBILITY OF SEXUALLY ORIENTED BUSINESSES GOING IN. CORRECTION BJM BJM

Motion was made by Commissioner Barnard not to accept the zoning change. Seconded by Commissioner Gilbert.

Ayes: Commissioners Bavon, Byers, Gilbert, and Barnard
Noes: None
Abstentions: Chairman Gilliland

Motion Passed

Chairman Gilliland called for a break at 8:45 p.m.
Chairman Gilliland called the meeting back to order at 8:57 p.m.

3. Hearing open to the Public for input for the Comprehensive Plan for the City of Lake Dallas.

Chairman Gilliland asked for guidance from the people in the audience.

Bo Fitch, 5580 Peterson Lane, Suite 155, Dallas, cited the property by the railroad tracks and said they don't want to put liquor stores or a mobile home park there. He said he had been before the Commission in April when they were asking for input from those on Main Street. They have been working with the railroad regarding their property here in Lake Dallas. He said they have been to Winn Dixie and Tom Thumb and neither of them are interested. He said the area wouldn't be retail because of the property shape, the railroad tracks, and ingress/egress. They would like to get some feedback from the Commission as to what their thoughts on nice apartments? That would bring people in and help generate more sales tax for the city.

Chairman Gilliland said the zoning is pretty strict and the Commission would like to see their plans with the engineering and have a commitment before the zoning change.

Mr. Fitch said they put in the apartments at Hebron Parkway in Lewisville as well as the Main Event and Cadillac dealership at I-35 and Corporate Drive in Lewisville. In answer to a question about whether the location would be good for a hotel/motel Mr. Fitch said it would need better access and higher visibility.

Commissioner Gilliland asked City Manager Fairburn for his input. He said he's talked with the railroad and they don't want to parcel out. One of the biggest problems is the high density traffic but with that location the vehicles wouldn't have to go through town. There would be opportunities for the businesses in the area. In a discussion with the Superintendent of Schools it was determined that the taxes per residence doesn't cover costs until it is a $145,000 or more home. The Lake Dallas ISD would not be in favor of the change. It would need to be looked at very carefully.

Discussion among the Commissioners ensued. It was decided that they would be willing to look at the plans Mr. Fitch would bring back to them. It was also discussed as to what sort of visual do we want to have when you enter the City – industrial or quality family or multi-family units.

Commissioner Gilliland closed the public hearing and said they would skip item 4, Workshop on development of the Comprehensive Plan tonight and go straight to the minutes approval.

5. Approval of minutes of September 20, 1999, meeting.

Motion was made by Commissioner Gilbert to approve the minutes of September 20, 1999. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Barnard
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Byers.
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Barnard
Noes: None

Motion

Meeting was adjourned at 9:35 p.m.

Chairman

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 20, 1999, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. ROLL CALL

Members present:
Al Bavon
Ben Gilbert
Linwood Gilliland
Frank Barnard, Alternate
Mike Fahey, Alternate
Absent: Diane Byers
M.J. Graham was excused.

Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Beverly Lucke.

B. Business

Consideration and Action on approval of building plans for COMCO including mechanical and structure plans.

Building Official Harp showed the Commissioners the plans and gave explanations and answered questions regarding various specifications. City Manager Fairburn said they still have some things to get worked out with LCMUA. There are no requirements for screening since they are surrounded by like zoning. The drainage will follow the current drainage standards.
Motion was made by Commissioner Barnard to approve the building plans submitted by COMCO as presented which includes mechanical and structural plans; with the condition that they brick the front and 2 sides (office area); also, contingent on the approval of LCMUA; and all building plans will meet or exceed the City Code as required. Seconded by Commissioner Gilbert.
Ayes: Commissioners Bavon, Gilbert, Gilliland, Fahey, and Barnard
Noes: None

Motion Passed

C. Comprehensive Plan Work Session

Environmental Setting:
Goal 2.0: Protect the water quality and quality for the community

Add objective on construction activity run-off protection

Solid & Hazardous Waste
Objective 4.1 Delete

Zoning and Land Use Plan

Goal 1.0 Manage civic growth and brand Lake Dallas a choice community

Objective 1.1 Use 'update' instead of 'establish' in first line

Goal 2.0 Emend residential neighborhoods

Objective 2.2 Delete

Objective 2.3 Delete

Objective 2.4 Delete

Goal 3.0 Provide Main Street with an identity

Objective 3.3 This was addressed earlier section – tourism – delete it here

Goal 4.0 Increase the City's tax base via commercial development

Objective 4.1 Delete

Objective 4.2 Add change zoning from M-1 to C-1

Objective 4.3 Delete

Objective 4.4 Delete

Objective 4.5 Delete

Objective 4.6 Delete

Objective 4.7 Delete

Parks, Recreation, and Open Space

Goal 5.0 Renovate and preserve area parks and create new parkland as permitted

Objective 5.4 Delete

Objective 5.5 Delete

D. Approval of Minutes for September 2 and 8, 1999, meetings

Motion was made by Commissioner Barnard to accept the minutes as presented for September 8 and September 2. Seconded by Commissioner Gilbert.

Ayes: Commissioners Bavon, Gilbert, Gilliland, Fahey, and Barnard

Noes: None

Motion Passed

E. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Gilbert.
Ayes: Commissioners Bavon, Gilbert, Gilliland, Graham, Fahey, and Barnard
Noes: None

Motion Carried

Meeting was adjourned at 9:05 p.m.

Linwood Gilliland
Chairman

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 8, 1999, at 7:35 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert
Linwood Gilliland
M. J. Graham
Mike Fahey, Alternate

Excused absences: Al Bavon and Frank Barnard, Alternate
Absent: Diane Byers
Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Beverly Lucke.

A. Citizens' Agenda
No one presented themselves to speak

B. Business

1. Consideration and Action on replat of Block K Garza Beach Estates Lots 1R and 31R

There was discussion about the proposed new street and drainage for the Garza Beach area. **Motion** was made by Commissioner Fahey to accept the replat of Block K Garza Beach Estates, Lots 1R and 31R. Seconded by Commissioner Graham.
Ayes: Commissioners Gilbert, Gilliland, Graham, and Fahey
Noes: None

Motion Passed

2. Consideration and Action on final plat on COMCO addition on Overly Drive

City Manager Fairburn reported that the owners of COMCO were unable to attend. They had made plans for a Tuesday meeting and couldn't make arrangements to be here on Wednesday. They have also applied for a tax abatement and that will come to the Planning & Zoning Commission next month. Building Official Harp showed the commissioners the plans and said he and City Manager Fairburn had met with the engineers who are working on the building and landscaping plans. City Manager Fairburn also mentioned that part of Overly Drive has not yet been dedicated to the City.
Motion was made by Commissioner Gilbert to approve the final plat of COMCO Addition on Overly Drive. Seconded by Commissioner Graham.
Ayes: Commissioners Gilbert, Gilliland, Graham, and Fahey
Noes: None

Motion Passed

3. Workshop on Comprehensive Plan

Discussion began with Community Facilities in Group Four - Major Comprehensive Plan Elements in the chapter entitled 'How Do We Get There?' Fire hydrants and lines sizes were discussed regarding the older sections of town. The Goals and Objectives of fire protection were corrected and City Manager Fairburn said the Fire Department has provided the City with the first draft of their emergency plan. He said the warning/alert sirens had been in the Fire Department's budget until the ambulance service through Denton County changed. Within a year the Fire Department will have their building in Lake Dallas remodeled and they plan to have to ambulance service by February. The Police Department goals which shows acquiring a new facility could be realistic since it is hoped that the City's facilities will one day be upgraded. Their outreach/public education programs are currently good as is their response time.

Community Facilities:

Fire:	Objectives 1.1 and 1.2 to be combined and worded to refer to the Fire Department's Five Year Plan	
	Objective 1.4:	Drop GIS portion
	Objective 1.5:	Drop
	Goal 2.0	Add objective on ambulance service
	Objective 3.1	Add Denton County
Police:	Objective 1.1	Drop reference to development
	Objective 1.3	Reword to upgrade when needed
Economic Development:		
	Objective 1.3 and 1.4	Combine and be less specific as to organization to contact
	Objective 4.2	Add residential and possible mixed use
	Objective 4.3 & 4.4	Drop
	Objective 4.5	Move to another section
	Objective 5.1	Drop (it's done)
Quality of Life		
	Education	Drop this section
	Healthcare	Drop this section
	Arts and Culture	Change to Tourism and Entertainment: include airport, marina, lake, and restaurants
	Retail	Add to objective 4.3: Denton Drive/Frontage Road

C. Adjourn

Motion was made by Commissioner Gilbert that the meeting be adjourned. Seconded by Commissioner Fahey.

Ayes: Commissioners Gilbert, Gilliland, Graham, and Fahey
Noes: None

Motion Carried

Meeting was adjourned at 9:15 p.m.

Linwood E. Gilliland
Linwood Gilliland
Chairman

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on September 2, 1999, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Ben Gilbert
Linwood Gilliland
M.J. Graham
Mike Fahey, Alternate
Frank Barnard, Alternate

Excused absences: Diane Byers

Staff present: City Manager Fairburn

A. Citizens' Agenda
No one presented themselves to speak

B. Business

1. Work Session on the development of he Comprehensive Plan

The draft Comprehensive Plan from the students was reviwed in part with the following changes:

Goal 1.0 (page 16)
Drop #4 – web presence already being done
Drop multi-family form #6

Goal 2.0
Refer to support of Park Master Plan

Goal 4.0
Change "Develop a tax abatement…" to "Continue a tax abatement "

Goal 5.0
Objective 5.1
Change " To provide the highest" to " To provide a high"

Goal 7.0
Objective 7.1
Drop "water treatment and sewage processes" "drinking water facilities"
Under Actions – drop 6&7
Reword #8 to apply to drainage systems and not water/sewer

Comprehensive Plan Elements (page 23)
Housing

There was concern about the amount listed for average housing price. All factual numbers will be reviewed.

Goal 1.0 (page 23)

Drop 1.5

Goal 3.0

Drop 3.1
Objective 3.2

Change "discourage" to "prevent"

Drop 3.3 3.4 3.5

Goal 4.0

Change "Adopt stricter" to "Maintain strong"
Objective 4.2

Change "upgraded " to "maintained"

Transportation (page 25)

Add Dial a Ride and Span

Goal 1.0

Drop "solve problems arising from inadequate planning and to"

Goal 2.0

Drop "every two years "

There was another meeting established for September 8, 1999 at 7:30.
There was discussion about how to call in to be excused if a commissioner cannot make a meeting. If possible, call in ahead, but if it is a last minute emergency, call as soon after the day as possible.

2. Approval of minutes of August 5, 10, and 19, 1999

Commissioner Graham asked for changes to the minutes of August 5,1999.

- Add the part that Thanna Bounds stated that it was always their intention to develop lots as a cemetery.
- What Patsy Farrow said about "not understanding why cemetery should make improvements on the Graham's personal property"

It was the consensus to check the tape to determine what was actually stated and write it as such.

Motion was made by Commissioner Barnard to approve the minutes of August 10, August 19, and August 5, 1999, as amended. Seconded by Commissioner Gilbert.
Ayes: Commissioners Bavon, Gilbert, Gilliland, Graham, and Barnard
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Gilliland that the meeting be adjourned. Seconded by Commissioner Gilbert.
Ayes: Commissioners Bavon, Gilbert, Gilliland, Graham,and Barnard
Noes: None

Motion

Meeting was adjourned at 10:00p.m.

Linwood Gilliland
Chairman

Stewart Fairburn, City Manager
City of Lake Dallas

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on August 19, 1999, at 7:00 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert
Linwood Gilliland
M. J. Graham
Mike Fahey, Alternate

Excused absences: Al Bavon, Diane Byers, and Alternate Frank Barnard
Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Beverly Lucke.

A. Citizens' Agenda
No one presented themselves to speak

B. Business

1. Work Session on the development of the Comprehensive Plan.

The commissioners discussed the rough draft of a partial comprehensive plan drawn up by Al Bavon's class at the University of North Texas. Items of discussion included:

1) Zoning changes could be utilized for flexibility; 'spotty' zoning should be eliminated
2) The bridge across Lake Lewisville will be in our city and should help development—residential and retail
3) Clyde Edwards would like his property on Dobbs to be commercial
4) Multi-family units are not real desirable
5) Heightened development by the marina
6) Market the city: get a slogan and motif – our biggest advantage is our lake
7) Form a committee (focus group) to promote interest in the City; get a businessmen's organization going
8) The City will remain mostly residential properties and we don't have much property left
9) Fund raisers and volunteers to improve the old buildings on Main Street and other streets
10) Host activities in the City; i.e., vintage cars and/or race cars
11) Improvement of Church Street, signage and move the Hundley Exit south to Church (Main)
12) Contact the Denton County Economic Development Commission re: vacant properties
13) After web page is established we can list vacant properties on it & publish in newsletter

The commissioners agreed to proof-read the draft and make comments/notations for discussion at the next meeting. It was decided that there should be at least 2 more meetings with public input and we can put out summaries that would be available at City Hall and the Lake Cities Library.

C. Adjourn

Motion was made by Commissioner Graham that the meeting be adjourned. Seconded by Commissioner Gilbert.
Ayes: Commissioners Gilbert, Gilliland, Graham, and Fahey
Noes: None

Motion Carried

Meeting was adjourned at 8:20 p.m.

Linwood Gilliland
Chairman

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on August 10, 1999, at 7:30 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert
Linwood Gilliland
M. J. Graham (arrived at 7:35 p.m.)
Mike Fahey, Alternate
Frank Barnard, Alternate

Excused absences: Al Bavon and Diane Byers
Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Beverly Lucke.

A. Citizens' Agenda
No one presented themselves to speak

B. Business

1. Public Hearing - To issue a Special Use Permit to operate a private club for property located at 212 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey, zoning district is C-3.

Bobby Griffith, 155 West Overly, said he has leased the space at 212 Main Street. He has had a club for 8 years at 112 Hundley Drive. He proposes to use half of the building on the Main Street location for a club and rent out the other half as office spaces. He is requesting a special use permit in order to accomplish this.
Gary Johnson, legal representative for Eva Johnson, his aunt, of 209 Main. He expressed concern regarding property values and the clientele. He said he didn't see a private club attracting the clientele we need right in the heart of the city. He wanted to register his concerns and objections.
James Lively, 527 Oak Lake, expressed his concern to putting a club in the heart of Lake Dallas. He said when he moved here he understood there were clubs and liquor stores here but what actually drew him here from the hustle and bustle of Dallas was the country atmosphere. He doesn't feel a club of this magnitude will help the persona of the City.
Winston Harper, 390 S. Lakeview Drive, said his whole being in Lake Dallas is business and trying to get other business to come into Lake Dallas. He said we already have one club across the street from a school and then Chalker's went in on Main Street. He said he realizes some people think that any business in place of an empty building is good but we need to be cautious as to what we put in on Main Street. Clubs and liquor stores could be what keeps out other kinds of business we'd rather have.
Betty Harper, 390 S. Lakeview Drive, said one of her goals on the City Council is to bring in new business. She said she doesn't feel the center of our town needs a club. She said she knows Chalker's is there and that if it were a bar and grill that would be different. She's totally against this.
Becky Locklin, Lake Dallas, said she and her husband were having a problem opening a day care center here but they can't because the can't be within 300 feet of all the places that sell alcohol. Everywhere they've looked has been too close. Commissioner Fahey said the code says alcohol places can't move within 300' of them but they can move within the alcohol districts.

Paul Locklin, Lake Dallas, said he was told by the City's zoning office today that they couldn't move within 300 feet of an establishment that sells alcoholic beverages and that they would have to buy a permit. City Manager Fairburn said that day cares do require special use permits and the application must go before the Planning and Zoning Commission. The onus of distance is placed on the alcohol business.

Commissioner Gilliland asked Bobby Griffith if he would like to respond to the concerns.

Mr. Griffith said he appreciates all the concern. The club that he did close at 112 Hundley attracted businesses to that shopping center. It was 50% occupied before Moonlighters moved in and after they were there the center was completely occupied. The business they are talking about at 212 Main is not a honky tonk. It's a big place and it's been vacant over a year. When Danal's moved out they left everything in there including meat on the floor and milk in cartons, etc. It's been a hazard and rat infested for 1 ½ years. If the property around the building was going to be de-valued it would have happened before they got there. They have cleared it all out including cleaning up the alleyway between that building where Chalker's is and the day care and they have had no problems with the day care. They do not have loud bands or lewd behavior. The property values should increase because they have put a lot of work into the building and area. He's been approached by at least six other businesses about leasing the space next door as office spaces.

Commissioner Gilliland asked Mr. Griffith what kind of night club it was going to be, serve food, dance? Mr. Griffith said they will have live bands, dancing, food service, dart contests and leagues. It is a drinking establishment. It shouldn't cause more problems for the Police Department because they are right across the street from them. Commissoner Graham said one of the things she's been hearing is that the citizens would like to have more restaurants here. Mr. Griffith said they can't make it a dinner club but kids can come in with adults and if they want to eat they have burgers and things in a basket. She asked if they had pool tables and shuffleboards. He said on the Chalker's side they do. Mr. Griffith answered Mr. Harper's question about office spaces by saying he was planning on 800 - 1000 square feet areas. Mr. Lively said he thinks it would be a good idea to put it all in offices instead of a bar. He thinks that would bring in more businesses and more tax dollars. We have people looking at moving here because of the good school district and it's a safe town.

Shelly Cristich, 298 South Lakeview, said she likes small towns and grew up in a small town with liquor in it. She has no problem with what's going on. The small grocery store's prices were too high and we can't support another like it. She said this is an existing business and that she has never seen anything in the paper about fights at Moonlighters or Chalker's. She doesn't see how it will lower property values. The other houses on Main Street are either falling apart, hardly anyone is living in them, or they're being turned into businesses.

Commissioner Gilliland closed the public hearing since no one else presented themselves to speak.

1. **Consideration and action to issue a Special Use Permit to operate a private club for property located at 212 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey, zoning district is C-3**

There was discussion about the length of time the big parking lot and building had been unused. The city will not be able to attract a grocery store to that building with the competition and the trend being that they're not moving here. Chalker's is going to be phased out and the area is already zoned for alcohol so it's not a question of adding any more C-3 zoning. Commissioner Gilliland asked City Manager Fairburn and Building Official Harp if they were aware of any other businesses interested in the building. City Manager Fairburn said he knew of none and Building Official Harp said about a year ago someone was but the price was too high. The building's owners have surely tried to lease this property out during this time it has been sitting empty. The City had given some thought to acquiring it for the City Hall but the price was prohibitive. A Mexican restaurant considered the building but went to Denton instead due to lesser rental per foot. Also, an antique store had checked into the possibility of occupying the building but it was too expensive to clean up and take care of the infestation. The problem also appears to be visibility – businesses want to be seen from I-35 as proven by the fact that 2 different developers are trying to bring restaurants into the area north of the bank and also on Swisher Road. It was brought up that Mark Grover with the Denton County Economic Development Commission was aware the building was empty but no interest had been generated. Mr. Griffith was asked why he was moving from the Hundley location. The reply was that the new owner had raised the rent by $1400 per month.

Motion was made by Commissioner Barnard to approve issuing a Special Use Permit for 212 Main Street, Lake Dallas, Texas; Tract 66 of A1355A Wright Survey, zoning district is C-3. Seconded by Commissioner Fahey.
Ayes: Commissioners Gilbert, Gilliland, Graham, Fahey, and Barnard
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Fahey.
Ayes: Commissioners Gilbert, Gilliland, Graham, Fahey, and Barnard
Noes: None

Motion Carried

Meeting was adjourned at 8:15 p.m.

Linwood E. Gilliland
Linwood Gilliland
Chairman

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on August 5, 1999, at 7:34 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Ben Gilbert
Linwood Gilliland
M. J. Graham
Mike Fahey, Alternate
Frank Barnard, Alternate

Excused absences: Al Bavon and Diane Byers
Staff present: City Manager Fairburn, Building Official Harp, and City Secretary Beverly Lucke.

A. Citizens' Agenda
No one presented themselves to speak

B. Business

1. Public Hearing - To issue Special Use Permit to the Swisher Cemetery Association for lots which have been donated to or purchased by the Swisher Cemetery: Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, and 15

Chuck Graham, 1013 Kings Manor, said he had gone to the birthday club about this variation about a year ago. He said there are deed restrictions on those lots and he realizes that is a civil matter but feels it should be taken into consideration before issuing a permit. He said the road on Meadowbrook has been extremely damaged.
Gene Tisdale, 524 Howard, said he wants to make sure the deed restrictions are met before the city has a liability. He doesn't think the City should put itself in a position to be sued.
Chairman Gilliland said the zoning has been changed and no other restrictions of the deeds were put forth to be enforced at that time.
Commissioner Graham said there were deed restrictions that should be addressed.
Mary Purser, 725 Main Street, President of the Swisher Cemetery Association requested that Commissioner Graham not be allowed to vote due to a conflict of interest.
Commissoner Graham said she had signed an affidavit and would abstain from voting.
Mary Purser said she was there concerning the development of the Swisher Cemetery. This community cemetery has been in existence since 1883. The original land was donated strictly for burial sites for residents of the area, Hickory Creek, Shady Shores, Corinth, and Lake Dallas. They have restricted the burials to those from this immediate area. Through the years the former Birthday Club organization worked to support the cemetery and looked to the future by accepting land donations from the land owners of Oak Lakes and purchased a few of the lots because of back taxes that were owed on them. In the past the City Attorneys have aided with the paperwork and pasts mayors have cooperated on these transactions. They don't understand why they now have to purchase a permit. Lots are in demand and they will be running out of space soon. They have been made aware that some of these lots fall in the flood plain and at the present time there is nothing on their agenda to develop these lots. She said they would work with the Building Inspector to follow the City's guidelines. She said there's a good chance that a lot of the land will not be used because it lays in the flood plain. They have made a general rule to put fences up.

As of yesterday the cemetery had received from Austin the authority for an historical marker. She said she felt strongly that the community would benefit if they could receive the permit. When someone loses a loved one they would like to have them close. She said they would like to see the deed restrictions because they have never been shown that there are deed restrictions and they have asked to see them. Chairman Gilliland asked if the Swisher Cemetery Association planned on purchasing any more lots. Ms. Purser said there are currently 2 vacant lots within the area that they would like to purchase the cost is too much.

Bob Davis, 33 Lake Ridge, said he'd been made aware by the Grahams and other property owners in the Oak Lakes subdivision that there were complications with the road and the bridge and the City either getting involved with the development of that area through sewer, other utilities, and the roads voluntarily or involuntarily. He said there is a possibility of the cemetery infringing on the roadway. If the City gets into a legal situation and the Cemetery Association loses the suit he doesn't want to be faced with the possibility of having to move his loved one who is buried there. He asked that the City reach a compromise.

Chuck Graham said it was his understanding that there are 13 bodies buried on those lots and that we could ask Building Official Harp.

Patsy Farrow, 508 Main Street, said she's not sure why this has occurred and why people are so upset about this particular thing. The cemetery has had public support for years and it was never the intention of anyone to infringe on anyone's rights and they had nothing to do with the road destruction. She said she was not sure why Mr. and Mrs. Gaham are so upset about this. People from the Thousand Oaks subdivision knew the cemetery was there when they bought their homes and they give donations which helps with the upkeep of the grounds.

Building Official Harp was requested to look at the roadway at the entrance to the subdivision. He went out to see what kind of drainage problem we might have as far as the flood plain. He said there is a correction that can be made to prevent any grave sites from washing out and that correction would be a retaining wall.

Mary Purser said the area has been surveyed and she will find it. City Manager Fairburn said the City is in the process of having that area surveyed. She said they don't have anyone buried on any of those lots in question. Mr. Graham said there were headstone up against the fence. Ms. Purser said she was trying to think where that could be. Mr. Graham said the concern is not the cemetery, it's the road. The backfill off the cemetery is causing damage to the road by washing out.

Commissioner Gilliland said the road is the City's only interest.

Carolyn Green, 201 N. Shady Shores, asked what are the deed restrictions. Commissoner Graham said the deed restrictions say you can't run a business on those properties and the cemetery is a business and the deed restrictions were set by the developer. Ms. Green asked what does the street have to do with this. She asked City Manager Fairburn to find out what Texas law says about cemeteries.

Commissoner Graham said that just because the cemetery association is non-profit does not make it not a business. She said the Birthday Club has covered part of the road and thus denied access.

Barbara Miller, Denton, TX, asked if they are planning to bury bodies on the Oak Lakes lots and is the association going to protect the road. Ms. Purser repeated that the association will work with the Building Official. Ms. Miller asked if they planned to honor the deed restrictions. Commissioner Gilliland said the City does not enforce deed restrictions. Ms. Miller wanted to ask if anyone else on the board has voting power on the cemetery association or did at the time the alleged violations occurred, particularly as regards Commissioner Gilliland. He was vice president from January 1998 until January 1999. He was not a member at the time the land was purchased.

Patsy Farrow said the Oak Lakes subdivision was developed long before it came into the City and she thought the developer sold the lots with lots of promises.

Thanna Bounds, 440 Betchan, said she was president of the cemetery association for 25 years. She was elected in January, 1972, and Slat Beene's wife was a real estate agent and was in charge of selling these lots. The Cemetery Association has been trying to buy this property since 1972.

Commissioner Gilliland asked City Manager Fairburn if he had anything to add.

City Manager Fairburn said the issue before the commission is to have a Special Use Permit for the various lots described for use as a cemetery. The road issue is being looked at by the City and will be dealing with any encroachments in the right of way.

Commissioner Gilliland closed the public hearing.

1. **Consideration and action on issuing a Special Use Permit to the Swisher Cemetery Association for lots which have been donated to or purchased by the Swisher Cemetery: Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, and 15**

There was discussion regarding the historic value and importance of the cemetery to the community. The code book authorizes issuing Special Use Permits to a cemetery. The road behind the cemetery is rutted out but there has never been any development on the lots. There is a possibility that the City of Corinth may get a road into that area but the City of Lake Dallas should see about making the road accessible. The City is not responsible for maintenance of the roads/streets of that area. The cemetery association has agreed to meet all the requirements of code enforcement. The requirement to notify the residents within 200 feet had been met. Some letters came back as undeliverable.

Motion was made by Commissioner Gilbert to approve issuing a Special Use Permit to the Swisher Cemetery Association for Oak Lakes, Block A, Lots 7, 8, 9, 10, 11, 12, 14 and 15. Seconded by Commissioner Fahey.
Ayes: Commissioners Gilbert, Gilliland, Fahey, and Barnard
Noes: None
Abstentions: Commissioner Graham

Motion Passed

Commissioner Gilliland called for a break at 8:30 p.m.
Commissioner Gilliland called the meeting back to order at 8:42 p.m.

3. **Work Session on the development of the Comprehensive Plan**

City Manager Fairburn said the Planning & Zoning Commission has had meetings with Main Street, Denton Drive, and Swisher people to hear their thoughts and concerns. We might need an open session to hear what others may have planned for the City. Some items brought up have been uses for the M-1 property on Denton Drive; how to get a Main Street corridor all the way to I-35 through the use of Church Street; development of signs to guide people into town; the DART transportation system; soundproofing for Kings Manor people; protection for those residents who live in business zoned areas. Commissioner Bavon and one of his classes at the University of North Texas had drafted a plan which needs more input from the Planning and Zoning Commission. It was decided that each commissioner be furnished with a copy of the UNT draft and minutes of meetings with the 3 identified areas and have a workshop session on August 19 at 7 p.m. City Manager Fairburn said the commission is hoping to present the master plan to the City Council in the fall. A public hearing will also need to be scheduled for citizen input and it was determined that should be the next regular Planning and Zoning meeting.

4. Approval of minutes of July 1, 1999

Motion was made by Commissioner Barnard to approve the minutes of the July 1 meeting. Seconded by Commissioner Gilbert.
Ayes: Commissioners Gilbert, Gilliland, Graham, Fahey, and Barnard
Noes: None

Motion Passed

Commissioner Graham asked to speak to those in the audience. She said she did not mean to be rude when she was answering their questions and if anyone took offense, she apologizes and hopes there are no hard feelings.
Mary Purser said we all want what's best for the community and they will be willing to work with them. They have nowhere else to go.
Commissioner Graham said she would be happy to talk with them after the meeting.

C. Adjourn

Motion was made by Commissioner Barnard that the meeting be adjourned. Seconded by Commissioner Graham.
Ayes: Commissioners Gilbert, Gilliland, Graham, Fahey, and Barnard
Noes: None

Motion Carried

Meeting was adjourned at 9:00 p.m.

Linwood E. Gilliland
Linwood Gilliland
Chairman

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on July 1, 1999, at 7:30 p.m.in the Community Center located at 302 South Shady Shores, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Diane Byers
Ben Gilbert
Linwood Gilliland
M. J. Graham (arrived at 7:50 p.m.)
Frank Barnard, Alternate

Excused absences:
Mike Fahey, Alternate

Staff present: City Manager Fairburn and City Secretary Beverly Lucke.

A. Citizens' Agenda

Michael Webster, 606 Lakebridge, would like to know who owns the entryway to their subdivision since it is not being maintained. Does Pulte Homes, Cameron and Associates, or the City of Lake Dallas own that area? Who's in charge of mowing in the gate area and what assurance can the City give regarding the maintenance, mowing, weeds, and trash that is in that area?
City Manager Fairburn said the City is not aware of any land transfer. Cameron and Associates is the owner of that property and it is zoned C-1. We have been working with Mr. Cameron regarding the swamp area plus the pile of limbs since it is off the right-of-way. Code Enforcement has sent letters regarding the mowing.

Commissioner Gilliland said Commissioner Bavon was an instructor at the University of North Texas and this semester they were helping the City of Lake Dallas by working on a comprehensive plan for us. He had a representative from his class at the meeting tonight, Mr. Gary Johnson. Commissioner Gilliland said he appreciated his guidance and work on this project.

B. Business

1. Work session on the development of the Comprehensive Plan

Doris Eckelberry, 905 Vista Oaks Court, asked if the City could put some bike paths or walkways (something with a hard surface) down by the lake, and maybe get some help from Hickory Creek. City Manager Fairburn said there has been some discussion about that with the Lake Study and along the railroad tracks. The Parks and Recreation Board is working on the parks plan for Willow Grove area along with the other parks. He said that the Lake Dallas and Hickory Creek Parks and Recreation Boards are working together on the Fallfest planned for October and that might be a good beginning for connecting our Willow Grove with Westlake. Commissioner Gilliland suggested they attend a Parks and Recreation meeting.

Odie Carlson, 906 Vista Oaks Court, said since Lake Dallas is getting about landlocked is there anything the city can do to take in more area. City Manager Fairburn said the City Council has looked at Hook Street and the Folley Beach area and it has been determined that the area is in Hickory Creek's ETJ

but they can't annex it because their population is below 5000. Last year we annexed the Boliver property and we have 50 - 60 acres left to be developed and the new Swisher Road extension will bisect that property. Mr. Carlson said he would be glad to help in any way he can because he would like to see our city upgraded. He said he had lived in an area where groups would help situations by upgrading those who couldn't afford to do it themselves. Commissioner Gilliland advised him to fill out an application for the Planning and Zoning Commission, the Parks and Recreation Board, or the Board of Adjustment. Commissioner Barnard said he could get on the Citizen's Agenda of the City Council meetings and was advised of the times.

John Schuh, 737 Harbour Town Drive, asked what the city's responsibility is for the roads in that area. He also said he liked Mrs. Eckleberry's idea for the bike paths. City Manager Fairburn said that a few months ago the company who is developing that area had come forward for replatting that area in order to straighten the street and they had agreed to the City Council's request to fix the street at the same time they put in the new curb. There has been no action yet but the Building Official has been trying to check them to see what the plan is. If it stays undeveloped, the city will have to do something about it.

Michael Webster, 606 Lakebridge, asked what the status was on Carlisle Street and when will it be redone. City Manager Fairburn said it is part of the street bond issue as is the south side of Main Street but those portions are part of the 3rd million of the bond issue so it will not be anytime soon. It is still a priority with council but the unavailability of funds is still with us.

Commissioner Graham asked City Manager Fairburn to advise what had happened to the federal grant for a Wetland and Wildlife area that the Parks and Recreation Board had been talking about when she was on the Parks Board. City Manager Fairburn said the city is submitting a 10 year park master plan this month to the State of Texas in an effort to get some grant funding.

Commissioner Gilliland closed the work session at 8:00 p.m.

2. Consideration and action on replatting of Lots 1 - 6, Block One, Tract One of the Gotcher Addition and Tract 2, Lot 7 of the CR Stockard Survey

Motion was made by Commissioner Graham to approve the replatting of Lots 1 - 6, Block One, Tract One of the Gotcher Addition and Tract 2, Lot 7 of the CR Stockard Survey. Seconded by Commissioner Bavon.

Ayes: Commissioners Bavon, Byers, Gilbert, and Graham

Noes: None

Motion Passed

3. Consideration and action on a preliminary plat for Swisher Road Addition - North and South

Ron Berlin, 3838 Oaklawn, Suite 300, Dallas, Texas 75219, is one of the owners and has 2 other partners. He introduced Mark Stacey, property contractor; Jeff Stone, proposed operator; Oscar, designer and architect; Cliff Hobbs, representative of their engineering firm. Besides owning the property on the north side of Swisher they have put 2 acres under contract with Payless Cashways and are going with the current zoning of that area. They are considering dividing the south tract into 2 parcels but have no users at this time. Their engineers have found a way to adequately store the water in a retention area and then drain through the Jackson Ranch area. Commissioner Gilliland asked if our engineers have looked into the drainage plan. City Manager Fairburn said they have looked at it and the north section follows the original plan of the water that crosses Swisher and then goes into a pipe which is provided by the Jackson Ranch. They will grade the site so it doesn't drain toward the homes. Mr. Berlin said they would enclose

the drainage underground The north plat is a 5 acre plat. They are asking for a preliminary plat for the remaining area other than Lot 1. He said they have decided to have one curb cut in order to limit the turns off Swisher Road and that would allow the vehicles to go from store to store without getting back out on the street. Commissioner Barnard asked what the effect of the drainage would be if Mr. Berlin did not buy the south property. City Manager Fairburn said that if the south side stays as it is if will not affect the north side. City Manager Fairburn said U. S. Homes will have a swale in the residential area which will pick up the drainage and it will continue to go to the north. Commissioner Gilbert stated that the south side of Swisher is zoned M-1 and all plans have to come before the Planning & Zoning Commission before any permits can be issued. Mr. Berlin asked how soon they could approval on the preliminary plans for the remaining area on the north side as well as the south side. City Manager Fairburn said as soon as the engineers approve the preliminary plans they could begin their final plans. Mr. Berlin said there would be no other 'stand alone' liquor stores on the remaining parts of the north side and that they would come back for replatting if they found only one owner for the three lots. There was discussion about fencing between the commercial and residential portions of the Jackson Ranch Subdivision. Mr. Berlin said they did not have a problem with the city requirements as they currently exist. City Manager Fairburn said U. S. Homes may already be planning a fence on this next phase and that the city will coordinate this.

4. Consideration and action on a final plat for Block 1, Lot 1, Swisher Road Addition, North

Ron Berlin, 3838 Oaklawn, Suite 300, Dallas, Texas 75219,
He said he tried to find what to do with that parcel that would be beneficial to the tax rolls as well as the community. They are considering Lot 1 to be a liquor, beer, wine, and convenience store with a brick front building, all concrete parking, landscaping, and lighting and the size will be 7000 square feet. He said it would not be good to try to put a large grocery store there due to the lack of area for parking as well as a large store.
Motion was made by Commissioner Graham to approve the preliminary plat for Swisher Road Addition for the north side and the final plat for Block 1, Lot 1, Swisher Road Addition, North. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Gilbert, and Graham
Noes: None

Motion Passed

Motion was made by Commissioner Gilbert to approve the preliminary plat on the south side of Swisher with our engineers acceptance. Seconded by Commissioner Byers .
Ayes: Commissioners Bavon, Byers, Gilbert, and Graham
Noes: None

Motion Passed

5. Approval of minutes of June 3 and June 17, 1999

Motion was made by Commissioner Gilbert to approve the minutes of the June 3 and June 17 meetings. Seconded by Commissioner Byers.
Ayes: Commissioners Bavon, Byers, Gilbert, and Graham
Noes: None

Motion Passed

C. Adjourn

Motion was made by Commissioner Gilbert that the meeting be adjourned. Seconded by Commissioner Byers.
Ayes: Commissioners Bavon, Byers, Gilbert, and Graham
Noes: None

Motion Carried

Meeting was adjourned at 8:50 p.m.

Linwood E. Gilliland
Linwood Gilliland

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on June 17, 1999, at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551.041, of the Texas Government Code.

A. ROLL CALL

Members present:
Al Bavon
Diane Byers
Ben Gilbert
Linwood Gilliland
Frank Barnard, alternate

Members absent:
M.J. Graham
Mike Fahey, alternate

Staff present:
Stewart Fairburn, City Manager

B. Work Session: Comprehensive Plan – Swisher Road Corridor

John Polster, Denton County Traffic Consultant presented the overall project of extending Swisher, building the bridge, and the alternatives of the number of lanes and when they will be built. There will probably be two bridges over the lake, and they have to determine if they will build both now or just one.

Stewart Fairburn, City Manager, discussed what the City Council put down as the requirements for the Swisher extension – traffic lights, low city speed, and maintenance done on all of Swisher by the County.

Several residents in Kings Manor subdivision asked for a sound barrier to be put up. Alternatives discussed were walls, fences and trees. Mr. Polster stated that it is not part of their project, and within the 80 feet that they have may not be doable.

Rick Parker 1025 Kings Manor – asked what the zoning was to the north of Kings Manor. It was stated that the zoning was residential R-1-10000. One of the issues was to determine where there might be some commercial possibilities along Swisher.

John Polster talked about the right-of-way acquisition, the price of the bridge (12-13 million), and the possibility of a toll. The Corps of Engineers is currently reviewing the bridge for environmental impact. Mr. Polster felt that it would take two years to design and two years to construct. The bridge would be functioning by 2003.

Letitia De Burgos 47 Lake Vista Circle – She stated that the current commercial buildings, all of the hamburger places etc. look bad and are tacky. She feels we should have something better than that.

Margaret Tisdale 509 Howard – She would prefer residential development to the north of Kings Manor.

Judy Amstutz , property owner along Swisher, feels that the property east of Shady Shores is beautiful and should stay residential. The property along Swisher west of Shady Shores is different. She also raised concerns about her lots being shortened by the right-of-way acquisition and having the lot size reduced below the minimum required. Some commissioners felt that she should still be able to build on those lots.

Another resident asked about the possibilities of a sidewalk along the road.

C. Adjourn –

Commissioner Barnard moved to adjourn, Commissioner Bavon seconded the motion.

Ayes: Commissioners Barnard, Bavon, Byers, Gilbert, and Gilliland
Noes; None

Motion Passed

Approved:

Linwood E. Gilliland
Chairman

Attest:

Beverly Lucke
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on June 3, 1999, at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551.041, of the Texas Government Code.

ROLL CALL

Members present:
Al Bavon
Diane Byers
Ben Gilbert
Linwood Gilliland
Alternate Mike Fahey

Members absent:
M. J. Graham

Members excused:
Alternate Frank Barnard

Staff present:
Stewart Fairburn, City Manager, and Joni Vaughn, Acting City Secretary.

A. CITIZENS AGENDA – No one came forward to speak.

C-1 Work session on the development of the Comprehensive Plan with regard to the Denton Drive/Frontage Road Business Sector.

Rod Courtney 162 Kingswood - The City needs to consider the gateways into the city, both north and south. The properties north of the intersection of Denton and Carlisle should be rezoned C-3 to allow for business to move from across street.

Lily Bulen 103 S. Denton Drive - A 42 year resident, she was concerned that a new plan would force out the residents in the Denton Drive area. The plan would have to protect the residents.

John Smith 110 Church - There are properties along Church Street for sale. Church Street is in a dangerous condition and needs widening. The Church will cooperate.

Cathy Thompson 203 Denton - Asked what the Comprehensive Plan project was about. Stewart Fairburn, City Manager, gave an overview about the Planning and Zoning Commission developing a plan that will help guide the city over the next few years, and at this point they are seeking input as to what the public would like to see. Ms. Thompson had concerns about the restricted on-road parking and traffic not stopping at Church Street. The number of liquor stores was a concern, especially around the residential areas.

Steven Lee 633 S. Denton Drive - His business has been growing since 1980 and needs to expand. Would like to go across the street but the M-1 classification is not suitable. The zoning needs to be C-3.

B. PUBLIC HEARING - Revisions of regulations and screening requirements related to outdoor storage in commercial zoning districts.

Rod Courtney 162 Kingswood - Storage requirements need to be looked at on a case by case basis, possibly with a Special Use Permit. The City needs to do what it can for long-term businesses.

Ken Stapleton 511 Ridgewood - The City needs to bring in business, but it should be done properly. The impact on residents must be considered, and property values cannot be driven down. The City should not be held hostage to businesses threatening to leave. Chain link or chain link with slats is not preferable for screening; masonry construction would be better.

C-2 Revisions of regulations and screening requirements related to outdoor storage in commercial zoning districts.

Commissioner Gilbert raised a concern that he felt that this decision was being rushed, and the Commission needs to review this more carefully and have workshops. It was discussed that City Council has asked for their feedback by the next Council session so there is no more time to deliberate.

Commissioner Fahey moved that "No retail merchandise can be stored or displayed outside a building unless the merchandise is of a temporary or seasonal nature. No equipment shall be stored or displayed outside a building unless it is completely screened from all directions according to 18.54.040 A and E. Rewrite 18.22.020 B and 18.24.020 B to be more clear." Commissioner Byers seconded the motion.

Ayes – Commissioners Bavon, Byers, Fahey, Gilliland.
Noes - Commissioner Gilbert

Motion Passed

Commissioner Bavon moved that 18.54. E. should also state " The wood fence must meet the following requirements or their equivalent: pickets to be of #1 full cut grade cedar, 2X4 rails, and steel posts of .095 gauge." Commissioner Byers seconded the motion.

Ayes: Commissioners Bavon, Byers, Fahey, Gilbert and Gilliland.
Noes – None.

Motion Passed

C-3 Replat of Block B, Lots 19 and 20 and Block C, Lots 1-4 and 13-15 of Jackson Ranch

Dave Retzsch of US Home gave the presentation.

There was discussion about the changes, the additional lot, the extended cul-de-sac, and the narrower front dimension on one lot.

Commissioner Fahey moved that the replat be approved contingent on the City of Corinth accepting the new road and drainage alignment. Commissioner Bavon seconded the motion.

Ayes: Commissioners Bavon, Byers, Fahey, Gilbert and Gilliland.
Noes – None.

Motion Passed

C-4 Approval of the minutes of May 6, 1999 meeting.

Commissioner Gilbert moved to accept the minutes with the change that Truman Harp was not there. Commissioner Byers seconded the motion.

Ayes: Commissioners Bavon, Byers, Fahey, Gilbert and Gilliland.
Noes – None.

Motion Passed

Commissioner Bavon discussed his invitation to his planning class next Tuesday to give his students a start on assisting the Commission with the Comprehensive Plan.

The next meeting will be held on the third Thursday at 7:30 p.m.to have those along the Swisher Road corridor give their input on the Comprehensive Plan.

D. Adjourn.

Commissioner Bavon moved to adjourn. Alternate Mike Fahey seconded the motion.

Ayes: Commissioners Bavon, Byers, Fahey, Gilbert and Gilliland
Noes - None

Motion Passed

Approved:

Commissioner

Attest:

City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The **Planning and Zoning Commission** of the city of Lake Dallas convened in a regular monthly meeting on May 6, 1999, in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code.

The following members were present and constituted a quorum of members: Al Bavon, Diane Byers, Ben Gilbert, Linwood Gilliland, M. J. Graham, and Alternate Mike Fahey.

Also in attendance were City Manager Stewart Fairburn, City Secretary Beverly Lucke.

Linwood Gilliland called the meeting to order at 7:35 p.m.

A. Citizens Agenda

No one asked to speak on the Citizen's Agenda.

B. Public Hearing - To rezone Lot 6 Block One, Tract One, of Gotcher Addition from C-1 to C-2 commercial zoning district

Robbie Houghton stated he is requesting the change from C-1 to C-2 zoning so they could have outside storage, understanding they have to have screening. This rezoning extends through the 85 foot strip behind 6, as the strip will be replatted and be incorporated into parts of lots 1 through 6.
A surveyor is in the process of replatting.

Rod Courtney, 162 Kingswood Road - said he thinks it is a good idea. We need business in the city. They've been here a long time and using outside storage where they were. Thinks it's something we should look forward to.

No one else asked to speak so the Commissioner. Gilliland closed the public hearing.

C-1 Consideration and action on amending the zoning map by rezoning Lot 6 Block One, Tract One of Gotcher Addition from C-1 to C-2 commercial zoning district

Commissioner Gilliland said that C-1 says everything must be inside the building; C-2 states what can be done with manufactured items; C-3 is the same way. City Manager Fairburn said while C-1 is very specific about saying you cannot store outside but they did not include that in C-2 but were very specific in saying that if you are manufacturing in C-2 you cannot store outside. The interpretation that he had was that without that specific prohibition outside storage was allowed in C-2. Commissioner Gilbert asked if the property was bordered by C-2 or residential. Mr. Houghton said mostly residential

but they plan to put up the same type of facility they currently have. Commissioner Gilliland said that if someone else later on were to get that property they could put in an auto repair shop if it is zoned C-2 and asked if one would want an auto repair shop next to one's residence. He also said that the city has a letter from Mr. Thorngren saying he would have no objection to the zoning change. Mr. Houghton said their facilities are planned as a 50' by 100' building centered on the lot with a drive on each side, landscape and parking in front, and storage in the back only. People won't be able to see the storage from Gotcher. Mike Fahey said that in looking at the ordinance it says 'yards' which would indicate to him that outdoor storage was intended. Commissioner Bavon said his only concern is 'spot zoning.' Commissioner Gilbert's concern was with C-2 zoning being next to residential property. Commissioner Graham said she would be in favor of it due to the description given by Mr. Houghton where storage will be in the rear of a nice building. The American Legion is close as is a day care and her thinking was that those houses that are there are getting old and probably aren't going to be there forever and that the area will eventually be more commercial than residential. Commissioner Gilliland read 18.54 of the code and stated that the city does have a vehicle there to make sure screening, fencing, etc. will be done. Commissioner Graham stated the lots on Hundley in this block were already zoned C-1. Commissioner Byers said that any number of things, other than auto body shops, could be on those lots giving as examples a greenhouse, bakery, savings and loan, and we need to open the door to widen our tax base and bring a little bit of life to our city. She also said that we got a letter from one person who lives in the area who was in favor of the zoning change so she is assuming that everyone who lives in the area had the same opportunity to respond. Usually if the response is negative you will hear from them more so than the positives.

Betty Harper, 390 S. Lakeview, asked to speak. She said they have property on Gotcher right across from where Mr. Houghton is planning his building. She said as long as it is landscaped and fenced they have no problem with it. The residents in their property across the street only were concerned with apartments being built across from them. Mr. Houghton said there would be a 6' wood privacy fence across the back of the property and up the sides with a chain link sliding gate which they will put vinyl slats through.

Motion was made by Commissioner Byers to approve the zoning change from C-1 to C-2. Seconded by Commissioner Graham.
Ayes: Commissioners Bavon, Byers, and. Graham
Noes: Commissioners Gilbert and Gilliland

Motion Passed

C-2 Consideration and action on a minor replat of Lots 10 & 11, Block A and Lots 7 & 8 Block B Barmarchar Sites

Mike Wolverton handed out the replatting proposal . In answer to a question as to what would be built there Mr. Wolverton said they were looking at an office/warehouse at the back of the property and the possibility of a restaurant or retail at the front. He said they knew they couldn't build on the current alleyway because it is a utility easement but they plan to put a drive through from the I-35 service road to Denton Drive.
Motion was made by Commissioner Gilbert to approve the minor replat of Lots 10 & 11, Block A and Lots 7 & 8, Block B Barmarchar Sites. Seconded by Commissioner Byers.
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Graham
Noes: None

Motion Passed

C-3 Consideration and action on request for assistance to COMCO for their possible relocation to the M-1 district on Overly, and rules to govern the process.

Commissioner Gilliland read from the agenda that a manufacturing company is making plans to relocate their company from Dallas to Lake Dallas. There are currently 25 employees with possible expansion. At this time there is no formal request nor do we have the detail of the impact this company would have. Information provided by the owner, Mr. David Carter is that it is a small company experiencing growth problems. The plan is to build a 20,000 square foot building with possible expansion to 50,000 square feet. It would be to their benefit to use local sheet metal shops, machine shops, and suppliers. They have secured $650,000 to buy the land and erect the building. Any concession that could be made by the City of Lake Dallas would be appreciated. The history of the company is that it has been in Dallas since 1968; its projected revenue for 1999 is $3,000,000 with an annual payroll of $591,000. City Manager Fairburn said that the Planning and Zoning Commission and City Council have been discussing incentive programs. He had provided the commissioners with a copy of another city's guidelines for tax abatement.

Mr. Carter spoke saying they are a small company, but growing; they have a buyer for their property in Dallas and will have about 6-9 months to relocate. They have been looking along I-35 corridor as far north as Sanger. He lives in Highland Village. His company would only need about 3000 square feet for office area. They will need to dedicate a fire lane. It needs to be developed keeping in mind it needs to be a nice business park and that the area could be a nice industrial area with Coors, Payless, and Video Plus in that area. Here twenty per cent of their budget will go to the land purchase while in Sanger it would be approximately 5%. They've had many quotes on a tilt-wall building but it is cost prohibitive. Now they are looking at a metal building with front

that looks like masonry. They are looking at retailing in the future while right now the products are sold through dealers. The products are night drops, transition drops, and vision windows. They mainly assemble, install the controls and do the final tests. They have a lot of LTL shipping through trucking companies. He stated that they are a small progressive company and right now their annual sales tax is $7000 - $8000 which will change once they go retail. Commissioner Gilliland asked Mr. Carter what it would take to get them to move to our city. Mr. Carter said they know they can't afford the tilt-wall building so it's a question of what kind of restrictions as to what kind of building they must erect. He's been working with Jason Collier regarding the fire lane/dedicated drive of 150' off Overly. Commissioner Gilliland said we don't have a rebate system yet, but our city taxes are low. Mr. Carter said they spend about $18,000 in taxes in Dallas now on property valued at $335,000 and $266,000 in Inventory tax. If they could get a progressive abatement over 5 years or so it would be helpful. They are just trying to find out what possibilities are out there. There was discussion among the commissioners about permits, tax abatements, the building and how the City of Lake Dallas could work with a prospective new business. Inventory adds a lot to the value of the property which could be another thing to look at. The commissioners looked over the other city's tax abatement guide and made various changes in it for staff to revise to the City of Lake Dallas' use and recommended it be sent to the City Council. The changes were to show total investment needed of $500,000 and 20 employees; 20 employees for a regional center and 40 employees for a major tourist attraction; 50% abatement for 5 years and 100% first year during construction.

Motion was made by Commissioner Byers to approve the abatement guidelines as amended and send the information to the City Council.. Seconded by Commissioner Graham.
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Graham
Noes: None

Motion Passed

C-4 Work Session on the development of the Comprehensive Plan

City Manager Fairburn gave a review of the meeting with the Main Street people: road and drainage improvements; signs on the highway to help advertise businesses; new exit off I-35 to help not only frontage road businesses, but to allow people to use Church Street to access Main Street; improve Church Street and rename to Main Street plus add a sign to denote the Main Street District; possible uses of the railroad property could be commercial or residential; the DART system. Willow Grove Park needs to be advertised more. Mr. Fahey would like to see the airport advertised more. Commissioner Gilliland said the marina's business has increased since they erected a new sign. It was decided that the Denton Drive business people should be invited to a meeting to discuss their vision of how they should develop.

C-5 Election of Officers

Motion was made by Commissioner Gilbert to name Linwood Gilliland Chairman of the Planning and Zoning Commission. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Gilbert, and Graham
Noes: None
Abstention: Commissioner Gilliland

Motion Passed

Motion was made by Commissioner Gilliland to name Ben Gilbert as Vice Chairman of the Planning and Zoning Commission. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Byers, Gilliland, and Graham
Noes: None
Abstention: Commissoner Gilbert

Motion Passsed

C-6 Approval of minutes of April 1 and April 21, 1999

Motion was made by Commissioner Gilbert to approve the minutes. Seconded by Commissioner Bavon
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Graham
Noes: None

Motion Passed

D Adjourn

Motion made by Commissioner Byers that the meeting be adjourned. Seconded by Commissioner Graham.
Ayes: Commissioners Bavon, Byers, Gilbert, Gilliland, and Graham
Noes: None

Motion Passed

Approved:

Linwood Gilliland, Chairman

CITY OF LAKE DALLAS, TEXAS

Attest:

Beverly Lucke
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on April 21, 1999, at 7:32 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code.

ROLL CALL

Members present:
Al Bavon
Ben Gilbert
Linwood Gilliland
M. J. Graham.

Diane Byers and alternate Mike Fahey were excused.
Staff present:
Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary.

A. Citizens Agenda
No one wished to speak at this time.

B. Public Hearing to rezone lots 4,5,6 Block One, Tract One, of Gotcher Addition and that portion directly east of these lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 Zoning District.

Robbie Houghton, one of the owners of H & H Enterprises, said they were requesting a zoning change to build new facilities for their electrical business and keep their business in the City of Lake Dallas. Their plan is to erect a 5000 square foot metal and brick office and storage facility. They are hoping to sell lots 4 and 5 in an effort to attract other business to the city.

Doyt Watson, American Legion, had one concern about the traffic impact and asked where the main entrance would be for their business. The reply was that the entrance would be off Gotcher.

City Manager Fairburn had received a letter from John Thorngren in which he strongly urged that the change in zoning be approved.

Commissioner Gilliland closed the public hearing at 7:40 p.m. Commissioner Gilbert asked Mr. Houghton if he was familiar with the landscape ordinances. Mr. Houghton said he had seen some and stated that they will meet all city ordinances.

C-1 Consideration and Acton on amending the zoning map by rezoning Lots 4,5,6 Block One, Tract One of Gotcher Addition and that portion directly east of these lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 Zoning District.

Motion was made by Ben Gilbert to amend the zoning map by rezoning Lots 4,5,6 Block One, Tract One of Gotcher Addition and that portion directly east of these lots described as Tract Two of the CR Stockard Survey, Lot 7 from R-1-6000 to C-1 Zoning District. Seconded by Commissioner Bavon.
Ayes: Commissioners Bavon, Gilbert, Gilliland, and Graham
Noes: None

Motion Carried

C-2 Consideration and Action on a minor replat of a portion of Second Replat of Harbourtown Villas Lots 9B, 10A&B, 11A&B, 12A&B and 13A.

Ralph Keeton, developer requesting the replat spoke on behalf of Harbourtown Villas saying that they want to put in a new curb which will straighten the street in that area. Commissioner Gilbert asked who was going to pave the street. Mr. Keeton's reply was that he was sure that the City of Lake Dallas would do that. Commissioner Graham questioned him about the curb and streets as to what area of the street would be repaired. He said that the street would basically stay as it was and the curb line will be changed. Linwood Gilliland said the city would be giving the developer some property and would like to see the recommendation on to the City Council that we receive some monetary help in fixing the street. City Manager Fairburn said that section of the street has been pulverized and is in dire need of re-habbing. Mr. Keeton said that after they relocate the curb he thinks that would take out most of the bad area of the street. He said he thought they would be happy to work with the city on getting that area taken care of. City Manager Fairburn said he would get with Mr. Keeton on April 22 and they would try to work out a solution.

Motion was made by M. J. Graham to approve the amended plat so long as they work together on the street to be mutually beneficial. Seconded by Ben Gilbert.
Ayes: Commissioners Bavon, Gilbert, Gilliland, and Graham.
Noes: None

Motion Carried

C-3 Work Session on the development of the Comprehensive Plan—Main Street

Frank Moore, of the Veterans of Foreign Wars at 501 Thompson Street, asked if they had any information about what is going to happen. He had heard Thompson Street was going to be eliminated. City Manager Fairburn explained the plan for the new intersection at Thompson and Main when the streets are repaired.

Bonnie Brown Garcia, Post Office Box 25, 427 South Denton Drive, asked if any land would be taken from the Duck Inn for right of way. The reply was no. She asked if the streets would be concrete or asphalt, are we going curb and gutter. City Manager Fairburn reported that the Main Street project is from Denton Drive to Carlisle. There will be a turn lane on Main at Denton and will attempt to do a turn lane at Shady Shores and Main. The railroad crossing on Main Street will be replaced. It will continue to be paved from right of way to right of way with swales to carry water off so it won't be running into people's businesses unless there are torrents. Culverts will be put in under drives or existing ones will be repaired if they are not working. City Manager Fairburn was asked what the grade was going to be and he did not have that information. The contractors have been advised that they have to be able to provide estimates to those people who wish to upgrade their parking while the streets are being done.

Doyt Watson, as owner of the Clothes Closet, a new business on Main Street, depends on the traffic flow. He is expanding his business to tap into the summer season market of our lake. City Manager Fairburn said at times the street will be down to one lane and there may be flag men but the street will remain open. Mr. Watson asked what time frame. City Manager Fairburn said the contractor will provide the city with a schedule next week. The plan is to get Shady Shores and Hundley during summer so as not to interfere with the school and we have to coordinate with LCMUA. He asked for input as to what the thought is to having new lighting put on Main Street and would it be beneficial.

Marvin Sparks, POB 25, Panhandle, Texas, said he owns the property on Main Street around the curve that's contained by Main Street, Betchan and Sargent. He stated that they have a drive with a culvert in the front of the property. His concern is the large culvert that goes under Main Street and would it need to be replaced. City Manager Fairburn said the amount of water should be similar and that the drainage underneath Main Street will not need to be replaced.

McKee Yant, the Sonic, asked for more input regarding Shady Shores and the water coming down and not draining from the west side of their property. City Manager Fairburn said the drainage should go toward the railroad and south. We will be looking to improve the ponding that happens at that corner and will try to get the water to flow down Main Street or under Shady Shores.

City Manager Fairburn also said that something that was not part of the project but that he had been thinking about was the short strips of Alamo and Goliad to the south of Main would probably be rather inexpensive to put into the project. He asked the Planning and Zoning Commission if they thought that would be a good idea to include these.

City Manager Fairburn said people keep talking with him regarding the development of Main Street. Right now the Food Fare portion of the large building is vacant and a few other small vacancies on Main Street but also there is the railroad property adjacent to Main Street behind Allsup's. He asked for any comments of what the citizens would like to see there. Right now it's a mixture of manufacturing and residential use in zoning. Linwood Gilliland said Lake Dallas is going to need new businesses to survive. He also asked for ideas.

Kathy Helm, 213 Main Street, Helm Publishing and Main Street Herb Garden, said while they are doing all the tear-up she would like to see an organized joint venture between the city and businesses in the city depending on what the city can afford to improve the appearance. Once the streets are done it's going to help and if the city would, let them know how much it could afford toward making the businesses look better. Linwood Gilliland said that anything the business owners can do on Main Street will help the others. He asked for more ideas.

Bo Fitch, real estate business owner from Dallas, said he had met with City Manager Fairburn April 20 regarding the 13.8 acres that the railroad owns off Denton Drive. They were encouraged by what they are hearing about Main Street and would like some feedback from the Planning and Zoning Commission as to what they would like to see on the railroad acreage. They had been looking into trying to put an upscale apartment unit on that property. They had had the property under contract until a few months ago but have decided to put it under contract again and move forward. They want to do something that is compatible with the city, would create revenue for the city and a tax base and they would like to bring a project that would bring something into the city that would benefit Main Street and the whole city in general. The property is not cheap and that dictates what they can do with it. Industrial might be kind of an eyesore, especially closer to Main Street. He said City Manager Fairburn said there had been some negative feedback regarding apartment buildings. He said they would be open to any ideas from the city. Linwood Gilliland said that in the past due to street upkeep and the amount of traffic increase involved it has kept the Planning & Zoning Commission from leaning toward apartments.

Mr. Yant of the Sonic stated that as a business owner having high quality apartments is not a bad idea. The growth seems to be away from Lake Dallas and as a merchant we need people to use our products and the less people we have to use our products the more

problem we have. He also said he didn't perceive Lake Dallas will ever be large enough to accommodate more streets for business other than Main Street.

Bonnie Brown Garcia said she had two questions: 1) where are we standing on the Economic Development Committee; and 2) have we talked with DART about extending their route. City Manager Fairburn said the Planning and Zoning Commission has been addressing those issues in designing the Comprehensive Plan. The DART issue has not been discussed by the City but has been discussed in the Denton County Economic Development meeting recently as well as the I-35 meeting. At a recent meeting of the Small Cities Alliance at Carrollton a council member stated that DART owns rights up to Frankfurt and has the option beyond that to just south of Lake Dallas. There is still some debate about the process. Carrollton has been 20 years and raised $300,000,000 in their attempt to get DART service.

Bonnie Brown Garcia stated we need an alternative north-south route. She then said the city needs to focus more on downtown because we're going to see a lot of relocation of our retail due to the new lake bridge construction. Linwood Gilliland said we need some arrows that say Main Street will take you to the lake.

Mike Hanes, H & W Utilities, said he agreed with what Mr. Gilliland was saying. We have no direct access off I-35 and no one knows where Main Street is and he thinks it is critical to find ways to let people know where Main Street is. Linwood Gilliland said we need to get together to get together and advertise.

M.J. Graham asked what the cost would be to have an exit for Main Street. City Manager Fairburn said it would require a lot of land purchase and business buy-up. An exit south of the current Hundley exit has been proposed that would have access to Church Street. M. J. Graham asked what the possibility of getting Church Street changed to Main Street. City Manager Fairburn said the council could accomplish that.

Kyla Milan, 915 Lakebluff Drive, suggested a sign be put up by the businesses that said these companies "Welcome you to Lake Dallas."

Carter Helm, 5 Hickory Hills, wants to work on the economic development of the city. He would like to volunteer and assist. He said we need to pursue the DART deal because I-35 is horrible.

Bo Fitch said Denton Drive is the gateway to the city and that they would like to bring something of quality to the city.

Marvin Sparks spoke again to ask what is the vision from the curve on Main Street to the lake and what re-zoning might be allowed. He was told that right now it is light industrial and then becomes residential. City Manager Fairburn said one of the issues before us is what those people who live/work on Main Street want. He said he hadn't heard of any changes in that area.

Kathy Helm asked when the comprehensive plan would be developed. City Manager Fairburn said the first draft should be to the Main Street people by summer. Right now it is information time. Linwood Gilliland said they are trying to come up with a guideline at this time. City Manager Fairburn said the Comprehensive Plan is also to help the economic development: code enforcement, street lights, signage, the exits off the highways, and what the businesses would like to do, whether some ordinances could be altered or amended to help.

M.J. Graham said we used to have lots of people come to town to fish every week-end and now there is no place to fish, the bait shops have gone out of business. City Manager Fairburn said that Willow Grove right next door to the marina is available, and could have development once the lake study is done. The area is looking nice and we keep it mowed and we can emphasize that the marina is one of the few on the lake and the park is looking nice.

Linwood Gilliland thanked everyone for coming to the meeting and for their input.

D **Adjourn**

Meeting was adjourned at 8:50 p.m.

Approved: Attest:

Linwood E. Gilliland
Commissioner

Beverly Lucks
City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on April 1, 1999, at 7:35 p.m.in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Al Bavon
Ben Gilbert
Linwood Gilliland
M. J. Graham

Excused absences:
Diane Byers
Mike Fahey, Alternate

Staff present: Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary

A. Citizens' Agenda
No one presented themselves to speak.

B. Public Hearing amending Section 18.30.010 requiring special use permits for certain establishments whose business operations include the sales or service of on-premise alcoholic beverages.

Shelley Kristich, 298 South Lakeview, asked that the discussion be put in laymen's terms and asked what exactly do we want to discuss. She then asked what do we want to do with this. Commissioner Gilliland said we want to make an ordinance to put the private clubs in the proper perspective. **Motion** was made by Alternate Fahey to create a special use permit for the category of private clubs that derive 75% or more of their gross revenue from the sale of on-premise alcoholic beverages and limited their locations to only C-1, C-2 and C-3 zoning. Seconded by Commissioner Gilbert.
Ayes: Commissioners Gilliland, Gilbert, Graham, and Fahey
Noes: None

Motion Passed

2. Consideration and Action on defining what a permanent border is for gravel drives.

The commissioners discussed various types of materials that could be used in an effort to provide permanent borders and at the same time not become a hardship on the property owners.
Shelley Kristich, 298 South Lakeview, asked to speak. She asked if there were that many homes that had uncontrolled gravel driveways. The reply to the question was that this is an effort to keep people from parking all over their yards and this would re-define the driveway areas. Ms. Kristich added that in a previous home she had a gravel drive bordered only by grass and it would have caused a hardship on her if she would have been asked to install a border. The answer to this statement was that the City is not trying to put any hardship on the citizens but we can't leave the old part of town looking bad while the new areas have concrete driveways.

Motion was made by Commissioner Gilbert to re-define continuous borders on gravel drives to only include materials such as cement curbing or brick, concrete block, stone, 14-gauge metal, asphalt, wlmanized wood with no plastic edging with a minimum heght of three (3) inches. Seconded by M. J. Graham.

Ayes: Commissioners Gilliland, Gilbert, Graham, and Fahey
Noes: None

Motion Passed

The commissioners decided to go over the remaining items on the agenda before getting into the work session about the Comprehensive Plan since Alternate Fahey was on call and could be called away from the meeting early.

D. Approval of Minutes - March 4, 1999

The minutes were approved as written.
Ayes: Commissioners Gilliland, Gilbert, Graham, and Fahey
Noes: None

Motion Passed

E. Report on Council Actions

City Manager Fairburn reported that during the March 11 meeting the Council had appointed a new mayor; had called for the general election; Garza Day will be combined with the Hickory Creek Hoedown and be held in October; Parks and Recreation is starting a gymnastics program; council packets will be provided free of charge to those interested citizens who request them; court procedures were discussed and in April will decide if there will be two court nights a month; the Council eliminated the liaison positions; authorized the final payment on Falcon Drive.
During the March 25 Council meeting Chief Thompson of the Fire Department spoke about their 5 year strategic plan and in the April meeting the council will give direction to the Fire Board. The Fire Board will return in May for review and direction. They have a three year CIP program with a new station in Lake Dallas and a new station in Corinth. Denton would put ambulance service in the Lake Cities in exchange for the fire service. The Planning & Zoning Committee had recommended extending Kevin Spraggins term with the Planning and Zoning Commission but there will be no changes in the code so the Council will appoint another member in the April meeting. The results of the Executive Session were that the Mayor and City Manager would set up a contract and will define the role of the City Manager; Council wants a lesser role for the manager with no recommendations on agenda items.

F. City Manager's Report

City Manager Fairburn said that he, the Building Official, and Mayor Courtney had met with several property owners to let them know where they stand on their violations. He handed out copies of a draft of the letter to the Main Street property owners and business people inviting them to meet with the Planning and Zoning Commission and discuss up-grading Main Street. City Manager Fairburn reported that the April newsletter is getting ready to go out and that "code" is the theme and advertising the April 17 city-wide clean-up. He asked if the commission would want to meet again in April to discuss a zoning change for Robert Houghton. The members agreed to meet April 21 and would like to talk with the Main Street people at that time, too.

C. Business - continued

3. Work session on the development of the Comprehensive Plan.

There was discussion about a physical plan for the city in which it will be mostly residential and with our streets situation we need larger homes. Do we foresee more single family or multiple family residences and what ages? Will this be a retirement community? The population is currently 5900, with a

top-out of approximately 7000 residents. City Manager Fairburn said he had talked with a Dallas firm that manufactures electrical products about a location here. They currently have 26 employees and project that they will have up to 40 employees. Transportation and communications changes could have an effect on the City. We should play up our lake and leisure activities (the new waterski lake and the small airport) plus the new community college being built in Corinth. Meeting with business people will help with the goals and objectives. We will meet with the Main Street people and then there is the frontage road, Denton Drive. Beautification could be a goal. Coordinating other activities such as car club displays during Garza Day might be another way of getting people to come to our area. City Manager Fairburn suggested fine-tuning these items and look toward long term goals in an effort to determine what objectives we want to attain.

G. Adjourn

Motion was made by Mike Fahey that the meeting be adjourned. Seconded by Ben Gilbert.
Ayes: Commissioners Gilliland, Gilbert, Graham, and Fahey.
Noes: None

Motion Carried

Meeting was adjourned at 9:10 p.m.

Linwood E. Gilliland
Linwood Gilliland

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on March 4, 1999, at 7:35 p.m.in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Kevin Spraggins - (Chair)
Linwood Gilliland
Ben Gilbert
Diane Byers
M. J. Graham
Mike Fahey, Alternate
Al Bavon, Alternate

Staff present:

Stewart Fairburn, City Manager, Diane Lowrimore, Community Development, and Beverly Lucke, City Secretary

Council Member Mike Minnis, Council Liason, was unable to join this evening.

A. Citizens' Agenda

No one presented themselves to speak.

B. Work Session

1. Review of conceptual plan for additional width for Texas Street and modifications for larger lot size.

John Donahue passed out a plat of the area prior to the meeting. City Manager Fairburn spoke about the street width of 22 feet which would shrink the depth of the lots but the builder is willing to eliminate two lots on the eastern side which would widen the remaining lots by 5 feet or more. Commissioner Graham came in late to the meeting during this discussion. Laird Lind spoke concerning the other 6 property owners on the west side and the efforts they had made to contact them and request that they donate 2 feet across the fronts of their properties in order that the street could be widened as planned. They had received negative response, or none at all. The builder will have the property on the east side re-platted. The property owner to the north will be contacted because the builder would like to put a road in to connect Texas and Boliver streets and in an earlier plat there was a boat canal listed that might be able to be used. The City would need to get a drainage easement.

2. Comprehensive Plan Development

Chairman Spraggins said the commission should try to schedule something every two weeks to keep the ball rolling and City Manager Fairburn said we would need to have enough time to post the agenda. It was determined that March was not a good month to schedule another meeting. Chairman Spraggins said we should start with an outline and then add/delete as discussion warrants. Chairman Spraggins suggested everyone consider future plans in a broad sense and bring up at the next meeting and we can look at the maps at the next work session. He said the next meeting could be "Our Vision."

C. Approval of Minutes – February 4, 1999

Motion was made by Linwood Gilliland to approve the minutes as written. Seconded by Diane Byers.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Graham.
Noes: None

Motion Carried

D. Report on Council Actions

City Manager Fairburn reported that Al Bavon had been appointed as an alternate member of the Planning and Zoning Commission. He said he had told Council that they will have a Comprehensive Plan to approve at their December meeting. He also said Mayor Courtney had resigned; Council had passed a resolution supporting the Swisher Road and Lake Bridge project; Council followed Planning & Zoning's recommendation to amend the ordinance on signs; Council passed an ordinance discouraging street excavations. City Manager Fairburn said Council had participated in a goal-setting workshop and would get copies for the Planning & Zoning members.

E. City Manager's Report

There was more discussion about the role of government. Commissoner Gilliland stated that the commission needed to set its goals to correspond with the City Council's goals. City Manager Fairburn and Chairman Spraggins said a letter would be drafted for the April meeting regarding the companies along Main Street in an attempt to meet with them at the second April meeting. City Manager Fairburn also said we would need to bring in the Boliver and Kingswood people for a meeting as to how they view the proposed bridge.

F. Adjourn

Motion was made by Linwood Gilliland that the meeting be adjourned. Seconded by Ben Gilbert. Chairman Spraggins took the vote.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Graham.
Noes: None

Motion Carried

Meeting was adjourned at 9:25 p.m.

Linwood E. Gilliland

Beverly Lucke
Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on February 4, 1999, at 7:30 p.m.in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Kevin Spraggins - (Chair)
Linwood Gilliland
Ben Gilbert
Diane Byers
Mike Fahey

Members absent:
M. J. Graham

Staff present:
Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary
Council Member Mike Minnis, Council Liason, was unable to join this evening.

A. Citizens' Agenda

No one presented themselves to speak.

City Manager Fairburn introduced Al Bavon, a professor at the University of North Texas, and resident of the City of Lake Dallas for two and a half years and Steven Bertrand, a resident of the city for the past six months and engineer at Peterbilt. Both of these gentlemen are interested in serving on the Planning and Zoning Commission.

B. Business Agenda

1. Consideration and Action on request to change distance requirements for off-premise commercial signs (billboards)

Don Paschal gave a presentation for development for the area around the area of the present sign and said that Mike Wolverton of Regent Development would have better luck developing the area and leasing space if the sign were closer to the property line. Mr. Paschal asked for a change in the City Code to 140 feet from the present 150 feet.

Motion was made by Commissioner Byers to change the ordinance regarding the distance requirements from 150 feet to 140 feet with 15 feet setbacks. Mike Fahey seconded the motion.
Ayes: Commissioners Spraggins, Gilliland, Byers, Gilbert, and Fahey
Noes: None

Motion Passed

C. Work Session - Comprehensive Plan Development

There was overall discussion of the project. It was agreed that the Commission would review the first four parts of the plan at the next meeting.

a. Analysis of existing conditions
b. Forecast of future conditions
c. Physical Plan elements
d. Support Plan elements

D. Approval of Minutes – January 7, 1999

Motion was made by Linwood Gilliland to approve the minutes as written. Seconded by Mike Fahey.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey.
Noes: None

Motion Carried

E Report on Council Actions and
F. City Manager's Report

City Manager Fairburn reported that the Park Grant had been turned down because we have minimum points. We don't have money for parking lots, etc and will probably re-submit another plan in July through the Parks and Recreation Board. Corinth will have a ball-playing field and Lake Dallas will have practice fields since Corinth received $6,000,000 for Parks. The City Council will have a strategy session setting goals. The City Council will have to approve a comprehensive plan so Planning & Zoning should send copies to the Council as soon as they agree on thoroughfares, etc.

G. Adjourn

Motion was made by Diane Byers that the meeting be adjourned. Seconded by Linwood Gilliland.
Ayes: Commissioners Spraggins, Gililand, Gilbert, Byers, and Fahey
Noes: None

Motion Carried

Kevis Spraggins, Chairman

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 30, 1999, at 9:00 a.m.in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1) ROLL CALL

Members present:

Kevin Spraggins - (Chair)
Linwood Gilliland
Ben Gilbert
Diane Byers
Mike Fahey (Alt.)

Members absent:
M. J. Graham

Others present:
Mayor Rod Courtney
Thanna Bounds, Council Member Place 1
David Gattis, Assistant City Manager, City of Benbrook
Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary

2. Business Agenda

Worksession
Mr. Gattis gave a presentation with visual aids on Comprehensive Planning. There were questions and answers during the presentation as well as after he completed his presentation.

3. Adjournment

The meeting was adjourned at 11:30 a.m.

Kevin Spraggins, Chairman

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on January 7, 1999, at 7:30 p.m.in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Kevin Spraggins - (Chair)
Linwood Gilliland
Ben Gilbert
Diane Byers
Mike Fahey (Alt.)

Members absent:
M. J. Graham

Staff present:
Stewart Fairburn, City Manager, and Beverly Lucke, City Secretary
Council Member Mike Minnis, Council Liason, was unable to join this evening.

A. Citizens' Agenda
No one presented themselves to speak.

B. Business Agenda

1. Consideration and Action on economic incentive policies

City Manager Fairburn made a presentation that included a 'Guidelines for Tax Abatement' from the City of Balch Springs, Texas, and said we would check into other cities regarding tax abatements and other incentives and develop an ordinance with more detail than the general policy.

Kevin Spraggins asked those present about sending economic policies as amended to the City Council. All were in agreement.

2. Consideration and Action on amending Chapter 17.24 relating to drainage requirements

City Manager Fairburn made a presentation regarding the drainage requirements. Chairman Spraggins called for a vote to accept Chapter 17.24 with some minor changes and send to the City Council.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey.
Noes: None

Motion Carried

3. Consideration and Action on amending Chapter 10.24 relating to materials used for parking lots.

City Manager Fairburn gave a presentation of the amended Chapter regarding 'hard-surfaced' materials.

Keven Spraggins asked for a vote on amending Chapter 10.24 as recommended and pass on to the City Council.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey.
Noes: None

Motion Carried

4. Discussion and organization of a workshop on Comprehensive Planning for the City.

The Comprehensive Planning Workshop was scheduled for January 30 at 9:00 a.m. since the original date of January 16 proved too inconvenient for commissioners. City Manager Fairburn will reschedule the speaker for the workshop and collect other information to get to the commissioners. There was some discussion of hiring an intern from a local college on a part-time basis to give the City Manager some assistance.

C. Approval of Minutes – December 3, 1998

Motion was made by Linwood Gilliland to approve the minutes as written. Seconded by Diane Byers.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey.
Noes: None

Motion Carried

D. Report on Council Actions

City Manager Fairburn gave the report on the City Council actions stating that the Kingswood re-zoning had been rejected. The Lakeview Annexation was accomplished with the exception of Tract 28, the Squier's inherited property. Burn permits through the Lake Cities Fire Department had been approved and a City Secretary had been hired. The next scheduled City Council meeting would include erosion control at construction sites; the CoServ franchise; and final approval for various city street projects. Mike Fahey asked about the cost of the flyer for the Board of Adjustment meeting in a recent Sun publication. There was no difference in the price. Mr. Fahey said he liked the idea of the flyer – it was more noticeable. Linwood Gilliland asked about the newsletter. City Manager Fairburn advised that the newsletter would be going out the first of the week because of the January 16 winter clean-up scheduled.

E. Adjourn

Motion was made by Linwood Gilliland that the meeting be adjourned. Chairman Spraggins took a vote.
Ayes: Commissioners Spraggins, Gililand, Gilbert, Byers, and Fahey
Noes: None

Motion Carried

Kevin Spraggins, Chairman

Beverly Lucke, City Secretary

CITY OF LAKE DALLAS, TEXAS

Planning + Zoning Committee Attendance 1998 P and Z 98

Current Members only

NAME	JAN '98	FEB '98	MAR '98	APR '98	MAY '98	JUN '98	JUL '98	AUG '98	SEPT '98	OCT '98	NOV '98	DEC '98
K. Spraggins (6)	x	A	x	x	x	x	A	x	x	A	x	x
L.Gilliland (4)	x	x	x	x	x	x	x	x	x	x	x	x
B.Gilbert (2)	x	x	x	x	x	x	x	x	x	x	x	x
M.J.Graham (3)	x	x	x	?	x	A	x	x	x	A	x	x
M.Fahey (7)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	x	x	x	x	x
D.Byers (1)	A	A	x	x	x	x	x	x	A	x	E	x
~~R.Hanson~~	x	x	x	x	x	A	A	A	A	x		
~~T.McGool~~	n/a	n/a			A	A						

Alphabetic

Public Notice
City of Lake Dallas
Planning and Zoning Commission Meeting
303 Alamo
December 3, 1998

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Planning and Zoning Commission of the City of Lake Dallas will meet on December 3, 1998, at 7:30 PM in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows:

Roll Call

A. Citizen's Agenda – Residents and visitors invited to speak on items not part of a public hearing.

B. Business Agenda
   1. Public Hearing on request to re-zone tract 21 of the N. French survey (known as the Kingswood Development Property west of Lakeview) from R-1-10000 to R-1-7200.
   2. Consideration and Action on request to re-zone tract 21 of the N. French survey from R-1-10000 to R-1-7200.
   5. Consideration and action on land use and zoning designations.
   6. Consideration and action on recommending impact fees and tax abatements for new development

C. Approval of Minutes – November 5, 1998

D. Report on Council Actions

E. Adjourn

I, Stewart Fairburn, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, November 30, 1998, at 5:30 PM.

_____

Stewart Fairburn
City Manager

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on December 3, 1998 at 7:30 PM in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Kevin Spraggins – (Chair)
Linwood Gilliland
Ben Gilbert
M.J. Graham
Diane Byers
Mike Fahey (Alt.)

Staff present:
Councilmember Mike Minnis, Council Liaison (for a portion of the meeting)
Stewart Fairburn, City Manager

The meeting was called to order at 7:30 PM.

A. Citizen's Agenda

No one presented themselves to speak.

B. Business Agenda

1. **Public Hearing on request to re-zone tract 21 of the N. French survey (known as the Kingswood Development Property west of Lakeview) from R-1-10000 to R-1-7200.**

Stewart Fairburn, City Manager, provided an overview of the proposal. Jack Roe, representing the company, made a presentation on the proposed development and the need for R-1-7200. Price range of the modular homes would be $80-$90,000, with larger models of 17-1900 square feet up to $110,000.

No one presented themselves to speak in favor of the project. Those speaking against the rezoning:

A letter was introduced from James and Nancy Bauman
Barbara Garrison representing the owners to the west
Margaret Tisdale – 509 Howard Drive

Public Hearing was closed.

2. **Consideration and action on request to re-zone tract 21 of the N. French survey (known as the Kingswood Development Property west of Lakeview) from R-1-10000 to R-1-7200.**

Motion was made by Commissioner Gilliland to deny the change in zoning. Motion seconded by Commissioner Gilbert.
Ayes: Commissioners Spraggins, Gilliland, Gilbert
Noes: Commissioners Graham and Byers.

Motion Carried.

3. Consideration and action on land use and zoning designations.

Stewart Fairburn, City Manager, made a presentation on the processes of developing the comprehensive plan. This includes an outline of a plan and ways to get public involvement. Sources of help and information were reviewed. After some discussion a Comprehensive Plan Workshop is scheduled for the morning of January 16, 8:30-noon.

Commissioner Graham had to leave the meeting at this time. Mike Fahey, alternate member, sits in for Commissioner Graham.

4. Consideration and action on recommending impact fees and tax abatements for new development.

City Manager Fairburn made presentation on costs and benefits of impact fees and tax abatements. A draft economic incentive policy was presented. Discussion followed.

Motion was made by Commissioner Gilliland to discontinue consideration and action on impact fees. Motion seconded by Commissioner Byers.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey
Noes: None

Motion Carried.

Motion was made by Commissioner Gilliland to review the information and continue discussion on economic incentive policies and tax abatements at the next meeting. Motion seconded by Commissioner Gilbert.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey
Noes: None

Motion Carried.

C. Approval of Minutes – November 5, 1998.
Motion was made by Commissioner Gilliland to approve the minutes of November 5, 1998. Motion seconded by Commissioner Gilbert.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey
Noes: None

Motion Carried.

D. Report on Council Actions

Stewart Fairburn, City Manager, gave an overview of Council actions over the past month, which included the denials of the requested C-3 rezonings and putting the Lakeview Annexation on the December agenda...

E. Adjourn

Motion was made by Commissioner Gilliland to adjourn. Motion seconded by Commissioner Byers.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Byers, and Fahey
Noes: None

Motion Carried.

CITY OF LAKE DALLAS, TEXAS

Kevin Spraggins, Chairman

Stewart Fairburn, City Manager

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 12-3-98 **Agenda Item: 1-2**

Title: Public Hearing and Consideration and Action on request to re-zone Tract 21 of the N. French Survey from R-1-10000 to R-1-7200.

Report:

The major differences between the two zonings are:

	Lot Area	House Size	Front Yard
R-1-10000	10,000 sq ft	2,500 sq ft.	40 ft.
R-1-7200	7,200 sq ft.	1,500	25 ft.

The only developed R-1-10000 is off of Carlisle east of Main. The only other piece of R-1-10000 is the newly annexed Boliver property. If the Lakeview property is annexed, that would initially be R-1-10000 also.

The Kingswood Development Company last proposed a mobile home park at this site. That is not their intentions now. They feel that by reducing the size of the house they can more readily market the property. They have raised concerns about the marketability because of the Lake Bridge, the Water Treatment Plant, and the overall location.

Recommendation:
The City Manager feels that R-1-7200 would fit on this location. It abuts R-1-4000, R-1-6000 and the Boliver property R-1-10000.

However, if the City desires to have R-1-10000, then having these two pieces of property together is not a bad situation. A developer might be able to control both pieces eventually. The City may wish to wait to determine the effects of the Lake Bridge before rezoning this section.

The City also needs to view the commercial aspects of the Swisher Road extension to the Lake Bridge. Should all of this area be residential?

Approved for agenda: _____

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 12-3-98 **Agenda Item: 3**

Title: Consideration and action on land use and zoning designations.

Report:
The current uses of land need to be reviewed compared to current zoning, as well as what future land uses and zoning are needed. This is a major part of the Comprehensive Plan that needs to be done.

Areas to review are:

Impact of the Lake Bridge Road
Transition of commercial to residential surrounding Main Street.
Impact of the Swisher commercial district on Main Street.
Review of zoning citywide and especially:

- M-1 off of Denton
- City Park – currently C-2
- Elementary School – currently C-3
- R-1-4000C at the end of Thompson
- Planning for the Swisher – Shady Shores intersection and Swisher – Lakeview intersection.

As was mentioned by the P&Z last meeting, the methods to have public input needs to be discussed. This could include small meetings on certain areas (Main Street), and workshops advertised citywide.

Recommendation:
City Manager recommends that the Commission review current and future trends and recommend appropriate changes.

Approved for agenda:

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 12-3-98 **Agenda Item: 4**

Title: Consideration and action on recommending impact fees and tax abatements for new development.

Background: Impact fees have been a topic of discussion of the last three meetings, and tax abatements for one. At the last meeting more information was requested.

Report:

Further information will be presented at the meeting.

The Commission needs to determine if they would like to recommend specific impact fees or tax abatements. Both of these are for new development and will impact future development.

Impact fees:
Commission needs to determine what impact fees are available, which ones are effective, what affect it may have on development, and the benefits.

Tax abatement:
Commission needs to determine if tax abatements should be done, what types of development to do it for (number of jobs, amount of tax) how much abatement and for how long.

Recommendation:
City Manager recommends that the Commission recommend a policy for or against impact fees and tax abatements. If recommending for have the policy with enough detail to implement should it be accepted by Council.

Approved for agenda: _____

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning Commission met on November 5, 1998 at 7:30 PM in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

Members present:

Kevin Spraggins – (Chair)
Linwood Gilliland
Ben Gilbert
M.J. Graham
Mike Fahey (Alt.)

Members Absent:
Diane Byers (excused)

Staff present:
Councilmember Mike Minnis, Council Liaison
Stewart Fairburn, City Manager

The meeting was called to order at 7:35 PM.

A. Citizen's Agenda

No one presented themselves to speak.

B. Business Agenda

1. Public Hearing on request to re-zone 507 Shady Shores from C-1 to C-3.

City Manager Fairburn made a presentation. The applicant was asked to speak but was not present.

Those speaking against the proposal:
Thelma Boliver – Humpty Dumpty Daycare on Shady Shores, Lake Dallas
Margaret Tisdale – 509 Howard, Lake Dallas
Barbara Garrison – Shady Shores, Lake Dallas
A letter from the Lake Dallas Primary school was entered into the record.

No one spoke for the proposal. The Public Hearing was closed.

2. Consideration and action on request to re-zone 507 Shady Shores form C-1 to C-3.

Motion was made by Commissioner Gilbert to not change the zoning. Motion seconded by Commissioner Fahey.
Ayes: Commissioners Spraggins, Gilliland, Gilbert, Graham, and Fahey.
Noes: None

Motion Carried.

3. Public Hearing on request to re-zone a portion of the Payless property on Swisher from M-1 to C-3.

City Manager Fairburn made a presentation. Applicants Ron Berlin and Gary DeFrain made a presentation and spoke for the proposal. No others presented themselves to speak for or against the proposal. The Public Hearing was closed.

4. Consideration and action on request to re-zone a portion of the Payless property on Swisher form M-1 to C-3.

There was a lengthy question and answer period with the applicants and several concerns were discussed. Motion was made by Commissioner Gilliland to keep the zoning the same. Motion seconded by Commissioner Fahey.
Ayes: Commissioners Gilliland, Fahey, Spraggins, and Gilbert.
Noes: Commissioner Graham.

Motion Carried.

5. Consideration and action on land use and zoning designations.

City Manager Fairburn made a presentation on the need to update the land use and zoning map. There was some discussion. Chairman Spraggins charged the Commission to bring back ideas on zoning changes to the December meeting.

6. Consideration and action on recommending impact fees and tax abatements for new development.

City Manager Fairburn stated that the requested research was not yet done. Councilmember Minnis suggested copying an article form Texas Town and County on this issue. Chairman Spraggins stated that this item will come back at the next meeting when there is more information to share.

C. Approval of minutes – October 1, 1998

Commissioner Gilliland made a correction on Item 2 that he did not vote at the first motion that was made. Motion made by Commissioner Fahey to approve the minutes with the one correction. Motion seconded by Commissioner Gilbert.
Ayes: Commissioners Fahey, Gilbert, Spraggins, Gilliland and Graham.
Noes: None

Motion Carried.

D. Report on Council Action

Councilmember Minnis made a report on the recent actions, most notably that the Council did not approve the request for re-zoning at 630 Denton, and they did not approve the Lakeview Annexation, and they moved M.J. Graham from alternate to full member to replace Robert Hanson.

E: Adjourn

Motion made by Commissioner Gilliland to adjourn. Motion seconded by Commissioner Fahey.
Ayes: Commissioners Gilliland, Fahey, Gilbert, Spraggins, and Graham.
Noes: None

Motion Carried.

Meeting adjourned at 9:40 PM.

Kevin Spraggins, Chairman

Stewart Fairburn, City Manager

CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO AVE.
LAKE DALLAS, TX 75065
817-497-2226

PETITION FOR CHANGE IN ZONING CLASSIFICATION

THE UNDERSIGNED, OWNER OF THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION ASKING THAT THE ZONING CLASSIFICATION ON SAID PROPERTY LOCATED WITHIN THE R-10,000 ZONING DISTRICT BE CHANGED TO THE R-7200 ZONING DISTRICT UNDER THE PROVISIONS OF THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.52. ZONING CHANGE REQUESTED ON PROPERTY LOCATED AT 53 acres City of Lake Dallas, LEGAL DESCRIPTION OF PROPERTY See attached.

PROPOSED DEVELOPMENT PLANS ARE/~~ARE NOT~~ SUBMITTED HEREIN, WITH AN EXPLANATION OF REQUEST FOR ZONING CLASSIFICATION CHANGE Future development into residential homesites.

A FILING FEE OF $250.00 MUST ACCOMPANY THIS APPLICATION. THE OWNER OR A REPRESENTATIVE OF THE PROPERTY MUST BE PRESENT AT THE PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION AND AT THE PUBLIC HEARING BEFORE THE CITY COUNCIL.

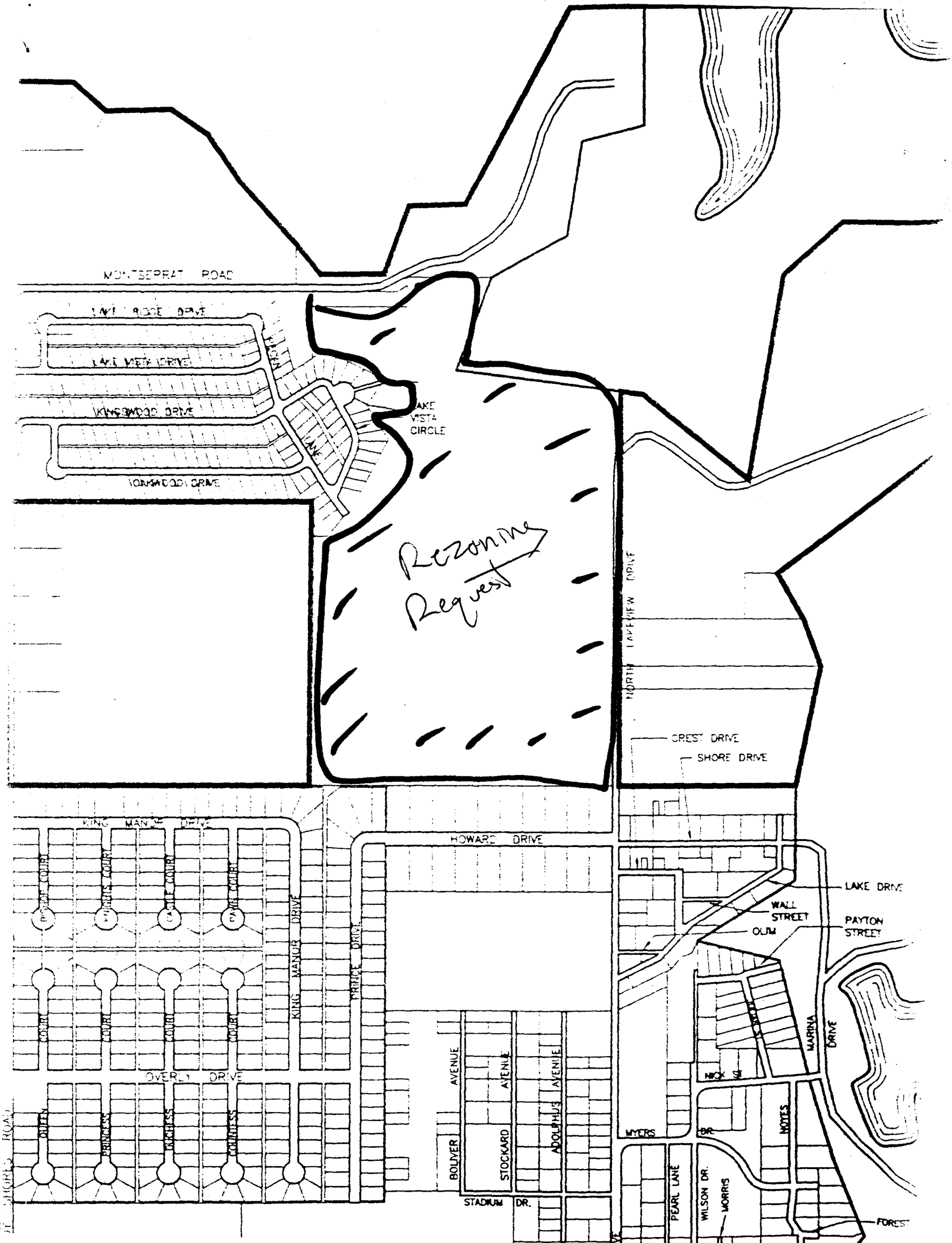
SUBMITTED THIS 10 DAY OF Nov., 1998.

NAME: Resort Realty, Inc.

SIGNATURE: By [signature] Jack T. Roe Vice President

ADDRESS: 6116 N. Central Expsy Suite 1300
Dallas, Tx. 75206

TELEPHONE: (214) 363-0111


MONTSERRAT ROAD
LAKE RIDGE DRIVE
LAKE VISTA DRIVE
KINGSWOOD DRIVE
KINGSWOOD DRIVE
LAKE VISTA CIRCLE
LAKE
LAKE
Rezoning Request
LAKEVIEW DRIVE
NORTH
CREST DRIVE
SHORE DRIVE
KING MANOR DRIVE
HOWARD DRIVE
KING MANOR DRIVE
PRINCE DRIVE
COURT
COURT
COURT
COURT
OVERLY DRIVE
QUEEN
PRINCESS
DUCHESS
COUNTESS
BOLIVER AVENUE
STOCKARD AVENUE
ADOLPHUS AVENUE
STADIUM DR.
LAKE DRIVE
WALL STREET
PAYTON STREET
OLIVE
MARINA DRIVE
NICK ST.
MYERS DR.
NOYES
PEARL LANE
WILSON DR.
MORRIS
FOREST

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
October 1, 1998

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on October 1, 1998, at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

Roll Call

CITIZENS AGENDA:

1. Public Hearing on request to re-zone 630 Denton Dr. from M-1 to C-3.

2. Consideration & Action on request to re-zone 630 Denton Dr. from M-1 to C-3.

3. Consideration & Action on recommending Impact Fees and Tax Abatements for New Development.

4. Approval of Minutes

5. Report on Council Actions.

6. Adjourn.

I, Diane Lowrimore, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, September 25, 1998; at 5:00p.m.

Diane Lowrimore
Diane Lowrimore
Planning & Zoning Commission
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on October 1, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Linwood Gilliland
Ben Gilbert
Robert Hanson
Diane Byers
Mike Fahey (alt)

Member Absent:

Kevin Spraggins (Chairman)
M.J. Graham

Staff in attendance:

Stewart Fairburn, City Manager
Diane Lowrimore, Planning & Zoning Secretary
Council Member Mike Minnis, Council Liaison

The meeting was called to order at 7:30 P.M.

1. Public Hearing on request to re-zone 630 S. Denton Dr. from M-1 to C-3.

The Following citizens spoke at the meeting concerning the re-zoning change.

Robert Houghton	630 S. Denton Dr.	spoke in favor.
Ernesto Lopez Jr.	D & J Manager/Owner	spoke in favor.
Bonnie Garcia	427 S. Denton Dr.	spoke in favor
Paul Yang	631-633 S. Denton	opposed
William Johnson	property owner	opposed
Larry Golman	4633 San Gabriel	opposed
Charles Hedges	308 Wilson	opposed

2. Consideration & Action on request to re-zone 630 Denton Dr. from M-1 to C-3.

After a lengthy discussion, Ben Gilbert made a motion not to change the zoning from M-1 to C-3. Diane Byers seconded it.

Ben Gilbert, Aye
Robert Hanson, Nay
Linwood Gilliland, Nay
Diane Byers, Nay

The motion did not carry.

Diane Byers made a motion to approve the zoning change. Robert Hanson seconded it.

Diane Byers, Aye
Robert Hanson, Aye
Ben Gilbert, Nay
Linwood Gilliland, Nay

The motion did not carry.

Since the motion failed, the request will go before the City Council for action.

3. Consideration & Action on recommending Impact Fees and Tax Abatements for New Developments.

It was recommended to continue doing research and bring an outline of the Impact fees and Tax Abatement to the next meeting.

4. Approval of Minutes.

Ben Gilbert Made a Motion to approve the minutes. Diane Byers seconded it and it carried unanimously.

5. Report on Council Actions.

Mike Minnis made the following report on Council actions.

a. Marcus Cable Franchise with free access to schools and the Lake Cities.

b. Lake Dallas News Letter includes P & Z, Code Enforcement, Council, Updates, Tree Lighting, Garza Day and Fireworks Schedules.

c. Boliver Annexation completed. Lakeview Annexation has started. Approval of the last IPO's for Bond projects.

d. Stalled ordinance for Metercom in order in order to get free Internet access for schools and possible taxes.

e. Adopted the 1998-1999 Budget with no tax increase.

f. Set Tax Rate for 1998-1999 with no Tax increase.

g. Adopted concrete street ordinance.

h. No charter violation by Council in seeking annexation attorney.

i. Councilman Bruce Martin resignation.

Note:

Robert Hanson announced his resignation tonight. He has been transferred to California. Tonight will be his last night.

6. Adjourn.

Diane Byers made a motion to adjourn. Robert Hanson seconded it and it carried unanimously.

_____

Linwood Gilliland, Vice Chairman

_____

Diane Lowrimore, Planning And Zoning Secretary

Ad Item

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 10-1-98 **Agenda Item: 1-2**

Title: Public Hearing and Consideration and Action on amended plat for request to re-zone 630 Denton Drive from M-1 to C-3.

Report:
All of the property bordering the east side of Denton Drive from Betchan to Carlisle is zoned M-1 Light Industrial. The property on the west side of Denton is C-3. The property owners want to rezone C-3 to allow use for alcohol.

Questions:

What is the best use for the land?
How much property should be zoned C-3 in the City?
What concerns do the adjacent owners have? (see letters attached)
Should a small portion of a zoning tract be rezoned?

Recommendation:
The City Manager recommends against C-3 zoning in this area. The current plan focuses C-3 to the land between Denton and the highway and along Main Street, as well as a portion at Jackson Ranch. The current C-3 areas are not yet completely developed and adding more C-3 reduces the need to develop in those areas.

M-1 is probably not the best use of this property because it certainly has high commercial potential. Rezoning to commercial is more appropriate for the use in the area.

Whatever the decision, a small rezoning is not advantageous as an area can be zoned like a quilt and be confusing. The entire current area that is zoned M-1 should be reviewed and zoned together, or at least have the remaining area zoned at a later date the same as these two lots.

Approved for agenda: _____

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 10-1-98 **Agenda Item: 1-2**

Title: Public Hearing and Consideration and Action on amended plat for request to re-zone 630 Denton Drive from M-1 to C-3.

Report:
All of the property bordering the east side of Denton Drive from Betchan to Carlisle is zoned M-1 Light Industrial. The property on the west side of Denton is C-3. The property owners want to rezone C-3 to allow use for alcohol.

Questions:

What is the best use for the land?
How much property should be zoned C-3 in the City?
What concerns do the adjacent owners have? (see letters attached)
Should a small portion of a zoning tract be rezoned?

Recommendation:
The City Manager recommends against C-3 zoning in this area. The City is trying to focus C-3 to the land between Denton and the highway and along Main Street. In addition, a small rezoning is not advantageous as an area can be zoned like a quilt and be confusing. It may be that C-2 zoning is more appropriate for the use in the area, but adding to C-3 is not needed at this time.

Approved for agenda: _____

Paul Yang
4318 Brook Tree Lane
Dallas, Texas 75287

eptember 16, 1998

Mr. Stewart Fairburn
City Manager
City of Lake Dallas
303 Alamo Avenue
Lake Dallas, Texas 75065

Re: Planning and Zoning change request for 630 Denton Drive

Dear Mr. Fairburn:

I am strongly opposed to the proposed zoning change for the above mentioned property. The property I own is located at 631-633 South Denton Drive, and is directly across Denton Drive from the 630 property with the proposed zoning change.

The reasons for my opposition are as follows:

The City of Lake Dallas needs to maintain a mixture of industrial and manufacturing properties along with its retail properties. The subject property is ideal for industrial type use since it is in close proximity to a rail line, and is currently zoned for these purposes.

ake Dallas already has a disproportionately large number of retail stores selling alcoholic beverages. To add to this type of business may contribute to a negative image for the community, decrease the general property values, and possibly push marginal business operators into closing, creating negatives for taxing authorities, property ownership, and the business operators themselves.

The proposed zoning change would go against the existing master plan of the City in which the retail stores selling alcoholic beverages would be limited to designated areas. 630 Denton Drive has no exposure to I35 unlike the majority of other businesses of this type.

The proposed location is possibly located too close to a religious meeting place to permit the sale of alcoholic beverages.

For the reasons outlined above, as well as others, I respectfully request that this zoning change be denied.

Respectfully yours,

Paul Yang

William & Georgia Johnson
707 Parkview Circle
Richardson, Texas 75080
(972) 231–9839
w002067@airmail.net

September 16. 1998

Stewart Fairburn
City Manager
City of Lake Dallas
303 Alamo Avenue
Lake Dallas, Texas 75065

Re: Planning and Zoning change request for 6305 Denton Drive

Dear Mr. Fairburn:

We are strongly opposed to the proposed zoning change for the property located at 6305 South Denton Drive. We owned the property at 631–633 South Denton Drive for many years and we still have an interest in that property. This location is directly across Denton Drive from the property with the proposed zoning change. This same zoning change was proposed some years ago and was denied due to strong opposition by the neighbors and some other reasons I would like to outline below.

1. The City of Lake Dallas needs to maintain a mixture of industrial and manufacturing properties along with its retail properties. The subject property is ideal for industrial–type use since it is in close proximity to a rail line.

2. Lake Dallas already has a disproportionately large number of retail stores selling alcoholic beverages. To add more of this type of business may contribute to a negative image for the community and decrease the general property values.

3. The proposed zoning change would go against the existing master plan of the City in which the retail stores selling alcoholic beverages would be limited to designated areas. 6305 Denton Drive has no exposure to I –35E unlike the majority of other businesses of this type.

4. The proposed location is too close to a religious meeting place to permit the sale of alcoholic beverages.

   For the reasons outlined above, I respectfully request that the zoning change request be denied.

Respectfully yours,

William Johnson

facsimile
TRANSMITTAL

To: Patricia Chapman

Of: City of Lake Dallas

Fax: 940.497.4485

Pages: 1, including this cover sheet.

Date: September 23, 1998

In response to your letter of September 14, 1998, to TexMich Inc regarding the zoning request change across the street from the Lakeland Cities Shopping Center **we wish to voice our opposition.**

Lake Dallas has far *too* many liquor (or beer/wine) stores. It gives a poor image of the City

Please advise the Commissioners of our position.

You may call me with any questions.

Thanks!

From the desk of

Bill Davidson
First Commercial Realty
2016 Justin Road, Suite 300
Lewisville, Texas 75077
972.966 1111
Fax: 972.966 1112

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO AVE.
LAKE DALLAS, TX 75065
817-497-2226

PETITION FOR CHANGE IN ZONING CLASSIFICATION

THE UNDERSIGNED, OWNER OF THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION ASKING THAT THE ZONING CLASSIFICATION ON SAID PROPERTY LOCATED WITHIN THE M-1 ZONING DISTRICT BE CHANGED TO THE C-3 ZONING DISTRICT UNDER THE PROVISIONS OF THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 18.52. ZONING CHANGE REQUESTED ON PROPERTY LOCATED AT 630 SO. DENTON DR. LAKE DALLAS TX., LEGAL DESCRIPTION OF PROPERTY LOTS 1 AND 2 BLOCK A FIRST HIGHWAY ADDITION TO CITY OF LAKE DALLAS TX. VOL 1, PAGE 5.

PROPOSED DEVELOPMENT PLANS ARE/(ARE NOT) SUBMITTED HEREIN, WITH AN EXPLANATION OF REQUEST FOR ZONING CLASSIFICATION CHANGE

TO ALLOW ALCOHOLIC BEVERAGES TO BE SOLD IN EXISTING BLDG.

A FILING FEE OF $250.00 MUST ACCOMPANY THIS APPLICATION. THE OWNER OR A REPRESENTATIVE OF THE PROPERTY MUST BE PRESENT AT THE PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION AND AT THE PUBLIC HEARING BEFORE THE CITY COUNCIL.

SUBMITTED THIS 10TH DAY OF SEPT, 1998.

NAME: ROBERT HOUGHTON

SIGNATURE: Robert Houghton

ADDRESS: 630 SO. DENTON DR LAKE DALLAS, TX 75065

TELEPHONE: 940-321-3006

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 10-1-98 **Agenda Item: 3**

Title: Consideration and action on recommending impact fees and tax abatements for new development.

Background: Impact fees have been a topic of discussion of the last two meetings.

Report:
The Commission needs to determine if they would like to recommend specific impact fees or tax abatements. Both of these are for new development and will impact future development.

Impact fees:
Commission needs to determine what impact fees are available, which ones are effective, what affect it may have on development, and the benefits.

Tax abatement:
Commission needs to determine if tax abatements should be done, what types of development to do it for (number of jobs, amount of tax) how much abatement and for how long.

Recommendation:
City Manager recommends that the Commission recommend a policy for or against impact fees and tax abatements. If recommending for have the policy with enough detail to implement should it be accepted by Council.

Approved for agenda: _____

Oct 1, 1998
P + Z Meeting

Public in attendance:

Robert A Houghton
Paul Kim
A. J. Patel
AMYN BHAGAT
Paul K. YANG
Larry E. Golman
Alan Meyer
William W Johns
George L Johns
Ernesto Lopez Jr.
Charles Hall
Greg Vence
Joe Davidson
Bonnie Brown Garcia
Im Suk Lee

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
September 3, 1998

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on September 3, 1998, at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

Roll Call

BUSINESS:

1. Consideration & Action on recommending Impact Fees for Development.

2. Consideration & Action on requiring concrete for all newly constructed roads.

3. Approval of minutes.

4. Adjourn.

I, Diane Lowrimore, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, August 28, 1998; at 5.00 p.m.

Diane Lowrimore
Diane Lowrimore
Planning & Zoning Commission
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on September 3, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Kevin Spraggins (chairman)
Linwood Gilliland
Ben Gilbert
M.J. Graham (alt) (sat in for Robert Hanson)
Mike Fahey (alt) (sat in for Diane Byers)

Member Absent:

Robert Hanson
Diane Byers

Staff in attendance:

Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary
Council Member Mike Minnis was also in attendance

The meeting was called to order at 7:40 P.M.

1. Consideration & Action on recommending Impact Fees for Development.

It was recommended to have the staff and Council look into the cost of newly annex property. Also, along with impact fees look into Tax Abatement.

2. Consideration & Action on requiring concrete for all newly construction roads.

Linwood Gilliland made a motion to require concrete to all newly constructed roads. Ben Gilbert seconded it and it carried unanimously.

3. Approval of minutes.

Linwood Gilliland made a motion to approve the minutes. Mike Fahey seconded it and it carried unanimously.

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 9-3-98 **Agenda Item: 1**

Title: Consideration and action on recommending Impact Fees for development.

Report:
The August meeting had City Attorney Berman making a presentation on Impact Fees. The Commission wished to have the discussion continued to the September meeting.

The question to answer is whether impact fees are feasible for the development that Lake Dallas will see in the future.

The Planning and Zoning Commission is being requested to make a recommendation whether or not to pursue impact fees.

Recommendation:
Have the discussion and determine if impact fees should be pursued. The City Manager does not feel that impact fees are appropriate because of their limitations and because of the type and amount of development we will see. Most of the development has happened, and so additional fees during the time of in-fill makes it harder to find interested developers.

Approved for agenda:

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 9-3-98 **Agenda Item: 2**

Title: Consideration and Action on requiring concrete for all newly constructed roads.

Report:
Our current ordinances do not specify the concrete requirement for newly constructed roads. The most recent roads have been made of concrete and are quite popular. There may be other roads to be built in the City (Texas Street, Canal Street) that currently can be asphalt. One of the issues to look at would be requiring concrete on a road in a subdivision that already has asphalt on all of the other roads.

The City currently requires curb and gutter, which is one of the most important things to do to keep your street from falling apart. Open borrow ditches are the worst culprits.

The other issue is that concrete lasts a long time, but it is terribly expensive to repair.

Recommendation:
There are few public roads left to be developed in the city. Those that are left are mostly in current subdivisions that already have asphalt roads. The requirement for concrete would be most appropriate applied to a brand new subdivision. We must also remember that concrete roads may be too expensive in many of our in-fill areas.

Approved for agenda: _____

There is no more technical, difficult area of land use law in Texas than municipal impact fees. Nevertheless, in light of recent United States Supreme Court cases, all cities should (and must) consider impact fees relative to the development of property and off-site improvements related to specific developments. Before addressing these issues, however, a short explanation of the purpose of impact fees and their history in Texas is instructive. "Impact fees, like other forms of development exactions, are imposed as a condition of development approval to mitigate impacts on public facilities and services generated by the development project. The principal use of impact fees, which distinguishes them from traditional subdivision exactions, is the financing of off-site capital facilities to support new growth." Morgan, T. "The Effect of State Legislation on the Law of Impact Fees, With Special Emphasis on Texas Legislation," 18th Annual Institute on Planning, Zoning and Eminent Domain § 7.01 at 7-2 (1988)(hereinafter "Effect of State Legislation"). Further, "[i]mpact fees . . . serve as a substitute for denial of development projects that otherwise would not be served by adequate facilities. In essence, development exactions mitigate adverse impacts of new development on the municipality's ability to provide essential facilities and services." Id., § 7.02[1] at 7-4.

An impact fee, a form of development exaction, is broadly defined as a contribution of land, improvements or money imposed as a condition of development approval to mitigate the impacts of the development project. Such development exactions include mandatory dedications of property for rights-of-way, requirements to construct capital improvements, fees in lieu of dedication or construction, impact fees for public facilities, and fees or charges that are assessed against development projects to mitigate environmental or social impacts. Texas Municipal League Public Policies Briefing Series, "Impact Fees in Texas," § 1.2 at 1-2 (Nov.

1989)(hereinafter "Impact Fees"). The Texas impact fee statute, codified in Chapter 395 of the Local Government Code, defines "impact fee" as "a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions[2] necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. . . ." Tex.Local Gov't Code § 395.001(4). The statute specifically excludes park dedication or payments in lieu of park land dedication, several different categories of on-site facilities and lot or acreage fees. Id.

In certain instances a developer may be entitled to a refund or credit of impact fees. For example, if a developer constructs wastewater facilities in a service area, the developer would not also be required to pay the maximum amount of impact fees for wastewater facilities. To do so would be unfair to the developer since he/she, in essence, would be paying twice for the same capital improvement.[3] The impact fee statute contains three provisions requiring that impact fees be refunded. The first is upon request of an owner "if existing facilities are

---

[2] The terms "capital improvement" and "facility expansion" are terms of art. A "capital improvement" is limited to only one of four types of public facilities with a life expectancy of three or more years. "These are (1) 'water supply, treatment and distribution facilities'; (2) 'wastewater collection and treatment facilities'; (3) 'storm water, drainage, and flood control facilities'; or 'roadway facilities.'" Impact Fees, § 2.1 at 5-6. "Facility expansion" refers to the "expansion of the capacity of an existing facility of one of these types of capital improvements." Id., § 2.1 at 6.

[3] The impact fee statute provides that "an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities." Tex.Local Gov't Code § 395.001(4). A "credit" is "a reduction in the amount of the impact fee reflecting previous monetary contributions identified in the capital improvements plan for impact fees" and an "offset" refers to "a reduction in the amount of an impact reflecting the value of land dedicated by a developer for a capital improvement designated in the capital improvements plan for impact fees, or the value of such improvement constructed by a developer pursuant to the political subdivision's land use regulations or requirements." Impact Fees, § 11.3 at 102-03.

available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period. . . ." Tex.Local Gov't Code § 395.025(a). The second instance entitling a record owner to a refund is when any impact fee "is not spent as authorized . . . within 10 years after the date of payment." Id., § 395.025(c). Last, the impact fee statute contains a refund provision requiring comparison of the actual costs of capital improvements identified in the capital improvements plan with estimated costs included in the capital improvement plan. Id., § 395.025(b).[4]

In light of two recent United States Supreme Court decisions, I believe the use of impact fees to finance off-site capital facilities is far preferable to other methods of obtaining both on-site and off-site improvements impacted by a new development. The first case, Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987), placed local governments on notice that drafting and implementing regulatory conditions in the development approval process that effectuate acquisition of title or interfere with possession can result in a finding that private property has been taken without just compensation. In this case, the Nollans were private beachfront landowners who wanted to replace their dilapidated small bungalow with a larger house. They were granted a permit from the California Coastal Commission with the condition that they grant an easement, by deed, for the public to pass across their beach. The easement required was a lateral one that would pass across a portion of their property. The Coastal Commission's stated rationale for requiring the easement was that the new structure would obscure the view of the ocean, thus burdening the public's right to traverse the beachfront. The Supreme Court ruled in favor of the Nollans, finding that

---

[4] One commentator has described this third refund provision as "virtually unworkable." See Impact Fees, § 10.5 at 94.

> a condition attached to approval of a single-family development permit, which required the owner to dedicate a portion of his lot to provide the public with lateral access to the beach, violated the guarantee of the Fifth Amendment that private property shall not be taken for public use without just compensation. In so ruling, the Court established a standard of "remoteness," under which development exactions attached as conditions to development approval must "substantially advance" the asserted and legitimate governmental interest for which they are imposed.

Effect of State Legislation, § 7.03[4][a] at 7-10, citing Nollan. The Supreme Court also wrote that it was "inclined to be particularly careful about the adjective ["substantial"] where the actual conveyance of property is made a condition to the lifting of a land-use restriction, since in that context there is heightened risk that the purpose is avoidance of the compensation requirement, rather than the stated police-power objective." Nollan, 483 U.S. at 841.

The second significant Supreme Court case is Dolan v. City of Tigard, 512 U.S. ___, 114 S.Ct. 2309 (1994). The Tigard, Oregon, city planning commission approved Mrs. Dolan's application to expand her store and pave her parking lot conditioned upon her compliance with the dedication of land (1) for a public greenway to minimize flooding that would be exacerbated by the increases in impervious surfaces associated with her development and (2) for a pedestrian/bicycle pathway intended to relieve traffic congestion in the city's central business district. Id., 114 S.Ct. at 2314. She appealed the commission's denial of her request for variances from these standards to the Land Use Board of Appeals. She alleged that the land dedication requirements were not related to the proposed development, constituted an uncompensated taking of her property for a public use and therefore violated the just compensation clause of the Fifth Amendment to the United States Constitution. The Board found that there was a reasonable relationship between the development and the requirement to dedicate land for a greenway due to the impact that a larger building and increased impervious surfaces would have on runoff into the creek. The Board also found that requiring a pathway

was reasonable to mitigate the impact of the increased traffic from the development and to facilitate alternative means of transportation. Id. at 2315. On appeal, both the Oregon Court of Appeals and Supreme Court affirmed the Board's ruling. Id.

The United States Supreme Court, however, held that the requirements in fact did constitute an uncompensated taking of property. The Court wrote that, under the well-settled doctrine of "unconstitutional conditions," a government may not require a person to give up a constitutional right in exchange for a discretionary benefit conferred by the government where the property sought had little or no relationship to the benefit. Id. at 2317. The Court stated that the first question, in evaluating Dolan's claim, is whether an "essential nexus" exists between a legitimate state interest and the permit condition. If it does, the second question is whether the degree of exaction demanded by the permit condition bears the required relationship to the projected impact of the proposed development. In assessing the second question, the Court instructed that the necessary connection required by the Fifth Amendment is "rough proportionality," or essentially the "reasonable relationship" test adopted by a majority of state courts. Id. at 2318-20.

In applying this two-step analytical model, the Supreme Court found that although preventing flooding along the creek and reducing traffic congestion in the district were legitimate public purposes, thereby establishing a nexus, the findings upon which the city relied did not show the required reasonable relationship between the floodplain easement and bikepath and Dolan's proposed building. Specifically, the Community Development Code already required Dolan to leave 15% of her property as open space, which would have practically been satisfied by the undeveloped floodplain. The city, however, never stated why a public, as opposed to private, greenway is required in the interest of flood control. Moreover, the city did not meet its burden of establishing, beyond mere conclusory statements, that the additional traffic

generated by Dolan's development reasonably related to the city's requirement for a dedication of the pathway easement. Id. at 2321-22.

I believe the potential impact of Dolan upon local governments across the country is significant. First, most local governments routinely exact donations of land and facilities in conjunction with subdivision plats or other development approvals based on proximity of the land to be developed to existing or planned services and facilities. Typically, as in Dolan, the location of the future facilities is designated in master plans or other comprehensive planning documents. These documents, and development regulations that implement those policies, seldom quantify the relationship between the required contribution and the impacts arising from the proposed development of specific tracts and subdivisions. These forms of development exactions contrast markedly with demand-based exactions such as impact fees which necessarily quantify the relationship. Most commentators agree that the Dolan decision, in its demand for quantification, likely will encourage the use of fee-based exactions which provide a standard against which land dedications or construction requirements can be measured.

Second, it is common local government practice to formulate conditions that are unique to the development application pending. Ad hoc conditions routinely are attached to applications ranging from rezoning proposals to building permits. Often development regulations do not anticipate even the types of conditions that will in fact be imposed. The lack of standards to guide development approval, while always problematic, can be expected to be more so following Dolan. The Dolan opinion expands Nollan so that conditions must be related both to the nature and extent of the proposed development. In the absence of standards and with a newly assigned

burden to justify conditions,[5] local governments will have difficulty clearing even the first hurdle - the nexus test.

Third, impact fees directly address the concerns raised in Dolan when such fees have been enacted pursuant to proportionality standards established by state statute or constitutional requirements. Impact fees allow local governments to fully mitigate the demands created by new development on public facilities through monetary payments that are quantified for the development at issue. At the same time, traditional subdivision requirements, such as land dedication and facilities construction, can be continued in effect by crediting the value of such improvements against the payment of impact fees.

After Nollan and Dolan, it is safe to say that impact fees are far more advantageous than traditional development exactions that may arbitrarily vary from one development to another. As stated in Impact Fees, the advantages are as follows:

> First, impact fees represent an additional source of revenue from which to finance a portion of future capital improvements' needs. Political subdivisions which are responsible for supplying water, sanitary sewer, roads and drainage facilities increasingly are subject to fiscal constraints for funding such improvements to serve new growth. With the disappearance of many federal and state grants, and tax-payer sensitivity to increased taxes and utility rates, local governments must transfer a portion of the costs of capital improvements which serve new development to the ultimate beneficiaries. The more the local government relies upon debt financing to serve its capital improvement needs, the more likely it becomes that service levels in the community will be reduced. By supplementing tax and utility revenues with impact fee revenues, existing revenue sources may be devoted to maintaining service levels and funding capital improvements to correct existing deficiencies or replace existing facilities.
>
> Because impact fees present a means for assuring that community-related facilities will be coordinated with new development, their use promotes economic

---

[5] In Dolan, the Supreme Court, although stating that precise mathematical calculation is not required, placed the burden of proof upon cities to make some sort of individualized determination that a city-imposed dedication is related both in nature and extent to the impact of the proposed development. Id., 114 S.Ct. at 2319-20. Thus, any exaction must bear a reasonable relationship to the needs created by the development and the burden of proof rests with the city to establish and quantify such needs.

development by encouraging the location of new employers in the community who value such services. At the same time, the use of impact fees provides assurance to existing businesses that local taxes and utility rates will remain relatively stable. If the local government must rely upon these sources to finance capital improvements to serve both new and existing development, the community faces steady increases in tax and utility rates attributable to debt financing.

Impact fees also represent a means of attaining certain police power objectives, which are not easily attained through the use of traditional development exactions. Thus, local governments may adjust impact fee rates to meet particular economic development or other police power objectives. Impact fees may be varied among service areas or by type of land use, as long as such differences are reasonably related to a proper police power objective. Through the use of impact fees, the community may encourage the establishment of certain kinds of developments, such as major employers or affordable housing projects.

> Finally, impact fees represent a more equitable form of distributing the burdens for financing future capital improvements among various types of development. Traditional development exactions practices, which require the on-site dedication or construction of capital improvements, are based on the location of the property in relation to existing or planned public improvements. As a consequence, developments which equally contribute to the need for additional capital improvements may be assessed widely differing costs under such practices. Generally speaking, the owner of the property which is located on or abutting the site for a future public improvement is required to contribute more than the owner of property which is not so located. This unequal distribution of responsibilities for providing for future capital improvements is avoided through an impact fee program, in which the contribution of a particular development project is in proportion to the demand it creates for additional capital improvements.

Impact Fees, § 3.2 at 15-17.

From a strictly legal standpoint, impact fees provide cities with easily enforceable standards relative to both on- and off-site exactions. If a city had no impact fee ordinance, prior to requiring <u>any</u> dedication or exaction, the city would be virtually indefensible without conducting studies regarding the relationship between any dedication or exaction and the impacts of the development. Further, a study would be mandated for each development plan considered by the city and the city would be required to quantify its findings in support of each such exaction or dedication. Consequently, it would be cost-prohibitive to conduct such studies and the potential would be great that the conclusions of any study would be challenged. If a city opted not to conduct studies for each new development, the risk of liability would be

exponentially greater with little likelihood the city would prevail. Last, to require a developer to construct a capital improvement pursuant to a city's capital improvement plan and also assess that developer impact fees would violate state law. In the situation where a developer constructed a capital improvement, the developer under state law would be entitled to either a refund or credit because it would be manifestly unfair, and legally indefensible, to "double charge" for the construction of a capital improvement.

Chapter 11
Impact Fees and Exactions

by Terry D. Kahn and Dan Sefko, AICP

Impact fees are the most recent, the most pervasively used, and the least understood community planning and budgeting devices to be adopted within the past three decades. Cities suffering from growing pains and cash flow problems, interested in increased control over the magnitude of growth, and wishing to place other social and environmental concerns on the community budgetary agenda have adopted fees with alarming speed. This chapter covers impact fees in three parts: 1) rationale behind impact fees; 2) impact fees and the adoption process in Texas; and, 3) controversy over impact fees.

Principles and Purposes of Impact Fees

The basic principle behind the adoption of an impact fee is that growth, as evidenced by new land development, should pay for itself. The purpose of an impact fee is to require a land developer to pay for a share of the city's hard or soft infrastructure as required off-site to serve the property in question. A common impact fee, for example, is charged for wastewater capacity before a developer can hook up the internal lines of a subdivision to the municipal wastewater system. Developers pay for all of their internal wastewater lines just as they have over many years of practice. However, an impact fee requires that the developer also pay, up front, for a share of the city's wider wastewater infrastructure.

Until the onset of impact fees, cities had traditionally paid for hard and soft infrastructure through the proceeds of either revenue or general obligation bonds, usually the former, or passed such costs on to the developers. Some cities practiced pro-rata refund policies under which the developer fronted the money for municipal infrastructure required to serve the property and then was reimbursed by the city over a period of time. The essential point is that whereas cities historically shouldered the cost of infrastructure, impact fees require the developer to incur either all or a portion of these costs.

Definition of Impact Fees

Impact fees may be defined as follows:

> *"...single payments required to be made by builders or developers at the time of development approval and calculated to be the proportionate share of the capital cost of providing major facilities (arterial roads, interceptor sewers, sewage treatment plants, drainage facilities, etc.) to that development."* [1]

and,

"Development impact fees are scheduled charges applied to new development to generate revenue for the construction or expansion of capital facilities located outside the boundaries of the new development (off-site) that benefit the contributing development." (2)

An example completes the definition. Assume that a city adopts a water and wastewater impact fee of $2,000 per new single family residential unit built within its utility service area. Before obtaining final approval for a subdivision and subsequent sale of legal single family residential lots, the developer of 100 lots must pay fees totaling $200,000. Whether that fee goes toward new water and wastewater facilities or whether the developer is simply hooking up to an existing system already available to the property in question, the developer must pay the fee in either case. That payment is the essential difference between financing infrastructure with revenues out of the developer's pocket -- the impact fee -- and financing infrastructure through the traditional issuance of revenue or general obligation bonds. The concluding section of this chapter discusses in detail this shift to growth paying for the improvements necessary to support it.

Political Rationale for Impact Fees

Five reasons for community use of development impact fees are identified as follows:

1. **To shift fiscal burdens from existing taxpayers to new development** - This reason for adopting impact fees emanates from two sources. The first is the basic feeling that growth has long been subsidized by the existing taxpayer, and the existing taxpayer is now saying that growth must pay for itself. The second reason has to do with the need for the community to find new sources of revenue. In addition to the basic problems of inflation, a series of occurrences has left many cities with a financial inability to maintain existing infrastructure and to expand systems in response to the demands of population growth. Among the primary causes of the cash flow shortages are tax and rate payer revolt, reductions in federal and state aid, and historic underpricing and underfinancing of existing infrastructure facilities and services.

2. **To synchronize the construction of new or expanded facility capacity with the arrival of new development** - Most infrastructure requires an uneven stream of capital investment in order to achieve economies of scale. For example, it is much less expensive in terms of construction costs to oversize a water transmission line now than to put in a small line now and then to install another small line at a later date. A second example is the case of the utility plant, which can only be efficiently built in terms of thousands of units of service at one time rather than in terms of single unit increments of service.

   The problem arises because the economies of scale approach necessitates cash to pay for construction now for facilities which will not be fully utilized until some point in the future. A secondary problem with the economies of scale approach is that infrastructure may be extended beyond the urban fringe, thereby allowing leapfrog development and the resultant inefficiencies of urban sprawl. Impact fee systems provide revenues, either in current terms or as a sinking fund, which help to smooth out the uneven effect of the investment required to construct infrastructure systems.

3. To subject new development decisions to pricing discipline - Historic underpricing of utility service has led to inefficient use of the land. With costs of utility services low, developers have tended to produce low density, urban sprawl types of physical growth. Additionally, most communities have maintained equality of connection and service charges throughout, regardless of the actual cost of service, with the result that those in easy to serve areas subsidize those in difficult to serve parts of town. Impact fees require the developer to pay the full cost of receiving service for the property in question, and in doing so the fees force the developer to proceed only when the proposed project is feasible given the full service cost. Simply, "...when facility prices reflect true costs, only development which can afford to pay those costs will happen."(4)

4. To enhance the community's quality of life by attempting to exclude certain types of development and socioeconomic groups - Impact fees, though not empirically proven to do so, arguably raise the cost of housing, because in most cases, the developer passes the amount of the fee on to the homebuyer. The higher the cost of the house, the higher is the socioeconomic status required to purchase the house, with the result that some groups of persons and forms of development may effectively be excluded from the city. The concluding section of this chapter offers a discussion of the incidence of impact fees and the effect on housing affordability.

5. To symbolically respond to locally vocal antigrowth sentiments - The same taxpayer and ratepayer revolt which is partially responsible for the need for impact fees is related to antigrowth sentiment which seeks maintenance of the community status quo. Antigrowth sentiment reasons that the costs of expanded infrastructure and services are avoided if there is no demand for additional capacity. It is important to note, as well, that antigrowth sentiment may arise from social and environmental concerns quite unrelated to community finance. Regardless of the source of the antigrowth sentiment, the adoption of impact fees responds to the pressure.

Impact Fees, Exactions, and Linkage Fees

The discussion thus far has used "impact fee" only in the generic sense. There are, however, three versions of the impact fees, and the distinctions among them must be made in order to avoid confusion. "Exactions" is also used in a generic sense to describe charges for growth.(5) All of the arguments and discussions on impact fees are applicable to the three basic forms of fees: impact fees, exactions, and linkage fees.

Impact fees and exactions are both fees designed to require the developer to pay for an appropriate share of the infrastructure which serves the development in question. A simple distinction between the two is offered by Snyder and Stegman.(6) In-kind contributions of facilities constructed by the developer and donated to the city are exactions. Monetary contributions, including fees paid in-lieu of exactions, are impact fees. Examples of exactions are park construction and parkland set aside and the construction of off site infrastructure such as lift stations.

Whereas impact fees and exactions are closely related to the infrastructure needs of the development in question, linkage fees are frequently associated with a community purpose more remotely related to development. Linkage fees pay for socially desirable programs, and the developer is asked to contribute

to the expansion of such programs in parallel with the developer's expansion of the community. Examples are per square foot linkage fees, usually charged to commercial development, with the revenues dedicated to low income housing or community day care.

Exactions, especially in the form of land dedication, have long been part of the development approval process. Impact and linkage fees, as noted earlier, are of recent vintage and represent a marked departure from the traditional manner in which the city pays for infrastructure. Regardless of the technical nature of the mechanisms used, questions of application, accuracy, equity, and maintenance arise. The discussion now turns to the specifics of impact fees and their application in the state of Texas.

Impact Fees in Texas

History of Impact Fees in Texas and the United States - The practice of using impact fees to offset the costs of growth and provision of public facilities has been used in many states across the nation. States which have enacted legislation authorizing impact fees include Arizona, California, Illinois, Maine, Nevada, New Jersey, Oregon, Tennessee, Texas, Vermont, Virginia, and Washington. Other states, such as Florida and Colorado, are considering similar legislation. Although impact fees are relatively new, their use evolved from developer contributions or "fees in lieu of" requirements as part of the subdivision development process.

Most states enacted legislation permitting land use regulations during the 1920's, but many of the precedents for impact fees were based on numerous court decisions in the 1960's, 1970's, and 1980's. These decisions resulted in either legislation allowing states to enact impact fees or defining parameters for their use. Most of the legislation and ordinances on impact fees used in current practice originated from various court decisions since 1980.

In 1984, the Texas Supreme Court upheld the City of College Station's park land dedication and "fee in lieu of" ordinance.(7) In effect, the Court authorized "offsite" exactions as a valid exercise of the City's power of self government or "police power." Another aspect of the College Station court decision was the "rational nexus" test. Although broadly interpreted, the rational nexus test as applied to impact fees means the need for new public facilities must be attributable to the development being assessed the impact fees, must be proportionate to the need for facilities generated by the development, and the development must receive a reasonable, although not exclusive, benefit from the facilities financed by the impact fees.

In 1987, a Senate Bill, commonly referred to as SB336, was introduced into the 70th Legislature of Texas which authorized governmental entities (cities, counties, and certain special districts) to impose impact fees

against new development. SB336 passed and became effective June 20, 1987, and is now incorporated within the Texas Local Government Code as Chapter 395. Minor amendments were made to the Statute by the 71st Legislature. Since 1987, several other states have passed impact fee legislation based on SB336 (Chapter 395).

Overview and Purpose of Chapter 395 - The primary purpose of Chapter 395 (the impact fee legislation) is to authorize governmental entities, primarily municipalities, to collect impact fees to recoup some of the costs of providing public facilities which will serve new development. Both home rule and general law cities can impose impact fees under Chapter 395. While Chapter 395 serves as enabling authority, it also prescribes procedures which cities must follow to adopt impact fees and it establishes limitation on how impact fees can be applied.

In order to charge new development fees for offsite public improvements, such as water, sewer, and roadway facilities, a municipality must now comply with the provisions of Chapter 395. Chapter 395 defines an impact fee as "a charge or assessment imposed by a political subdivision (city) against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development."(8) Any capital recovery fees or charges defined as impact fees by the statute which were in effect prior to the statute were required to be replaced by fees in accordance with Chapter 395 by June 20, 1990. Generally, Chapter 395 requires municipalities to develop a plan for growth (land use assumptions) and to prepare a capital improvement plan (CIP) to accommodate anticipated growth. This requirement parallels basic planning principals -- to develop policies upon which to formulate a comprehensive plan and develop a capital improvement plan to implement the plan.

One objective of impact fee programs in general is to raise money, but the most important objective is to ensure adequate capital resources to accommodate expected growth. Prior to Chapter 395, Texas cities often charged new development "front footage" fees for costs of building streets and pro rata changes for water and sewer lines. Under Chapter 395, these assessments (with certain exceptions) can no longer be charged to new development if they are for facilities beyond the developer's property. **An important concept of Chapter 395 is the premise that new development "buys into" the entire system of services rather than paying only for facilities that happen to be adjacent to the developer's property. In essence, the developer pays the city to make the water, sewer and roadway systems available to tie into.** Without this system of public facilities, the developer could not develop the property.

Procedures for Implementing Impact Fees as Prescribed by Chapter 395

The statute mandates a detailed procedure for the adoption of impact fees. Generally, this procedure requires:

- Appointment of an advisory committee; and,
- Public hearings on land use assumptions, a capital improvement plan, and the impact fee ordinance itself.

The main purpose of procedures set forth in Chapter 395 is to allow all interested parties a fair opportunity to participate in the adoption process. The appointment of an advisory committee and specific public hearing notification requirements ensure that anybody who wishes to participate will have the opportunity.

The following is an abbreviated outline of the process necessary to adopt an impact fee ordinance in accordance with Chapter 395:[9]

1. **Organization** - Qualified personnel, including city staff and/or consultants, should be organized to prepare the impact fee program. Even if consultants are retained to perform all or some of the required tasks, city staff should endeavor to participate in and/or coordinate the program. A written work program with dates for the following components should be prepared to help guide the process.

2. **Advisory Committee**[10] - As soon as possible, an advisory committee must be appointed. The Planning/Zoning Commission can be appointed as the advisory committee if at least one member is from the real estate, development or building industry.[11] The advisory committee and City Council are the two public bodies which participate in the adoption of impact fees and should both be briefed on their respective roles early in the process. The advisory committee's primary function is to advise and assist in the preparation of the land use assumptions and the capital improvement plan. The advisory committee also has ongoing responsibilities to produce semi-yearly reports and assist in updating the impact fee program. The City Council is the only body that can actually approve, adopt, and implement the program.

3. **Program Scope** - In addition to appointment of the advisory committee, it is important to determine target facilities early in the process. Eligible facilities include water treatment and distribution facilities, wastewater treatment and collection facilities, storm water drainage and flood control facilities, and roadway facilities. The city should determine which of these facilities it desires to include or target in its impact fee program. Sometimes this decision cannot be made without some preliminary analysis but it is important that professionals with expertise in designing plans for the specific targeted facilities are included in the process. Other city documents such as the comprehensive plan may provide direction and justification for the need and location of these types of capital facility improvements.

4. **Acceptable and unacceptable components of an impact fee program** -The Statute sets forth certain charges and facilities which can or cannot be included in the program.

Costs which may be included in calculating the impact fee are:[12]

(1) Construction cost of the capital improvement;
(2) Engineering and financial consultants' fees to prepare the impact fee program;
(3) Land acquisition costs; and,
(4) Interest and other financial costs of the capital improvement project

Items which cannot be paid for with funds collected under the impact program include:[13]

(1) Projects not included in the Capital Improvements Plan (CIP);
(2) Repair, operation and maintenance of existing or new facilities;
(3) Upgrading, updating, expanding, or replacing existing capital improvements to meet stricter safety, efficiency, environmental or regulatory standards, or to provide better service to existing development;
(4) Administrative costs of operating the impact fee program;
(5) General debt or finance charges for projects not included in the CIP; and
(6) Any roadway within the federal or Texas highway system.

Impact fees can be charged for both residential and nonresidential properties.

5. Preparation of the land use assumptions (LUA) and determination of service areas - The CIP must be based on a set of adopted land use assumptions which include a "description of the service area and projections of changes in land use, densities, intensities, and population in the service area over at least a ten-year period."[14] Although no particular format is specified in the statute, there are four basic requirements or components of the LUA:

   a. Description and analysis of existing conditions (base data) - This can include documentation of population, land use and other generally accepted background data for land use analysis;

   b. Service area determination - Since base data and projections must be collected for each service area, the boundaries for each targeted facility must be determined and included in the LUA report. They should also be coordinated with the preparations of the CIP.

      For water and wastewater facilities, a city has several options in determining its service areas. Multiple service areas can be created across the entire city, including its ETJ. If impact fees are to be assessed in the City's ETJ, then one member of the advisory committee must reside within the ETJ. Chapter 395 also allows a city to adopt system-wide (covering the entire city) land use assumptions and service areas. Most Texas cities adopting impact fees have chosen to designate city-wide service areas for water and wastewater facilities. Service areas for roadways and drainage facilities cannot be adopted on a system-wide basis. Roadway service areas are limited to the corporate limits of a city and the service areas for drainage are limited to specific drainage basins which will be served by the improvements. Additionally, the service area for roadway facilities must not exceed three miles in length at any point. Because of the service area size requirement on roadways, adoption of impact fees for roadway facilities is often more difficult than for other capital facilities. As a result, fewer cities have adopted impact fees for roadways than for other eligible facilities;

   c. Ten-year growth projections - Similar to section "a" above, data for ten-year projections must include changes in density and intensity for residential, commercial and industrial land use. This is also interpreted to include population and, as appropriate, employment projections. All population and land use projections should be prepared by qualified planning professionals using generally accepted planning criteria. The LUA should also be developed in a format

suitable for use in development of the CIP. Along with the formulation of service areas, the LUA should be coordinated with preparation of the CIP.

d. Ultimate growth projections - The same types of data required for the ten-year projections must also be prepared for each service area in an ultimate development, or "built out," scenario. This is usually based upon the holding capacity of the ultimate land area of the city using proposed future land uses to determine anticipated land use types and densities.

The best source of data for developing land use assumptions is a currently adopted or approved comprehensive plan which probably already contains some of the statutory requirements pertaining to land use and population projections.
Preparation of population projections without the benefit of a comprehensive plan requires development of a basis and methodology for land use and population projections within the LUA report itself. In developing the LUA, it is important to remember that they will serve as a basis for preparation of the CIP over a ten-year period, as well as a basis for generation of the number of "service units" required to be served. A city must be able to show that costs within the CIP which are eligible for impact fee funding are indeed attributable to new growth and derived from the LUA.

The LUA, including any maps showing service area boundaries, should be prepared in a report format suitable for public review and eventual adoption. It also should be noted that the contents of the LUA may need to be formatted differently depending on the methodology used to formulate the CIP (different engineers prepare the CIP using different approaches; therefore, they have certain format requirements).

6. **Public Hearing on the LUA** - Once the land use assumptions have been drafted, they should be reviewed by the advisory committee. Any comments should be noted, and a copy of the comments and final LUA report must be sent to the City Council for approval. Although the advisory committee is not required to approve[15] the LUA, as a practical matter it is advisable to reach a consensus on the LUA report and provide a recommendation to the City Council.

The Statute provides for joint (or consolidated) public hearings on the LUA and CIP.[16] If a city is preparing an impact fee ordinance under Chapter 395 for the first time, there is a provision that requires separate public hearings on the LUA and CIP if anyone on a designated mailing list requests that separate hearings be held even though one joint (or consolidated) public hearing was advertised.[17] Consequently, in adopting their first impact fee ordinance, most cities have held separate public hearings. Another reason for separate public hearings is that the CIP must be based on the LUA. If the LUA are significantly altered as a result of the public hearing, then the content of the CIP could also require changes.

The City Council must set a public hearing date for the LUA.[18] Three weekly notices must appear in the newspaper between 30 and 60 days before the public hearing. Written notices must also be sent to all who have requested to be notified. Section 395.044 prescribes specific size of headline lettering, location within the newspaper, and content of the public hearing notices. The City Council must hold the public hearing and must adopt or reject the LUA within 30 days.[19]

7. **Preparation of CIP for target facilities** - After the LUA have been approved (or reviewed concurrently with the preparation of the CIP), the CIP can be prepared. Even if the LUA are adopted, a city still cannot charge impact fees without an adopted CIP. The CIP must be prepared by a registered professional engineer and must include:[20]

   a. Description and assessment of existing capital facilities;

b. Analysis of the total capacity and current levels of usage;

c. Description of each type facility (water, sewer, roadway, etc.) and associated costs for improvements of each which will be necessitated by and attributable to new development within each service area based on the approved land use assumptions;

d. Determination of a service unit and consumption, discharge or use of the facility by each service unit;

e. Total number of projected service units based on the LUA;

f. The projected demand for capital improvements over the next ten years;

g. An equivalency table establishing the ratio of a service unit to various types of land uses; and,

h. Calculation of the maximum fee that can be charged per target facility category for each service unit.

It is important to understand that the CIP prepared under Chapter 395 is different from a city's traditional capital improvement plan. A city's traditional CIP may identify many projects (including those to fix existing service deficiencies) to be undertaken during a shorter time period. As a result of the passage of Chapter 395, many cities could be maintaining two capital improvement programs, both with similar objectives but for different purposes.

The CIP required by Chapter 395, in essence, requires a city to define an appropriate level of service. This level will vary depending upon the nature of the targeted capital facility. For example, the level of service for the water system might be expressed as the peak usage period during a day in the summer. Selection of a service level represents an indirect commitment by the city to both correct existing deficiencies and to deliver services in accordance with projected need. Although all facilities expected to serve growth in the next ten years are not required to be included in the CIP, there should be an attempt to include all that are appropriate. That is, the CIP should not attempt to under- or over-estimate the facilities which will be required to serve growth over the next ten years.[21]

The CIP should be prepared in report form and sent to the advisory committee for review and comment. Similar to the LUA, the advisory committee must "review the capital improvements plan and file written comments to the City Council."[22] Once this is completed, then the CIP can be sent to the City Council for approval and adoption.

8. <u>Ordinance preparation</u> - As the CIP is completed, a draft ordinance adopting impact fees should be prepared. This ordinance should explicitly state how impact fees will be administered and when the fees will be collected (i.e. at the time the building permits are issued or at the time the final plats are filed). It should also make provisions for credits and offsets in fees, establish how the funds will be accounted for, provide schedules for maximum fees which can be charged, and state actual fees (which can be equal to or less than the maximum fee as calculated in the CIP) which will be charged per service unit and the equivalency table equating specific land uses to service units. The draft ordinance should then be sent along with the CIP to the City Council for consideration.

9. <u>Public hearing on the CIP and impact fee ordinance</u> - Except for wording changes, the same public hearing procedures, content and format as for the LUA must be followed for the CIP.[23] The CIP and ordinance adopting impact fees must be adopted by the City Council within 30 days of the public hearing. Once the ordinance and the CIP are adopted, impact fees may be imposed upon all new plats and replats approved after the ordinance adoption; however, impact fees cannot be

charged for development on property platted prior to the adoption of the ordinance for a period of one year.

10. On-going requirements - In addition to normal administrative duties, a city must keep its impact fee program up-to-date. Every six months, the advisory committee must review the LUA and CIP and report its findings to the City Council. Every three years the entire program must be reviewed and updated if changes in the LUA and CIP have occurred.[24]

11. Policy issues to consider when adopting impact fees - As with many State Statutes, there are policy issues which must be resolved prior to implementation of an impact fee ordinance under Chapter 395. The two primary (and most controversial) issues include:

    a. Determination of when the impact fees will be collected; and,

    b. Determination of what rate to charge (if less than the maximum) to offset economic development or other objectives.

    Other policy issues pertain to contents of the CIP and interim funding mechanisms. Funds generated by impact fees will occur slowly, and on an incremental basis, but the requirements for construction occur relatively quickly (within two to five years). Therefore, cities are faced with the burden of initially financing capital facilities until the impact fee program can generate enough money to pay off the debt for construction of capital facilities.

Considerations in Using Chapter 395 - Each city must determine whether impact fees (under Chapter 395) are appropriate as a financing mechanism for capital improvements within their own jurisdiction. If a city is already completely built out or not expected to grow, then impact fees may not be appropriate. Conversely, if a city is expecting growth, anticipates construction of major capital facilities, or has already constructed significant oversized facilities, then impact fees may be appropriate.

There are advantages and disadvantages to impact fee programs. It has been argued that impact fees discourage growth and economic development, making cities that have adopted impact fees less competitive with cities that have not implemented impact fees. Also, the process of adopting the required land use assumptions, CIP, and ordinances is cumbersome and costly, especially for smaller cities. It is difficult to assess these alleged disadvantages, and thus far, comprehensive empirical studies on these effects have not been documented in literature available on the topic. But, in the current climate of fiscal constraints, growing cities must find new and innovative ways to finance facilities to accommodate expected growth. In Texas, Chapter 395 provides the only significant mechanism for cities to recoup expenditures for construction of off-site capital facilities.

Impact Fees and Exactions Controversies

This chapter has thus far introduced the concept, the political rationale, and the Texas practice of impact fee adoption and application. It is important to note that the jury is still out on whether or not impact fees

accomplish their desired purpose. There are also questions concerning the long and short run side effects of impact fees. The literature on impact fees is long on theory and description and woefully lacking in empirical evidence upon which to adjudge the success of the fees. Several articles have been written in response to the lack of evidence on the success of fees.[25] The presentation of impact fees concludes with a discussion of some of the issues involved in hopes that the practitioner will find guidance in determining whether to adopt or continue impact fees.

Must Growth Pay for Itself? - City budgets have taken a beating in the face of rapid economic and population growth which spawns the need for equally rapid expansion of infrastructure. Even if the ponderously slow traditional boncing process were able to keep up with the rapidity of change, tax and rate payers are increasingly reluctant to help foot the bill. In theory, the rate of infrastructure development and its associated cost is matched by the rate of tax and rate base growth, such that the system grows without extra charges to the existing resicents and businesses. But it is clear that the theory and practice are not in sync, because new infrastructure always costs the existing residents. Thus, the recent decade has found much support for the concept that growth must pay for itself--that the existing resident or business should not have to subsidize the newcomer.

Three basic problems arise with the logic that growth must pay for itself. The first is the realization that the very persons who now wish not to subsidize the newcomer were themselves subsidized when they were the newcomers. Vociferous positing of the growth must pay for itself approach implies both a lack of appreciation for the history of community development and an antigrowth sentiment which may result in ultimate economic disadvantage for the city.

A second problem with growth must pay for itself is the multiple charging of the newcomer, first in terms of the impact fee, and then second in terms of paying for maintenance and rehabilitation of the previously existing system. Chapter 395 properly disallows use of the impact fee for maintenance and rehabilitation purposes, but it does not address subsequent levies for those purposes. For example, suppose that the newcomer pays the impact fee for a new residence, therefore having covered the cost of infrastructural services required to meet the one new unit of demand. Then, one year later, the city undertakes a massive renovation of an existing plant serving the older part of town, and the newcomer, having already paid once, is now asked to pay again for infrastructure which serves elsewhere in the community. The concept of impact fees as "buying into the system" provides only small comfort to the newcomer who has been hit twice.

The third problem with growth must pay for itself relates to the current resident who buys a newly constructed home versus the newcomer who buys an existing home. The existing resident ends up paying

the fee instead of the newcomer. An existing resident who buys several new homes in the community over a period of years pays several times a fee which in theory should never have been paid at all. Meanwhile, the newcomer who buys an existing home escapes the fee completely.

Impact Fee Incidence and Housing Affordability - Impact fees are charged to the developer as part of the process of creating legal lots. A common complaint about fees is that the fees are passed on to the homebuyer, therefore rendering housing increasingly less affordable. Impact fee proponents argue that fees are absorbed by the market and that the impact on housing affordability is minimal. The criticality of the issue merits detailed examination.

1. Incidence - Though the impact fee is a direct charge to the developer, there are theoretically three parties upon which the actual cost of the fee might fall. In the case of a tight housing market characterized by short supply and strong demand, the developer will simply pass the cost of the impact fee on to the builder who will pass the cost on to the homebuyer. In the case of the oversupplied market, the developer passes the impact fee backward to the raw land owner through paying a lower price for the land in the first place. Somewhere in between the two extremes, the developer will be forced to absorb the amount of the fee. Interestingly, in practice the homebuyer bears the brunt of the fee, regardless of the status of the market.

   In the oversupply case, the developer cannot, for the development in question, pass the impact fee back to the landowner, because the developer has already paid for the land. The landowner is not likely to provide a refund, so the impact fee can be passed backward only in the long run, which does the current homebuyer no good. Early research interviews with developers reveals that developers always pass the impact fee on to the builder.[26] If market conditions are such that the developer must "eat" the impact fee, then the developer chooses to not develop. The result of not developing is decreased supply and ultimately higher housing cost. Once again the incidence falls upon the homebuyer.

2. Housing Affordability - An impact fee of several thousand dollars which might be passed on to the homebuyer is viewed by proponents as insignificant, even though most would recognize the incidence as regressive on lower priced homes. A closer examination of the developing/building/purchasing process, however, reveals a potentially explosive relationship between impact fees and housing affordability.

   The developer buys raw land, develops it at a cost, adds a profit, and then in most cases sells legal lots to builders. Builders package a house on a lot based upon the price they paid for the lot. Package price to lot price ratios vary but are generally in the 4:1 or 5:1 range for single family houses. Thus a builder puts an $80,000 to $100,000 package on a $20,000 lot. An impact fee of $2,000, charged to the developer and passed on to the builder changes the $20,000 lot to a $22,000 lot, and the package price jumps into the $88,000 to $110,000 range. Beyond the base multiplied increment, the homebuyer must also incur additional downpayment, financing, and interest costs.

   Impact fee proponents argue that fees don't really work that way. There is little formal evidence in either direction, but simple observation shows that those communities with the highest impact fees also tend overwhelmingly to have the highest priced housing.

Conversely, it can be argued that if impact fees are not charged for capital facilities, the homeowner will eventually pay for the cost of existing and new infrastructure through higher property and other taxes.

Accuracy of Fee Determination - Chapter 395 has gone a long way toward defining how fees must be calculated. Prior to Chapter 395, it was amazing to see how many cities charged exactly the same impact fees, the implication being that those cities had exactly the same costs of infrastructure provision. Even with the guidance of Chapter 395, there remains much to question about the accuracy of the fees. Do the fees charged in a city equal the city's incremental cost of infrastructure? At this time, few cities know the answer. Much heavy infrastruture -- water, wastewater, streets, drainage -- is systematic in nature. It is difficult, if not impossible, to distinguish the cost attributable to a single new unit of development. Formulas are available for determining impact fees, but they are not theoretically based and empirically tested, and the result is operation of an impact fee system which may or may not recoup true infrastructure costs.

Impact Fees and Exclusions - One of Nicholas's previously mentioned political rationalizations for impact fees was exclusionary in intent. Communities interested in becoming pricey for exclusionary purposes would seem to have a weapon in impact fees of power similar to the large lot zoning excesses frequently at work. An entire series of articles concerning growth management devices, of which impact fees are a part, reveals their often exclusionary nature.[27] Whether the adoption of impact fees intentionally seeks to exclude or not doesn't matter. If the effect of impact fee adoption is one of comparative price increases for housing, the result will be one of increased exclusion.

It has also been alleged that impact fees discourage nonresidential development. For example, if impact fees are imposed on retail uses, could the effect be to discourage retail growth? Since nonresidential uses are generally less intensive users of public services, it is beneficial to cities to have these uses in order to offset the fiscal burden on residential users. Impact fees may discourage some nonresidential uses from locating in an area if the impact fees are not properly formulated in conjunction with adopted economic development policies.

Effect on Traditional Budgetary Devices - Impact fees have been adopted with such pervasive swiftness that they have been the focus of much budgetary attention. Their popularity, a fee charged to someone not yet here to vote, is undeniable. There is the danger, however, of forgetting that impact fees are only one weapon in the community budgetary arsenal. Impact fees are not a cure all, and it is important to continue to attend to the ongoing maintenance and use of traditional bonding, taxing, and ratepaying, the heart of the revenue stream.

Notes

1. Nelson, Arthur C., Development Impact Fees, Planners Press, Chicago, Illinois, 1988, p. 3.

2. Nicholas, James C., Nelson, Arthur C., and Juergensmeyer, Julian C., A Practitioner's Guide to Development Impact Fees, Planners Press, Chicago, Illinois. 1991, p. 1.

3. Nicholas, p. 16.

4. Nicholas, p. 18.

5. Frank, James E. and Rhodes, Robert M. Development Exactions, Planners Press, Chicago, Illinois, 1987, p.2.

6. Snyder, Thomas P. and Stegman, Michael A., Paying for Growth, Urban Land Institute, Washington, D.C., 1986, p. 20.

7. City of College Station v. Turtle Rock Corporation, 680 S.W. 2nd 802, 807 (Tex. 1984).

8. Texas Local Government Code, Section 395.001(4).

9. This outline is not intended to be exhaustive, but rather for the purpose of giving a broad feeling for the requirements and process for imposing impact fees. This outline should not be considered a substitute for detailed evaluation by legal counsel and other qualified professionals.

10. Texas Local Government Code, Chapter 395, Section 395.058.

11. A majority of Texas cities which have implemented impact fees have appointed the Planning/Zoning Commission as the advisory committee.

12. Texas Local Government Code, Section 395.012 (a) and (b).

13. Texas Local Government Code, Section 395.013.

14. Texas Local Government Code, Section 395.001(5).

15. The advisory committee is only required to "advise and assist" in preparing the LUA (Section 395.058 (1)).

16. Texas Local Government Code. Section 395.0515.

17. This requirement does not apply if the city is revising an impact fee program normally prepared under Chapter 395 (See Section 395.055).

18. Texas Local Government Code. Section 395.042.

19. Texas Local Government Code. Section 395.045.

20. Texas Local Government Code. Section 395.014.

Bibliography and Suggested Reading

Anderson, Arthur J. Texas Land Use Law. Professional Education Systems Press, 1990.

APA Planning Magazine. Exactions Put to the Test by William Fulton. December, 1987.

Frank, James E. and Rhodes, Robert M., Development Exactions, Planners Press, Chicago, Illinois, 1987.

Kahn, Terry D., "Impact Fees: Can the Miracle Drug Kill Us?", in Wyman, Sherman and Weaver, Robert R., Opportunities for Public Private Cooperation, Institute of Urban Studies, University of Texas at Arlington, 1989, pp. 71-82.

Leithe, Joni and Montanon, Matthew. Impact Fee Programs: A Survey of Design and Administrative Issues. Government Finance Research Center of the Government Finance Officers Association, Washington D.C. May, 1990.

Nelson, Arthur C. Development Impact Fees. APA Planners Press, 1988.

Nichols, James C., et. al. A Practitioner's Guide to Development Impact Fees. APA Planners Press, 1991.

Planning Advisory Service Report number 408. The Calculation of Proportionate - Share Impact Fees , July 1988.

Snyder, Thomas P. and Stegman, Michael A., Paying for Growth, Urban Land Institute, Washington, D.C., 1986.

Texas Municipal League. Public Policies Briefing Series. Impact Fees in Texas, Terry D. Morgan, 1989

Urban Land Institute. The Rights and Wrongs of Impact Fees, by Douglas Porter. July, 1986.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on August 6, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Diane Byers
Kevin Spraggins (chairman)
Linwood Gilliland
Ben Gilbert
M.J. Graham (alt) (sat in for Robert Hanson)
Mike Fahey (alt)

Member Absent:

Robert Hanson

Staff in attendance:

Stewart Fairburn, City Manager
Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary

The meeting was called to order at 7:30 P.M.

1. Discussion of current Commercial Zoning at Dobbs & River Oak Way.

Nearby property owner was concerned with the C-1 zoning and sent a letter requesting a change to residential. The commissioners felt that the current zoning was appropriate for the location.

2. Discussion of impact fees-presented by City Attorney, David Berman.

David Berman made an informational presentation. The commissioners asked this item be continued at the next meeting.

3. Discussion of Economic Development Activities.

At this present time nothing was prepared.

4. Consideration & Action on approval of June & July minutes. (Minutes for June Meeting was distributed at the July Meeting.)

Diane Byers made a motion to approve the minutes. Linwood Gilliland seconded it and it carried unanimously.

5. Adjourn.

Linwood Gilliland made a motion to adjourn. Ben Gilbert seconded it and it carried unanimously.

Kevin Spraggins, Chairman

Diane Lowrimore, Planning and Zoning Secretary

Diane Lowrimore

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
August 6, 1998; 7:30 p.m.

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on August 6, 1998 at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

ROLL CALL

BUSINESS:

1. **Discussion of Current Commercial Zoning at Dobbs and River Oak Way.**

2. **Discussion of Impact Fees - Presented by City Attorney, David Berman.**

3. **Discussion of Economic Development Activities.**

4. **Consideration & Action on Approval of June & July Minutes. (Minutes for June Meeting was distributed at the July Meeting.)**

5. **Adjourn.**

I, Patricia Chapman, certify that this meeting notice was posted on the City of Lake Dallas bulletin board on August 3, 1998 at 5:00 p.m.

Patricia Chapman

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

CONSIDERATIONS AFFECTING THE IMPOSITION OF IMPACT FEES

Introduction

An impact fee is a fee imposed on a property developer to pay for the increased costs of certain city services which will be incurred because of the development. For example, a new subdivision will cause an increase in municipal service because the new and increased population will increase the draw on the city's water and sewer systems and may necessitate the off-site construction of new streets and new drainage and storm protection facilities. The assessment of impact fees is governed by the provisions of Chapter 395 of the Texas Local Government Code and is broadly limited by constitutional prerogatives which prohibit the taking of private property for public use without just compensation. As a basic principle, a city can not require a developer as a condition of development to pay for off-site improvements. Furthermore, any exaction imposed on property development must be directly connected and roughly proportional to a legitimate interest of the state or the city. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Thus, an impact fee must be directly related to the increased costs incurred by the city in providing certain essential services.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

Use of Fees

Under Chapter 395 of the Code, an impact fee may be assessed and used only to pay certain expenses associated with "capital improvements" defined as 1) water, 2) sanitary sewer, 3) storm drainage, and 4) roadway facilities. Fees may be used only to pay for construction costs, surveying and engineering fees, land acquisition costs, and principal and interest on bonds. Impact fees may not be used to pay for repair or maintenance of existing facilities, the upgrading of existing capital improvements which serve existing development, or city administrative and operating costs.

The Capital Improvements Plan

In order to insure that impact fees bear a proportional and direct relationship with the added cost of capital improvements associated with the new development, the city must prepare a capital improvements plan. The plan must be prepared by a qualified professional and must contain six specific components which are enumerated in Section 395.014 of the Code. The capital improvements plan is complex and comprehensive and is intended to identify all present and future capital improvements and development, with actual and projected usage, costs and demand.

Limitations on Assessment of Fee

Following the preparation of a capital improvements plan and the adoption of an impact fee ordinance, the imposition of impact fees are subject to certain limitations. For

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

preexisting subdivisions and property which is already platted, no impact fee may be collected from any property for which a building permit is issued within one year after the adoption of the impact fee. Further, a developer is entitled to a refund of paid fees plus interest if: 1) the relevant city service is not available or construction is not commenced within two years, or 2) the fees obtained by the city are not spent within 10 years of payment. A developer may also be entitled to a partial refund if the actual cost of the capital improvements is more than ten percent less than the fees paid.

Benefits and Detriments

Certain benefits as well as detriments are associated with the imposition of impact fees. The central benefit is that the fee will reimburse the city - or directly pay for - the costs associated with the construction of capital improvements necessitated by the developer who created the additional demand. In all fairness, the persons or entities responsible for causing increased demand for city service will pay the associated costs instead of the burden shifting to the city's taxpayers. This is not only equitable but also has the indirect effect of stabilizing tax rates.

However, the drawbacks are both substantive as well as practical. Impact fees discourage development by increasing the direct costs. The mere preparation of a capital improvements plan typically costs tens of thousands of dollars. This is but a fraction of the actual costs of implementation.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

In newer or high-growth areas, impact fees make more sense than in established areas. In new high-growth areas, a greater need exists for new capital improvements which can be funded by impact fees and, in general, the property demand is sufficient to bear the added development cost associated with the fee. By and large, though, developed communities which experience low to moderate growth will impede new development at significant cost. And since the fees collected can not be used to repair, maintain or upgrade existing facilities which service existing development, the benefits are nominal.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on July 2, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Diane Byers
Linwood Gilliland
Ben Gilbert
M.J. Graham (alt)

Members Absent:

Kevin Spraggins (Chairman)
Robert Hanson

Staff in Attendance:

Stewart Fairburn, City Manager
Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary

The Meeting was called to order at 7:30 P.M.

1. Public hearing to receive comments from citizens on a proposed ordinance amending C-2 Commercial Districts to provide for Hotels, Motels and Bed and Breakfast establishments.

Linwood Gilliland, Vice Chairman, opened the floor to the public. John Lugenhein, who resides in Corinth but has property in Lake Dallas, Stated that he felt it was a very good Idea to have a Hotel, Motel or Bed and Breakfast available to the public.

2. Consideration & Action on a proposed ordinance amending C-2 Commercial Districts to provide for a Hotel, Motel or Bed and Breakfast establishments.

Linwood Gilliland wanted to clarify the time a person could stay at a Bed and Breakfast and is there an offense to stay longer than fourteen days? Yes, it would be an offense after fourteen days.

Ben Gilbert made a motion for Council consideration. Diane Byers seconded it and it carried unanimously.

3. Public Hearing

Public hearing to receive comments from citizens on request for a Special Use Permit for an arcade for Lucky 7.

No one came forward to speak on this issue.

4. Consideration & Action on a Request for a Special Use Permit for Lucky 7.

Diane Byers made a motion to past the request for a Special Use permit. Mary Jo Graham seconded it and it carried unanimously.

5. Consideration & Action on an Ordinance Adopting the 1997 Uniform Building Code.

6. Consideration & Action on an Ordinance Adopting the 1996 National Electrical Code.

7. Consideration & Action on an Ordinance Adopting the 1997 International Plumbing Code.

8. Consideration & Action on an Ordinance Adopting the 1997 Uniform Fire Code.

9. Consideration & Action on an Ordinance Adopting the 1996 A/C Code.

The members agreed to vote on numbers 5-9 at one time. Diane Byers made a motion to adopt them. Ben Gilbert seconded it and it carried unanimously.

10. Consideration & Action on Economic Development Issues.

The members talked about several pieces of prime property. Some of these locations were the property by Coors, Main & Carlisle, the property behind Community Development, etc. Stewart Fairburn brought the issue of an Elderly Day Care. There was some discussion on this as well.

11. Adjourn

Diane Byers made a motion to adjourn. Ben Gilbert seconded it and it carried unanimously.

Kevin Spraggins, Chairman

Diane Lowrimore, Planning and Zoning Secretary

Diane

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
JULY 2, 1998; 7:30 P.M.

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on July 2, 1998 at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

Roll Call

Business:

1. **Public Hearing**

   The Planning & Zoning Commission will provide a public hearing to receive comments from citizens on a proposed ordinance amending C-2 Commercial Districts to provide for hotels, motels and bed and breakfast establishments.

2. **Consideration & Action a proposed ordinance amending C-2 Commercial Districts to provide for hotels, motels and bed and breakfast establishments.**

3. **Public Hearing**

   The Planning & Zoning Commission will provide a public hearing to receive comments from citizens on request for a Special Use Permit for an arcade for Luck 7.

4. **Consideration & Action on a Request for a Special Use Permit for Lucky 7.**

5. **Consideration & Action on an Ordinance Adopting the 1997 Uniform Building Code.**

6. **Consideration & Action on an Ordinance Adopting the 1996 National Electrical Code.**

7. **Consideration & Action on an Ordinance Adopting the 1997 International Plumbing Code.**

8. **Consideration & Action on an Ordinance Adopting the 1997 Uniform Fire Code.**

9. **Consideration & Action on an Ordinance Adopting the 1996 A/C Code.**

10. **Consideration & Action on Economic Development Issues.**

11. **Adjourn**

I, Patricia Chapman, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, June 29, 1998 at 4:15 p.m.

Patricia Chapman

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 7-2-98 **Agenda Item: 1 - 2**

Title: Public Hearing and Consideration and Action on adding hotels, motels and bed and breakfast establishments to permitted uses for C-2 zoning.

Background:
Truman Harp was contacted about the possibility of putting in a hotel or motel in the Jackson Ranch commercial area. Upon review it was determined that the permitted uses or special use permit would not allow for that. The closest language was in R-3 but this was not really appropriate and rezoning to R-3 would not be appropriate.

Report:

By adding motels/hotels to C-2 it also applies to C-3 but not C-1 zoning. This allows for this type of development along the frontage road, Denton Drive, Main Street, and Jackson Ranch.

Recommendation:
City Manager and Building Official recommends that

Approved for agenda:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AS HERETOFORE AMENDED, BY ADDING A NEW AND HERETOFORE UNLISTED USE FOR HOTELS, MOTELS AND BED AND BREAKFAST INNS OR FACILITIES TO CHAPTER 18.22 "C-2 COMMERCIAL DISTRICT," BY RENUMBERING SUBSECTION F TO SUBSECTION G AND AMENDING SUBSECTION F OF SECTION 18.22.010; PROVIDING FOR A DEFINITION OF HOTELS, MOTELS AND BED AND BREAKFAST INNS OR FACILITIES BY AMENDING SECTION 18.02.270 OF CHAPTER 18.02 "DEFINITIONS;" PROVIDING A REPEALING CAUSE; PROVIDING A SEVERABILITY CAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND ($2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas in compliance with the laws of the State of Texas, and the ordinances of the City of Lake Dallas, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Lake Dallas, Texas, duly passed by the governing body of the City of Lake Dallas, as heretofore amended, be and the same is hereby amended by adding a new and unlisted use "Hotels, Motels, and Bed and

Breakfast Inns or Facilities" to Section 18.22.010 of Chapter 18.22, C-2 Commercial District, to be allowed as a permitted use in the C-2 Commercial District.

SECTION 2. That Section 18.22.010 of Chapter 18.22 of Title 18 of the Lake Dallas Municipal Code, as heretofore amended, be and the same is hereby amended by renumbering the previous subsection F to subsection G and replacing the prior subsection F with new language to read as follows:

"F. Hotels, Motels and Bed and Breakfast Inns and Facilities;"

G. Accessory uses customarily incident to the operation of the above uses, including parking lots as provided in this title."

SECTION 3. That Section 18.02.270 of Chapter 18.02 of Title 18 of the Lake Dallas Municipal Code, as heretofore amended, be and the same is hereby amended to read in its entirety as follows:

"**18.02.270 HOTELS, MOTELS, BED AND BREAKFAST INNS AND FACILITIES**

"Hotel," or "Motel" means a building or facility occupied, used, or offering temporary lodging accommodations or guest rooms on a daily or weekly rate to the general public and providing additional services such as restaurants, meeting rooms, maid service, and recreational facilities. A guest room is generally defined as a room designed, intended, or used for the overnight lodging of hotel or motel guests for an established rate or fee. "Bed and Breakfast Inns and Facilities" means dwellings or private homes occupied as a permanent residence by an owner, manager or renter which offer or serve breakfast to guests and which provide or offer sleeping accommodations in not more than five (5) rooms wherein the length of stay is not more than fourteen (14) consecutive days for any one or more guest at any one facility."

SECTION 4. That all provisions of the ordinances of the City of Lake Dallas in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Lake Dallas not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lake Dallas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand ($2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THE ____ DAY OF _____, 19___.

APPROVED:

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney (19178)

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 7-2-98 **Agenda Item: 3-4**

Title: Public Hearing and Consideration and action on special use permit for Lucky 7.

Background:
P&Z recommended to Council to allow arcades as a permitted use. Council decided to make it a special use requiring a permit.

Report:
A special use permit requires a unanimous decision of the P&Z Committee and the City Council.

The location has been operating as an arcade since January. The issue of the legality of the video slots is not the issue; the courts need to settle that.

Recommendation:
City Manager recommends approval of the special use permit.

Approved for agenda:

SPECIAL USE PERMIT APPLICATION

TO: PLANNING AND ZONING COMMISSION
CITY COUNCIL
CITY OF LAKE DALLAS, TEXAS

APPLICANT'S NAME: Lucky 7's

APPLICANT'S ADDRESS: 621 S. Denton Dr. Lake Dallas, TX 75065

APPLICANT'S PHONE: 940-321-0704

NAME OF OWNER: Bobby Griffith

OWNER'S ADDRESS: 155 W. Overby #1505 Lake Dallas, TX 75065

LOCATION OF PROPERTY: _____

LEGAL DESCRIPTION OF PROPERTY:

LOT NO.: _____ **OR** **TRACT:** _____

BLOCK NO.: _____ **PLAT:** _____

ADDITION: _____ **SURVEY:** _____

 # OF ACRES: _____ **# OF ACRES** _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and a complete legal field note description.

PROPOSED USE: Arcade

ATTACH THE APPROPRIATE APPLICATION FEE:
Special Use Permit $250.00

I, being the undersigned applicant, understand that all of the conditions required by the City Council shall be adhered to.

Bobby Griffith 6-23-98
Applicant's Signature **Date**

Bobby Griffith 6-23-98
Owner's Signature **Date**

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 7-2-98 **Agenda Item: 5-9**

Title: Adopting updated codes.

Background:

The City last adopted the following codes:

1994 Uniform Building Code
1994 Mechanical Code
1994 Plumbing Code
1993 Electrical Code
1988 Fire Code

Report:

The codes are updated every couple years and if not adopted by the City, any changes that are made do not apply to the City. This can cause confusion among builders, engineers and staff.

Recommendation:
The City Manager and Building Official recommends adoption of the updated codes.

Approved for agenda: _____

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
June 4, 1998

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on June 4, 1998, at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

Roll Call

1. Public Hearing on adding Arcades to Chapter 18.30 Special Use Permits.

2. Consideration & Action on adding Arcades to Chapter 18.30 Special Use Permits.

3. Consideration & Action on Economic Development Issues.

4. Consideration & Action on approval of April 2, 1998 minutes.

5. Consideration & Action on approval of May 7, 1998 minutes.

6. Adjourn.

I, Diane Lowrimore, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, May 29, 1998; at 3 p.m.

Diane Lowrimore
Diane Lowrimore
Planning & Zoning Commission
City of Lake Dallas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on June 4, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Diane Byers
Kevin Spraggins (Chairman)
Linwood Gilliland
Ben Gilbert

Member Absent:

Robert Hanson
M.J. Graham (Alt)
Terri McCool (Alt)

Staff in attendance:

Stewart Fairburn, City Manager
Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary

The meeting was called to order at 7:30 P.M.

1. Public Hearing on adding Arcades to Chapter 18.30 Special Use Permits

The City Manager made a presentation on adding Arcades as a Special Use Permit. The City Council wanted the Planning and zoning commission to review this item.

There was no one from the public to speak.

Kevin Scraggins, Chairman, closed the public hearing.

2. Consideration & Action on adding Arcades to Chapter 18.30 Special Use Permits.

Diane Byers made a motion that they regulate the Arcades under Chapter 5, also to leave it under C-2. Ben Gilbert seconded it and it carried unanimously.

3. Consideration & Action on Economic Development Issues.

Discussion was held on economic development. The consensus was to develope regulations allowing for businesses to present site plans and building plans for the P&Z and Council to review them on their individual merits. This would be written as a choice - follow the current codes or go through the review process.

4. Consideration & Action on approval of April 2, 1998 minutes.

Diane Byers made a motion to approve the minutes. Linwood Gilliland seconded it and it carried unanimously.

5. Consideration & Action on approval of May 7, 1998 minutes.

Linwood Gilliland made a motion to approve the minutes. Ben Gilbert seconded it and it carried unanimously.

6. Adjourn

Linwood Gilliland made a motion to adjourn. Diane Byers seconded it and it carried unanimously.

Approved:

Kevin Spraggins, Chairman

Attest:

Diane Lowrimore

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 6-4-98 **Agenda Item: 1 & 2**

Title: Public Hearing and Consideration and Action on adding arcades to Chapter 18.30 Special Use Permits.

Summary of Report:
Should special use permits be required to open an arcade?

Background:
The P&Z Commission recommended to Council that arcades be allowed as a permitted use in C-2 districts.

Upon being informed that the P&Z Commission did not have the alternative of special use permits brought to them, the Council sent it back for further review and recommendation.

Report:

Arcades as permitted uses does not require anything of the business owner. The only permits needed are building permits if there is any building or remodeling.

A special use permit requires the business owner to apply, have public hearings before P&Z and Council and have a unanimous decision by P&Z and Council prior to opening up the arcade. See attached.

Current city code will come into play with a background check of arcade owners using the Places of Recreation application. See attached.

Recommendation:
If more control over where arcades are located is wanted, then a special use permit is the best tool.

Approved for agenda:

Chapter 18.30

SPECIAL USE PERMITS

Sections:

18.30.010 Uses permitted by special use permit.
18.30.020 Procedure.

18.30.010 Uses permitted by special use permit.

Any of the following uses may be located in any district by special use permit of the city council, by unanimous vote of the council, after public hearing and after recommendation by the city zoning commission by unanimous vote, under such conditions as to operation, site development, parking, signs and time limit as may be deemed necessary in order that such use will not seriously injure the appropriate use of neighboring property and will conform to the general intent and purpose of this title. Such uses shall comply with the height and area regulations of the district in which they may be located; except that radio, television and microwave towers and drive-in theater screens may exceed such height regulations:

A. Amusement parks, commercial baseball or athletic fields, racetracks, circuses, carnivals and fairgrounds;

B. Cemeteries, mausoleums or crematories for the disposal of the human dead;

C. Fraternal-civic organization club houses;

D. Day nurseries;

E. Drive-in theaters and walk-in theaters;

F. Golf driving ranges, commercial or illuminated;

G. Gun clubs, skeet shoots or target ranges;

H. Hospitals for the insane or feeble-minded, or alcoholic or drug addicts, or penal or correctional institutions;

I. Picnic groves and fishing lakes, including minor and incidental concession facilities for patrons only;

J. Mines or quarries, including the removing, screening, crushing, washing or storage of ore, sand, clay, stone, gravel or similar materials; provided, however, that no special use permit shall be issued until and unless the locations, site plan and method of operation, including necessary structures, have been submitted to and approved in writing by the city council after report from the city zoning commission, which permit shall be for a limited period of time not to exceed five years;

K. Nursery sales offices, buildings or greenhouses (wholesale or retail);

L. Radio, television and microwave towers;

M. Refuse dumps;

N. Reservoirs, wells, towers, filter beds or water supply plants;

O. Riding stables and tracks;

P. Sewage, refuse, garbage disposal plants or sanitary fills;

Q. Storage and sale of LP gas, other than bulk plants;

R. Swimming pools, commercial;

S. Trailer courts, subject to city ordinances;

T. Buildings, structures and premises for public utility service, of public service corporations, which buildings or uses the

city council, after report of the city zoning commission, deems reasonably necessary for public convenience or welfare;

U. Commercial storage facilities (mini-warehouses) may be permitted only in commercial areas in zone districts C-1, C-2 and C-3. (Ord. 135, 1980; Ord. 87-9 § 3, 1987; Ord. 25 § 15, 1967)

18.30.020 Procedure.

The procedure for obtaining special use permits shall be the same as that for amendments as set forth in Chapter 18.52, except that special use permits shall require unanimous favorable action of the city zoning commission, and of the city council. (Ord. 25 § 26(7), 1967)

Chapter 5.24

PLACES OF RECREATION

Sections:

5.24.010 Generally.
5.24.020 Place of recreation defined.
5.24.030 License required—Location restriction.
5.24.040 Compliance with standards required.
5.24.050 License—Application.
5.24.060 License—Fee.
5.24.070 License—Term—Nontransferable.
5.24.080 Appeal.
5.24.090 License subject to revocation.
5.24.100 License—Renewal.
5.24.110 License—Revocation, cancellation or suspension.
5.24.120 Hours of operation.
5.24.130 Alcoholic beverages and drugs prohibited.
5.24.140 Certain activities and persons prohibited.
5.24.150 Responsibility of licensee.

5.24.010 Generally.

No person, firm or corporation shall, after the effective date of the ordinance codified in this chapter, operate or maintain a place of recreation within the corporate limits of the city without first having obtained a permit as specified by this chapter. (Ord. 90-1 § 1 (part))

5.24.020 Place of recreation defined.

"Place of recreation" means a dance hall, pool hall, domino parlor, amusement hall, arcade, establishment for amusement purposes, or establishment providing more than an aggregate total of one mechanical game of skill, including pinball machines, marble machines, table shuffleboard or tabletop nine and ten pin alley and shooting gallery machines. (Ord. 90-1 § 1 (part))

5.24.030 License required—Location restriction.

It is unlawful for any person, firm, association of persons, corporations, or any other organization, save and except a religious, educational, charitable benevolent and/or nonprofit association or corporation, to own, operate or maintain any place of recreation, as such term is defined in Section 5.24.020, unless an appropriate license shall be obtained from the city secretary and at all times displayed in some conspicuous place within the licensed place of business. (Ord. 92-07 § 1, 1992: Ord. 90-1 § 1 (part))

5.24.040 Compliance with standards required.

No license shall be granted pursuant to this chapter unless it appears, upon investigation by the city secretary, that the premises to be used for the purpose of operating a place of recreation comply with the laws of the state and the ordinances of the city regulating health and

sanitation, the fire regulations, the zoning regulations and the building code. (Ord. 90-1 § 1 (part))

5.24.050 License—Application.

A. Any person desiring a license to operate a place of recreation shall file with the city secretary a written, sworn application for such license, which application shall state:

1. The location, by street and number, of the place, space or building and room or floor, and the size of such room or space, which is proposed to be used for such purpose, and the name and address of the applicant;

2. If the applicant is an individual, that he is a law-abiding, tax-paying citizen of the state; that he has not been convicted of a felony, or, if he has, nature of the offense; and the length of his residence in the city;

3. If the applicant is a firm, association or partnership, all of the information prescribed in subdivision 2 of this subsection as to each individual composing the firm, association or partnership;

4. If the applicant is a corporation, that the applicant is organized and chartered under the corporation laws of the state applicable to such corporation, or, if a foreign corporation, that such corporation has complied with the laws of the state applicable to such corporation and the same information with reference to the operator or person in charge of the operation of the place of recreation to be licensed as is prescribed in subdivision 2 of this subsection;

5. The previous occupation or employment of the applicant for a period of five years next preceding the filing of his application;

6. The number and type of games of skill, mechanical games, pool tables, etc., or if the applicant desires to operate a dance hall, domino parlor or carnival, a narrative description of the activities to be carried out within the location specified;

7. The owner or supplier of all mechanical games of skill with specific indications as to any commissions to be paid from income from each or all machines for use of such machines, save and except jukeboxes, music boxes or food and beverage machines;

8. Any religious, educational, benevolent, charitable or other nonprofit association shall be required upon request by the city secretary to furnish proof at any time of its religious, educational, charitable, benevolent and nonprofit status. Failure to respond to such request in the affirmative within ten days shall constitute a violation of this chapter.

B. The information given in such application is for the purpose of determining whether or not the applicant is a fit and proper person to operate a place of recreation. It is unlawful to misrepresent the kind and character of the place of recreation to be operated, or any other fact or statement made in such application, and any misrepresentation of any person, club or organization for the purpose of avoiding the provisions of this chapter shall, in addition to the other penalties prescribed by law, be cause for revocation of the license. (Ord. 90-1 § 1 (part))

5.24.060 License—Fee.

In addition to all legal taxes, certificate fees and occupational taxes levied or charged by the city, the state or other jurisdictions, there shall be an annual license fee charged by the city to the owner or the operator of any approved place of recreation, and such license fee shall be in the amount of one hundred dollars per calendar year for each "place of recreation" as defined previously. (Ord. 90-1 § 1 (part))

5.24.070 License—Term—Nontransferable.

The city secretary is authorized to collect the annual license fee for each location approved as a place of recreation and the term of the license shall be for one year from the date of issuance. Any license issued under the terms of this chapter shall be nontransferable. (Ord. 90-1 § 1 (part))

5.24.080 Appeal.

In the event the city secretary fails to approve the issuance of a license to any applicant under this chapter, the action of such official shall be final, unless the applicant shall, within ten days after the refusal to grant such license, file a written appeal with the city secretary, addressed to the city council, requesting a hearing by the council upon the question as to whether or not his application shall be granted. In the event such appeal is filed, the chief of police shall provide the council with a record of all proceedings theretofore had with reference to the application in question, including the written application, together with the action of the city secretary and the reasons for such action. The city council shall within thirty days, grant a hearing theron to determine the correctness of such action, at which hearing the council may make such investigation as it may see fit, whether or not all the pertinent facts appear in the application. It shall be discretionary with the council as to whether or not a license shall be granted and such action as the council may take thereon shall be final and conclusive. Any applicant aggrieved by the action of the city council incident to its application shall have the right within thirty days after the council has so acted to appeal to the district courts of the county, on the grounds that the city council has acted arbitrarily or capriciously with regard to the proposed application. (Ord. 90-1 § 1 (part))

5.24.090 License subject to revocation.

The granting of any license under the terms of this chapter shall in no event be construed as the granting or conferring of any vested right to the licensee or operator, but shall be subject to revocation, cancellation or suspension as further provided. (Ord. 90-1 § 1 (part))

5.24.100 License—Renewal.

Before a place-of-recreation license shall be renewed, the person requesting such renewal shall make application for such renewal and the renewal thereof shall be subject to all of the requirements and conditions as an original application for the original license, and the renewal of the license shall not be granted without the approval of the city secretary, as is

required in the case of original applications, and without the payment of the fee as provided in Section 5.24.060. (Ord. 90-1 § 1 (part))

5.24.110 License—Revocation, cancellation or suspension.

A. If a place of recreation licensed under the provisions of this chapter is not being conducted in accordance with the laws of the state or this chapter, or is being conducted in violation of the laws of this state or this chapter, the chief of police may, at any time, give notice in writing to the operator, licensee, manager or other person in control of the operation and maintenance of such place of recreation that the license issued for the operation and maintenance of such place of recreation has been revoked, canceled or suspended.

B. The notice of revocation, cancellation or suspension shall become a final revocation, cancellation or suspension after the expiration of ten days from the date of the service of same upon the operator, licensee, manager or other person in charge, unless, on or before the expiration of such ten days, the licensee, operator or manager or other person in charge shall file with the city secretary a written appeal addressed to the city council in which it is requested that the council grant him a hearing upon the question of whether or not the license shall be canceled, revoked or suspended.

C. Such appeal shall operate as a stay or postponement of the revocation, cancellation or suspension of the license issued, until such time as the council shall grant a hearing and make a final decision. Such hearing shall be held within thirty days after the date of the filing of such appeal, and the action and judgment of the council, after hearing all of the evidence and facts, shall be final and conclusive as to all parties.

D. Any applicant aggrieved by the action of the city council incident to his application shall have the right within thirty days after the city council has acted to appeal to the district courts of the county on the grounds that the city council has acted arbitrarily or capriciously with regard to the proposed application. (Ord. 90-1 § 1 (part))

5.24.120 Hours of operation.

No place of recreation shall be operated within the city between the hours of twelve midnight and twelve noon on any day; provided, however, that such places of recreation may not be operated on Sundays, except during the hours of one p.m. to midnight. (Ord. 90-1 § 1 (part))

5.24.130 Alcoholic beverages and drugs prohibited.

A. No person, firm, association of persons, corporations or any other organizations authorized under the laws of the sate, licensed under this chapter, shall knowingly permit the use, consumption or possession of any kind of alcoholic beverage or beverages in or upon the premises for which a license has been issued as provided in this chapter. No person, firm, association of persons, corporation, etc., licensed under this chapter, shall knowingly permit the use, consumption or possession of addictive or mind-altering drugs, narcotics or any other substances that are illegal to use or possess by federal, state or local laws.

B. It shall be the duty and responsibility of the owner, operator and agents in control of the place of recreation to exercise diligent and extreme supervisory policies to assure that persons under the influence of alcoholic beverages, addictive or mind-altering drugs, narcotics or any other illegal substance are not admitted to the place of recreation and that such persons are not permitted to loiter, stand, stay or remain within a vehicle in areas surrounding the place of recreation, which areas are under the ownership, control or dominion of the owner, operator or their agents, and which is normally used as public parking for either the place of recreation or any surrounding commercial businesses or residential dwellings. (Ord. 90-1 § 1 (part))

5.24.140 Certain activities and persons prohibited.

A. It is unlawful for any owner or operator to knowingly permit or allow any known prostitute, beggar, drunkard or criminal character to be present or participate at or in any place of business licensed under this chapter.

B. The owner, operator or person in charge of any place of business licensed under this chapter shall not allow gambling or profane, loud or abusive language on the premises. The conduct described in this subsection shall and does constitute disorderly conduct detrimental to the health, morals and general welfare of the citizens of the city.

C. Free access and entrance into any premises licensed under this chapter shall at all times be accorded and granted to police and other officers of the city. (Ord. 90-1 § 1 (part))

5.24.150 Responsibility of licensee.

It shall be the duty of each licensee to prevent violations of the terms of this chapter, and a failure to do so shall constitute sufficient cause for revocation of any license granted under this chapter. The owner and/or operator of the establishment is to be responsible that good order is maintained, and it shall be the duty of the owner, keeper or proprietor to keep good order within the establishment and to prevent all persons who may be therein from disturbing the peace and tranquillity of the inhabitants of the neighborhood or passers-by of the establishment, by loud, profane or indecent language or by any noise or disturbance whatsoever. (Ord. 90-1 § 1 (part))

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 6-4-98 **Agenda Item: 3**

Title: Consideration and action on Economic Development Issues.

Summary of Report:
Discussion of issues.

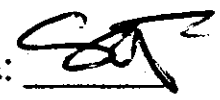
Background:
At a joint meeting with Council in January, it was decided that the Council and P&Z Commission should work together to encourage the commercial climate.

At the April P&Z meeting, the P&Z Commission established a subcommittee to work on issues of zoning etc., on creating a comprehensive plan for the city.

Report:
The City Manager has been unable to get the time needed to work on any of these issues. At the June meeting, it is hoped that the Commission could narrow the focus down to the highest priority, and have the subcommittee work on that for the next month.

The issues are zoning, use and application of the planned commercial district (see attached), determining what types of businesses are wanted, reviewing code to determine if there are obstacles in the way of development, marketing lots and vacant businesses, and reviewing TIF, economic development corporations etc to see if they are applicable to Lake Dallas.

Recommendation:
To review the issues and prioritize the assignment, and to set dates for the subcommittee to meet.

Approved for agenda: 

Chapter 18.26

C-P PLANNED BUSINESS DISTRICT

Sections:

18.26.010 General requirements.
18.26.020 Application for rezoning.
18.26.030 Minimum net area.
18.26.040 Location.
18.26.050 Relationship of buildings and facilities.
18.26.060 Variances.
18.26.070 Preliminary plan—Contents.
18.26.080 Preliminary plan—Construction stages.
18.26.090 Preliminary plan—Approval—Rezone.
18.26.100 Final plan—Review and approval.
18.26.110 Nonconforming final plan—Filing as amended preliminary plan.
18.26.120 Final plan—Approval prerequisite to building permit issuance.
18.26.130 Schedule of construction.
18.26.140 Termination or abandonment.
18.26.150 Final plan—Adjustments during construction.
18.26.160 Final plan—Requirements generally.
18.26.170 Permitted uses.
18.26.180 Height and area regulations—Generally.
18.26.190 Height.
18.26.200 Setbacks.
18.26.210 Screening.
18.26.220 Off-street parking and loading.

18.26.010 General requirements.

A C-P district may be established on a tract of land in single ownership or under unified control, provided that a preliminary development plan for a planned business district has been prepared and submitted in compliance with the regulations and requirements of this chapter. (Ord. 25 § 12 (part), 1967)

18.26.020 Application for rezoning.

Application shall be made to the city zoning commission for the rezoning of property for a planned business district. (Ord. 25 § 12 (part), 1967)

18.26.030 Minimum net area.

The net area of land to be included in a C-P district and so designed, shall be at least three acres in size. The term "net area," as used in this chapter, shall not include any areas within dedicated highways, streets, alleys or any other public ways or public property. (Ord. 25 § 12 (part), 1967)

18.26.040 Location.

The location of any C-P district shall be on a property which has an acceptable relationship to major thoroughfares, and the city zoning commission must satisfy itself as to the adequacy of the thoroughfares to carry the additional traffic generated by the development. (Ord. 25 § 12 (part), 1967)

18.26.050 Relationship of buildings and facilities.

The plan for the proposed development must present a unified and organized arrangement of buildings and service facilities which shall have a fundamental relationship to the properties comprising the planned development. (Ord. 25 § 12 (part), 1967)

18.26.060 Variances.

The requirements and regulations prescribed in this chapter pertaining to height, open space, setbacks and parking and loading may be adjusted or modified by variance by the board of adjustment before a C-P district is established so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and the interests of the community, but in keeping with the general intent and spirit of the zoning regulations. (Ord. 25 § 12 (part), 1967)

18.26.070 Preliminary plan—Contents.

A. The proponents of a planned business district shall prepare and submit a preliminary development plan to the city zoning commission for its inspection and review, upon which plan the commission shall advertise and hold a public hearing.

B. This preliminary plan of the property proposed to be zoned as a C-P district drawn to scale shall show the boundaries of the property proposed to be zoned, the existing topography with contour intervals not greater than two feet, unless waived by the commission, and the proposed size, location and arrangement of buildings, parking areas, with proposed arrangement of stalls and number of cars, entrance and exit driveways, and their relationship to existing and proposed streets, alleys and other public ways or public property, drainage plan, and any additional information which may be reasonably required by the commission.

C. The plan shall show sufficient proposed control grades to interpret the intent of the developer.

D. The preliminary plan shall also show the development of adjacent properties within two hundred feet, including the location and type of buildings and structures thereon.

E. If the planned business district is proposed in an unplatted area, the preliminary plan shall be accompanied by a plat, giving the full legal description of the boundaries of the property to be included in the areas sought to be zoned as a planned business district.

F. The preliminary plan shall also be accompanied by a plan, drawn to scale, showing the general arrangement of streets within the remainder of this ownership, which plan need not include more than one thousand feet from the boundaries of the area to be zoned as a planned business district. (Ord. 25 § 12 (part), 1967)

18.26.080 Preliminary plan—Construction stages.

The developer shall indicate, on the preliminary plan, the stages which will be followed in the construction of the planned center. (Ord. 25 § 12 (part), 1967)

18.26.090 Preliminary plan—Approval—Rezone.

A. If the preliminary plan is found to comply with the intent of the requirements and regulations set forth in this chapter, the city zoning commission shall, upon approval of the preliminary plan, submit to the city council a recommendation for an amendment to the zoning district map, which amendment is to provide for and establish a C-P district for the land covered by the preliminary plan. A public hearing shall be held at the time this amendment is pending before the city council as provided by law, and approval of the amendment shall constitute approval of the plan.

B. Upon approval of the zoning change by amendment to the zoning district map, the proponent shall submit a final development plan to the city zoning commission for its review and recommendation. The final development plan may be submitted separately for the first and each successive stage of construction. (Ord. 25 § 12 (part), 1967)

18.26.100 Final plan—Review and approval.

It shall be the responsibility of the city zoning commission to determine that each stage, or all, of the final development plan conforms to the intent of the preliminary plan on which the zoning change was made. The commission, having reviewed the final development plan for any and all stages of the development, and finding that it conforms to the intent of the preliminary plan, shall approve such plan and submit it to the city council for approval. Upon approval of the city council, the plan shall be filed for record in the office of the city secretary. (Ord. 25 § 12 (part), 1967)

18.26.110 Nonconforming final plan—Filing as amended preliminary plan.

If the final development plan fails to conform to the intent of the preliminary plan submitted in support of the rezoning, such final development plan may be submitted to the city zoning commission as an amended preliminary plan, upon which the commission shall advertise and hold a public hearing. The procedure shall be the same as for the original preliminary plan. (Ord. 25 § 12 (part), 1967)

18.26.120 Final plan—Approval prerequisite to building permit issuance.

A. No building permit shall be issued for any construction in a planned center until the city zoning commission and city council have approved the final development plan, covering at least the first stage of development.

B. A final development plan, prepared for each succeeding stage, shall also be reviewed by the commission and the council, and when approved shall be filed in the office of the city secretary. (Ord. 25 § 12 (part), 1967)

18.26.130 Schedule of construction.

A. The proponents of a planned business district shall prepare and submit a schedule of construction in one or more stages, which construction shall begin within a specified period following the city council's final approval of the final development plan or any stage thereof.

B. Failure to begin the construction as scheduled shall void the plan, as approved, unless a request for an extension of time is made by the proponents to the city zoning commission, and approved by said commission and by the city council. (Ord. 25 § 12 (part), 1967)

18.26.140 Termination or abandonment.

If, for any reason, the plan is abandoned or if the construction is terminated during or after the completion of any stage, and there is ample evidence that further development is not contemplated, the amendment establishing such C-P district may be repealed by the council and the zoning of the entire tract, or the portion which is undeveloped as a C-P district, may be changed to a suitable classification. (Ord. 25 § 12 (part), 1967)

18.26.150 Final plan—Adjustments during construction.

After the final development plan has been approved and the zoning change made, and when, in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights or open spaces are requested from those established by the approved final development plan for the area to be covered by buildings, parking spaces, entrances, height, setback and other requirements, such adjustments may be approved by the city council upon application, and after receiving the recommendations of the city zoning commission. (Ord. 25 § 12 (part), 1967)

18.26.160 Final plan—Requirements generally.

The final plan shall meet the requirements set forth in Sections 18.26.170 through 18.26.220 as to use, height, open space, off-street parking and loading and all driveways or public access. (Ord. 25 § 12 (part), 1967)

18.26.170 Permitted uses.

In the C-P district no building, structure, land or premises shall be used, and no building shall be erected, constructed, reconstructed or altered except for one or more of the following uses:

A. Any use permitted in the C-2 district, except those permitted in districts R-1-7200 to R-3 inclusive;

B. Accessory uses customarily incident to any of the above uses, provided that there shall be no billboards, and that only flat wall signs, or signs on the face of a building or under a marquee, showing the name of each place of business, and the commodities or services offered, will be permitted in a C-P district, except that in addition there shall be permitted one sign or structure to identify each planned business district. Such signs or structuresshall be of permanent construction and the design shall be submitted as a part of the preliminary and final development plan. In addition, a filling station may have one freestanding sign to be approved as a part of the preliminary plan as to size and location. (Ord. 25 § 12 (part), 1967)

18.26.180 Height and area regulations—Generally.

In a C-P district the height of buildings and the minimum dimensions of open

spaces shall be as set forth in Sections 18.26.190 through 18.26.220 (for exceptions see Chapter 18.34, Height and Area Exceptions). (Ord. 25 § 12 (part), 1967)

18.26.190 Height.

Buildings or structures in a C-P district shall not exceed forty-five feet and shall not exceed three stories in height. (Ord. 25 § 12 (part), 1967)

18.26.200 Setbacks.

There shall be a setback from any street of at least fifty feet for any building, and ten feet for any parking lot. Along any other property line within or adjoining a zoned business district, there shall be a setback for any building or structure of at least ten feet; or along any property line abutting or adjoining a zoned dwelling house district, there shall be a setback for any building or parking lot of at least twenty feet. (Ord. 25 § 12 (part), 1967)

18.26.210 Screening.

The planned business district shall be permanently screened from such abutting or adjoining properties zoned for dwelling house use by wall, fence, shrub border, or other suitable enclosure. Such trees and shrubs shall be properly and adequately maintained by the developer or owner. (Ord. 25 § 12 (part), 1967)

18.26.220 Off-street parking and loading.

A. In any C-P district there shall be provided off-street customer parking space for motor cars in the ratio of at least one parking space for each one hundred square feet of sales or service floor area, exclusive of storage space.

B. The off-street parking space required in subsection A of this section shall be provided in addition to any space used for a commercial parking lot, taxicab stand or truck or bus parking. Off-street parking space for drive-in service establishments shall be provided in addition to the parking space described for all other business activities.

C. Ample off-street space for standing, loading and unloading of supplies shall be provided within the development. (Ord. 25 § 12 (part), 1967)

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on May 7, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:
Robert Hanson
Diane Byers
Kevin Spraggins (Chairman)
Linwood Gilliland
Ben Gilbert
M.J. Graham (Alt)

Member Absent:

Terri McCool (Alt)

Staff in attendance:

Stewart Fairburn, City Administrator
Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary

The meeting was called to order at 7:35 P.M.

1. Public Hearing on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.

There was no discussion from the public on this issue.

2. Consideration & Action on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings

Ben Gilbert made a suggestion that the maximum size of square footage on accessory buildings be considered, as well as a minimum size for lots less than 1200 square feet. After discussion it was suggested that the minimum size for accessory buildings will be 120 square feet.

Linwood Gilliland made a suggestion to change the time for Temporary Real Estate Sales Offices located on the property being sold from two years to one year. After the one year they will need to get a Special Use permit.

Linwood Gilliland showed an ordinance on Home Occupations that was done in 1997. After discussion on it the board dropped the Home Occupation section in this package.

After discussion there was a suggestion that the setbacks for accessory buildings from side and rear lot lines be changed from three feet to seven feet.

Laird Lind stated that he felt the setback requirements were good but was concerned with the masonry requirement for accessory buildings.

Linwood Gilliland made a motion to approve the City Manager recommendation with the following changes:

1. Seven foot setbacks from side and rear lot lines for accessory buildings.
2. No matter the lot size the size of accessory building will not be restricted to less than 120 square feet.
3. The Home Occupation is dropped.

Ben Gilbert seconded it and it carried unanimously.

3. Public Hearing on Amending City Code Chapter 18.14 R-1-6000 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.

The floor was opened to the public.

Shelly Kristich of 298 Lakeview raised an issue questioning the need for masonry requirement for R-1-6000.

4. Consideration & Action on Amending City Code Chapter 18.12 R-1-6000 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.

18.14.010 Permitted Uses

Diane Byers made a motion to accept the City Manager's recommendations. Ben Gilbert seconded it and it carried unanimously.

18.14.020: Accessory Uses

Diane Byers made a motion to make the same changes that were made in R-1-7200 referencing a change for real estate offices from two years to one year without a special use permit. Robert Hanson seconded it and it carried unanimously.

18.12.030 Home Occupations

This section was dropped from consideration.

18.14.040: Accessory Buildings

Linwood Gilliland made a motion to accept the City Manager's recommendations with the following changes:

1. Five foot setbacks from side and rear lot lines for accessory buildings.
2. No matter the lot size the size of accessory buildings will not be restricted to less than 120 square feet.

Diane Byers seconded it and it carried unanimously.

Chapter 18.14.120: Exterior Surfaces

Robert Hanson made the motion to accept the City Manager's recommendations with the following change: Adding wood to the description of siding.

Diane Byers seconded it and it carried unanimously.

5. Public Hearing on Amending City Code Chapter 18.22 C-2 Commercial District Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.

There was no public discussion.

6. Consideration & Action on Amending City Code Chapter 18.22 C-2 Commercial District, Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.

Diane Byers made a motion to add arcades to C-2 District. Ben Gilbert seconded it and it carried unanimously.

7. Adjourn

Linwood Gilliland made a motion to adjourn, Robert Hanson seconded it and it carried unanimously.

Approved:

Kevin Spraggins, Chairman

6/4/98

Attest:

Diane Lowrimore

Truman

ORDINANCE No. 98-32

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING CHAPTER 18.12 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE DALLAS, REVISING SECTION 18.12.010 PERMITTED USES, SECTION 18.12.020 ACCESSORY USES, AND REVISING AND COMBINING SECTIONS 18.12.040, 18.12.050 AND 18.12.060 ACCESSORY BUILDINGS; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS:

SECTION 1. That Section 18.12.010 of the Code of Ordinances of the City of Lake Dallas, Texas, is hereby repealed and replaced with:

18.12.010 Permitted Uses

In district R-1-7200 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses (for exceptions see Chapter 18.30 Special Use permits, and Chapter 18.32, Nonconforming Uses):

A. Dwellings, one family;
B. Churches and publicly owned and operated community buildings, public museums, public libraries;
C. Public parks and playgrounds, including public recreation or service buildings and swimming pools within such parks, public administrative buildings, police and fire stations;
D. Public schools through the twelfth grade, and private schools with curriculum equivalent to that of a public school, and institutions of higher learning, including stadium and dormitories, and other associated buildings if located on the campus;
E. Railroad rights-of-way;
F. Agriculture;
G. Accessory uses as provided in Section 18.12.020.

SECTION 2. That Section 18.12.020 of the Code of Ordinances of the City of Lake Dallas, Texas, is hereby repealed and replaced with:

18.12.020 Accessory uses

Accessory uses permitted in an R-1-7200 district are customarily incident to the permitted uses set forth in Section 18.14.010 and located on the same lot and not involving the conduct of business or industry. Such accessory uses include:

A. Automobile parking area that is necessary to the uses permitted in this district. No equipment, material or vehicle other than motor passenger cars, recreational vehicles, and boats shall be stored in any residential district.
B. Home occupations as described in Section 18.12.030;
C. Accessory buildings including private garages, covered carports, private stables or barns, shops and storage sheds as provided in Section 18.12.040;
D. Temporary real estate sales offices, located on the property being sold, and limited to period of sale, but not exceeding one year without a special use permit;
E. Signs as provided in Chapter 18.40.

SECTION 3. That Sections 18.12.040, 18.12.050 and 18.12.060 of the Code of Ordinances of the City of Lake Dallas, Texas, are hereby repealed and replaced with:

18.12.040 Accessory Buildings

A. An accessory building is any building that is not a physical part of the main dwelling. Such use shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, fumes, or electrical interference.

B. No part of a detached accessory building shall be closer than ten feet to any other building structure on the lot, or closer than seven feet from any lot line.

C. An unattached garage with space for one vehicle or more must meet the same building setbacks as does the main dwelling unit.

D. Accessory buildings are permitted in the rear yard with the limitation that the total square feet of these buildings does not exceed ten per cent of the rear yard. If ten percent of the rear yard is less than 120 square feet, then the accessory building may be no more than 120 square feet.

E. Private barns or stables must be located not less than one hundred feet from any property line and one hundred fifty feet from existing residences on adjacent properties.

SECTION 4. Should any provision of this ordinance be held or determined to be unconstitutional, illegal or invalid, such holding shall not affect the remaining portions hereof, which are declared to be severable.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Lake Dallas, Texas, on the 14TH day of May, 1998.

APPROVED

MAYOR

ATTEST:

CITY SECRETARY

CITY OF LAKE DALLAS, TEXAS

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
May 7, 1998; 7:30 P.M.

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on May 7, 1998, at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

Roll Call

1. **Public Hearing on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

2. **Consideration & Action on Amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

3. **Public Hearing on Amending City Code Chapter 18.14 R-1-6000 Single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

4. **Consideration & Action on Amending City Code Chapter 18.12 R-1-6000 single-Family Dwelling District, Specifically Permitted Uses and Accessory Buildings.**

5. **Public Hearing on Amending City Code Chapter 18.22 C-2 Commercial district, Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.**

6. **Consideration & Action on Amending City Code Chapter 18.22 C-2 Commercial district, Relating to Permitted Uses and Specifically Adding Arcades as a Permitted Use.**

7. **Adjourn**

I, Patricia Chapman, certify that this meeting notice was posted on the City of Lake Dallas bulletin board, May 1, 1998; at 5:00 p.m.

Patricia Chapman

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

Notice of Public Hearings

City of Lake Dallas

Notice is hereby given that the Planning and Zoning Commission and the City Council of the City of Lake Dallas will hold the following public hearings on the following dates and times to hear comments from the public:

Planning and Zoning Commission Meeting
May 5, 1998 at 7:30 pm
Council Chambers 303 Alamo

City Council Meeting
May 7, 1998 at 7:30 pm
Council Chambers 303 Alamo

1. Public Hearing on amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, specifically permitted uses and accessory buildings.

2. Public Hearing on amending City Code Chapter 18.14 R-1-6000 Single-Family Dwelling District, specifically permitted uses, accessory buildings and exterior surfaces.

3. Public Hearing on amending City Code Chapter 18.22 C-2 Commercial District, relating to permitted uses and specifically adding arcades as a permitted use.

All interested persons are invited to attend the public hearings.

Stewart Fairburn
City Manager
City of Lake Dallas

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 5-7-98 **Agenda Item: 1&2**

Title: Public Hearing and Consideration and Action on amending City Code Chapter 18.12 R-1-7200 Single-Family Dwelling District, specifically permitted uses and accessory buildings.

Summary of Report: This revision to the R-1-7200 zoning district primarily clarifies accessory uses and accessory buildings.

Background:
The current code is attached. During review of it was determined that some areas were out-of-date and hard to read.

Report:
The revised code is attached. The primary differences are:

In section 18.12.010:
- Eliminating elementary and high from schools and replacing with through 12th grade.
- Eliminating Agriculture, and nurseries.

In 18.12.020 adding recreational vehicle

In 18.12.030 changing home occupations from listed jobs to what the requirements should be. Removed the requirement that the home occupation be done from the dwelling. It could be open air (growing of flowers) or product from an accessory building.

Combined sections 18.12.040-18.12.060 - garages, stables and accessory building sections.
- Not allowing detached garages to be closer to side and rear yards as if they were attached.
- Dropping distance from an alley since the city has no active alleys.
- Adding that the rear yard cannot be more than 10% covered with accessory buildings. Current requirement for garage is 30 % and Chapter 18.34.040 E. states that "In any district, a detached accessory building not exceeding twenty-four feet or two stories in height, or in any case not higher than the main building, may occupy not more than thirty percent of a rear yard." However 10% was used because in a typical rear yard, 10% would be 180 square feet, or a good-sized shed. Any change does not affect current buildings.
- Removed the animal control requirements because that is covered under the animal section in Chapter 6.4.

Additional comments:

If the main building must be at least 7 feet from the side lot line, should accessory buildings be only 3 feet from the same line?

In this rewrite, the exception for detached garages taking over the back yard has been removed. Otherwise, any builder could get by the 30-foot rear yard setback requirement by eliminating the attached garage and building a detached garage. There is a reason for this setback, and that is to allow open space, as well as fire protection. Today, garages are attached. If a detached garage is desired, then it must be on a large lot to meet the requirements.

There is not much said in the current or revised code about covered carports, covered patios, or walled in patios. Should there be?

Recommendation:

It is the recommendation of the City Manager and the Building Official that the Planning and Zoning Commission review the proposed revision and public comments and make recommendations to City Council.

Approved for agenda:

Chapter 18.12

R-1-7200 SINGLE-FAMILY DWELLING DISTRICT

Sections:

18.12.010 Permitted uses.
18.12.020 Accessory uses.
18.12.030 Home occupations.
18.12.040 Private garages—Covered carports.
18.12.050 Private barns or stables.
18.12.060 Accessory buildings.
18.12.070 Nonresidential access.
18.12.080 Height and area regulations—Generally.
18.12.090 Height.
18.12.100 Front yards.
18.12.110 Side yards.
18.12.120 Rear yards.
18.12.130 Lot area per family.
18.12.140 Lot width.
18.12.150 Minimum dwelling size.
18.12.160 Off-street parking.
18.12.170 Exterior surfaces.

18.12.010 Permitted uses.

In district R-1-7200 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses (for exceptions see Chapter 18.30, Special Use Permits, and Chapter 18.32, Nonconforming Uses):

A. Dwellings, one-family;

B. Churches and publicly owned and operated community buildings, public museums, public libraries;

C. Public parks and playgrounds, including public recreation or service buildings and swimming pools within such parks, public administrative buildings, police and fire stations;

D. Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadium and dormitories in conjunction, if located on the campus;

E. Golf courses and clubhouses appurtenant thereto (except miniature golf courses, driving ranges and other similar activities operated as a business) provided no clubhouse, swimming pool or parking area shall be closer than one hundred feet to a property line;

F. Railroad rights-of-way, not including railroad tracks;

G. Agriculture;

H. Nurseries and truck gardens limited to the propagation, cultivation and sale of plants; provided, that no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer renovation is conducted thereon. Greenhouses may be constructed by special use permit;

I. Accessory uses as provided in Section 18.12.020. (Ord. 25 § 6 (part), (1 — 8), (9) (part), 1967)

18.12.020 Accessory uses.

Accessory uses permitted in an R-1-7200 district are customarily incident to the permitted uses set forth in Section 18.12.010 and located on the same lot therewith, not involving the conduct of a business or industry. No equipment, material or vehicle other than motor passenger cars and boats shall be stored in any residential district. Such accessory uses include:

A. Automobile parking areas which are necessary to the uses permitted in this district;

B. Home occupations as described in Section 18.12.030;

C. Private garages, and covered carports as provided in Section 18.12.040;

D. Private stables as provided in Section 18.12.050;

E. Accessory buildings as provided in Section 18.12.060;

F. Temporary real estate sales offices, located on property being sold, and limited to period of sale, but not exceeding two years without special use permit;

G. Signs as provided in Chapter 18.40. (Ord. 93-01 § 2, 1993; Ord. 160-A § 1 (part), 1986; Ord. 186 § 1 (part), 1985; Ord. 160 § 2(A) (part), (B) (part), 1983; Ord. 25 § 6(9) (part), 1967)

18.12.030 Home occupations.

A. Permitted Occupations. Home occupations permitted as an accessory use in an R-1-7200 district are limited to the following:

1. Dressmaker or seamstress;
2. Artist;
3. Architect, engineer, surveyor;
4. Accountant, broker, tax consultant;
5. Real estate agent, insurance agent;
6. Lawyer.

B. Restrictions. The home occupations listed in subsection A are subject to the following restrictions:

1. Such uses shall be located in the dwelling used by a person as his or her private residence.

2. No assistant, other than a member of the family household, shall be employed.

3. Signs shall be limited to one nonilluminated window sign not more than one square foot in area.

4. Only electrical power shall be used in any machines used in such home occupation, and such power shall not exceed one horsepower per machine or a total of two horsepower, excluding customary heating or cooling devices. (Ord. 25 § 6(9)(b) (part), 1967)

18.12.040 Private garages—Covered carports.

A. For any dwelling house in an R-1-7200 district there shall be permitted one private garage or covered carport, with space for not more than one vehicle for each two thousand square feet of lot area; provided, that such garage shall be located not less than twenty-five feet from the front lot line, nor less than three feet from any side lot line, nor less than seven feet from any alley line, except that when the rear lot line is common to a side or rear lot line, and in the case of corner lots, not less than the distance required for residences from side streets shall be required.

B. A garage constructed as an integral part of the main building shall be subject to the regulations affecting the main building, except on a corner lot, a private garage, when attached to the main building and not exceeding the height of the main building, may extend into the required rear yard to a point not less than eighteen feet from the rear lot line, and shall not occupy more than thirty percent of the required rear yard.

C. No part of a detached accessory building shall be closer than ten feet to the main building. (Ord. 87-1 § 1, 1987: Ord. 160-A § 1 (part), 1986: Ord. 160 § 2(A) (part), 1983: Ord. 25 § 6(9)(c) (part), 1967)

18.12.050 Private barns or stables.

A. A private barn or stable will be permitted on a lot in an R-1-7200 district, provided that it is located not less than one

hundred feet from any property line and one hundred fifty feet from existing residences on adjacent properties. On such lots there shall be one and one-half acres (sixty-five thousand three hundred forty square feet) of grazing area for the first animal and three-fourths of an acre (thirty-two thousand six hundred seventy square feet) of grazing area for each additional animal.

B. Swine shall not be allowed.

C. Twenty-five fowl or rabbits shall be permitted for each twenty thousand square feet of lot area. No such fowl or rabbits shall be housed nearer than fifty feet to a property line. (Ord. 93-11 § 1, 1993; Ord. 186 § 1 (part), 1985; Ord. 160 § 2(B) (part), 1983: Ord. 25 § 6(9)(d) (part), 1967)

18.12.060 Accessory buildings.

In the R-1-7200 district, an accessory building may be used by the occupant of the premises purely for personal enjoyment, amusement or recreation; provided such use shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes or electrical interferences. Yard requirements shall be as set forth in Section 18.12.040(A). (Ord. 93-01 § 1, 1993: Ord. 25 § 6(f) (part), 1967)

18.12.070 Nonresidential access.

A driveway or walk, as distinct from a dedicated street, to provide access to premises in a district C-1 to M-1 inclusive shall not be permitted in an R-1-7200 district. (Ord. 25 § 6(9)(h) (part), 1967)

18.12.080 Height and area regulations—Generally.

In an R-1-7200 district, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as set forth in Section 18.12.090 through 18.12.170 (for exceptions, see Chapter 18.34, Height and Area Exceptions). (Ord. 25 § 6 (part), 1967)

18.12.090 Height.

Buildings or structures in an R-1-7200 district shall not exceed thirty-five feet and shall not exceed two and one-half stories in height. (Ord. 25 § 6 (part), 1967)

18.12.100 Front yards.

Any building hereafter constructed in an R-1-7200 district shall provide for a front yard, the minimum depth of which shall be at least twenty-five feet. (Ord. 25 § 6 (part), 1967)

18.12.110 Side yards.

A. There shall be a side yard on each side of a building in an R-1-7200 district, not less than ten percent of the width of the lot; except that such side yard shall not be less than seven feet, and need not be more than fifteen feet.

B. Buildings on corner lots shall provide a side yard on the street side of not less than fifteen feet; provided, this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership at the time of the passage of the ordinance codified in this chapter to less than thirty-five feet. (Ord. 25 § 6 (part), 1967)

18.12.120 Rear yards.

The depth of the rear yard in an R-1-7200 district shall be at least thirty feet. (Ord. 25 § 6 (part), 1967)

18.12.130 Lot area per family.

Every dwelling hereafter erected, moved or altered in an R-1-7200 district shall provide a lot area of not less than seven thousand two hundred square feet per family; provided, that where a lot had less area than herein required in separate ownership at the time of the passage of the ordinance codified in this chapter, this regulation shall not prohibit the erection of a one-family dwelling. Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall provide not less than fifteen thousand square feet per family. (Ord. 25 § 6 (part), 1967)

18.12.140 Lot width.

The minimum width of a lot in an R-1-7200 district shall be seventy feet; provided, that where a lot has less width than herein required in separate ownership at the time of the passage of the ordinance codified in this chapter, this regulation shall not prohibit the erection of a one-family dwelling. (Ord. 25 § 6 (part), 1967)

18.12.150 Minimum dwelling size.

Minimum dwelling size in an R-1-7200 district is one thousand five hundred square feet of living floor area per family. (Ord. 160 § 2(C)(1), 1983; Ord. 33 § 1, 1969: Ord. 25 § 6 (part), 1967)

18.12.160 Off-street parking.

Two off-street, covered parking spaces shall be provided for each dwelling unit in an R-1-7200 district. Such parking spaces shall be located on the same lot and not projecting beyond the established building lines. (Ord. 160 § 2(C)(2), 1983: Ord. 25 § 6 (part), 1967)

18.12.170 Exterior surfaces.

Exterior surfaces of buildings greater than one hundred twenty square feet in an R-1-7200 district shall consist of approved masonry materials covering no less than eighty percent of total exterior surface exclusive of windows, doors, gables and second story. Structures existing at the time of passage of the ordinance codified in this section shall be exempt from the provisions of this regulation. (Ord. 93-01 § 3, 1993: Ord. 160 § 2(C)(3), 1983: Ord. 25 § 6 (part), 1967)

R-1-7200 Single-Family Dwelling District

Sections:

18.12.010 Permitted Uses

In district R-1-7200 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses (for exceptions see Chapter 18.30 Special Use permits, and Chapter 18.32, Nonconforming Uses):

A. Dwellings, one family;
B. Churches and publicly owned and operated community buildings, public museums, public libraries;
C. Public parks and playgrounds, including public recreation or service buildings and swimming pools within such parks, public administrative buildings, police and fire stations;
D. Public schools through the twelfth grade, and private schools with curriculum equivalent to that of a public school, and institutions of higher learning, including stadium and dormitories, and other associated buildings if located on the campus;
E. Railroad rights-of-way;
F. Accessory uses as provided in Section 18.12.020.

18.12.020 Accessory uses

Accessory uses permitted in an R-1-7200 district are customarily incident to the permitted uses set forth in Section 18.14.010 and located on the same lot and not involving the conduct of business or industry. Such accessory uses include:

A. Automobile parking area that is necessary to the uses permitted in this district. No equipment, material or vehicle other than motor passenger cars, recreational vehicles, and boats shall be stored in any residential district.
B. Home occupations as described in Section 18.12.030;
C. Accessory buildings including private garages, covered carports, private stables or barns, shops and storage sheds as provided in Section 18.12.040;
D. Temporary real estate sales offices, located on the property being sold, and limited to period of sale, but not exceeding two years without a special use permit;
E. Signs as provided in Chapter 18.40.

18.12.030 Home occupations

A. Permitted occupations. All home occupations are permitted that meet the following restrictions:

B. Restrictions.

1. No assistant, other than a member of the family household, shall be employed.
2. Signs shall be limited to one illuminated window sign not more than one square foot in area.
3. The home occupation shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes or electrical interference.
4. There shall be no storage of flammable or caustic materials and chemicals beyond what is normally found in a household.
5. There shall not be any retail sales at the home. Customers may drop off and pick up orders, as long as there is only one customer vehicle on the premises or parked on the road at one time.
6. The conduct of the business shall not infringe on the residential atmosphere of the neighborhood.
7. Certain businesses require a special use permit (see Chapter 18.30)

18.12.040 Accessory Buildings

A. An accessory building is any building that is not a physical part of the main dwelling. Such use shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, fumes, or electrical interference.

B. No part of a detached accessory building shall be closer than ten feet to any other building structure on the lot, or closer than three feet from any lot line.

C. An unattached garage with space for one vehicle or more must meet the same building setbacks as does the main dwelling unit.

D. Accessory buildings are permitted in the rear yard with the limitation that the total square feet of these buildings does not exceed ten per cent of the rear yard.

E. Private barns or stables must be located not less than one hundred feet from any property line and one hundred fifty feet from existing residences on adjacent properties.

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 5-7-98 **Agenda Item:3&4**

Title: Public Hearing and Consideration and Action on amending City Code Chapter 18.14 R-1-6000 Single-Family Dwelling District, specifically permitted uses, accessory buildings, and exterior surfaces.

Summary of Report:
This revision removes the references to the R-1-7200 district and is written to fully stand alone. It is written the same as the new R-1-7200 district. It also adds a section about exterior surfaces.

Background:
The current code is attached. Upon reviewing a request for a metal accessory building, it was found to be confusing to use the R-1-7200 district for permitted uses and accessory buildings.

Report:

The changes are that the chapter stands on its own without referencing R-1-7200 and adopts the same changes found in Item 1&2. A section is added for exterior surfaces.

Recommendation:
It is the recommendation of the City Manager and the Building Official that the Planning and Zoning Commission review the proposed revision and public comments and make recommendations to City Council.

Approved for agenda:

Chapter 18.14

R-1-6000 SINGLE-FAMILY DWELLING DISTRICT

Sections:

18.14.010 Permitted uses.
18.14.020 Nonresidential access.
18.14.030 Height and area regulations—Generally.
18.14.040 Height.
18.14.050 Front yards.
18.14.060 Side yards.
18.14.070 Rear yards.
18.14.080 Lot area per family.
18.14.090 Lot width.
18.14.100 Minimum dwelling size.
18.14.110 Off-street parking.

18.14.010 Permitted uses.

In district R-1-6000 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses (for exceptions see Chapter 18.30, Special Use Permits, and Chapter 18.32, Nonconforming Uses):

A. Any use permitted in district R-1-7200;

B. Signs as provided in Chapter 18.40. (Ord. 25 § 7 (part), (1 — 2), 1967)

18.14.020 Nonresidential access.

A driveway or walk, as distinct from a dedicated street, to provide access to premises in a district C-1 to M-1 inclusive, shall not be permitted in an R-1-6000 district. (Ord. 25 § 7(3) (part), 1967)

18.14.030 Height and area regulations—Generally.

In an R-1-6000 district, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as set out in Section 18.14.040 through 18.14.110 (for exceptions see Chapter 18.34, Height and Area Exceptions). (Ord. 25 § 7 (part), 1967)

18.14.040 Height.

Buildings or structures in an R-1-6000 district shall not exceed thirty-five feet and shall not exceed two and one-half stories in height. (Ord. 25 § 7 (part), 1967)

18.14.050 Front yards.

Any building hereafter constructed in an R-1-6000 district shall provide for a front yard, the minimum depth of which shall be at least twenty-five feet. (Ord. 25 § 7 (part), 1967)

18.14.060 Side yards.

A. In an R-1-6000 district, there shall be a side yard on each side of a building not less than ten percent of the width of the lot; except that such side yard shall not be less than five feet, and need not be more than fifteen feet.

B. Buildings on corner lots shall provide a side yard on the street side of not less than fifteen feet; provided, this regulation shall not be interpreted as to reduce the buildable width of a corner lot in separate ownership at the time of the passage of the ordinance codified in this chapter to less than thirty-five feet. (Ord. 25 § 7 (part), 1967)

18.14.070 Rear yards.

The depth of the rear yard in an R-1-6000 district shall be at least thirty feet. (Ord. 25 § 7 (part), 1967)

18.14.080 Lot area per family.

Every dwelling hereafter erected, moved or altered in an R-1-6000 district shall provide a lot area of not less than six thousand square feet per family; provided, that where a lot had less area than herein required in separate ownership at the time of the passage of the ordinance codified in this chapter, this regulation shall not prohibit the erection of a one-family dwelling. Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall provide not less than fifteen thousand square feet per family. (Ord. 25 § 7 (part), 1967)

18.14.090 Lot width.

The minimum width of a lot in an R-1-6000 district shall be sixty feet; provided, that where a lot has less width than herein required in separate ownership at the time of the passage of the ordinance codified in this chapter, this regulation shall not prohibit the erection of a one-family dwelling. (Ord. 25 § 7 (part), 1967)

18.14.100 Minimum dwelling size.

Minimum dwelling size in an R-1-6000 district is one thousand two hundred square feet of living floor area per family. (Ord. 186 § 2 (part), 1985: Ord. 33 § 2, 1969: Ord. 25 § 7 (part), 1967)

18.14.110 Off-street parking.

Two off-street covered parking spaces shall be provided for each dwelling unit in an R-1-6000 district. (Ord. 186 § 2 (part), 1985: Ord. 25 § 7 (part), 1967)

R-1-6000 Single-Family Dwelling District

18.14.010 Permitted Uses

In district R-1-6000 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses (for exceptions see Chapter 18.30 Special Use permits, and Chapter 18.32, Nonconforming Uses):

A. Dwellings, one family;
B. Churches and publicly owned and operated community buildings, public museums, public libraries;
C. Public parks and playgrounds, including public recreation or service buildings and swimming pools within such parks, public administrative buildings, police and fire stations;
D. Public schools through the twelfth grade, and private schools with curriculum equivalent to that of a public school, and institutions of higher learning, including stadium and dormitories, and other associated buildings if located on the campus;
E. Railroad rights-of-way;
F. Accessory uses as provided in Section 18.14.020.

18.14.020 Accessory uses

Accessory uses permitted in an R-1-6000 district are customarily incident to the permitted uses set forth in Section 18.14.010 and located on the same lot and not involving the conduct of business or industry. Such accessory uses include:

A. Automobile parking area that is necessary to the uses permitted in this district. No equipment, material or vehicle other than motor passenger cars, recreational vehicles, and boats shall be stored in any residential district.
B. Home occupations as described in Section 18.14.030;
C. Accessory buildings including private garages, covered carports, private stables or barns, shops and storage sheds as provided in Section 18.14.040;
D. Temporary real estate sales offices, located on the property being sold, and limited to period of sale, but not exceeding two years without a special use permit;
E. Signs as provided in Chapter 18.40.

18.14.030 Home occupations

A. Permitted occupations. All home occupations are permitted that meet the following restrictions:
B. Restrictions.
    1. No assistant, other than a member of the family household, shall be employed.
    2. Signs shall be limited to one illuminated window sign not more than one square foot in area.
    3. The home occupation shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes or electrical interference.
    4. There shall be no storage of flammable or caustic materials and chemicals beyond what is normally found in a household.
    5. There shall not be any retail sales at the home. Customers may drop off and pick up orders, as long as there is only one customer vehicle on the premises or parked on the road at one time.
    6. The conduct of the business shall not infringe on the residential atmosphere of the neighborhood.
    7. Certain businesses require a special use permit (see Chapter 18.30)

18.14.040 Accessory Buildings

A. An accessory building is any building that is not a physical part of the main dwelling. Such use shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, fumes, or electrical interference.
B. No part of a detached accessory building shall be closer than ten feet to any other building structure on the lot, or closer than three feet from any lot line.
C. An unattached garage with space for one vehicle or more must meet the same building setbacks as does the main dwelling unit.
D. Accessory buildings are permitted in the rear yard with the limitation that the total square feet of these buildings does not exceed ten per cent of the rear yard.
E. Private barns or stables must be located not less than one hundred feet from any property line and one hundred fifty feet from existing residences on adjacent properties.

City of Lake Dallas
Planning and Zoning Commission Agenda Item

Date: 5-7-98 **Agenda Item: 5&6**

Title: Public Hearing and Consideration and action on amending City Code Chapter 18.22 C-2 Commercial District, relating to permitted uses and specifically adding arcades as a permitted use.

Summary of Report:
This item adds arcades to the permitted uses in a C-2 district.

Background: A video slot machine arcade opened and it was noted that there is no permitted use for this in the commercial zoning. Council asks that this be reviewed.

Report:

The addition would be:

18.22.010 Permitted Uses

C. Services such as ....lending establishments and arcades.

Recommendation:
It is the recommendation of the City Manager and the Building Official that the Planning and Zoning Commission review the proposed revision and public comments and make recommendations to City Council.

Approved for agenda:

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The **Planning and Zoning Commission** of the city of Lake Dallas convened in a regular monthly meeting on April 2, 1998, in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum of members: Kevin Spraggins, Linwood Gilliland, Diane Byers, Robert Hanson, Ben Gilbert. Also in attendance were Elizabeth Penny, Secretary to the P&Z. Truman Harp, Building Official, Stewart Fairburn, City Administrator.

Chairman Kevin Spraggins called the meeting to order at 7:30 p.m.

Item 3 - Citizens Agenda
Norma McAlvey objected to Mike Fahey's request for 12' foot fence between mobile homes.

Item 4 - Consider Approval of March 5, 1998 P&Z Minutes
Motion made by Ben Gilbert to approve the March 5, 1998, Planning and Zoning Minutes as presented. Motion seconded by Robert Hanson.

Ayes: Commissioners Ben Gilbert, Linwood Gilliland, Diane Byers, Robert Hanson.
Noes: None

Motion carried.

Item 5 - Discussion of Action on Preliminary and Final RePlat for Lot R, Block 1, Bochardt Estates, Lake Shore Baptist Church
Motion made by Diane Byers to approve the elimination of lot lines & final RePlat as Lot R, Block 1, Borchardt Estates. Motion made by Commissioner Diane Byers. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioners Ben Gilbert, Linwood Gilliland, Diane Byers, Robert Hanson.
Noes: None

Motion carried.

Item 6 - Public Hearing To Hear Public Comments On Amendments To The Lake Dallas Municipal Cod 18.14 R-1, 6000 Zoning District Pertaining To Permitted Uses & Regulation Requirements Including Exterior Surface Requirements
Chairman Spraggins opened the public hearing to the amendments to the Lake Dallas Municipal code 18.14 R-1, 6000 zoning district pertaining to permitted uses and regulation requirements including exterior surface requirements. Les Lorimer presented his request to place a hobby shop on his property. Margaret Tisdale, 509 Howard, spoke in

Item 5 Consideration & Action On Replat Of Block 1, Lots 12 & 13, W.W. Little Addition (609 glen Rhea)

Motion made by Commissioner Robert Hanson to approve the adjoining of the two lots, Lots 12 and 13, Block 1, of the W.W. Little Addition. Motion seconded by Commissioner Diane Byers.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 6 - Consideration & Action On Replat Of Harbour Town Villas

Mr. Frank Bourland presented Planning and Zoning Members with an amended plat of Harbour Town Villas. If approved the replat would adjust the lot lines for different widths, would move an electrical easement to be adjacent to Cain Drive, and would establish a setback for the back half of the corner lot at 6 feet instead of 15 feet.

After consideration of the item, a motion was made by Commissioner Linwood Gilliland to approve the amended plat for Harbour Town Villas as presented. Motion seconded by Diane Byers.

Ayes: Commissioner Linwood Gilliland, Commissioner Diane Byers
Noes: Commissioner Ben Gilbert, Commissioner Kevin Spraggins, Commissioner Robert Hanson

Motion failed.

Item 7 - Discussion & Direction To Staff On Possible Changes To Chapter 18 Of The Lake Dallas Municipal Code Pertaining To Exterior Surfaces In R1-6,000 Districts

City Administrator, Stewart Fairburn, discussed with Planning and Zoning Members the need to adopt a more descriptive outline of regulations for R-6,000 District. He suggested that Planning and Zoning Members consider masonry requirements for new structures.

Planning and Zoning Members requested that public notices be prepared to allow for Public Hearings on this subject.

Item 8 - Consideration & Action On Redefining Height Of Weeds In Residential Areas To Six Inches, Chapter 8.20

City Administrator, Stewart Fairburn, asked Planning and Zoning Members to consider changing the height of weeds in Chapter 8.20 to not be over six inches in order that City Staff could better enforce weed control.

favor of Mr. Lorimer. Jeff Patterson, 5502 Knights Court, concerned with his oversized building in his back yard. Asked P&Z to please define alley lines in Kings Manor. Chairman Spraggins closed the public hearing.

Item 7 - Discussion & Action on Amendments to the Lake Dallas Municipal code 18.14 R-1, 6000 Zoning District Pertaining to Permitted Uses and Regulation Requirements Including Exterior Surface Requirements

Stewart Fairburn explained the need to update the LDMC Regulations. Mr. Fairbun will be drafting new regulations for further review. Linwood Gilliland requested flexibility and stated that the R1-6000 needs to stand alone. The P&Z will review again in May. No action taken.

Item 8 - Discussion and Consideration of any Appropriate Action on R-1-4000 Distance Requirements

The home owners in the Kings Wood addition will be meeting on April 4, 1998 and wanted to review the results of meeting before any changes are considered. No action taken.

Item 9 - Consideration and Appropriate Action on Request from US Homes to Request an Amended Plat to Allow a 26 Foot Rear Setback for Their Model Home

Members of the P&Z were not in favor of request, want rear back to remain at 30 feet. No action taken. P&Z

Item 10 - Discussion and Consideration on Economic Development Issues

Stewart Fairburn presented pictures and the following:

Current review of business structure.
Vacant commercial lots and commercial buildings need to be identified.
Zoning need to be revised.
Vision of what the City of Lake Dallas wants for different commercial areas.

Item 11 - Adjourn

Motion made by Commissioner Linwood Gilliland that the meeting be adjourned. Motion seconded by Commissioner Diane Byers.

Ayes: Commissioners Ben Gilbert, Diane Byers, Linwood Gilliland, Robert Hanson.
Noes: None

The meeting stood adjourned

Approved:

Kevin Spraggins, Chairman

6/4/98

Attest:

_____

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

Item 1 - Roll Call

The **Planning and Zoning Commission** of the City of Lake Dallas convened in a regular monthly meeting on March 5, 1998, in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum of members: Kevin Spraggins, Linwood Gilliland, Diane Byers, Robert Hanson, Ben Gilbert. Also in attendance were Elizabeth Penny, Secretary to the P&Z, Truman Harp, Building Official, Stewart Fairburn, City Administrator, and Alternate Member M.J. Graham.

Chairman Kevin Spraggins called the meeting to order at 7:30 p.m.

Item 2 - Citizens Agenda

No one spoke during this portion of the agenda.

Item 3 - Consider Approval Of February 10, 1998 P&Z Minutes

Motion made by Commissioner Ben Gilbert to approve the February 10, 1998, Planning and Zoning Minutes as presented. Motion seconded by Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 4 - Discussion & Action On Changing Planning & Zoning Monthly Meeting Date

Planning and Zoning Members discussed changing the monthly meeting night from the first Thursday to the fourth Thursday of the month. The additional time would be helpful in preparing agenda items but could present a problem with scheduling.

Motion made by Commissioner Diane Byers to deny changing the monthly meeting date. Motion seconded by Commissioner Linwood Gilliland.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson.
Noes: None

Motion carried.

After consideration of this item, a motion made by Commissioner Diane Byers that the height of weeds in Chapter 8.20 of the Lake Dallas Municipal Code, not to be more than six inches. Motion seconded by Commissioner Gilliland.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 9 -Discussion & Direction To Staff On Including Video Arcades & Video Slot Machine As A Permitted Use In Commercial Districts

City Administrator, Stewart Fairburn, informed Planning and Zoning Members on a video slot machine business located next door the City Annex on Denton Drive.

Planning and Zoning Members discussed the legality of these types of businesses as well as whether this type of business should be allowed in Commercial Districts. After discussion the Planning and Zoning Members asked City Staff to place this item on a public hearing agenda in the upcoming months.

Item 10 - Update On Economic Development Issues

City Administrator, Stewart Fairburn, gave a brief update on information he was gathering for future economic development workshops.

Item 11- Adjourn

Motion made by Commissioner Diane Byers that the meeting be adjourned. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson.
Noes: None

Meeting adjourned 9:25 p.m.

Approved:

_____
Kevin Spraggins
Chairman
Attest:

_____
Elizabeth Penny
Planning & Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

& see approved corrected minutes

Item 1 - Roll Call

The **Planning and Zoning Commission** of the City of Lake Dallas convened in a regular monthly meeting on March 5, 1998, in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum of members: Kevin Spraggins, Linwood Gilliland, Diane Byers, Robert Hanson, Ben Gilbert. Also in attendance were Elizabeth Penny, Secretary to the P&Z, Truman Harp, Building Official, Stewart Fairburn, City Administrator, and Alternate Member M.J. Graham.

Chairman Kevin Spraggins called the meeting to order at 7:30 p.m.

Item 2 - Citizens Agenda

No one spoke during this portion of the agenda.

Item 3 - Consider Approval Of February 10, 1998 P&Z Minutes

Motion made by Commissioner Ben Gilbert to approve the February 10, 1998, Planning and Zoning Minutes as presented. Motion seconded by Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 4 - Discussion & Action On Changing Planning & Zoning Monthly Meeting Date

Planning and Zoning Members discussed changing the monthly meeting night from the first Thursday to the fourth Thursday of the month. The additional time would be helpful in preparing agenda items but could present a problem with scheduling.

Motion made by Commissioner Diane Byers to deny changing the monthly meeting date. Motion seconded by Commissioner Linwood Gilliland.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson.
Noes: None

Motion carried.

Item 5 Consideration & Action On Replat Of Block 1, Lots 12 & 13, W.W. Little Addition (609 glen Rhea)

Motion made by Commissioner Robert Hanson to approve the adjoining of the two lots, Lots 12 and 13, Block 1, of the W.W. Little Addition. Motion seconded by Commissioner Diane Byers.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 6 - Consideration & Action On Replat Of Harbour Town Villas

Mr. Frank Bourland presented Planning and Zoning Members with an amended plat of Harbour Town Villas. If approved the replat would adjust the lot lines for different widths, would move an electrical easement to be adjacent to Cain Drive, and would establish a setback for the back half of the corner lot at 6 feet instead of 15 feet.

After consideration of the item, a motion was made by Commissioner ~~Robert Hanson~~ Linwood to deny the amended plat for Harbour Town Villas as presented. Motion seconded by ~~Ben Gilbert~~. Diane

No ~~Ayes~~: Commissioner Ben Gilbert, Commissioner Kevin Spraggins, Commissioner Robert Hanson
Yes ~~Noes~~: Commissioner Linwood Gilliland, Commissioner Diane Byers

Motion carried.

Item 7 - Discussion & Direction To Staff On Possible Changes To Chapter 18 Of The Lake Dallas Municipal Code Pertaining To Exterior Surfaces In R1-6.000 Districts

City Administrator, Stewart Fairburn, discussed with Planning and Zoning Members the need to adopt a more descriptive outline of regulations for R-6,000 District. He suggested that Planning and Zoning Members consider masonry requirements for new structures.

Planning and Zoning Members requested that public notices be prepared to allow for Public Hearings on this subject.

Item 8 - Consideration & Action On Redefining Height Of Weeds In Residential Areas To Six Inches, Chapter 8.20

City Administrator, Stewart Fairburn, asked Planning and Zoning Members to consider changing the height of weeds in Chapter 8.20 to not be over six inches in order that City Staff could better enforce weed control.

After consideration of this item, a motion made by Commissioner Diane Byers that the height of weeds in Chapter 8.20 of the Lake Dallas Municipal Code, not to be more than six inches. Motion seconded by Commissioner Gilliland.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 9 -Discussion & Direction To Staff On Including Video Arcades & Video Slot Machine As A Permitted Use In Commercial Districts

City Administrator, Stewart Fairburn, informed Planning and Zoning Members on a video slot machine business located next door the City Annex on Denton Drive.

Planning and Zoning Members discussed the legality of these types of businesses as well as whether this type of business should be allowed in Commercial Districts. After discussion the Planning and Zoning Members asked City Staff to place this item on a public hearing agenda in the upcoming months.

Item 10 - Update On Economic Development Issues

City Administrator, Stewart Fairburn, gave a brief update on information he was gathering for future economic development workshops.

Item 11- Adjourn

Motion made by Commissioner Diane Byers that the meeting be adjourned. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Diane Byers, Commissioner Robert Hanson.
Noes: None

Meeting adjourned 9:25 p.m.

Approved:

_____
Kevin Spraggins
Chairman
Attest:

_____
Elizabeth Penny
Planning & Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

Item 1 - Roll Call

The **Planning and Zoning Commission** of the City of Lake Dallas convened in a regular monthly meeting on February 10, 1998, in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum of members: Linwood Gilliland, Robert Hanson, Ben Gilbert, M.J. Graham. Diane Byers and Kevin Spraggins absent. Also in attendance were Elizabeth Penny, Secretary to the P&Z; Truman Harp, Building Inspector, Stewart Fairburn, City Administrator. Vice-Chairman, Linwood Gilliland , called the meeting to order at 7:30 p.m.

Item 2 - Consider & Action On Application Of Ray Weikum For Non-Conforming Use Of Setbacks at 619 Shore Drive

Mr. Ray Weikum's residence at 619 Shore Drive had been destroyed by a gas explosion and fire. At this time he was requesting authority to use a 11.75 front yard set back rather than the zoning ordinance requirement of 25 foot. City Administrator, Stewart Fairbun explained to Planning and Zoning Members that the proposed ordinance to allow use of non-conforming setbacks for homes destroyed by disasters would allow Mr. Weikum the ability to use the existing 11.75 foot.

City Administrator, Stewart Fairburn, discussed a sketch of the lot and the setbacks with P&Z Members.

After discussion of this item, a motion was made by Commissioner Ben Gilbert to recommend approval of Mr. Ray Weikum's application to use the existing 11.75 foot front yard set back for rebuilding a residence at 619 Shore Drive. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner M.J. Graham, Commissioner Robert Hanson.
Noes: None

Motion carried.

Item 3 - Public Hearing - To Hear Public Comments On The Replat Of Jackson Ranch

Vice-Chairman - Linwood Gilliland opened public hearing.

Mr. Tom Juhn representing the developer of Jackson Ranch presented a replat to Planning and Zoning Members. Mr. Juhn outlined changes that had been made to the original plat.

Mr. Juhn also answered questions from Mrs. Bonnie Garcia, on the concrete flume and also Mr. Mr. J.W. Lively on the impact the drainage from this sudivision would have on the drainage ditch behind his property and Lots 7, 8 and 9 of Oak Lakes Addition.

Margaret Tisdale stated that if there is a drainage problem with the subdivision it needs to be corrected now and not later.

Mr. Allen Colley gave his concerns on what appears to be a drainage problem with this subdivision.

Another concern of the citizens present was the existing fence separating Oak Lakes and Jackson Ranch. Mr. Fairburn stated he would work with the developer on this issue, to prevent duplicate fencing.

City Administrator, Stewart Fairburn, presented P&Z Members with a list of changes from the original plat.

After all citizens were allowed to speak, the Public Hearing was closed.

Item 4 - Consideration & Action On The Replat Of Jackson Ranch

After discussion of the changes to the Jackson plat a motion was made by Commissioner Ben Gilbert to recommend approval of the replat of Jackson Ranch with the drainage and fence issue to be worked out by City staff with the developer. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner M.J. Graham, Commissioner Robert Hanson.
Noes: None

Motion carried.

Item 5 - Public Hearing - To Hear Public Comments On An Ordinance Amending Chapter 18 (Comprehensive Zoning Ordinance) Regarding provisions On Commercial Mobile Homes

Vice-Chairman, Linwood Gilliland, opened Public Hearing for comments from the public.

Mr. Randy Shelton concerned with violations in the ordinance.

Gene Tisdale commented on whether the ordinance would change the way the parks are now taxed.

Bonnie Garcia commented on the requirement that would allow distances between mobile homes to be twelve foot.

Carolyn Green, thanked City Administrator, Stewart Fairburn, for his hard work on the proposed ordinance. She felt the ordinance would allow owners to govern for themselves and allow the flexibility needed to operate the mobile home parks.

City Administrator, Stewart Fairburn, presented P&Z Members with a proposed commercial mobile home ordinance. If adopted this ordinance would establish a new zoning district for all mobile home parks operating as commercial properties (excluding Kingswood). An outline had been drafted in 1997 and from that Mr. Fairburn had developed an ordinance. The intent of the ordinance was to keep the parks aesthetically attractive while allowing for the many various differences needed to operate the parks.

After all citizens were allowed to speak the public hearing was closed.

Item 6 - Consideration & Action On An Ordinance Amending Chapter 18 (Comprehensive Zoning Ordinance) Regarding Provisions Pertaining To Commercial Mobile Homes

P&Z Members discussed the proposed ordinance. Motion made by Commissioner Robert Hanson to recommend approval of a commercial mobile home ordinance as drafted and presented by City Administrator, Stewart Fairburn. Motion seconded by Commissioner M.J. Graham.

Ayes: Commissioner Ben Gilbert, Commissioner M.J. Graham, Commissioner Robert Hanson
Noes: None

Motion carried.

Item 7 - Discussion & Action On Economic Development Issues Resulting From The January 29 Economic Development Workshop

City Administrator, Stewart Fairburn, gave P&Z Members an update on economic development issues that were discussed at the January 29 workshop. The city staff is in the process of identifying commercial sites as well as gathering ordinances from area cities pertaining to zoning, and development issues.

Item 8 - Consider Approval Of December 1997 and January 1998 P&Z Minutes

Motion made by Commissioner Gilbert to approved the minutes of the December 1997 and January 1998 Planning and Zoning Commission. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner M.J. Graham, Commissioner Robert Hanson

Motion carried.

Item 10 - Citizens Agenda

Mr. Mike Fahey, 144 Kingswood, spoke on a variance he had presented to the Board Of Adjustment for distance requirement from 20' to 12'. Now that the commercial mobile home ordinance had been drafted he recommended that similar distance requirements be considered for Kingswood Mobile Home Park.

Item 11 - Adjourn

Motion made by Commissioner Gilbert to adjourn the meeting. Motion seconded by Commissioner Graham.

Ayes: Commissioner Gilbert, Commissioner M.J. Graham, Commissioner Hanson
Noes: None

Motion carried.

The meeting did stand adjourned 9:15 p.m.

Approved:

_____
Kevin Spraggins
Chairman

Attest:

_____
Elizabeth Penny
Planning & Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City Of Lake Dallas convened in a special called meeting on January 22, 1998, at 7:30 p.m. in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum.

Kevin Spraggins, Linwood Gilliland, M.J. Graham, Ben Gilbert, Robert Hanson. Diane Byers absent.

Also in attendance were Councilman Stephen Wohr, City Administrator, Stewart Fairburn, Community Development Director, Truman Harp and P&Z Secretary, Elizabeth Penny.

The meeting was called to order 7:30 p.m.

Item 2- Consider & Act On A Replat Of Block 5 Lot 15, 16,31 and 32 of Lake Dallas Shores
Planning and Zoning Members reviewed a replat of Mr. Ray Weikum's property at Block 5, Lot 15, 16, 31 and 32 of Lake Dallas Shores. The lots had been combined into one lot.

Motion made by Commissioner Ben Gilbert to recommend approval on the replat of Block 5 Lot 15, 16, 31 and 32 of Lake Dallas Shores. Motion seconded by Commissioner Gilliland.

Ayes: Commissioner Robert Hanson, Commissioner M.J. Graham, Commissioner Linwood Gilliland, Commissioner Ben Gilbert
Noes: None

Motion carried.

Item 3 - Public Hearing: To Hear Comments On Amending Chapter 18 Of The Lake Dallas Municipal Code (Comprehensive Zoning Ordinance) To Permit The Rebuilding Of Structures Destroyed By Disasters Under Certain Conditions While Maintaining Non-Conforming Setbacks

City Administrator, Stewart Fairburn, explained an ordinance he had drafted that would allow the rebuilding of structures using non-conforming setbacks. If approved it would give the City Council authority to approve use of non-conforming setbacks. The approval process would require the property owner to make a request for approval to the City Council to rebuild a structure that has been lost due to disasters.

Public Hearing closed.

Item 4 - Consider & Act On Recommendation Of An Ordinance Amending Chapter 18 Of The Lake Dallas Municipal Code To Permit The Rebuilding Of Structures Destroyed By Disasters
Planning and Zoning members discussed adding P&Z to the approval process and setting a time limit on the application (being one year from the date of the disaster). The applicant would have to be the owner.

Motion made by Commissioner Robert Hanson to recommend adoption of an ordinance that would allow for the rebuilding of structures destroyed by disasters, approval process P&Z and City Council, time limit not to be later than one year from the date of the disaster by the owner. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Robert Hanson, Commissioner M.J. Graham, Commissioner Linwood Gilliland, Commissioner Ben Gilbert

Noes: None

Motion carried.

Item 5 - Citizens Agenda

Mr. Laird Lind, 735 Carlisle, spoke on his concerns with the drainage runoff from Lake Bridge Estates and asked help in correcting the problem. Mr. Lind 's property is south of Lake Bridge and has experienced increased flow of water created by Lake Bridge Estates. He had visited with Pulte and found their drainage plans to be contrary to what had been approved by the City Council.

Vice Chairman, Linwood Gilliland, explained to Mr. Lind that this was not a P&Z issue, that he would need to meet with the City Administrator and the Community Development Director on this problem.

Item 6 - Adjourn

Motion made by Commissioner Linwood Gilliland to adjourn this meeting of the Planning and Zoning Commissioner. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Robert Hanson, Commissioner M.J. Graham, Commissioner Linwood Gilliland, Commissioner Ben Gilbert
Noes: None

The meeting did then stand adjourned 8:55 p.m.

Approved:

_____
Kevin Spraggins
Chairman

Attest:

_____
Elizabeth Penny
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The **Planning and Zoning Commission** of the City of Lake Dallas convened in a regular monthly meeting on December 4, 1997, at 7:05 p.m. in the Council Chambers of Lake Dallas City Hall located at 303 Alamo Street, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551, of the Texas Government Code. The following members were present and constituted a quorum of members:
Kevin Spraggins, Linwood Gilliland, Robert Hanson, and Ben Gilbert.
Diane Byers absent.

Also in attendance were Elizabeth Penny, Secretary to the P&Z; Truman Harp, Building Inspector, Stewart Fairburn, City Administrator.
Chairman Kevin Spraggins called the meeting to order.

Item 2 - Public Hearing to hear public comments on a zoning change request of Lake Cities Investment Corporation, Tract 72 in the M.E.P. & P.R.R. Survey, Abstract 924, From R-3 Multi-Family Zoning District to C-1 Commercial Business Zoning District

Mr. Norman Phillips of Landmark Construction spoke on behalf of the zoning change. Mr. Phillips is the potential new owner of the lot and would be renovating the house into an office. There would be four employees at this location, and customer contact should not create a traffic problem.

Mike Fahey, 144 Kingswood spoke in favor of the zoning change.

The Public Hearing was closed.

Item 3 - Consideration and action on a request for a zoning change of Lake Cities Investment Corporation, Tract 72 in the M.E.P. & P.R.R. Survey, Abstract 924, from R-3 Multi-Family zoning district to C-1 commercial business zoning district

City Administrator, Stewart Fairburn explained the advantages and disadvantages of rezoning the property. He stated that due to the property's size and the fact that it is in a 100 year flood plain it would be difficult to comply with the present zoning classification of multi-family zoning. With renovations to the present structure this location could be used as an office. He also informed P&Z Members that this would be zoning one small section into C-1.

Planning and Zoning Members discussed the status of whether this property qualified for a non-conforming use as well as the zoning regulations for this property.

After discussion and consideration of this item by Planning & Zoning Members a motion was made by Commissioner Ben Gilbert to deny the zoning change on Tract 72 of the M.E.P. & P.R.R. Survey from R-3 Multi-family zoning district to C-1 Commercial Business Zoning District. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Ben Gilbert, Commissioner Robert Hanson, Chairman Kevin Spraggins.

Noes: Commissioner Linwood Gilliland

Motion carried

Item 4 - Public Hearing - To hear public comments on a zoning change request of Resort Realty for property located in the Nathaniel French Survey, Abstract 424, Tract 21

Mr. Jack Roe, spoke on behalf of applicant, Resort Realty, requesting the zoning change. He presented his case for a zoning change to the Planning and Zoning Commission which proposal is to develop property into individually sold lots for manufactured or site built homes.

Commissioner Linwood Gilliland spoke during the Public Hearing and stated his opposition to the zoning change.

The following citizens stated their opposition to the zoning change request: Mr. Bruce Martin, 707 N. Shady Shores Road; Mr. Matt Flanagan 722 Thousand Oaks; Margaret Tisdale, 509 Howard Drive; and Mr. Jim Phillips.

The Public Hearing was closed.

Item 5 - Consideration and action on a request for a zoning change request of Resort Realty, Tract 21 in the Nathaniel French Survey, Abstract 424, from R1-10,000 single family dwelling to R1-7,200 single family dwelling

After consideration of this item by the Planning and Zoning Commission, a motion was made by Commissioner Linwood Gilliland to deny the zoning change request of Resort Realty for Tract 21 in the Nathaniel French Survey, Abstract 424 from R1-10,000 single family dwelling to R1-7,200 single family dwelling. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Robert Hanson.

Noes: None

Motion carried.

Item 6 Discussion and recommendation on procedures for rebuilding residences destroyed by disasters.

City Administrator, Stewart Fairburn, explained the need to consider adopting procedures that would allow for rebuilding of a structure destroyed by natural disaster(s) on property that would not conform to the current zoning ordinance as it relates to set-back provisions. This subject was prompted by a house that had been destroyed on Shore Road by a natural gas leak. The property owner wanted to build back but was unable to meet the proper distance requirements for the zoning district the property falls under.

Planning and Zoning Members discussed the need to develop an ordinance that would grandfather properties destroyed by disasters. The Commission asked Mr. Fairbun to draft up an ordinance to be reviewed at the next scheduled meeting of the Planning and Zoning Commission.

Item 7 - Discussion and consideration of P&Z Monthly Meeting for January 1998.

Commissioners discussed the need to cancel the January monthly meeting due to date falling on the New Years holiday. Also discussed was the need to conduct a joint session with the City Council on changing masonry requirement section of the Zoning Ordinance. A date was not set, but City Administrator, Stewart Fairburn, stated he would discuss with City Council Members and get back with Planning and Zoning Members on a potential date for a January joint meeting.

Item 8 - Citizens Agenda

Mike Fahey, 144 Kingswood, recommended to the Planning and Zoning Commission that the wording in R-1,4000 be taken out that requires the distance between any two mobile homes to be twenty foot. He had recently been denied a variance from the Board of Adjustment because of this distance requirement. He had asked for a variance from 20' to 12'.

P&Z Members suggested that the City Administrator review this requirement for an agenda item at a subsequent meeting.

Item 9 - Consider Approval of September 4, 1997, Planning & Zoning Commission Minutes

Motion made by Commissioner Linwood Gilliland to accept the September 4, 1997, Planning and Zoning Minutes as presented. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Robert Hanson

Motion carried.

Item 10 - Adjourn

Motion made by Commissioner Linwood Gilliland to adjourn the meeting. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Ben Gilbert, Commissioner Linwood Gilliland, Commissioner Robert Hanson
Noes: None

Motion carried

Meeting did then stand adjourned, 9:15 p.m.

Approved:

_____
Kevin Spraggins
Chairman

Attest:

_____
Elizabeth Penny
Planning & Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

MEETING NOTES:

Date: October 2, 1997

Time: 7:30 p.m., Lake Dallas City Hall, 303 Alamo City, City Council Chambers, Lake Dallas, Texas

Those Present: Robert Hanson, Ben Gilbert, Council Member Stephen Wohr, Council Member Thanna Bounds, City Administrator Stewart Fairburn and P&Z Secretary Elizabeth Penny

NOTES: Due to a lack of a quorum, the meeting was not called to order. City Administrator, Stewart Fairburn, informed P&Z Members that the one item on the agenda, the request to close Goliad would be heard on October 9, 1997.

Elizabeth Penny
P&Z Secretary

Joe Stout discussed the off premise commercial signs maintained by Universal Signs that are located in the city limits.

Item 6 - Discussion & Consider Recommendation Of An Ordinance Amending Chapter 18 Of The Lake Dallas Municipal Code - Off Premise Commercial Signs

Motion made by Commissioner Diane Byers to recommend adoption of an ordinance amending Chapter 18 of the Lake Dallas Municipal Code pertaining to off premise commercial signs as drafted by Stewart Fairburn and revised by the Planning and Zoning Commission. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Ben Gilbert
Noes: None

Item 7 - Public Hearing: Hear Comments On An Amendment To Chapter 18 Of The Lake Dallas Municipal Code Pertaining To Permitted Uses Allowed In C-3 Commercial District

Margaret Tisdale spoke against any sexually oriented businesses being allowed to be located in the city limits of Lake Dallas.

M.J. Graham questioned distance requirements of the proposed ordinance.

Item 8 - Discussion & Consider Recommendation Of An Ordinance Amending Chapter 18 of The Lake Dallas Municipal Code To Change Permitted Uses For Businesses In C-3 Commercial Districts

City Administrator, Stewart Fairburn, explained the proposed amendment to Planning and Zoning Members. This amendment would further restrict sexually oriented businesses in C-3 Districts, by requiring approval of a special use permit and locational requirements changed from 400 feet to 1,000 feet.

After discussion of the proposed ordinance, a motion was made by Commissioner Ben Gilbert to recommend adoption of an ordinance amending Chapter 18 of the Lake Dallas Municipal Code relating to permitted uses in C-3 Commercial Districts as presented. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Ben Gilbert
Noes: None

Item 9 - Discuss & Consider Recommendation Of An Ordinance Amending Chapter 18 Of The Lake Dallas Municipal Code To Change Masonry Requirements In C-1 Restricted Business District, C-2 Commercial District and C-3 Commercial Districts

Motion made by Commissioner Diane Byers to table this item to a joint workshop of P&Z and City Council Members. Motion seconded by Commissioner Ben Gilbert.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Ben Gilbert
Noes: None

Item 10 - Discussion On Chapter 8 Of The Lake Dallas Municipal Code As It Pertains To Mobile Home Parks and Consider Any Appropriate Action

Planning and Zoning Members discussed a drafted version of an ordinance given to the City Attorney several months ago. Set backs for those mobile home parks where the lots are not platted was discussed.

City Administrator, Stewart Fairburn, had obtained the mobile home ordinance from the Attorney and is in the process of drafting a final version of the ordinance.

Item 11 - Citizens Agenda

No one spoke on citizens agenda.

Item 12- Approval Of August 7, 1997 Planning And Zoning Minutes

Motion made by Commissioner Ben Gilbert to approve the August 7, 1997, P&Z Minutes as corrected (Item 12 - replacing Dale Hanson with Commissioner Ben Gilbert.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Ben Gilbert.

Noes: None

Item 13 - Report From Council

Council Member Bobby Shikle expressed concern with the legal delay that has taken place with mobile home ordinance.

Item 14 - Adjournment

Meeting adjourned 9:15 p.m.

Kevin Spraggins
Chairman

Attest:

Elizabeth Penny
Planning & Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City Of Lake Dallas convened in a regular monthly meeting on August 7, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Kevin Spraggins, Linwood Gilliland, Robert Hanson, Diane Byers, Ben Gilbert.

Also in attendance were Elizabeth Penny, Secretary to the P&Z; Truman Harp, Building Inspector; Stewart Fairburn, City Administrator; and Council Liaison, Stephen Wohr.

Chairman Kevin Spraggins called meeting to order.

Item 2 - Public Hearing: Hear Comments On Zoning Change Of Mr. C. Alan Smith Of I-35 Swisher Joint Venture For 5.5068 Acres In The H.H. Swisher Survey, Abstract #1120 Located In The 400 Block Of Swisher Road

Participants:

C. Alan Smith representing Swisher Road I-35 Joint Venture, explained the need for the zoning change for the property in question. Mr. Smith needed the zoning change from C-2 to C-3 for marketing and layout purposes.

Mr. J.W. Lively, 527 Oak Dale Drive, concerned with proximity of parcel to his property. Also concerned with what types of businesses would be developed on this tract of land.

Mr. Rodney Courtney, 162 Kingswood Road, spoke in favor of the zoning change.

Mr. Ken Howe, 205 Swisher Road, main concern was with the traffic load created by the zoning change.

After all comments were heard, the Public Hearing was closed.

Item 3 - Consider & Act On Recommendation For Zoning Change Request Of Mr. C. Alan Smith Of I-35 Swisher Joint Venture To Change Zoning On a 5.5068 Acre Tract In The H.H. Swisher Survey, Abstract #1220, 400 Block Of Swisher Road From C-2 Commercial District To C-3 Commercial District

Commissioners discussed the zoning change and stipulations that should be affixed to the zoning change. Screening, and landscaping requirements that could be used as a buffer zone between the property and the adjacent residential properties were discussed.

After lengthy discussion of the zoning change among Commissioners, Council Member, Stephen Wohr; City Administrator Stewart Fairburn and Building Official, Truman Harp, a motion was made by Commissioner Linwood Gilliland to approve the zoning change for a 5.5068 acre tract of land in the H.H. Swisher Survey, Abstract #1220, in the 400 block of Swisher Road, from C-2, Commercial to C-3 Commercial using the landscaping screening requirements listed in the Lake Dallas Municipal Code, 18.54.040. Motion seconded by Commissioner Diane Byers.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Linwood Gilliland, Commissioner Ben Gilbert.
Noes: None

Motion Carried

Item 4 - Public Hearing - To Hear Comments On Proposed Changes To The City Of Lake Dallas Municipal Code, Comprehensive Zoning Ordinance, Section 18.20, 18.22 & 18.24 As It Pertains To Masonry Requirements In C-1 Restricted Business District, C-2 Commercial District & C-3 Commercial Districts

Participants

Mr. J.W. Lively, 527 Oak Dale Drive, asked questions on the purpose of amending this ordinance.

Mr. Rodney Courtney, 162 Kingswood Road, encouraged Commissioners to be flexible and to blend the requirements of this ordinance into the theme that is presently being developed by Keep Lake Dallas Beautiful Committee.

Public Hearing closed after all comments were heard.

Item 5 - Consider & Act On Recommendation Of An Ordinance Amending Chapter 18 (Comprehensive Zoning Ordiance) Of The Lake Dallas Municipal Code, Section(s) 18.20, 18.22 & 18.24

Commissioners discussed the need to correct the proposed ordinance. The corrections were that the proposed ordinance be changed to add the work inclusive where appropriate, that the language in each section state land currently zoned C-1, C-2, C-3 or M-1, and that wording be added to include alternate materials that can be used.

After lengthy discussion of this subject among Commissioners, City Administrator Stewart Fairburn, and Building Official Truman Harp, a motion was made by Commissioner Robert Hanson to recommend that the proposed masonry ordinance, amending the Lake Dallas Municipal Code, Section 18.20, 18.22 & 18.24 (Zoning Ordinance) be approved by City Council Members with corrections listed as: the word inclusive where appropriate, that the language in each section state land currently zoned C-1, C-2, C-3 or M-1, and that wording be added to 18.20, 18.22, 18.24 to state that application(s) for use of alternate materials to replace 80% masonry rule must be presented to P&Z Commission with final approval by the City Council. Motion seconded by

Commissioner Linwood Gilliland.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Linwood Gilliland, Commissioner Ben Gilbert.

Motion Carried

Item 6 - Discuss & Consider Any Appropriate Action On The Moratorium On Off-Premises Commercial Sign Applications

City Administrator, Stewart Fairburn, explained recent action by the City Council on a moratorium that had been placed on off-premise commercial sign applications. He asked that this item be placed on the next month Planning and Zoning Commissioner Agenda. Mr. Fairburn will furnish Commissioners with information on objectives to meet before the moratorium is lifted.

Item 7 - Citizens Agenda

Margaret Tisdale - 509 Howard Drive spoke on concerns with billboard signs located in the City..

Item 8 - Approval Of July 1997 Planning & Zoning Minutes

Motion made by Commissioner Diane Byers to approve the July 3, 1997 P&Z Minutes with one correction; the word inclusive to be added to the motion on masonry requirements. Motion seconded by Commissioner Robert Hanson.

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Linwood Gilliland, Commissioner Ben Gilbert
Noes: None

Motion Carried

Item 9 - Report From Council Liaison

Council Member, Stephen Wohr has left earlier in the meeting.

Council Member, Thanna Bounds, thanked Commissioners for their hard work.

Item 10 - Adjourn

Motion made by Commissioner Linwood Gilliland to adjourn the meeting. Motion seconded by Commissioner Diane Byers

Ayes: Commissioner Robert Hanson, Commissioner Diane Byers, Commissioner Linwood Gilliland, Commissioner ~~Dale Hans~~on
Ben Gilbert.

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City Of Lake Dallas convened in a regular monthly meeting on July 3, 1997 at 7:30 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Kevin Spraggins, Linwood Gilliland, Robert Hanson, Diane Byers, Ben Gilbert.

Also in attendance were Elizabeth Penny Secretary to the P&Z, Truman Harp Building Inspector, Stewart Fairburn City Administrator, and Council Liaison Stephen Wohr.

Chairman Kevin Spraggins called to order.

Item 2 - Discussion On Lake Dallas Municipal Code Chapters 18.20, C-1 Restricted Business District, 18.22, C-2 Commercial District, and 18.24, C-3 commercial District regarding masonry requirements and consider any appropriate action

Building Inspector, Truman Harp, discussed the need to adopt the 1997 version of the Uniform Building Code. He stated adoption of the code would help him come up with a list for non-masonry building material requirements in commercial zones.

Planning and Zoning Members discussed the need to amend Chapter 18 of the Municipal Code to allow the use of non-masonry materials in commercial districts.

After lengthy discussion of this item, a motion was made by Linwood Gilliland to recommend to Council Members amendment of Chapter 18.20, Chapter 18.22 and Chapter 18.24 with the following wording:
Exterior surfaces of structures in districts C-1, C-2 and C-3 shall consist of approved masonry materials covering no less than eighty (80%) of windows, doors and gables. An exception will apply where a rear or side of a lot line abuts upon land currently zoned C-1, C-2, and C-3 or M-1. On these sides of the structure other types of building materials may be used.
Motion seconded by Diane Byers.
Ayes: Diane Byers, Ben Gilbert, Linwood Gilliland, Kevin Spraggins, Robert Hanson
Noes: None

Motion Carried

Item 3 - Approval Of Minutes

Planning and Zoning Secretary, Elizabeth Penny, read the minutes of the June 19, 1997, Planning and Zoning Workshop.

Motion made by Robert Hanson to approve the June 19, 1997, Planning and Zoning Minutes as

read. Motion seconded by Linwood Gilliland.
Ayes: Diane Byers, Ben Gilbert, Linwood Gilliland, Kevin Spraggins, Robert Hanson
Noes: None

Motion Carried

Item 4 - Citizens Agenda
There were no citizens present to speak on Citizens Agenda.

Item 5 - Report From Council Liaison
Councilman Wohr thanked Planning and Zoning Members for their work with the final plat of Jackson Ranch. He explained to Planning and Zoning Members the Council's final work on the plat.

Item 6 - Adjourn
Motion made by Linwood Gilliland to adjourn the meeting. Motion seconded by Diane Byers.
Ayes: Diane Byers, Ben Gilbert, Linwood Gilliland, Kevin Spraggins, Robert Hanson
Noes: None

Motion Carried

The meeting did then stand adjourned 8:35 p.m.

Kevin Spraggins
Chairman

Attest:

Elizabeth Penny
Planning and Zoning Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City Of Lake Dallas met in workshop session on June 19, 1997, City Council Chambers, 303 Alamo Street, whereupon the following items were considered:

Meeting called to order 7:30 p.m. with the following members present: Linwood Gilliland, Kevin Spraggins and Ben Gilbert.

Absent from the meeting were Chuck Dalton, Diane Byers, Robert Hanson and Council Liaison, Stephen Wohr.

Item 2 - Discussion On Lake Dallas Municipal Code Chapters 18.20, C-1 Residential Business District, 18.22, C-2 Commercial District, and 18.24, C-3 Commercial District regarding masonry requirement and consider any appropriate action.

P&Z Members discussed current masonry requirements for the City Of Lake Dallas. It was suggested that the Building Inspector, Truman Harp, and the Lake Cities Fire Department be contacted to come up with an approved fire rating materials for each zone. After lengthy discussion this item was tabled to a July 3 P&Z Workshop.

Adjourn
Motion made by Linwood Gilliland to adjourn this meeting of the Planning and Zoning Commission. Motion seconded by Ben Gilbert and carried.

Meeting adjourned 8:15 p.m.

Approved:

Kevin Spraggins
Chairman

Elizabeth Penny
Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a regular monthly meeting on June 5, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Sherrel James, Chairman
Linwood Gilliland, Vice-Chairman
Kevin Spraggins
Diane Byers arrived at 7:36 p.m.
Ben Gilbert

The following members were absent:
Stephen Wohr, Council Liaison

Also in attendance was Kelly D'Amato, Deputy City Secretary

Chairman Sherrel James called the meeting to order.

Item 2 - Public Hearing:

Consider a final plat for approximately 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220. This property is located at 401 Swisher Road in the City of Lake Dallas, Texas, Denton County Texas. This property is to be known as Woodburne.

Chairman Sherrel James called the Public Hearing to order, read the final plat request and asked if any citizen wished to speak on the final plat request.

Tom Juhn with Post, Buckley, Schuh and Jernigan gave the presentation of the final plat.

Shannon Hegele wanted to know if any considerations have been made for a right of way on Swisher Road for the bridge they are building to Little Elm?

With no other citizens wishing to speak on the final plat, Chairman Sherrel James closed the Public Hearing.

Item 3 - Consideration and Action on a final plat for approximately 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220. This property is located at 401 Swisher Road in the City of Lake Dallas, Denton County Texas. This property is to be known as Woodburne.

Motion made by Linwood Gilliland to approve the final plat for approximately 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220, located at 401 Swisher Road in the City of Lake Dallas, Texas, Denton County Texas. This property is to be known as Woodburne. Motion seconded by Diane Byers.
Chairman Sherrel James cast a vote for the final plat to break the tie vote.
Ayes: Linwood Gilliland, Diane Byers and Chairman Sherrel James
Noes: Ben Gilbert and Kevin Spraggins

Motion Carried

Item 4 - Approval of Minutes for May

Motion made by Kevin Spraggins to approve the minutes as submitted. Motion seconded by Linwood Gilliland.
Ayes: Diane Byers, Ben Gilbert, Linwood Gilliland and Kevin Spraggins
Noes: None

Motion Carried

Item 5 - Citizen's Agenda

Shannon Hegele submitted his application to serve on the Planning and Zoning Commission.

Item 6 - Report from Council Liaison

Council Liaison, Stephen Wohr was absent

Item 7 - Consideration and Action on Lake Dallas Municipal Code Chapters 18.20, C-1 Restricted Business District, 18.22, C-2 Commercial District , and 18.24, C-3 Commercial District regarding masonry requirements

The Planning and Zoning Commission decided to schedule a workshop for Thursday, June 19, 1997 at 7:30 p.m. to discuss masonry requirements.

Item 8 - Consideration and Action of a new Chairman to the Planning and Zoning Commission

Motion made by Linwood Gilliland to nominate Kevin Spraggins as the new Chairman to the Planning and Zoning Commission. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert and Diane Byers
Noes: Kevin Spraggins

Item 9 - Adjourn.

Motion made by Ben Gilbert to adjourn the meeting. Motion seconded by Linwood Gilliland.
Ayes: Linwood Gilliland, Ben Gilbert, Diane Byers and Kevin Spraggins
Noes: None

Motion Carried

The meeting did then stand adjourned at 8:22 p.m.

Attest:

Kelly D'Amato, Secretary

Sherrel James, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a regular monthly meeting on May 1, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Sherrel James, Chairman
Linwood Gilliland, Vice-Chairman
Stephen Wohr, Council Liaison
Kevin Spraggins
Diane Byers
Ben Gilbert

Also in attendance was Kelly D'Amato, Deputy City Secretary

Chairman Sherrel James called the meeting to order.

Item 2 - Public Hearing:

Consider a preliminary plat for approximately 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220. This property is located at 401 Swisher Road in the City of Lake Dallas, Texas, Denton County Texas.

Chairman Sherrel James called the Public Hearing to order, read the preliminary plat request and asked if any citizen wished to speak on the preliminary plat request.

Jim Wills, HIM Development gave a presentation of the preliminary plat.

With no other citizens wishing to speak on the preliminary plat, Chairman Sherrel James closed the Public Hearing.

Item 3 - Consideration and Action on a preliminary plat for approximately 52.9235 acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220. This property is located at 401 Swisher Road in the City of Lake Dallas, Denton County Texas.

Motion made by Linwood Gilliland to approve the preliminary plat with the addition of a typical lot layout; The lot numbers for the R-1-7200 lots that will conform to the ordinances. The lot numbers of the typical layout for the 20 foot front setbacks and 25 foot rear setbacks and the lot numbers of the lots with the 25 foot front setbacks and 30 foot rear setbacks. Motion seconded by Diane Byers. Chairman Sherrel James cast a vote for the preliminary plat to break the tie vote.
Ayes: Linwood Gilliland, Diane Byers and Chairman Sherrel James
Noes: Ben Gilbert and Kevin Spraggins

Motion Carried

Item 4 - Approval of Minutes for April

Motion made by Diane Byers to approve the minutes as submitted. Motion seconded by Ben Gilbert.
Ayes: Diane Byers, Ben Gilbert, Linwood Gilliland and Kevin Spraggins
Noes: None

Motion Carried

Item 5 - Citizen's Agenda

No Comment

Item 6 - Report from Council Liaison

Council Liaison, Stephen Wohr stated that he did not have anything new to report.

Item 7 - Adjourn.

Motion made by Linwood Gilliland to adjourn the meeting. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert, Diane Byers and Kevin Spraggins
Noes: None

Motion Carried

The meeting did then stand adjourned at 8:22 p.m.

Attest:

Kelly D'Amato, Secretary

Sherrel James, Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a regular monthly meeting on April 3, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Linwood Gilliland, Vice-Chairman
Stephen Wohr, Council Liaison
Diane Byers
Ben Gilbert
Robert Hanson

The following members were absent:

Kevin Spraggins

Also in attendance was Kelly D'Amato, Deputy City Secretary.

Vice-Chairman Linwood Gilliland called the meeting to order.

Item 2 - Approval of Minutes for March

Motion made by Ben Gilbert to approve the minutes as submitted. Motion seconded by Robert Hanson.
Ayes: Ben Gilbert, Diane Byers and Robert Hanson
Noes: None

Motion Carried

Item 3 - Citizen's Agenda

No Comment

Item 4 - Report from Council Liaison

Council Liaison, Stephen Wohr reported that the City Council reviewed and made a few changes to the basic one page mobile home park ordinance that was drawn up by the Planning and Zoning Commission. The City Council has also decided to go forward with further planning of the street bond project.

Item 5 - Consideration and Action on resignation of Chairman, Sherrel James

Motion made by Diane Byers to accept Chairman, Sherrel James resignation. Motion seconded by Ben Gilbert.
Ayes: Diane Byers, Ben Gilbert and Robert Hanson

Motion Carried

Item 6 - Consideration and Action on a new member for the Planning and Zoning Commission to City Council

Motion made by Ben Gilbert to recommend Robert Hanson as the new member to the Planning and Zoning Commission. Motion seconded by Diane Byers.

Ayes: Ben Gilbert, Diane Byers and Robert Hanson
Noes: None

Motion Carried

Item 7 - Adjourn.

Motion made by Diane Byers to adjourn the meeting. Motion seconded by Robert Hanson.
Ayes: Ben Gilbert, Diane Byers and Robert Hanson
Noes: None

Motion Carried

The meeting did then stand adjourned at 8:20 p.m.

Attest:

Kelly D'Amato, Secretary

Linwood Gilliland, Vice-Chairman

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a special meeting on February 19, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Sherrel James, Chairman
Stephen Wohr, Council Liaison
Linwood Gilliland, Vice-Chairman
Ben Gilbert

The following members were absent:

Diane Byers
Kevin Spraggins

Also in attendance was Kelly D'Amato, Secretary.

Chairman Sherrel James called the meeting to order.

Item 2 - Mayor McCutcheon to address Planning and Zoning Commission

Mayor McCutcheon addressed the Planning and Zoning Commission regarding Planning and Zoning Commission applicants wishing to serve on the board.

Item 3 - Develop and re-write mobile home and mobile home park ordinances

The Planning and Zoning Commission discussed with the Commercial mobile home park owners on how they would like to see the Planning and Zoning Commission re-write the commercial mobile home park ordinance that had been presented at the last Planning and Zoning meeting.

Item 4 - Action on mobile home and mobile home park ordinances

Motion made by Linwood Gilliland to write the mobile home ordinance in the proper form that it should be in with the corrections that we have talked about tonight and at it will be looked over at the next Planning and Zoning Commission meeting and then submitted to the City Council for review, then back to the Planning and Zoning for a public hearing. Motion seconded by Ben Gilbert
Ayes: Linwood Gilliland, Ben Gilbert
Noes: None

Motion Carried

Item 5 - Adjourn.

Motion made by Linwood Gilliland to adjourn the meeting. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert
Noes: None

Motion Carried

The meeting did then stand adjourned.

Attest:

Kelly J. D'Amato
KELLY D'AMATO, SECRETARY

Sherrel James
SHERREL JAMES, CHAIRMAN

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a regular monthly meeting on February 6, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Sherrel James, Chairman
Stephen Wohr, Council Liaison
Linwood Gilliland
Ben Gilbert
Teri McCool, Alternate

The following members were absent:

Chuck Dalton, Vice Chairman
Council Liaison, Stephen Wohr
Diane Byers
Kevin Spraggins

Also in attendance was Kelly D'Amato, Secretary.

Chairman Sherrel James called the meeting to order.

Item 2 - Public Hearing

An ordinance amending Chapter 18.02 of the Lake Dallas Municipal code by adding Section 18.02 of the Lake Dallas Municipal Code by adding Section 18.02.265 defining Home Occupations, and repealing Section 18.11.030 Home Occupations, of Chapter 18.11 of the Lake Dallas Municipal Code and repealing Section 18.12.030 Home Occupations, of the Lake Dallas Municipal Code, and amending Section 18.11.020(B) of Chapter 18.11 of the Lake Dallas Municipal Code; Providing a severability Clause; Providing a savings clause; and providing an effective date.

Chairman Sherrel James called the Public Hearing to order, read the proposed ordinance amending Chapter 18.02 and asked if any citizen wished to speak on the change.

Rod Courtney wanted to know what the exact changes were.

No one spoke in favor of the proposed change.

No one spoke against the proposed change.

With no other citizens wishing to speak on the proposed ordinance amending Chapter 18.02, Chairman Sherrel James closed the Public Hearing.

Item 3 - Action From the Public Hearing.

Motion made by Linwood Gilliland to deny the ordinance amending Chapter 18.02 of the Lake Dallas Municipal Code by adding Section 18.02.265 defining Home Occupations, and repealing Section 18.11.030 Home Occupations, of Chapter 18.11 of the Lake Dallas Municipal Code and repealing Section 18.12.030 Home Occupations of the Lake Dallas Municipal Code and amending Section 18.11.020(B) of Chapter 18.11 of the Lake Dallas Municipal Code, and amending Section 18.12.020(B) of Chapter 18.12 of the Lake Dallas Municipal Code; Providing a severability clause; Providing a savings clause; and providing an effective date. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert, and Teri McCool
Noes: None

Motion Carried

Item 4 - Approval of Minutes for January

Motion made by Ben Gilbert to approve the minutes as submitted. Motion seconded by Linwood Gilliland.
Ayes: Linwood Gilliland, Teri McCool and Ben Gilbert
Noes: None

Motion Carried

Item 5 - Citizen's Agenda

David Shershen, Mayor Pro-Tem stated that at the request of the Mayor, he is here to ask that the Planning and Zoning Commission and the mobile home park owners sit down and discuss the problems regarding the commercial mobile home park ordinance.

Bonnie Brown Garcia stated that instead of simplifying the ordinance, this particular ordinance seems to be complicating it. We need to make it simple, not only for the user but the city staff.

Carolyn Green stated that we are not finding fault with the Planning and Zoning Commission but somewhere the communications got confused. I do thank you for all of the hard work that you have put into this.

Gene Tisdale questioned if the Planning and Zoning Commission is going to get back to this one page sheet.

Item 6 - Report from Council Liaison

Council Liaison, Stephen Wohr reported on the zoning change on Jackson Ranch, which is now zoned R-1-7200 with stipulations and the Main Street project.

Item 7 - Consideration and Action on resignation of Vice-Chairman, Chuck Dalton

Motion made by Linwood Gilliland to accept the resignation of Vice-Chairman, Chuck Dalton. Motion seconded by Teri McCool.
Ayes: Linwood Gilliland, Teri McCool and Ben Gilbert
Noes: None

Item 8 - Recommendation and Action on a new member for the Planning and Zoning Commission to the City Council

Motion made by Linwood Gilliland to recommend Ben Gilbert as the new member to the Planning and Zoning Commission. Motion seconded by Teri McCool.
Ayes: Linwood Gilliland, Teri McCool and Ben Gilbert
Noes: None

Item 9 - Consideration and Action of a new Vice-Chairman

Motion made by Sherrel James to recommend Linwood Gilliland as the new Vice-Chairman to the Planning and Zoning Commission. Motion seconded by Teri McCool.
Ayes: Teri McCool, Ben Gilbert and Linwood Gilliland
Noes: None

Item 10 - Consideration and Action regarding mobile homes and mobile home park ordinances

Motion made by Linwood Gilliland to table the mobile home and mobile home park ordinances and schedule a workshop on Wednesday February 19, 1997 at 7:30 p.m. Motion seconded by Teri McCool.
Ayes: Linwood Gilland, Teri McCool and Ben Gilbert
Noes: None

Item 11 - Consideration and Action on Chapter 18.02 of the Lake Dallas Municipal Code regarding Definitions

Motion made by Linwood Gilliland to get this ready for a public hearing. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert and Teri McCool
Noes: Noes

Item 12 - Discussion of future agenda items

Chairman Sherrel James stated that as soon as the mobile home ordinance is taken care of, he is resigning from the Planning and Zoning Commission.

Item 13 - Adjourn.

Motion made by Linwood Gilliland to adjourn the meeting. Motion seconded by Ben Gilbert.
Ayes: Linwood Gilliland, Ben Gilbert, and Teri McCool
Noes: None

Motion Carried

The meeting did then stand adjourned.

Attest:

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Planning and Zoning Commission of the City of Lake Dallas, Texas convened in a regular monthly meeting on January 2, 1997 at 7:30 p.m in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code. The following members were present and constituted a quorum of members:

Sherrel James, Chairman
Kevin Spraggins
Linwood Gilliland
Diane Byers
Ben Gilbert, Alternate

The following members were absent:

Chuck Dalton, Vice Chairman
Stephen Wohr, Council Liaison

Also in attendance was Kelly D'Amato, Secretary.

Chairman Sherrel James called the meeting to order.

Item 2 - Public Hearing

Consider a zoning change for 23.20 acres of Tract 3 of the H.H. Swisher Survey Abstract 1220 from R-3 and C-2 zoning to R-1-6000 and 27.71 Acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220 from R-3 zoning to R-1-7200 zoning. This property is located at 401 Swisher Road in the City of Lake Dallas, Denton County, Texas.

Chairman Sherrel James called the Public Hearing to order, read the Zoning Request and asked if any citizen wished to speak on the zoning change request.

Jim Wills, HIM Development gave a presentation of their request for the zoning change.

The following citizen spoke in favor of the change in Zoning:

J.W. Lively, 527 Oak Lake

The following citizen spoke against the change in Zoning.

Mike Fahey, 144 Kingswood

With no other citizens wishing to speak on the zoning change, Chairman Sherrel James closed the Public Hearing.

Item 3 - Action From the Public Hearing.

Motion made by Linwood Gilliland that the 23.20 Acres of Tract 3 of the H.H. Swisher Survey, Abstract 1220 from R-3 and C-2 Zoning to R-1-6000 and 27.71 Acres of Tract 3 of the H.H. Swisher Survey , Abstract 1220 from R-3 Zoning to R-1-7200 Zoning request be granted. Seconded by Diane Byers.
Ayes: Linwood Gilliland, Diane Byers, Kevin Spraggins and Ben Gilbert
Noes: None

Motion Carried

Item 4 - Approval of Minutes for December

Motion made by Linwood Gilliland to approve the minutes as submitted. Motion seconded by Diane Byers.
Ayes: Linwood Gilliland, Diane Byers, Kevin Spraggins and Ben Gilbert
Noes: None

Motion Carried

Item 5 - Citizen's Agenda

Mike Fahey, 144 Kingswood expressed appreciation for the zoning change.

Item 6 - Report from Council Liaison

Council Liaison, Stephen Wohr was absent.

Item 7(A) - Discuss Chapter 18.02 of the Lake Dallas Municipal Code regarding definitions.

No Action. Chairman Sherrel James is going to study the definitions and draft up any changes and bring to the next regular Planning and Zoning Commission meeting.

Item 8 - New Business

No Action. The Planning and Zoning Commission discussed looking into asking for more alternates for the Planning and Zoning Commission.

Item 9 - Adjournment

Motion made by Linwood Gilliland to adjourn the meeting. Seconded by Diane Byers.
Ayes: Linwood Gilliland, Diane Byers, Kevin Spraggins and Ben Gilbert
Noes: None

Motion Carried

The meeting did then stand adjourned.

Attest:

KELLY D'AMATO, SECRETARY

SHERREL JAMES, CHAIRMAN

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on November 20, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Jenny Warmbrodt

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action to recommend approval of an ordinance rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N. Stemmons, from M-1 Light Industrial to C-1 Retail District.**

Char DuPree, Community Development Director, gave a presentation regarding the zoning change of Andrews Distributing. She gave a brief history of the ownership of the property and any remodel and additions made. She also outlined the difference between M-1 and C-1 zoning uses and presented pictures depicting what the City does and does not want at the location. A copy of the PowerPoint presentation outline will be included in the minutes.

Commissioner Fisher asked if Andrews was the only property currently zoned M-1. Ms. DuPree answered that the properties next door, Comco and Silestone, are also M-1 as well at Hundley Boat Yard. She also pointed out that the vehicle storage facility on Swisher is currently zoned C-1, but the use of storing vehicles is a legal nonconforming use. Clyde Fisher asked Ms. DuPree if the new owners of Andrews could also request a zoning change and she answered yes. The concern is, if it is left M-1, the City would have no choice but to allow the M-1 usage. Clyde Fisher asked if there are stipulations that could be put on M-1 zoning to prohibit outside storage and Ms. DuPree answered no. Jenny Warmbrodt also asked if Andrews could have an agreement with the City not to sell to someone that was not in accordance with what the City wants and Ms. DuPree answered it must be between Andrews and their prospective buyer.

Joe Jernigan, CFO of Andrews Distributing at 2730 Irving Blvd, Dallas, TX 75207, spoke in regards to the zoning change. Mr. Jernigan stated it really bothers him that his property is being looked at negatively. He referenced 85 acres of land that they bought in Allen, TX and how a portion of that land was bought to build Cabela's currently located on highway 75. Andrews Distributing and City officials of Allen, TX have an "understanding" to work together on who purchases the land and how it is to be used. Allen also has a vision just like the City of Lake Dallas of what types of businesses will be in their City. Mr. Jernigan feels there has to be a way for the City and Andrews to work together and have an agreement, either in writing or just word, to make sure the land is used based on the City's vision. He is willing to sit down with the City Manger, City Attorney, or City Council. He feels that he understands where the City is coming from, but he doesn't see the need to kick Andrews out of the City.

Clyde Fisher asked the City Attorney, David Berman, if there is any way they could make an agreement to screen any prospective buyers. Mr. Jernigan said they have an informal agreement with Allen, TX but nothing in writing. The City Attorney said there really isn't any way except with a site plan but that wouldn't pertain to this situation since the building is already built. Mr. Jernigan said they currently have three prospective buyers. He referenced the unofficial agreement with the City of Allen again and how they do not do anything with their property in that city unless there is an agreement with the City of Allen. The City Attorney said it isn't that they don't want Andrews there, it is more their concern with who will buy the property. He said another option would be to change it to C-1 and then let the prospective buyers know that the City Council is not opposed to changing it back to M-1 if the usage is something the City agrees with. Mr. Jernigan said he has never heard of such a situation before and that it isn't good from a developer's standpoint. Mr. Berman said it has been done many times and even though it isn't the best option from Andrews's standpoint, it protects the City and the buyer. The most significant concern the City Attorney has right now is this issue not be tabled again by the Planning and Zoning Commission. It needs to go to the City Council as planned. In terms of being creative, it really is the City Council's decision, no matter what Planning and Zoning recommends.

Clyde Fisher said he doesn't feel right with the rezoning. Jenny Warmbrodt mentioned that in her opinion she didn't feel the fact the property has been vacant for sixteen months should be a motivating factor in changing the zoning district. There are still other areas of the City that are either vacant or have yet to be developed. She is concerned that it was the City initiating the rezoning and not the actual business owner, which is usually the case. She asked the City Attorney if the property taxes would be the same no matter the zoning district and he answered that, yes, in theory it would be the same. Clyde Fisher asked if the prospective buyers would be using all the acreage and Mr. Jernigan said they will. Commissioner Warmbrodt said she understands that the property could look bad as shown in the pictures from the presentation by Ms. DuPree, however, she feels no one, even Andrews, wants it to look like that. Peggy Shelton said she isn't comfortable with it being M-1 and doesn't want that kind of junk yard usage being at that location. Jenny Warmbrodt asked to confirm where the entrance is located and they said it is off of Overly Drive, so the side of the building is what will be seen off the I-35 service road.

Motion to not recommend the approval of an ordinance rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N. Stemmons, from M-1 Light Industrial to C-1 Retail District was made by Clyde Fisher; second by Jenny Warmbrodt.

Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

F. Future Agenda Items

No new agenda items at this time.

G. Adjournment

Motion to adjourn was made by Jenny Warmbrodt; second by Clyde Fisher.

The meeting adjourned at 7:37 PM.

Khara Sherrill, Planning and Zoning Secretary

Ben Gilbert, Chair

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on October 16, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Jenny Warmbrodt

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for August 21, 2014 meeting.**
Motion to approve the minutes for August 21, 2014 was made by Clyde Fisher; second by Jenny Warmbrodt.
Ayes: Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

2. **Public Hearings to hear comments on the proposed rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N. Stemmons, from M-1 Light Industrial to C-1 Retail District.**

City Manager, Nick Ristagno, spoke first giving a summary of the reasons why the City is requesting the zoning change. The issue is the Andrews Distributing property which is currently zoned M-1. This is the only property fronting the freeway that is zoned M-1 and even though Andrews has been a good neighbor the City is concerned a "dirty" business could be opened at this location. The City would prefer a commercial business like retail or restaurant open as opposed to an industrial type of business. Andrews does oppose the action. There has not been any business at the location for 15 months.

Joe Jernigan from 2730 Irving Blvd, Dallas, TX 75207 came up next. He has been with Andrews Distributing since 1994 when the present owner bought out his partner. They have had several acquisitions and one of them is this property up for rezoning. They purchased the property in 2006 and have spent several hundred thousands of dollars to bring the property up to their standards. As the business continued to grow, the need to occupy that property went away. They have had 75 people look at purchasing the property and have discussed offers with 26 people but were never able to come to a close. They currently have two businesses interested in purchasing and occupying the property. Mr. Jernigan stated he can't get anyone to actually define what a "clean" or "dirty" business is. They take a lot of pride in their business and they aren't going to let someone into the property that wouldn't be considered a good business. One of the prospective buyers is a cell phone re-conditioning company and the other business is an RV repair company. Both the businesses are aware of the zoning change and don't feel that they would qualify to be there if the zoning were to change to C-1.

The business is listed at 2.5 million dollars and the appraisal district has it listed at 2 million. They were collectively astonished this was brought up to change the zoning and no one contacted them. It was only after one of the employees saw the zoning change sign placed on the property that they knew of the request. They have been in the City for eight years and have paid over $400,000 in taxes to the City. They have never been late in tax payments. Andrews has invested a lot of money into the business and supported the community. If the business changes to C-1 it will cost them a lot of money. They offered to sell the land to the City either through an installment sale or the CDC. Andrews Distributing takes pride in doing business the right way no matter the cost. He respectfully requests that the Commission deny the request tonight.

Commissioner Clyde Fisher asked Mr. Jernigan if the two prospective buyers were serious buyers and confirmed they were currently not under contract. Mr. Jernigan said they would not feel right to put any of them under contract with the zoning change still uncertain. As far as he knew these two prospective buyers would be using the current building. He would be agreeable to sit down and discuss the situation with the Commission, City Manager, or City Council. He does not feel there is a good reason to change the current zoning of the property.

The City Manager spoke again to state there was an error on the part of the City in notifying them about the zoning change, but the City stopped that action right away. The concern for the City is what could possibly go into that property that is allowed in M-1 which includes heavy truck sale, manufacturing, processing, or fabrication which is what the City does not want at their front door. He then went over what is allowed in the C-1 zoning district. Also, Andrews does not currently have a contract with either of the prospective buyers. Mr. Jernigan interjected that they couldn't in good conscience accept an offer with the current zoning change uncertain. Clyde Fisher mentioned that they could have put a contingency on the contract. The City Manager stated that it could be rezoned again if they bring in a business that the City does agree with and it fits into the M-1 zoning. Mr. Jernigan mentioned again that the City could purchase the property and what they are proposing does not make good business or community sense.

Mike Massey, 3104 St. Germaine, McKinney, TX was next to speak on Andrew's behalf. . He has been a real estate appraiser for 44 years, specializing in litigation support, 100% commercial. He represents Andrews Distributing and it is his opinion the property is worth 2.5 million dollars. Denton CAD has the land at $2 a square foot and the improvements at $1,389,724 for roughly a 2 million dollar value. His concerns are with the Swisher Rd District and the businesses that are listed that are prohibited which leads to the issue of inverse condemnation. If the property is changed to C-1 then the existing improvements are non-conforming. He has done at least 20 parcels off of I-35 and the issue that comes up when you have an inverse situation is one cannot get financing due to the zoning. There is difficulty in someone buying it as an investment and trying to lease it out when they don't know if they can be guaranteed the issuance of a Certificate of Occupancy by the City. He did a calculation and he feels Andrews Distributing would lose around a million dollars. This building is so specialized and has enough power in it to run the city. To retrofit the building for another type of business would not be feasible and it would have to be bulldozed and start all over again.

Andrew's attorney, Jonathan Vinson of Jackson Walker, L.L.P. at 901 Main St Ste 6000, Dallas, TX came up next. He first wanted to address the problem with the lack of proper notice of the initial meeting and the assumption that this could have gone forth without them knowing. The fact that the property owner and those around it are opposed to the rezoning and the City is still pushing for the change is odd. Also, to propose this without sitting down and discussing it with the property owner is very negative and sends a bad message to the public. He then brought up the issue of having a buyer under contract. He also feels it would not be fair to put a property under contract while this rezoning is still going on. It is unfortunate that they are in this situation since everyone appears to consider Andrews a good corporate citizen. They will lose money since

whoever buys it would not be willing to pay as much for the property if they have to demolish the building. He also does not feel it would be suitable as a commercial retail location and this process is actually hindering redevelopment. His final point is Andrews has been an excellent corporate citizen and to have their zoning taken from them seems to be an attempt to take away their rights as property owners.

The City Attorney, David Berman, then asked Mr. Vinson if their client received notice of this meeting at least 11 days or more ago and he answered he believed they did. The City Attorney said that is all the law requires. Mr. Vinson stated the problem was they didn't get notice the first time and the City Attorney then stated that hearing was canceled. The main concern at this time for the City Attorney is that Mr. Vinson cannot state the notice for this meeting was defective which would render the rezoning recommendation by the Commission or Council invalid. There was an issue with the first notice but with the City Attorney's thorough review the notice was corrected and therefore not illegally defected.

Joe Jernigan said that if one of the employees had not driven by the property and noticed the potential rezoning the City might have gone through the rezoning without their knowledge. The fact that they were not notified in any way in the beginning is not right. The City Attorney said he does not disagree with them but his only concern at this time as the City's legal counsel is that written notice of tonight's public hearing was sent to them at least 11 days ago so for legal purposes they could move forward with the zoning recommendation. Mr. Jernigan advised they did receive the notice.

3. **Consideration and Action to recommend approval of an ordinance rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N. Stemmons, from M-1 Light Industrial to C-1 Retail District.**

Jenny Warmbrodt asked if the City had received any notice of opposition to the zoning change from any of the surrounding properties. The City Manager said he had not received any phone calls or anything in writing. Andrews then presented a copy of a letter written by Comco (the property next to Andrews off of Overly Drive) to the Commission.

Mr. Vinson said he also spoke with the Manager of Lake Haven mobile home park.

Chairperson Gilbert made sure the City did not receive anything in writing and asked how many notices were sent out. Planning and Zoning Secretary Khara Sherrill stated they sent out a total of seven letters.

Jenny Warmbrodt reviewed the M-1 district and asked the City Manager if the noise of a possible business moving in there was the City's concern. The City Manager replied that the concern expressed to him is that it is the only business off of I-35 zoned Light Industrial and the zoning allowance of storage yards, manufacturing, processing, fabrication or assembling is a concern. She also asked if Andrews would have to pay for the rezoning; and the City Manager said there is no fee associated to the zoning change. Andrew's attorney, Mr. Vinson, stated their concern is not so much the processing expense of the rezoning but the fact that they will lose a million dollars with the property changing to C-1.

Clyde Fisher mentioned the option of tabling the decision. The city attorney said if they are inclined to table it, it does hamstring the City and City Council. If they vote yes or no, either way the City Council will seriously take their recommendation. If the Commission tables it, he urged them to reschedule the consideration and action to a specific date. Clyde Fisher feels that they didn't have enough time to make an informed decision. The Public Hearing has been formerly

closed so they don't have to go through the notice process again. The City Attorney said the Chairperson can let anyone speak if he wants even if they don't have a Public Hearing on the agenda. Mr. Vinson said he would like for them to open the Public Hearing so there would be re-notice.

Jenny Warmbrodt said she has some concerns about the decision and doesn't feel comfortable making a decision now. The Commission also said they would like to tour the facilities but they would have to go in no more than pairs since if they have three people it would constitute a quorum. They would reconvene regarding this issue at the next meeting on November 20, 2014. It was determined, by the City Attorney's recommendation, not to re-open the Public Hearing.

Motion to table the recommendation for the approval of an ordinance rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N. Stemmons, from M-1 Light Industrial to C-1 Retail District and continue the Consideration and Action to the next meeting on November 20, 2014 was made by Jenny Warmbrodt; second by Clyde Fisher.

Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

F. Future Agenda Items

No new agenda items at this time.

G. Adjournment

Motion to adjourn was made by Jenny Warmbrodt; second by Ben Gilbert.

The meeting adjourned at 8:00 PM.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on August 21, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Jenny Warmbrodt

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for June 26, 2014 meeting.**
Motion to approve the minutes for July 17, 2014 was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

   Char DuPree referenced that the agenda states the date of June 26, 2013 as opposed to July 17 so the motion needs to reference the new date.

   Char DuPree then announced that we will be removing from the agenda items 4 and 5 and they will be on the September 18, 2014 Planning and Zoning Meeting and then City Council on September 25, 2014.

2. **Consideration and Action to recommend approval of the creation of the Swisher Road Overlay District**

Ben Gilbert asked Char DuPree to give a background on this item. Ms. DuPree advised that during meetings with residents regarding the proposed zoning change, residents wanted more use restrictions for this area rather than permitting all the C-1 uses. This is why the Swisher Overlay District was developed. Char DuPree then read through the ordinance of uses permitted and what is prohibited.

Clyde Fisher asked why the lots on Hillcrest were included in the zoning change and Char DuPree answered it was because the owners of the lots wanted them to be changed as well. Commissioner Warmbrodt and Fisher asked if they could exclude those lots from the zoning change and Char DuPree answered that they could. Warmbrodt also questioned what the fencing requirements would be in this ordinance and Char DuPree answered it is a minimum of six feet in height and maximum of eight feet and would be the responsibility of the business owners. Char DuPree reminded the commission that what they are deciding at this time is the creation of the Swisher Overlay District and not the lots to be included.

Motion to approve the creation of the Swisher Road Overlay District was made by Clyde Fisher; Second by Jenny Warmbrodt.

Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

3. **Public Hearings to hear comments on the proposed rezoning of portions of Swisher Road and Hillcrest Street, from R-1-7200 and R-2 to C-1 Swisher Overlay, creating a Special Road District for the following properties: Birdsong Addition, Block A, Lots 1-6; Oak Lakes Addition, Block F, Lots 27-33 and Block K, Lots 19-22; Pralle Addition, Block A, Lots 22a and 22b.**

Char DuPree gave a detailed background on the Swisher rezoning. This is due to the City looking at future development among Swisher Rd and the increased traffic due to the new Toll bridge. She referenced the Farmers Insurance office at 215 Swisher that was recently bought and already rezoned to C-1. The City then met with the surrounding homeowners to get their input and see what they did or didn't want to change. It is inevitable that Swisher Rd will go commercial, whether it changes at this time or not.

The first to speak was Lura Green at 524 Meadowbrook. She voiced her concerns on the three lots on Hillcrest which includes Birdsong Addn Blk A Lots 1 through 3 which she feels impedes on their community. She also submitted a petition signed by eleven of her neighbors who also disagree with the rezoning of those lots.

Next to speak was Dan Powell at 206 Hillcrest. His first concern is also the three lots previously mentioned. He stated he didn't want a busy restaurant, such as Denny's, in his neighborhood. Char DuPree advised him that the Swisher Overlay District does not allow that type of business in that location. His other concern is the dividing fence and his belief that a wooden fence would not be secure enough or properly cared for. The type of fence that would be best is a masonry fence between the commercial and residential properties. He then asked about the restrictions on signs. Ms. DuPree advised pole signs would not be allowed which was his main concern.

Third person to speak was Marvin Chisum at 204 Hillcrest. He reiterated what the other people stated. There needs to be a uniform barrier between the commercial and residential properties. He is not against the Overlay District since he knew this would happen eventually but to change the lots on Hillcrest will devalue their property. Traffic is already an issue with only two entrances in and out of the neighborhood and they don't want to add more traffic.

Kandi Jones, at 516 Meadowbrook, also believes those lots on Hillcrest should not be changed. She believes traffic is already an issue and doesn't want to add more to their neighborhood.

Next to speak was Tim Grisham who owns the lot at 104 Hillcrest. He is concerned that building on Swisher will affect the drainage of the creek on his property. He wants to know the City's requirements regarding drainage. Char DuPree said the City Engineer always reviews the properties and determines then if there are any drainage issues and what would need to be done to remedy any drainage problems during the construction plan review.

Tami Perchez at 106 Hillcrest spoke next. She thought her lot was also going to be included in the zoning change and she wanted to know why it was removed in the request. Char DuPree answered that due to all the opposition by surrounding neighbors those lots were removed. She answered if that was the case then why were those three lots in the Birdsong Addition being rezoned. Char DuPree answered that those lots right at the corner of Swisher and Ridgewood were not big enough in and of themselves to have a commercial property built on them and also the

homeowners requested for them to be rezoned. Ms. Perchez said she did not think this answer was acceptable. Her concern is also drainage issues due to being by LCMUA. She also spoke about the fence concerns and requested a masonry fence be required. Her final request is that any commercial property built to have an entrance off of Swisher and not Hillcrest.

David Jones who lives at 516 Meadowbrook came up next to speak. He is in the construction business and he does not believe TXDOT will allow a curb cut on Swisher Rd within a certain amount of feet on Ridgewood. He also believes a masonry fence should be required.

Dale Tate, 508 Hillcrest St, also expressed his concern on the fence requirements. He also requests an eight foot masonry fence. He believes the only reason those three lots off of Hillcrest are being changed is because they are vacant and those that own them don't even live in Lake Dallas. He also had a question about building height which Char DuPree answered is three stories as allowed in the C-1 Commercial District.

Judy Amstutz owns 5 lots in the zoning change request, including two of the three lots that are being proposed on Hillcrest. She believes the reason they have stayed as a request is because the houses across from them do not directly face Hillcrest. She also believes that those lots on Hillcrest that were removed should be added back on in order to have consistency.

Clyde Knight at 508 Ridgewood believed that no businesses should have an entrance on Hillcrest and should only be on Swisher.

Marvin Chisum spoke again regarding his concern that this rezoning might be considered spot zoning and Chairperson Ben Gilbert assured him this is not. He then asked about the lot right at Ridgewood and Hillcrest which was bought last year and he was under the impression the new owner didn't agree to it. Another person answered that she had changed her mind and agreed to her lot changing to commercial.

Steve Robertson, at 205 Swisher Rd, spoke next asking a question about the fencing requirements and how close to Hillcrest would they be required to be built. Char DuPree answered that it would be determined when the plans are submitted for each project but there are setback requirements already in place in the C-1 Ordinance.

Kenny Day, co-owner and business partner with the previous speaker, stated he is concerned that different businesses putting up various types of fences would not look good in the area as well as only rezoning the three lots on Hillcrest.

Kandi Jones spoke again. She believes to break up the subdivision would not be good for the community and would affect their property values. She also believes a traffic study should be done in her neighborhood to see that traffic is already an issue.

Suzanne Loper at 511 Meadowbrook is concerned with the fact that having commercial traffic in the neighborhood could affect the neighborhood kids safely playing outside.

Tim Grisham spoke again asking about the damaged chain link fence between his lot and LCMUA and what is going to be done to fix it.

Public Hearing Closed

4. **Consideration and Action to recommend approval of an ordinance rezoning of portions of Swisher Road and Hillcrest Street, from R-1-7100 and R-2 to C-1 Swisher Overlay, creating a Special Road District for the following properties: Birdsong Addition, Block A, Lots 1-6; Oak Lakes Addition, Block F, Lots 27-33 and Block K, Lots 19-22; Pralle Addition, Block A, Lots 22a and 22b.**

Jenny Warmbrodt first had a question about the 6 lots on Hillcrest, three of which are the vacant lots proposed to be rezoned in the Birdsong Addition and three that are not. She didn't quite understand how the size of the lots facing Swisher would effect that decision as referred earlier by Ms. DuPree. Ms. DuPree said with those lots, being approximately 6900 square foot, may not be big enough alone to build and have adequate parking but they can be replatted with the surrounding properties. Warmbrodt said it can be a problem when you just rezone a portion of a street. Commissioner Warmbrodt also asked if signs with bright lights are allowed on the back of the commercial buildings. Ms. DuPree answered that there are requirements in the Ordinances that do not allow business owners to have lights shining onto residential properties.

Motion to rezone all lots fronting Swisher Rd be rezoned to C-1 Swisher Overlay District excluding the three lots facing Hillcrest. It is also recommended an eight foot masonry fence be required between the commercial and residential properties. Motion was made by Clyde Fisher; second by Jenny Warmbrodt.

Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

Motion Passed

5. **Public Hearings to hear comments on the proposed rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N Stemmons, from M-1 Light Industrial to C-1 Retail District.**

Moved to September Agenda

6. **Consideration and Action to recommend approval of an ordinance rezoning of the property A1163a J.W. Simmons, Tract 5, located at 400 N Stemmons, from M-1 Light Industrial to C-1 Retail District.**

Moved to September Agenda

F. Future Agenda Items

The September agenda will include the item removed on this agenda for the rezoning of 400 N Stemmons.

G. Adjournment

Motion to adjourn was made by Peggy Shelton; second by Jenny Warmbrodt.

The meeting adjourned at 8: 15 PM.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on July 17, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton and Clyde Fisher

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for June 26, 2014 meeting.**
Motion to approve the minutes for June 26, 2014 was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Fisher, Shelton, Gilbert,
Noes: None

2. **Public Hearing to hear comments on an application by Cary Daniels, business owner of Daniels Brothers Management, for a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0958a McCarroll, Tract 13a, and it is zoned C-2 Commercial. Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XIII, Special Use Permits, Section 122-691 (19), allows for application to be made.**

Michael Fox of 10521 Murray S Johnson St, Denton, TX was the first to speak. He is the representative for Lonestar Media Holdings, the company that provides business opportunities which also raises money for certain charities. They provide genuine sweepstakes games. The prizes are determined before anyone starts playing the games. Customers are given the option to play for free for a certain amount of time or they can give a monetary donation to receive more points and an opportunity to keep playing. The businesses have a certain number of touch screen computers for customers to use to play the games. Customers have to show a picture ID in order to play and are given a PIN to input in to the computers. The main frame for the computers is located in Atlanta, Georgia. The sweepstakes prizes are cash prizes assigned to comply with the Texas State Law.

Clyde Fisher asked where else these businesses are operating and how long have they been open and Mr. Fox gave a few locations such as El Paso, Sansom Park, and Abilene. Mr. Fox said he didn't know the exact amount of time they have been open in Texas but he guessed around a year. Each business owner picks their own charity where 10% of the proceeds of the business are donated to the charity of choice which in this case is the Boys and Girls Club of North Texas in Lake Dallas, TX.

Mr. Fisher asked who counts the money and Mr. Fox answered that it is the computer in Atlanta, Georgia. The books will be completely open to anyone that wants to see them.

Kathy Thompson, of 203 Lake Dallas Dr, came up next. She had questions regarding the business and how it is run. She asked Mr. Fox how people could play for free and yet still expect a certain amount of donations. Mr. Fox said that technically twenty-five people could come in and play for free and still win prizes, but generally speaking, those that enjoy the games and the chance for winning prizes will make donations to keep playing. Ms. Thompson asked, why aren't donations considered the same as a payment? Mr. Fox answered that the Court of Law has determined it is different. No one has to give a donation. A customer can choose to make a donation to keep playing or come back the next day to play for free.

Derek Barch of 15530 Plum Ln, McKinney, TX came up next to speak. He has been in the same type of business in the state of Texas since 1996. He advises this type of business does have a bad reputation attached to it but in the fifteen years his business has been open in McKinney he has not had any problems. He does not allow alcohol or foul language. He wants his business to be an option for entertainment for residents as opposed to going out to eat or to a movie. He is going to be a business partner with the Daniels and offer them management expertise. He said this type of sweepstakes' business is the same as the sweepstakes that McDonalds offers where someone has the option of mailing in a form to get a free game piece. But, in his business, instead of mailing in a form one can just go in and play for free. Clyde Fisher asked if there is something published that gives the odds. He answered they do have the odds listed inside for everyone to see.

Frank Daniels, the owner of Daniels Air, came up next. He wanted to give a brief description of how this opportunity came about when a lease space became available in their building. They were trying to figure out how they wanted to proceed with it. His family has known Mr. Barch for a long time. They were excited to join him in this business venture since it gave them a chance to also give back to the Boys and Girls Club. They plan to be transparent and always keep their information public. Clyde Fisher asked how big the suite is; it was determined it is around 1100 sq ft. Mr. Fisher asked if he thought there might be a parking issue. Mr. Daniels answered that he didn't think there would be any problems with parking at the location. They want to start the business small and in no way do they believe the business will be associated with anything questionable.

Clyde Fisher asked the City Attorney, David Berman, what were his thoughts on the business and special use permit request. Mr. Berman stated with this type of business there can be added burden on the Police Department regarding enforcement and investigation. He cannot say whether it would create more crime or hurt property values. The job for the Commission is whether to recommend or not recommend the business to open not whether it is legal. It is a gray area whether it is legal and a loophole has been found in Texas law which is why they are even allowed to open. Regarding the sweepstakes available through McDonalds, it is not the same thing. Their sweepstakes is for commercial enterprise and for the purchase of food. These businesses have a more casino or parlor atmosphere and it needs to be determined whether this would be beneficial to the public. There is no use by right in the zoning ordinance for this type of a video arcade which is why it has to come before the Planning and Zoning Commission. Mr. Fisher asked if it was granted and later determined to be illegal would Lake Dallas be culpable; Mr. Berman answered no, the City would not be held liable.

Ms. Thompson came up to speak again. She said no matter what the business owners say people will still perceive it as gambling and it will affect the City as a whole. She lives

nearby and said she doesn't want this in her neighborhood. She is also certain that parking will be an issue as it already poses a problem with the businesses already there.

Derek Barch came up to speak again. He said the City Attorney's interpretation is inaccurate. Even though the Attorney General does not like these types of arcades, including eight-liners, he cannot find a legal reason to outlaw it. Reference the impact on the area, it is a very small area and shouldn't pose a problem. Bottom line is we want to provide an entertaining way to raise money for charity.

Public Hearing Closed.

3. **Consideration and Action to approve a Special Use Permit to allow the use of arcade and video games for the purpose of a sweepstakes business at the property located at 209 S. Shady Shores Road, Suite 400, Lake Dallas, Texas**

Ben Gilbert reiterated that the reason it came to the Planning and Zoning Commission is because it does not fit anything set forth in the current zoning ordinance.

Clyde Fisher still confirmed that it will go to council a week from today and they are just giving a recommendation to them.

Char DuPree spoke next urging the Commission to consider the City Attorney's input in granting or denying the SUP and to ask of themselves, is this good for the community? Mr. Fisher asked what Ms. DuPree thought about the parking issue. She answered the building code requires one parking spot for every 200 sq ft of space which only means four or five places and parking already appears to be an issue.

Motion to deny a Special Use Permit was made by Clyde Fisher; second by Ben Gilbert.

Ayes: Fisher, Gilbert, Shelton
Noes: None

Motion Passed

4. **Consideration and Action to approve the proposed site plan for 451 Betchan Avenue.**

Mr. Linley came up to speak regarding the site plan for 451 Betchan Ave. He said he must obtain approval before he can proceed.

Char DuPree said the building plans have already been approved as well at the 40% masonry exception. It is a good site plan and a good business. Mr. Fisher said it looked good and it will really make that part of town look better.

Motion to approve the proposed site plan for 451 Betchan Avenue was made by Clyde Fisher; second by Ben Gilbert.

Ayes: Fisher, Gilbert, Shelton
Noes: None

Motion Passed.

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on June 26, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Jenny Warmbrodt. Staff present: Community Development Director Char DuPree.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for May 15, 2014 meeting.**
Motion to approve the minutes for May 15, 2014 was made by Clyde Fisher; second by Jenny Warmbrodt.
Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

2. **Consideration and Action to approve a final plat for Champion Homes by the Lake.**

Char DuPree explained that the City Engineer has looked at the final plat and everything has been signed off by the surveyor. Nothing has been changed since the site plan was done initially but final plat review and approval never was completed. Josh Lincoln of RKM & Associates, Inc. was present to answer questions if needed. Clyde Fisher asked Mr. Lincoln if he knew when the apartments are set to be completed. He answered he wasn't sure on the actual schedule but they are going to phase the buildings starting with the club house and working west. The club house was pointed out on the final plat. The total number of units is still 140.

Motion to approve the final plat for Champion Homes by the Lake was made by Jennifer Warmbrodt; second by Peggy Shelton.

Ayes: Fisher, Warmbrodt, Gilbert, Shelton
Noes: None

Motion Passed.

F. Future Agenda Items

The July agenda will include the SUP request by Daniels Air at 209 S Shady Shores for a sweeps center which includes arcade games and eight-liners and possibly a zoning change on Swisher, unless that owner decides to join the group zoning change which would be in August.

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on May 15, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Clyde Fisher and Jenny Warmbrodt. Staff present: Community Development Director Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for April 17, 2014 meeting.**
Motion to approve the minutes for April 17, 2014 was made by Peggy Shelton; second by Jenny Warmbrodt.
Ayes: Shelton, Warmbrodt, Gilbert
Noes: None

2. **Public Hearing on the proposed Special Use Permit submitted by Kreka Enterprises, business owner of Lake Dallas Point restaurant/bar, to renew a Special Use Permit allowing a private club to continue to operate at the property located at 303 Swisher Road, Suite 100.**

Don Kreka of 303 Swisher Rd Suite 100 came up speak in regards to the Special Use Permit and his request to renew the permit. It is a family run business and everything has been going well since the business opened eight years ago.

During the Public Hearing Clyde Fisher was able to join the meeting.

Char DuPree referenced the memo that was written by the City Manager regarding the SUP. The City Manager feels that since there were no issues with the business the City does not have any objection to renew the SUP without restriction. It was explained to Mr. Kreka that he would also have to go to the City Council meeting next week on May 22, 2014 at 7 PM.

3. **Consideration and Action to make a recommendation to the City Council to grant/deny renewing a Special Use Permit without conditions allowing a private club to continue to operate at the property located at 303 Swisher Road, Suite 100.**

Motion to make a recommendation to the City Council to grant renewing a Special Use Permit without conditions allowing a private club to continue to operate at the property at 202 Swisher Road, Suite 100 was made by Jenny Warmbrodt; Second by Clyde Fisher.
Ayes: Warmbrodt, Fisher, Shelton, Gilbert
Noes: None

Motion passed

4. **Public Hearing on an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan.**

Mike Linley of 470 Peninsula, Lakewood Village, TX came up to speak. He recently bought the property and is now designing a commercial metal building and would like a masonry exception of 25% for the front of the property. He referenced pictures showing the front elevation and that anything visible from the street would be masonry. Mr. Linley brought pictures of the building right behind him and to the west of him that has no masonry.

Jenny Warmbrodt asked for clarification on the current zoning requirement of 80 percent. Ms. DuPree explained those buildings that currently don't have 80 percent are either grandfathered in or also have an exemption. For example, the business Z Flooring at 350 Betchan requested an exemption and was granted it at around 35% to 40% masonry.

Mr. Lindley explained that his building for Lake Dallas will be a metal building, as opposed to his building in Lewisville, and the brick will mainly be for looks and to comply with the code requirement. Jenny Warmbrodt asked about his plans for the front landscaping and Mr. Lindley said he is still working on his plans. Ms. DuPree reminded everyone that the code also has guidelines for landscaping.

Commissioner Fisher asked if he would be content with 30% masonry. Mr. Lindley advised he would be fine with that and also explained that he is using the same company that built Z Flooring so the buildings will look very similar.

5. **Consideration and Action to make a recommendation to the City Council to grant/deny an application for exemption to the requirement of 80 percent masonry for exterior surfaces on the proposed commercial structure BMR Pool and Patio to be located at 451 Betchan.**

Motion to make a recommendation to the City Council to grant an application for exemption to the requirement of 80 percent masonry to 30 percent for exterior surfaces on a proposed commercial structure BMR Pool and Patio to be located at 451 Betchan was made by Clyde Fisher; Second by Jenny Warmbrodt
Ayes: Fisher, Warmbrodt, Shelton, Gilbert,
Noes: None

Motion Passed.

F. Future Agenda Items

As of now there will be a meeting on June 19, 2014. Daniels Air at 209 S Shady Shores is requesting a Special Use Permit for a sweeps center which includes arcade games and eight-liners.

G. Adjournment

Motion to adjourn was made by Jenny Warmbrodt; second by Clyde Fisher.

The meeting adjourned at 7:20.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on April 17, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call

Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Clyde Fisher and Jenny Warmbrodt. Staff present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance

Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda

Pat Haggerty, Montserrat, 600 N. Shady Shores in Lake Dallas. He could not make the previous Planning & Zoning meeting regarding the special use permit for Swisher Court. He has met with the applicant and Mr. Baker has agreed to use non-intrusive lighting and contain the noise level during the outdoor entertainment events.

E. Business:

1. **Consideration and Action on approval of Minutes for March 20, 2014 meeting.**
   Motion to approve the minutes for March 20, 2014.
   Ayes: Byers, Fisher, Gilbert, Shelton and Warmbrodt
   Noes: None

Motion Passed

2. **Public Hearing on the proposed Special Use Permit submitted by David Shershen on behalf of the Kingswood Home Owners Association for Kingswood Mobile Home Park, City of Lake Dallas, Denton County, Texas. The request for a Special Use Permit for KMHP would involve an overlay of C-2 Commercial District for the clubhouse at 228 Kingswood Drive for the purpose of allowing an indoor "European style" flea market on Thursday through Sunday from 8 am until 5pm . Chapter 122, Zoning, of the Code of Ordinances of the City of Lake Dallas, Article XVI, Special Use Permits, Section 122-691(19), allows for application to be made. This property is located at Kingswood Mobile Home Park, Kingswood Estates, Lots 1-228, Lake Dallas, Texas.**

David Shershen, President of Kingswood Mobile Home Park Home Owners Association (HOA), gave a brief history of the association and the financial issues this HOA is facing. Without doing something to increase revenue, even if every resident pays their association dues, they will not be able to pay all the bills or open the pool. The "European style" flea market would sell fresh produce, antiques, crafts,

etc. not junk. There would be 10 to 15 participating vendors at each sale. The HOA Board anticipates an additional income of $500 to $1000 a month. The Board wants to operate the market 4 days a week: Thursday, Friday, Saturday & Sunday. The vendors will be in the clubhouse and right outside of the building in the grass area by the pool. There are 20 parking spots by the clubhouse and the overflow of vehicles would park on the side streets. The vendors would set-up and tear-down the displays themselves.

The Commission members were concerned about the parking situation, liability of the HOA from such a weekly sale, the vague business plan presented and the impact this venue would have on the park residents and close neighborhoods.

Diana Morris, 602 Pembrook Street, owns 3 rental properties in Kingswood Mobile Home Park and feels this usage would be an eye-sore as well as a safety issue for students getting off the school bus on Thursday and Friday. She is also feels the HOA funds have been mismanaged in the past and does not feel confident in this HOA Board's ability to manage finances.

Joyce Green, 64 Lakeridge Dr., does not support the approval of the SUP. She feels she does not have access to the pool and clubhouse due to poor management. There are lots of children in the park and the added traffic will be dangerous to those children who have no place to play but in the street.

Laura Green, 524 Meadowbrook, stated this venue is not a professional business and feel this will affect their property value as well as traffic cutting through the Oak Lakes subdivision. She is not comfortable with the flow of strangers through their community on Thursday & Friday when residents are at work and on the weekends during family time.

Richard Morris, 211 Pembrook, while he is sympathetic to the HOA financial circumstances, he is also concerned about the "encroachment" upon the Oak Lakes Subdivision and the negative impact of this issue and the commercialization of Swisher Rd. is going to have on their community. He feels there should be a Lake Dallas public pool for the kids in Lake Dallas. In addition there should be a long term city plan where citizens can participate in the development process and the approval process, and not be so quick to pass or deny a proposal. The City should do something within the community to assist Kingswood Mobile Home Park to improve this situation.

Michael Salas, 579 N. Shady Shores, is directly across the street from the clubhouse and would be greatly affected by approval of this SUP. While he is sympathetic to the mobile home park, it is already difficult to back out of his driveway and the traffic will just get worse. The clubhouse facility is too small for this type of business with insufficient parking.

Scott Willie, 539 Oak Lake, agrees with most of the citizens who spoke, the business plan has a lot of conjecture but not a solid plan. It appears there is no control of the business environment, it is unstructured and there is a lot of gray area.

Candy Jones, 516 Meadowbrook, feels this will increase crime and creates a significant access issue for the fire department. She does not feel the rest of the

community should suffer because the mobile home park residents are not paying their HOA dues.

David Jones, 516 Meadowbrook, agrees with all those who have previously spoken.

Danny Kreps, 513 Meadowbrook, due to the number of children in the park, this creates a dangerous situation and the SUP should be denied.

Josh Marsh, 506 Oak Lake, the business model presented is insufficient and not enough research has been done by the HOA Board. He doesn't feel this business venture would solve the HOA's financial problems.

Cindy Gregg, 40 Lake Vista Circle, also feels this would increase traffic and there are already parking issues during parties held at the clubhouse. She also feels it would increase crime and could create a dangerous environment for the many children who reside within the Park.

Margaret Mccarty, 83 Lakeridge, is a new HOA board member who supports the proposed SUP issuance. She stated most of those present for tonight's meeting have never been to a HOA meeting. This proposal would allow the Board to keep the HOA solvent. Residents need to put in the time and effort needed to turn things around. She announced the next HOA meeting would be held on April 26, 2014.

Kay Dobson, 220 Pembrook, voiced her complaint regarding the City's restriction of the number of garage sales residents are allowed and and that a permit is required.

David Shershen reiterated the reasons behind this request and thanked the Commission for their time.

The Commission thanked those who spoke at the public hearing. They felt this proposal was not well thought out and would increase traffic and create safety issues for the mobile home park residents.

Motion to deny the Special Use Permit was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Jenny Warmbrodt.
Noes: None

Motion Denied

3. **Consideration and Action to make a recommendation to the City Council to grant/deny a Special Use Permit with or without conditions for the Kingswood Mobile Home Park that would involve an overlay of C-2 Commercial District zoning for the clubhouse at 228 Kingswood Drive for the purpose of allowing a flea market and associated retail activities.**

4. **Consideration and Action to make a recommendation to the City Council to grant/deny a Special Use Permit with or without conditions to allow outdoor events at the property located at 501 E. Swisher Road.**

Applicant Daniel Baker spoke regarding his request and the expanded business plan resubmitted. In addition, he explained how the maze is constructed; the back corner of the maze in comparison to the Montserrat front door is approximately 280 yards and all events will be private parties except the haunted Halloween event that will be open to the public. He will work Swisher Courts to manage event schedules to prevent parking and traffic issues.

The maze construction uses wooden pallets and is not permanent, but is attached to a wooden pole in the ground to allow secure structure with safe maze isles. They are also flexible in designing the maze and can be changed at will.

Ms. Byers stated the concern of Montserrat was not the noise at the front door but the noise that would affect quiet retreat guests. The Jesuit Priest silent retreat requires silence from Thursday evening after dinner to noon on Sunday. Attendees pay approximately $300.00 per weekend for the retreat, allowing the Montserrat to cover expenses incurred. There are approximately 30 to 60 retreat attendees.

Mr. Baker replied there would be no music on speakers except during the Halloween event and absolutely no chainsaws would be operated. He wanted to know at what decimal rating that would be a violation of the City Code. The scavenger hunts and laser tag would be quiet events and he would place the areas where Halloween participants would scream etc. further away from the property that abuts to Montserrat.

Mr. Baker expects an average of 2 events per week; one on Saturday and the other on Sunday. He also said the maze isles would be lit by small Christmas type lights that are not obtrusive.

The Commission concerns included traffic, parking and noise. They initially wanted a 3 year SUP authorization; however Mr. Baker insisted a five year SUP period would really be needed to be able to recoup his costs and build the business properly.

Clyde Fisher asked if the SUP was issued and there were problems and code issues for this property and business, what recourse would the City of Lake Dallas have to resolve this issue? Ms. DuPree responded that this is still a business that requires the issuance of a Certificate of Occupancy (C/O). As such, a business C/O can be revoked if there are constant issues. She also stated there had not been any complaints during last year's Halloween event and the SUP could contain certain parameters by which this activity would be regulated. This land is in the 100 year floodplain and would cost too much to development this property for another use. Mr. Baker is planning on installing a fence between Kingswood Mobile Home Park and this property to prevent event attendees from wondering the Park.

In summary, the Commission was still uncomfortable with a 5 year approval and decided to allow a 5 year SUP permit with a review after 3 years by the P & Z and City Council without an added fee.

Motion to approve the Special Use Permit for a period of five (5) years with a review in three (3) years by the Planning & Zoning Commission as well as the City Council was made by Diane Byers; second by Jenny Warmbrodt.

Ayes: Ben Gilbert, Peggy Shelton, Diane Byers, Clyde Fisher and Jenny Warmbrodt
Noes: None

Motion Passed

F. Future Agenda Items

Char DuPree stated there is a Special Use Permit renewal for the Lake Dallas Point on the next agenda. The initial SUP for the Point was approved for 5 years and that expired in 2011.

G. Adjournment

Motion to adjourn was made by Diane Byers; second by Peggy Shelton.

The meeting adjourned at 9:10 p.m.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on March 20, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Clyde Fisher and Jenny Warmbrodt. Staff present: Community Development Director Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for January 16, 2014 meeting.**
Motion to approve the minutes for January 16, 2014 was made by Diana Byers; second by Peggy Shelton.
Ayes: Byers, Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

2. **Public Hearing on proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot. This property is at 307 Lake Dallas Drive and is zoned C-3 Commercial District.**

   Jim Porterfield, ministry pastor for First Baptist Church, came forward to speak on behalf of the church. He stated they want to replat four lots into one. The main reason is to lessen the amount of paperwork they receive, especially the tax paperwork involved in having four lots. Clyde Fisher asked if the church has any plans to build. Mr. Porterfield advised that building is in the five year plan but it would mean acquiring the adjacent property off of the access road.

   No one else came forward and the Public Hearing was closed.

3. **Consideration and Action to approve the proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot.**

   Char DuPree stated that even though they receive four tax bills it is actually six lots that need to be replatted into one. Various pieces of property were donated to the church throughout the years.

   Motion to approve the proposed replat of Tract 15, 16 & 17 of A0958a McCarroll, Lots 1 & 2, of Block D of Barmarchar Sites, and Tract 69 of A1355a Wright, City of Lake Dallas, Denton County, Texas into one (1) lot by Clyde Fisher; Second by Diane Byers.
   Ayes: Fisher, Byers, Warmbrodt, Shelton, Gilbert
   Noes: None

Motion passed and it will go to City Council next week on March 27, 2014.

4. **Public Hearing on an application by Daniel Baker, business owner of 13 Steps to Nowhere, for a Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road, City of Lake Dallas, Denton County, Texas. The legal description of the property is A0424a N. French, Tract 21C, and it is zoned C-1 Commercial District.**

Daniel Baker, of 334 Lakecrest, Lakewood Village, TX came forward to speak about his request for the Special Use Permit. He spoke about the haunted house that he had on the property last year during the Halloween season and its success. He hopes to use the same land for much more than a haunted house including but not limited to Easter egg hunts, mazes, and laser tag. All these things would only require temporary structures. The business would be insured 100%, raise tax dollars for the City and bring more people into Lake Dallas. It would also potentially create more jobs for the community.

Clyde Fisher asked if Mr. Baker would need permission from the City for each event he plans to have and Mr. Baker replied he did not believe that would be needed. He would only need to contact the City if he planned on building a structure where building plans and permits were needed.

Chairperson Ben Gilbert asked how he plans on dealing with the noise issue. Mr. Baker said he plans on having realistic hours so it does not bother the neighbors. He hopes to be open from around 8 AM to 11 PM depending on the day. He does not plan on having something every single night but he wants the option to be open during those hours if needed.

Diane Byers asked where he plans on his customers parking. He replied he has an agreement with Swisher Courts do use their parking lot.

Clyde Fisher asked Char DuPree about any response the City received from the letters sent regarding the SUP. She advised she received several calls from residents regarding their concern about the noise. Most are not at the meeting tonight. She referred to the haunted house last year and the reason it was approved was because it was temporary and only on the weekends. It was clearly defined what they were going to do. Also, there were no complaints to the City regarding noise. The City is now requiring an SUP because there is not a clear zoning type for this kind of business. If it is approved, there has to be clear guidelines stipulated for Mr. Baker to follow and if he doesn't follow the code or he receives several complaints he could be cited. The purpose of the SUP is so there are guidelines for how he operates his business. If he does not follow the guidelines his SUP and certificate of occupancy could be revoked.

Ben Gilbert asked about the age requirements for this business. Mr. Baker said that most of the events would be family friendly and could encompass all ages. For things such as the haunted house the minimum age without adult supervision would be fourteen.

Clyde Fisher referred to the pallets and other trash and debris at the back of the property by Kingswood MHP. Mr. Baker stated most of the trash did not belong to him however he did admit to leaving the stacked up pallets where he hoped they would not be visible.

Diane Byers asked if he planned on doing paintball. Mr. Baker advised he does not want to do that because of the cost involved in ensuring the property is secure for that purpose. The insurance coverage he plans on having is an annual blanket coverage which would list out any possible event that he would host, which includes paintball, but in reality it is very unlikely that would ever happen.

Clyde Fisher asked how the City felt about this SUP. Char DuPree advised they do want more detailed information, for example, age restrictions, noise level, protecting the neighboring property as well as installing fencing. Most of the fences that separate the property are chain link fences. Diane Byers advised the Kingswood HOA does not allow anything but chain link fences but Ms. DuPree replied that Kingswood now goes by the city ordinance. It should not be the resident's responsibility to install the fence to separate the properties.

Diane Byers expressed concern over the amount of traffic and parking at Swisher Courts. She advised there is already a parking issue on nights there are activities and adding another event would make it even worse. Mr. Baker said he is planning on coordinating with Swisher Courts in preparing their schedule so there would not be two major events at the same time.

Ron Boudreaux, director of Montserrat Retreat House, of 600 N Shady Shores came up to speak. His property is adjacent to 501 Swisher. He said most of the guests come to their property from Thursday through Sunday, seeking peace and quiet. He believes this special use permit would not be beneficial to them. He is concerned because the back part of the property is being used as a junk yard. They have spent hundreds of dollars to obstruct the view from that property with plants. Clyde Fisher asked how much of their property actually borders 501 Swisher and he advised he did not know the exact dimensions. Commissioner Fisher advised it appears to be a small part and Mr. Boudreaux advised even though the visibility is small they are still concerned the noise will carry and bother retreat guests.

Tony Webb of 44 Lake Vista Cir came up to express his concerns. He did advise that last year during the haunted house there were some noise issues but it was not intolerable. He is torn by the fact that this will bring revenue to the City but could cause more noise and security issues. He wants to put up a wooden fence but the homeowners association won't allow him to do so. He feels the fence would help the safety issue. He is also concerned there will be drainage issues if they do build on that property.

Mr. Baker responded by stating he understands where both people are coming from. He said the haunted house is just a very small part of what he wants to do. He does not believe that drainage would be an issue and he wants to install a fence so he can control those that come and go on the property.

The Public Hearing was closed by Chairperson Ben Gilbert.

5. **Consideration and Action to approve the proposed Special Use Permit to allow outdoor events at the property located at 501 E. Swisher Road.**

Ben Gilbert advised they need a more concrete business plan before they can make a decision on allowing the special use permit. Diane Byers added that his business plan is still vague and it is hard to say at this point if it is going to create a problem or be a positive for the City. Gilbert suggested that they table the vote and then next month Mr. Baker can present his business plan to the Commission. The concern is proper fencing for those residents in Kingswood Mobile Home park and Montserrat Retreat Center that border his property as well as specific details including what type of events he is going to offer, age restrictions, hours of business, etc.

Motion to table consideration and action of the Special Use Permit request until Mr. Baker submits a more detailed business plan by Diane Byers, second by Clyde Fisher.
Ayes: Byers, Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

Motion Passed.

6. **Discussion on a proposed planned development by John Smith for his property on Betchan.**

John Smith of 146 Garth Ln, Hickory Creek, TX came up to speak. He explained this property is the 11 acres just south of Lake Dallas City Hall. Mr. Smith explained this is just an informal discussion and to get feedback from the Commission regarding his tentative plans. This would be a 5 year project and would start with the two commercial buildings at the north side of the property, then the apartment complex, and lastly the storage buildings. Chairperson Ben Gilbert asked if he had any other type of architectural plans and he answered he did not since he was waiting to hear feedback from the Commission. Mr. Smith advised the storage buildings would be metal and he was reminded that even those must be 80% masonry. Mr. Smith explained the apartments would be three stories high and include eight units. The storage building would be behind a high fence except the front, which faces Lake Dallas Dr, would be gated. Mr. Smith referenced the paper he included giving financial estimates to get the property ready for building. Clyde Fisher advised this would be good tax revenue for the City but Ben Gilbert expressed Mr. Smith first needs to include an actual development plan. Diane Byers asked who was going to build the road needed. Mr. Smith responded that he plans on building a concrete road and asking for assistance from the EDC. He added the piece of property has been sitting for a long time and he acquired it in the summer of 2013.

He further explained how the commercial properties would be 1000 sq ft of store front with 5,000 sq ft warehouse. These businesses would be something that would bring sales tax to the city. If a business owner came in and wanted another type of business these structures would be shells and could be changed to accommodate several types of businesses including restaurants or retail. He also stated he has gotten interest from business owners wanting to open an indoor batting range or a gun range. Mr. Smith asked the Commission if the master plan was viable for this piece of property and they said so far it looks good but they need an official development plan to give a more definitive opinion.

F. Future Agenda Items

The rezoning of the KWMHP common area is still a possibility. Daniel Baker will be coming back with a business plan regarding the Special Use Permit request.

G. Adjournment

Motion to adjourn was made by Jenny Warmbrodt; second by Clyde Fisher.

The meeting adjourned at 8:16.

Khara Sherrill

Khara Sherrill, Planning and Zoning Secretary

Ben Gilbert, Chair

State of Texas
County of Denton
City of Lake Dallas

The Planning and Zoning Commission of the City of Lake Dallas met on January 16, 2014 at 7:00 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

A. Call to Order

B. Roll Call
Present: Chairperson Ben Gilbert, Commissioners Peggy Shelton, Diane Byers, Clyde Fisher and Commissioner Jenny Warmbrodt. Staff present: Community Development Char DuPree, and Planning and Zoning Secretary Khara Sherrill.

C. Pledge of Allegiance
Chairperson Gilbert led the Pledge of Allegiance.

D. Citizen's Agenda
No one came forward and Chairperson Gilbert closed the citizen's agenda.

E. Business:

1. **Consideration and Action on approval of Minutes for August 15, 2013 meeting.**
Motion to approve the minutes for August 15, 2013 was made by Clyde Fisher; second by Peggy Shelton.
Ayes: Byers, Fisher, Shelton, Gilbert, Warmbrodt
Noes: None

2. **Public Hearing on proposed zoning change to approximately 1.56 acres on Bethany from R-1-6000 to C-2 Commercial District.**

Chairperson Gilbert read out loud the legal description of the property which is A1355a Wright, Tr 53, 1.56 Acres, Old Dcad Tr #30.

Mike Lindley, co-owner of BMR Pool and Patio, came forward as the purchaser who wants to build on his site. He currently has 1 acre of property in Lewisville but it has gotten crowded and needs to move part of the operation to a secondary location. This piece of property currently backs up and surrounds several properties that are already zoned C2. He then handed out brochures about his business and showed what the office building looks like on FM407. Their goal is to always create something that looks nice. The business has been open for 15 years. He also explained how he is a retired Fireman and since it is customary for Fireman to do jobs on the side, he has been working in this industry for many years, even before this business was opened.

He then directed everyone to look at a 3D drawing of the plans for the property. This drawing included a larger building on the left of the property which would be for storage and an office. The second picture shows the view from the street. The third picture shows what Mr. Lindley envisions as the final layout of the property. The property would also include two entrances.

The second person to come forward was April Pinto of 601 Sargent. Her property is very close to the property in question. She stated she was hoping to continue seeing horses and donkeys outside her window instead of businesses. She hoped that houses would be built on this property. She is concerned that her property values will plummet and feels that this area should stay a residential property. Her main concern is the trucks driving on Betchan with it being such a small road and asked if there are plans to expand it. Char DuPree asked her if she understood that this piece of property is next door to the apartments and if she understands that all the property in front of her is already commercial. Mrs. Pinto said she did understand and believes this will turn their residential community into an eyesore.

Commissioner Clyde Fisher recused himself since he is Mr. Lindley's realtor but wanted to speak during the public hearing. Mr. Fisher lives at 747 Carlisle which is also very close to the property in question. He believes strongly that the city should support the change for several reasons. For one thing, several pieces of land nearby are already zoned C2 which include a new flooring company and the Lake Dallas public works office. Secondly, he is concerned with the tax base of Lake Dallas and that by adding more businesses it would help to alleviate the residential tax rates. He has been by Mr. Lindley's location in Lewisville and it is very nicely built. Overall this change would be beneficial to Lake Dallas.

Mr. Lindley came back up to address some of the concerns of Mrs. Pinto. He stated he has 2 two ton trucks and 1 one ton truck which they also use on the residential streets of their customers so they shouldn't be an issue. They also have superintendents that drive several pickups. They usually leave in the morning and then come back in the afternoon so there shouldn't be a lot of extra traffic. He understands that Mrs. Pinto wants to look at the animals but this area is now changing. He also explained how he is going to build a fence to surround a portion of the property to screen any business supplies and large trucks. It was stressed again that there are properties already zoned C2 that are even closer to the residential properties then what he is wanting to buy.

No one else came forward and Chairperson Gilbert closed the public hearing.

3. **Consideration and Action to approve the proposed zoning change to approximately 1.56 acres on Betchan from R-1-6000 to C-2 Commercial District.**

Commissioner Warmbrodt asked Mr. Lindley if there will be adding landscaping in the front of the property as opposed to just leaving it the way it is. He said he will be cleaning that area up and adding the fence to the right side of his primary building. Warmbrodt asked about the hours of operation and he advised they are open Monday through Saturday but they leave in the morning and come back in the evening.

Chairperson Gilbert asked if The City got any responses from the letters and asked how many letters were sent out. Char DuPree said we only got a response from April Pinto and only around 8 letters were sent, since the surrounding properties were such large pieces of land.

Chairperson Gilbert stated they have to not only look at his business but changing the zoning area in general. Commissioner Byers expressed that her main concern is the street Betchan in general. It is such a narrow street and bringing in 1 or 2 ton trucks will only make it worse. She stated she won't go down Betchan even now because she is concerned she could get hit. But with such big trucks on such a narrow road it could only makes matter worse.

Clyde Fisher said the other businesses surrounding it including Andersons and Z Floors already require larger trucks to drive through the area. He stated he has lived there 35 years and is familiar with the amount of traffic there and so far it has not been an issue. Mr. Lindley said he understands Commissioner Byer's concerns but with other properties on Betchan already zoned C2, what difference would it make changing this property to the same zoning district. Byers said she just wants to understand what adding this business could mean to the city and if it could possibly mean adding more expenses for the city. Byers asked for clarification of the location of Mrs. Pinto's house and it was explained that her house is across the street and past another empty lot on Sargent.

Char DuPree stated the city does support this zoning change. We see this as the beginning of the changes needed for revitalizing the downtown district. Mr. Lindley's business is not going to be a "rock quarry" so lots of rock won't be stored at the business. As far as Betchan Street's condition, it will probably have to be fixed at some point in order to truly revitalize this area.

Mrs. Pinto had another question so the Public Hearing was reopened.

Mrs. Pinto asked if for some reason Mr. Lindley's business didn't work out what would happen to his property. Char DuPree said it would just be a vacant building and it would be up to the next person that bought the property.

Byers asked for clarification on what the use of this property would be for. This property would be to store the supplies needed to build the pool and patios. The items are obtained using the same trucks that go into the residential streets for their normal day to day business.

Motion to approve the proposed zoning change to approximately 1.56 acres on Betchan from R-1-6000 to C-2 Commercial District was made by Commissioner Warmbrodt; second by Commissioner Peggy.
Ayes: Byers, Shelton, Gilbert, Warmbrodt
Noes: None

Motion passed and it will go to City Council next week on January 24, 2014.

F. Future Agenda Items

There is a possibility that the Kingswood HOA board is looking to rezone the pool and clubhouse area to a commercial district. There is also a possible replat for First Baptist Church to change from 6 lots to 1 lot. It is a simple change but because it is over 4 lots it has to go through the Planning and Zoning Commission.

G. Adjournment

Motion to adjourn was made by Byers; second by Warmbrodt.

The meeting adjourned at 7:32.

Ben Gilbert, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met August 18, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

   Members Present: Steven Bertrand, Cindy Nelson, Terry Tuck, Carol Ann Connors
   Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the July 14, 2014 meeting.**
   Motion to approve the minutes for July 14, 2014 was made by Carol Ann Connors; second by Cindy Nelson.
   Ayes: Steven Bertrand, Terry Tuck, Cindy Nelson, Carol Ann Connors
   Noes: None

3. **Consideration and Action regarding the revocation of a Certificate of Occupancy for Jen's Hand Me Ups located at 130 W. Hundley Drive, Lake Dallas, Texas.**

   Char DuPree advised the Board that the Building Inspector and Fire Department conducted inspections, both passed, giving their approval for the Certificate of Occupancy. Jennifer Thrailkill submitted a floor plan this past Friday describing what was done inside the structure but there hadn't been enough time to submit it to Bureau Veritas for an official plan review. She also submitted two receipts of plumbing and electrical work that was done inside the building to bring it up to code. In addition, Ms. Thrailkill paid for both electrical and plumbing permits but neither contractor registered. She has not paid for the sign permit. Char DuPree advised she did find the plumber, Jimmy Teague, on the state website as a licensed plumber but she did not find the electrician. Ms. Thrailkill stated the electrician she hired told her his license had lapsed but he is working under his boss. Ms. Thrailkill could not give a name of the boss or the company that he is working for. The Board informed her they need a receipt or letter from the actual company he works for and his boss needs to register with the City.

   Ms. DuPree stated the City recommends that she be issued a temporary Certificate of Occupancy for 45 days. During that time she can work on getting her property completely in compliance.

The Board had questions on what the inspector looked at when he went to the building. Char DuPree told them that the main function at this point was to make sure the building was safe. The inspector didn't know exactly what had been altered so he couldn't check beyond that to be sure it was done correctly.

Board Member Tuck recommended the temporary Certificate of Occupancy be for 55 days so it would give her till the first week of October.

Motion to grant the Temporary Certificate of Occupancy for 55 days pending registration of both plumber and electrician, payment of sign permit, and the plan review of the floor plan submitted (which might require other permits and fees) was made by Terry Tuck; second by Carol Ann Connors.
Ayes: Steven Bertrand, Terry Tuck, Cindy Nelson, Carol Ann Connors
Noes: None

Motion Passed

Char DuPree handed out Board of Adjustment Ordinances to the Board and she said later in the year there will be official training class for all Board members.

4. **Adjournment**
Motion to adjourn was made by Cindy Nelson; second by Terry Tuck.
Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett
Noes: None

Chairperson Bertrand Adjourned the meeting.

The meeting was adjourned at 9:15 PM.

Khara Sherrill

Khara Sherrill, Planning and Zoning Secretary

Steven R. Bertrand

Steven Bertrand, Chair

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met July 14, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

Members Present: Steven Bertrand, Cindy Nelson, Terry Tuck, Carol Ann Connors
Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the June 3, 2014 meeting.**

Motion to approve the minutes for June 3, 2014 was made by Carol Ann Connors; second by Cindy Nelson.
Ayes: Steven Bertrand, Terry Tuck, Cindy Nelson, Carol Ann Connors
Noes: None

3. **Public Hearing to hear an appeal regarding the revocation of a Certificate of Occupancy for Jen's Hand Me Ups, requested by the property owner, Jennifer Thrailkill, for the property located at 130 W. Hundley Drive, Lake Dallas, Texas.**

Jennifer Trailkill, the owner of Jen's Hand Me Ups and who resides at 203 Shady Oaks Cir, Shady Shores, TX was the first to speak regarding the appeal. She feels that at no time has her business been unsafe, unhealthy or in slum conditions. She admitted it is crowded but so are most second hand stores. She makes sure her employees clean the store every day. She stated her real estate agent came to the City before she bought the property inquiring about changes she can make to the building. To her knowledge, she was allowed to makes these changes without a permit. She realizes the pictures look bad but she has to go through the items she receives at the back of the building. Many items are just left at the back of the building and she has no idea where they come from and fifty percent of them are donated to several different organizations. She tried to put up a fence but was told she couldn't. This store was her mother's dream for her before she passed away. She has done all the work herself with the help of friends because she cannot afford professional contractors to do the work.

The second person to speak was Debra Marsh of 30 Hickory Hills Blvd in Hickory Creek, TX. She moved to the area four years ago and fell in love with Jen's store because it was affordable for her family. She started doing consignments with her and now the little money that she was making is gone. The community benefits from this store and she doesn't understand why it was shut down. Jennifer Thrailkill gives back so much to this community and she should be allowed to open the store again. The pole sign in the front was there for the previous owner and she didn't alter it in anyway so she shouldn't be forced to remove it.

Joe Thrailkill, spouse to Jennifer, spoke next. He explained what he believes the code states regarding the pole sign. He doesn't think they should have been cited for trash and debris since the debris outside is actually merchandise or donations. He was told they could alter the inside of the building and he feels that the city is picking and choosing what they want from the City Code.

Morgan Arivett of 300 Shahan Ln, Shady Shores, TX came up next to speak. All the items that are outside are items that people leave for her during the weekend. Ms. Thrailkill is always at the business working. She wanted the Board to know that those people at the nearby daycare for the mentally disabled come to the store once or twice a day and love the store.

Brandy Arivett of 300 Shahan Ln said she is disabled and this is where they have been shopping for her family. The shop like this is needed since we have a large amount of low income people that live in the area. Jennifer Thrailkill does not sell bad stuff. The items she sells are clean as opposed to other consignment shops and she hopes the Board reconsiders closing the shop.

Steve Thompson of 5313 Countess Ct Lake Dallas, TX spoke briefly. He said he didn't plan on speaking but wanted to reiterate what others have said that he loves the shop and goes there periodically and hopes the business will stay open.

Cindi Freeman of 3517 Riverview Dr in Corinth, TX came up next. She met Jennifer when her business started out of her house, and now, her having her own business. She was with her when her mother passed and this was truly a dream of her moms. She was nice enough to give her daughter a job to help pay for extra things. She also goes out of her way to help people and this town needs another inexpensive place for people to shop.

Jimmy Teague of 206 Shady Oaks Cir, Shady Shores, TX was the last one to speak on Jennifer Thrailkill's behalf. He is the neighbor of Jennifer Thrailkill. She helped him get stuff after his ex-wife took everything from him. He has helped her in doing some of the work in the store and feels it is a safe building. He misses the store and the community needs it.

Public Hearing was closed.

4. **Consideration and Action to hear an appeal regarding the revocation of a Certificate of Occupancy for Jen's Hand Me Ups, requested by the property owner, Jennifer Thrailkill, for the property located at 130 W. Hundley Drive, Lake Dallas, Texas.**

Char Dupree, Community Development Director, came forward and was sworn in by Chairperson Steven Bertrand. She gave a presentation regarding the history of Jennifer Thrailkill's business and the ongoing issues.

She realizes to the average person these may not look like legitimate violations but the City and State has to abide by the International Building Code, Mechanical Code, Plumbing Code and Fire Code. She explained how the city uses a third party company, Bureau Veritas, for inspections.

Ms. DuPree explained the history and code regarding the pole sign in the front of the building. The code was changed in 2006 regarding pole signs being prohibited. If the sign is not utilized for more than 12 months the pole sign must be removed. Terry Tuck asked if Ms. Thrailkill was told to remove the pole sign before she started using it and Ms. DuPree answered yes she was requested to remove it before it was utilized. The citations were issued for trash and debris and also for erecting a sign without a permit, which is the sign attached to the front of the building. She was never cited for not removing the pole sign.

Ms. DuPree summarized the building inspectors report. Ms. Thrailkill moved a wall and

altered the electrical and plumbing. It is not that she cannot do these things but that she didn't get a permit and did not use a licensed contractor. Ms DuPree referenced pictures which showed what she had done in the building and the various violations. She appears to have removed a bathroom.

The City does not want to put her out of business but Ms. Thrailkill must get the building back up to code. She must have permits and get a licensed contractor to do the work. Once the building permits are issued, fees paid, the building is up to code, and she removes the pole sign, her Certificate of Occupancy can be reinstated. The City has an obligation to Ms. Thrailkill's customers and others in the city for her building to be safe and it is Ms. DuPree's job to enforce these regulations set forth by the City and building code.

Steve Bertrand went over the fact that the building was safe at some point. The layout of the building was not conducive to her business so they wanted to change it. The problem is not that they made changes but the process they went about making them. Carol Ann Connors asked if any work had been done since the business was closed and Ms Thrailkill advised it has but did not apply for permits. She was under the impression that she needed permits if she was changing any low bearing walls. The Fire Marshall wanted her to change a few things and she said she complied with them.

Jennifer Thrailkill asked why other businesses such as the Property Shop and Nana's Café have not had to remove their pole signs. Char DuPree answered it was because both have always been in use and Jennifer Thrailkill's location has been vacant for five years and if she wanted to use the pole sign she would need a variance.

The main problem is she cannot afford the permits unless her business is open. She also did not think she could get a permit while her certificate was revoked. Mr. Thrailkill showed the Board a copy of the code regarding pole signs. Most of the Board members present felt he was reading the code incorrectly and that the pole sign is in fact prohibited. Char DuPree referred to where the code explains legal non conforming use and explained what is allowed and what is not, in the grandfather clause.

Steven Bertrand asked what options she would have to keep the outside clean. She said the pictures do not depict what it actually looks like when the business closes. It is neat and orderly. Currently there is very little outside. Char DuPree advised she did inspect the property before the meeting. There are things beside the rubbermaid shed outside and a trailer in the parking lot but it is the cleanest it has been in a long time. Nothing is allowed in the exterior of the property except the shed. There is a fire lane in the back of the building and a metal fencing on the west side of the building. The back side of the building could be lined with several rubbermaid storage buildings. A fence could be built, with a permit, from the back side of the building to the fire lane which is around 3 feet. The main issue with the fence option is it cannot take up any parking spots. The fence plans Ms. Thrailkill initially submitted took up two parking spots so it was denied. Char DuPree has allowed her park her trailer in one parking spot.

Char DuPree stated she has not been inside the location since May. Jennifer Thrailkill has stated she has completely redone the store. She did address the exposed wiring and exposed installation. But the fact is she has not gotten any permits. Jennifer Thrailkill said she cannot afford permits or to hire a licensed contractor. Steve Bertrand asked Char DuPree what she thought the permits would cost. She answered she wouldn't know without an accurate valuation of the work already completed. Carol Ann Connors said she shouldn't have started the process without first going through the City. Ms. Thrailkill said she thought she had and that structurally meant the outside of the building and nothing inside. Char DuPree stated if she waived the requirements she puts the city at risk and Carol Ann Connors answered it also sets a precedent for other businesses.

Steve Bertrand asked Ms DuPree what it cost for Bureau Veritas to come out and she

answered it is around $80. The inspection completed earlier by the inspector was paid by the city. Bureau Veritas can do another inspection but the city cannot absorb that cost. If they come out again and say the building is up to code we still have the issues regarding nonpayment of permits and not using licensed contractors. The Board requested Char DuPree check with the City Attorney to see if the city would be released from liability if they issued permits for work already completed by those that are not licensed contractors. The inspection is supposed to be done based on a set of plans but in this instance it could be done based on his previous report. If it is deemed safe for her to reopen she must keep in compliance. The Board would meet again in three to four weeks for an update. A reasonable drawing of what has been done in the building and an accurate as possible value of the work that has been done must be turned into Community Development.

Someone in the audience asked if in the next meeting there will be a public hearing and they said no, the public hearing is over.

Someone else in the audience said they wanted her to stop putting her trash in their dumpster. The board said this is not the right time to discuss this issue and it should have been brought up during the public hearing. Steve Bertrand stated he understood their frustration that someone is using their dumpster but he has no proof if it is actually Jennifer Thrailkill or not.

Motion to table the consideration and action regarding the Certificate of Occupancy for Jen's Handmeups until the business owner submits plans for the work that has already been done, the permit fees can be calculated and a follow-up building inspection has been conducted. Once these items have been completed the Board will meet to decide on this issue.
Ayes: Steven Bertrand, Terry Tuck, Cindy Nelson, Carol Ann Connors
Noes: None

Motion Passed

5. Adjournment

Chairperson Bertrand Adjourned the meeting.

The meeting was adjourned at 9:15 PM.

Steven Bertrand, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met June 3, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

   Members Present: Steven Bertrand, Cindy Nelson, Danny Everett, Carol Ann Connors
   Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the May 5, 2014 meeting.**

   Motion to approve the minutes for May 5, 2014 was made by Carol Ann Connors; second by Danny Everett
   Ayes: Steven Bertrand, Danny Everett, Cindy Nelson, Carol Ann Connors
   Noes: None

3. **Public Hearing to consider a request for variance at 601 S. Lake Dallas Drive to reduce the rear setback to a five (5) foot setback from the property line where a fifteen (15) foot setback is required.**

   Char DuPree clarified for the Board that the 15 foot setback is required for any accessory building and in this instance an accessory building needs to be built. Chairperson Bertrand asked if the fence is on the property line, as shown in the survey, and Ms. DuPree answered the fence belongs to the cell tower site and that it is on the property line. There is a chain link fence and gravel surrounding the cell tower which the fire department came out to check and they did not feel it was a fire safety issue. With the variance it would be 5 feet from the fence to the accessory building.

   One of the owners of the business Chasin' Tail Restaurant, who requested the variance, came up to speak. His name is Brooke Asbell, currently at 8656 S Stemmons in Hickory Creek. The business is required to relocate due to the I35 expansion. The location in Lake Dallas is currently vacant and was a convenience store. They have a large commercial smoker and want to build a 12 x 12 smoke house which would classify as an accessory building and thus requiring them to need the variance.

   Cindy Nelson asked if they would need a permit for the accessory building and if there would be any problems obtaining it. Ms. DuPree advised if the variance is granted then there wouldn't be any problems issuing the permit. Chairperson Bertrand wanted to confirm again that the Fire Department did check the location. Char DuPree stated she has corresponded with the Fire Marshall, Chad Thiessen, and he confirmed there were no problems with it. Firemen have plenty of space to get through on foot and the fire truck could possibly get closer by the restaurant Chilitos or by using the drive next door which is part of the realty office. Chairperson Bertrand also made note on the map of the closest fire hydrant. Brooke Asbell stated the firebox on the smoker is completely enclosed and is located on the bottom of the large metal smoker. No one else came forward and the Chairperson Bertrand closed the public hearing.

4. **Consideration and Action to approve a request for a variance at 601 S. Lake Dallas Drive to reduce he rear setback to a five (5) foot setback from the property line where a fifteen (15) foot setback is required.**

Motion to approve the variance was made by Carol Ann Connors; Second by Cindy Nelson.
Ayes: Steven Bertrand, Danny Everett, Cindy Nelson, Carol Ann Connors
Noes: None

Motion Passed

5. **Adjournment**
Chairperson Bertrand Adjourned the meeting.

The meeting was adjourned at 7:46 PM.

Khara Sherrill, Planning and Zoning Secretary

Steven Bertrand, Chair

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met May 5, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

   Members Present: Steven Bertrand, Cindy Nelson, Terry Tuck, Danny Everett,
   Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the April 21, 2014 meeting.**

   Motion to approve the minutes for April 21, 2014 was made by Terry Tuck; second by Danny Everett
   Ayes: Terry Tuck, Steven Bertrand, Danny Everett, Cindy Nelson
   Noes: None

3. **Obtain approval signatures of the Board for Order to vacate, secure, repair, remove or demolish the structures at 703 Glen Rhea, Lake Dallas.**

   Each Board member signed the Order once they took a few minutes to thoroughly read through it. Char DuPree advised that since the Order is now signed, a copy of the Order would be delivered to Courtney Varnell as well as Jerry Varnell at the nursing home. Ms. DuPree will also place a sign at the location advising Ms. Varnell that the property must be secured and vacated.

4. **Adjournment**

   Motion to adjourn was made by Cindy Nelson; second by Terry Tuck.
   Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett
   Noes: None

Motion Passed

The meeting was adjourned at 7:36 PM.

Steven Bertrand, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met on April 21, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

   Members Present: Steven Bertrand, Cindy Nelson, Terry Tuck, Danny Everett,
   Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the January 27, 2014 meeting.**

   Motion to approve the minutes for January 27, 2014 was made by Terry Tuck; second by Danny Everett
   Ayes: Terry Tuck, Steven Bertrand, Danny Everett, Cindy Nelson
   Noes: None

   Motion Passed

3. **Public Hearing to hear a request by David Chidsey for a variance at 725 Glen Rhea drive, Lot 5, Block A of the WW Little Subdivision, to reduce the backyard setback to a twenty nine and a half (29 1/2) foot setback from the property line where a thirty (30) foot setback is required.**

   David Chidsey of 725 Glen Rhea came up to speak regarding his request for the variance. After reviewing hundreds of plans he decided on this final one which lends itself to the lot. It has a very unique layout which backs up to the Corps Property and this plan is the best one he could find. It only extends the extra six inches due to the master bedroom and the chimney and instead of changing the integrity of the design he is requesting this variance from the Board.

   There were no complaints from the neighbors and Mr. Chidsey advised they seemed excited about the home he is planning to build.

   Steven Bertrand closed the public hearing.

4. **Consideration and Action to approve a request by David Chidsey for a variance at 725 Glen Rhea drive, Lot 5, Block A of the WW Little Subdivision, to reduce the backyard setback to a twenty nine and a half (29 1/2) foot setback from the property line where a thirty (30) foot setback is required.**

   Cindy Nelson advised she walks by there every day with her dog and she feels Mr. Chidsey did a good job with the lot and six inches is very minimal.

   Motion to approve the variance was made by Danny Everett; Second by Cindy Nelson.
   Ayes: Terry Tuck, Steven Bertrand, Danny Everett, Cindy Nelson
   Noes: None

Motion Passed

5. Consideration and Action to hear an appeal regarding the condemnation of the residential structure located at 703 Glen Rhea. The City of Lake Dallas is requesting an order to vacate, secure, repair, remove or demolish the structure in accordance with the City's current Minimum Housing and Building Standards Code and the 2003 International Residential Code.

Steven Bertrand advised this is normally when they would open it up for public comment but no one was present to speak and he wanted to hear from City Staff. Char DuPree was sworn in by Chairperson Bertrand and gave an overview of what has happened since the last meeting. She has had very little contact with the resident Courtney Varnell. On March 3, 2014, the date set for interior inspection, a friend of Ms. Varnell called Char DuPree and told her Ms. Varnell was in Austin with her daughter and would not be home. Another inspection was scheduled for March 5, 2014, but Ms. DuPree received another call from her friend, Ms. Webber, stating she was still not home. Ms. DuPree advised her to have Ms. Varnell call her as soon as possible but she never called. A letter was hand delivered on April 7, 2014 to Courtney Varnell regarding notice of this meeting. Deputy Code Officer Khara Sherrill was present as a witness. Nothing has been done to the property. The trash that was removed before the January meeting is all that has been done. There is still no potable water or solid waste service.

Cindy Nelson advised she went by the house prior to the meeting and there is still old trash left in the waste management container. Char DuPree referenced the pictures given to the Board and the buckets left in the yard that she uses for obtaining water. She has had contact with the Police Department but the City Attorney, David Berman, advised the contact hasn't had anything to do with the condition of the house. It has mainly been regarding her trying to burn trash which is not allowed within the city limits. Char DuPree did advise Ms. Varnell does currently have electricity but no gas service. The City Attorney confirmed for the record that Ms. DuPree has never had access to the inside of the home and she stated that is correct. He also referred to the carpeting seen in the pictures and that it is wet due to most likely the roof leaking. The structure has obvious broken windows, and a number of locations are currently exposed to the elements. He asked Char DuPree does she believe that the interior of the structure is not fit for human occupation and she advised she does.

David Berman referenced the Order discussed in the January meeting which also required a status report to the Board thirty days after the meeting which Char DuPree confirmed was done. Steven Bertrand stated they had to give her a chance in January to do something to the property but she obviously never complied. He is concerned that Ms. Varnell is basically going to be homeless once the house is condemned but the Board needs to now consider the plight of the neighbors and what they have gone through. Danny Everett mentioned that there apparently has been very little effort to fix what they had requested of her in the January meeting.

The City Attorney stated that even though he cannot tell them what to do, they do have the authority to order the property to be vacated. Also, if they require the structure to be demolished, he recommends that they request it to be done in no more than 30 days from today's date. The Council can determine if they want to extend the time frame. It is not recommended for it to be repaired since they have given her time and nothing has been done.

If for some reason Ms. Varnell does start fixing the property the City could stop the demolition. Chairperson Bertrand wanted to make sure that money would not be taken from the actual homeowner that is currently in a nursing home and has Alzheimer's; the City Attorney assured him that could not happen. If the house does end up being condemned a lien would be placed on the property but the actual initial cost of the demolition would come from the City and the tax payers.

Motion to order the property at 703 Glen Rhea to be vacated immediately and demolition scheduled in 30 days by Danny Everett; Second by Terry Tuck.
Ayes: Terry Tuck, Steven Bertrand, Danny Everett, Cindy Nelson
Noes: None

It was determined that in order to be an official order the Board has to approve the minutes of this meeting and approve the formal order. The meeting just has to be posted within 72 hours but it will not delay the order. A short meeting will be scheduled in the next couple weeks.

6. Adjournment

Motion to adjourn was made by Cindy Nelson; second by Danny Everett.
Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett
Noes: None

Motion Passed

The meeting was adjourned at 8:33 PM.

Khara Sherrill, Planning and Zoning Secretary

Steven Bertrand, Chair

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met on January 27, 2014 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**

Members Present: Steven Bertrand, Cindy Nelson, Terry Tuck, Danny Everett, Carol Ann Connors
Staff Present: Community Development Director Char DuPree and Planning and Zoning Secretary Khara Sherrill

2. **Consideration and Action on approval of Minutes for the January 7, 2013 meeting.**

Carol Ann Connors advised the minutes have her last name misspelled in several places.

There were no problems regarding the content of the minutes.

Motion to approve the minutes for January 7, 2013 was made by Carol Ann Connors; second by Terry Tuck.
Ayes: Carol Ann Connors, Terry Tuck, Steven Bertrand, Cindy Nelson, Danny Everett
Noes: None

Motion Passed

3. **Public Hearing to hear an appeal regarding the revocation of a Certificate of Occupancy for Mav's Auto, requested by the property owner, Avi Collins, for the property located at 326 Main Street, Lake Dallas, Texas.**

Char Dupree, the Community Development Director, came forward, stated her name and position, and was sworn in by Chairperson Steven Bertrand. She gave an overview presentation of Mav's Auto and the business owner Mr. Avi Collins regarding the property history. The City Manager approved the certificate of occupancy in January 2011 even though it was an illegal non-conforming use. Mrs. DuPree told Mr. Collins that he needed to bring the property up to code once the certificate of occupancy was issued.

Over the next 16 months there were continual code enforcement violations including not maintaining the parking lot, building was not maintained, and constant trash and debris. Vehicles were being moved on and off the business during the night.

On May 23, 2013 a violation notice was sent to Mr. Collins regarding the condition of the parking lot stating that if there is a problem again he would be required to install a hard service. In June, after a second incident, a citation was issued and another notice was sent requiring a hard surface needed to be installed. On July 29, 2013 Mr. Collins asked that the City waive the hard surface requirement which was denied but he was given an extension to the end of September. On September 17, 2013 the building permit was issued. The hard surface was never installed.

On October 30, 2013 a notice was issued regarding the revocation of Mav's Auto's certificate of occupancy; because it was an illegal non conforming use and there were constant code violations making it a public nuisance against city ordinance. In December 2013, Mr. Collins allowed a tenant to move into the property and a refrigerator was placed outside the front door. This has had a negative impact on the downtown revitalization effort.

Mr. Wohr, attorney for Mr. Collins, spoke on his client's behalf. He stated the only issue here is whether the issuance of the certificate of the occupancy was valid. He believes that city codes should be handled in the municipal court only and not in this setting. If it is found that the certificate of occupancy was issued in error, then it leaves the City liable. He doesn't feel that the Board has the authority to decide whether a certificate of occupancy was illegally issued by a previous City Manager since that City Manager had apparent authority to approve it. The City Manager based the certificate on a letter that he felt was true and it should have been his responsibility at that time to see if the letter was valid. But the fact of the matter is the City Manager accepted the letter and felt it was appropriate to issue the certificate of occupancy. It was only with the issuance of the certificate of occupancy that Mr. Collins bought the property. The City does have authority to enforce ordinances but not to keep him from doing his business. Each City Manager has his own opinion and it should be upheld. Mr. Wohr then spoke of Mrs. DuPree and his belief that she has kept Mr. Collins from keeping the property in compliance. The main issue here is whether the certificate of occupancy was granted legally.

Jason Masten, neighboring business owner at 380 Main St., then spoke. Mr. Masten stated that the last two years having Mav's Auto as neighbors has really hurt his business. The process of the certificate of occupancy is to run the business in accordance with the rules of the City. He tries to abide by them as much as he can. It takes money to keep these old properties up to code. Cars have not been moved out of there in 6 months. It just looks tacky; it needs to be cleaned up.

Mr. Avi Collins then spoke. He asserted again that he would never have purchased this property if the former City Manager had not approved the certificate of occupancy. He stated he has done a lot of work to that property. Every time he got a code ticket he always complied. He doesn't want to fight the City but he is not going to invest any more money into the property until his certificate of occupancy is reinstated. He then thanked the Board for their time.

Chairperson Bertrand then asked Mr. Collins what it is that he does on the property to make money. Mr. Collins answered he has two licenses, one for selling cars and one to finance cars. Mr. Bertrand next asked what the background was regarding the fence being removed. Mr. Collins replied that he took it down since it was part of the cleanup process for the property. Mr. Collins would like to put the fence back up so he can hide the dismantled cars behind the fence. He wants to fix up the property but he is looking for the Board's help and assistance to do the right thing. Mrs. DuPree spoke regarding the fence. She stated the older fence was around the car wash equipment and junked vehicles that were part of Jack Ezell's business, plus there were issues of high grass.

In summary, the certificate of occupancy should not have been issued, however, once it was the property should have been maintained in compliance with city code.

No one else came forward and the Public Hearing closed.

4. Consideration and Action to hear an appeal regarding the revocation of a Certificate of Occupancy for Mav's Auto, requested by the property owner, Avi Collins, for the property located at 326 Main Street, Lake Dallas, Texas.

Carol Ann Connors stated she was on City Council when the certificate of occupancy was approved and knew nothing about it. She stated that even though she believes the former City Manager should have never done this, it was done and it appeared at that time that he did have the apparent authority to issue it. The City Attorney, Whitt Wyatt, stated there is case law that the Board of Adjustment is not bound by City Staff's decisions. Mr. Bertrand clarified with Char DuPree that the City Manager was not the individual who normally issues the certificate. The City Manager was told by Char DuPree that he needed to get a variance reviewed by the Planning and Zoning Commission and then approved by the City Council before she could issue the certificate of occupancy. Board member Carol Ann Connors asked why Char DuPree still signed the certificate of occupancy and she answered because it was her boss who advised her to do so.

Mr. Masten came forward giving his testimony that he had been in Lake Dallas for 5 years and he can attest that there was only the beauty shop at Mav's location when he opened his business over 2 years ago. He also stated that when Masten's property was not maintained he also got a citation.

Chairperson Bertrand asked in what instance a certificate of occupancy can be revoked. Char DuPree answered if the property becomes a public nuisance. The Building and City Code (section 122-711 & 712) gives the City authorization to revoke the certificate of occupancy. Then he asked the City Attorney if they can consider the city ordinance violations as a reason to revoke the certificate of occupancy. He answered that they can address anything and everything said at the meeting, they just cannot address whether they can demolish the building on the property. It was clarified that anyone that has a certificate of occupancy is responsible for keeping the property up to code.

Carol Ann Connors asked Mr. Collins how long it would take to get the property up to code. Mr. Collins stated it would take 60 days. Mrs. Connors stated she felt the property is an eyesore and it has been going on for too long. It was also clarified that Mr. Collins could have brought the property up to code even without the certificate of occupancy. Board member Terry Tuck asked Char DuPree to explain again why there was a problem with the initial certificate of occupancy issuance. She further explained the revocation was done due to it being an illegal non conforming use and that it had become a public nuisance.

Chairperson Bertrand asked if the Board upholds the revocation, what opportunity Mr. Collins would have to get another certificate of occupancy. Mr. Wohr answered he could not get another certificate since the ordinance does not allow car sales unless he wanted to go through the legal process to get a variance. Mr. Bertrand asked if there is a place where the process of getting a certificate of occupancy is explained. Char DuPree stated there are instructions attached to the application which explains the process and that she, as the permit tech, approves the certificate of occupancy. After reviewing any initial application, it would be up to her to advise the applicant if they needed a variance. Mr. Bertrand asked Mrs. DuPree if it is her opinion that Mr. Collins was doing an end-run on the rules by going through the City Manager and she answered yes.

Mr. Bertrand asked Mr. Collins how willing he is to get his property up to his code. He said he just needs 60 days, he will do whatever is takes.

City Manager and Chief of Police Nick Ristagno came up to speak. It was never the City's intent to try and remove the certificate of occupancy. The City has tried to act in a good faith effort not to revoke it and attempted to work with Avi Collins repeatedly. Mr. Collins indicated that he intended to do what he was asked but in the end he never did anything. Mr. Collins was told repeatedly to talk to the city code inspector and see what they require him to do to be in compliance and all he would do was yell and scream and continue to have code violations. If the Board does uphold the appeal Mr. Collins needs to clean it up. To get to this point has been a long process. The City encourages the businesses in our city, we want them to succeed, but the manner in which Avi has been doing business is not working.

Carol Ann Connors feels that if they allow the appeal to go through she expects Mr. Collins to do what he has said he will do in 60 days. Board member Danny Everett stated if nothing has been done in 3 years is there really a chance he will do something in 60 days. Mr. Bertrand stated that the fact remains that the certificate of occupancy can be revoked for certain reasons and there is proof that those reasons exist here since he has not maintained the property.

Motion to uphold the revocation of the Certificate of Occupancy was made by Steven Bertrand; Second by Cindy Nelson.
Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett
Noes: Carol Ann Connors

Motion passed.

5. Public Hearing to hear an appeal regarding the condemnation of the residential structure located at 703 Glen Rhea. The City of Lake Dallas is requesting an order to vacate, secure, repair, remove or demolish the structure in accordance with the City's current Minimum Housing and Building Standards Code and the 2003 International Residential Code.

Char Dupree, the Community Development Director, was sworn in by Chairperson Steven Bertrand. Char DuPree gave a presentation giving a history of the property code violations dating back to 1992. The current owner is Jerry Varnell who obtained possession of the property during probate in 1999; however his daughter currently lives in the residence. Property taxes have not been paid on the property since 2008. There is extensive accumulation of trash and debris, no solid waste service or potable water and major structural damage on the property. The interior of the structure is not maintained, confirmed through police reports and animal control personnel.

In 2014 a letter of condemnation was posted on the property. There has been no response from Ms. Varnell to the Community Development Department and no property improvements were made until a couple days before this meeting. On the day of the meeting Ms. Varnell had removed a large amount of trash and debris from the outside of the home.

In summary, Ms. Varnell has shown a total disregard toward the City's request to abate the property violations for many years. She has been unresponsive to legal enforcement efforts and has several citations pending in the Lake Dallas Municipal Court. The City of Lake

Dallas cannot allow this situation to continue effecting the health, safety and property value of our other residents.

Mrs. DuPree presented a proposed written order to the Board with the City Staff's recommendations.

The current resident, Courtney Varnell came up to speak. The last seven days she has removed several loads of trash. This whole situation has been overwhelming. Board member Terry Tuck did advise the property looks much better. Carol Ann Connors asked about the condition of the interior of the property. Ms. Varnell said she lives on the property with only her two cats and it is much cleaner than it has been in the past. She stated she doesn't have a job and it was her dad's money that was paying for things. Cindy Nelson asked her if she has water. She said no, but she get buckets of water from her neighbor three doors down.

Courtney Varnell said she has gone several periods of time without trash service. She added she does have windows but needs help to install them. When asked if she has been getting the notices from the City, she said she has been getting the citations. Regarding the situation with outstanding property taxes, she said she doesn't know anything about the taxes and what her father had set up. Her father is currently in a nursing home in Denton named Senior Care on Brinker Rd. She got control of the house just because she was living there when he got sick but the house does still legally belong to him. Varnell is the only living relative. Board member Nelson asked her if she has tried to get any help in regard to the taxes of the home and she said she just doesn't have any idea what to do.

No other people came forward so the public hearing closed.

6. **Consideration and Action to hear an appeal regarding the condemnation of the residential structure located at 703 Glen Rhea. The City of Lake Dallas is requesting an order to vacate, secure, repair, remove or demolish the structure in accordance with the City's current Minimum Housing and Building Standards Code and the 2003 International Residential Code.**

Board member Cindy Nelson stated they don't know who owns the property right now and asked if there were any liens on it. Char DuPree stated that Denton Central Appraisal District still lists Jerry Varnell as the owner. It has not been foreclosed on for back taxes because it has the over 65 homestead on it.

Chairperson Bertrand read the four items that needed to be dealt with, which include all the outside trash and debris, trash and debris plus animal feces in the interior, remove all health hazards that are on the property, and bring the structure into full compliance with the City's code of ordinances. Ms. Varnell admitted she is a hoarder but there is minimal trash in the house. She advised she does not have any issue with rodents and insects on the property. Mrs. Varnell said it would be hard to pay for the water because she has an existing balance to pay before service can be reinstated. She was asked if she has reached out to any of the social services in the area. Ms. Varnell replied that she has only gotten food from the Methodist Church. She also told the Board she recently lost her ID and does not have a vehicle.

The City Attorney explained to the Board that they have the right to give a certain amount of time to let Ms. Varnell complete what is required to get the house in a habitable condition. If she does not comply then the City has the right to take over the property and do what they

need to do. Danny Everett advised 60 days seems like a fair amount of time to give her. Mr. Bertrand said one concern is her ability to keep up the maintenance on the property. The City Attorney recommended they give her 60 days and then request a rehearing to see what needs to be done from there. Mr. Bertrand stated not having neighbors speaking against her at the hearing is a good sign. Terry Tuck requested to get a status report from the City in 30 days. It was determined that an inspection would be done by Mrs. DuPree on or before March 1, 2014 just to see what progress has been made. Ms. Varnell verbally gave Char DuPree permission to enter her house. Carol Ann Connors gave Ms. Varnell several options of social service organizations that could help her.

Motion to approve the Board of Adjustment order as amended to allow Ms. Varnell to make improvements to the house and to be re-evaluated at a later time was made by Danny Everett; second by Terry Tuck.
Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett, Carol Ann Connors
Noes: None

Motion passed.

7. **Adjournment**

Motion to adjourn was made by Carol Ann Connors; second by Cindy Nelson.
Ayes: Cindy Nelson, Terry Tuck, Steven Bertrand, Danny Everett, Carol Ann Connors
Noes: None

Motion Passed

The meeting was adjourned at 10:17 PM.

Steven Bertrand, Chair

Khara Sherrill, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met on January 7, 2013 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**
   Members Present: Steven Bertrand, Sandy Payne, Carol Ann Connors, and Lance Whidden
   Staff Present: Community Development Char DuPree and Planning and Zoning Secretary Donna Goode

2. **Consideration and Action on approval of Minutes for July 23, 2012 meeting.**
   Motion to approve the minutes for July 23, 2012 was made by Sandy Payne; second by Lance Whidden
   Ayes: Steven Bertrand, Sandy Payne, Carol Ann Connors, and Lance Whidden
   Noes: None

Motion Passed

3. **Public Hearing on a request by Clyde Fisher for a variance at 110 Pearl Lane, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 & 16 of Block 4 of the Lake Dallas Sites Addition, to reduce the backyard setback to a twenty (20) foot setback from the property line where a thirty (30) foot setback is required.**

   No one came forward and the Public Hearing was closed.

4. **Consideration and Action on a request by Clyde Fisher for a variance at 110 Pearl Lane, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 & 16 of Block 4 of the Lake Dallas Sites Addition, to reduce the backyard setback to a twenty (20) foot setback from the property line where a thirty (30) foot setback is required.**

Clyde Fisher of 747 Carlisle Drive, Lake Dallas, Texas asked the Board to consider his request for variance as he would like to combine these smaller lots, creating three lots large enough for building sites. A small home would be built on each lot that would conform to the R-1-6000 Zoning requirements. These homes would be less than 1500 square feet. He showed plans of a previously built home, stating the proposed homes would be similar. He explained with some detail that these homes would be nice one story starter homes, with three bedrooms, two bathrooms, a two car garage, granite countertops and stainless steel appliances. While the homes will be small, the reduced backyard setback is necessary in order to provide a small back yard.

Sandy Payne asked Mr. Fisher what property borders this property from the back. Mr. Fisher explained that the property in review backs up to an abandoned easement. On the other side of this easement are the backyards of some homes on Lakeview.

Mr. Fisher added that a major consideration in reducing the setback is the presence of trees that he would like to work around and save, adding value to the lots. One tree is in a front yard, one in a side yard and one in a back yard, but he only needs a change in the back yard setback.

Sandy Payne asked if there would be a back alleyway or would the back fences of neighboring properties butt up to each other. Mr. Fisher answered that this is not the case as the existing homes have their part of the easement. Steven Bertrand pointed out that the existing fence could in fact be moved back and end up against Mr. Fisher's new homes. Mr. Fisher agreed, stating the easement was split between him and the other property owners; however his prospective homes would only affect one existing house and he has already spoken to the owners. Mr. Fisher stated that it would not be crowded, adding that the remaining twenty feet would still allow for a small back yard.

Lance Whidden asked if granting the variance would ensure the protection of the trees. Mr. Fisher explained that is what he is trying to do. He is aware of that construction has to consider not just the trees but the trees' root systems as well. He added that it is worth money as a builder and developer to keep the trees there. He said lots look better with trees, and some of these trees may be forty and fifty years old, so he is going to do his best to save them. Sandy Payne asked if this could be guaranteed as residents of Lake Dallas feel strongly about trees. Mr. Fisher explained that the outcome of the trees depends largely upon what types of trees there are, as trees have varying types of root systems, but he does want to save them if he can. He ended by saying he thinks he can save the trees.

Steven Bertrand asked if the City had already replatted the property to call them 104 Pearl, 106, etc. Mr. Fisher explained that the re-plat has yet to be accepted as the Board of Adjustment meeting is the first step in the process, followed by taking his request to the Planning and Zoning Commission, and lastly taking the request to City Council. He added that he has been working with the City and has not faced any opposition at this point, which he feels makes sense as adding homes would result in more tax for the City.

Steven Bertrand asked if the drawing provided shows the proposed house outlines with requested setbacks. Mr. Fisher answered affirmatively, adding that without the variance in the setbacks, the homes would probably have to be two-stories in order to get the desired square footage, yet he prefers to keep the homes one-story.

Steven Bertrand asked Char DuPree whether or not there were smaller lot sizes in the present zoning, and she answered that there are 4000 square foot lots but those are for mobile homes. Mr. Bertrand asked if the lots being proposed by Mr. Fisher would be 6000 square foot sized lots, and she answered yes. Sandy Payne stated that the lots looked bigger than zero lot line, to which Char DuPree stated that they were not zero lot lines as the lots must still have the setbacks. Mr. Fisher explained that the houses would be close, but the homes would still have

ten feet between them with the minimum allowed setbacks. Char DuPree added that it was a non-conforming area. Mr. Fisher stated that it was an older part of town, so new homes would be beneficial for the City, and upgrade for the existing neighborhoods.

Steven Bertrand asked what exterior finish was planned for the homes, and Mr. Fisher said that hardy plank would be used. He explained that the board may want to look at his previous homes and added that those homes sold well. Lance Whidden asked what these homes typically sell for. Mr. Fisher was unsure at this point but believed they would sell in the upper $130,000s, as his last two sold for about $128,000 or $129,000. He added that the cost of materials has gone up but with current interest rates he believes a home could be bought for a minimum down payment and around $1,200.00 a month.

Motion to approve the request by Clyde Fisher for a variance at 110 Pearl Lane, Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 & 16 of Block 4 of the Lake Dallas Sites Addition, to reduce the backyard setback to a twenty (20) foot setback from the property line where a thirty (30) foot setback is required was made by Carol Ann Connors; second by Sandy Payne
Ayes: Steven Bertrand, Sandy Payne, Carol Ann Connors, and Lance Whidden
Noes: None

Motion Passed

5. **Adjournment**
Steven Bertrand adjourned the meeting.

The meeting was adjourned at 7:45 PM.

Steven Bertrand, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met on July 23, 2012 at 7:30 p.m. in the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. **Roll Call**
   Members Present: Steven Bertrand, Lance Whidden, Bruce Martin, and Sandy Payne
   Staff Present: Community Development Char DuPree, City Manager Earl Berner, and Planning and Zoning Secretary Donna Goode

2. **Consideration and Action on approval of Minutes for February 28, 2011 meeting.**
   Motion to approve the minutes for February 28, 2011 was made by Bruce Martin; second by Sandy Payne
   Ayes: Steven Bertrand, Lance Whidden, Bruce Martin, and Sandy Payne
   Noes: None

   Motion Passed

3. **Public Hearing on a request by Rex Brown for a variance at 526 Addison, Lot 25, Block J of the Oak Lakes Subdivision, to allow the construction of a swimming pool with a two (2) feet setback from the property line where five (5) feet is required and to allow a three point four (3.4) feet setback from the foundation where eight (8) is allowed.**

   Robert Little, 525 Meadowbrook, stated he was confused when he received the letter from the City regarding the pool variance and meeting since the owner already started pool construction. He asked that the pool be built where it is supposed to be.

   Cary Daniels, 512 Addison, stated he was representing Mr. Rex Brown, owner and builder of 526 Addison. Mr. Daniels understands the complaints about the permits, however, Mr. Brown's business is in Lawton, Oklahoma and he was not able to be at the job site as much as he should have been. Mr. Daniels agreed that Mr. Brown should have gotten permits as required but said he was not trying to circumvent the process. Mr. Daniels asked for approval of the variance on behalf of Mr. Brown, adding that he be fined, if need be, for not getting the pool permit before construction began. Mr. Daniels also understands the silt issue of the neighborhood pond because his property also backs up to the pond. The house and pool have been engineered and are safe.

   Gordon McQuillan, 521 Meadowbrook, also did not like the intrusion on the pond by Mr. Brown, however, he has built a nice house and addition to the neighborhood that has been engineered and is safe. He is also the pool contractor and stated the pool surpasses building code requirements. In addition, he stated Mr. Brown had advised him he had gotten the pool permit when he acquired the residential home permit. Several years ago Mr. McQuillan paid to have the silt removed from the pond. He feels the City should now dredge the waterway and correct the water flow issue.

   Martha Lowry, 531 Meadowbrook, is unhappy about Mr. Brown's home and pool construction without obtaining the required permits. She feels he should be fined and the money received should be used in cleaning up the pond/spillway. His retaining wall

construction has changed the flow of water, causing issues for her and the others living around the pond. Mr. Brown should have been required to obtain permits before building anything.

Pam Bridges, address not stated, spoke about the email received by Earl Berner from Johnny Harris, 516 Addison in Lake Dallas. Mr. Harris reiterated sentiments similar to Mr. Little and Mrs. Lowry. He was upset that Mr. Brown seems to think he can do whatever he wants without any consequences.

No one else came forward and the Public Hearing was closed.

4. **Consideration and Action on a request by Rex Brown for a variance at 526 Addison Street, Lot 25, Block J of the Oak Lakes Subdivision, to allow the construction of a swimming pool with a two (2) feet setback from the property line where five (5) feet is required and to allow a three point four (3.4) feet setback from the foundation where eight (8) is allowed.**

Steven Bertrand, Board Chair, stated although while it may have not been Mr. Brown's intention to make fools of the City, he did take advantage of the City by not following the permit process. He feels the permit fees should be doubled and wants Mr. Brown fined for not first obtaining permits before construction started.

Char DuPree, Community Development, explained the permitting and inspection process and Mr. Brown's construction project beginning with the front setback variance requested in February 2011. She detailed when construction was stopped due to the lack of obtaining permits, when the permits were issued and how inspections were suspended until Mr. Brown was in compliance with the International Residential Code (IRC) and the Lake Dallas Municipal Code. This included the additional plan review required for the second story not submitted with the original plans and not paying the permit fees for this construction. She also refuted incorrect information circulated by neighbors regarding this construction.

Earl Berner, City Manager, was asked his comments on this issue; he is not happy with the way Mr. Brown has handled obtaining permits for his house and pool. The City responded with stop construction orders. Mr. Brown has been held accountable for failing to comply with permitting requirements. As far as the pond issue, the City considers the pond to be privately owned by the home owners. Mr. Berner said he only knows what has happened with the pond since he has been with Lake Dallas the past seven years. Per his earlier conversation with Mrs. Lowry, he will take a closer look at the pond issues and see what can be done.

Steven Bertrand stated he was very upset with Mr. Brown and came very close to denying the variance. He definitely wants there to be consequences for Mr. Brown's not obtaining permits correctly. He suggested permit fees be doubled as allowed by the City Code and a citation for beginning work without permit issuance.

With no further questions or comments from the Board, Steve Bertrand suggested a motion be drafted based on all the comments and available information.

Motion to approve the variance as requested with the recommendation that:

- The permit fees be doubled and a citation be issued for not obtaining a permit before contruction
- Punitive fines to the maximum extent allowed by the City of Lake Dallas Municipal Court
- No additional work carried out nor the pool permit issued until all fees and fines assessed by the Court are paid
- All additional funds be directed to waterway pond improvements was made by Sandy Payne; second by Lance Whidden.

Ayes: Steven Bertrand, Lance Whidden and Sandy Payne
Noes: Bruce Martin

Motion Passed

5. **Adjournment**
Motion to adjourn was made by Bruce Martin; second by Sandy Payne.
Ayes: Steven Bertrand, Lance Whidden, Bruce Martin, and Sandy Payne
Noes: None

Motion Passed

The meeting was adjourned at 8:30 PM.

Steven Bertrand, Chair

Donna Goode, Planning and Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in a special meeting on October 29, 2009 at 7:32 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

Members present: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Staff present: City Manager Earl Berner and Planning & Zoning Commission Secretary Char DuPree

2. Consideration and Action on approval of Minutes for the May 11, 2009 meeting.

Motion to approve the Minutes for the May 11, 2009 meeting was made by Bruce Martin; second by Sandy Payne.
Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne
Noes: None

Motion Passed

3. Public Hearing on request for a special exception regarding the replat of Lots 17, 18, 19, & 20, Block F, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for the lots to change from four (4) lots to three (3) lots of 6600 square feet each and to allow a rear setback of twenty (20) feet where thirty (30) feet is required in an R-1-6000, Single Family Dwelling district.

Clyde Fisher, 747 Carlisle, is the owner of the subject lots. He wants to replat the four lots into three larger lots to build a larger 1500 sq. ft. home than is required. In response to questions from Sandy Payne, Mr. Fisher stated there is not an alleyway behind the homes but Stockard would be paved and opened up to traffic, however it would not extend through to Hundley Drive.

Sandra Caldwell, 421 Stadium, asked if these lots were vacant. She also would like to see Stockard extend through to Hundley Drive because right now there is only one way in or out of this area. She also is concerned about fire department access in adding these new homes. Mr. Fisher responded stating the lots were vacant.

Earl Berner added Stockard would not be extended to Hundley Drive at this time but would end at the Lake Cities Municipal Utility Authority property.

Sandy Payne asked how the building of these homes with the 20 ft. setback would affect the fire department access.

Mr. Berner explained there is a water hydrant at the corner of Stockard and Stadium and the department vehicles would be able to turn around using the Lake Cities Municipal Utility Authority (LCMUA) properties in emergencies. In addition Mr. Berner informed the Board which lots belonged to LCMUA on the plat.

Barbara Davis, 529 Beck Avenue, was not sure where these lots were located and asked to see the plat. In response, Sandy Payne showed Ms. Davis exactly where the proposed lots were located on the plat.

Earl Berner stated the City supported this project and feels this development would be an asset to the community.

Steven Bertrand closed the public hearing.

4. **Consideration and Action on request for a special exception regarding the replat of Lots 17, 18, 19, & 20, Block F, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for the lots to change from four (4) lots to three (3) lots of 6600 square feet each and to allow a rear setback of twenty (20) feet where thirty (30) feet is required in an R-1-6000, Single Family Dwelling district.**

Motion to approve the special exception to allow a rear setback of twenty (20) feet where thirty (30) feet is required was made by Bruce Martin; second by Sandy Payne.
Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne
Noes: None

Motion Passed

5. **Public Hearing on a request by the City of Lake Dallas for a special exception to allow construction of a garage on the southeast end of the Municipal Complex at 212 Main Street that will have a zero (0) rear setback where twenty five (25) feet is required and a side yard of two (2) feet where ten (10) feet is required.**

Earl Berner addressed the Board on behalf of Police Chief Ristagno and explained the purpose of the requested special exception is to build a garage that will secure the new communications vehicle and equipment. The door will be a roll-up type garage door due to limited space.

There has been one comment opposing the special exception by Mr. Ted Freeman who owns the 12 acre railroad property, however, once he understood that the city hall property did not directly abut up to his property he no longer opposed the approval of the special exception. No other property owners opposed this request.

Steven Bertrand closed the public hearing.

6. **Consideration and Action on a request by the City of Lake Dallas for a special exception to allow construction of a garage on the southeast end of the Municipal Complex at 212 Main Street that will have a zero (0) rear setback where twenty five (25) feet is required and a side yard of two (2) feet where ten (10) feet is required.**

Motion to approve the special exception of a zero (0) rear setback and a two (2) feet side setback was made by Bruce Martin; second by Sandy Payne.

Ayes: Steven Bertrand, Bruce Martin, Rhonda Dick and Sandy Payne

Noes: None

Motion Passed

7. Adjournment

Steven Bertand closed the meeting at 8:05 p.m.

Steven Bertrand, Chair

Char DuPree, Planning & Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustments of the City of Lake Dallas met in a regular meeting on April 21, 2008 at 7:30 pm in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members present: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith

   Staff present: City Manager Earl Berner and Planning & Zoning Commission Secretary Char DuPree

2. Consideration and Action on approval of Minutes for the October 15, 2007 meeting.

   Motion to approve October 15, 2007 minutes was made by Bruce Martin. Second by Sandy Payne.
   Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
   Noes: None

   Motion Passed

3. Consideration and Action to set meeting time.

   Motion to set the meeting time at 7:30 p.m. was made by Sandy Payne. Second by Bruce Martin.
   Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
   Noes: None

   Motion Passed

4. Public Hearing on a request for the proposed variance due to a special exception made by QuikTrip Corporation regarding landscaping for the property located at 302 Swisher Road, Block A, Lot 1 of the KWIK Addition, Lake Dallas, Denton County, Texas.

   J.D. Dudley, Production Supervisor, QuikTrip, 15540 Trinity Blvd., Ste. 300, Ft. Worth, Texas, stated the variance was needed because the utility easement does not allow any landscaping and the landscape site plan does not meet current Code requirements. In addition, the storm sewer system for QuikTrip had to be relocated from this easement. Since QuikTrip has been unable to obtain access of the utility easement, there will be no entrance, only the front entrance on Swisher.

   No one else came forward and the public hearing was closed.

5. Consideration and Action on approval of a proposed variance due to a special exception made by QuikTrip Corporation regarding landscaping for the property located at 302 Swisher Road, Block A, Lot 1 of the KWIK Addition, Lake Dallas, Texas.

City Manager Berner stated the piglot and utility easement really affected the development of this site plan.

Ron Olson, United Aircraft, 250 Swisher Rd. in Lake Dallas, stated as the neighboring property he has no objection to the variance being issued.

Motion to approve the variance was made by Bruce Martin. Second by Dylan Smith.
Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

6. Public Hearing on approval of a special exception regarding a pole sign variance requested by QuikTrip Corporation for property located at 302 Swisher Road, Block A, Lot 1 of the KWIK Addition, Lake Dallas, Denton County, Texas.

JD Dudley from QuikTrip stated a pole sign is critical for attracting people from the highway and an important business issue for QuikTrip. The sign will be 50 ft. high and there are no other signs in the area that high.

No one else came forward and the public hearing was closed.

7. Consideration and Action on approval of a special exception regarding a pole sign variance requested by QuikTrip Corporation for property located at 302 Swisher Road, Block A, Lot 1 of the KWIK Addition, Lake Dallas, Denton County, Texas.

Bruce Martin asked what the sign would look like and was told the sign would be similar to the store on Mayhill and I35E in Denton. It would be a double pole for support.

City Manager Berner explained the pole sign ordinance history to the Board and although the Planning and Zoning Commission does not review this request it will review the sign plan.

Motion to approve the pole sign variance for QuikTrip was made by Bruce Martin. Second by Sandy Payne.
Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

8. Public Hearing on a special exception regarding front, back, and side setbacks requested by McKee Yant for Sonic Drive In of Lake Dallas for property located at 101 Main Street, Tract 86C of the Wright Abstract 1355A, Lake Dallas, Denton County, Texas.

McKee Yant, 7116 Helsem Bend in Dallas, owner of the Lake Dallas Sonic, wants to demolish the existing Sonic building and rebuild a new modern building. Current zoning regulations creates a problem with setback requirements. Mr. Yant wants to construct a regular drive through service similar to other fast food restaurants. The building will need to be brought 10 foot closer to Main Street and moved 2 ft. west of it's current location. This will still preserve the large tree at the corner of Main Street and Shady Shores while developing a little more property green belt and eliminating vehicle traffic from cutting the corner there.

City Manager Berner said the variance approval is must in order to allow the Sonic to be rebuilt rather than just renovated. The new building will be more energy efficient, allow restroom construction for employees as well as customers and 3to 4 parking spaces for walk up services. Construction will take 6 to 7 weeks to complete.

No one else came forward and the public hearing was closed.

9. Consideration and Action on a special exception regarding front, back, and side setbacks requested by McKee Yant for Sonic Drive In of Lake Dallas for property located at 101 Main Street, Tract 86C of the Wright Abstract 1355A, Lake Dallas, Denton County, Texas.

Per the City Manager, the City fully supports this project. The additional parking and landscaping also supports the Main revitalization program.

Motion to approve the setback variance for Sonic Drive In was made by Bruce Martin. Second by Sandy Payne.
Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

10. Adjournment

Steven Bertrand closed the meeting at 8:02.

Steve Bertrand, Chair

Charmaine DuPree, Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in a regular meeting on October 15, 2007 at 7:13 pm in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members present: Bruce Martin, Steven Bertrand, Sandy Payne & Dylan Smith
   Staff present: Planning and Zoning Commission Secretary Char DuPree

2. Consideration and Action on approval of Minutes for the October 16, 2006 meeting.
   Motion to approve minutes was made by Bruce Martin. Second by Sandy Payne.
   Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
   Noes: None

   Motion Passed

3. Public Hearing on a request for the proposed variance due to a special exception regarding setbacks for the property located at 603 Lakebridge Drive, Lot 8, Block 2, of the Lakebridge Estates, Phase 1 subdivision in the City of Lake Dallas, Denton County, Texas.

   Property owner Steve Carter, 603 Lakebridge Drive, explained the construction work recently done on his property. He stated permission was given to him by the previous City Manager, Stewart Fairburn. He felt he needed to do this work to prevent further erosion of his property due the watershed problem from the property behind him. In case of fire, there are two gates going into the back yard as well as a breakaway panel on the back fence.

   No one else came forward and the public hearing was closed.

4. Consideration and Action on approval of a request for the proposed variance due to a special exception regarding setbacks for the property located at 603 Lakebridge Drive, Lot 8, Block 2, of the Lakebridge Estates, Phase 1 subdivision in the City of Lake Dallas, Denton County, Texas.

   The Board did not have any problem with the construction that had been done.
   Motion to approve the setback special exception was made by Bruce Martin. Second by Dylan Smith.
   Ayes: Steven Bertrand, Bruce Martin, Sandy Payne and Dylan Smith
   Noes: None

   Motion Passed

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in a regular meeting on October 16, 2006 at 7:02 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
Members Present: Steven Bertrand, James Harper, Sandy Payne and Dylan Smith. Bruce Martin was unable to attend.
Staff present: City Manager Earl Berner and Planning and Zoning Commission Secretary Char DuPree.

2. Consideration and Action on approval of Minutes for the September 18, 2006 meeting.

Motion to approve minutes was made by James Harper. Second by Dylan Smith.
Ayes: Steven Bertrand, James Harper, Sandy Payne and Dylan Smith.
Noes: None

Motion Passed

3. Public Hearing on request for a proposed special exception regarding front and rear setbacks and dwelling size for property located in the 700 block on the south side of Thompson Drive, Lot 8 of the J. V. Thompson subdivision in the City of Lake Dallas, Denton County, Texas.

L. D. Vinson, P. O. Box 1232, Sanger, TX 76226, has requested a special exception that will allow him to place 800 sq. ft. home on this lot. He doesn't feel the 15 ft. side setback is appropriate given the size of this lot. He does not have any pictures of the house. Mr. Vinson stated he has built approximately 50 houses in the area and is a certified builder. These houses would be refurbished for resale and would not be rentals.

The Board asked several questions regarding the submitted proposals because of the setback requirements and parking concerns. The lot is located at the corners of Starfish and Dolphin. There was a discussion of which way the house would face, where the front door would be located, how other neighborhood houses are situated on the lots and how this would affect the side, front & rear setback requirements. Most of the houses in the area have the short side of the house-facing Dolphin.

Richard Martin, 610 Thompson, lives on opposite end of the street and is concerned about the size of the lot and house. He always wants to see improvement in the area, but this is something new. He asked if this house would be required to meet City Code requirements. The Board answered that all code requirements must be met except those excepted by the special exception.

James Stanford, 311 Dolphin, feels it would benefit the neighborhood, but is concerned about the parking. He would like the parking on the south side of the lot and have the house moved closer to Thompson. Mr. Stanford also stated when Mr. Vinson moved a house onto Lakeland and Glen Rhea it was an improvement to that area.

Mr. Vinson should be closing on this property on October 17, 2006.

Board member Bertrand felt it was feasible to grant this exception given the size of the house and lot size.

Richard Martin felt as long as this is done right, it is better than a vacant lot. Wants to see it better than it is now. It would be better than a vacant lot.

No one else came forward and Chairman Bertrand closed the public hearing.

4. Consideration and Action on approval of a request for the proposed special exception regarding front and rear setbacks and dwelling size for property located in the 700 block on the south side of Thompson Drive, Lot 8 of the J. V. Thompson subdivision in the City of Lake Dallas, Denton County, Texas.

Board discussed which option would be best given the lot's old shape and size. The Board was in agreement that the home meet current R1-6000 building code requirements.

Motion to approve this special exception to move an 800 sq. ft. house onto the lot with the front of the house on Dolphin meeting all drainage and building code requirements was made by Sandy Payne. Second by James Harper.
Ayes: Steven Bertrand, James Harper, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

5. Public Hearing on request for a proposed special exception regarding front and rear setbacks and dwelling size for property located in the 100 Block of Adolphus, Lot 13 of Block F of the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.

L.D. Vinson, P. O. Sox 1252, Sanger, TX 76266 will remove the old trailer currently on the property. He will move in a 20 X 40 ft. home, and build a breezeway to attach it to a storage building. A new roof will be installed to cover all three building units to meet the 1200 sq. ft. requirement for R1-6000. The front of house and off street parking will be on

Adolphus. The only exception being requested is a back yard setback of 15 ft. instead of the required 30 ft. because of the lot size.

No one else came forward and Chairman Bertrand closed the public hearing.

6. Consideration and Action on the request for a proposed special exception regarding front and rear setbacks and dwelling size for property located in the 100 Block of Adolphus, Lot 13 of Block F of the Garza Beach Estates of the City of Lake Dallas, Denton County, Texas.

General consensus of the Board is to approve the special exception. They feel Mr. Vinson is improving the current condition of the lot and removing the eyesore in the neighborhood.

Motion to approve the special exception to remove the mobile home, move the house onto lot, adjoin it with the storage shed using a newly constructed breezeway to bring the house up to 1200 sq. ft. was made by James Harper. Second by Sandy Payne. Further a rear setback of 15 ft. is approved. House must meet all building code requirements for R1-6000 zoning.
Ayes: Steven Bertrand, James Harper, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

7. Consideration and Action to select new officers for the positions of chair and vice chair.

Motion to keep the same officers was made by Steven Bertrand. Second by James Harper.
Ayes: Steven Bertrand, James Harper, Sandy Payne and Dylan Smith
Noes: None

Motion Passed

8. Adjournment

Steven Bertrand adjourned the meeting at 8:12 p.m.

Steven Bertrand, Chair

Charmaine DuPree
Board of Adjustment Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in a regular meeting on September 18, 2006 at 7:00 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call:
   Members Present: Bruce Martin, Steven Bertrand, Sandy Payne, Dylan Smith and James Harper.

   Also present: City Manager Earl Berner and Planning and Zoning Secretary Char DuPree.

2. Consideration and Action on approval of Minutes for the June 19, 2006 meeting.
   Motion to approve Minutes for the June 19, 2006 meeting was made by Steven Bertrand. Second by Sandy Payne.
   Ayes: Steven Bertrand, Sandy Payne, Dylan Smith and James Harper.
   Noes: None

   Motion Passed

3. Public Hearing on request for a proposed special exception regarding the replat of the north half of Lot 25, Block H, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for four (4) lots of 50' x 100' each, or 5000 sf each in an R-1-6000, Single Family Dwelling district (6000 sf lots).

   John Donahue from Kilkenny Building Company represented Robert Meadows, who owns 306 Boliver and 403 Stockard. Mr. Donahue explained these properties were platted in 1926 for a community center. Mr. Meadows is willing to sell these properties to Mr. Donahue at a price he can afford so he can build 8 new brick homes that will be approximately 1300 sq. ft. They will be 3 bedrooms and have 2 baths, meeting all building requirements for R1-6000 zoning. The lots will be 50 ft. x 100 ft. The tax base for these homes will be approximately $425,000.00. Mr. Donahue previously built 42 similar homes on Texas Street and Boliver.

   Steven Bertrand closed the public hearing.

4. Consideration and Action on approval of a proposed special exception regarding the replat of the north half of Lot 25, Block H, of Garza Beach Estates, Lake Dallas, Denton County, Texas. The replat will allow for four (4) lots of 50' x 100' each, or 5000 sf each in an R-1-6000, Single Family Dwelling district (6000 sf lots).

The Board felt this is not an uncommon request given the other homes in this area. The Members felt comfortable these homes would improve the area and the City tax base. **Motion** to approve the proposed special exception regarding the replat of the north half of Lot 25, Block H of Garza Beach Estates was made by Bruce Martin. Second was made by Dylan Smith.
Ayes: Bruce Martin, Steven Bertrand, Sandy Payne, Dylan Smith and James Harper.
Noes: None

Motion Passed

5. Adjournment

Steven Bertrand adjourned the meeting at 7:17 p.m.

Steven Bertrand, Chair

Charmaine DuPree
Board of Adjustment Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in a regular meeting on June 19, 2006 at 7:30 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members Present: Bruce Martin, Sandy Payne, James Harper and Dylan Smith.

   Steven Bertrand was unable to attend.

   Staff Present: City Manager Earl Berner and Board Secretary Char DuPree.

2. Consideration and Action on approval of Minutes for the May 15, 2006 meeting.
   Motion to approve the May 15, 2006 Minutes was made by Sandy Payne. Second by Dylan Smith.
   Ayes: Bruce Martin, Sandy Payne, James Harper and Dylan Smith.
   Noes: None

   Motion Passed

3. Public Hearing on request for a proposed special exception regarding front and rear setbacks for property located in the 100-200 block of the west side of North Lakeview Drive, Lake Dallas, Denton County, Texas.

   Mr. Berner explained the building plans submitted by Mr. Bourland do not meet the setback requirements for R1-6000 zoning.

   Mr. Frank Bourland, 1434 Hidden Oaks in Corinth, owns this property and would like to build 8 duplexes. The property has not been rezoned yet for two-family dwellings. He illustrated the plans and showed where he would put a new road for access to the property.

   John Sullivan, 503 E. Hundley, was concerned about the drainage and tree replacement if Mr. Bourland put a road through to Hundley.

   Barbara Davis, Davis Mobile Home Park - 501 Hundley, stated she has paid taxes on some of the property Mr. Bourland wants the City to abandon for the new road. Mr. Berner said the property is still platted as a City right of way.

   Bob McDonald, who owns 521, 522 & 523 Hundley, said Denton County has charged him taxes on this property since 1983 and he feels the City should compensate him if it is still a right of way. Mr. McDonald stated he had documents that show the right of way has already been abandoned by the City.

Mr. Bourland's survey does not exhibit any abandonment by the City.

Cleada Smallwood, 200 N. Lakeview Drive, expressed concern over drainage and increased traffic.

In summary, Mr. Bourland stated the duplex exterior would appear as single-family homes. A tall fence would be installed around the properties with a rear setback of 8 ft. and a 20 ft. front setback. Building this way would maximize the tax base of the property. The side setback distance, approximately 16 to 18 ft., would be greater than those in the Harbourtown subdivision.

4. Consideration and Action on approval of a request for a proposed special exception regarding front and rear setbacks for property located in the 100-200 block of the west side of North Lakeview Drive, Lake Dallas, Denton County, Texas.

   Several issues concerned the Board, including ownership of the right of way, additional utility lines, drainage and fire department access. The major issue with was the 8 ft. rear setback. The Board consensus was this setback was too small and created a safety issue.
   Motion to deny the approval of the proposed special exception regarding the front and rear setbacks for the property located in the 100-200 block of the west side of North Lakeview Drive was made by Sandy Payne. Second by Dylan Smith.
   Ayes: Bruce Martin, Sandy Payne, James Harper and Dylan Smith.
   Noes: None

   Motion Passed

5. Adjournment

   Bruce Martin adjourned the meeting at 8:05 p.m.

Bruce Martin, Acting Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met in May 15, 2006 at 7:00 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members Present: Bruce Martin, Steven Bertrand, Sandy Payne, Dylan Smith and James Harper.
   Staff present: City Manager Earl Berner and Board Secretary Char DuPree.

2. Consideration and Action on approval of Minutes for the November 21, 2005 meeting.

   Motion to approve the November 21, 2005 Minutes was made by Bruce Martin. Second by Sandy Payne.
   Ayes: Bruce Martin, Steven Bertrand, Sandy Payne, Dylan Smith and James Harper
   Noes: None

   Motion Passed

3. Public Hearing on request for a proposed special exception for expansion of a nonconforming use by Video Plus, 200 Swisher Road, Tract 2 of J. W. Simmons Abstract 1163A, City of Lake Dallas, Denton County, Texas.

   Sandy Payne excused herself from the Board because she is currently employed at Video Plus.

   Brenda McDonald, 8117 Preston Rd., Suite 115, Dallas, TX, represented Video Plus. Video Plus is requesting an Expansion of a non-conforming use (Special Exception) rather than a Special Use Permit. Properties surrounding Video Plus include: east side is the drainage easement, south side is Silestone, west side is Unified Aircraft and the north side is residential. Ms. McDonald believes the expansion would not be detrimental to the other businesses or the residential area. The southeast corner of the property will be used for 66 additional parking spaces to accommodate more employees. The southwest corner will continue to be used for storage. The new building will be prefab similar to the existing structure, although not quite as high, and painted the same color.

   Marvin Chisum, 204 Hillcrest, asked what the new building was going to be used for. Ms. McDonald stated Video Plus would use the expansion for the additional storage of DVD & CD's used for training purposes; their business is growing.

   No one else came forward and Mr. Bertrand closed the public hearing.

4. Consideration and Action on approval of a request for a proposed special exception for expansion of a nonconforming use by Video Plus, 200 Swisher Road, Tract 2 of J. W. Simmons Abstract 1163A, City of Lake Dallas, Denton County, Texas.

Mr. Martin stated he did not have any concerns with the expansion. He feels Video Plus is a good neighbor and employer in Lake Dallas. The rest of the board concurred.

Motion to approve the proposed special exception request from Video Plus was made by Mr. Martin. Second by Mr. Harper.
Ayes: Bruce Martin, Steven Bertrand, Dylan Smith and James Harper
Noes: None

Motion Passed

5. Consideration and Action on election of officers for the Board of Adjustment. [Tabled at November 21, 2005 meeting.

Bruce Martin nominated Steven Bertrand for Board Chairperson. Second by Sandy Payne.
Ayes: Bruce Martin, Sandy Payne, Dylan Smith and James Harper
Noes: None

Motion Passed

Sandy Payne nominated Bruce Martin for Board Vice Chairperson. Second by Dylan Smith.
Ayes: Steven Bertrand, Sandy Payne, Dylan Smith and James Harper
Noes: None

Motion Passed

6. Adjournment
Steven Bertrand adjourned the meeting at 7:36 p.m.

Steven Bertrand, Chair

Charmaine DuPree
Planning and Zoning Commission Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on November 21, 2005 at 7:05 PM in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

AGENDA:

1. Roll Call
   Members Present: Chairman Flanagan, Bruce Martin, Steven Bertrand, & Sandy Payne.

   Staff present: Char DuPree, Planning & Zoning Secretary

2. Consideration and Action on approval of Minutes for the August 15, 2005 meeting.

   Motion to approve the August 15, 2005 Minutes was made by Bruce Martin. Second by Sandy Payne.
   Ayes: Matt Flanagan, Bruce Martin Steven Bertrand and Sandy Payne.
   Noes: None

   Motion Passed

3. Consideration and Action on approval of a request for a proposed variance to modify setback requirements for 107 Silktree Court [Thousand Oaks Addition, Phase II, Block J, Lot 4], Lake Dallas, Denton County, Texas.

   Chairman Flanagan called a Public Hearing regarding the proposed variance by unanimous vote of the Board.

   Mark and Anita Mueller (Pronounced as Miller), 107 Silktree explained they are requesting the variance to keep the garage 10 feet from the main building. There is a twelve-foot drop in the back of the yard that is a part of a flood plain and they feel this is the hardship. They currently have a two-car garage that has an historic vehicle that needs to be removed. Mr. Mueller would like to house the vehicle in the new garage plus have a workshop in this building.

   Mr. Flanagan explained a hardship is not something that you create for yourself; you're basically causing the hardship because you want to build something other than what is allowed in zoning area R1-7200. The slope could be built up to allow building the garage more than 10 ft. from the main residence, which would meet the setback requirements.

   Mr. Berner explained the parameters of the variance request and said he did not meet with Mr. & Mrs. Mueller to explain requirements in detail.

   The Board suggested the proposed garage be turn slightly and that would allow the setback requirements to be met, however, Mrs. Mueller did not feel this was an option because of the back yard retaining wall height.

Mr. Flanagan expressed concern about the fire code and said that is why the setbacks are in the code. The aesthetic reason is having neighbors look out the back yard to look out onto the garage that is twenty feet tall. Rotating the garage will only require a six-foot move back and four feet sideways to maintain the required 10 feet and 7 feet setback requirements. He suggested that they make the retaining wall part of the foundation.

James and Carol Plyler, 105 Silktree, is a neighbor concerned about the drainage issue and building requirements of 80% masonry. They bought their property for the size, the greenbelt, and the view. They don't want anything that will be an eyesore. They want to keep the neighborhood beautiful and don't want it to look like an add-on. Once this starts it will be potluck looking to the neighborhood. To avoid the run-off issue, the Muellers would have to build up their property, which would elevate the height of the garage even more. He also values his privacy. They want to be sure the neighborhood building is uniform and there is proper drainage.

Chairman Flanagan said that any add-on has to match the existing primary residence and any building over 120 square feet must have a building permit and meet the R1-7200 building code requirements.

Mrs. Mueller said they also want the view to be maintained and are concerned about the drainage and that is why they are consulting with an engineer. They want to maintain the integrity of the neighborhood and ensure that the drainage issue is resolved.

Chairman Flanagan closed the public hearing at 7:38 p.m.

Consideration and action on variance:

There was board discussion about the size of the lot and setback requirements. This area was originally going to be zoned R-1-10000 single-family district. It is a big lot and there are other options that haven't been considered. There is still concern about the fire issue.

Mr. Mueller said he is not concerned about fire issue because it is a garage. He said he understands what the board is saying but doesn't feel he can really move the garage over.

Chairman Flanagan said he feels their money should be given back to them if this goes to a no vote. The applicant cannot create the hardship. He said he feels this wasn't explained as well as it should have been when the application was made. We rarely turn anything down.

Mrs. Mueller said Mr. Berner said it sounded like it would pass.

Motion to deny the request and to refund the money was made by Bruce Martin. Second Sandy Payne.
Ayes: Matt Flanagan, Steven Bertrand, Bruce Martin, and Sandy Payne
Noes: None
Motion Passed

4. Consideration and Action on election of officers for the Board of Adjustment.
Table this discussion until we get more people on the board.

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on August 15, 2005 at 7:40 PM in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

Matt Flanagan, Chair, called the meeting to order.

1. Roll Call
   Members Present: Chairman Matt Flanagan, Bruce Martin, Steven Bertrand and Sandy Payne.

   Staff present: Planning & Zoning Secretary Char DuPree.

2. Consideration and Action on approval of Minutes for the November 15, 2004 meeting.
   Motion to approve the Minutes was made by Steven Bertrand. Second by Bruce Martin.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand and Sandy Payne.
   Noes: None

   Motion Passed

3. Consideration and Action on approval of a request for a proposed variance for landscaping setback required for Lake Cities Business Park LP, Building II, 2002 South Stemmons Freeway [Block B Lot 7R, Barmarchar Sites], Lake Dallas, Denton County, Texas.

   Kyle Hogue, G & A Consultants, Inc., P. O. Box 1398, Lewisville, Texas, the project engineer and Mike Wolverton, business owner, represented the Lake Cities Business Park project. Mr. Wolverton is requesting a variance for the landscaping variance in order to maximize the use of the property. If the variance is approved, Mr. Wolverton will be able to add an additional 5 ft. of office space onto the building.

   There is a 4 ft. chain link fence with wisteria bushes growing onto Mr. Wolverton's property that he will be trimming and cleaning up. The rental house next door belongs to the chiropractor. The curb will be 2 ½ ft. from this fence line and will be 6 in. tall. The drainage has been addressed.

   There has been no negative feedback from the community residents.

Motion to approve the proposed variance for the landscaping setback was made by Steven Bertrand. Second by Bruce Martin.
Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand and Sandy Payne.
Noes: None

Motion Passed

4. Adjournment – Matt Flanagan adjourned the meeting at 7:50 PM.

for Steven R. Bertrand
Matt Flanagan, Chair

Charmaine DuPree
Charmaine DuPree, Secretary
Board of Adjustment

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on November 15, 2004 at 7:26 PM in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.
Steve Bertrand, Temporary Chairman, called the meeting to order at 7:26 PM.

1. Roll Call

   Members present: Bruce Martin, Steven Bertrand, John Flaming, and Sandy Payne.
   Matt Flanagan arrived at 7:55 PM.

   Staff present: Building Official Richard Dallof and City Secretary Beverly Weikum.

2. Consideration and Action to excuse the attendance of those who have notified the City Secretary of absence.
   No action was taken.

3. Approval of Minutes for the September 20, 2004 meeting.
   Motion to accept the Minutes as presented was made by Bruce Martin. Second by Sandy Payne.
   Ayes: Bruce Martin, Steven Bertrand, John Flaming and Sandy Payne
   Noes: None

   Motion Passed

4. Consideration and Action on approval of a request for a proposed variance for signs and parking for property located at 209 Main Street, Tract 21 of M. Wright Abstract 1355A, Lake Dallas, Denton County, Texas.
   The board members heard information from Richard Dallof, Building Official, and Terry Lantrip, owner of the property. Mr. Lantrip handed out additional information about the signs placement and parking layout. There were no responses from the notification letters that were mailed out and no other citizens present at the meeting which would indicate dissention. Mr. Lantrip said he would come back for other variances when he completes his other buildings on the property.
   Motion to approve the variances for the signs and parking for property located at 209 Main Street, Tract 21 of M. Wright Abstract 1355A was made by Bruce Martin. Second by Sandy Payne.
   Before a vote was taken Bruce Martin reworded his **motion** to approve the variances for the signs and parking for property located at 209 Main Street, Tract 21 of M. Wright Abstract 1355A with the stipulations stated by Richard Dallof. [The stipulations: The entire plan for this property will be revisited whenever Mr. Lantrip comes back for more variances on this property] Sandy Payne seconded the amended motion.
   Vote on amended motion:
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, John Flaming, and Sandy Payne
   Noes: None

   Motion Passed

5. Adjournment
Steven Bertrand called the meeting adjourned at 8:00 PM.

Steve Bertrand, Temporary Chairman

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on September 20, 2004 at 7:01 p.m. in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

   Members Present: Matt Flanagan, Bruce Martin, Steven Bertrand, John Flaming and Sandy Payne.

   Staff Present: Building Official Richard Dallof and Planning & Zoning Secretary Char DuPree.

2. Consideration and Action to excuse the attendance of those who have notified the City Secretary of absence.

   No absent members.

3. Approval of Minutes for the August 18, 2003 meeting.

   Motion to approve the Minutes was made by Matt Flanagan. Second by Sandy Payne.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, John Flaming and Sandy Payne.
   Noes: None

   Motion Passed

4. Consideration and Action on approval of a request for a variance on proposed additional space required for Unified Aircraft Services, Inc. located within a C-1-A Business District located in the 500 Block of North Stemmons Freeway, Lake Dallas, Denton County, Texas.

   Richard Dallof stated the reason this issue is before the Board of Adjustments is Unified Aircraft is requesting a facility expansion on a property zoned C1-A, non-conforming use. Nearby residents were sent a letter notifying them of the hearing but the City has not received any resident response on this issue. If the expansion is approved, Unified Aircraft must comply with all current building code requirements.

   Ken Hachtmann and Ron Olson represented Unified Aircraft Services, Inc. They stated their engineering company has performed the soil test and approved the site plan for the building expansion. If this request were denied, they would have to find another facility for the additional cars they are expecting to receive. The Government contract has not changed, just the number of cars.

Tina Martin, 610 Thompson, spoke as a Lake Dallas resident and employee of Unified Aircraft Services, Inc. She said she would like the request approved because it would bring money to Lake Dallas and it would support our military.

Board member Bertrand stated he did not see the benefit of declining the variance and Board member Payne concurred.

Motion to approve variance on proposed additional space required for Unified Aircraft Services, Inc. was made by Bruce Martin. Second by Sandy Payne.
Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, John Flaming and Sandy Payne.
Noes: None

Motion Passed

5. Adjournment

Matt Flanagan called the meeting adjourned at 7:29 p.m.

Matt Flanagan, Chair

Char DuPree
Planning & Zoning Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on August 18, 2003 at 7:00 PM in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members Present: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Staff Present: City Manager Ray Kendall, Building Official Richard Dallof, and City Secretary Weikum.

2. Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
   Sandy Payne had advised that she would be out of town on vacation on this date.

3. Approval of Minutes for the August 7, 2003 meeting.
   Motion to approve the Minutes was made by Bruce Martin. Second by Steven Bertrand.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Noes: None

   Motion Passed

4. Discussion and Action on approval of a request for a variance on rear setbacks by Lake Cities Municipal Utility Authority property located within a C-1 Business District located in the 500 Block of North Shady Shores, Lake Dallas, Denton County, Texas.
   Motion to approve the request for the variance was made by Bruce Martin. Second by John Flaming.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Noes: None

   Motion Passed

5. Adjournment
   Matt Flanagan called the meeting adjourned at 7:13 PM.

Matt Flanagan, Chair

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on August 18, 2003 at 7:00 PM in the Lake Dallas City Hall, 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members Present: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Staff Present: City Manager Ray Kendall, Building Official Richard Dallof, and City Secretary Weikum.

2. Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
   Sandy Payne had advised that she would be out of town on vacation on this date.

3. Approval of Minutes for the August 7, 2003 meeting.
   Motion to approve the Minutes was made by Bruce Martin. Second by Steven Bertrand.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Noes: None
   Motion Passed

4. Discussion and Action on approval of a request for a variance on rear setbacks by Lake Cities Municipal Utility Authority property located within a C-1 Business District located in the 500 Block of North Shady Shores, Lake Dallas, Denton County, Texas.
   Motion to approve the request for the variance was made by Bruce Martin. Second by John Flaming.
   Ayes: Matt Flanagan, Bruce Martin, Steven Bertrand, and John Flaming
   Noes: None
   Motion Passed

5. Adjournment
   Matt Flanagan called the meeting adjourned at 7:13 PM.

Matt Flanagan, Chair

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on August 7, 2003 at 7: 00 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5,Chapter 551.041 of the Texas Government Code.

1. Roll Call
   Members Present:
   Matt Flanagan, Chairman
   Bruce Martin
   Sandy Payne
   Steve Bertrand

   Staff present was City Manager Ray Kendall, Building Official Richard Dallof, and City Secretary Weikum.
2. Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence.
   John Flaming did not call.

3. Approval of Minutes for the July 21, 2003 meeting.
   Motion to approve the Minutes was made by Sandy Payne. Second by Steve Bertrand.
   Ayes: Matt Flanagan, Sandy Payne, and Steve Bertrand.
   Noes: None
   Abstentions: Bruce Martin

   Motion Passed

4. Discussion and Action on setting a demolition date for the structure located at 56 Lakeridge, City of Lake Dallas, County of Denton, Texas.
   Motion that the demolition commence thirty days after the court ruling, should the court ruling be in favor of the City was made by Bruce Martin. Second by Sandy Payne.
   All ayes.

   Motion Passed

5. Adjournment
   Chairman Flanagan adjourned the meeting at 7:07 PM.

Matt Flanagan, Chair

Beverly Weikum, TRMC
City Secretary

State of Texas
County of Denton
City of Lake Dallas

The Board of Adjustment of the City of Lake Dallas met on July 21, 2003 at 7:03 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

AGENDA:

1. Roll Call
   Members Present:
   Matt Flanagan, Chairman
   Sandy Payne
   John Flaming
   Steve Bertrand

   Staff present was City Manager Ray Kendall, Building Official Richard Dallof, and City Secretary Weikum.

2. Discussion and Action to excuse the attendance of those who have notified the City Secretary of absence. Bruce Martin had notified the City Secretary that he would be in Alabama.

3. Approval of Minutes for the June 24, 2002 meeting.
   Motion to approve the Minutes was made by John Flaming. Second by Steve Bertrand. All Ayes.

   Motion Passed

4. Public Hearing on an appeal by Unified Aircraft Services on actions of the Planning & Zoning Commission and City Council that denied a request for an entrance on the north side of their property (Swisher Road).

Ron Olsen came forward and said they submitted their appeal and he had nothing to add to that. He mentioned the rail accident and said it was fortunate there were no injuries or anyone who needed emergency medical treatment or equipment.

Tanja Haylock, 213 Swisher Road, said they can't get in and out of their property with the way the traffic situation is now. She said they are totally opposed to this and hope the decision is not to let an entrance be put in.

Mary Coursey, 209 Swisher Road, said they have lived there almost 3 years and can't take their RV's out any more because there is so much traffic on Swisher. She said this would just make the traffic that much worse. They have a right, since they pay property tax, to be able to get in and out of their own driveway. She said they are totally opposed to the entrance.

Chairman Flanagan asked if anyone else wanted to speak. No one came forward so he asked Richard Dallof, Building Official, to speak. He said the trucks would be going in and out at 8 am and with school traffic that would make Swisher almost impossible to travel safely. The North Texas Tollway Authority is going to widen Swisher and have already started the survey. It's his understanding that Video Plus would allow them to get out if there is another derailment or emergency. When Payless was in operation there was a gate between them and Video Plus. Mr. Olsen closed the gate off.

Mr. Olsen said the Swisher entrance would not be used except for an emergency. They closed the gate off between them and Video Plus so they could keep their property separate. They don't want their trucks to come in off Swisher.

Tanja Haylock said the original request was before the derailment and asked what their original request was. She said she is still opposed.

Mary Coursey said she thinks they're going to use it for more than what they say and she doesn't want it allowed.

Chairman Flanagan closed the public hearing at 7:14 PM.

Discussion and Action on an appeal by Unified Aircraft Services on actions of the Planning & Zoning Commission and City Council that denied a request for an entrance on the north side of their property (Swisher Road).
Motion to deny the appeal was made by Sandy Payne. Second by John Flaming.
All Ayes.

Motion Passed

5. Public Hearing on the condition of the property located at 56 Lakeridge, City of Lake Dallas, Denton County, Texas and the proposed action of demolition of said property.

Rod Courtney, 162 Kingswood Road, said he was fortunate to have been chairman of the first committee that Matt sits on and said we appreciate your services. He gave a background on the purchase of the property first by Ms. Petty and then by himself and the ongoing litigation as well as information about eviction notices. There have been problems with court dates and it has recently been continued until July 31. He doesn't know the condition of the property other than what he can see which is trash and the neighbors advise when there's trouble in that area of the park. He has not done any compliance because he has not been on the property. He is in favor of demolition.

Neoma Spinks, 57 Lakeridge, next-door neighbor, said she knew the people who lived there before. It's a small trailer and there were lots of teenagers there; lots of fighting going on; once there were guys chasing others with an ax.

She smelled sewage once and called Lake Cities Municipal Utility Authority to come and check the sewer line. The house next door had raw sewage running out instead of a sewer problem for the utility district. They had trash in the yard and wouldn't carry it out for the trash pick up and it smelled awful. She thinks it's going to have to be demolished because it would take too much to fix it.

John Robertson, 55 Pecan, lives next door on the other side of this property. He said the back door has been open for the last one and a half weeks because it was kicked in. The police have been down there a lot. They did get some windows fixed but it's a health factor. He's in favor of demolishing the property.

Allie Petty, 56 Lakeridge, said she started buying the property in 1997. She said she has all the electrical fixed and windows and doors. She has the sheet rock and carpet in the house.

Chairman Flanagan asked Richard Dallof to report on the property.

He said the property at 56 is in bad shape. He said she says she fixed the electricity and they did do repairs to some windows and the front door. The back door has not been repaired and insects are allowed to get inside. The electricity for the outside back door has never been replaced and the light has not been fixed and someone could touch it and get shocked. The skirting is off. He said he did have the opportunity to go into her house and wrote her a letter on April 21. There were over ten code violations. Out of all those violations the only ones he's seen as repaired are the front door and glass. There is still trash and debris as well as a toilet outside on the property. It is still a very unhealthy environment. He said he's given Ms Petty different code violations trying to motivate her to clean up her property since1998. He didn't give her an extension this time because she's never done what she says she's going to do. He feels it needs to be condemned.

Chairman Flanagan closed the pubic hearing at 7:50 PM.

7. Discussion and Action on the condition of the property located at 56 Lakeridge, City of Lake Dallas, Denton County, Texas and the proposed action of demolition of said property.
Motion to approve the City's request for demolition was made by John Flaming.
Second by Sandy Payne.
All Ayes.

Motion Passed

8. Adjournment
Chairman Flanagan adjourned the meeting at 7:54 PM.

Matt Flanagan, Chair

Beverly Weikum, TRMC
City Secretary

CITY OF LAKE DALLAS, TEXAS

State of Texas
County of Denton
City of Lake Dallas

The Lake Dallas Board of Adjustment met on June 24, 2002 at 7:05 PM at the Lake Dallas City Hall located at 212 Main Street, Lake Dallas, Texas with notice of the meeting posted as required by Title 5; Chapter 551.041 of the Texas Government Code.

1. Roll Call

Members Present:
Matt Flanagan, Chairman
Christie Houghton
Steven Bertrand
Linwood Gilliland
John Flaming

Staff: City Attorney David Berman, City Manager Jim Layton, and City Secretary Weikum.

2. Approval of Minutes of August 20, 2001 meeting.
Motion was made by Steven Bertrand to approve the Minutes. Second by Linwood Gilliland.
All Ayes. Motion Passed

3. Public Hearing on an appeal by Video Plus, Inc. on property located within the C-1-A Business District requesting continuance of nonconforming outside storage use for five years at Tract 2 of the J. W. Simmons Abstract 1163A (200 Swisher Road).

Robert Reeves, 500 South Ervay, Suite 426A, Dallas, Texas, is representing Video Plus for continuous use of part of their property. He had given the board members a handout and asked them to look at the photos. One of the photos is adjacent property to Video Plus, and, through a public hearing and rezoning action of the Video Plus property storage is no longer allowed on that property. Since April 1993 Video Plus had been leasing this property to Payless to use for outside storage. They had been operating on this property prior to the rezoning, and, since then, Payless filed for bankruptcy relief. He said Video Plus is asking for the property to continue to be used for outside storage for 5 years. He said they understand the Council's desire to change the use of the property. He referenced the proposed toll bridge and the Swisher Road extension and said that is still five or six years down the road. He said they are not proposing any substantial expansions for non-conforming use. They have been here for at least twelve years and Video Plus is a corporate employer in the City of Lake Dallas. They are a good citizen and will continue to be a good citizen.

Mark DeLouch, 5616 Preston Oaks #1603, Dallas, Texas said he's hoping they will grant the continuance. He wants to emphasize they are a good citizen. The tenants that had wanted to lease the property have actually moved on. They would like to use this land based on its historical usage. They want to use the property today and for storage. They have no intention of having a building built on this property.

Chairman Flanagan closed the public hearing at 7:21PM.

There was discussion about screening, high grass, and non-conforming use. Chairman Flanagan said the Board had received a letter from one citizen who is opposed to the granting of this variance, Judy Amstutz.

Chairman Flanagan closed the public meeting at 7:36 PM.

4. Executive Session under Section 551.071, Texas Government Code, Consultation with City Attorney.

   Chairman Flanagan called the open meeting back to order at 8:03 PM.

5. Action, if any, from Executive Session

6. Consideration and Action on an appeal by Video Plus, Inc. on property located within the C-1-A Business District requesting continuance of nonconforming outside storage use for five years at Tract 2 of the J. W. Simmons Abstract 1163A (200 Swisher Road).
   Motion was made by Christie Houghton to approve the continuance of this nonconforming use for a period of five years at which time it would cease on the Tract 2 of the J. W. Simmons Abstract 1163A otherwise known as 200 Swisher Road. Screening is required when the property is used for storage. Second by Linwood Gilliland.
   All Ayes. Motion Passed

7. Adjourn
   Chairman Flanagan adjourned the meeting at 8:05 PM.

CITY OF LAKE DALLAS, TEXAS

Matt Flanagan, Chair

Beverly Welkum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Board of Adjustment met on August 20, 2001 at 7:30 PM in the Lake Dallas Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

   Members Present:
   Matt Flanagan, Chairman
   Linwood Gilliland
   Steven Bertrand
   Christie Houghton

   Staff present: Beverly Weikum, City Secretary.

2. Approval of Minutes of April 16, 2001 meeting.

   Motion was made by Linwood Gilliland to accept the minutes. Seconded by Steven Bertrand.
   Ayes: Matt Flanagan, Linwood Gilliland, Steven Bertrand, and Christie Houghton.
   Noes: None

   Motion Passed

3. Public Hearing on proposed variance on property located within the R-1-6000 Residential zoning district in the Summers Addition, Block A, Lot 5, 726 Summers Lane.

   Margaret Tisdale, 509 Howard Drive, says she doesn't know what the owner plans to do down there so they don't know what they want to say.

   Jon Wilson, the owner, said the lot is landlocked and limited in size. He said he lives next door and improved his property so he's not going to build something on the lot in question that he wouldn't want to live next to. He needs a variance to put the size house he is planning for on this lot. Many homes around that area don't meet the setbacks. He won't be able to meet the setback requirements. He will be able to save the trees. He will put up fences to cover what's in his yard. It would bring more tax revenue. He could get a smaller footprint by going to a 2-story house but he doesn't want to do that. He can't change the size of the lot. He showed the board his plans. It would have a single car garage with a pad on the side to meet the required parking for two cars.

   Margaret Tisdale said they have no objection to someone building a house there. She has heard there's a business run down there with lots of traffic and it is a narrow street. She has 3 rent houses in that area.

   Chairman Flanagan said this isn't the proper board for the complaint of a business being run out of a home. That should be addressed with Code Enforcement.

Lona Pinkston, she and her parent live at 728 Summer Lane, 726 is empty lot and directly in front of her parents home. She had complaints about items stored on the property and said the owner had no consideration for the property or peace of others. She said she has no problem with a building going on the property.

Armenta Singdahlsen, 721 Summer Lane, said there's a lot of traffic and lots of problems on that lot currently. She is opposed to any variance until he can prove to her that he can clean the place up.

Billie Moore said she agrees with Armenta.

Lona Pinkston had changed her mind. No variance until it gets cleaned up.

Mr. Wilson said he wants to build a house and make it something that will increase the tax revenues.

Chairman Flanagan asked if the building inspector had given them the reasoning behind applying for a variance and had he explained what the board is all about.

Floyd Englemen said they got a copy of what the code says and the Building Inspector told them since they could not get a permit due to the setback requirements the only other option available would be to go to Board of Adjustment.

Chairman Flanagan said he could foresee some questions from the board. The house could be sculptured in a different manner.

Chairman Flanagan closed the public hearing at 8:02 PM.

4. Consideration and action on proposed variance on property located within the R-1-6000 residential zoning district in the Summers Addition, Block A, Lot 5, 726 Summers Lane.

No letters opposing the variance had been received from the residents notified of the request.

There was discussion among the board members and questions asked of Mr. Wilson. There was no hardship involved in this request.

Motion was made by Linwood Gilliland to deny the request for a variance. Seconded by Christie Houghton.

Ayes: Matt Flanagan, Linwood Gilliland, Steven Bertrand, and Christie Houghton
Noes: None

Motion Passed

5. Adjournment:
Chairman Flanagan said the meeting was in adjournment at 8:11 PM.
All Ayes

CITY OF LAKE DALLAS, TEXAS

Matt Flanagan, Chairman

Beverly Weikum, TRMC
City Secretary

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Board of Adjustment met on April 16, 2001 at 7:16 PM in the Community Center located at 302 South Shady Shores Road, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. Roll Call

Members Present:
Matt Flanagan, Chairman
Christie Houghton
Linwood Gilliland

Staff present: Building Inspector Dallof and City Secretary Weikum.

2. Approval of minutes of August 21, 2000 meeting.

Motion was made by Linwood Gilliland to accept the minutes of the August 21, 2000 meeting. Seconded by Christie Houghton.
Ayes: Matt Flanagan, Christie Houghton, Linwood Gilliland
Noes: None

Motion Passed

3. Public Hearing on a proposed variance on property located within the C-3 zoning district behind the current building located at 3000 South Stemmons, Lake Dallas, Texas, for a period not to exceed 6 months.

David Jackson, CEO for United Mortgage said they are asking for this variance. He has a building permit for a $1.4 million building that will house 3 businesses. They will employ about 50 - 75 people. Rite now he has 5 year lease with Mrs. Crownover at their current location. They have 20+ employees in a 2000 SF building instead of a 4000 SF building. It shouldn't take more than 6 months to complete their new building. James Coulson is his builder (J G Builders). The temporary building is a GE modular building that he would like to use for 8 - 10 people. It will be taken in and skirted and insured. He needs to have a variance in place just in case it becomes necessary. He would like it issued on May 1 so it will coincide with breaking ground on the new building. They'll probably keep the building from Crownover. He would like to build 2 story building on the Crownover property and put restaurants on the lower floor.

Building Inspector Dallof said the only reason he was there is because of our ordinance that requires buildings be 80% brick. He said he has no problem with a temporary building of the sort Mr. Jackson is discussing.

Chairman Flanagan closed the Public Hearing at 7:25 PM.

Chairman Flanagan confirmed that the city had not received any letters opposing this temporary building.

4. Consideration and Action on a proposed variance on property located within the C-3 zoning district behind the current building located at 3000 South Stemmons, Lake Dallas, Texas, for a period not to exceed 6 months.

Motion was made by Christie Houghton to accept the proposed variance for a period of six months beginning May 1, 2001 and ending November 1, 2001. Seconded by Linwood Gilliland.
Ayes: Matt Flanagan, Christie Houghton, and Linwood Gilliland
Noes: None
Motion Passed

5. Adjournment.

Chairman Flanagan said the Board of Adjustment was in adjournment at 7:27 PM. All ayes.

CITY OF LAKE DALLAS, TEXAS

Matt Flanagan, Chairman

Beverly Weikum, TRMC
City Secretary

PUBLIC NOTICE

The City of Lake Dallas Board of Adjustment meeting previously scheduled for January 15, 2001 has been canceled.

I, Beverly Weikum, certify that this notice of public hearing was posted on the City of Lake Dallas Bulletin Board on January 13, 2001 at 5:00 PM.

Beverly Weikum
City Secretary

CITY OF LAKE DALLAS, TEXAS

City of
Lake Dallas

303 Alamo Street • Lake Dallas, Texas 75065 • (940) 497-2226 • (940) 497-4485 Fax

X113

FAX

TO: CLASSIFIEDS D-R-C

FAX #: 940-381-9664 ~~6~~7

FROM: Beverly

DATE: 01-10-01

SUBJECT: PUBLIC NOTICE

PAGES: 2

NOTES:

PLEASE PUBLISH THIS IN THE LEGAL NOTICES SECTION of the ADS IN THE JANUARY 14 EDITION.

THANK YOU—

Beverly

FAXED

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Board of Adjustment met on August 21, 2000, at 7:05 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. ROLL CALL

Members Present:
Matt Flanagan, Chairman
Celesta Douglas
Mark Wetherell
Steven Bertrand
Linwood Gilliland, Alternate
Sharon Hamby, Alternate

Christie Houghton was absent. Linwood Gilliland will sit in for Christie Houghton. Staff present: City Manager Fairburn.

2. APPROVAL OF MINUTES OF JANUARY 18, 1999 MEETING.
Motion was made by Celesta Douglas to approve the minutes of the January 18, 1999 meeting.
Ayes: Matt Flanagan, Celesta Douglas, Mark Wetherell, Steven Bertrand, and Linwood Gilliland
Noes: None

Motion Passed

3. PUBLIC HEARING:
To consider the demolition of structure located at 309 Dolphin, City of Lake Dallas, Denton County, Texas.

Jackie Kovsky -, 311 - 312 Surf, said she has no objections to the demolition. She is speaking for herself with property on both sides of Surf and for her neighbor, Carl Thomas as 736 Thompson, who was at work. She said they both try to maintain their properties in a reasonable state. She sees no reason to keep this house because it is in terrible shape and a vacant lot would certainly be an improvement. The sooner it can be done the better.

Jerry Smith, does not live in Lake Dallas, said he is representing the people who have a piece of property across the street from this property. He said he is not arguing about the demolition. He is interested in the procedure that will be taken.

City Manager Fairburn said the Building Official has been trying to work with the owner to have him voluntarily take down the building since it is beyond being able to be repaired. The process is: Building Official writes a letter to the property owner declaring that it is his recommendation to the Board of Adjustment that this building be demolished; the property owner is invited to the Board of Adjustment meeting; the Board of Adjustment then determines whether or not it needs to be demolished. If it does need to be demolished, the Board then issues an order of demolition and will give the owner 30 days to take it down or order the City to take it down if the property owner does not. If the City has to take it down it will then file a lien against the property for the amount of the cost.

Mr. Smith asked if the criteria is from building code violations. Mr. Fairburn said it is from City Code. He asked if we followed national or state codes. Mr. Fairburn said we go by the UBC book. He asked how to go about initiate a demolition process. Mr. Fairburn told Mr. Smith concerned citizens should write a letter to the city.

Chairman Flanagan asked for comments from staff. City Manager Fairburn said Building Official Harp was not available that evening but Mr. Goodrich of Metro Code Analysis prepared this and was in attendance. The Board looked at the presentation with pictures that Mr. Goodrich had prepared.

Chairman Flanagan said Christie Houghton had arrived and brought her up to date on the proceedings thus far. Mr. Gilliland stepped down as a board member at this time. Chairman Flanagan said the notices go to the last known address in the city's tax roll.

Marjory Johnson, 905 Vista Oaks Court, said she had received a call from a citizen a couple of months ago and she went over to look at it. The grass was as tall as she is. There was a letter on the door which tells that the house has been condemned. If the owner has been close to the house he would know that it has been condemned.

Chairman Flanagan closed the Public Hearing at 7:30 PM.

There was discussion among the members of the Board of Adjustment.

Motion was made by Christie Houghton to go forward with the demolition of the property at 309 Dolphin with a one caveat that if we don't hear anything back then we give it to September 5. No one seconded the motion. Christie withdrew the motion.
Motion was made by Christie Houghton to go ahead with the demolition at 309 Dolphin to proceed at the end of 30 days. Seconded by Celesta Douglas.
Ayes: Matt Flanagan, Christie Houghton, Celesta Douglas, Mark Wetherell and Steven Bertrand.
Noes: None

Motion Passed

5. ADJOURNMENT

Motion was made by Steven Bertrand to adjoum. Seconded by Christie Houghton.
Ayes: Matt Flanagan, Christie Houghton, Celesta Douglas, Mark Wetherell and Steven Bertrand.
Noes: None

Motion Passed

Meeting was adjourned.

Matt Flanagan, Chairman

Stewart Fairburn
City Manager

BZA 8-21-07

All but Chris
Linwood sitty in to vote

2. Minutes
Apr/May not available

Celeste Mark all ayes

3. Jackie Kovach
no objections to demolition
speaking for neighbors + Carl Thompson
Not capable of being repaired
Vacant lot is an improvement
No reason to delay
Like to see gone old funky shack

Gary Smith
What is the process
SR Joe

Angela - Goodrich.

Celeste - do we have process letters or rules of contact

Mark -

Steven

Christa arrives

Matt -

We do not have 1, 2, 3 letters

SLR

Single [redacted] letter subtenant - legal counsel

[redacted]

Gary again

Mary Johnson -

Old condemnation notice on door

Christie

7:30 PH (Lew)

Celeste - concerned about not getting

Steve - returned mail notice

Karen about not receiving

Motion -

Charles go letter with donation to pay to 309 Dolphin street by Sept.

[redacted]

Motion withdrawn

Chris — go ahead with demo at 309 Dolphin to proceed with all at 30 days

Celeste

All ayes

Adjourn

Stan Chris 2nd

Stan - Sheri - Linwood

Open for Oyster

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Board of Adjustment met on January 18, 1999, at 7:00 p.m. in the Council Chambers of the City of Lake Dallas City Hall located at 303 Alamo, Lake Dallas, Texas. Notice of the meeting was posted as required by Title 5, Chapter 551.041 of the Texas Government Code.

1. ROLL CALL

Members Present:
Matt Flanagan, Chairman
Mark Wetherell
Christie Houghton
Celesta Douglas
Ken Stapleton

Staff present: City Manager Fairburn and Building Official Harp.

2. APPROVAL OF MINUTES OF JUNE 8, 1998 MEETING.
Motion was made by Mark Wetherell to approve the minutes of the June 8, 1998 meeting. Seconded by Celesta Douglas.
Ayes: Matt Flanagan, Mark Wetherell, Christie Houghton, Celesta Douglas, and Ken Stapleton.
Noes: None

Motion Passed

3. PUBLIC HEARING:
To consider the Petition of Mike Wolverton, requesting a variance from Chapter 15.16.350 and 15.16.240, C-3 zoning. The variance is requesting that a commercial advertising sign on the property located in Tract 2 Lot 10 in Block A of Barmarchar Sites, to be removed and replaced with comparable sign approximately, 70 feet to the north of existing location to allow for optimum development of site. Variance also requested to allow maximum height of 42 feet instead of 35 feet per ordinance.

Don Pascal, representative for Mike Wolverton and Regent Development Company spoke. He introduced Mike Wolverton. He said the current sign is a legal but non-conforming sign meaning that the sign was in full compliance at time it was erected and subsequent amendments to ordinance changed its conformance to the ordinance. He understands the necessity to protect the integrity of ordinances. Variances should only be granted on a rational basis. He said that 'hardship criteria' should be 1) not the making of the applicant; 2) not limited to financial issues; and 3) is unique to the specific property in question and not an issue that is a general situation found throughout the City. He said he had found only three commercial advertising signs in Lake Dallas and appear to meet the 1500 feet separation required. Sign separation is very important to eliminate proliferation. The 200 feet separation between commercial advertising signs and on-site advertising signs is a provision that affects only their site and their sign. They intend to combine the lots to create enough property to allow a better development to occur. You will still be unable to comply if the neighbor put their sign too close to the property line.

They are asking that the decision be based on appropriate lot widths instead of an arbitrary number. He thinks the difference between 150 and 200 feet is not substantive. They are interested in the development of the site and not just the sign. They gave copies of Plan A and Plan B to the board members. The first plan shows a retail design in and 'L' shape. Leaving the sign in its location would infringe upon accessibility to the site. The other plan provides for a design of a restaurant in the middle for driving around -- they could probably move the building back but that design wouldn't look as nice and access would be changed. They don't think that moving the sign would jeopardize the ordinance. He doesn't think the height variance of seven feet is not that much of a variance. His summary said their request is totally unique and a well-thought out plan. They still think the 200 feet separation is an arbitrary figure. Granting this variance would not set a precedent to challenge our ordinance.

He said their neighbor, the Lake Cities State Bank, is supportive of the proposed sign. He said the City of Lake Dallas had received a letter from the bank indicating their support of the variance request. He feels that they have met the three tests of a hardship request.

Chairman Flanagan closed the Public Hearing when no one else asked to speak.

4. CONSIDERATION ON PETITION FOR SIGN VARIANCE.

Chairman Flanagan asked for comments from staff.

Building Official Harp said there is another premises sign just to the north which would be within the 200 feet. The sign wouldn't create a big hazard as far as the I-35 corridor is concerned, but can't understand why, when we have a sign there that's legal, we would want to move it. This doesn't accomplish anything as far as the structure is concerned and it's creating problems for the City.

City Manager Fairburn said we really appreciate working with Don and Mike. He said it's a prime piece of land. He explained that the 200 feet is not an arbitrary figure; it's a matter of clutter. Yes, the Lake Cities Bank said they have no objection to the sign; the sign will be moving further from their property. He addressed the three tests of the hardship request -- he said it's true we're not adding a sign but that would be opening more and more requests for non-conforming signs.

Don Pascal said by moving the sign 70 feet to the north they would still be approximately 210 feet from the CPA sign and would be further from the bank's sign.

Chairman Flanagan asked for discussion by the members of the board. There was discussion about the commercial billboard signs which are 1500 feet apart and the on-premise signs which can be closer to each other.

Don Pascal said the sign could be leased by an advertising company when asked if they owned the sign.

City Manager Fairburn said if the sign is moved it would impact signs on the adjacent undeveloped property.

If it is raised 7 feet what are the benefits? Mr. Pascal said they would not have to have that and that it would not give them more space for advertising because both the bottom and top would be raised 7 feet.

Mr. Pascal said a restaurant would generate more freeway business than a retail strip would. They are trying to address all the issues before they try to market the development. He thinks the current sign imposes an impediment or restriction. If they move it and put it in a landscaped area it will allow an uninterrupted view of the businesses and improve the traffic at that development.

In answer to what keeps them from removing the sign completely, Mr. Pascal said they could remove it or they could leave it there and develop around it. He also said the development is superior with it moved to with it staying in the same location. The property owner would not likely remove the sign and lose that revenue.

When asked why it would be a hardship on the current location, Mr. Pascal said because it would lead to less than optimal development.

Chairman Flanagan read the guidelines for determining hardships:

Not self-imposed
Unique to the property (size, shape, topography)
Not financial in nature
Does not include property that cannot be used for its highest and best use for development

The sign would not hinder applying for building permits.

Chairman Flanagan said that City Manager Fairburn and Building Official Harp had both recommended not approving the variance. He asked if there was any more discussion by the board members.

The board members felt there was no hardship or financial burden involved in moving the sign.

Mr. Pascal said he could remove the height request if that makes it easier.

Motion was made by Christy Houghton to not approve the variance. Seconded by Celesta Douglas.
Ayes: Matt Flanagan, Mark Wetherell, Christie Houghton, Celesta Douglas, and Ken Stapleton.
Noes: None

Motion Passed

5. ADJOURNMENT

Motion was made by Ken Stapleton to adjourn. Seconded by Celesta Douglas.
Ayes: Matt Flanagan, Mark Wetherell, Christie Houghton, Celesta Douglas, and Ken Stapleton.
Noes: None

Motion Passed

Meeting was adjourned.

Matt Flanagan, Chairman

Stewart Fairburn
City Manager

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Board of Adjustment met on August 23, 1999 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1. ROLL CALL

The following members were present:

Celesta Douglas
Matt Flanagan (Chairman)
Christie Houghton
Steven Bertrand
Marj Johnson (alternate)

Members Absent:

Mark Wetherell

Staff in attendance:

City Manager, Stewart Fairburn, Building Inspector, Truman Harp and Board of Adjustment Secretary, Diane Lowrimore.

The meeting was called to order at 7:10 p.m.

2. APPROVAL OF MINUTES

Matt Flanagan moved to approve the minutes of January 1999 at the next meeting.

3. PUBLIC HEARING

To consider the petition of Frank Bourland, requesting a variance from Chapter 18.14.070, R1-6000 zoning. The variance is requested to have a six foot rear yard setback instead of a thirty foot rear setback for a proposed building at 732 Summers Lane, part of Lot 8 Block B of Summers Addition.

Chairman Matt Flanagan opened the floor to the public for questions.

The following citizens spoke at the public hearing:

Romona Tolle
721 Glen Rhea

Armenta Singdahlsen
721 Summers Lane

4. Consideration on the petition for a variance to have a six foot rear setback instead of a thirty foot rear setback for a proposed building at 732 Summers Lane, part of lot 8 Block B of Summers Addition.

Steven Bertrand moved to approve the variance. Marj Johnson seconded it. The motion carried unanimously.

5. Adjournment.

Christie Houghton made a motion to adjourn. Celesta Douglas seconded it and it carried unanimously.

The meeting stood adjourned at 7:40 p.m.

_____
Matt Flanagan, Chairman
Board of Adjustment
City of Lake Dallas, Texas

ATTEST:

_____
Diane Lowrimore, Secretary
Board of Adjustment
City of Lake Dallas, Texas

PUBLIC NOTICE
CITY OF LAKE DALLAS
PLANNING & ZONING COMMISSION MEETING
303 ALAMO
August 6, 1998; 7:30 p.m.

Notice is hereby given as required by Title 5; Chapter 551.041 of the Government Code that the Planning & Zoning Commission of the City of Lake Dallas will meet on August 6, 1998 at 7:30 p.m. in the City of Lake Dallas Council Chambers located at 303 Alamo. The agenda follows.

ROLL CALL

BUSINESS:

1. **Discussion of Current Commercial Zoning at Dobbs and River Oak Way.**

2. **Discussion of Impact Fees - Presented by City Attorney, David Berman.**

3. **Discussion of Economic Development Activities.**

4. **Consideration & Action on Approval of June & July Minutes. (Minutes for June Meeting was distributed at the July Meeting.)**

5. **Adjourn.**

I, Patricia Chapman, certify that this meeting notice was posted on the City of Lake Dallas bulletin board on August 3, 1998 at 5:00 p.m.

Patricia Chapman

Patricia Chapman, TRMC
City Secretary
City of Lake Dallas

cannot have impact
Cannot ~~expand~~ have offsite impact fees
Development + maintenance
DEVELOPMENT MAINT.

Onsite impact fees
Park ~~Fee~~ fees
park?
Can only apply to 4
Can only apply to 4 capital stuff
~~Capital plan~~
water
1 Fresh water > city does it do it
city does not do it
2 San Sewer
sewer
3 Storm drainage
Storm drainage facilities
4 Roadway facilities

land acquisition
land acquisition
eng / engineering
Construction
con

No repair + maintenance facilities
repair maint
Needs CIP plan
expensive
statute describes specifics
Statute Specifics
Properly platted · cannot exact a fee for one year
platted cannot
Refunds if not spent within certain amount of time.
certain amount

To whom it may concern

I am going to be a resident on River Oak Way, in the Thousand Oaks subdivision. It has come to my attention that the land on the other side of a residential street is still zoned C 1. It is a five-acre tract that runs along Dobbs and River Oak Way. In the first phase of Thousand Oaks the residential property backed up to this commercial area. After phase 3 or 4, part of it was changed to residential. Now instead of residential property backing up to commercial, the commercial property is fronting the residential property. I do not know of any subdivision that has commercial property right on the other side of a residential road, that only has a 25-foot setback. The land is still owned by the developer of the Thousand Oaks subdivision, Mr. Jim Douglas. I have spoken with him and at this time he has no plans for that tract of land.

SO you ask me what would I like you to do:

At the least I would like to change the C-1 land that fronts River Oak Way to the same as the rest of the thousand oaks subdivision residential single family homes.

At most I would like to change the entire 5 acres to residential single family homes. Dobbs road does not have the accesses to I-35 to make it a good business district and the road barely holds up to the residential traffic.

And finally, do I have an alternative idea, well yes.

Mr. Douglas has a lot of little things that he must do to Thousand Oaks for the city. Some that I am aware of are the park on River Oak Way, the road to the new Jackson Oaks subdivision and some other things. The land that we are talking about is going to be very expensive to develop and will probably net less than 20 home sites, because of the natural run off that goes through the land. It would have to be routed underground and then back filled. So what I might suggest that the city look into purchasing this land at a reduced price and helping Mr. Douglas get final approval on the subdivision. Then using the five acres for a park like Kid's Castle in Lewisville, or Eureka in Denton. The residential areas of Lake Dallas are increasing at rapid rate and the need for these areas are also increasing. And one of the big assets and attraction to this area is the sense of a community that is very much interested in families.

Sincerely

William L Karr

CONSIDERATIONS AFFECTING THE IMPOSITION OF IMPACT FEES

Introduction

An impact fee is a fee imposed on a property developer to pay for the increased costs of certain city services which will be incurred because of the development. For example, a new subdivision will cause an increase in municipal service because the new and increased population will increase the draw on the city's water and sewer systems and may necessitate the off-site construction of new streets and new drainage and storm protection facilities. The assessment of impact fees is governed by the provisions of Chapter 395 of the Texas Local Government Code and is broadly limited by constitutional prerogatives which prohibit the taking of private property for public use without just compensation. As a basic principle, a city can not require a developer as a condition of development to pay for off-site improvements. Furthermore, any exaction imposed on property development must be directly connected and roughly proportional to a legitimate interest of the state or the city. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Thus, an impact fee must be directly related to the increased costs incurred by the city in providing certain essential services.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

Use of Fees

Under Chapter 395 of the Code, an impact fee may be assessed and used only to pay certain expenses associated with "capital improvements" defined as 1) water, 2) sanitary sewer, 3) storm drainage, and 4) roadway facilities. Fees may be used only to pay for construction costs, surveying and engineering fees, land acquisition costs, and principal and interest on bonds. Impact fees may not be used to pay for repair or maintenance of existing facilities, the upgrading of existing capital improvements which serve existing development, or city administrative and operating costs.

The Capital Improvements Plan

In order to insure that impact fees bear a proportional and direct relationship with the added cost of capital improvements associated with the new development, the city must prepare a capital improvements plan. The plan must be prepared by a qualified professional and must contain six specific components which are enumerated in Section 395.014 of the Code. The capital improvements plan is complex and comprehensive and is intended to identify all present and future capital improvements and development, with actual and projected usage, costs and demand.

Limitations on Assessment of Fee

Following the preparation of a capital improvements plan and the adoption of an impact fee ordinance, the imposition of impact fees are subject to certain limitations. For

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

preexisting subdivisions and property which is already platted, no impact fee may be collected from any property for which a building permit is issued within one year after the adoption of the impact fee. Further, a developer is entitled to a refund of paid fees plus interest if: 1) the relevant city service is not available or construction is not commenced within two years, or 2) the fees obtained by the city are not spent within 10 years of payment. A developer may also be entitled to a partial refund if the actual cost of the capital improvements is more than ten percent less than the fees paid.

Benefits and Detriments

Certain benefits as well as detriments are associated with the imposition of impact fees. The central benefit is that the fee will reimburse the city - or directly pay for - the costs associated with the construction of capital improvements necessitated by the developer who created the additional demand. In all fairness, the persons or entities responsible for causing increased demand for city service will pay the associated costs instead of the burden shifting to the city's taxpayers. This is not only equitable but also has the indirect effect of stabilizing tax rates.

However, the drawbacks are both substantive as well as practical. Impact fees discourage development by increasing the direct costs. The mere preparation of a capital improvements plan typically costs tens of thousands of dollars. This is but a fraction of the actual costs of implementation.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

In newer or high-growth areas, impact fees make more sense than in established areas. In new high-growth areas, a greater need exists for new capital improvements which can be funded by impact fees and, in general, the property demand is sufficient to bear the added development cost associated with the fee. By and large, though, developed communities which experience low to moderate growth will impede new development at significant cost. And since the fees collected can not be used to repair, maintain or upgrade existing facilities which service existing development, the benefits are nominal.

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
Dallas, Texas 75201
(214) 965-9900

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Board of Adjustment met on July 20, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1. ROLL CALL

The following members were present:

Celesta Douglas
Matt Flanagan (Chairman)
Christie Houghton
Mark Wetherell

Members Absent:

Ken Stapleton

Staff in attendance:

City Manager, Stewart Fairburn, Building Inspector, Truman Harp and Board of Adjustment Secretary, Diane Lowrimore.

The meeting was called to order at 7:08 p.m.

2. APPROVAL OF MINUTES

Christie Houghton made a motion to approve the minutes of June 8, 1998. Mark Wetherell seconded it and it carried unanimously.

3. CONSIDERATION AND ACTION ON RULES AND PROCEDURES FOR BOARD OF ADJUSTMENT.

Under Organization, paragraph three was changed to paragraph two. Paragraph two was changed to paragraph three. The last sentence in paragraph two was added to paragraph one. See attached.

Under Appeals, paragraph A. In addition, the Board of Adjustment shall hear appeals from parties that have been refused a permit under Chapter 18.42 Mobile Homes, Section 18.42.210 and 18.42.220 or affected by any notice which has been issued in connection with any provisions of Chapter 18.42 except for orders issued under Section 18.42.270. Such person must have filed within 15 days after the day the permit was refused or the notice issued. (Refer to 18.42.250) will be added as an additional paragraph to paragraph A.

continuing number 3.

Under Jurisdiction number C. This paragraph was taken out completely and replaced with: The Board of Adjustment shall not order grandfathered non-conforming use to be discontinued, which was created as a zoning change. (Home Rule Charter Section 8.03.03)
D. Chapter 15.12 Minimum Housing and Building Standards: The Board of Adjustment may, in specific cases after public notice and public hearing and subject to appropriate conditions and safeguards, take action relative to the continuance, discontinuance or abatement of nuisances, blighted, deteriorated, obsolete and substandard structures within the meaning of Chapter 15.12. See Chapter 15.12 for procedures.

4. Adjourn

Celesta Douglas Made a motion to adjourn. Mark Wetherell seconded it and it carried unanimously.

The meeting stood adjourned at 8:15 p.m.

_____
Matt Flanagan, Chairman
Board of Adjustment
City of Lake Dallas, Texas

ATTEST:

_____
Diane Lowrimore, Secretary
Board of Adjustment
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Planning and Zoning commission met on July 2, 1998 at 7:30 P.M. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

ROLL CALL

The following members were present:

Diane Byers
Linwood Gilliland
Ben Gilbert
M.J. Graham (alt)

Members Absent:

Kevin Spraggins (Chairman)
Robert Hanson

Staff in Attendance:

Stewart Fairburn, City Manager
Truman Harp, Building Official
Diane Lowrimore, Planning & Zoning Secretary

The Meeting was called to order at 7:30 P.M.

1. Public hearing to receive comments from citizens on a proposed ordinance amending C-2 Commercial Districts to provide for Hotels, Motels and Bed and Breakfast establishments.

Linwood Gilliland, Vice Chairman, opened the floor to the public. John Lugenhein, who resides in Corinth but has property in Lake Dallas, Stated that he felt it was a very good Idea to have a Hotel, Motel or Bed and Breakfast available to the public.

2. Consideration & Action on a proposed ordinance amending C-2 Commercial Districts to provide for a Hotel, Motel or Bed and Breakfast establishments.

Linwood Gilliland wanted to clarify the time a person could stay at a Bed and Breakfast and is there an offense to stay longer than fourteen days? Yes, it would be an offense after fourteen days.

Ben Gilbert made a motion for Council consideration. Diane Byers seconded it and it carried unanimously.

3. Public Hearing

Public hearing to receive comments from citizens on request for a Special Use Permit for an arcade for Lucky 7.

No one came forward to speak on this issue.

4. Consideration & Action on a Request for a Special Use Permit for Lucky 7.

Diane Byers made a motion to past the request for a Special Use permit. Mary Jo Graham seconded it and it carried unanimously.

5. Consideration & Action on an Ordinance Adopting the 1997 Uniform Building Code.

6. Consideration & Action on an Ordinance Adopting the 1996 National Electrical Code.

7. Consideration & Action on an Ordinance Adopting the 1997 International Plumbing Code.

8. Consideration & Action on an Ordinance Adopting the 1997 Uniform Fire Code.

9. Consideration & Action on an Ordinance Adopting the 1996 A/C Code.

The members agreed to vote on numbers 5-9 at one time. Diane Byers made a motion to adopt them. Ben Gilbert seconded it and it carried unanimously.

10. Consideration & Action on Economic Development Issues.

The members talked about several pieces of prime property. Some of these locations were the property by Coors, Main & Carlisle, the property behind Community Development, etc. Stewart Fairburn brought the issue of an Elderly Day Care. There was some discussion on this as well.

11. Adjourn

Diane Byers made a motion to adjourn. Ben Gilbert seconded it and it carried unanimously.

_____
Kevin Spraggins, Chairman

_____
Diane Lowrimore, Planning and Zoning Secretary

surveyor, and the lot shall be staked out on the ground before construction is started. (Ord. 25 § 21(2 — 4), 1967)

18.48.050 Fees.

A. For each building permit issued there shall be charged and collected from the applicant a fee in accordance with the building code of the city.

B. For a radio tower, sign or other use of land of a type not providing floor space, there shall be charged a fee of ten cents for each hundred dollars of the total cost of the work to be performed; provided, the minimum fee shall be two dollars. (Ord. 25 § 21(8 — 9), 1967)

18.48.060 Permit denial—Appeal.

In the event of refusal to issue a permit upon application as provided in this chapter, the applicant may perfect an appeal to the board of adjustment as provided in Chapter 18.46. (Ord. 25 § 21(7), 1967)

18.48.070 Revocation—Stop order.

A permit may be revoked by the building inspector at any time prior to the completion of the building or structure for which the same was issued, when it appears that there is departure from the plans, specifications or conditions as required under the terms of the permit, that the same was procured by false representation or was issued by mistake, or that any of the provisions of this title are being violated. Upon the failure, refusal or neglect or any owner, his agent, contractor or duly authorized representative to secure such permit and pay the prescribed fee therefor, as provided in this chapter, the building inspector may issue a stop order; provided, however, twenty-four hours' written notice of such revocation or order to stop shall be served upon the owner, his agent or contractor, or upon any person employed upon the building or structure for which such permit was issued, and thereafter no such construction shall proceed. (Ord. 25 § 21(11), 1967)

18.48.080 Prior permits and agreements unaffected.

This chapter is not intended to abrogate or annul:

A. Any permits issued before the effective date of the ordinance codified in this chapter;

B. Any easement, covenant or any other private agreement. (Ord. 25 § 21(5), 1967)

Board of Adjustment

18.46.030 Appeals

A. In addition, the Board of Adjustment shall hear appeals requested from parties that have been refused a permit under Chapter 18.42 Mobile Homes, Section 18.42.210 and 18.42.220 or affected by any notice which has been issued in connection with any provisions of Chapter 18.42 except for orders issued under Section 18.42.270. Such person must have filed within ten days after the day the permit was refused or the notice issued. (Refer to 18.42.250)

18.46.040 Jurisdiction

C. The Board of Adjustment shall not order a grandfathered non-conforming use to be discontinued, which was created as a result of a zoning change. (Home Rule Charter Section 8.03.03)

D. Chapter 15.12 Minimum Housing and Building Standards:
The Board of Adjustment may, in specific cases after public notice and public hearing and subject to appropriate conditions and safeguards, take action relative to the continuance, discontinuance or abatement of nuisances, blighted, deteriorated, obsolete and substandard structures within the meaning of Chapter 15.12. See Chapter 15.12 for procedures.

15.12.600 Sleeping space requirements.

In every dwelling unit and in every rooming and lodging unit, every room occupied for sleeping purposes by one occupant shall contain at least seventy square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty square feet of floor area for each occupant twelve years of age and over and at least thirty-five square feet of floor area for each occupant under twelve years of age. (Ord. 193 Part 1 § 76, 1985)

15.12.610 Cooking prohibited.

No cooking shall be permitted in any lodging unit. (Ord. 193 Part 1 § 77, 1985)

15.12.620 Approved means of egress required.

Each story of a lodginghouse or boardinghouse shall have two approved and unobstructed means of egress and there shall be unobstructed access from each lodging unit to be the means of egress. (Ord. 193 Part 1 § 78, 1985)

Article IV. Board of Adjustment

15.12.630 Jurisdiction.

When in its judgment, the public convenience, health, welfare, safety, or morals will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the board of adjustment may, in specific cases after public notice and public hearing and subject to appropriate conditions and safeguards, take action relative to the continuance, discontinuance or abatement of nuisances, blighted, deteriorated, obsolete and substandard structures within the meaning of this chapter:

A. Hear and decide appeals where it is alleged there is any error, requirement, decision or determination made by the building department or consider, on its own motion, plans, surveys and specifications for any proposed repair of structures coming under the board's jurisdiction;

B. Require the repair of substandard structures subject to certain requirements pertaining to the structure or premises as may be deemed necessary to protect adjoining property owners;

C. Hold public hearings to determine whether any structure is in violation of the standards set out in this chapter and, if so, require that the building or structure be vacated, secured, repaired, removed or demolished by the owner within a reasonable time and to require that the occupants of the structure be relocated within a reasonable time;

D. Require the demolition of structures deemed to be substandard, dilapidated, unfit for human use and habitation, and a hazard to the public health, safety and welfare;

E. Require the abatement of any substandard structure or any nuisance as defined in this code by repair, rehabilitation, demolition, removal or vacation;

F. A variance to the requirements of this chapter may be granted when literal interpretation would result in an unreasonable or unnecessary hardship and such variance would not be contrary to the public interest. (Ord. 94-03 § 1, 1994: Ord. 193 Part 1 § 12, 1985)

15.12.640 Operation procedure.

The board of adjustment shall adopt rules to govern its proceedings provided that such rules are not inconsistent with this chapter or state law. Meetings of the board shall be held at the call of the chairman or in his/her absence, the vice-chairman or a designated acting chairman or at such other times as the board may determine. The chairman or acting chairman may administer oath and compel the attendance of witnesses. (Ord. 193 Part 1 § 13, 1985)

15.12.650 Public meetings.

All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep a record of its meetings and other official actions, all of which shall be immediately filed in the office of the city inspector and shall be a public record. (Ord. 193 Part 1 § 14, 1985)

15.12.660 Appeals.

Appeals to the board may be taken by any person aggrieved or by any officer, department or board of the city affected by any decision of the city inspector. Such appeal shall be taken within ten days after the decision has been rendered by the inspector by filing in the City Hall a notice of appeal specifying the grounds thereof. The inspector shall cause all documents constituting the records upon which the action was appealed from to be forwarded to the board. (Ord. 193 Part 1 § 15, 1985)

15.12.670 Stay of proceedings.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the inspector certifies to the satisfaction of the board that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. (Ord. 193 Part 1 § 16, 1985)

15.12.680 Notice of intent to demolish.

Whenever the inspector or his designated representative has taken all necessary steps prescribed under this chapter and has not been successful in requiring compliance on structures that are unfit for human use or habitation or that are obsolete, dilapidated, or substandard, he shall issue a notice of intent to demolish to the board and to the owner, occupant, agent, lessee, lessor, or any other person or persons provided for by Section 15.12.660. The notice of intent to demolish shall cause the board to make an examination of the case and render a decision. If the board upholds the intent to demolish by the inspector, the board shall issue an order to demolish the substandard structure. (Ord. 193 Part 1 § 17, 1985)

15.12.690 Notice of hearing.

The board shall hold a public hearing on all appeals made to it and written notice of such public hearing shall be sent to the applicant and others who are owners of real property lying within two hundred feet of the property on which the appeal is made. Such notice shall be given not less than ten days before the date set for hearing to all such owners who have rendered their said property for city taxes as the ownership appears on the last city tax roll. Such notice may be served by depositing the same properly addressed and postage paid in the United States post office. Notice shall also be

given by publishing the same in the official newspaper of the city at least ten days prior to the date set for the hearing which notice shall state the time and place of such hearings. (Ord. 193 Part 1 § 18, 1985)

15.12.700 Hearings.

At a public hearing relative to any appeal, any interested party may appear in person, by his agent or by his attorney. The burden of proof shall be on the applicant to establish the necessary facts to the satisfaction of the board that the order of the city inspector should be set aside or qualified. (Ord. 193 Part 1 § 19, 1985)

15.12.710 Appeal to court of competent jurisdiction.

It is not the intent of this chapter to declare, and it does not so declare, anything to be a nuisance which is not such in fact. Any person to whom any order is directed, or against whose property any action is taken or proposed to be taken under the terms and provisions of this chapter, shall have the right to appeal such order or action to any court of competent jurisdiction after having first exhausted the remedies provided by this chapter and provided that such action is filed within thirty days after the decision of the board of adjustment has been publicly announced, or entered in the minutes at a public meeting. (Ord. 193 Part 1 § 21, 1985)

Article V. Enforcement

15.12.720 Declaration of nuisance—Applicability of building code.

A. Any structure, building or premises in violation of the minimum standards set forth in this chapter or in violation of the Uniform Housing Code is substandard and declared to be a nuisance. The failure of the owner, lienholder, mortgagee or tenant to maintain any premises or structure in accordance with the minimum standards set forth in this code shall be grounds for the enforcement authority to declare the property substandard.

B. All buildings or portions thereof which are determined to be substandard as defined in this chapter are declared to be prima facie public nuisances to the extent of such substandard condition, and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures provided in this chapter.

C. Whenever any occupied structure, building or property is determined to be substandard and is in such condition as to make it dangerous to the life, limb, property or safety of the occupants, or is deemed unfit for human habitation or use and to constitute a hazard to the public health, safety and welfare, the city inspector shall order such building, structure or property vacated.

D. Whenever the provisions of this chapter require the construction, installation, alteration or repair of a dwelling, lodginghouse or boardinghouse or of its facilities, utilities or equipment, the required work shall be done in full compliance with the applicable provisions of the building code of the city except as provided in Section 15.12.730. (Ord. 94-03 § 2, 1994: Ord. 193 Part 1 § 79, 1985)

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Board of Adjustment met on June 8, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1. ROLL CALL

The following members were present:

Celesta Douglas
Matt Flanagan
Christie Houghton
Ken Stapleton

Members Absent:

Chris Curry
Frank Branscome (alt)
Mark Wetherell (alt)

Staff in attendance:

City Manager, Stewart Fairburn, Board of Adjustment Secretary, Diane Lowrimore.

The meeting was called to order at 7:05 p.m.

2. APPROVAL OF MINUTES

Christie Houghton made a motion to approve the minutes of May 18, 1998. Celesta Douglas seconded it and it carried unanimously.

3. CONSIDERATION AND ACTION ON RULES AND PROCEDURES FOR BOARD OF ADJUSTMENT

In section 8.03.03 of the Home Rule Charter, the last paragraph, "The Board of Adjustments shall not order a grand-fathered non-conforming use to be discontinued, which was created as a result of a zoning change", will be sent to the City Council for approval to be added to Chapter 18.46.040 item C.

Chapter 18.48.050 was okay.

18.42.260 needs to move to 18.46.030 Appeals. 18.42 needs to reference 18.46.

Also move 15.12.630 through 15.12.710 to Chapter 18.46. Chapter 15.12 will reference 18.46.

These changes will be added to those from last meeting and brought back to the next meeting for review and possible approval as a recommendation to City Council.

4. ADJOURNMENT

Ken Stapleton made a motion to adjourn, Christie Houghton seconded it and it carried unanimously.

The meeting stood adjourned at 7:45 p.m.

_____
Matt Flanagan, Chairman
Board of Adjustment
City of Lake Dallas, Texas

ATTEST:

_____
Diane Lowrimore, Secretary
Board of Adjustment
City of Lake Dallas, Texas

BOA Matt Church Celeste Leon
Done

40

last paragraph 8.03.03 entire item 15.46.040 C

Add a phrase for 8.03.03
last entire item C

050 Ok

Chapter 15

15.48.060 Ok

15.42.250 + 260 15.46.030

1

1. The enforcing officer is authorized and directed to make such inspections as are necessary to determine compliance with this chapter.

2. The city health officer, the fire marshal, the police chief, the tax assessor-collector and the water superintendent shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter. They shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the mobile home park who are tenants of the park licensee.

B. Access to Premises. It shall be the duty of every occupant of a mobile home park who is a tenant of the park licensee to give the licensee, his agent or authorized employeee access to any part of such park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this chapter. (Ord. 100 Art. 3 § 9, 1978)

18.42.240 Notice of violation.

Whenever it is determined that there are grounds to believe that there has been a violation of any provision of this chapter, the enforcing officer shall give notice of such alleged violation to the licensee or agent (unless such alleged violation is on property which has been sold by such licensee, in which case such notice shall be given to the purchaser), as provided in this section. Such notice shall:

A. Be in writing;

B. Include a statement of the reasons for its issuance;

C. Allow a reasonable time for the performance of the act it requires;

D. Be served upon the licensee or his agent (or upon the purchaser, whichever is appropriate); provided, that such notice or order shall be deemed to have been properly served when a copy thereof has been sent by certified or registered mail to the appropriate party at his last known address, or when he has been served with such notice by any method authorized or required by the laws of the state; and

E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this title. (Ord. 100 Art. 3 § 10(1), 1978)

18.42.250 Appeal—Hearing.

A. Any person affected by the refusal of the enforcing officer to issue a permit under the provisions of this title as set out in Section 18.42.210 or 18.42.220 may request and shall be granted a hearing on the matter before the board of adjustment, provided that such person files, within ten days after the day the permit was refused, in the office of the enforcing officer, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition, the enforcing officer shall forward it to the city planner who shall request the board to set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such refusal should be modified or withdrawn.

B. Any person affected by any notice by the enforcing officer which has been

issued in connection with the enforcement of any provisions of this title applicable to such park may request and shall be granted a hearing on the matter before the board, provided that such person files, within ten days after the day the notice was served, in the office of the enforcing officer, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension, except in the case of an order issued under provisions of Section 18.42.270. Upon receipt of such petition, the enforcing officer shall forward such petition to the city planner, who shall request the board to set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why notice should be modified or withdrawn. (Ord. 100 Art. 3 § 10(2), 1978)

18.42.260 Appeal—Decision and order.

After such hearing, the enforcing officer shall issue an order in writing sustaining, modifying or withdrawing the refusal, which order shall be served as provided in this chapter. Upon failure to comply with an order by the enforcing officer sustaining or modifying a decision thereof, the occupancy permit of the resident of the lot where the violation has occurred and the license of the park (unless such violation has occurred on property which has been sold by the park licensee) affected by the order shall be revoked. (Ord. 100 Art. 3 § 10(3), 1978)

18.42.270 Emergency orders.

Whenever the enforcing officer finds that an emergency exists which requires immediate action to protect the public health or safety, he may without notice or hearing issue an order reciting the existence of such emergency and requiring that action be taken as he may deem necessary to meet the emergency. Notwithstanding any other provisions of this title, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon written petition to the enforcing officer shall be afforded a hearing as soon as possible in the manner provided in this chapter. (Ord. 100 Art. 3 § 10(4), 1978)

18.42.280 Violation—Penalty—Additional remedies.

A. Any person, firm or corporation who violates any provision or provisions of this chapter, or who fails to comply therewith or with any of the requirements thereof, or who erects, occupies or alters any building, or commences to erect, occupy or alter any building in violation of any detailed statement or plan submitted or approved under this chapter shall, for each and every such violation or noncompliance, be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in any sum not to exceed two hundred dollars; and, each day such violation is permitted to exist shall constitute a separate offense. The owner of that building or premises or part thereof where anything in violation of this chapter is placed or exists, and any architect, builder, contractor, agent or corporation employed in connection

therewith who has assisted in the commission of any such violation, shall each be guilty of a separate offense and, upon conviction, shall be subject to the penalties provided in this section.

B. In addition to the remedies provided in subsection A of this section, the building inspector may, in case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, occupied or maintained, or any building, structure or land is used in violation of this chapter, institute on behalf of the city any appropriate action or proceedings to prevent such violation, to restrain, correct or abate such violation, to prevent the occupancy of the building, structure or land or to prevent any such illegal act, conduct, business or use. (Ord. 100 Art. 5, 1978)

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Board of Adjustment met on May 18, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1. ROLL CALL

The following members were present:

Celesta Douglas	Members Absent:
Matt Flanagan	Chris Curry
Christie Houghton	Frank Branscome (Alt)
Ken Stapleton	
Mark Wetherell (Alt)	

Staff in attendance:

City Administrator, Stewart Fairburn, Board of Adjustment Secretary, Diane Lowrimore and Building Official, Truman Harp were also in attendance.

The meeting was called to order at 7:19 p.m.

2. APPROVAL OF MINUTES

Celesta Douglas made a motion to approve the minutes of February 9, 1998. Mark Wetherell seconded it and it carried unanimously.

3. CONSIDERATION AND ACTION ON RULES AND PROCEDURES FOR BOARD OF ADJUSTMENT

There were several items discussed on Chapter 18.46. of the City Code. Under 18.46.010 Organization, the Board Members discussed the changes necessary to match the new City Charter #8.03.03. Some of these changes are:

a. Providing for the change from two alternate members to four alternate members;
b. Have terms of members to begin in October instead of the current December;

In addition the board discussed the removal of members with the addition of " Any member may be removed at any time by the council for reason of inefficiency, neglect of duty, or malfeasance of such member".

The Board Members also discussed rules to govern its proceedings. To hear a case the followings rules will apply:

a. Swearing in all who sign up at the public hearing;
b. Public hearing will open with a staff presentation followed by the applicant followed by the public in order of the sign up sheet.
c. The Board Members will not ask questions or enter into discussions with the public during the public hearing. After the public hearing closes the board members may ask permission of the chair to question witnesses. The witnesses will address their answers to the chair. At no time shall the board carry on an open discussion or debate with the witnesses.

The next meeting is tentatively scheduled for June 8, 1998. The board will review the rest of the current code to determine if any revisions are needed. Once the review is completed the Board will send its recommendations to City Council for their approval.

4. ADJOURNMENT

Celesta Douglas made a motion to adjourn, Christie Houghton seconded it and it carried unanimously.

The meeting stood adjourned at 9:35 p.m.

_____
Matt Flanagan, Chairman
Board of Adjustment
City of Lake Dallas, Texas

ATTEST:

_____
Diane Lowrimore, Secretary
Board of Adjustment
City of Lake Dallas, Texas

STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

The Lake Dallas Board of Adjustment met on February 9, 1998 at 7:00 p.m. in the Council Chambers located at 303 Alamo. Notice of the meeting was posted as required by Title 5, Chapter 551 of the Texas Government Code.

1. ROLL CALL

The following members were present:

Celesta Douglas
Matt Flanagan
Christie Houghton
Ken Stapleton
Mark Wetherell (Alt)

Members Absent:
Chris Curry
Frank Branscome (Alt)

Staff in attendance:

City Administrator, Stewart Fairburn, Board of Adjustment Secretary, Diane Lowrimore and Building Official, Truman Harp were also in attendance.

The meeting was called to order at 7:10 p.m.

2. APPROVAL OF MINUTES

Matt Flanagan made a motion to approve the minutes of October 20, 1997 and the minutes of November 17, 1997. Ken Stapleton seconded it and it carried unanimously.

3. Training Session with City Attorney

David Berman, City Attorney was the speaker for the training session. He went over the purpose and procedures of the Board of Adjustment. The following items were discussed.

VARIANCES
APPEALS OF DECISIONS OF ADMINISTRATION OFFICIALS
SPECIAL EXCEPTIONS
MINIMUM URBAN STANDARDS

4. Consideration and Action on the Election of a new Board of Adjustment Chairperson and Vice Chairperson

Ken Stapleton made a motion to elect Matt Flanagan as chairperson for the Board of Adjustment. Christie Houghton seconded it and it carried unanimously.

Ken Stapleton made a motion to elect Celesta Douglas as Vice Chairperson. Christie Houghton seconded it and it carried unanimously.

5. ADJOURNMENT

Christie Houghton made a motion to adjourn, Ken Stapleton seconded it and it carried unanimously.

The meeting stood adjourned at 9:35 p.m.

_____
Matt Flanagan, Chairman
Board of Adjustment
City of Lake Dallas, Texas

ATTEST:

_____
Diane Lowrimore, Secretary
Board of Adjustment
City of Lake Dallas, Texas

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
November 17, 1997
7:00 P.M

MEMBERS PRESENT:
Celesta Douglas
Chris Curry
Clyde Edwards/Chairman
Frances Poteet/Vice Chairperson

MEMBERS ABSENT:
Rodney Courtney
Ken Stapleton

Chairman Clyde Edwards called the meeting to order at 7:15 p.m.

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of October 20, 1997 were not voted on due to final vote on the tree preservation being left out. The corrected copy will be ready at the next meeting.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF RAY WEIKUM REQUESTING A VARIANCE FROM CHAPTER 18.14, SECTIONS 18.16.010 THROUGH 18.16.120, R-1-6000, "SINGLE FAMILY DWELLING".

Mr. Weikum is requesting a variance to re-build his home on the same lot with the current codes and set-backs. Mr. Weikum said he was told he would need a variance to re-build. He explained that his home was destroyed by a gas leak which caused his home to explode. He said for him to build at a different location would be a hardship on him.

This property is located at 619 Shore Dr. in the City of Lake Dallas.

IV. PUBLIC HEARING.

Clyde Edwards (Chairman) asked for those who spoke in favor of the variance to step forward.

Ruth Barbosa residing at 720 Lake St. spoke in favor.
Linwood Gilliland residing at 709 Payton spoke in favor.
Dave Owen residing at 611 Lake spoke in favor.

Clyde Edwards (Chairman) asked for those who were against the variance to step forward.

There were none against the variance.

V. ACTION FROM PUBLIC HEARING.

Clyde Edwards (Chairman), Truman Harp (Building Official), and the board members discussed the situation and came to the conclusion that prior to issuing a permit that the four lots be surveyed and brought before the Planning and Zoning Commission to be platted into one lot which would address all the variance concerns.

Celesta Douglas seconded it and it carried unanimously.

VI. ADJOURNMENT:

Celesta Douglas made a motion to adjourn the meeting. Chris Curry seconded it and it carried unanimously.

_____
CLYDE EDWARDS/CHAIRMAN

_____
DIANE LOWRIMORE/BOA SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON MONDAY, OCTOBER 20, 1997 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO ST. TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

1. Roll Call.

2. Approval of Minutes.

3. Public Hearing.

   To consider the petition of LAKEBRIDGE ESTATES requesting a variance from Chapter 18.54, Section 18.54.120, Item A, "TREE PRESERVATION". The variance is requesting the house be set back 2 feet 5 inches. Instead of an 18 foot building line it would be 15 feet 7 inches. This is for the preservation of a very old tree. This property is located at 904 Vista Oak Court, Blk 3 Lot 35.

4. Close Public Hearing.

5. Action from Public Hearing.

6. Public Hearing.

   To consider the petition of Michael Fahey requesting a variance from Chapter 18.42, Section 18.42.110, Item B,"DISTRICT R-1 4000, MOBILE HOME SPACING STANDARDS, ITEM B, THE MINIMUM DISTANCE BETWEEN MOBILE HOMES AT ANY POINT SHALL BE TWENTY FEET". The variance is requesting a distance of 12 feet between lot 144 and lot 145 Kingswood Dr. The petitioner is also requesting that he will not have to put in any windows on that part of the building. This property is located at #144 Kingswood.

7. Close Public Hearing.

8. Action from Public Hearing.

9. Adjournment.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON OCTOBER 2, 1997 AT 4:30 P.M.

Diane Lowrimore

DIANE LOWRIMORE, BOA SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
OCTOBER 20, 1997
7:00 P.M

MEMBERS PRESENT:
CELESTA DOUGLAS
RODNEY COURTNEY
CLYDE EDWARDS/CHAIRMAN
FRANCES POTEET/VICE CHAIRPERSON

MEMBERS ABSENT:
CHRIS CURRY
KEN STAPLETON

Chairman Clyde Edwards called the meeting to order at 7:00 p.m.

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of August 18,1997 was discussed. Rod Courtney moved to approve the minutes. Frances Poteet seconded it, and it carried unanimously.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF LAKEBRIDGE ESTATES REQUESTING A VARIANCE FROM CHAPTER 18.54, SECTION 18.54.120, ITEM A, "TREE PRESERVATION". THE VARIANCE IS REQUESTING THAT THE HOUSE BE SET BACK 2 FEET 5 INCHES, INSTEAD OF AN 18 FOOT BUILDING LINE, IT WOULD BE 15 FEET 7 INCHES. THIS IS FOR THE PRESERVATION OF A VERY OLD TREE. THIS PROPERTY IS LOCATED AT 904 VISTA OAK COURT, BLOCK 3 LOT 35.

IV. CLOSE PUBLIC HEARING:

V. ACTION FROM PUBLIC HEARING:

Clyde Edwards asked for a representative from Pulte Homes. Bob Stovall who resides at 709 Payton, Lake Dallas, Tx 75065 came to speak on behalf of Pulte Homes. He explained that they would like to save the tree due to it's age which is thought to be over a hundred years. After discussing the care of the tree,

Rod Courtney made a motion to grant the variance. Frances Poteet seconded the motion and it carried unanimously.

VI. PUBLIC HEARING:

TO CONSIDER THE PETITION OF MICHAEL FAHEY REQUESTING A VARIANCE FROM CHAPTER 18.42, SECTION 18.42.110, ITEM B, "DISTRICT R-1-4000, MOBILE HOME SPACING STANDARDS, ITEM B, THE MINIMUM DISTANCE BETWEEN MOBILE HOMES AT ANY POINT SHALL BE TWENTY FEET". THE VARIANCE IS REQUESTING A DISTANCE OF 12 FEET BETWEEN LOT 144 AND LOT 145 KINGSWOOD DR. THE PETITIONER IS ALSO REQUESTING THAT HE WILL NOT HAVE TO PUT ANY WINDOWS ON THAT PART OF THE BUILDING. THIS PROPERTY IS LOCATED AT #144 KINGSWOOD.

VII. ACTION FROM PUBLIC HEARING:

Clyde Edwards asked for the person to speak in favor of the petition. Michael Fahey stepped forward giving his address as being #144 Kingswood and as being the owner of said property.

Rodney Courtney made a motion to approve the variance for the distance between the mobile homes only. The putting in of the windows will be up to the Code enforcement officer.

There was not a second motion and the motion failed due to lack of second.

Celesta Douglas made a motion that the variance be denied due to the hardship it would put on others. Frances Poteet seconded the motion. Request is denied due to lack of approval of motion.

IX. ADJOURNMENT:

Celesta Douglas made a motion to adjourn the meeting. Frances Poteet seconded it and it carried unanimously.

_____
CLYDE EDWARDS/CHAIRMAN

_____
DIANE LOWRIMORE/BOA SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
AUGUST 18, 1997
7:00 P.M

MEMBERS PRESENT:
CLYDE EDWARDS/CHAIRMAN
FRANCES POTEET/VICE CHAIRPERSON
RODNEY COURTNEY
CHRIS CURRY

PAT CHAPMAN, CITY SECRETARY
(FILLED IN FOR DIANE LOWRIMORE)

MEMBERS ABSENT:
CELESTA DOUGLAS
KEN STAPLETON

Chairman Clyde Edwards called the meeting to order at 7:10 p.m.

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of January 20,1997 and the minutes of April 28, 1997 were discussed. Chris Curry made a motion to table the minutes until the next meeting. Rodney Courtney seconded it.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF LAKEBRIDGE ESTATES REQUESTING A VARIANCE FROM CHAPTER 18.54, SECTION 18.54.120, ITEM A, "TREE PRESERVATION". THE VARIANCE IS REQUESTING THAT THE HOUSE BE SET BACK 2 FEET 5 INCHES, INSTEAD OF AN 18 FOOT BUILDING LINE, IT WOULD BE 15 FEET 7 INCHES. THIS IS FOR THE PRESERVATION OF A VERY OLD TREE. THIS PROPERTY IS LOCATED AT 904 VISTA OAK COURT, BLOCK 3 LOT 35.

Clyde Edwards asked for a representative from Pulte Homes. There was not anyone to speak on behalf of the variance present.

IV. CLOSE PUBLIC HEARING:

V. ACTION FROM THE PUBLIC HEARING:

Rodney Courtney made a motion to denied the request based on there not being a representative there to speak on behalf of Pulte Homes. Frances Poteet seconded it.

Clyde Edwards voted for.
Chris Curry voted for.
Frances Poteet voted for.
Rodney Courtney voted for.

IX. ADJOURNMENT:

Chris Curry made a motion to adjourn the meeting.
Rodney Courtney seconded it and it carried unanimously.

_____
CLYDE EDWARDS/CHAIRMAN

_____
DIANE LOWRIMORE/BOA SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
APRIL 28, 1997
7:00 P.M

MEMBERS PRESENT:
CLYDE EDWARDS/CHAIRMAN
FRANCES POTEET/VICE CHAIRPERSON
CELESTA DOUGLAS
KEN STAPLETON
CHRIS CURRY
FRANK BARNARD
DIANE LOWRIMORE, SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY

Chairman Clyde Edwards called the meeting to order at 7:15 p.m.

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of January 20,1997 were discussed. Frank Barnard made a motion not approve them. Ken Stapleton seconded it with Celesta Douglas, Clyde Edwards, Frances Poteet all for and Chris Curry abstaining. The statement in question is "The following citizens spoke in opposition to the request for variance in the public hearing".
It will be deleted from the minutes.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF FOX HOLLOW DEVELOPMENT REQUESTING A VARIANCE FOR 704 CARLISLE COURT FROM CHAPTER 18.12, SECTION 18.02.560,"VARIANCE". THE VARIANCE IS REQUESTING THAT REAR YARDS BE 25 FEET INSTEAD OF THE 30 FEET REQUIRED IN R-1-7200 DISTRICT. SECTION 18.02.590 "REAR YARD" MEANS A YARD BETWEEN THE REAR LOT LINE AND THE REAR LINE OF THE MAIN BUILDING AND THE SIDE LOT LINES. THIS PROPERTY IS LOCATED AT 704 CARLISLE COURT.

Mr. Bill Davidson of 300 Edgewater Dr., Highland Village, spoke on behave of Fox Hollow Developement. He explained why the variance on 704 Carlisle Court needed the variance.

IV. CLOSE PUBLIC HEARING:

V. ACTION FROM THE PUBLIC HEARING:

Frank Barnard made a motion to approve the variance based on Mr. Bill Davidson complying that the rear yards be 25 feet instead of the required 30 feet in R-1-7200 district.
Section 18.02.590 "Rear Yard" means a yard between the rear lot line and the rear line of the main building and the side lot lines. This property is located at 704 Carlisle Court.
Chairman Clyde Edwards called the public hearing to order and read the petition from Fox Hollow Development.

VI. PUBLIC HEARING:

TO CONSIDER THE PETITION OF CARLISLE COURT REQUESTING A VARIANCE FROM CHAPTER 18.12, SECTION 18.02.560, "VARIANCE".
THE VARIANCE IS REQUESTING THAT REAR YARDS BE 25 FEET INSTEAD OF THE 30 FEET REQUIRED IN THE R-1-7200 DISTRICT. SECTION 18.02.590 "REAR YARDS" MEANS A YARD BETWEEN THE REAR LOT LINE AND THE REAR LINE OF THE MAIN BUILDING AND THE SIDE LOT LINES. THIS PROPERTY IS LOCATED AT 705 CARLISLE COURT, LOT 9.

Bill Davidson of 300 Edgewater Dr., Highland Village, spoke on behalf of Fox Hollow Developement. He explained why the variance was needed for 705 Carlisle Court.

VII. CLOSE PUBLIC HEARING:

VIII. ACTION FROM PUBLIC HEARING:

Chris Curry made a motion to approve the variance as long as Mr. Davidson complies with the rear yard set back of 25 feet. The property is located at 705 Carlisle Court.

Clyde Edwards voted for.
Chris Curry voted for.
Frances Poteet voted for.
Frank Barnard voted for.
Ken Stapleton voted for.
Celesta Douglas was opposed.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
APRIL 21, 1997
7:00 P.M

MEMBERS PRESENT:
CLYDE EDWARDS/CHAIRMAN
FRANCES POTEET/VICE CHAIRPERSON
CELESTA DOUGLAS
RODNEY COURTNEY
FRANK BARNARD
DIANE LOWRIMORE, SECRETARY

MEMBERS ABSENT:
KEN STAPLETON
CHRIS CURRY

Chairman Clyde Edwards called the meeting to order at 7:15 p.m.

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of January 20,1997 were not approved. The board wanted to change the "FRONT YARD TO REAR YARD". Frances Poteet made a motion for BOA secretary to listen to the tapes of January 20, 1997 before a decision is made on the paragraph that states "None of the citizens in attendance spoke in favor of the request for a variance". Frank Barnard seconded it and it carried. This will be presented at the May 19, 1997 meeting with the corrections made.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF FOX HOLLOW DEVELOPMENT REQUESTING A VARIANCE FROM CHAPTER 18.12, SECTION 18.02.560,"VARIANCE".

The variance is requesting that rear yards be 25 feet instead of the required 30 feet in R-1-7200 district. Section 18.02.590 "Rear Yard" means a yard between the rear lot line and the rear line of the main building and the side lot lines. This property is located at 704 Carlisle Court. Chairman Clyde Edwards called the public hearing to order and read the petition from Fox Hollow Development. The same request was also made for 705 Carlisle Court.

IV. ACTION FROM THE PUBLIC HEARING:

There was not a representive at the meeting from Fox Hollow Development. Clyde Edwards made a suggestion to table the hearing until Monday April 28, 1997 or to drop it completely and have them apply for the variance again.

Frank Barnard made a motion to table it until April 28, 1997. Rod Courtney seconded it. Those that were for it were:

Rod Courtney: for
Clyde Edwards: for
Frank Barnard: for
Frances Poteet: for
Celesta Douglas: against

V. Frank Barnard made a motion to adjourn the meeting. Celesta Douglas seconded it and it carried unanimously.

_____
CLYDE EDWARDS/CHAIRMAN

ATTEST:

_____
DIANE LOWRIMORE/BOA SECRETARY

1997 PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JANUARY 20, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO ST. TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING:
TO CONSIDER THE PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12, SECTION 18.12.120, " FRONT YARDS" ANY BUILDING HEREAFTER CONSTRUCTED IN AN R-1-7200 DISTRICT SHALL PROVIDE FOR A FRONT YARD, THE MINIMUM DEPTH OF WHICH SHALL BE AT LEAST TWENTY-FIVE FEET. THE PROPERTY WHICH IS LOCATED AT 774 POPLAR COURT, BLK B, LOT 25. THE BACK OF THE HOUSE IS 3 FEET 6 1/2 INCHES OVER THE BACK BUILDING LINE. AND 768 POPLAR COURT, BLK B, LOT 22. THE RIGHT SIDE OF THE HOUSE IS OVER THE BUILDING LINE 2 FEET. THIS PROPERTY IS LOCATED IN THE THOUSAND OAKS ADDITION, IN THE CITY OF LAKE DALLAS, DENTON COUNTY TEXAS.

IV. ACTION FROM PUBLIC HEARING.

V. <u>TRAINING SESSION</u>

The City Attorney will meet with the Board of Adjustment Members for training on procedures related to the duties and responsibilities of the Board of Adjustment.

VI. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON JANUARY 15, 1997 AT 2:50 P.M.

Diane Lowrimore

DIANE LOWRIMORE, SECRETARY

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 20, 1997 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the petition of Pulte Homes requesting a Variance from Chapter 18.12, section 18.12.120, "FRONT YARDS" Any building hereafter constructed in an R-1-7200 district of wihch shall be at least twenty five feet. The property is located at 774 Poplar Circle, Block B Lot 25 In Thousand Oaks Addition. The back of the house is 3 feet 6 1/2 inches over the back building line. The second piece of property located at 768 Poplar Circle, Block B Lot 22, of Thousand Oaks. The right side of the house is over the building line 2 feet. Both pieces of property are in the City of Lake Dallas, Denton County, Texas.

Diane Lowrimore, Secretary of Board of Adjustment

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
JANUARY 20, 1997
7:00 P.M

MEMBERS PRESENT:
CLYDE EDWARDS/CHAIRMAN
FRANCES POTEET/VICE CHAIRPERSON
CELESTA DOUGLAS
RODNEY COURTNEY
FRANK BARNARD
DIANE LOWRIMORE, SECRETARY

MEMBERS ABSENT:
KEN STAPLETON
CHRIS CURRY
Also in attendance: David Berman/City Attorney

I. ROLL CALL.

II. APPROVAL OF MINUTES.

The minutes of December 16, 1996 were approved before the meeting was called to order.

Chairman Clyde Edwards called the meeting to order at 7:10 p.m.

III. PUBLIC HEARING TO CONSIDER THE PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12, SECTION 18.12.120, "FRONT YARDS"

Chairman Clyde Edwards called the public hearing to order and read the petition from Pulte Homes.

Any building hereafter constructed in an R-1-7200 district shall provide for a front yard, the minimum depth of which shall be at least twenty-five feet. The property which is located at 774 Poplar Court, Blk B Lot 25. The back of the house is three (3) feet 6 1/2 inches over the back building line.

The second house is located at 768 Poplar Court, Blk B Lot 22. The right side of the house is over the building two (2) feet. This property is located in the Thousand Oaks Addition, in the City of Lake Dallas, Denton County Texas.

The following citizens spoke in opposition to the request for variance in the public hearing:

Laura Copeland 772 Poplar
Bob Watts 777 Poplar
Chris Bloomfield 770 Poplar
Doug Helixon 776 Poplar

None of the citizens in attendance spoke in favor of the request for variance.

IV. ACTION FROM BOARD.

Rod Courtney made a motion to approve the variance Frank Barnard seconded. Clyde Edwards, Frances Poteet, Rod Courtney and Frank Barnard voted to approve. Celesta Douglas voted against. Motion carried.

V. TRAINING SESSION.

General discussion on a variety of subjects.

VI. ADJOURNMENT.

Frank Barnard made a motion to adjourn. Celesta Douglas seconded it and it was carried unanimously.

_____
CLYDE EDWARDS/CHAIRMAN

ATTEST:

_____
DIANE LOWRIMORE/BOA SECRETARY

CITY OF LAKE DALLAS
303 ALAMO ST.
P.O. BOX 368
LAKE DALLAS, TX 75065

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE

DATE: January 6, 1997

DEAR PROPERTY OWNER:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Monday, January 6, 1997 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo St., to consider a variance on the property below:

LEGAL DESCRIPTION OF PROPERTY INVOLVED:

Block B, Lot 25, 774 Poplar Circle in the Thousand Oaks Addition. Block B Lot 22, 758 Poplar Circle in the Thousand Oaks Addition.

The petitioner is requesting a variance from Chapter 18.12, section 18.12.120, "FRONT YARDS" Any building hereafter constructed in an R-1-7200 district of which shall be at least twenty-five feet. The back of the house at 774 Poplar Circle is 3 feet 6 1/2 inches over the building line. "SIDE YARDS". Section 18.12, Section 18.12.110. There shall be a side yard on each side of a building in an R-1-7200 district, not less than ten percent of the width of the lot; except that such side yard shall not be less than seven feet, and not more than fifteen feet. The house at 768 Poplar Circle is 2 feet over the right side of the building line.

This notice is sent to you as a owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Diane Lowrimore
DIANE LOWRIMORE, SECRETARY

CITY OF LAKE DALLAS
303 ALAMO ST.
P.O. BOX 368
LAKE DALLAS, TX 75065

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE

DATE: January 9, 1997

DEAR PROPERTY OWNER:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Monday, January 20, 1997 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo St., to consider a variance on the property below:

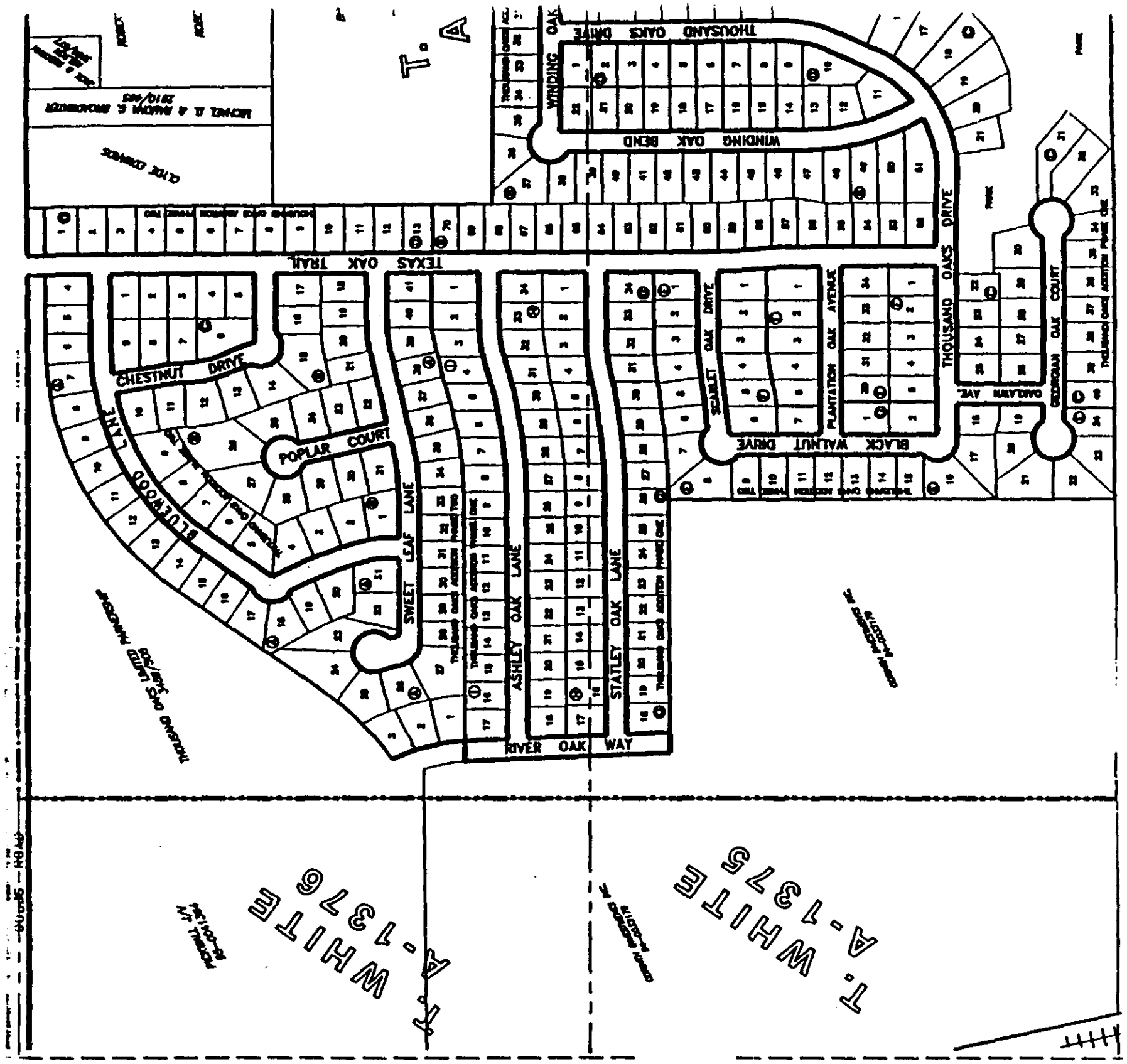
LEGAL DESCRIPTION OF PROPERTY INVOLVED:

Block B, Lot 25, 774 Poplar Court in the Thousand Oaks Addition. Block B Lot 22, 758 Poplar Court in the Thousand Oaks Addition.

The petitioner is requesting a variance from Chapter 18.12, section 18.12.120, "FRONT YARDS" Any building hereafter constructed in an R-1-7200 district of which shall be at least twenty-five feet. The back of the house at 774 Poplar Court is 3 feet 6 1/2 inches over the building line. "SIDE YARDS". Section 18.12, Section 18.12.110. There shall be a side yard on each side of a building in an R-1-7200 district, not less than ten percent of the width of the lot; except that such side yard shall not be less than seven feet, and not more than fifteen feet. The house at 768 Poplar Court is 2 feet over the right side of the building line.

This notice is sent to you as a owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Diane Lowrimore
DIANE LOWRIMORE, SECRETARY


THOUSAND OAKS DRIVE
WINDING OAK BEND
WINDING OAK DRIVE
TEXAS OAK TRAIL
CHESTNUT DRIVE
POPLAR COURT
FLUEWOOD LANE
SWEET LEAF LANE
ASHLEY OAK LANE
STATLEY OAK LANE
RIVER OAK WAY
SCARLET OAK DRIVE
PLANTATION OAK AVENUE
BLACK WALNUT DRIVE
GEORGIAN OAK COURT
GEORGIAN OAK AVE.
OAK CREEK
PARK
T. WHITE
A-1375
A. WHITE
A-1376

CITY OF LAKE DALLAS
303 ALAMO ST.
P.O. BOX 368
LAKE DALLAS, TX 75065
817-497-2226

CORRECTED LETTER

JANUARY 9, 1997

TO: ALL PROPERTY OWNERS

THIS LETTER IS TO CORRECT THE DATE THAT WAS MAILED ON JANUARY 6, 1997. THE DATE OF THE BOARD OF ADJUSTMENT MEETING IS JANUARY 20, 1997. I CHANGED POPLAR CIRCLE TO POPLAR COURT. I HAVE ENCLOSED THE CORRECTED LETTER. I APOLOGIZED FOR THE INCONVENIENCE.

DIANE LOWRIMORE, SECRETARY FOR BOA

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO AVE.
LAKE DALLAS, TX 75065
817-497-2226

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT:

THE UNDERSIGNED, OWNER OF THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R1-7200 ZONING DISTRICT. THE VARIANCE IS REQUESTED FROM CHAPTER 18.12.120 OF THE LAKE DALLAS MUNICIPAL CODE.

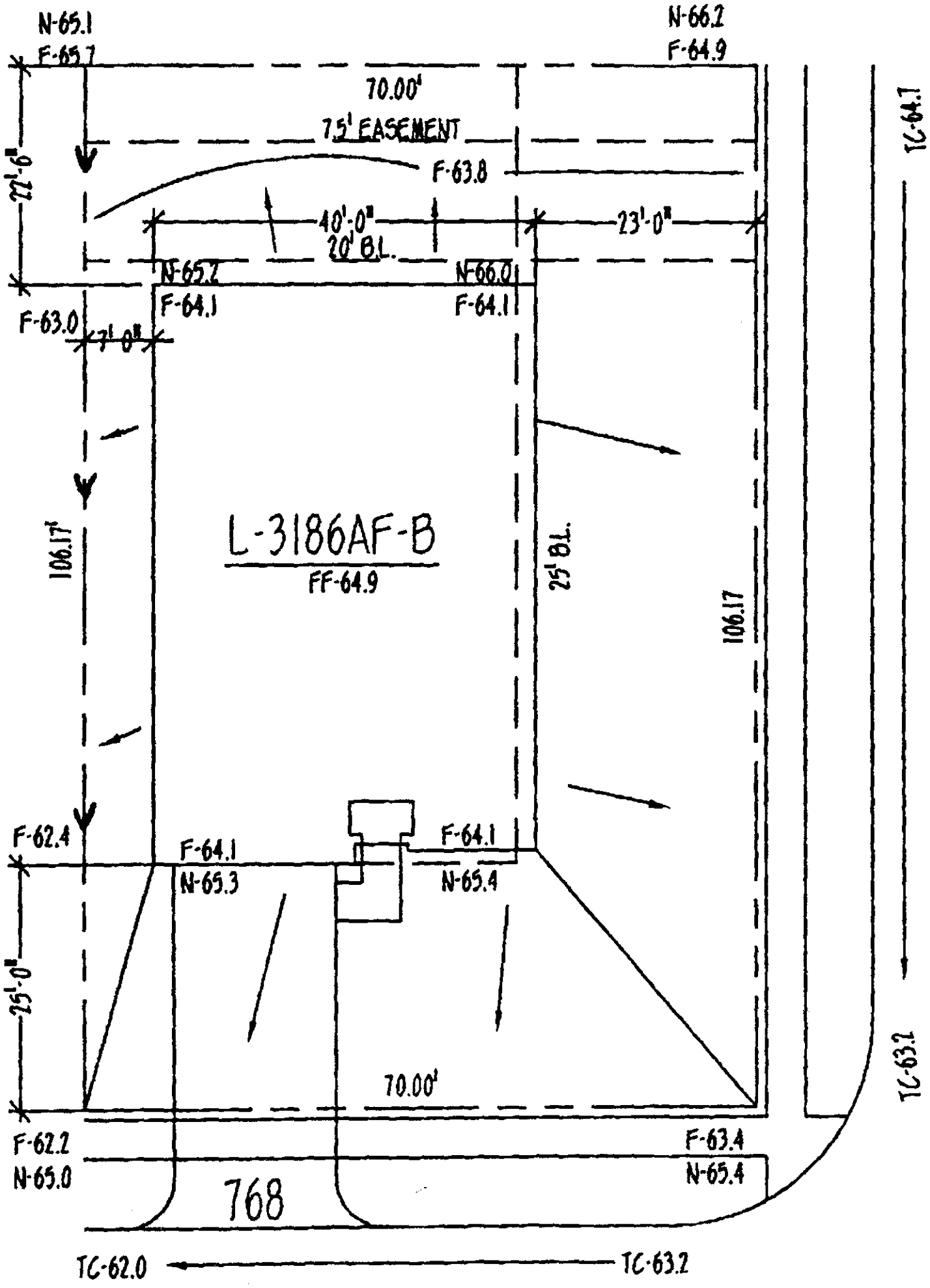
THE VARIANCE IS REQUESTED BASED ON THE FOLLOWING INFORMATION:
The right side of house is over the building line two feet.

VARIANCE REQUESTED ON PROPERTY LOCATED AT 768 Poplar Ct.
, LEGAL DESCRIPTION OF PROPERTY lot 22
Block B Thousand Oaks.

AN ACCURATE SURVEY OF THE PROPERTY AND A SITE PLAN SHOWING ALL SETBACKS OF THE PROPERTY MUST BE ATTACHED TO THIS APPLICATION. YOU MAY ATTACH COMMENTS CONCERNING THE EXISTENCE OF ANY HARDSHIP. A FILING FEE OF $250.00 MUST ACCOMPANY THIS APPLICATION. THE OWNER OR A REPRESENTATIVE OF THE PROPERTY MUST BE PRESENT AT THE PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT.

SUBMITTED THIS 27th DAY OF November, 1996.

NAME: Steve Jones
SIGNATURE: Steve Jones
ADDRESS: P.O. Box 293238
Lewisville, Tx 75029
TELEPHONE: 817-321-6052



POPLAR COURT
LOT 22 BLOCK B

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO AVE.
LAKE DALLAS, TX 75065
817-497-2226

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT:

THE UNDERSIGNED, OWNER OF THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R1-7200 ZONING DISTRICT. THE VARIANCE IS REQUESTED FROM CHAPTER 18.12.120 OF THE LAKE DALLAS MUNICIPAL CODE.

THE VARIANCE IS REQUESTED BASED ON THE FOLLOWING INFORMATION:
The back of the house is 3'6½" over the back building line

VARIANCE REQUESTED ON PROPERTY LOCATED AT 774 Poplar Ct., LEGAL DESCRIPTION OF PROPERTY lot 25 Block B.

AN ACCURATE SURVEY OF THE PROPERTY AND A SITE PLAN SHOWING ALL SETBACKS OF THE PROPERTY MUST BE ATTACHED TO THIS APPLICATION. YOU MAY ATTACH COMMENTS CONCERNING THE EXISTENCE OF ANY HARDSHIP. A FILING FEE OF $250.00 MUST ACCOMPANY THIS APPLICATION. THE OWNER OR A REPRESENTATIVE OF THE PROPERTY MUST BE PRESENT AT THE PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT.

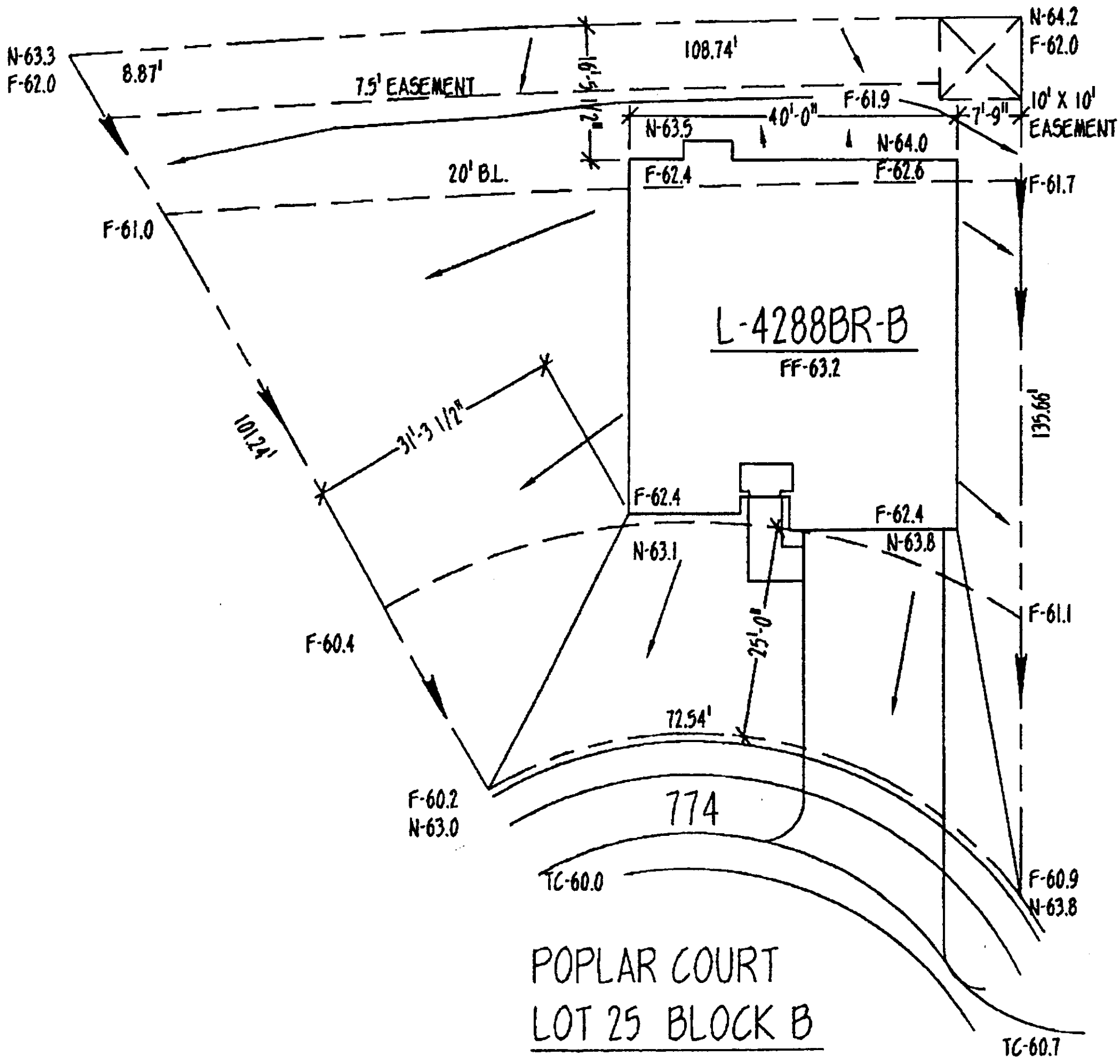
SUBMITTED THIS ~~Dec~~ 27th DAY OF November, 1996.

NAME: Steve Jones

SIGNATURE: Steve Jones

ADDRESS: P.O. box 293235 Lewisville Tx. 75029

TELEPHONE: 321-6052

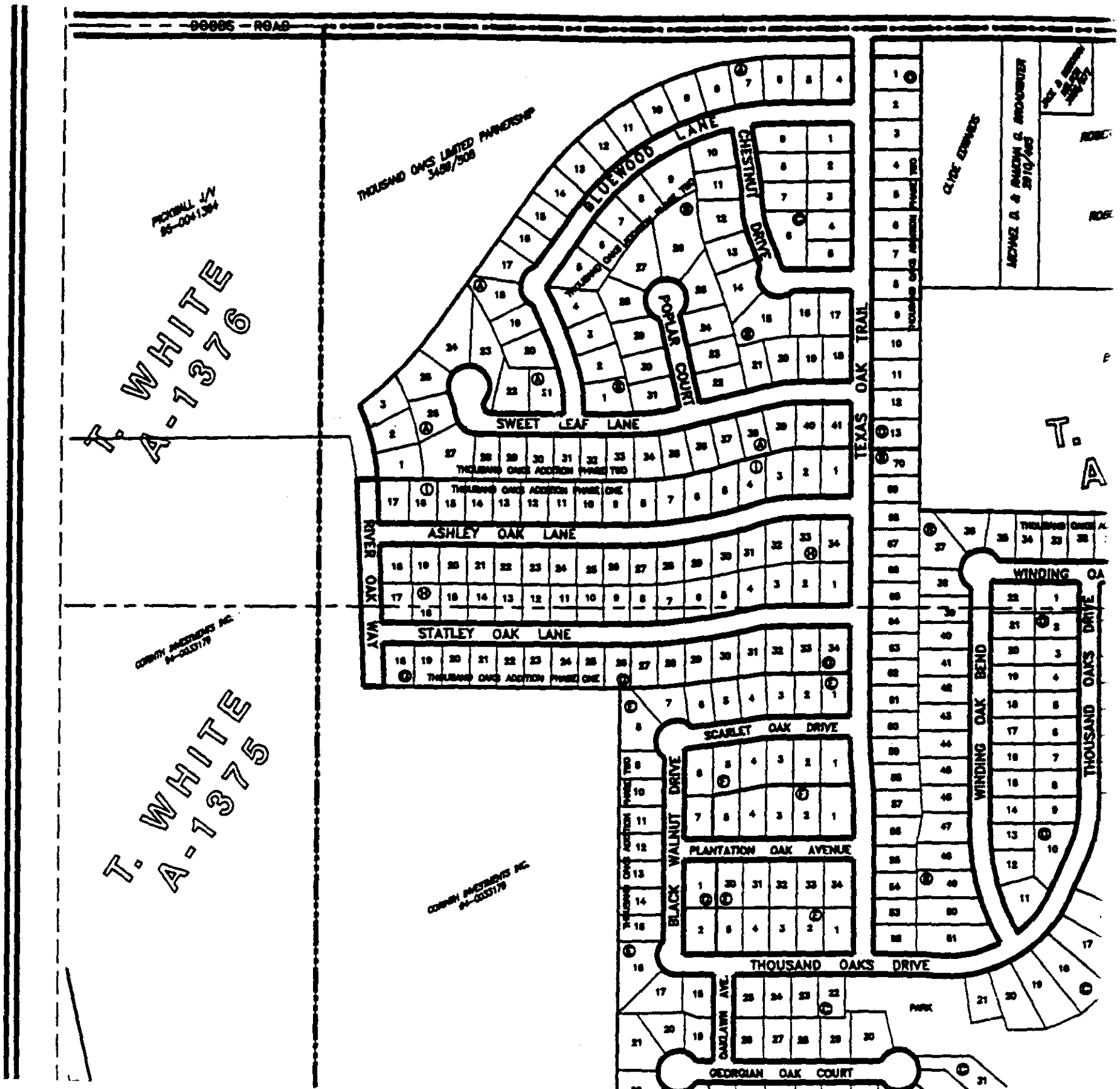

N-64.2
F-62.0
N-63.3
F-62.0
8.87'
108.74'
7.5' EASEMENT
6'-9"
F-61.9
7'-9"
10' X 10'
EASEMENT
2'-11"
N-63.5
40'-0"
N-64.0
20' B.L.
F-62.4
F-62.6
F-61.7
F-61.0
L-4288BR-B
FF-63.2
101.24'
31'-3 1/2"
135.66'
F-62.4
F-62.4
N-63.1
N-63.8
25'-0"
F-61.1
F-60.4
72.54'
F-60.2
N-63.0
774
TC-60.0
F-60.9
N-63.8
TC-60.7
POPLAR COURT
LOT 25 BLOCK B

posted this 30th day
of December, 1996

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 20, 1997 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the petition of Pulte Homes requesting a Variance from Chapter 18.12, section 18.12.120, "FRONT YARDS" Any building hereafter constructed in an R-1-7200 district of which shall be at least twenty-five feet. The property is located at 774 Poplar Circle, Blk B Lot 25 in Thousand Oaks Addition. The back of the house is 3 feet 6 1/2 inches over the back building line. The second piece of property located at 768 Poplar Circle, Blk B Lot 22, of Thousand Oaks. The right side of the house is over the building line 2 feet. Both pieces of property are in the City of Lake Dallas, DENTON County Texas.

Diane Lowrimore/Secretary of Board of Adjustment



CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
DECEMBER 16, 1996
7:00 P.M.

MEMBERS PRESENT:
CELESTA DOUGLAS
RODNEY COURTNEY
CLYDE EDWARDS/CHAIRMAN
FRANK BARNARD
CHRIS CURRY
DIANE LOWRIMORE, SECRETARY

MEMBERS ABSENT:
FRANCIS POTEET/VICE CHAIRPERSON
KEN STAPLETON

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 p.m. and noted that all members were present except for Francis Poteet and Ken Stapleton.

II. APPROVAL OF MINUTES.

Celesta Douglas moved to approve the minutes of the meeting held on October 21, 1996. Frank Barnard seconded the motion and it carried unanimously.

III. PUBLIC HEARING: TO CONSIDER THE PETITION OF MARK NELSON REQUESTING A VARIANCE FROM CHAPTER 18.14, SECTION 18.14.050, 18.14.060 AND 18.14.070 OF R-1-6000 RELATIVE TO THE FRONT SET BACKS, THE SIDE SET BACKS AND THE REAR SET BACKS. CHAPTER 18.32 SECTION 18.32.020 AND 18.32.050 RELATIVE TO "USES CONTINUED OR CHANGED" AND "USES ENLARGED" OF NONCONFORMING USES OF THE MUNICIPAL CODE ON THE HOUSE AT 500 N. LAKEVIEW. THIS PROPERTY IS LOCATED ON BLK 4, LTS 1, 2, 11 AND 12 OF THE LAKE DALLAS SHORES, IN THE CITY OF LAKE DALLAS, DENTON COUNTY TEXAS.

Building Inspector, Truman Harp stated on a permit that was issued on 6-10-95, on the property at 500 N. Lakeview Dr. Any permits on the R-6000 has front, back and side setbacks that have to maintained. On the front piece of property the permit reads that it's to enclose a porch and the estimated report is 300 square ft. At the present time we have a building that is 10x40 or 400 sq. ft. R-1-6000 has 25 ft. for the front yard set backs. At the present time we've got 11 foot set backs from the street. The side yard set backs are suppose to 15 ft., we've got a total of 9 ft. The rear set backs are suppose to be 15 feet and we have 8 feet.

When the permit was issued there is a space to insert your electrician, and a master plumber. Both of these were circled with a zero. There was never a call of any kind for an inspection.

Mark Nelson: 500 N. Lakeview. Property owner requesting the variance stated I did the construction myself and it is 99% completed. He didn't get a permit out of ignorance; He performed the construction because his family needed the space .

CITIZENS IN ATTENDANCE SPEAKING IN SUPPORT OF GRANTING THE VARIANCE.

Gene Tisdale: 524 Howard St.

Margaret Tisdale: 509 Howard St.

Diane Tisdale: 524 Howard St.

David Shersen: 166 Kingwood.

IV. ACTION FROM PUBLIC HEARING.

Rod Courtney: Motion move to approve the variance at 500 N. Lakeview with the condition that Mr. Nelson comply with the requirements of the Code Enforcement officer in regards with the Electrical and Plumbing insulation on the property.

Clyde Edwards: I would like to make a motion to add an addendum to that with the removal of the storage shed.

Chris Curry: I would like to make a motion to put an addendum to that on the time of 90 days.

Frank Barnard: I second the motion.

Celesta Douglas moved to approve the variance, Rod Courtney seconded it and it was approved unanimously.

V. CONSIDER RECOMMENDATION OF FRANK BARNARD AS A PERMANENT MEMBER OF THE BOARD OF ADJUSTMENT-ACTION.

Clyde Edwards announced that the City Council recognized Frank Barnard as a permanent member of the Board of Adjustments. Chris Curry is our new alternate.

BREAK: 15 minutes.

VI. DISCUSS THE POLICIES, PROCEDURES AND GUIDELINES OF THE BOARD OF ADJUSTMENT RULES-ACTION.

Chris Curry made a motion to incorporate the polices, procedures and guidelines with the amendment of I one unless recognized. Celesta Douglas motion to approve, Rod Courtney seconded it and it was approved unanimously.

VII. REVIEW OF THE BRUCE MARTIN APPEAL.

Mayor Jerry McCutcheon: The City Council has already made a decision on this and as far as the BOA is concerned, it's a done deal.

Rod Courtney moved to adjourn, Celesta Douglas seconded it and it was carried unanimously.

ATTEST:

_____
CLYDE EDWARDS/CHAIRMAN

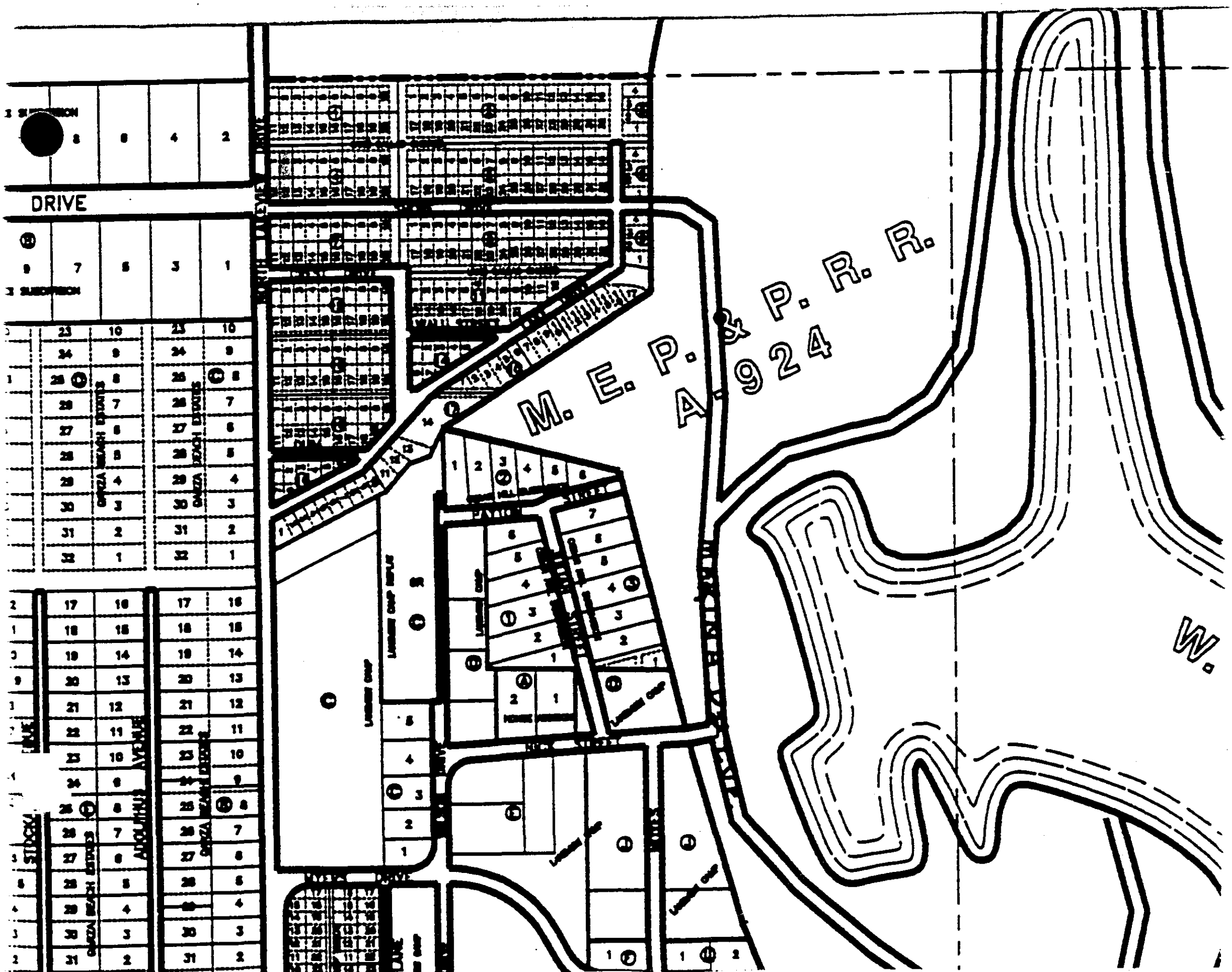
_____
DIANE LOWRIMORE/BOA SECRETARY

posted this 26th day
of November, 1996

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on December 16, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the petition of Mark Nelson requesting a Variance from Chapter 18.14, section 18.14.050, 18.14.060 and 18.14.070 of R-1-6000 relative to the Front set backs, the Side set backs and the Rear set backs and Chapter 18.32 section 18.32.020 and 18.32.050 relative to " Uses continued or Changed" and "Uses enlarged" of Nonconforming Uses of the Municipal Code on the house at 500 N. Lakeview. This property is located on Blk 4, Lts 1, 2, 11 and 12 of Lake Dallas Shores, in the City of Lake Dallas, Denton County Texas.

TRUMAN HARP, BUILDING INSPECTOR



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON DECEMBER 16, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO ST. TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING:
TO CONSIDER THE PETITION OF MARK NELSON REQUESTING A VARIANCE FROM CHAPTER 18.14, SECTION 18.14.050, 18.14.060 AND 18.14.070 OF R-1-6000 RELATIVE TO THE FRONT SET BACKS, THE SIDE SET BACKS AND THE REAR SET BACKS AND CHAPTER 18.32 SECTION 18.32.020 AND 18.32.050 RELATIVE TO "USES CONTINUED OR CHANGED" AND "USES ENLARGED" OF NONCONFORMING USES OF THE MUNICIPAL CODE ON THE HOUSE AT 500 N. LAKEVIEW. THIS PROPERTY IS LOCATED ON BLK 4, LTS 1, 2, 11, AND 12 OF THE LAKE DALLAS SHORES, IN THE CITY OF LAKE DALLAS, DENTON COUNTY TEXAS.

IV. ACTION FROM PUBLIC HEARING.

V. CONSIDER RECOMMENDATION OF FRANK BARNARD AS A PERMANENT MEMBER OF THE BOARD OF ADJUSTMENT-ACTION.

VI. DISCUSS THE POLICIES, PROCEDURES AND GUIDELINES OF THE BOARD OF ADJUSTMENT RULES-ACTION.

VII. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON DECEMBER 10, 1996 AT 3:00 P.M.

Diane Lowrimore

DIANE LOWRIMORE, SECRETARY

PUBLIC NOTICE

ADDENDUM TO THE REGULAR MEETING OF THE BOARD OF ADJUSTMENT TO BE HELD ON DECEMBER 16, 1996 AT 7:00 P.M.

VII. REVIEW OF THE BRUCE MARTIN APPEAL.

VIII. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF ADDENDUM WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON DECEMBER 13, 1996.

Diane Lowrimore

DIANE LOWRIMORE/BOA SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET FOR A WORK SHOP ON DECEMBER 6, 1996 AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 3rd DAY OF DECEMBER, 1996

AGENDA:

I. ROLL CALL.

II. CONSIDER RECOMMENDATION OF A NEW ALTERNATE MEMBER FOR THE BOARD OF ADJUSTMENT TO CITY COUNCIL - ACTION.

III. ADJOURNMENT.

Diane Lowrimore

DIANE LOWRIMORE, SECRETARY

CITY OF LAKE DALLAS
303 ALAMO ST.
P.O. BOX 368
LAKE DALLAS, TX 75065

NOTICE OF PUBLIC HEARING ON A
PROPOSED DEMOLITION

DATE: OCTOBER 30, 1996

DEAR PROPERTY OWNER:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Monday, November 18, 1996 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo St., to consider the Demolition on the property below:

LEGAL DESCRIPTION OF PROPERTY INVOLVED:

BLOCK 1, LOT 9, OF THE GOTCHER ADDITION

THE BUILDING INSPECTOR IS REQUESTING THE DEMOLITION FROM CHAPTER 15.12, OF THE MUNICIPAL CODE, UNSAFE FOR HUMAN HABITATION.

This notice is sent to you as a owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

NOTE: This is a corrected notice. The date of the meeting is Monday, November 18, 1996.

TRUMAN HARP, BUILDING INSPECTOR

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON NOVEMBER 18, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO ST. TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 110 W. HUNDLEY. THIS PROPERTY IS LOCATED ON TRACT 6, OF THE MCCARROLL SURVEY.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 103 MARKET ST. THIS PROPERTY IS LOCATED ON BLOCK 1, LOT 9, OF THE GOTCHER ADDITION.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 311 STARFISH. THIS PROPERTY IS LOCATED ON LOT 6, OF THE J.V. THOMPSON ADDITION.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON NOVEMBER 14, 1996 AT 11:30 A.M.

Diane Lowrimore

DIANE LOWRIMORE, SECRETARY

POSTED: OCTOBER 25, 1996

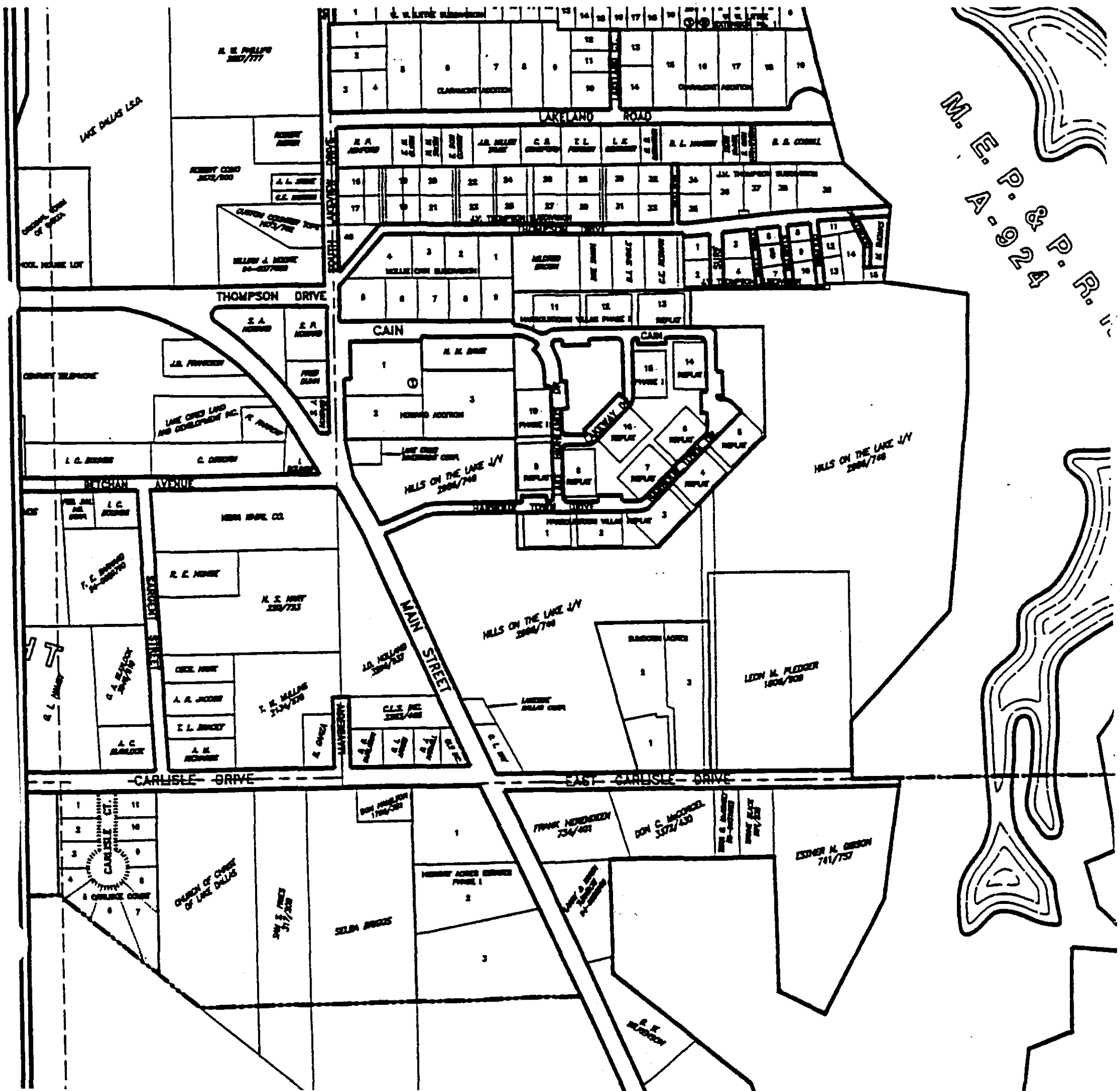
NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on November 18, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the hearing for Demolition in accordance with Chapter 15.12 of the Municipal Code on the house at 110 W. Hundley Street. This proerty is located on Tract 6, of the McCarroll Survey, in the City of Lake Dallas, Denton County Texas.

TRUMAN HARP, BUILDING INSPECTOR

POSTED: OCTOBER 25, 1996

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on November 18, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the hearing for Demolition in accordance with Chapter 15.12 of the Municipal Code on the house at 311 Starfish. This proerty is located on Lot 6, of the J.V. Thompson Addn., in the City of Lake Dallas, Denton County Texas.

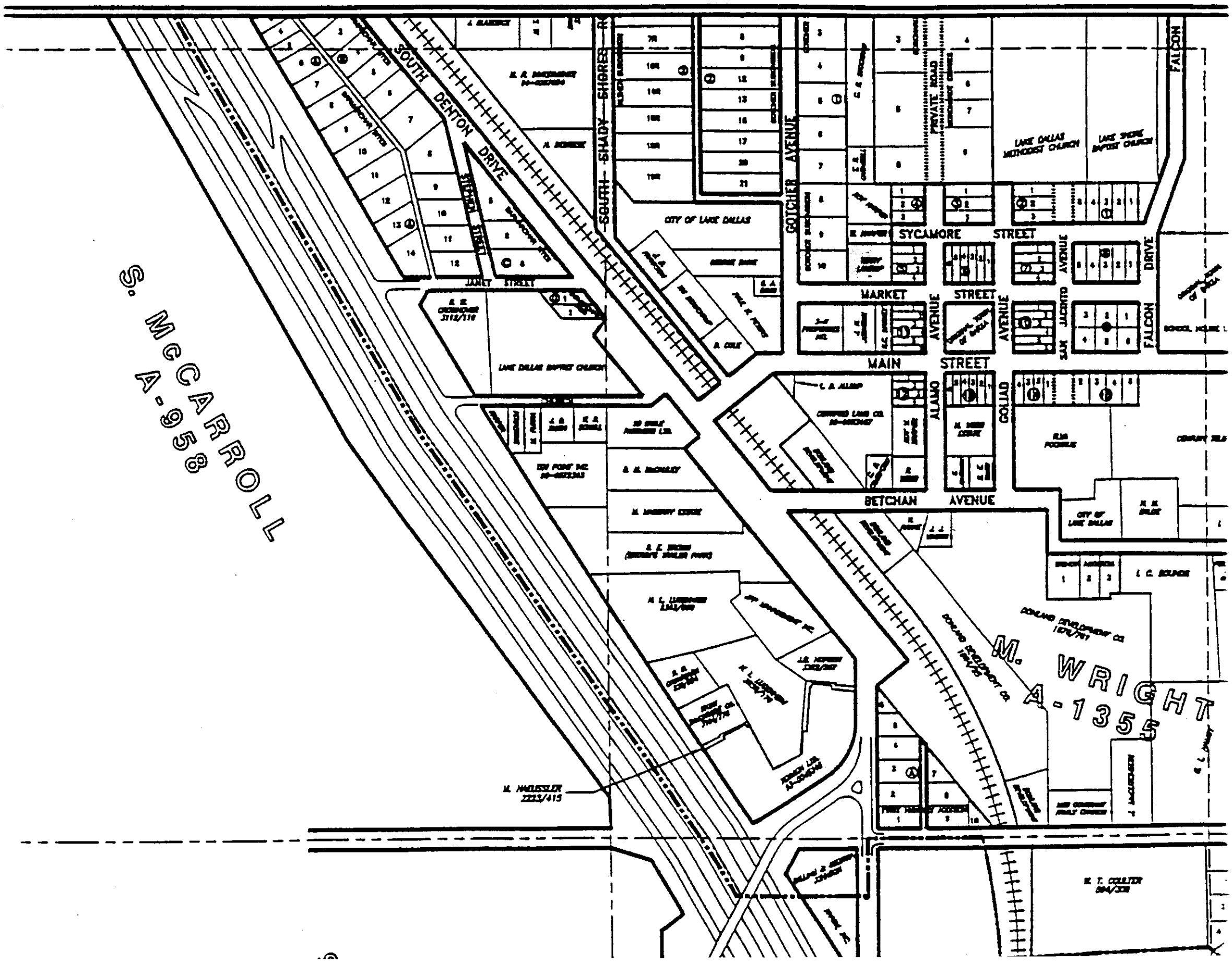
TRUMAN HARP, BUILDING INSPECTOR



POSTED: OCTOBER 25, 1996

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on November 18, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider the hearing for Demolition in accordance with Chapter 15.12 of the Municipal Code on the house at 103 Market Street. This proerty is located on Block 1, Lot 9, of the Gotcher Addn. in the City of Lake Dallas, Denton County Texas.

TRUMAN HARP, BUILDING INSPECTOR



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON OCTOBER 21, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 110 W. HUNDLEY. THIS PROPERTY IS LOCATED ON TRACT 6, OF THE MCCARROLL SURVEY.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 103 MARKET ST. THIS PROPERTY IS LOCATED ON BLOCK 1, LOT 9, OF THE GOTCHER ADDITION.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 311 STARFISH. THIS PROPERTY IS LOCATED ON LOT 6, OF THE J.V. THOMPSON ADDITION.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON OCTOBER 15, 1996 AT 3:15 PM.

Kelly Damato

KELLY DAMATO, SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
OCTOBER 21, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRWOMAN
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
FRANK BARNARD, ALTERNATE
DIANE LOWRIMORE, SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 p.m. and noted that all members were present except for Rodney Courtney.

II. APPROVAL OF MINUTES.

Chairman Clyde Edwards: At this time we'll discuss the minutes. Do I have any comments on minutes? Rusty Meadows stated that he did not receive his minutes. Clyde Edwards made a recommendation that they do not approve the minutes since Rusty Meadows had not received his in the mail. Frances Poteet made a motion to postpone the minutes until Rusty Meadows was able received his copy and review it.
Rusty Meadows seconded the motion and it carried unanimously.

III. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 110 W. HUNDLEY. THIS PROPERTY IS LOCATED ON TRACT 6, OF THE MCCARROLL SURVEY.

Clyde Edwards: The second item on the agenda was the September 30, 1996 work shop meeting. I make a motion to postpone the minutes because Rusty Meadows did not receive his copy and was not able to review it.

The motion was carried unanimously.

Chairman Clyde Edwards asked if Mr. Kermit Fonteno was present? There was no reply. Chairman Clyde Edwards asked if Mr. Fonteno or his agent was here? Again there was no reply. Chairman Clyde

Edwards asked the board members to note that Mr. Fonteno was not present.

Chairman Clyde Edwards asked for Jon Scharber owner of the property at 311 Starfish and Terry Lantrip owner of the property at 103 Market St. to come forward to take the Oath. Chairman Clyde Edwards instructed them to repeat the Oath, I Jon Scharber, I Terry Lantrip, do solemnly swear to tell the truth the whole truth and nothing but the truth.

Clyde Edwards: Jon Scharber if you will stay up here please, do either of you have any objection to any member on this board? Do you feel uncomfortable, do you feel like any member should step down for any reason?

Jon Scharber: I don't.

Terry Lantrip: 275 Market St., I have already submitted a letter to the Mayor.

Chairman Clyde Edwards: Will you read that letter to the Board please?

Terry Lantrip : 275 Market St., You have already denied that request.

Chairman Clyde Edwards: No, you are entitle to present that here if you want to, if still have an objection.

Terry Lantrip: 275 Market St., You already said you would reject it.

Chairman Clyde Edwards: I didn't say that, you see this is quasi Judicial Commission Board and it doesn't make any difference what anybody tells you, who tells it to you, or any of those facts because I have not made up my mind yet. Okay?

Terry Lantrip: 275 Market St., I'm not going to pursue that.

Clyde Edwards: So you wish to withdraw your objection? Is that what you are telling me?

Terry Lantrip: 275 Market St., I wish not to pursue it.

Clyde Edwards: Are you withdrawing it?

Terry Lantrip: 275 Market St., Yes.

Clyde Edwards: Okay, Do you have any objection to any other member of the Board?

Terry Lantrip: 275 Market St., No.

Clyde Edwards: Have you spoken with any other member of the Board or alternate of the Board in reference to this?

Terry Lantrip: 275 Market St., No.

Clyde Edwards: You have not? Okay.

Clyde Edwards: Is there anything else you would like to add at this time?

Terry Lantrip: 275 Market St., No.

Clyde Edwards: Okay, Thank You.

Clyde Edwards: One other item here that we need to discuss and the council left it up to our discretion, if we so desire, we can have the meeting video taped or not video taped. I will open the floor to discussion of that, is there a motion to discuss that?

Celesta Douglas: I don't have a problem with that.

Clyde Edwards: Okay, It's going to have to be three or more decision, do ya'll have discussion?

Frank Bernard: Did you talk to the Mayor about this to see what he wanted to do about this?

Clyde Edwards: This is not illegal, it is not a historical and or tribal information, it is for individual personal use and has no value to the city at all. It does not counteract video on this here in town.

Frances Poteet: Is the film for the city or an individual?

Clyde Edwards: It's for an individual.

Ken Stapleton: 511 Ridgewood, Does anyone have this item on their agenda?

Clyde Edwards: So, what I'll do is ask for a motion.

Matt Flanagan: 722 Thousan Oak Dr., Will ya'll speak up we can't hear you.

Clyde Edwards: Well, we don't have any microphones.

Matt Flanagan: 722 Thousand Oak Dr., We were wondering what agenda item you were on.

Clyde Edwards: We're not on the agenda item, we're on the item of discussion here Matt. So, I'll ask a motion.

Rusty Meadows: How would you like the motion either for or against it.

Celesta Douglas: I make a motion we leave it alone at this time.

Clyde Edwards: Well, you need to make a motion.

Celesta Douglas: Video are okay here.

Clyde Edwards: Okay, do we have a second? Motion didn't hear for lack of a second. Do we have another motion?

Rusty Meadows: I make a motion that we deny the use of video in fact that it is not for historical purpose or anything other than probably intimidation factor.

Clyde Edwards: Do you feel uncomfortable with this?

Rusty Meadows: Yeah!

Clyde Edwards: Do I have a second?

Frances Poteet: Yeah, I'll second it.

Clyde Edwards: All in favor? Oppose? We have Mr. Meadows, Bernard, Mrs. Poteet, myself for and Celesta Douglas against.

Clyde Edwards: So at this time we'll ask you to remove the camera, please Ken.

Ken Stapleton: 511 Ridgewood, Before I turn it off I would like to make a statement. Barbara Starkey provided me with a copy of the Texas State Law that states the Board of Adjustments falls under the open meeting act and must comply with the open meeting act. Open meetings must be posted a least 72 hours prior to each meeting.
I feel that you are violating Texas State Law under the code of open meeting act and I believe you've taken illegal action on a matter that is not posted on the agenda for tonight. The board is suppose to state the agenda, post the agenda, and the items to be discuss and voted on and taken action on, must be specific. Nowhere on my agenda or anyone's agenda in this room is the item about camcorders being allowed in an open meeting.

Clyde Edwards: Okay, well, the committee has, Kenneth, the meeting has found that, the committee has found that they don't want the camera here so, if you will remove it to the other room I'd appreciate it.

Ken Stapleton: 511 Ridgewood, Your banning cameras and recording equipment from an open meeting?

Clyde Edwards: That's correct. No, I'm banning camera's, video cameras, never said anything about recording equipment. So please removed it at this point to the next room.

Ken Stapleton: 511 Ridgewood, Then it will become an audio machine, the lens cap I agree to leave on.

Clyde Edwards: No! If you want a copy of this meeting you can come to the City and get a copy. Take it in the other room! Please.

Ken Stapleton: 511 Ridgewood, Under what ordinance am I in violation?

Clyde Edwards: I didn't say you were under any violation, I said the committee does not want the camera in the room, remove the camera, If you want the minutes on tape you can get it from the City.

Ken Stapleton: 511 Ridgewood, I intend to pursue the matter.

Clyde Edwards: Thank You! Remove it from the room please.

Ken Stapleton: 511 Ridgewood, Can I just put it in the bag?

Clyde Edwards: Please remove it from the room. You can put it in the bag sure but, remove it from the room.

Ken Stapleton: 511 Ridgewood, Tripod too?

Clyde Edwards: Just the camera will be fine, if you want to leave the tripod that's fine. Please put it outside the room and away from the.

Ken Stapleton: 511 Ridgewood, This is as far away as I intend to put it unless you want to take responsibility for a thousand dollar camera being stolen! It is out of the room!

Clyde Edwards: You have an option to take it to your car if you'd like. I'll adjourn the meeting.

Ken Stapleton: 511 Ridgewood, It's staying right here.

Clyde Edwards: You want it to stay right here? Okay? Alright. Is Mr. Fonteno here please? Mr. Kermit Fonteno? Mr. Harp, Will you step forward please? The first item on the agenda, item III, Public hearing considering the demolition in accordance with chapter 15.12 of the municipal code of the house at 110 W. Hundley, this property is located on tract 6, of the McCarroll Survey. You can go ahead and present your facts sir.

Truman Harp: 2401 Robinwood, Mr. Chairman, members of the board, ladies and gentlemen, I stand before you this evening with one statement to make before we actually present anything, If I'm allowed to make this kind of statement. Been with the city for about three and a half months, and I inherited all three of these, one of these is number three, that has been on the books and records for about two and half years.
Mr. Fonteno, He has been sent numerous letters regarding this property, and I also understand that his wife is the majority owner in this property.
So maybe this is the reason Mr. Fonteno didn't see fit to show tonight in front of us is to really protect this piece of property. And since he has put it on the market, we've created another situation that I need to explain to you.

We have at least three sets of people that I know of that are quite interested in this piece of property. And interested in the sole purpose of refiring it and putting it back on the tax roll for the City of Lake Dallas.
Which I would fully recommend other than one thing we have to confront, This eight unit apartment complex located at 110 W. Hundley, is a nice piece of property that all of you are quite aware I'm sure, but it definitely needs bad attention.
And the complex of the eight units we've had problems trying to locate enough property for the parking in the back section, this created a problem to begin with and we finally worked this down to the fact that we could probably use off-street parking to eliminate the parking spaces that are required for the eight units.
To do so this building in the back has a laundry room which is about 12x20 and will have to be demolished or the entire piece of property demolished.
But we happen to have two young people that are in the Real Estate Business with us tonight, and I'll introduce them at a later date, Don and Lynn Schnieder, they have had this on contract for the last six weeks that I know of, we've gone over different phases of remodeling this building but, the problem is from the time it was build in C-1 Zoning, it has been changed from a proposed C-3 to a C-1 Zoning.

Now , if we use this building we'll have to use something similar to another schedule which would be a special use permit, for example, for them to create the activity that they are interested in doing on this building.
So, these two items in my opinion needs to be addressed before we enter the phase of demolishing this piece of property.

Clyde Edwards: Okay, Mr. Harp, if I may interrupt you, sir, since Mr. Fonteno or Mrs. Fonteno are not here I make an assumption that you did notified Mrs. Fonteno?

Truman Harp: 2401 Robinwood, Yes sir; No!

Clyde Edwards: But, you said she was the majority owner.

Truman Harp: 2401 Robinwood, Yes, the realtor notified her, we didn't.

Clyde Edwards: What we need to do then, since she is the majority owner sir, I think we need to notified her. I think maybe because you do have a prospect of rehabilitating this piece of property, I would suggest that we table this for further consideration and that we notified Mrs. Fonteno since she is the major owner, is this correct? Is this what you said?

Truman Harp: 2401 Robunwood, She owns sixty-five percent.

Clyde Edwards: Alright, We need to notify her because she is the primary in this case if she owns sixty-five percent. I think what we can do is probably, if you'll give us the opportunity to discuss it for a few minutes.

Truman Harp: 2401 Robinwood, May I insert something else before we get to that point?

Clyde Edwards: Yes sir, please do.

Truman Harp: 2401 Robinwood, I understand that the two individual that are present, names that I called, and they can address this themselves if you will allow them to that, I think the contract has to be fulfilled within the next ten to fifteen days, or sooner then that.

Don Schnieder: 101 Ute Cove, Four days from date of this meeting.

Truman Harp: 2401 Robinwood, Four days?

Don Schneider: 101 Ute Cove, From the date of this meeting.

Clyde Edwards: Okay, well

Truman Harp: 2401 Robinwood, The realtor did notify Mrs. Fonteno.

Clyde Edwards: But we have to notify her, that's our responsibility, sir.

Truman Harp: 2401 Robinwood, We assumed at that point that he owned it, until we got to the Courthouse.

Clyde Edwards: I understand.

Truman Harp: 2401 Robinwood, I see your point but I cannot see penalizing two individual that is willing to do something about the property.

Clyde Edwards: I don't think we are penalizing them I think we are going to give them an opportunity, if ownership changes then they should address these problems because they are going to be the new owners. I don't see how this is going to prevent that going forward. Maybe I don't understand it.

Truman Harp: 2401 Robinwood, unless the realtor control this settles with another individual he may lose the funds they have up. That's the only objection.

Clyde Edwards: Did you have anything else you'd like to say?

Truman Harp: 2401 Robinwood, Not on this issue.

Clyde Edwards: And would you repeat the people's name please.

Truman Harp: 2401 Robinwood, You mean the two individuals here? Don and Lynn Schneider.

Clyde Edwards: At this peculiar time I'm going to open the floor. Anyone who would like to speak on the subject we'll allow them to go ahead and speak. Would you give us your name and address, please speak up sir.

Don Schneider: 101 Ute Cove, I'm Don Schneider, my wife Lynn would probably like to say something when I get through. If I could address each member of the board and just give them a letter that I've prepared for tonight meeting.

Clyde Edwards: Okay, but if you'll just read it. And then give it to us at the same time.

Don Schneider: 101 Ute Cove, Reads letter.

Clyde Edwards: Thank you sir, do you have any other comments?

Don Schneider: 101 Ute Cove, Yes, just that we are anxious to begin and what we want to do is take this old building that's been sitting there, in the unfortunate condition it's been, we've been trying to buy this building for about the last year and half.
When the for sale sign went up in the yard we were probably one of five people that made pretty serious attempts to purchase it. We have qualifications where this project is nothing beyond our scope of expertise, we're prepared to do it and to call City guidelines and do what we need to do to bring it to taxable property.

Clyde Edwards: Mrs. Schneider, do you have some comments?

Lynn Schneider: 101 Ute Cove, Yes, I have been in most, probably 90% of the discussions with Barbara Wilson, who is the listing agent of this property. In discussion with Mr. Fonteno's attorney, who I have spoken to, I've not spoken to Mr. Fonteno, it has been through a bad divorce, both of them are unwilling to talk to each other, however the agent has been able to contact his wife and she was able to sign the contract knowing what the circumstances of the situation were.
They are both down in Dallas, very busy, they would not appear, they told the agent, Barbara Wilson, to more or less have us to be present at the meeting and let them know that by showing you or proving to you that we have a signed contract that their extensions are to let us take over the property and do what we've got to do to it without them having to appear or be present, which is their own decision, I do not understand why they wouldn't, but they won't even meet with us right now.
If you need to see a copy of the contract to prove their signatures or whatever, but we'd like to find out as soon as possible what is necessary to get this going.

David Shershen: 166 Kingswood, As chairman of the board, I was wondering if we could take a short break.

Clyde Edwards: Lets bring the meeting back to order. Due to some legal problems and due to lack of comuncations I'm going to ask the board to adjourn the meeting until further notice and we need to get some clarification not only from the council but we also have possibility of influence peddling on the committee. So, we're going to call the meeting to adjourn and as soon as these get worked out we'll reset a meeting. I'm going to make a motion that we adjourn.

IV. ACTION FROM PUBLIC HEARING.

No action was taken.

V. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 103 MARKET ST. THIS PROPERTY IS LOCATED ON BLOCK 1, LOT 9, OF THE GOTCHER ADDITION.

No action was taken, the meeting was ajourned.

VI. ACTION FROM PUBLIC HEARING.

Meeting was ajourned.

VII. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 311 STARFISH. THIS PROPERTY IS LOCATED ON LOT 6, OF THE J.V. THOMPSON ADDITION.

No action was taken, meeting was ajourned.

VIII. ACTION FROM PUBLIC HEARING.

Meeting was ajourned.

IX. ADJOURNMENT.

Rusty Meadows moved to adjourn the meeting. Frank Bernard seconded the motion and it was carried unanimously. The meeting adjourned at 8:00 p.m.

Clyde Edwards

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON SEPTEMBER 30, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. WORKSHOP.
DISCUSSION REGARDING POLICIES AND PROCEDURES OF THE BOARD OF ADJUSTMENT PERTAINING TO CONDUCT OF BOARD MEMBERS, BUT NOT EXCLUSIVELY.

III. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON SEPTEMBER 26, 1996 AT 2:00 P.M.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

PUBLIC NOTICE

ADDENDUM TO THE BOARD OF ADJUSTMENT OPEN SESSION TO BE HELD ON SEPTEMBER 30, 1996 AT 7:00 P.M.

III. REVIEW PREVIOUS AND PAST ACTIONS BY BOARD OF AJUSTMENT.

IV. REVIEW STATUS OF PREVIOUS DECISIONS BY BOARD OF ADJUSTMENT.

V. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF ADDENDUM WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON SEPTEMBER 26, 1996 AT 3:00 P.M.

Kelly D'Amato

KELLY D'AMATO, SECRETARY

CITY OF LAKE DALLAS
BOARD OF ADJUSTMENT
WORKSHOP MEETING
SEPTEMBER 30, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRWOMAN
CELESTA DOUGLAS
FRANK BARNARD, ALTERNATE
KEN STAPLETON, ALTERNATE
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 p.m. and noted that all members were present except for Rodney Courtney and Rusty Meadows.

II. WORKSHOP:
DISCUSSION REGARDING POLICIES AND PROCEDURES OF THE BOARD OF ADJUSTMENT PERTAINING TO CONDUCT OF BOARD MEMBERS, BUT NOT EXCLUSIVELY.

The Board of Adjustment discussed adopting a set of rules governing their proceedings. They also discussed setting up a committee to form the by-laws. Celesta Douglas, Ken Stapleton and Frank Barnard would like to be on the committee.

III. REVIEW PREVIOUS AND PAST ACTIONS BY THE BOARD OF ADJUSTMENT.

The Board of Adjustment and the Building Inspector discussed previous and past actions that they have taken in the past. They discussed the status of 401 Lakeview, 715A Glen Rhea. and H & W Utilities.

IV. REVIEW STATUS OF PREVIOUS DECISIONS BY THE BOARD OF ADJUSTMENT.

The Board of Adjustment discussed previous decisions made by the Board of Adjustment. In the future, the members of the Board of Adjustment would like the minutes to show how each member votes.

V. ADJOURNMENT.

Celesta Douglas moved to adjourn the meeting. Ken Stapleton seconded the motion and it carried with the following votes: Ayes: Clyde Edwards, Frances Poteet, Celesta Douglas, Frank Barnard and Ken Stapleton. The meeting adjourned at 7:55 p.m.

_____
CLYDE EDWARDS, CHAIRMAN

_____
KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON SEPTEMBER 16, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF BRUCE MARTIN REQUESTING A VARIANCE FROM CHAPTER 18.12.170 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT R-1-7200 SHALL CONSIST OF APPROVED MASONRY MATERIALS COVERING NO LESS THAN EIGHTY PERCENT OF TOTAL EXTERIOR SURFACES EXCLUSIVE OF WINDOWS, DOORS, GABLES, AND SECOND STORY AT 707 N. SHADY SHORES ROAD.

IV. ACTION FROM PUBLIC HEARING.

V. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON SEPTEMBER 10, 1996 AT 5:00 P.M.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
SEPTEMBER 16, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRWOMAN
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
FRANK BARNARD, ALTERNATE
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 p.m. and noted that all members were present.

II. APPROVAL OF MINUTES.

Rod Courtney moved to approve the minutes of the meeting held on August 19, 1996. Rusty Meadows seconded the motion and it carried unanimously.

Chairman Clyde Edwards removed himself as Chairman at 7:05 p.m. The meeting is now chaired by Vice-Chairman, Frances Poteet. Frank Barnard was then seated as a voting member of the board.

III. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF BRUCE MARTIN REQUESTING A VARIANCE FROM CHAPTER 18.12.170 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT R-1-7200 SHALL CONSIST OF APPROVED MASONRY MATERIALS COVERING NO LESS THAN EIGHTY PERCENT OF TOTAL EXTERIOR SURFACES EXCLUSIVE OF WINDOWS, DOORS, GABLES, AND SECOND STORY AT 707 N. SHADY SHORES ROAD.

Mayor Jerry McCutcheon asked Frank Barnard to step down because of conflict of interest and have Ken Stapleton fill in the alternate position. Mayor McCutcheon said he would be glad to discuss it with Frank first.

The Board of Adjustment called a recess at 7:07 p.m.

The Board of Adjustment reconvened at 7:15 p.m.

Mayor McCutcheon said after talking with Mr. Barnard, he did not think there would be a conflict.

Bruce Martin, 707 N. Shady Shores Rd., stated approximately two months ago, he was granted a building permit for construction for a lofting shed for my animals on my property. The property is located on 15 acres. The building in question will be located on the back portion of the property, no closer than 146 feet off the back property line to the west, no nearer than 65 feet to the north side of the property, no closer than 123 feet from the south side of the property. I have presented to you a letter from our veterinarian regarding the situation with masonry versus metal. The metal overall is much safer for the horses. Our main concern is naturally the safety of our animals. This is a shed. It is a three-sided building with a dirt floor.

Ken Stapleton, 511 Ridgewood, stated that I am an alternate on this board. I have studied this package and although I am not seated tonight, I feel compelled to let you know my feelings about this matter. The definition of a building is an enclosed structure. This structure is a three-sided structure. I do not think a variance was needed in this case.

Linwood Gilliland, 703 Payton St., stated that I am on the Denton Central Appraisal District and Mr. Martin's property is considered agricultural. You can not have horses in an R-1-7200, because you do not have an acre and a half. You can not build a barn in R-1-7200, because it has to be 150 feet from your house. We can have agricultural land in each one of these zones but we can not have agricultural use in R-1-7200, R-1-10,000 or R-1-6000.

Garry Bills, 605 Lake Dr., stated that he drove out to Mr. Martin's property to look at the new structure; and the structures that he is replacing. The structure is in total keeping with the structures that are already out there.

Carolyn Green, 201 N. Shady Shores Rd., stated I have been out to Mr. Martin's several times. I really don't think he should have had to file for this variance, because the sheds are on what is considered agricultural property. I think it is ludicrous to think that with the value of property that Mr. Martin has that he would put anything on that property that would detract from the value of that property. He is a successful businessman. A mistake was made, a building permit was issued, an honest mistake, but for him to have to come and ask for a variance when it is not clear in the code book.

Mark Wetherell, 757 Winding Oak Bend, stated our property backs up to Bruce Martins lot. The structure that he has built is just to the north of our house. It is a very nice structure. It serves as a shed to shelter the horses. Structurally it is very sound. We have no objections to it.

Karla Killingsworth, 759 Winding Oak Bend, stated that we also back up to Mr. Martin's property. We have no problem with this shed, as a matter of fact we like it, because the horses come in and we get to see them. I just ditto what my neighbor just said.

Bonnie Brown Garcia, 427 S. Denton Dr., stated that I don't live anywhere near Mr. Martin but this is just an example of how Planning and Zoning and City Council needs to look at some of our zoning ordinances. Mr. Martin's property is agricultural. He has horses, and as horse owner, I do know that metal is much safer than brick, so I endorse that he be allowed to do that. He should not have even had to be here. I would appreciate, if you would vote in favor of it.

Bobby Shikle, 712 Thompson Dr., stated that I would just like to point out the fact, that there are neighbors here from Bruce Martins neighborhood, that have no complaint on what he is doing and as far as my feeling, the neighborhood should belong to the neighborhood.

Chris Curry, 212 Hillcrest, stated that I ask each of you to take a drive through The Colony, toward Frisco and take a look at the Phillips Ranch. It has 76 horse stalls on it, such as he has got built here but they are built out of masonry and they raise high dollar race horses. You set zoning ordinances to establish the way the growth needs to be in the community. In order to grant a variance to a zoning ordinance, first, you have to show a hardship, not a self-imposed hardship. Here I don't know that there is a hardship, just because he has built the building before. I just ask that you uphold the zoning that is placed on that property.

Clyde Edwards, 108 Dobbs Rd. stated that he is on the north side of Mr. Martin's property. There have been some truths, half truths, untruths and some down right denials of the facts in the situation. The zoning map does not say anything about agriculture. It says R-1-7200. To have an agricultural exemption, you have to be in business for profit, you can not get an agricultural exemption, just because you have a horse on your property. The permit was issued in error. Ignorance of the law, is not a reason for breaking the law. In this case, I do not think it was ignorance. I think there was an opportunity and a window open and Mr. Martin got a permit. It is very plain that it is an accessory building and/or a barn. It does not say in the code a lofting shed. It has changed from a stable, to a barn, to now a lofting shed. I think, if Mr. Martin wants to be a member of this community and wants to be on the council, he took an oath to up hold the laws of this community. It is obvious a variance is not required. Anywhere in the code a building is a building, it doesn't say whether it has a ten-foot door, a twenty-foot door or a garage door. I think as a group, it is imperative that you follow the letter of the law and do not issue a variance.

Bob Davis, 68 Lake Ridge, stated I believe that Mr. Martin has a beautiful place. I am sure that this is a beautiful building. In days past, people who wanted to walk around the laws would walk up to the Mayor and say give me an exception to this. I do not think that somebody from one side of town should complain about somebody from the other side of town. It should be a neighbor that complains. Not all citizens of Lake Dallas get a special kind of deal. We are trying to change all that. I recommend that you do not show special favoritism to a person who should have known the ordinances. We either need to live by the ordinances, or change the ordinances. I think, that if you pass in favor of this, I think there is a lawsuit in the making. You cannot show favoritism.

Clyde Edwards stated that one think he did not address was the veterinarian. I talk to Mr. Willard and he informed me that his operating room was masonry. I talked to the two local veterinarians in town and they said the same thing, that masonry was preferred.

Mayor Jerry McCutcheon, 317 Carlisle, stated that this has gotten to be a political forum here and it is not. You have one issue to discuss and that is whether to grant a variance on a building regardless of whether he is a council member or he is the Mayor of Lake Dallas or whether he is the President of the Board of Adjustment. You have a variance applied for here, based on some numbers and some facts that have been presented , all this political stuff has been thrown in it. It originally came to me, that there was a problem with this building. I stopped the construction on it based on looking at the ordinance. In my opinion the ordinance was clear, that it said all buildings. The ordinance does not differentiate what type of building, so I stopped the construction. I talked to the city attorney and he stated that Mr. Martin needed to come before the Board of Adjustment, the City Attorney also advised me to ask Clyde Edwards to step down. I just want you to stick to the facts.

Bruce Martin stated that this is strictly for public information and not specifically for the Board of Adjustment. There is innuendo that has been made by Mr. Edwards and Mr. Davis that there was a special deal made. There was not. There was no lies involved at all, Clyde you know the background, you know the basis. We had a meeting, you, Jerry and myself. We went over the entire background and for you to distort it, and claim that there was something other than that, I take personal offense to, and that is for public record.

Clyde Edwards stated that this is for public record to. I resent the fact that you have gone behind my back and tried to convenience people that you are right and you knew all along that you had to come before the Board of Adjustment for a variance and you thought you got a free ride Bruce.

Bruce Martin replied that is incorrect Clyde, that is absolutely incorrect.

Linwood Gilliland stated that he has been on the City Council for 10 years and the Planning and Zoning for quite a few years. Mr. Martin was on the Council whenever that decision was made regarding masonry. It all started when Bright Ideas bricked their building and a lot of people were unhappy with the American Legion building. That is how we came up with 80% masonry on all sides. Mr. Martin came in and got a permit, because they gave him a permit, after discussion about the permit it was total confusion on what happens in agricultural. We do need to clarify the ordinances and we are in the process of doing that.

Bob Davis stated that this group needs to consider what has been said. You need to consider one issue. Granted I do not know what a lot of those ordinances say, but I will tell you this, if I did know what these ordinances say and I was sitting on the Planning and Zoning Commission or Board of Adjustment, I sure as heck would have raised my hand along time ago and said hey some of these ordinances are flat out stupid. You have one issue to decide, it is very clear in the ordinance book, that the building is not allowed and that person who built that building should have known that it was not allowed.

Ken Stapleton stated that he would like to point out to Mr. Davis that the purpose of this board is to cover issues that are not black and white situations, as he thinks all ordinances can be. The council in their wisdom, set up this board, to cover these gray areas and I feel this is a very gray area. I do not feel anyone in this town can live by a strict black and white set of rules. We

have to have this board for that purpose alone.

Bonnie Brown Garcia stated that she would like to remind everybody that we should appreciate each others opinion and not get mad at each other and say that so and so is a jerk wad or whatever. We should respect each others varied opinions right or wrong. We each are entitled to them as Americans and it is very important that this type of process goes on no matter what side of the fence you are on right now.

Margaret Tisdale, 509 Howard Dr., stated that they wanted to build a metal building at one time. We have since put up a masonry building. I believe that if this man wants a metal building, he should be able to do so in the zoning that he is in. I have seen his place, I think it is beautiful. I have no objections at all to this metal building.

James Stanford, 311 Dolphin, stated that he did not know where this place was until he asked one of these gentlemen back here. I have been by that place a bunch of times, it has always looked neat and clean. I don't see anything wrong with what he is putting up.

Carolyn Green stated that she thought the whole purpose of the Board of Adjustment was to give a variance on an ordinance. That is what I thought your purpose was. That is why we are here, to give our opinions and leave it to your wisdom to make a decision. A variance means exactly what it says, you are varying from that ordinance because the Board of Adjustment thinks that there is sufficient cause to allow someone to vary from that ordinance.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to approve the petition of Bruce Martin requesting a variance from Chapter 18.12.170 of the Municipal Code relative to exterior surfaces of structures in district R-1-7200 at 707 N. Shady Shores Road. Celesta Douglas seconded the motion and it was denied with the following vote: Ayes: Rusty Meadows, Celesta Douglas and Frank Barnard. Noes: Rod Courtney and Frances Poteet.

V. ADJOURNMENT- ACTION.

Rod Courtney moved to adjourn the meeting. Rusty Meadows seconded the motion and it carried unanimously. The meeting adjourned at 8:30 p.m.

_____

FRANCES POTEET, CHAIRWOMAN

_____

BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON AUGUST 19, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 13TH DAY OF AUGUST, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF JAMES L. TIPS REQUESTING A VARIANCE FROM CHAPTER 18.14.090 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH AT 715A GLEN RHEA.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF BONNIE BROWN GARCIA REQUESTING A VARIANCE FROM CHAPTER 18.42.120 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-LOT AREA PER FAMILY AND CHAPTER 18.42.130 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-MINIMUM DWELLING SIZE AT 427 S. DENTON DRIVE, BROWN TRAILER PARK.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON AUGUST 19, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 13TH DAY OF AUGUST, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF JAMES L. TIPS REQUESTING A VARIANCE FROM CHAPTER 18.14.090 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH AT 715A GLEN RHEA.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF BONNIE BROWN GARCIA REQUESTING A VARIANCE FROM CHAPTER 18.42.120 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-LOT AREA PER FAMILY AND CHAPTER 18.42.130 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-MINIMUM DWELLING SIZE AT 427 S. DENTON DRIVE, BROWN TRAILER PARK.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

AUGUST 19, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS
FRANK BARNARD
KEN STAPLETON
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
VICE-CHAIRMAN, FRANCES POTEET
CELESTA DOUGLAS

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 P.M. and noted that all members were present except Vice-Chairman Frances Poteet and Celesta Douglas.

II. APPROVAL OF MINUTES-ACTION.

Rod Courtney moved to approve the minutes of the meeting held on July 15, 1996. Rusty Meadows seconded the motion and it carried unanimously.

III. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF JAMES L. TIPS REQUESTING A VARIANCE FROM CHAPTER 18.14.090 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH AT 715A GLEN RHEA.

Building Inspector Truman Harp stated that as far as the square footage and the home and the home itself, it is very properly presented except for the setbacks to each side. What we need to find out is whether or not you are willing consider the eaves of the house as part of the structure or go to the nine foot that he has got, if we delete the overhang as part of the premises.

James L. Tips, 125 N. Hill, Lewisville stated that his understanding of the meeting is not because of the setbacks but because of the width of the lot, the city guidelines state that the width of the lot should be sixty feet. My understanding of the meeting, the only issue is that I can not build on a fifty foot lot. The lot was plated prior to the ordinance of sixty feet.

Linwood Gilliland, 703 Peyton St., stated that I guess I am not fully understanding what you are talking about as far as the eaves and the overhangs. If he meets all the setbacks then what is the problem?

Scott Sisco, 715 Glen Rhea, stated that the only thing he has to say about it is that it would be hard for him to carry a 10x4 down the side of his house. I think it would be a fire hazard. I am probably three or four feet from the property line.

Roger Landry, 713 Glen Rhea, stated that the purpose of a couple of ordinances you got before you is fire prevention and with both of their eaves, none exist. I don't think we should make that variance in residential districts where fire could kill.

Alfred Mayo, 717 Glen Rhea, stated that I am just here to say what ever pertains to me, but I am not an immediate neighbor. My lot is sixty feet. My house is all vinyl, I am not worried about a fire, I just came to check on it.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Rod Courtney moved that the board consider not only approving it because it does not necessary to be approved but to request that his $250.00 dollars be returned, it was not required in the first place.

Clyde Edwards stated that he would have to appeal to the city council on that, we do not have the authority to make that available to him but he can appeal that.

Rusty Meadows seconded the motion and it carried unanimously.

V. PUBLIC HEARING: DISCUSSION AND CONSIDERATION REGARDING PETITION OF BONNIE BROWN GARCIA REQUESTING A VARIANCE FROM CHAPTER 18.42.120 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-LOT AREA PER FAMILY AND CHAPTER 18.42.130 OF THE MUNICIPAL CODE RELATIVE TO DISTRICT R-1-4000-MINIMUM DWELLING SIZE AT 427 S. DENTON DRIVE, BROWN TRAILER PARK.

Building Inspector, Truman Harp stated that the minimum square footage of a mobile home is 780 square foot. This individual would like to put a 480 square foot mobile home on this lot. This in my opinion as far as the lot size is concerned would be satisfactory.

Bonnie Brown Garcia, stated that the lot was actually designed for a forty-eight or fifty foot length mobile home. It was designed for a ten foot or twelve foot wide mobile home. That is exactly what we are asking for the variance today. It will not affect anyone outside the park.

Carolyn Green, 201 N. Shady Shores, stated that Brown Mobile Home Park was designed for people to come in, bring their camping trailers, what I mean by campers is eight footers and ten footers and come in from Dallas or wherever on weekends. When they passed the mobile home ordinances, they didn't take that in to consideration. I would recommend that you allow this variance.

Linwood Gilliland , 703 Peyton, stated that certain size travel trailers and mobile homes are not taxable. The Planning and Zoning Commission are working on changing the mobile home ordinances.

David Shershen, 166 Kingswood, stated that he would like the Board of Adjustment to take in consideration that Mrs. Browns mother's retirement income is based on 14 to 15% margin on having all the lots filled or not having the lots filled. I would hope that the Board of Adjustment would be open minded to what is being presented tonight.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Frank Barnard moved to approve a variance of a minimum of 480 square feet on Lot #9 only at 427 S. Denton Dr. Rod Courtney seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Rusty Meadows moved to adjourn the meeting. Rod Courtney seconded the motion and it carried unanimously. The meeting adjourned at 7:50 p.m.

_____

CLYDE EDWARDS, CHAIRMAN

_____

KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JULY 15, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 09TH DAY OF JULY, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. DISCUSSION AND CONSIDERATION REGARDING PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS-ACTION.

IV. ADJOURNMENT.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JULY 15, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRMAN
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:05 P.M. and noted that all members were present except for Rodney Courtney.

II. APPROVAL OF MINUTES-ACTION.

Celesta Douglas moved to approve the minutes of the meeting held on June 17, 1996. Rusty Meadows seconded the motion and it carried unanimously.

III. DISCUSSION & CONSIDERATION REGARDING PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS - ACTION.

Geri Abrams, representing Whitco Outdoor Advertising stated that she is requesting a variance for height because, the current ordinance calls for 35 feet overall height for billboard type advertising signs. We are requesting that we be allowed to raise our sign to an overall height of 60 feet to gain clear visibility on both faces of the sign. The south face is currently blocked by the Lake Cities State Bank sign. The north face is blocked by an adjacent tree on a vacant lot. We just need to raise our sign so that we can get good visibility for our advertisers.

Mayor Jerry McCutcheon stated that the council does have a moratorium on all sign permits at this time. Every billboard sign that we have in this town was erected illegally. They are illegal according to the city ordinance. Based on the advise of the city attorney, because of the expenditure of the larger signs on the highway, we will not ask them to take them down due to the cost.

Rusty Meadows moved to deny the petition of Geri Abrams requesting a variance from Chapter 15.16.250 of the Municipal Code relative to sign design and construction at 1200 S. Stemmons. Celesta Douglas seconded the motion and it carried unanimously.

IV. ADJOURNMENT-ACTION.

Rusty Meadows moved to adjourn the meeting. Celesta Douglas seconded the motion and it carried unanimously. The meeting adjourned at 7:14 p.m.

_____

CLYDE EDWARDS, CHAIRMAN

_____

KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JUNE 17, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 10TH DAY OF JUNE, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS.

IV. ACTION FROM PUBLIC HEARING.

V. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JUNE 17, 1996

MEMBERS PRESENT:
FRANCES POTEET, VICE-CHAIRMAN
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
CLYDE EDWARDS, CHAIRMAN

I. ROLL CALL.

Vice-Chairman Frances Poteet called the meeting to order at 7:00 P.M. and noted that all members were present except Chairman Clyde Edwards.

II. APPROVAL OF MINUTES-ACTION.

Celesta Douglas moved to approve the minutes of the meeting held on May 20, 1996. Rod Courtney seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS.

No public comment.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to table the petition of Geri Abrams requesting a variance from Chapter 15.16.250 of the Municipal Code relative to sign design and construction at 1200 S. Stemmons until the next Board of Adjustment meeting. Celesta Douglas seconded the motion and it carried unanimously.

V. ADJOURNMENT-ACTION.

Rod Courtney moved to adjourn the meeting. Rusty Meadows seconded the motion and it carried unanimously. The meeting adjourned at 7:15 p.m.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON MAY 20, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 10TH DAY OF MAY, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF LURA GREEN REQUESTING A VARIANCE FROM CHAPTER 18.14.110 OF THE MUNICIPAL CODE RELATIVE TO OFF-STREET PARKING AT 721 GLEN RHEA.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 320 THOUSAND OAKS DRIVE.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 322 THOUSAND OAKS DRIVE.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

MAY 20, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRMAN
CELESTA DOUGLAS
FRANK BARNARD
KEN STAPLETON
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:15 P.M. and noted that a quorum was present.

II. APPROVAL OF MINUTES.

Frank Barnard moved to approve the minutes of the meetings held in April, 1996. Ken Stapleton seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF LURA GREEN REQUESTING A VARIANCE FROM CHAPTER 18.14.110 OF THE MUNICIPAL CODE RELATIVE TO OFF-STREET PARKING AT 721 GLEN RHEA.

Bob Willis stated that the Green's have applied for a building permit to close in their carport in order to have another bedroom and to add to the dining area. Mr. Willis stated he was unable to approve the building permit because of Chapter 18.14.110 of the Municipal Code requiring two off-street covered parking spaces.

Lura Green, 721 Glen Rhea, stated they would like to convert two-thirds of their carport into a bedroom and one-third into additional dining space. Mrs. Green stated that according to the R-1-6000 district their square footage is below the required minimum dwelling space of 1200. Their living space is currently 720 square feet and they would like to provide their fourteen year old male and their thirteen year old female, who currently share a bedroom, with their own room. They could park two vehicles on their gravel driveway, but it is not covered.

Don Patterson, 719 Glen Rhea, stated he has no objections the Green's request.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Clyde Edwards asked if they could add to the rear of the home.

Bill Green, 721 Glen Rhea, stated that this would reduce the size of their yard, and a contractor has given them a bid on adding to the rear of their home, but it would be a lot more expensive and the addition to the rear would not add to their dining space.

Frances Poteet stated their proposal is in keeping with the other homes on the street.

Frank Barnard moved to approve the petition of Lura Green requesting a variance from Chapter 18.14.110 of the Municipal Code relative to off-street parking at 721 Glen Rhea, with the addition of a covered carport so that two cars can be parked side by side. Motion denied for lack of second.

Ken Stapleton asked if a variance can be approved with stipulations.

Clyde Edwards replied yes.

Frank Barnard moved to approve the petition of Lura Green requesting a variance from Chapter 18.14.110 of the Municipal Code relative to off-street parking at 721 Glen Rhea, with the addition of a covered carport so that two cars can be parked side by side. Ken Stapleton seconded the motion and it carried with Celesta Douglas opposed.

V. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 320 THOUSAND OAKS DRIVE.

Edward Brussel, 3008 McBee Drive, Plano, Texas, representing Pulte Homes, is requesting to place a single story home on the lot that will exceed the rear building line on the right rear corner by four feet, four inches.

Bob Willis stated that he had just noticed that the plot plan shows a ten foot side set back on the street side and it should be fifteen feet.

Janis Woodbury, 321 Georgian Oak, stated that she is in favor of the variance request.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

France Poteet moved to approve the petition of Pulte Homes requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks at 320 Thousand Oaks Drive, with the requirement that the home be moved to allow for a fifteen foot side set back on the street side. Frank Barnard seconded the motion and it carried unanimously.

VII. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 322 THOUSAND OAKS DRIVE.

Edward Brussel, 3008 McBee, Plano, Texas, representing Pulte Homes, is requesting a variance on the rear set back at the left rear corner as the home will exceed the rear building line by three feet, seven inches. They have tried to move or flip the home, but it also would not meet all set back requirements.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Ken Stapleton moved to approve the petition of Pulte Homes requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks at 322 Thousand Oaks Drive. Celesta Douglas seconded the motion and it carried unanimously.

IX. ADJOURNMENT-ACTION.

Ken Stapleton moved to adjourn the meeting. Celesta Douglas seconded the motion and it carried unanimously. The meeting adjourned at 8:35 P.M.

_____

CLYDE EDWARDS, CHAIRMAN

_____

BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON APRIL 24, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 18TH DAY OF APRIL, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.110 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 736 OAK DALE AVENUE.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF TERI MCCOOL WITH H & W UTILITY CONTRACTORS REQUESTING A VARIANCE FROM CHAPTER 18.24.100 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES AT 301-307 MAIN STREET.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

APRIL 24, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
ROD COURTNEY
ROBERT (RUSTY) MEADOWS
FRANK BARNARD
KEN STAPLETON
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
FRANCES POTEET, VICE CHAIRMAN
CELESTA DOUGLAS

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:05 P.M. and noted that Frances Poteet and Celesta Douglas were absent.

II. APPROVAL OF MINUTES-ACTION.

Rod Courtney moved to approve the minutes of the meeting held on March 26, 1996 with the following corrections: Section V. Paragraph 4 change "1978" to "1988" and Section VI. Paragraph 23 change the word "scribe" to "scrap". Rusty Meadows seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.110 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 736 OAK DALE AVENUE.

Building Inspector Bob Willis stated that General Homes was requesting this variance due to the odd shape of the lot. It is a corner lot. There is a fifteen (15) foot required setback on the side property and it would hang over on the right rear corner nine (9) inches at that point. The lot is narrower at the rear portion than it is in the front.

Steve Mercks representing General Homes stated that this is the smallest floor plan we offer for that lot. Everything else is bigger and would hang over a little bit more. It is a two story with about two thousand square feet.

Robert Lough, 738 Oak Dale asked if it was going to be exactly seven foot to his property line?

Clyde Edwards replied that according to the plat it is seven feet to the building line.

Robert Lough asked if they will come out and re-survey before they start setting up their slabs, because if it is at seven feet it is right at the minimum?

Clyde Edwards replied yes, that is why we have a Code Enforcement Officer. Once they set their stakes and their forms for their foundation, then he comes out and re-measures it at that point. It has got to meet all the standards.

Robert Lough asked if the air conditioning would make a difference on the setbacks?

Clyde Edwards replied that air conditioning is not considered part of the building, it is considered an accessory.

Robert Lough asked if the Board knew which side of the house the air conditioning would sit?

Clyde Edwards asked Mr. Mercks and Bob Willis on which side of the house the air conditioning unit would sit.

Mr. Mercks and Mr. Willis both replied that it would sit on the street side, the opposite side of Mr. Lough's house.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to approve the petition of General Homes requesting a variance from Chapter 18.12.110 of the Municipal Code relative to building setbacks at 736 Oak Dale Avenue. Ken Stapleton seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF TERRI MCCOOL WITH H & W UTILITY CONTRACTORS REQUESTING A VARIANCE FROM CHAPTER 18.24.100 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES AT 301-307 MAIN STREET.

Building Inspector Bob Willis stated this building is a tool shed, accessory building. There is presently an eight (8) foot privacy fence in front of it already. The roof-line can barely be seen over the fence. The main building is stucco to comply with the masonry requirements.

Mike Hayes, President of H & W Utilities stated that as Bob says the roof-line is barely over the privacy fence. When we first came to Lake Dallas and submitted our original site plan, it wasn't to much after that, we applied for a permit for our tool shop. Basically what happened, is we had our shop, due to safety and due to the person who was going to build our steel erector. He was called on another job. He is a union steel man. We have

since gotten him back and we were actually starting to kind of go along. We then went down to City Hall to see Bob and found out that our permit from the original one we had was no longer a viable permit. So we went back down and had to pay more fees. When we did that, we found out that since the time we had originally done that there had been an ordinance change. Basically our big thing, we have spent thirteen thousand dollars up to this point on our tool shop. We got verbal quotes of about four thousand dollars to finish getting it erected. The biggest problem that we have is this new ordinance, we have to do eighty percent masonry under the new ordinance of the whole building. We have gotten several quotes and that includes another six thousand dollars. The cost of this tool shop has become horribly expensive.

Close public hearing.

VI. ACTION FROM PUBLIC HEARING.

Rod Courtney moved to approve the petition of Teri McCool with H & W Utility Contractors requesting a variance from Chapter 18.24.100 of the Municipal Code relative to exterior surfaces of structures at 301-307 Main Street. Ken Stapleton seconded the motion and it failed with Rusty Meadows and Frank Barnard opposed resulting in a tie vote. Chairman Clyde Edwards was required to vote in order to break the tie. He was also opposed. The variance was denied.

VII. ADJOURNMENT-ACTION.

Rusty Meadows moved to adjourn the meeting. Frank Barnard seconded the motion and it carried unanimously. The meeting adjourned at 8:25 P.M.

Clyde Edwards
CLYDE EDWARDS, CHAIRMAN

Kelly D'Amato
KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON APRIL 18, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 15TH DAY OF APRIL, 1996.

AMENDED AGENDA:

I. ROLL CALL.

II. PUBLIC HEARING: RECONSIDER THE PETITION OF FRANK BARNARD REQUESTING A VARIANCE FROM CHAPTER 18.12.030 OF THE MUNICIPAL CODE RELATIVE TO HOME OCCUPATIONS AT 328 BETCHAN STREET.

III. ACTION FROM PUBLIC HEARING.

IV. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

APRIL 18, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRMAN
RODNEY COURTNEY
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 P.M. and noted that all members were present.

II. PUBLIC HEARING: RECONSIDER THE PETITION OF FRANK BARNARD REQUESTING A VARIANCE FROM CHAPTER 18.12.030 OF THE MUNICIPAL CODE RELATIVE TO HOME OCCUPATIONS AT 328 BETCHAN STREET.

Frank Barnard, 328 Betchan Street, presented the Board of Adjustment a signed letter requesting the Board to rescind the decision of the variance board for the variance given for 328 Betchan Street.

Clyde Edwards requested that Frank Barnard sign the letter again so that the city secretary could notarize the letter.

Close Public Hearing.

III. ACTION FROM PUBLIC HEARING.

Rod Courtney stated that he understood that the decision the Board of Adjustment made was not under their jurisdiction. It should have been the responsibility of the City Council to take action, because it had to do with zoning and we can not rezone. Mr. Courtney stated since the Board did not have the authority to make a decision on the request he agrees the Board should consider rescinding the decision.

Frances Poteet moved to retract the decision granting the variance to Frank Barnard at 328 Betchan Street, the reason the variance was granted was so Frank Barnard could continue his business in his home, and recommending the request go to the City

Council for action. Celesta Douglas seconded the motion and it carried unanimously.

IV. ADJOURNMENT-ACTION.

Rusty Meadows moved to adjourn the meeting. Rod Courtney seconded the motion and it carried unanimously. The meeting adjourned at 7:10 P.M.

CLYDE EDWARDS, CHAIRMAN

BARBARA STARKEY, CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

MARCH 26, 1996

MEMBERS PRESENT:
CLYDE EDWARDS, CHAIRMAN
FRANCES POTEET, VICE-CHAIRMAN
ROD COURTNEY
CELESTA DOUGLAS
ROBERT (RUSTY) MEADOWS
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Clyde Edwards called the meeting to order at 7:00 P.M. and noted that all members were present.

II. APPROVAL OF MINUTES-ACTION.

Rod Courtney moved to approve the minutes of the meeting held on January 25, 1996. Celesta Douglas seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 319 ASHLEY OAK.

Building Inspector Bob Willis stated that due to the odd shape of the lot at this location, General Homes is asking for a variance so that they can build a normal home. It is just a little bit over the length. General Homes is requesting a variance on the rear yard setback from the required thirty feet to a twenty-two foot, five inch setback.

Larry Rice representing General Homes stated that he is requesting a variance due to 110 foot property line on the left side. It is an unusual lot. It is just a little bit over on the length.

Close public hearing.

IV. ACTION FROM PUBLIC HEARING.

Rod Courtney moved to approve the petition of General Homes requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks at 319 Ashley Oaks. Celesta

Douglas seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF FRANK BARNARD REQUESTING A VARIANCE FROM CHAPTER 18.12.030 OF THE MUNICIPAL CODE RELATIVE TO HOME OCCUPATIONS AT 328 BETCHAN STREET.

Building Inspector Bob Willis stated that this is a petition from Frank Barnard for operating a home occupation at his place of residence. It was brought to my attention that he was operating a business in a residential area. I did sent out a letter to him. Due to that letter, he has come here to ask for a variance to operate his business out of a residential area.

Frank Barnard, 328 Betchan Street stated that he brought photos of his property for the Board to look at. My wife and I are requesting a variance for the property at 328 Betchan. Our property has been used for the same purpose for approximately eleven years. Approval was given by Mayor Bill Honse prior to purchasing with this intent. As you can see in the pictures, we have made approvements. The roof was leaking, the porch falling, down, windows missing, no heat and the foundation was washed out. You can see the obstacles we faced when trying to secure a loan. The pictures reveal not a very desirable area for bank investors. There is railroad property of 12 acres that will some day surely be some kind of commercial business, which is on two sides of our property. While living on Betchan Street for eleven years, a variance change was made for the Rainbow Daycare with traffic of nearly 40 cars each morning and evening. Traffic from the city equipment yard will continue Monday through Friday across the street from the home. We also have a multi-family apartment just down the street. On the corner of Betchan and Main there is an auto repair shop now. Yes, it has been nonconforming use with permission, but without paperwork to prove it now. It has been okay to use this property all this time. I have even repaired Mayor McCutcheons home before he was Mayor and given bids on his Carlisle home since he has been Mayor. Also, I have done repairs and given bids to City Hall for city buildings including the community center. There has been no problem. Politics change as well as time and people, this is why we are in this situation requiring us to request a variance, so there will be no more future problems. With all the examples, my wife and I believe that we have improved the environment of Betchan Street. Our goodness has only been for the good of all.

Mr. Forgey, 352 Betchan Street stated that he owns the property next door to these people. I have given the City of Lake Dallas a list of zoning violations that has been going on ever since he have been there. I don't think that any street that is 99 percent homes should be allowed to have and the garage he is talking about at Main and Betchan is facing Main. He still stores all kind of trash and junk on his lot, which is a violation. I gave the city a list of fourteen violations. These are accurate, I swear for them to be the truth and nothing but the truth. His property on Betchan Dr. is too small for operations. It does not

supply ample room for delivery trucks. He has illegal parking of vehicles on his yard. Illegal office building too close to property line. He does not have this office building in his home. He has a secretary and two other employees full time. There are two metal buildings too close to the property line on the back of his lot. They throw trash over the back fence on the railroad property. He has illegal storage and selling of firewood on railroad property. He has blocked the street at times with freight trucks and trailers on dangerous curves. It is a very dangerous curve on both of those curves. He stores junk air conditioners and trash on property for long periods of time creating a real health hazard. He is storing an old underground butane gas tank in his backyard, which is a very dangerous item. He is storing building materials on his yard, such as lumber, windows and doors. His home is a fire hazard, he has closed up all his outside doors but one. His storage buildings are to close to the house, they are very unsafe.

Dorothy Forgey, 352 Betchan stated that this is just not a mom and pop operation where the wife answers the phone and the man throws a few tools in his truck and goes. This man has three full time employees, sometimes more in the summer. He has five trucks, one car, a long trailer, a large boat and his employees also have vehicles that they come to work in. It's just cars and trucks rolling like a bee hive all day long. There is not enough room. He has all kind of salesmen and delivery trucks from UPS to hugh freight lines. He has to move some of these existing vehicles out to his curb to the side of the road, sometimes blocking the entire road for these hugh freight trucks to get into his driveway. His driveway is right on the curb. Very bad. Lot more traffic all the time. He does store the old air conditioners and junk several months at a time. However, in preparation for this meeting, he has hauled off about 10 loads of trash and air conditioners. All of this devalues our property and makes it very hard or almost impossible to sell. I don't think this is a hardship factor for him. As he could have this elsewhere as he has purchased land on Sargent, and has purchased rental property. His competitors don't have this same advantage. We have been forced to tolerate this, and it is true we have not complained to Mr. McCutcheon because we complained to Mr. Honse all the time that we lived there. We bought this property in 1978. We complained and it did no good. We had a code enforcement officer who was a close friend of Mr. Barnard's, who let him do anything he wanted to do and we would very much like our residence back. Thank you for listening.

Chairman Clyde Edwards stated that for the record we have a notarized complaint or opposition from Mrs. Johnny J. Vinson, 222 Betchan Dr., Lake Dallas. Her comments are I am against Mr. Barnard having a variance on his property on Betchan Drive.

Frank Barnard stated that he does appreciate that his neighbors want to keep the area clean, nice and kept up with traffic kept out. We do not have our equipment delivered. My wife said that she does buy stuff from a catalog and will continue

to have UPS deliver it. We do have a lawn service company come in and cut the grass. They do have a long trailer. My fishing boat is in the yard and sometimes my flat trailer.

Chairman Clyde Edwards asked Mr. Barnard if UPS is applicable to UPS?

Frank Barnard stated that UPS is the only large trucks that I know of. I own a twenty four foot truck. It has never been a problem, I don't keep it there.

Chairman Clyde Edwards asked Mr. Barnard to explain to the Board as to what vehicles were illegally parked on his yard.

Frank Barnard stated that no cars were illegally parked in his yard, except his five foot trailer, which he will keep in the back and his boat. Those are the only two items. The office building is not too close to the property line. It is not illegal, these buildings are the same distance as Mrs. Vinson's and other examples just behind my office. These buildings are portable, they are not tied back or permanent structures. There is nothing permanent to them. They are not metal and are not against code. I set all my fences in, so it is deceiving as far as distance on the back of the property line. I am two and half foot off of my property line. As far as the wood, it is not mine. The tree fell down in a wind storm and the city yard cut what they wanted and did not have a big enough saw to cut, or the time. I talked to Johnny. He took what he could off of there or what he wanted and I found somebody to cut the tree at no charge to the city or to me. That same man has it there and is asking forty dollars for it and it is just sitting there but if that is what is bothering them I can definitely move it or have him move it and take it where he wants.

Chairman Clyde Edwards asked who the man was?

Frank Barnard replied Alfredo Herendez out of Lewisville.

Mrs. Forgey stated that his name is Alfredo Herrea out of Lewisville.

Frank Barnard stated that he would continue to use UPS just like any other citizen.

Chairman Clyde Edwards asked Mr. Barnard if he has had any tractor trailers come on to his property or deliver anything?

Mr. Barnard stated that he has done that. On Sunday mornings the Christian Community Center would come by and pick up his air conditioners, but I have quit that totally. I did forget to put out the trash sometimes and probably will forget again, but they are in cans. I have about five or six of them.

Chairman Clyde Edwards asked if the trash cans had lids on

them and if he considered them a health hazard in his mind?

Frank Barnard replied that the cans have lids on them and I do not consider them a health hazard. I do have a butane tank in my yard and someday my plans are to make a smoker out of it. It is sitting on top of the yard. Ivan Bounds is the one who gave it to me. He had it for years. I have had it for four or five years. My intentions are to make a smoker out of it.

Chairman Clyde Edwards asked what size the butane tank is?

Frank Barnard replied that it is five to six feet long and 2 and half feet wide.

Chairman Clyde Edwards replied it is about a 250 gallon tank.

Frank Barnard replied right. It is sitting on top of the ground.

Chairman Clyde Edwards asked if there was any gas in it?

Frank Barnard replied that oh no this is an old tank that has been dug up.

Chairman Clyde Edwards asked if Mr. Barnard considered this a danger because Mr. Forgey is concerned about danger. Is there any gas or natural gas in the tank? Is that correct?

Mr. Barnard replied that is correct. We have been remodeling our personal house ever since we bought that house. There is a lot of activity when bringing up a house to standards. We work hard to keep things neat. The back door has been in that house ever since we have owned the house. Mrs. Vincent who is not here and Mrs. Dorothy Forgey who is here are actually the people who were born in this house. That is were all this resentment is coming in at.

Chairman Clyde Edwards asked him to leave that part out and then asked if he did have a back door?

Frank Barnard replied yes. Mr. Barnard also stated that the closest shed to my house which is my wifes stuff is sixteen feet.

Linda Barnard, 328 Betchan Drive, stated that they bought the house in 1985. Frank started his business then. We were a mom and pop operation even though I was a full time employee and still am a full time employee. I was his secretary, bookkeeper, and everything else to do with his business up until we had our first daughter in 1987. I no longer had time for it.

Chairman Clyde Edwards asked Mrs. Barnard if she had any comments on this list of Mr. & Mrs. Forgeys.

Linda Barnard, replied that I am happy that our neighbors

keep such a close watch on us. It is nice to know that they keep an eye on how our property looks. We do strive to keep it neat. We did put up a fence to keep our trash in and other peoples trash out. We do not throw trash over our fence.

Frank Barnard stated that I do have my nephew who is a full time employee. I have two vans. One is an extra van in case one breaks. I have ample room to park. I have four thousand square feet of paved driveway there. That is why we picked this particular place in 1985.

Chairman Clyde Edwards stated that he saw a large van with your logo on it on Dallas Drive. He asked if Mr. Barnard owned that property or if he was leasing that spot to park his van.

Frank Barnard replied that he was leasing it.

Mrs. Forgey stated that Mr. Barnard has had freight trucks there. He had to trim a tree once to get it in, to back up into that driveway of his, he had to have that tree trimmed because it keep hitting the freight truck. I don't know the title of the freight cars but it is a big freight company that sometimes delivers there. He might pick up most of it but he still has deliveries there.

Chairman Clyde Edwards stated that he would make a recommendation about your list and it will be turned over to the Code Enforcement Officer. In the future if you have a complaint, we will address these complaints, although it seems like it is all one big package to you, they are kind of separate the variance and some of these items, so we will address these for you and be aware of your complaints.

Mrs. Forgey stated that Mr. Barnard had told her that he had boarded up both of those back doors. Do I believe him then or believe him now? Despite being threatened by him, I am still going to speak up.

Anna Benham, 402 Betchan Drive stated that she did see a large 18 wheeler tractor trailer truck. I can't remember if Frank was there or not. But I do know that they had trouble backing in, they did block the street because it is right on the curve. The tree was in the way and the truck did knock some limbs off the tree. I do know that one time there was a big 18 wheeler that backed in.

Chairman Clyde Edwards asked Ms. Benham to take that one step further, is it one time and one time only that you are aware of?

Anna Benham stated that she saw it once but she travels a lot. I am like the energizer bunny, I am going, going, going. I am not there a whole lot.

Mr. Forgey stated that he wanted to thank everybody here that

is interested in this proceeding especially you people. I would like to invite you tonight to come down there on Betchan Street and look at this property. I can drive my pick up all around it and show you the violations. There is no way the fire department could get in there if they had to.

Mr. Barnard stated that his wife just pointed out to me that large truck that was in the driveway was the swing set that the Payless people delivered to us.

Close public hearing.

VI. ACTION FROM PUBLIC HEARING.

Rod Courtney moved to approve the petition of Frank Barnard requesting a variance from Chapter 18.12.030 of the Municipal Code relative to home occupations at 328 Betchan Street. No Second.

Rusty Meadows stated that the business has been there for approximately eleven years at this point and its never been questioned before as being applicable to the neighborhood. Is this the first time.

Mrs. Forgey said that they did complain, but Mr. Honse would not do anything about it. The only thing he did was make him take his hugh sign down that had his companies name on it. That was all Mr. Honse would do.

Chairman Clyde Edwards stated that what you are saying is that Mr. Honse was cognizant of the fact that Mr. Barnard had a business there?

Mr. Forgey replied evidently yes. I think that everybody realizes that, but we just could not help ourselves, we couldn't do anything about it. It is zoned residential, but he is running a business.

Rod Courtney asked Mrs. Forgey if the property is in better condition now, than it was in when he purchased the property?

Mrs. Forgey replied yes the house itself. They have put siding on it and all.

Elva Pockrus stated this street is absolutely too narrow right in the corner. It is true that they do park a lot of trucks there occasionally. I live directly in front of the house and I see it all.

Frank Barnard stated that he bought the house in 1985 with this intent in mind. There has never been an accident and I am definitely sure that my two trucks would not cause them as far as them being there. There has never been an accident documented there. It has a street light for a night light. Mrs. Pockrus's house faces totally west, my house faces north, the entrance to

the impound yard is right directly on her property, so any cause of problems for her would be the impound yard entrance right there on her property. Mine is down the street on the corner. Obviously I can't see her house from my house.

Francis Poteet asked since there is a fence across the front of the property does that prohibit any vehicles from going inside your yard to park or are you parking your vehicles on the street?

Frank Barnard replied no. I guarantee you none of my vans or my personal cars park in that grass.

Francis Poteet asked if all his business is conducted in the vehicle to come there for business parked inside on your property.

Frank Barnard replied yes, there is ample room for parking.

Mrs. Forgey stated that he put the asphalt there and part of that is city right-of-way. It is not all his. Quite bit of it is city right-of-way.

Frank Barnard stated that he went ahead and spent the extra money to put the asphalt all the way across to the street. I went out of my way to make it look good.

Mrs. Forgey stated that she was concerned about whether or not there was a traffic hazard of public use of that street.

Frank Barnard stated that not that he has ever seen. His trucks do not block the street. We do not park in the street. The landscape guy who has his trailer is the only one who parks off to the edge near the shoulder. That is what you are seeing. I can tell him to park in the driveway.

Mr. Forgey stated that Mr. Barnard had the gall to cover a water department sewer man hole in the street and the water department came out and uncovered it. That is just one of the violations. He just takes up half the street with his business. His trucks and everybody elses cars and trucks park on the street right around the curve on both sides of the curve, where if you come out of there just a little bit off center, you would run over something or get run over. That is the gospel truth.

Celesta Douglas asked Mr. Barnard if he worked on the air conditioners in his home?

Frank Barnard replied no. All the air conditioners we do are on someone else's property. All that truck is for is to drive over to somebody else's house. Plus what we get from the supply house we put in the vans. We do not bring air conditioners there to fix what so ever. We do not have people come over and buy parts, we are not a retail at all. We do not want that.

Celesta Douglas asked Mr. Barnard if he does out calls.

Frank Barnard replied that everything is out call. We are out nearly all day long.

Mayor McCutcheon stated this thing got started when I received a complaint on it. Anytime we receive a complaint from a citizen we respond. These people do not even live on Betchan and they complained on it. I have seen people, I don't know if they were just dismantling the scribe metal that they set out for that company or what but I have seen them working on something out there, they may not have been working on, they may have just been disassembling the unit, I do not know what they were doing, I do not have any idea. But that is not the total issue, the city received a complaint on it and we responded to it.

Chairman Clyde Edwards stated that he would implore to Mr. Barnard however this turns out, that is the Boards decision but regardless of whether you get the variance or not, I would implore you to, and I have seen the same thing that Jerry has just addressed and I would implore you not to let that happen in the future whether you get the variance or not. That is really paramount.

Mrs. Pockrus stated that we are not just speaking only of what we have at this time, when we accept this, we are accepting anything that enlarges or gives us a greater traffic or greater problems in the future. It's not only what we have had to accept at this time, but we have to look into the future also.

Chairman Clyde Edwards replied that he agrees with that and what we are trying to do here is establish some boundaries and criteria for what will happen in the future so this will not be ongoing.

Mrs. Pockrus stated that we do not have street way there for anything more than we have and we really don't have for what we do have but if we can't accept the future for what we will get from it, we don't need to accept what we have today.

Councilwoman Thanna Bounds stated that she has lived there since 1968 and was run in the ditch once but it wasn't anything to do with Frank, it was a police car that ran me off the road.

Rusty Meadows stated that it does not appear that he is doing any kind of retail business inside the property. It doesn't appear that there is any kind of work to speak of on the property. The only traffic would be to and from, getting calls and leaving and picking up equipment. Actually I can't see that traffic in and out would be an issue or off street parking to be a major issue since he is not in retail to speak of.

Rod Courtney moved to approve the petition of Frank Barnard requesting a variance from Chapter 18.12.030 of the Municipal Code relative to home occupation at 328 Betchan Street. Rusty Meadows seconded the motion and it carried unanimously.

VII. DISCUSSION AND CONSIDERATION REGARDING PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.15.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS - ACTION.

Bob Willis, Code Enforcement Officer stated that this was brought forward at the last meeting and was tabled. They want to extend the sign up so it can be seen easier. They did not have enough information at the last meeting.

Geri Abrams representing Whitco Advertising stated that she brought the information that the Board had requested which was pictures and drawings. The trees interfere with the ability to see the sign on the north face of the sign. The Lake Cities Bank Sign interferes with the ability to see on the south face of the sign. All of our signs are designed by a certified engineer from the State of Texas. I did bring a specification sheet showing the design and construction of the sign. The sign was originally constructed in October 1984. The surrounding area has changed quite a bit since then. We are requesting sixty feet.

Close public hearing.

Celesta Douglas moved to deny the petition of Geri Abrams requesting a variance from Chapter 15.15.250 of The Municipal Code relative to sign design and construction at 1200 S. Stemmons Rod Courtney seconded the motion and it carried unanimously.

VIII. DISCUSSION AND CONSIDERATION REGARDING PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION AND CHAPTER 18.46.040(C) RELATIVE TO DISCONTINUANCE OF A NONCONFORMING USE AT 121 NORTH LAKEVIEW DRIVE-ACTION.

Bob Willis, Code Enforcement Officer stated that this was tabled from the last meeting because the Board wanted more information from the owner and occupant and the owner of the property was ill at the time.

Barbara Harris, owner of the property brought the information that Bob Willis and the Board of Adjustment had requested. She brought the deed. She bought the property in 1981. I can not tell you the amount we paid for it. I do not know.

Lori Robillard brought the receipts for any improvements that has been made to the property and information showing labor and other costs involved in the improvement. She also stated that the deed Ms. Harris gave to the Board of Adjustment was for the land and not the trailer. The trailer was on the land when Ms. Harris bought the property.

Chairman Clyde Edwards stated that the land in 1994 was appraised at $12,189.00. Do you agree with that? Do you think it is worth more than that?

Ms. Harris replied she would not know.

Chairman Clyde Edwards asked if Ms. Harris if she has made any improvements to that property since 1994.

Ms. Harris replied only what Ms. Robillard has done to the small trailer.

Chairman Clyde Edwards asked if she had made any additional investments in that property since 1994?

Ms. Harris replied no.

Lori Robillard stated that she brought the receipts that the Board of Adjustment had requested.

Chairman Clyde Edwards stated that Ms. Robillards receipts came to about $5,100.00 dollars. Ms. Robillard you need to try and recollect what the plumbing and electrical was. You need to give us a really close guess at this point. Chairman Clyde Edwards asked what the labor cost was?

Lori Robillard replied that she worked eight months on it. She stated that it cost her about $6,000.00 dollars. That includes hauling, dumping, moving and everything.

Chairman Clyde Edwards asked what her gas and electrical cost? What did you pay to have that work done?

Lori Robillard replied that the electrical box cost $100.00 and the labor was free.

Chairman Clyde Edwards asked about the gas and the plumber?

Lori Robillard replied that the plumber charged about $190.00 dollars and that she dug the ditch.

Chairman Clyde Edwards stated that the materials came up to $5,100 dollars and that labor is going to be about $6,300 dollars. I would like to introduce that the current appraised value is $13,303.00 dollars. That is from the 1995 tax rolls. We don't have an original figure for the investment but Ms. Robillard has invested approximately $11,400.00 dollars. I am going to ask our Attorney to tell us what our options are.

City Attorney David Berman stated that if you have a nonconforming use or structure which can be nonconforming use of land or structure you can require that the use be terminated. Number one you can deny the application by the city. Number two if you deny the application by the city, I guess you are condoning

it. Your third alternative is to require that the structure be modified so that it is in compliance with the ordinances, subject to a termination. If you discontinue the nonconforming use you are required by city ordinance and state law to come up with some kind of amortization that would allow the owner to re-group their investment and property value.

Close public hearing.

Rod Courtney moved to deny the petition of Bob Willis requesting the termination of a nonconforming use based on Chapter 18.46.040 of the Municipal Code relative to jurisdiction and Chapter 18.45.040(C) relative to discontinuance of a nonconforming use at 121 North Lakeview Drive. Rusty Meadows seconded the motion and it carried unanimously.

Rod Courtney asked what did we do?

IX. ADJOURNMENT-ACTION.

Rusty Meadows moved to adjourn the meeting. Celesta Douglas seconded the motion and it carried unanimously. The meeting adjourned at 9:26 P.M.

Clyde Edwards
CLYDE EDWARDS, CHAIRMAN

Kelly D'Amato
KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON MARCH 26, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 20TH DAY OF MARCH, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 319 ASHLEY OAK.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF FRANK BARNARD REQUESTING A VARIANCE FROM CHAPTER 18.12.030 OF THE MUNICIPAL CODE RELATIVE TO HOME OCCUPATIONS AT 328 BETCHAN STREET.

VI. ACTION FROM PUBLIC HEARING.

VII. DISCUSSION AND CONSIDERATION REGARDING PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS-ACTION.

VIII. DISCUSSION AND CONSIDERATION REGARDING PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION AND CHAPTER 18.46.040(C) RELATIVE TO DISCONTINUANCE OF A NONCONFORMING USE AT 121 NORTH LAKEVIEW DRIVE-ACTION.

IX. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JANUARY 25, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 18TH DAY OF JANUARY, 1996.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 749 CEDAR LEAF CIRCLE.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 324 ASHLEY OAKS.

VIII. ACTION FROM PUBLIC HEARING.

IX. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 326 ASHLEY OAKS.

X. ACTION FROM PUBLIC HEARING.

XI. CONSIDER APPOINTMENT OF CHAIRMAN-ACTION.

XII. CONSIDER APPOINTMENT OF VICE-CHAIRMAN-ACTION.

XIII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JANUARY 25, 1996, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

ADDENDUM TO REGULAR BOARD OF ADJUSTMENT MEETING ON JANUARY 25, 1996:

XIII. RECONSIDER PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION AND 18.46.040(C) RELATIVE TO DISCONTINUANCE OF NONCONFORMING USE AT 121 NORTH LAKEVIEW DRIVE-ACTION.

XIV. ADJOURNMENT-ACTION.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON JANUARY 22, AT 4:45 P.M.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JANUARY 25, 1996

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
FRANCES POTEET
CELESTA DOUGLAS
ROBERT (RUSTY) MEADOWS
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:00 P.M. and noted that all members were present.

II. APPROVAL OF MINUTES-ACTION.

Clyde Edwards moved to amend the minutes of December 21, 1995 to deny the petition of Bob Willis requesting the termination of nonconforming use based on Chapter 18.32.030, incorrect conclusion of the code based on the decision of the Board, on the property located at 121 North Lakeview Drive. Frances Poteet seconded the motion and it carried unanimously. Rusty Meadows moved to correct Section VIII by changing the word "contingent" to "consensus". Clyde Edwards seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 749 CEDAR LEAF CIRCLE.

Bob Willis, Code Enforcement Officer, stated that this is Phase 2 of Thousand Oaks Subdivision, the property is at Block H, Lot 11, the lot is located in a cul-de-sac and is not large enough to accommodate the homes that they presently have formatted.

Ed Wilson representing Pulte Homes stated that as Bob said we have a lot on Cedar Leaf Circle that due to the shape of the lot makes it difficult to get a house on that lot without going over the rear setbacks, this is a vacant lot at this time, there is nothing on the lot, nothing has been done to it at this point. The plan that we had proposed to put on there is the 5307 plan and it exceeds the rear building set back by approximately six feet. We have found another plan and it still exceeds the rear setbacks but not quite as much. This plan is approximately a foot and a

half more shallow than the 5307 plan, this is the 4288 plan and it exceeds the rear set back on the left side by four feet and the right corner exceeds by three feet, three inches, the only additional portion of the house that extends beyond that point is the fireplace, where the previous plan was a minimum of six feet over the line all the way across, this one is only six foot four inches over the line at the fireplace and then it drops back down to four feet on the left and three feet, three inches on the right. The overall size of this lot is about the same as all the other lots out there, but due to the cul-de-sac, the curve of the street and the twenty-five foot setback on the front, this forces us to go back in there. We want to put a house on that lot, that is in keeping with everything else that is on that cul-de-sac. This is a 200 square foot smaller plan than the original plan which is 3000 square foot plan, this a 2800 square foot plan.

Mike also representing Pulte, stated that he works with Ed, as a supervisor at Thousand Oaks. Right now it is a vacant lot, we are trying to submit this plan in accordance with the development. We want to keep in compliance with the rest of the homes.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Rodney Courtney moved to approve the variance from Chapter 18.12.120 of the Municipal Code using the second plan presented, Plan R-4288BF-F. Rusty Meadows seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF GERI ABRAMS REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO SIGN DESIGN AND CONSTRUCTION AT 1200 S. STEMMONS.

Bob Willis, Code Enforcement Officer, stated that the sign is at Block A, Lot 11 on Stemmons. The owners are requesting that the sign be raised so it can be seen, the bank sign blocks the visibility of their sign.

Joe Effinger, representing Whiteco Advertising is here to make a request to increase the height. This sign was built in 1984 and there has been some changes in that area. As the gentleman said the bank sign has been put up, some trees have grown and it blocks the visibility of the sign now. We therefore ask for the City to grant us a variance to raise the sign to sixty feet in accordance to what the state would allow us the overall height. They do allow forty-two and half feet over road rate at which point to be seen. Not only would we raise it, we would reconstruct it, and we would present blue print and everything to prospects 30/20 psi and everything, so there is no way you can just add an extension on to raise that extra twenty-five feet.

Close public hearing.

VI. ACTION FROM PUBLIC HEARING.

Rodney Courtney moved to approve the variance request. No second.

Celesta Douglas moved to deny the variance request. No second.

Celesta Douglas moved to table the petition of Geri Abrams requesting a variance from Chapter 15.16.250 of the Municipal Code relative to sign design and construction at 1200 S. Stemmons pending pictures, detail and elevation drawings. Rusty Meadows seconded the motion and it carried unanimously.

VII. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 324 ASHLEY OAKS.

Bob Willis, Code Enforcement Officer, stated that this house is in Phase 1, Block H, Lot 28 of the Thousand Oaks Subdivision. We are trying to get all of their surveys taken care of for finals and these, we discovered are minimal overlaps, but they are there, so we are needing to get them cleared for our situation as well as for there own.

Larry Rice, representing General Homes requested a variance from Chapter 18.12.100. He just wanted to let the Board of Adjustment know that they did have a superintendent who did not follow policy and procedures. The result of that is a few messes. These are the last two homes from the last superintendent.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to approve the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks at 324 Ashley Oaks. Rodney Courtney seconded the motion and it carried unanimously.

IX. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 326 ASHLEY OAKS.

Bob Willis, Code Enforcement Officer stated that this house is just next door to the house at 324 Ashley Oaks. It is located at Block H, Lot 27 of the Thousand Oaks Subdivision.

Larry Rice, representing General Homes stated that basically it is just a repeat of what I just explained to you.

Close public hearing.

X. ACTION FROM PUBLIC HEARING.

Celesta Douglas moved to approve the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks at 326 Ashley Oaks with form survey prior to construction. Rusty Meadows seconded the motion and it carried unanimously.

XI. CONSIDER APPOINTMENT OF CHAIRMAN - ACTION.

Celesta Douglas moved to approve the appointment of Clyde Edwards as Chairman of the Board of Adjustment. Rusty Meadows seconded the motion and it carried unanimously.

XII. CONSIDER APPOINTMENT OF VICE-CHAIRMAN - ACTION.

Clyde Edwards moved to approve the appointment of Frances Poteet as Vice-Chairman of the Board of Adjustment. Celesta Douglas seconded the motion and it carried unanimously.

XIII. RECONSIDER PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION AND 18.46.040(C) RELATIVE TO DISCONTINUANCE OF NONCONFORMING USE AT 121 NORTH LAKEVIEW DRIVE-ACTION.

Bob Willis, Code Enforcement Officer, stated that this presentation is to update the situation, we have submitted this case for reconsideration by you on nonconforming use. This case was brought up at the January City Council meeting, the City Council asked to be brought up to date on what was happening with this property. After a question and answer period the Mayor directed me to contact the City Attorney concerning this case. After reading the minutes of the Board of Adjustment meeting from December, the City Attorney advised me to put this case back on the agenda for the Board of Adjustment to reconsider the item under 18.46.040 (C) to make sure this request is presented to you again, to let you know that this property has been brought up to minimum housing standards and have a presentation and pictures.

Chairman Clyde Edwards requested a copy of Chapter 18.46.040 to see and would like for Bob to read it to the Board of Adjustment.

Bob Willis read Chapter 18.46.040 Section C which states to require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this chapter. All actions to discontinue a nonconforming use of land and structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the area surrounding the designated nonconforming use and conservation and preservation of property.

Chairman Clyde Edward asked if they have met all of Bob Willis' requirements.

Bob Willis replied that they have met all of his requirements.

Chairman Clyde Edwards asked if they have exceeded all of his requirements.

Bob Willis replied I don't know about exceeding it, but they have painted it, they have put flooring in and carpeted it, its really a very changed place.

Chairman Clyde Edwards asked if you would consider it a compliment to the neighborhood or is it drastically different than the neighborhood in any way other than the structure it's self.

Bob Willis replied that the homes around it are brick with the exception of the double wide mobile home on the corner. The house south of it is a brick home. I contacted Denton County to see exactly when the structures were put on the lots, unfortunately they didn't get the information back to me.

Chairman Clyde Edwards wanted to know that if as far as Bob was concerned if the structure is in accordance to the requirements as far as bringing it up to habitable conditions. Is that correct?

Bob Willis replied yes, that is correct.

Chairman Clyde Edwards asked if everything that Bob Willis asked them to do was completed?

Bob Willis replied that yes everything has been completed, electricity is back on and the gas line was replaced.

Lori Robillard stated that she brought some pictures to show everything that she has done, all the time, all the hours and a whole lot of hard work. I am hoping that you will kinda see this in my favor cause I think it will just kill me to have to tear it all down. The pastor from the church came over and said I did an excellent job. He said it wasn't even like a little trailer house but it looked like a regular home now. It took me six months to do it. I still have a lot more to do, finish the bathroom, put a little bit a carpet and linoleum down.

Chairman Clyde Edwards asked if she could give us idea on the amount of investment she has made since she started this project?

Lori Robillard replied that the place was given to her free. A lot of good friends and a lot of hard work. A lot of the materials came free, a lot of them I bought. Just mainly a lot of my hard work.

Chairman Clyde Edwards asked for future reference if Ms. Robillard could put a pencil to some of that, even your own time.

I think that would help us make some of the decisions that we may have to make. We need for our own dedication so we can make a proper decision, we need to know how much you have invested in bringing it up to date.

Lula Wood, 120 Lakeview, stated that the place was an eye sore, but it has improved and she just wants to see it stay that way.

Linwood Gilliland stated that when the original mobile home was moved the ordinance states that a larger one is required. Some where, we got off on the wrong direction to improve the place and live there. You never back up on an ordinance, you go forward.

Dale Bolivar, 514 Stadium, stated the mobile home has been here since 1955. I do not have any complaints with it, I did before they cleaned it up. The trailer on the lot now is the original trailer put there in the 1960's. They later moved the larger trailer on the lot. I have no complaints with them. It looked really bad before they started cleaning it up. It looks half way decent.

Mayor Jerry McCutcheon, stated it had deteriorated so bad that the home has received numerous complaints, that is what got the city involved in the first placed. We had junk vehicles, we had piles of rubbish, we had two mobile homes on one lot and the legality on that. We had police problems. Another problem is the city ordinance requires 780 square feet.

Rusty Meadows moved to continue to allow nonconforming use. No second.

Frances Poteet moved to table the petition of Bob Willis requesting the termination of a nonconforming use based on Chapter 18.46.040 of the Municipal Code relative to jurisdiction and 18.46.040(C) relative to discontinuance of nonconforming use at 121 North Lakeview, pending Lori Robillard's expenses, Barbara Harris's presence and the city attorney regarding amortized property. Celesta Douglas seconded the motion and it carried unanimously.

XIV. ADJOURNMENT-ACTION.

Rodney Courtney moved to adjourn the meeting. Rusty Meadows seconded the motion and it carried unanimously. The meeting adjourned at 8:40 P.M.

Clyde Edwards
CLYDE EDWARDS, CHAIRMAN

Barbara Starkey
BARBARA STARKEY, CITY SECRETARY

Concerning 749
Cedar Leaf BH Lot 11

744 746 748 750 752 751 747 745
Lt 5, 6, 7, 8, 9, 10, 12, 13, 14 743
on Cedar Leaf

769 771 773
Lt 29, 28, 27, 26 on Winding
Oak Bend

748 750
Blk B Lt 7, 8, 24, 25 on Oak
" C ⇒ Dale Ave.

X 1200 S. Stemmons

Blk A, Lts 12, 13, 14, 10, 9,
8, Blk B Lts 5, 6, 7, 8,
9, 10, 11, 12

328 326 324 322
26 27 28 29
327
329

X 324 Ashley Oaks

Blk H Lot 26, 27, 28, 29
Lts 4, 5, 6, 7, 8, 9, 10 on Stately
Lts 5, 6, 7, 8, 9, 10, 24, 25, 26, 27
29, 30, 31

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 25, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by seven inches, at 324 Ashley Oaks. This property is located on Block H, Lot 28, of the Thousand Oaks Addition Phase Two.

Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 25, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by one foot six inches, at 326 Ashley Oaks. This property is located on Block H, Lot 27, of the Thousand Oaks Addition Phase Two.

Barbara Starkey, City Secretary

PEOPLE WITHIN 200 FEET OF 322 ASHLEY OAK

KLAUS MARUSKA
326 STATELY OAK LN.
LAKE DALLAS, TX 75065

JENNIFER A. JACKSON
324 STATELY OAK LN.
LAKE DALLAS, TX 75065

JAMES A. PHILLIPS JR.
322 STATELY OAK LN.
LAKE DALLAS, TX 75065

SCOTT RICE
320 STATELY OAK LN.
LAKE DALLAS, TX 75065

SIMON P. SHELLIS
318 STATELY OAK LN.
LAKE DALLAS, TX 75065

DAVID M. WOOD
316 STATELY OAK LN.
LAKE DALLAS, TX 75065

RICHARD M. BARR
315 STATELY OAK LN.
LAKE DALLAS, TX 75065

DOUGLAS R. STREET
317 STATELY OAK LN.
LAKE DALLAS, TX 75065

DANNY J. WARD
319 STATELY OAK LN.
LAKE DALLAS, TX 75065

PATRICK C. ROSS
321 STATELY OAK LN.
LAKE DALLAS, TX 75065

SCOTT SCURLOCK
323 STATELY OAK LN.
LAKE DALLAS, TX 75065

CHRISTINE ANDREWS
325 STATELY OAK LN.
LAKE DALLAS, TX 75065

GENERAL HOMES CORP.
6671 SW FRWY #600
HOUSTON, TX 77074

PHILLIS SHERMAN
315 ASHLEY OAK
LAKE DALLAS, TX 75065

MARY BOUER
316 ASHLEY OAK
LAKE DALLAS, TX 75065

PAUL WIERSEMA
318 ASHLEY OAK
LAKE DALLAS, TX 75065

ONE THOUSAND OAKS LTD P/S
% DOUGLAS PROPERTIES INC.
2309 AVE. K #100
PLANO, TX 75074

PULTE HOME CORP TEX
1431 GREENWAY DR. #700
IRVING, TX 75038-2445

BLK H LOT 5
DANNY J. HARD
319 STATELY OAK
LAKE DALLAS, TX 75065

BLK H LOT 6
PATRICK C. ROSS
221 STATELY OAK
LAKE DALLAS, TX 75065

BLK H LOT 7
SCOTT SURLOCK
323 STATELY OAK
LAKE DALLAS, TX 75065

BLK H LOT 8
CHRISTINE ANDREWS
325 STATELY OAK
LAKE DALLAS, TX 75065

BLK H LOT 9
GENERAL HOMES
6671 SW FRWY #600
HOUSTON, TX 77074

BLK H LOT 10
BLK H LOT 24
BLK H LOT 25
BLK H LOT 26
BLK H LOT 27
BLK H LOT 28

BLK H LOT 29
ONE THOUSAND OAKS
% DOUGLAS PROPERTIES INC.
2309 AVE. K #100
PLANO, TX 75074

BLK H LOT 30
BLK I LOT 4
BLK I LOT 5
BLK I LOT 6
BLK I LOT 7
BLK I LOT 8
BLK I LOT 9
BLK I LOT 10
BLK I LOT 11
BLK I LOT 12
BLK I LOT 13

BLK H LOT 31
PULTE HOME CORP
1431 GREENWAY DR. #700
IRVING, TX 75038-2445

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 25, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a thirteen foot two inch rear building line instead of the required thirty foot, at 749 Cedar Leaf Circle. This property is located on Block H, Lot 11, of the Thousand Oaks Addition Phase Two.

Barbara Starkey, City Secretary

CEDAR LEAF/OAK DALE

BLK H LOT 5
PULTE HOME CORP
1431 GREENWAY DR. #700
IRVING, TX 75038-2445

BLK H LOT 6
BLK H LOT 7
BLK H LOT 8
BLK H LOT 9
BLK H LOTS 10-14

BLK B LOT 25
ALFONSO P. NICOSIA
750 OAK DALE AVE.
LAKE DALLAS, TX 75065

BLK B LOT 26
DALE TOWNSEND
14800 QUORUM DR. 370
DALLAS, TX 75240

BLK B LOT 27
DAVID M. STOCKEL
733 WINDING OAK BND
LAKE DALLAS, TX 75065

BLK B LOT 28
MARC J. FELBER
771 WINDING OAK BND
LAKE DALLAS, TX 75065

BLK B LOT 29
DONALD G. DUREAU JR.
769 WINDING OAK BND
LAKE DALLAS, TX 75065

BLK C LOT 7 & 8
PULTE HOME CORP
1431 GREENWAY DR. #700
IRVING, TX 75038-2445

BLK G LOT 24
DAVID W. ROBERTS
332 STATLEY OAK LN.
LAKE DALLAS, TX 75065

BLK G LOT 25
GENERAL HOMES CORP
6671 SW FRWY #600
HOUSTON, TX 77074

BLK G LOT 26
DAVID A. MIERS
328 STATELY OAK
LAKE DALLAS, TX 75065

BLK G LOT 27
KLAUS MARUSKA
326 STATELY OAK LN.
LAKE DALLAS, TX 75065

BLK G LOT 28
JENNIFER A. JACKSON
324 STATELY OAK LN
LAKE DALLAS, TX 75065

BLK G LOT 29
JAMES A. PHILLIPS JR.
322 STATELY OAKS
LAKE DALLAS, TX 75065

BLK G LOT 30
SCOTT RICE
320 STATELY OAKS
LAKE DALLAS, TX 75065

BLK G LOT 31
SIMON P. SHELLIS
318 STATELY OAK
LAKE DALLAS, TX 75065

BLK H LOT 4
DOUGLAS R. STREET
317 STATELY OAK
LAKE DALLAS, TX 75065

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on January 25, 1996 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Geri Abrams requesting a variance from Chapter 15.16.250 of the Municipal Code relative to design and construction. The petitioner is requesting to move a sign to a maximum height of sixty foot instead of the required thirty-five foot maximum ground sign height, at 1200 S. Stemmons. This property is located on Block A, Lot 11 of the Barmarchar Sites Addition.

Barbara Starkey, City Secretary

BARMARCHAR SITES

BLK A LOT 8
GEORGIANNA & ROBERT EDSON
P.O. BOX 48
LAKE DALLAS, TX 75065-0048

BLK A LOT 9
ROBERT WERNER JR.
4009 ORLY
FLOWER MOUND, TX 75028

BLK A LOT 10
RUBY RHOADES
% GUY VINCE
2580 WALNUT HILL LN.
DALLAS, TX 75229-5674

GOODIE-GOODIE DRIVE-IN
BLK A LOT 11
% GUY VINCE
2580 WALNUT HILL LN.
DALLAS, TX 75229-5674

BLK A LOT 12
LAKE CITIES STATE BANK
P.O. BOX 638
LAKE DALLAS, TX 75065-0638

→

BLK A LOT 13
BLK A LOT 14

BLK B LOT 5
CYRIL C. HERMES
109 S. DENTON DR.
LAKE DALLAS, TX 75065-2751

CYRIL C. NERMES
BLK B LOT 6
P.O. BOX 822
LAKE DALLAS, TX 75229-5674

BLK B LOT 7
RUBY RHODES
% GUY VINCE
2580 WALNUT HILL LN.
DALLAS, TX 75065

BLK B LOT 8
GUY VINCE INC.
2580 WALNUT HILL LN.
DALLAS, TX 75229-5674

BLK B LOT 8
LAKE CITIES BANK
P.O. BOX 638
LAKE DALLAS, TX 75065

→

BLK B LOT 9,10

BLK B LOT 11
EDWARD E. JONES
P.O. BOX 604
LAKE DALLAS, TX 75065-0604

BLK 8 LOT 12
JACK D. HEDGE
P.O. BOX 604
DALLAS, TX 75209

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

DECEMBER 21, 1995

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
FRANCES POTEET
CELESTA DOUGLAS
FRANK BARNARD
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
DARLA SAMS
ROBERT (RUSTY) MEADOWS

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:00 P.M. and noted that all members were present except Darla Sams and Rusty Meadows.

II. APPROVAL OF MINUTES-ACTION.

Frances Poteet moved to approve the minutes of the meeting held on November 20, 1995. Celesta Douglas seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 322 ASHLEY OAK LANE.

Bob Willis, Code Enforcement Officer reported that General Homes is asking for a variance at 322 Ashley Oak on the basis the house protrudes over the required twenty five foot front building line by one (1) foot three (3) inches. This was discovered at the final survey.

Larry Rice representing General Homes requested a variance from Chapter 18.12.100 on the basis the house protrudes over the building line at the front of the property by one (1) foot (3) three inches. The last superintendent did not place the forms in the right position and then poured the concrete. In this situation, it is just a carry over from the last Superintendent who is no longer with the company.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Frances Poteet moved to approve the variance requested by General Homes from Chapter 18.12.100 of the Municipal Code on the property located at 322 Ashley Oak. Clyde Edwards seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF FLAMINGO HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 219 ADDISON.

Bob Willis, Code Enforcement Officer reported that he did have a red tag on this property at the form board. It was over the rear building line and the building superintendent said that the people that were buying the building wanted this house, and they knew it was over the building line, and they chose to bring it before the Board of Adjustment.

Chairman Rodney Courtney asked if construction has started on this building?

Bob Willis replied yes.

Chairman Rod Courtney asked if the building was completed?

Bob Willis replied no.

Chairman Rod Courtney asked Mr. Willis if he had a stop on it now?

Bob Willis replied no, that Flamingo Homes chose to go ahead. They are at the top out stage now.

Clyde Edwards asked Mr. Willis to give him a definition of top out.

Bob Willis replied that it was framed in, electrical and plumbing is topped out and your HVAC is installed. Your house is basically dried in, your roof and shingles are all installed.

Clyde Edwards asked Bob Willis if he had red tagged this and they proceeded forward?

Bob Willies replied yes.

David Donalson, Superintendent for Flamingo Homes, stated at the time that this was brought to my attention, I already had the form boards set and the plumbing in the ground. The plats that my surveyor and I obtained from the City of Lake Dallas did not show a thirty (30) foot rear building line. The permit was approved for the twenty seven (27) foot nine (9) inch setback which I currently do have.

Chairman Rod Courtney asked to see the permit.

Clyde Edwards asked where the original plat was?

David Donalson replied that he submitted the original survey to the city.

Bob Willis told the Board of Adjustment that I missed it at the beginning, but caught it at the form boards and that is when I red tagged it.

David Donalson replied that at the time I received the red tag, I had a discussion with Mr. Willis and asked him what my options were? My options were to wreck the form boards, wreck the plumbing, wreck the beams and spend a substantial amount of money to re-do it all or come before the Board of Adjustment. I have received two green tags since that time to go ahead and proceed with the work.

Ray O'Neal, lives on Pembrook behind this house. I received a letter on the 1st of December and there was nothing built at that time, and they started framing the house on the 2nd or 3rd and now it is completely built. I was wondering why they went ahead and built it without the variance. Why didn't they wait until this meeting before they continued to build up? That is my problem.

Ken Stapleton, 511 Ridgewood, lives in a home built by Mr. Morales of Flamingo Homes. I have lived there 11 months now, and have had nothing but problems with it. Due to improper grading, I have a flooding problem in my backyard. My neighbors at 507 and 509 Ridgewood also have a flooding problem and Mr. Morales has displayed nothing but absolute arrogance when we have tried to get him to do something about it. I think the same arrogance has been displayed here because the house was red tagged at the time of forms and he chose to continue to build. He had the option of moving those forms and I would like to ask that this Board not issue the variance to this building. I have letters here from home owners at 507, 509 and his at 511 Ridgewood. The owners asked me to deliver these letters to the Board tonight.

Chairman, Rodney Courtney asked to see the letters.

Matt Flanagan, 722 Thousand Oaks, commented that he knows the Stapletons and they came to him in his capacity as Mayor Pro-Tem to look at the problem out there and has also talked to Bob Willis. That red tag represents something to the city, at the point that the building permit was issued, he understands that Bob Willis said that he missed the setback on there at the time. Form boards were up, no mud was poured, it was red tagged, at that time they were told that if they built any more, it would be at there peril if this Board deemed it did not necessarily let them continue it. We have a form of checks and balances. We as a City, we make mistakes sometimes, but at that point and time it could have been rectified. We try to maintain the best standards that we can and with the amount of building that is going on in

this town right now, Bob has got an assistant to help him but it is a hell of job for one man. At any one time right now he may have sixty-five homes being built. I know a few of you who have built homes and sold homes but I would like to see that we maintain a standard and I just don't think that this variance ought to be issued. I think the checks and balance work and he decided to continue on his own.

David Donalson would like to clear up an issue about him continuing work without approval from the City. The day that the red tag was issued, I called Bob on the telephone and discussed this issue with him and at that point and time he told me to go ahead. I have had two green tags issued since that point and time to go ahead and continue with the work and at that point and time I didn't feel like there was an issue. The plats that the surveyor and I have do not show a thirty foot rear building line, if they had shown a thirty foot rear building I would not have put that house on that lot, I have nothing to gain by doing so but a bunch of heartache and spending my time here. I spoke to Bob at 5:00 p.m. that evening and asked him about it and he said that I was right he did issue the permit, it does show twenty seven (27) feet nine (9) inches on the plat plan that he issued with the building permit documents and that what I needed to do was come in and apply for a variance and come to this hearing. Since that time I have received a green tag for the foundation and received a green tag at the top out stage which allows me to sheet rock, brick and install cabinets. I was not aware of the violation of the ordinance until after I received the red tag.

Code Enforcement Officer Bob Willis reported that I red tagged him at the plumbing ruff.

Chairman Rod Courtney asked Mr. Willis if he later authorized him to continue after he red tagged him as he stated.

Bob Willis replied that I told him what his options were, he was given a red tag for it being over the building line. Bob said that David replied that was what the people wanted. I told him he could take it to the Board of Adjustment or he could chuck it all.

Chairman Rodney Courtney asked Mr. Willis if he advised Mr. Donalson not to proceed until he went to the Board of Adjustment or did you authorize him to proceed and then go to the Board of Adjustment.

Bob Willis replied that I told him it was red tagged, it was wrong, it couldn't go but if he chose to go ahead, he would have to take it before the Board of Adjustment.

Chairman Rod Courtney asked Mr. Willis if he explained to Mr. Donalson that if the Board of Adjustment didn't approve his variance that he would have a bigger problem.

Bob Willis replied that there was no guarantee.

Clyde Edwards stated that by issuing two green tags through the production of this property when in fact what you have done, you have approved what he has done. In our opinion, if you've got a red tag, that means your red tagged and it can't be resolved.

Chairman Rod Courtney asked if that means all work is suppose to stop?

Clyde Edwards replied yes and that a red tag can not be resolved over the telephone. It doesn't mean you can issue green tags after the fact and red tags mean you don't issue any more tags. You don't have any more construction, you stop construction at that point. We have put ourselves in a situation where we don't have a choice.

Matt Flanagan stated that as far as a red tag goes, that means that portion of the building is red tagged, it needs to be fixed, that doesn't mean that all construction has to stop.

Clyde Edwards replied that if you red tagged the foundation, then how are you going to build the walls, or anything else.

Matt Flanagan replied that is where Mr. Willis had his discussion, you take the chance with the Board of Adjustment. Green tagging work that is completed further on down the road, he took the chance and poured his mud, built his electrical, built his frame house, if those things are done correctly, then they get green tagged. That is just a step along the way. I don't think you should hold the City responsible for Bob doing what he told the man what he had, the red tag has never been pulled.

Clyde Edwards commented that was true Matt, but we also have a situation where a plat was submitted showing a 27 foot setback and the permit was issued for that.

Matt Flanagan replied that it was caught at the red tag. The red tag was issued, it could have been rectified, he decided not to rectify it, he went ahead with his build out, the green tag was issued for the work that was performed. The red tag is still in affect until it came before the Board of Adjustment. He told him of his options at that point.

David Donalson representing Flamingo Homes commented that as bad as he hates this, he thinks there is a personal vendetta because of Flamingo Homes past with the Stapletons. I don't think this has anything to do with this situation. The green tag was issued to place the foundation. I spoke to Bob on the phone, I was told I could go ahead and back it out.

Chairman Rod Courtney replied that it was his gamble as he understood it, he asked Mr. Donalson if that was true? He said Bob said that these were your options and you elected to go ahead.

David Donalson replied no sir, that I was allowed to place concrete. I was given a green tag to place the foundation. If I was not allowed to place the foundation, then I should have received the red tag before I placed the foundation.

Chairman Rodney Courtney stated that Mr. Willis stated that he red tagged the distance and gave you the option of going before the Board of Adjustment or moving back into compliance with the ordinances or proceed and you chose to proceed is that true?

David Donalson replied no sir, I had a conversation with Bob Willis on Friday night after the plumbing inspection was red tagged and asked Bob what my options were. Bob told me the only thing he knew to do other than wreck the plumbing, wreck the forms, wreck the beams and re-grade the lot is to go before the Board of Adjustment.

Chairman Rod Courtney asked Mr. Donalson to stop there. The proper thing to have done at that particular point would have been to schedule your hearing with the Board of Adjustment rather than proceed. Why was that not done?

David Donalson replied that because I was issued a green tag to place the foundation and because the permit was issued with the twenty seven (27) foot two (2) inch setback and because of the plats, my surveyor and I received from the City did not show the thirty (30) foot setback.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to approve the variance requested by Flamingo Homes from Chapter 18.12.120 contingent upon a fine being levied by the Code Enforcement Officer with no work to be done until the fine is paid. Frank Barnard seconded the motion and it carried with Celesta Douglas opposed.

VII. PUBLIC HEARING: PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION, AND CHAPTER 18.32.030 OF THE MUNICIPAL CODE RELATIVE TO USES MADE NONCONFORMING BY ZONING CHANGES AT 121 NORTH LAKE VIEW DRIVE.

Bob Willis, Code Enforcement Officer stated that the request that I have brought before the Board has had quite a bit of controversy. The situation, I feel like that it should become more people than just myself trying to make this decision, that is one reason I had it brought before the Board of Adjustment, according to the code, you are the governing body. What we have is a non-conforming use and we are wondering if it should be continued or abated? I have a file folder on the location.

Chairman Rodney Courtney stated that 18.46.040 of the Lake Dallas Municipal Code states in Section C that the jurisdiction falls within the Board of Adjustment which is a given. Chapter 18.32.030 is uses made nonconforming by zoning change, whenever the use of a zoning becomes nonconforming through the amendment to the zoning ordinance or zoning district map such use may be continued and if no structural alterations are made, it may be changed to another nonconforming use of equal or higher classification. Has there being a zoning change on the property?

Bob Willis replied that from what I understand, the mobile homes were placed there prior to our zoning ordinance which is how that particular park came about. Now in the R-1-6000 zoning district mobile homes are not allowed, they are non conforming use and they are supposed to be removed if that property has been updated or changed for a period of six months.

Chairman Rodney Courtney asked if that has taken place on that property?

Bob Willis commented that the primary mobile home that was on the front of the lot was removed. This is one from my understanding that has been there almost as long if not as long but it was left on the lot and it is undersized as far as the ordinance or the zoning which is 1200 square feet. It does not meet the rear setbacks. The living area does not meet the requirements. They have been working on the mobile home, cleaning it up, it was condemned for human inhabitability by myself back in July. According to the ordinance you have to send the owner a written statement as to all of the items that are not up to the minimum housing standards which I did. Since that time they have been given a 30 day period to get most of this done and there has been a couple of extensions on that. They have been working on the property. I brought photographs that I have taken. I brought them to you so you can make a decision on this thing.

Barbara Harris, owner of the property is against the request. I found out all this damage was done through the letter Bob sent requesting me to clean it up, which I did. He gave me another letter with all the stuff he wanted done. As of Monday we were going to have it inspected and he told us to wait until we came here before we did.

Chairman Rodney Courtney stated uses continued or changed. The lawful use of a building existing at the time of the effective date of the ordinance codified in this title may continue although such use does not conform to provisions of this title. If no structural alterations are made, a non-conforming use of the building may be changed to another non-conforming use of equal or higher classifications. If this building was there at the time this ordinance was written, it can stay there according to this ordinance. I have the date of the ordinance, could you give me the date the mobile home was there.

Barbara Harris replied that I bought the mobile home in 1981 and it was there then.

Chairman Rodney Courtney stated that it does not fall under this particular heading. This ordinance was written in 1967 so the mobile home was not there in 1967?

Barbara Harris replied that I have no idea how long it has been there.

Dale Bolivar commented that it has been there since 1963.

Chairman Rodney Courtney wanted to know if all the work had been completed?

Mrs. Harris stated that the breaker box has not been upgraded yet.

Chairman Rod Courtney wanted to know if there was any power to the house.

Lori Robillard replied not yet.

Ms. Harris said that I am letting Frank and Lori Robillard live there and take care of the property until I retire.

Chairman Rodney Courtney wanted to know if the list was given to them with the understanding that if this was completed that it would make a difference in them being able to stay there.

Bob Willis replied right.

Chairman Rodney Courtney wanted to know that if it was completed and met your satisfaction would your request be null and void. According to the regulations it does not have to meet that particular code it was on the property before that particular ordinance was written.

Bob Willis stated that all of this list has to be completed to bring it up to the minimum housing standards.

Dale Bolivar commented that I do not have any complaints with it being there.

Linwood Gilliland stated that they have done a beautiful job of cleaning the place up. They have put a lot of hard work into it and I certainly give them credit for that. The primary residence was pulled off the property and now we have a very small mobile home there. It is like someone tearing their house down and leaving the garage.

Dale Bolivar commented that the house they are talking about right now was actually the first house there. The other house was moved in after that house had been there.

Chairman Rodney Courtney stated that the house is there now, and according to what we see, is authorized to be there because it was an existing house before the ordinance was written.

Linwood Gilliland commented that we have an ordinance regarding square footage for living space.

Chairman Rodney Courtney asked if it was written before 1963?

Linwood Gilliland stated that this ordinance is in R-1-6000, it's an ordinance for minimum standards.

Chairman Rodney Courtney asked if it was written before 1963? Mr. Courtney stated that he couldn't find it, he looked front to back through this book and it is not in there.

Ms. Harris stated that when I retire, I would like to move another mobile home on my property.

Clyde Edwards replied that you can not under the current city code, once you move the mobile home out, you can not put another one in.

Ms. Harris, Owner of the property asked if you can put in a modular home?

Clyde Edwards replied that it would have to meet certain requirements.

Linwood Gilliland stated that modular homes do not exist.

Clyde Edwards asked since when?

Linwood Gilliland replied since about 15 years ago.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Chairman Rodney Courtney stated that it is the Boards consensus that according to the Municipal Code, that the house was on that property before the ordinance was written and it can continue to stay there, it is exempt. It has to be habitable or it would come under a different request. This request that was given to us was based on the authority of the board and the non conforming use because of change in zoning. Neither of those is a fact at this point, so based on that, we do not have the authority to make a change. It would be up to you, your decision as to whether this is complied with and meets the standards. If all requirements are not met then you can come back to us under the housing authority as a substandard house. It would be under a different request than has been submitted. So it is our consensus that we do not have the authority under your request as written.

Clyde Edwards moved to deny the petition of Bob Willis requesting the termination of nonconforming use based on Chapter 18.32.030, incorrect conclusion of the code based on the decision of the Board, on the property located at 121 North Lakeview Drive. Frances Poteet seconded the motion and it carried unanimously.

IX. ADJOURNMENT-ACTION.

Frank Barnard moved to adjourn the meeting. Celesta Douglas seconded the motion and it carried unanimously. The meeting adjourned at 8:30 P.M.

_____

RODNEY COURTNEY, CHAIRMAN

_____

KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON DECEMBER 21, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 14TH DAY OF DECEMBER, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 322 ASHLEY OAK LANE.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF FLAMINGO HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 219 ADDISON.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: PETITION OF BOB WILLIS REQUESTING THE TERMINATION OF A NONCONFORMING USE BASED ON CHAPTER 18.46.040 OF THE MUNICIPAL CODE RELATIVE TO JURISDICTION, AND CHAPTER 18.32.030 OF THE MUNICIPAL CODE RELATIVE TO USES MADE NONCONFORMING BY ZONING CHANGES AT 121 NORTH LAKE VIEW DRIVE.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

December 22, 1995

General Homes Corp.
14800 Quorum Drive #320
Dallas, Texas 75240

The Board of Adjustment of the City of Lake Dallas, Texas held a public hearing on Thursday, December 21, 1995. One of the items approved was a variance request for the following property:

Thousand Oaks Addition - Phase One - Block H Lot 29 - 322 Ashley Oak Ln.

The final survey discovered the home protruded over the twenty-five foot front building line by 1 foot 3 inches. The variance for this property was approved on December 21, 1995.

Barbara Starkey

City of Lake Dallas
Barbara Starkey
City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on December 21, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo to consider the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by one (1) foot three (3) inches, at 322 Ashley Oak Lane. This property is located on Block H, Lot 29, of the Thousand Oaks Addition Phase One.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on December 21, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo to consider the petition of Flamingo Homes requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks. The petitioner has constructed a residence, that at the time of the foundation inspection it was noted that the home extends over the required thirty foot rear building line by three (3) feet, at 219 Addison. This property is located on Block E, Lot 16, of the Oak Lakes Subdivision.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on December 21, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building located at 303 Alamo to consider the petition of Bob Willis requesting the termination of a nonconforming use based on Chapter 18.46.040 of the Municipal Code relative to jurisdiction, and Chapter 18.32.030 of the Municipal Code relative to uses made nonconforming by zoning changes of the property located at 121 North Lake View Drive. This property is located on Block A, Lots 13 & 14 of the Garza Beach Estates.
Barbara Starkey, City Secretary

Posted 11.29.95

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE Thousand Oaks (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM _____

ON THE BASIS OF Front Building line Encroachment of 1.3 foot on the required 25 foot

THE SAID PROPERTY IS LOCATED AT 322 Ashley Oak

AND IS FURTHER DESCRIBED AS: Lot 29 Block H

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 22 DAY OF November ,1995.

NAME: General Homes

SIGNITURE: Larry Rice

ADDRESS: 14800 Quorum #370
Dallas, Texas 75240

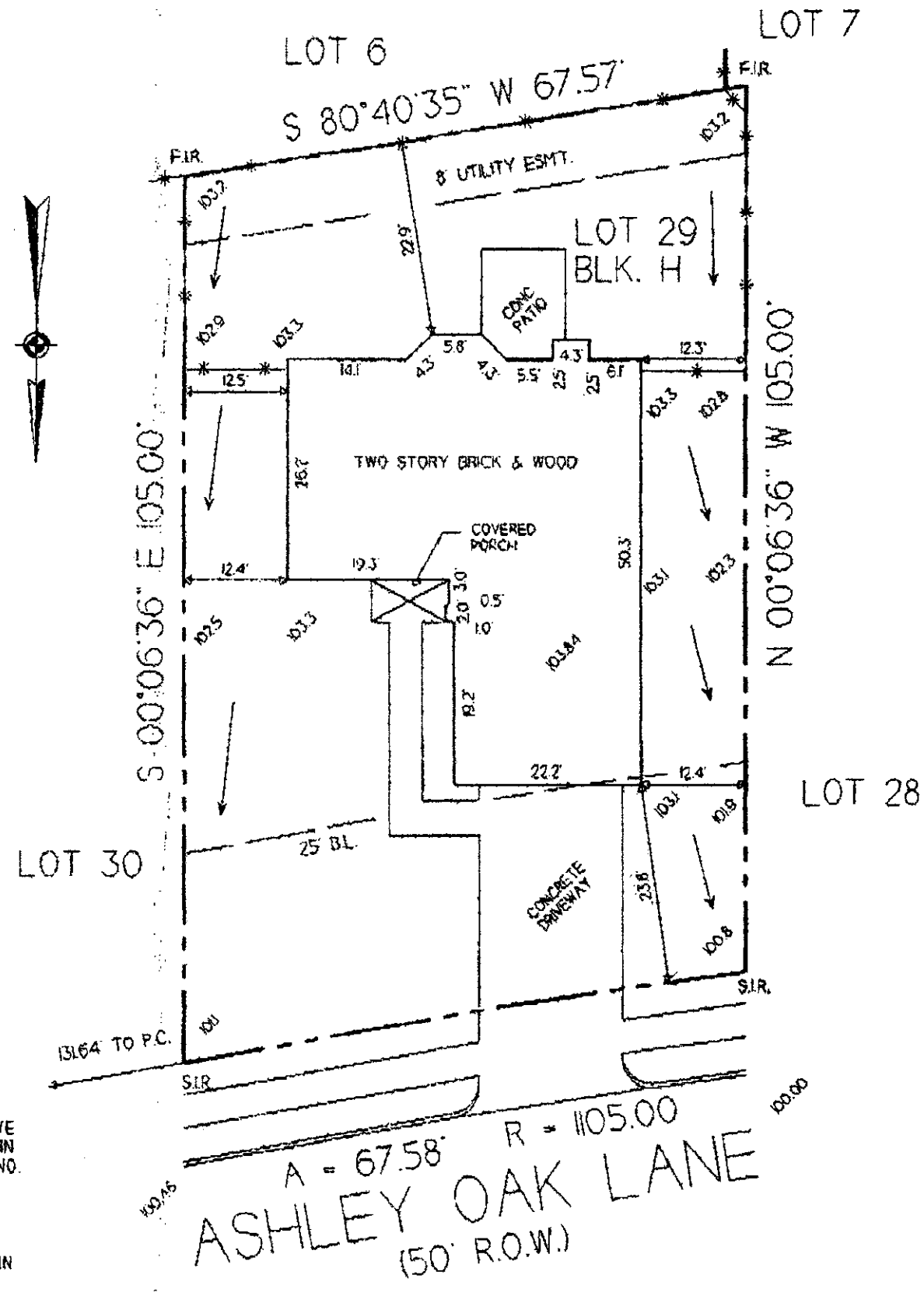
PHONE: 817-321-5161
214-392-9200

Dec. 21

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have this date, made a careful and accurate survey on the ground of the property located at: 322 ASHLEY OAK LANE, in the City of LAKE DALLAS, Texas. Lot No. 29 Block No. H City Block No. ____, of THOUSAND OAKS ADDITION, PHASE I an addition to the City of LAKE DALLAS, DENTON County, Texas, according to the FINAL PLAT THEREOF recorded in CABINET I PAGE 308, of the PLAT Records, DENTON County, Texas.



SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN COUNTY CLERK'S FILE NO. 93-R0093386 VOLUME 430, PAGE 661

EASEMENTS RECORDED IN
VOLUME 329, PAGE 148
VOLUME 442, PAGE 47
VOLUME 539, PAGE 47
VOLUME 2231, PAGE 431
VOLUME 418, PAGE 13
VOLUME 2231, PAGE 437

FLOOD CERTIFICATE

AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF LAKE DALLAS, TEXAS. BY GRAPHIC PLOTTING, THE ABOVE PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD ZONE AREA. MAP DATE: 8-5-86 Zone: C Panel No. 480780 0001 A

The plat hereon is a true, correct, and accurate representation of the property as determined by survey. The lines and dimensions of said property being indicated by the plat, the size, location, and type of buildings and improvements are shown. All improvements being within the boundary of the property, set back from property lines are the distance indicated, the distance from the nearest intersection, street, or road is indicated on said plat. There are no apparent visible easements, encroachments, conflicts, or protrusions except as shown.

Date: 10-18-95
Job No.: GH.8978
G.F. No.: 70139-X-25
Scale: 1" = 20'
Drawn By: BKC

THIS IS NOT AN OFFICIAL DOCUMENT WITHOUT AN ORIGINAL SIGNATURE.

LEGEND:
F.I.R. = FOUND IRON ROD
S.I.R. = SET IRON ROD

NOT FOR CONSTRUCTION

Benchmark Group
of Texas, Inc.
2929 N. Central Expressway, Suite 100, Richardson, Texas 75080
(214) 680-3037 FAX 680-3052
ENGINEERS SURVEYORS

STATE OF TEXAS
REGISTERED
DAVID T. HENDERSON
4469
PROFESSIONAL LAND SURVEYOR

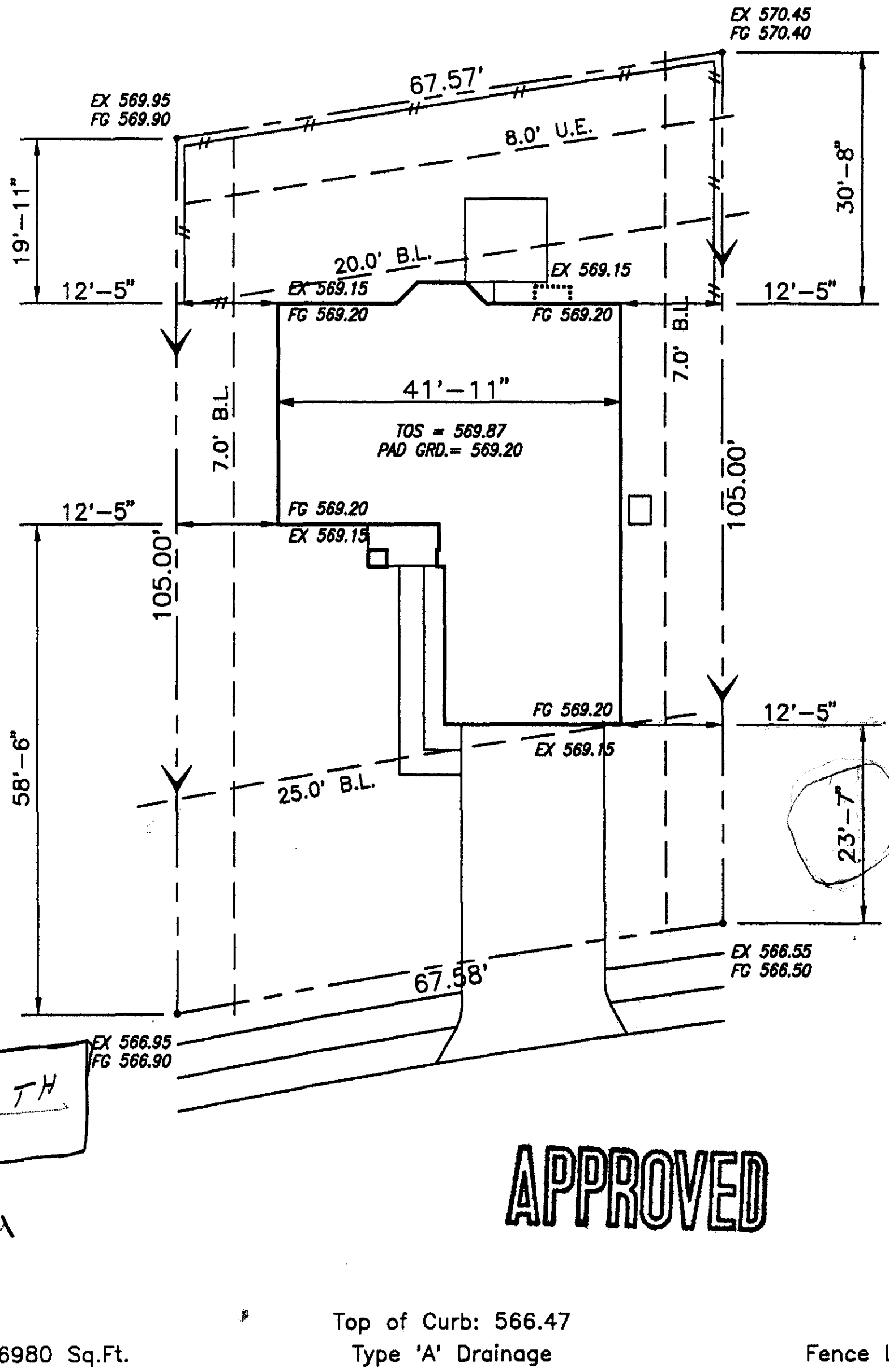
BEARINGS BASED ON RECORDED SUBDIVISION PLAT SHOWN ABOVE UNLESS OTHERWISE NOTED

SEWER 5' @ CONN.

DESCRIPTION	SQ.YDS.
Front Sod:	272.79
Back Sod:	173.31
Left Sod:	36.60
Right Sod:	68.89
TOTAL SOD:	551.58

DESCRIPTION	SQ.FT.	CU.YDS.
Drive:	688.44	8.50
Front Flatwork:	286.51	3.54
Back Flatwork:	105.67	1.30
Left Flatwork:	0.00	0.00
Right Flatwork:	8.89	0.11
TOTAL FLATWORK:	1089.50	13.45

SCALE: 1 = 20'



Dec. 11 TH

Dec 21

APPROVED

Top of Curb: 566.47

Lot Area: 6980 Sq.Ft.

Type 'A' Drainage

Fence Length: 137'

"I do hereby certify that this drawing or plan and related specifications meet all local code requirements and are in substantial conformity with VA minimum Property Requirements."

Wayne Lefford

VA 1087 HRO

DATE 06/02/95

MKTD. AS THOUSAND OAKS

General Homes ®

SUBDIV THOUSAND OAKS ADDITION PHASE I

LOT 29

BLK H

ADDRESS 322 ASHLEY OAK LANE

PLAN 079.1EBD B RIGHT

Envirographic Inc.
7322 Southwest Freeway
Houston, Texas 77074
(713) 270-4177

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

November 30, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Thursday, December 21, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Thousand Oaks Addition Phase One, Block H, Lot 29.
The petitioner is requesting a variance from Chapter 18.12.100, relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by one (1) foot three (3) inches, at 322 Ashley Oak Lane.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE Oak Lake Subdivision (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM Flamingo Homes Sect. 18.12.120

ON THE BASIS OF Plans Submitted for Permit & Approved - @ Time of Foundation Inspection It was noted that we did not Have The Required 30' Rear Bldg. Line

THE SAID PROPERTY IS LOCATED AT 219 Addison

AND IS FURTHER DESCRIBED AS: Lot 11 Block E OAK LAKES

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

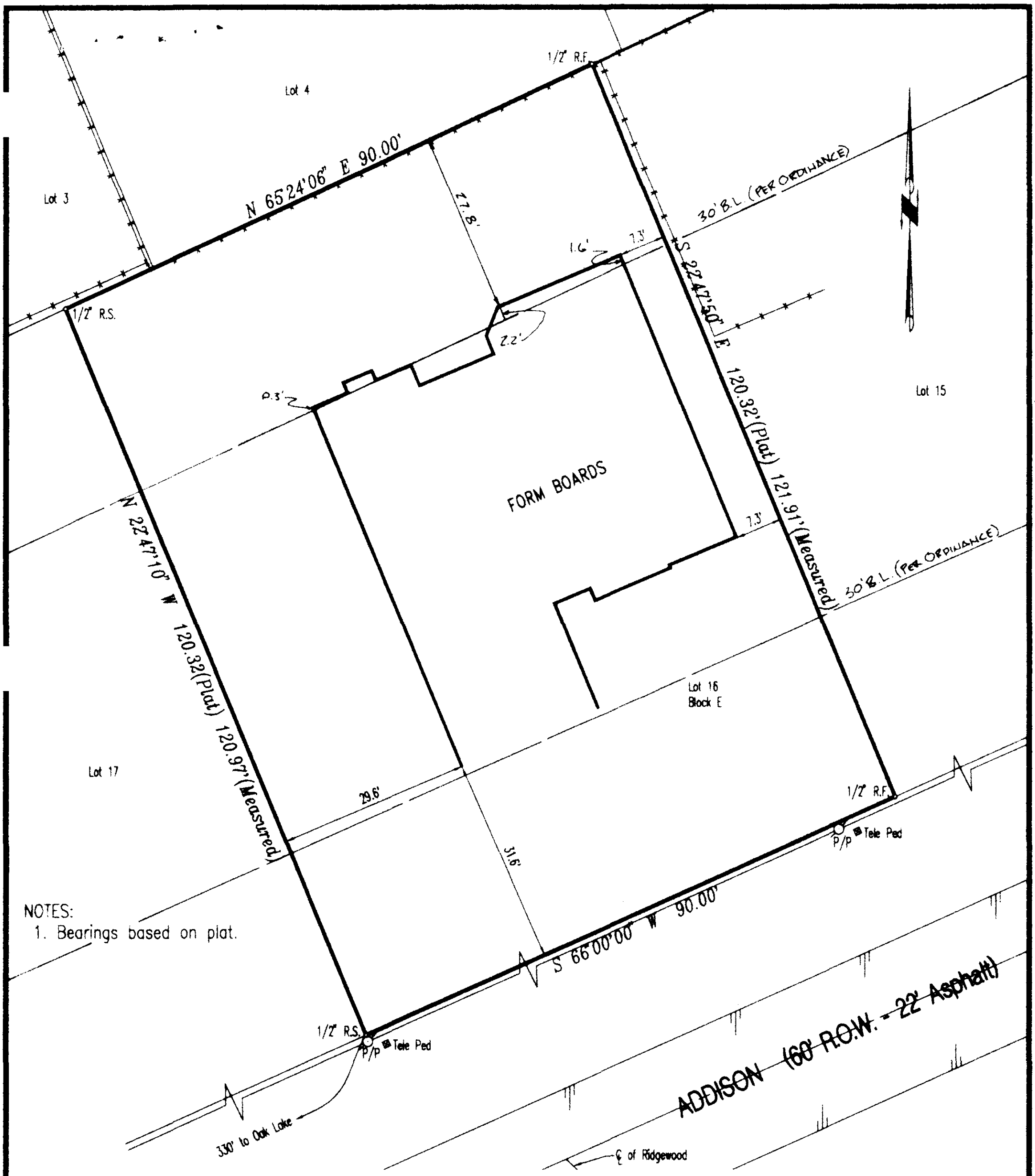
SUBMITTED THIS 28 DAY OF November, 1995.

NAME: Flamingo Homes /

SIGNITURE: Neil K Hale

ADDRESS: 1301 W. Hwy 407 STE 201-280
Lewisville Texas 75067

PHONE: 214-908-6307



NOTES:

1. Bearings based on plat.

FORM BOARD SURVEY

Being Lot 16, Block E of Oak Lakes, an addition to the City of Lake Dallas, Denton County, Texas, according to the plat thereof recorded in the Plat Records of Denton County, Texas.
(Commonly known as 219 Addison)

Kent M. Mobley

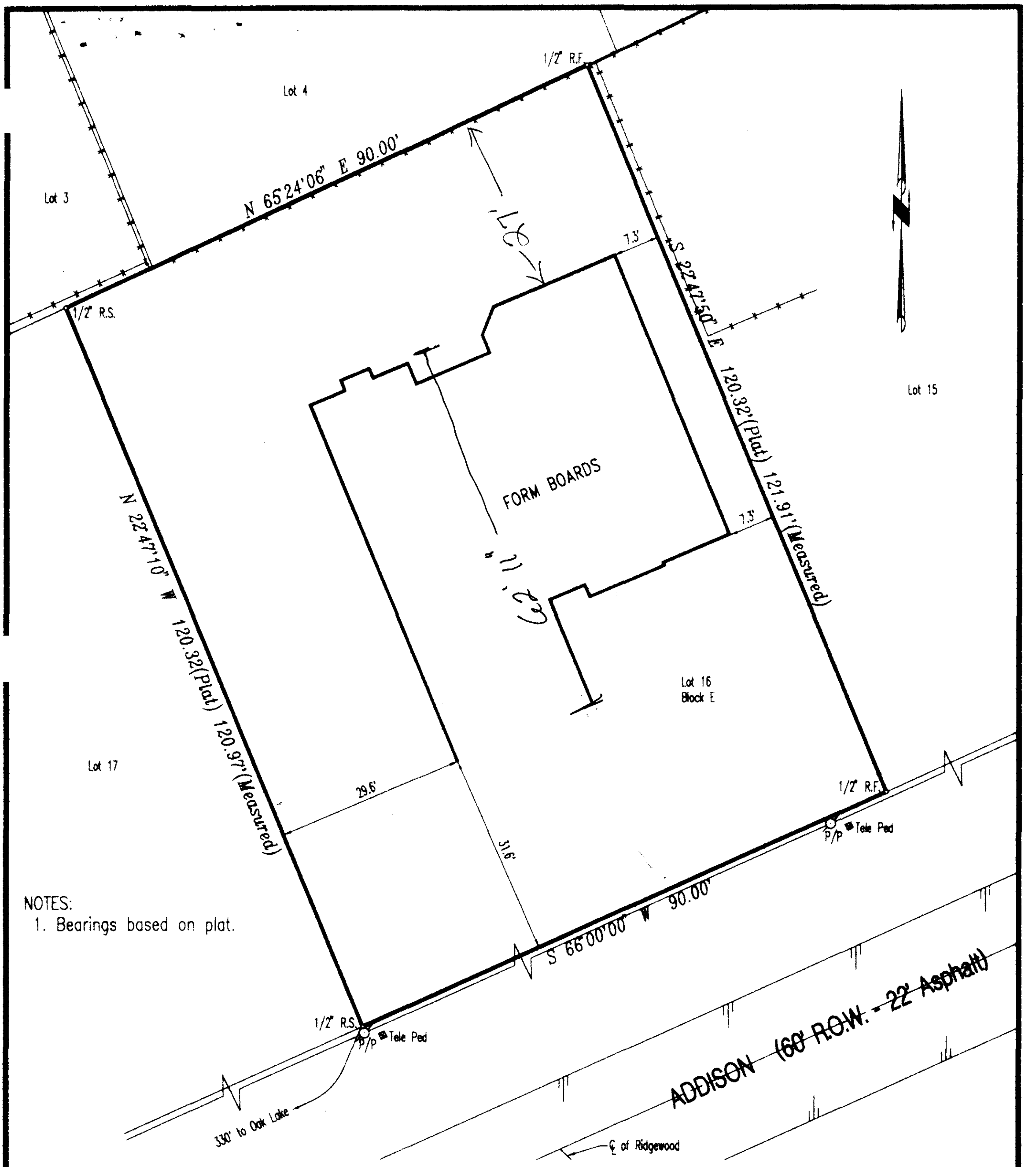
KENT M. MOBLEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4796

STATE OF TEXAS
REGISTERED
KENT M. MOBLEY
4796
PROFESSIONAL
LAND SURVEYOR

G & A Consultants, Inc.

SITE PLANNING • PLATTING
CIVIL ENGINEERING
LAND SURVEYING
P.O. Box 1398 • Lewisville, Texas 75067
Phone (214) 436-9712 • Fax (214) 436-9714

DRAWN BY: THAD | DATE: 11/15/95 | SCALE: 1"=20' | JOB. NO. 95323



NOTES:

1. Bearings based on plat.

FORM BOARD SURVEY

Being Lot 16, Block E of Oak Lakes, an addition to the City of Lake Dallas, Denton County, Texas, according to the plat thereof recorded in the Plat Records of Denton County, Texas.
(Commonly known as 219 Addison)

Kent M. Mobley

KENT M. MOBLEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4796

STATE OF TEXAS
REGISTERED
KENT M. MOBLEY
4796
PROFESSIONAL
LAND SURVEYOR

G & A Consultants, Inc.

SITE PLANNING • PLATTING
CIVIL ENGINEERING
LAND SURVEYING
P.O. Box 1398 • Lewisville, Texas 75067
Phone (214) 436-9712 • Fax (214) 436-9714

DRAWN BY: THAD | DATE: 11/15/95 | SCALE: 1"=20' | JOB. NO. 95323

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

November 30, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Thursday, December 21, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Oak Lakes Subdivision, Block E, Lot 16.
The petitioner is requesting a variance from Chapter 18.12.120, relative to building setbacks. The petitioner has constructed a residence, that at the time of the foundation inspection it was noted that the home extends over the required thirty foot rear building line by three (3) feet, at 219 Addison.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE City of Lake Dallas (R-1-6000) (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM _____

ON THE BASIS OF Non-conforming Use 18.46.040 C and 18.32.030

THE SAID PROPERTY IS LOCATED AT 121 N. Lakeview Dr.

AND IS FURTHER DESCRIBED AS: Gonza Beach Est. - Blk. A. Lots 13 & 14

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 29 DAY OF November, 1995.

NAME: _____

SIGNITURE: Bob Willis

ADDRESS: _____

_____

_____

PHONE: _____

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

November 30, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Thursday, December 21, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Garza Beach Estates, Block A, Lots 13 & 14.
The petitioner is requesting the termination of a nonconforming use based on Chapter 18.46.040 of the Municipal Code, relative to jurisdiction, and Chapter 18.32.030 of the Municipal Code relative to uses made nonconforming by zoning changes, of the property located at 121 North Lake View Drive.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

NOVEMBER 20, 1995

MEMBERS PRESENT:
CLYDE EDWARDS, VICE-CHAIRMAN
ROBERT (RUSTY) MEADOWS
FRANCES POTEET
CELESTA DOUGLAS
FRANK BARNARD
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
RODNEY COURTNEY, CHAIRMAN
DARLA SAMS

I. ROLL CALL.

Vice-Chairman Clyde Edwards called the meeting to order at 7:05 P.M. and noted that all members were present, except Chairman Rodney Courtney and Darla Sams.

II. APPROVAL OF MINUTES-ACTION.

Rusty Meadows moved to approve the minutes of the meeting held on October 16, 1995. Frank Barnard seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF LAKE CITIES MUNICIPAL UTILITY AUTHORITY REQUESTING A VARIANCE FROM CHAPTER 18.20.100 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT C-1 AT 504 MEADOWBROOK.

Bob Willis, Code Enforcement Officer reported that Lake Cities Municipal Utility Authority is planning to build an additional equipment storage building and would like to match the exterior surface of a baked enamel finish, that is on the existing building.

Jeff Knight, representing Lake Cities Municipal Utility Authority stated that they would like to build onto the existing building and would like to match the exterior of the existing building.

Clyde Edwards stated that variances are granted based on the existence of a hardship. Is it going to create a hardship on L.C.M.U.A. if the exterior did not meet the masonry requirement of the code?

Jeff Knight replied that he did not think it would create a hardship.

Matt Flanagan, 722 Thousand Oaks, Mayor Pro Tem for Lake Dallas stated that the City Council has spent a lot of time and years trying and bring up the code with in the city. L.C.M.U.A. has been a good neighbor for many years, however the council has put forth an effort to try and upgrade the city in all respects. Mayor Pro Tem Matt Flanagan stated that he had received numerous calls from residents of the Oak Lakes Subdivision. He agrees with Mr. Knight about being constant with the area. The majority of the property in this subdivision is residential, so the consistency would fall more toward the residential district than the commercial. Mayor Pro Tem Matt Flanagan requested that the zoning stay in tact and the masonry requirement be maintained.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to deny the variance request of Lake Cities Municipal Utility Authority from Chapter 18.20.100 of the Municipal Code on the property located at 504 Meadowbrook due to the lack of an existing hardship. Celesta Douglas seconded the motion and it carried unanimously.

V. ADJOURNMENT-ACTION.

Frank Barnard moved to adjourn the meeting. Rusty Meadows seconded the motion and it carried unanimously. The meeting adjourned at 7:25 P.M.

ATTEST: _____
CLYDE EDWARDS, VICE-CHAIRMAN

_____
BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON NOVEMBER 20, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 14TH DAY OF NOVEMBER, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF LAKE CITIES MUNICIPAL UTILITY AUTHORITY REQUESTING A VARIANCE FROM CHAPTER 18.20.100 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT C-1 AT 504 MEADOWBROOK.

IV. ACTION FROM PUBLIC HEARING.

V. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE C-1 (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM Chapter 18.20.100 ~~Already by~~ Ordinance #94-13 ON THE BASIS OF 80% Masonary Requirement

THE SAID PROPERTY IS LOCATED AT 504 Meadowbrook AND IS FURTHER DESCRIBED AS: Blk. K Lot 28 Oaklakes Sub division

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 2 DAY OF Oct., 1995.

NAME: Lake Cities M.U.A.
SIGNITURE: Johnny D. Harris
ADDRESS: P.O. Box 355
501 N. Shady Shores Rd
Lake Dallas, TX 75065
PHONE: 817-497-9997

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on November 20, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Lake Cities Municipal Utility Authority requesting a variance from Chapter 18.20.100 of the Municipal Code relative to exterior surfaces of structures in district C-1 shall consist of approved masonry materials covering no less than eighty percent of total exterior surfaces exclusive of windows, doors, and gables. The petitioner is requesting to construct a metal parking shed for vehicles and equipment at 504 Meadowbrook. This property is located on Block K, Lot 28, of the Oak Lakes Subdivision.

Barbara Starkey, City Secretary

Posted 11-2-95

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date: November 2, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Monday, November 20, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Oak Lakes Subdivision, Block K, Lot 28
variance request relative to exterior surfaces shall be no less than eighty percent approved masonry materials.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

L.C.M.U.A.
VARIANCE REQUEST
AUGUST 17, 1995

FOSTER, ELEANOR
131 LAKESHORE DR.
WAXAHACHIE, TX 75165-6801

JOE TISDALE
P.O. BOX 922
LAKE DALLAS, TX 75065

SCOTT SHERROD
5125 BARTLETT DR.
THE COLONY, TX 75056-2323

TEXAS STATE HOME CORP.
P.O. BOX 1058
LITTLE ELM, TX 75068-1058

TODD R. GULLEKSON
506 ADDISON ST.
LAKE DALLAS, TX 75065

ROBERT L. HILLIARD
3405 HEATHER LANE
DENTON, TX 76201-1253

FLOYD WEST
P.O. BOX 1233
LAKE DALLAS, TX 75065

EDDIE Y. CHUNG
2519 DAYBREAK DR.
DALLAS, TX 75287-5810

JOEL TAYLOR
P.O. BOX 910
LAKE DALLAS, TX 75065

CHARLIE P. HINES
2207 ST. CLAIR
BELLINGHAM, WA 98226

OVERLAND EXPRESS
VARIANCE REQUEST
AUGUST 17, 1995

JACKSON RANCH
KIMBERLY JACKSON
5100 VERDE VALLEY LANE #114
DALLAS, TX 75240

PAYLESS CASHWAYS INC. #910
P.O. BOX 419466
TWO PERSHING ROAD
KANSAS CITY, MO 641414-6466

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

OCTOBER 16, 1995

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
ROBERT (RUSTY) MEADOWS
CELESTA DOUGLAS
FRANK BARNARD
KELLY D'AMATO, SECRETARY

MEMBERS ABSENT:
DARLA SAMS
FRANCES POTEET

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:00 P.M. and noted that all members were present except Darla Sams and Frances Poteet.

II. APPROVAL OF MINUTES-ACTION.

Rusty Meadows moved to approve the minutes of the meeting held on September 5, 1995. Celesta Douglas seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS ON THE PROPERTY LOCATED ON BLOCK H, LOT 17, OF THE THOUSAND OAKS ADDITION PHASE ONE.

Larry Rice representing General Homes requested a variance from Chapter 18.12.100 on the basis the house protrudes over the building line at front of property by eight (8) inches. He said it was not brought to their attention until the final survey. The superintendent who started the house somehow overlooked it when they started the house. The superintendent is no longer with General Homes.

Rusty Meadows wanted to know if it was eight inches, eight tenths of an inch or 8 tenths of a foot.

Bob Willis responded that it was eight inches.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Celesta Douglas moved to approve the variance requested by General Homes. Rusty Meadows seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF CATHERINE S. WILLIAMS REQUESTING A VARIANCE FROM CHAPTER 18.14.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS ON THE PROPERTY LOCATED ON BLOCK K, LOT 3, OF THE KINGS MANOR ADDITION.

Bob Willis reported that Catherine S. Williams requested a variance from Chapter 18.14.070 on the basis that she would like to build an addition to the existing residence. It will extend 15 feet into the required 30 foot rear set back. They will be joined together at the back with a walkway and the new addition will be two stories.

Clyde Edwards asked if the foundations would be tied together.

Bob Willis responded that the two foundations would be tied together and the foundations and buildings will be flush.

Rodney Courtney asked if it was a fifteen or thirty foot alley. He said if it was a thirty foot alley, then Ms. Williams did not require a variance according to 18.34.040 of the Municipal Code.

Bob Willis replied that it was a fifteen foot alley.

Rodney Courtney responded that she is just requesting seven and half feet.

Rodney Courtney noted that the variance request application was submitted by Catherine S. Williams and she is not in attendance.

Carolyn Komada, 5309 Countess Court a realtor in the area for over 18 years said that when you start messing with the criteria of the house, it causes major depreciation of the home and the homes in the area. She asked if they could move their fence back further into the alley.

Rodney Courtney replied no, they could have their fence on the property line but they could not move it back into the alley easement.

Rodney Courtney reported that it was the policy of the board that if the applicant does not show up on their behalf, that they deny the variance.

Carolyn Komada wanted to know if she could see the plans.

Richard (?) 5308 Countess Court understands that they would like to save money, but he would like to know about the materials and the structure. He would also like to see the plans.

Rusty Meadows replied that you can't put up anything you want just because you get a variance. It should end up looking like the other structure, and they still have to follow all the building requirements.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to deny the variance requested by Catherine S. Williams because of non attendance. Frank Barnard seconded the motion and it carried unanimously.

VII. ADJOURNMENT-ACTION.

Clyde Edwards moved to adjourn the meeting. Frank Barnard seconded the motion and it carried unanimously. The meeting adjourned at 7:25 P.M.

RODNEY COURTNEY, CHAIRMAN

Kelly D'Amato

KELLY D'AMATO, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON OCTOBER 16, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 9TH DAY OF OCTOBER, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS ON THE PROPERTY LOCATED ON BLOCK H, LOT 17, OF THE THOUSAND OAKS ADDITION PHASE ONE.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF CATHERINE S. WILLIAMS REQUESTING A VARIANCE FROM CHAPTER 18.14.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS ON THE PROPERTY LOCATED ON BLOCK K, LOT 3, OF THE KINGS MANOR ADDITION.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS 817-497-2227

Denied

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R-1-6000 (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM 18.14.070

ON THE BASIS OF addition to existing residence. Will extend 15 feet into the required 30 foot rear set back.

THE SAID PROPERTY IS LOCATED AT 5312 Duchess Court

AND IS FURTHER DESCRIBED AS: Block K, Lot 3 of Kings Manor addition

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 18 DAY OF SEPT ,1995.

NAME: CATHERINE S. WILLIAMS

SIGNITURE: Catherine S Williams

ADDRESS: 5312 DUCHESS COURT
LAKE DALLAS, TX 75065

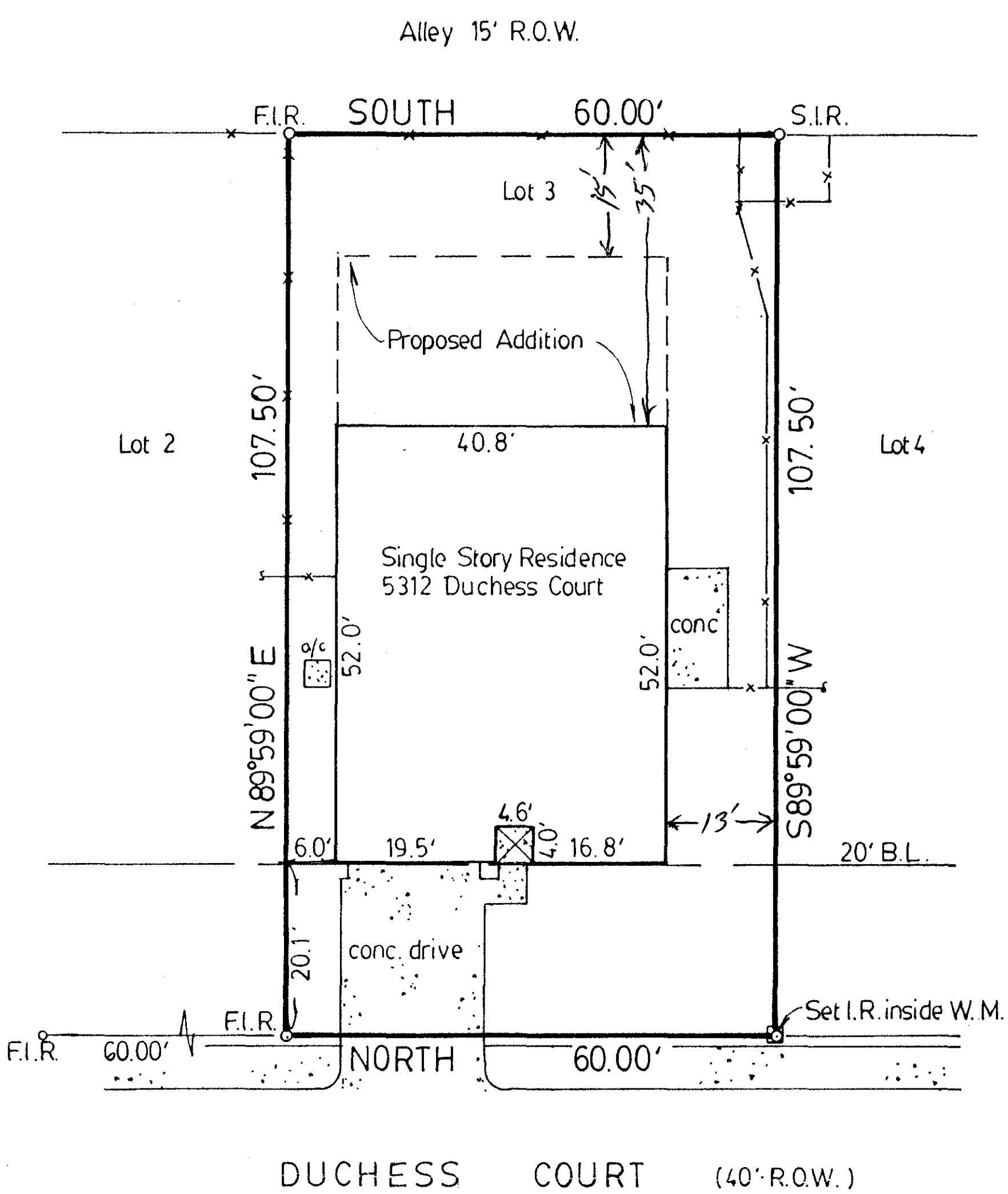
PHONE: 817-321-6007

SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT NO. 5312 Duchess Court ; IN THE CITY OF Lake Dallas , TEXAS, DESCRIBED AS FOLLOWS:

LOT NO. 3 , BLOCK NO. K OF Kings Manor Addition .

AN ADDITION TO THE City of Lake Dallas , DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN Volume 7 AT PAGE 49 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS.



N

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO Catherine S. Williams THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY THAT I HAVE BEEN ADVISED OF, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN is not WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP. COMMUNITY-PANEL NO. 480780 0001 A. PRESENT EFFECTIVE DATE OF MAP Aug. 05, 1986 , HEREIN PROPERTY SITUATED WITHIN ZONE C .

DATE: Sept. 15, 1995 SCALE: 1" = 20' A.S.C. NO.: 950948

ARTHUR SURVEYING COMPANY, INC.
Registered Professional Land Surveyor No. 4357
P.O. BOX 54 - LEWISVILLE, TEXAS - 75067
Office: 214-221-9439 Fax: 214-221-4675

Douglas L Arthur

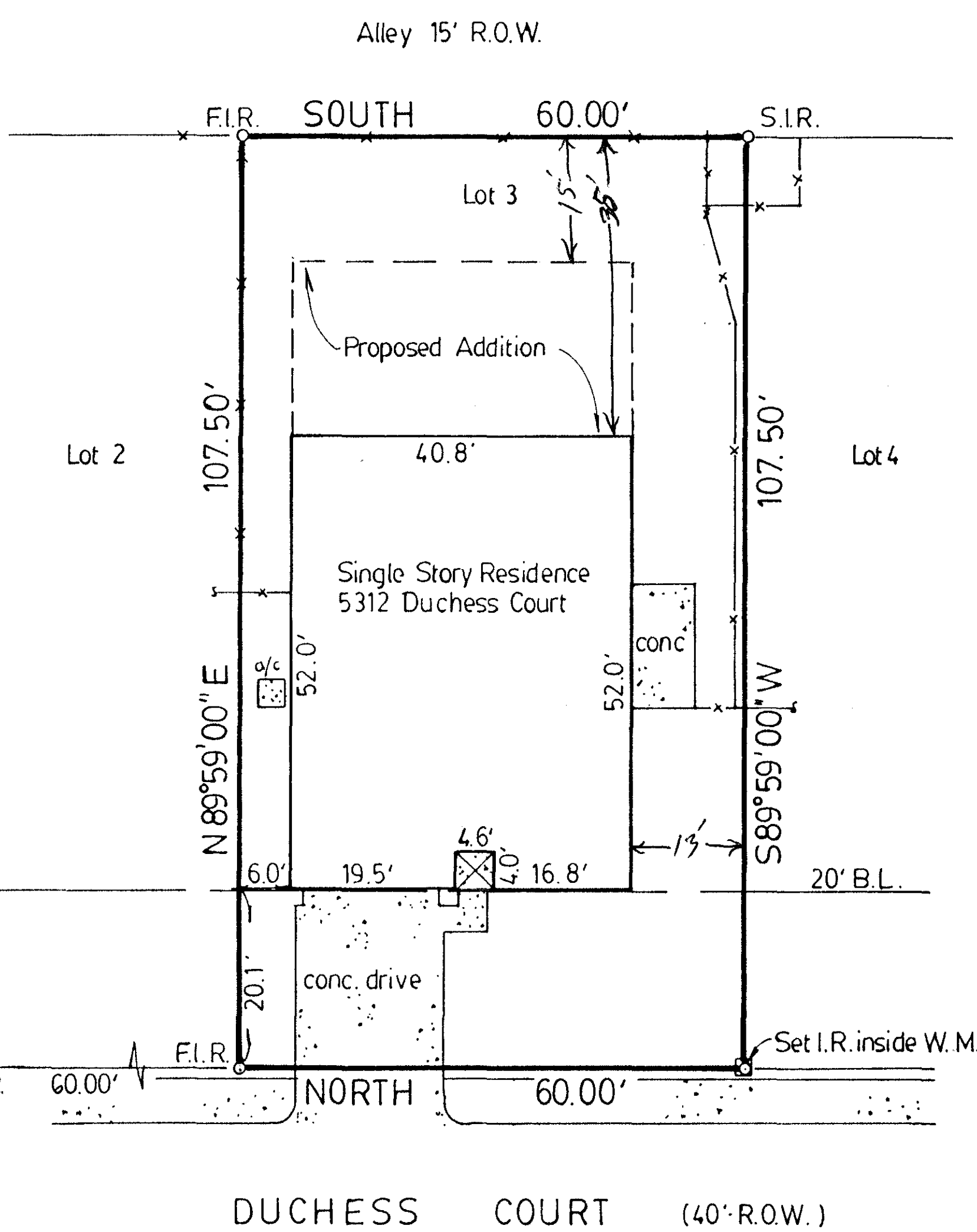
STATE OF TEXAS
REGISTERED
DOUGLAS L. ARTHUR
4357
PROFESSIONAL
LAND SURVEYOR

SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT NO. 5312 Duchess Court ; IN THE CITY OF Lake Dallas , TEXAS, DESCRIBED AS FOLLOWS:

LOT NO. 3 , BLOCK NO. K OF Kings Manor Addition .

AN ADDITION TO THE City of Lake Dallas , DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN Volume 7 AT PAGE 49 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS.



TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO Catherine S. Williams

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY THAT I HAVE BEEN ADVISED OF, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN is not WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP. COMMUNITY-PANEL NO. 480780 0001 A. PRESENT EFFECTIVE DATE OF MAP Aug. 05, 1986 , HEREIN PROPERTY SITUATED WITHIN ZONE C .

DATE: Sept. 15, 1995 SCALE: 1" = 20' A.S.C. NO.: 950948

ARTHUR SURVEYING COMPANY, INC.
Registered Professional Land Surveyor No. 4357
P.O. BOX 54 - LEWISVILLE, TEXAS - 75067
Office: 214-221-9439 Fax: 214-221-4675

Douglas L. Arthur

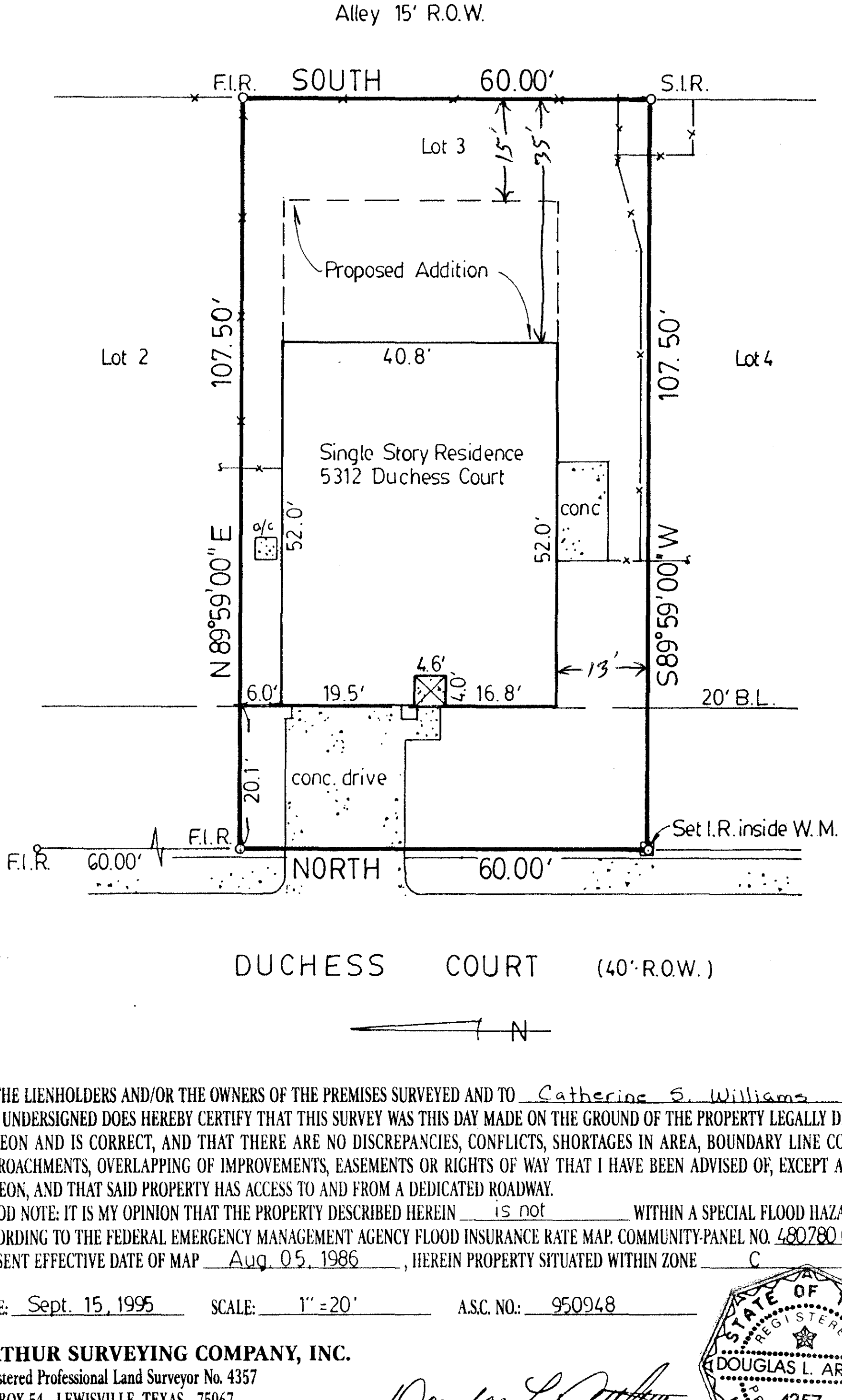
STATE OF TEXAS REGISTERED DOUGLAS L. ARTHUR 4357 PROFESSIONAL LAND SURVEYOR

SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT NO. 5312 Duchess Court ; IN THE CITY OF Lake Dallas , TEXAS, DESCRIBED AS FOLLOWS:

LOT NO. 3 , BLOCK NO. K OF Kings Manor Addition .

AN ADDITION TO THE City of Lake Dallas , DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN Volume 7 AT PAGE 49 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS.



TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO Catherine S. Williams THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY THAT I HAVE BEEN ADVISED OF, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN is not WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP. COMMUNITY-PANEL NO. 480780 0001 A. PRESENT EFFECTIVE DATE OF MAP Aug. 05, 1986 , HEREIN PROPERTY SITUATED WITHIN ZONE C .

DATE: Sept. 15, 1995 SCALE: 1" = 20' A.S.C. NO.: 950948

ARTHUR SURVEYING COMPANY, INC.
Registered Professional Land Surveyor No. 4357
P.O. BOX 54 - LEWISVILLE, TEXAS - 75067
Office: 214-221-9439 Fax: 214-221-4675

Douglas L Arthur

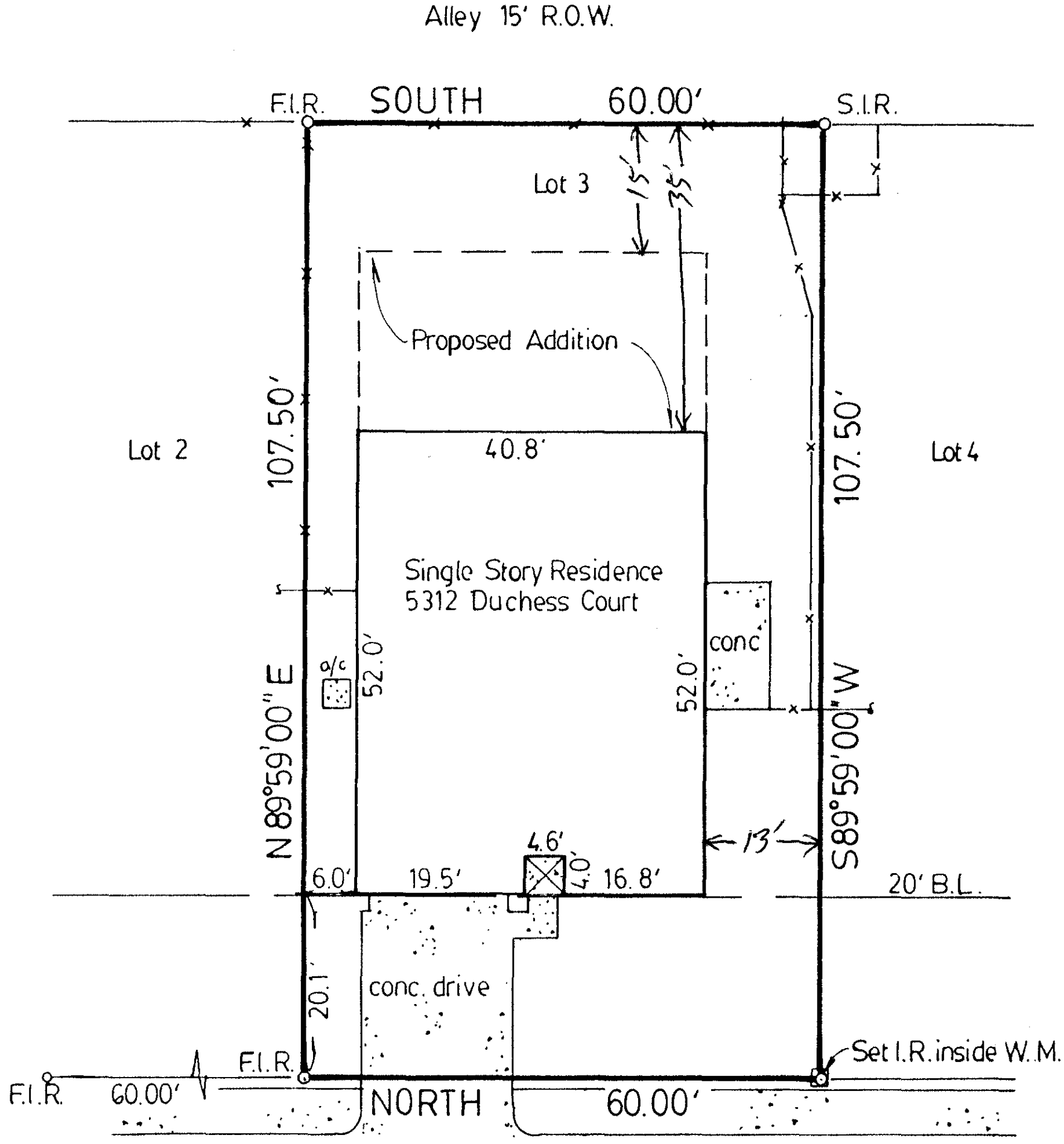
STATE OF TEXAS
REGISTERED
DOUGLAS L. ARTHUR
4357
PROFESSIONAL
LAND SURVEYOR

SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT NO. 5312 Duchess Court ; IN THE CITY OF Lake Dallas , TEXAS, DESCRIBED AS FOLLOWS:

LOT NO. 3 , BLOCK NO. K OF Kings Manor Addition .

AN ADDITION TO THE City of Lake Dallas , DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN Volume 7 AT PAGE 49 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS.



DUCHESS COURT (40' R.O.W.)

N

TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO Catherine S. Williams
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY THAT I HAVE BEEN ADVISED OF, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN is not WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP. COMMUNITY-PANEL NO. 480780 0001 A. PRESENT EFFECTIVE DATE OF MAP Aug. 05, 1986 , HEREIN PROPERTY SITUATED WITHIN ZONE C .

DATE: Sept. 15, 1995 SCALE: 1" = 20' A.S.C. NO.: 950948

ARTHUR SURVEYING COMPANY, INC.
Registered Professional Land Surveyor No. 4357
P.O. BOX 54 - LEWISVILLE, TEXAS - 75067
Office: 214-221-9439 Fax: 214-221-4675

Douglas L. Arthur

STATE OF TEXAS
REGISTERED
DOUGLAS L. ARTHUR
4357
PROFESSIONAL
LAND SURVEYOR

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on October 16, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Catherine S. Williams requesting a variance from Chapter 18.14.070 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct an addition to the residence with a fifteen foot rear building line instead of the required thirty foot building line, at 5312 Duchess Court. This property is located on Block K, Lot 3, of the Kings Manor Addition. Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on October 16, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner has construct a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by eight (8) inches, at 343 Stately Oak Lane. This property is located on Block H, Lot 17, of the Thousand Oaks Addition Phase One.

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE General Homes (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM

ON THE BASIS OF The house protrudes over the bldg. line at front of property by .8 inches (see attached survey plat)

THE SAID PROPERTY IS LOCATED AT 343 Stately Oak, Lake Dallas

AND IS FURTHER DESCRIBED AS: Lot 17 Blk H Thousand Oaks Addition Phase I

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 8 DAY OF September, 1995.

NAME: Michael R. Mintz

SIGNITURE: Michael R. Mintz

ADDRESS: General Homes Corp.
14800 Quorum Dr. Ste. 370
Dallas, Tx. 75240

PHONE: 817-324-5161

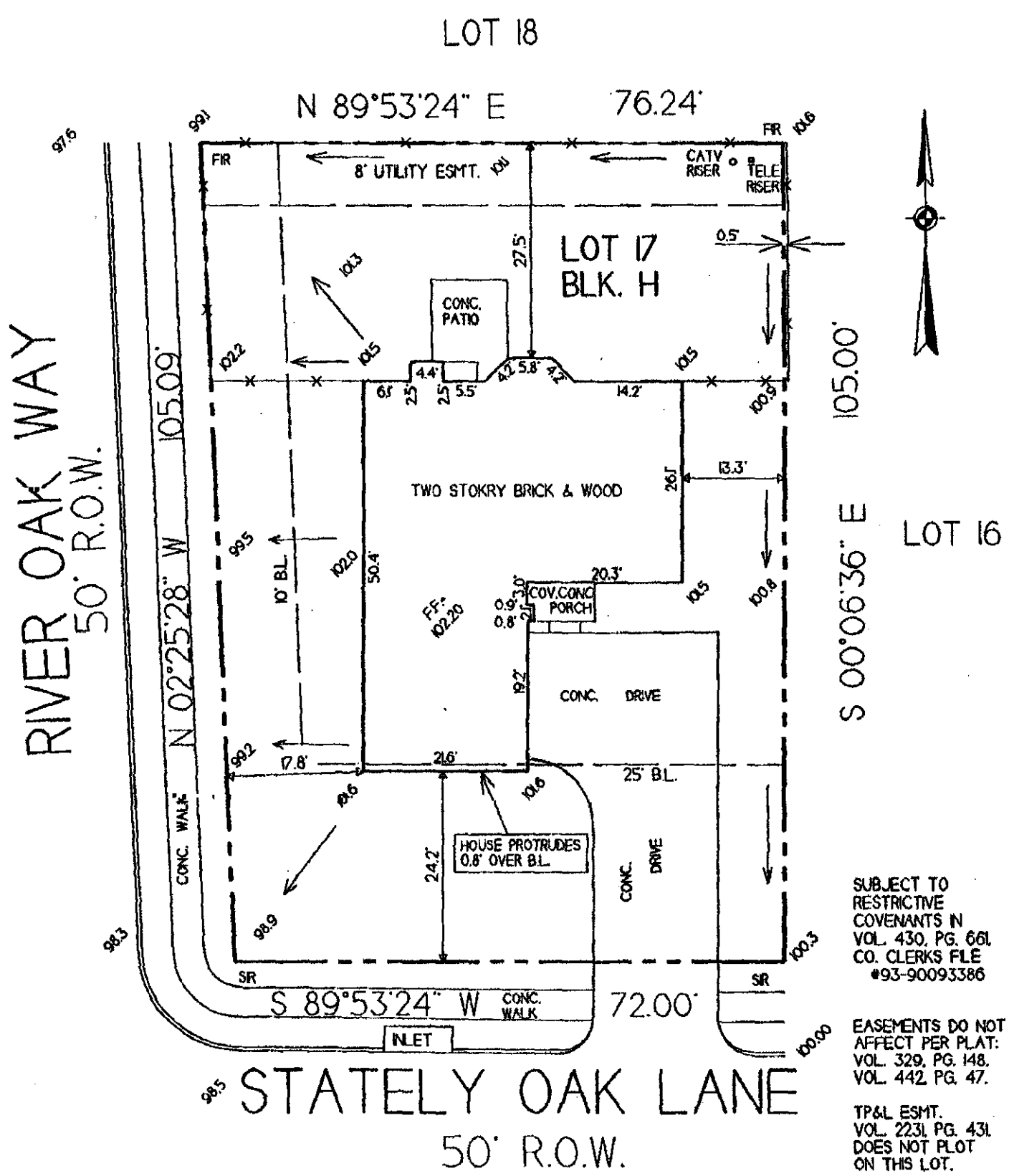
We would like a variance on the house protruding over Bldg. line.

David M. Henderson

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have this date, made a careful and accurate survey on the ground of the property located at: 343 STATELY OAK LANE, in the City of LAKE DALLAS, Texas. Lot No. 17 Block No. H City Block No. ____, of THOUSAND OAKS ADDITION, PHASE I an addition to the City of LAKE DALLAS, DENTON County, Texas, according to the FINAL PLAT THEREOF, recorded in CABINET I PAGE 308, of the PLAT Records, DENTON County, Texas.



SUBJECT TO RESTRICTIVE COVENANTS IN VOL. 430, PG. 661, CO. CLERKS FILE #93-90093386

EASEMENTS DO NOT AFFECT PER PLAT: VOL. 329, PG. 148, VOL. 442 PG. 47.

TP&L ESMT. VOL. 2231, PG. 431, DOES NOT PLOT ON THIS LOT.

FLOOD CERTIFICATE

AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF LAKE DALLAS, TEXAS. BY GRAPHIC PLOTTING, THE ABOVE PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD ZONE AREA. MAP DATE: 8-5-86, Zone: C Panel No. 480780 0001 A

The plat hereon is a true, correct, and accurate representation of the property as determined by survey. The lines and dimensions of said property being indicated by the plat, the size, location, and type of buildings and improvements are shown. All improvements being within the boundary of the property, set back from property lines are the distance indicated, the distance from the nearest intersection, street, or road is indicated on said plat. There are no apparent visible easements, encroachments, conflicts, or protrusions except as shown.

Date: 8-30-95
Job No.: GH.7914
G.F. No.: 60087-X-25
Scale: 1"= 20'
Drawn By: BET

THIS IS NOT AN OFFICIAL DOCUMENT WITHOUT AN ORIGINAL SIGNATURE.

LEGEND:
F.I.R. - FOUND IRON ROD
S.I.R. - SET IRON ROD

NOT FOR CONSTRUCTION

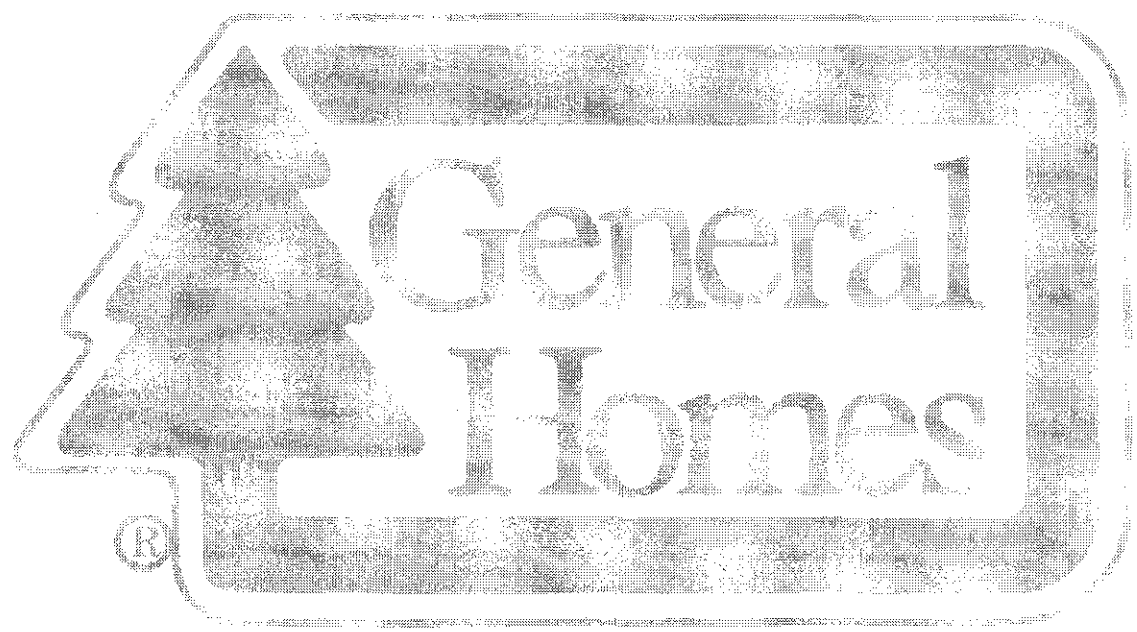
STATE OF TEXAS REGISTERED DAVID M. HENDERSON 4489 PROFESSIONAL LAND SURVEYOR

BEARINGS BASED ON RECORDED SUBDIVISION PLAT SHOWN ABOVE UNLESS OTHERWISE NOTED

Benchmark Group of Texas, Inc.
2929 N. Central Expressway, Suite 100, Richardson, Texas 75080
(214) 889-9297 FAX 889-3052
ENGINEERS SURVEYORS

Vendor: c144d City of Lake Dallas Date: 09/05/1995 Check: 00121433 Office

Invoice	Date	Description	Gross Amt	Adjusts	Net Amount
l ase Refer to the Enclosed Check Backup Report					



Check Subtotal ---------->>	250.00	0.00	250.00

CHECK BACKUP REPORT

Vendor: c144d City of Lake Dallas

Check Number: 00121433 Date: 09/05/1995 Check Location: Office

Apply To/Inv	Date	Description/Address	Gross Amt	Discount	W/C	Accr Tax	Net Amount
9-1-95	09/01/1995	0057-varin@343 StatelyOk	250.00	0.00	0.00	0.00	250.00
9-1-95							
Check Total ----------->>			250.00	0.00	0.00	0.00	250.00

hundred feet from any property line and one hundred fifty feet from existing residences on adjacent properties. On such lots there shall be one and one-half acres (sixty-five thousand three hundred forty square feet) of grazing area for the first animal and three-fourths of an acre (thirty-two thousand six hundred seventy square feet) of grazing area for each additional animal.

B. Swine shall not be allowed.

C. Twenty-five fowl or rabbits shall be permitted for each twenty thousand square feet of lot area. No such fowl or rabbits shall be housed nearer than fifty feet to a property line. (Ord. 93-11 § 1, 1993; Ord. 186 § 1 (part), 1985; Ord. 160 § 2(B) (part), 1983: Ord. 25 § 6(9)(d) (part), 1967)

18.12.060 Accessory buildings.

In the R-1-7200 district, an accessory building may be used by the occupant of the premises purely for personal enjoyment, amusement or recreation; provided such use shall not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes or electrical interferences. Yard requirements shall be as set forth in Section 18.12.040(A). (Ord. 93-01 § 1, 1993: Ord. 25 § 6(f) (part), 1967)

18.12.070 Nonresidential access.

A driveway or walk, as distinct from a dedicated street, to provide access to premises in a district C-1 to M-1 inclusive shall not be permitted in an R-1-7200 district. (Ord. 25 § 6(9)(h) (part), 1967)

18.12.080 Height and area regulations—Generally.

In an R-1-7200 district, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as set forth in Section 18.12.090 through 18.12.170 (for exceptions, see Chapter 18.34, Height and Area Exceptions). (Ord. 25 § 6 (part), 1967)

18.12.090 Height.

Buildings or structures in an R-1-7200 district shall not exceed thirty-five feet and shall not exceed two and one-half stories in height. (Ord. 25 § 6 (part), 1967)

18.12.100 Front yards.

Any building hereafter constructed in an R-1-7200 district shall provide for a front yard, the minimum depth of which shall be at least twenty-five feet. (Ord. 25 § 6 (part), 1967)

18.12.110 Side yards.

A. There shall be a side yard on each side of a building in an R-1-7200 district, not less than ten percent of the width of the lot; except that such side yard shall not be less than seven feet, and need not be more than fifteen feet.

B. Buildings on corner lots shall provide a side yard on the street side of not less than fifteen feet; provided, this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership at the time of the passage of the ordinance codified in this chapter to less than thirty-five feet. (Ord. 25 § 6 (part), 1967)

18.12.120 Rear yards.

The depth of the rear yard in an R-1-7200 district shall be at least thirty feet. (Ord. 25 § 6 (part), 1967)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on October 16, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of General Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by eight (8) inches, at 343 Stately Oak Lane. This property is located on Block H, Lot 17, of the Thousand Oaks Addition Phase One.

Barbara Starkey, City Secretary

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date: September 21, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Monday, October 16, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Thousand Oaks Addition Phase One, Block H, Lot 17.
The petitioner is requesting a variance from Chapter 18.12.100, relative to building setbacks. The petitioner has constructed a residence, that upon final survey discovered the home protrudes over the required twenty five foot front building line by eight (8) inches, at 343 Stately Oak Lane.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

SEPTEMBER 5, 1995

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
ROBERT (RUSTY) MEADOWS
FRANCES POTEET
FRANK BARNARD
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
DARLA SAMS

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:00 P.M. and noted that all members were present, except Darla Sams and Celesta Douglas.

II. APPROVAL OF MINUTES-ACTION.

Frances Poteet moved to approve the minutes of the meeting held on August 17, 1995. Frank Barnard seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 24A, OF THE PRALLE ADDITION.

Myra Pralle requested a variance from Chapter 18.12.140 of the Municipal Code on the basis of the width does not conform. The lot width is sixty feet instead of the required seventy feet.

Rod Courtney asked if the building will have the required set backs when built on the lot.

Myra Pralle responded that the homes will have the required set backs.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to approve the variance from Chapter 18.12.140 of the Municipal Code on the property located on Block A, Lot 24A, of the Pralle Addition. Frank Barnard seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 24B, OF THE PRALLE ADDITION.

Myra Pralle requested a variance from Chapter 18.12.140 of the Municipal Code on the basis of the width does not conform. The lot width is sixty feet instead of the required seventy feet.

Rod Courtney asked if the building will have the required set backs when built on the lot.

Myra Pralle responded that the homes will have the required set backs.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to approve the variance from Chapter 18.12.140 of the Municipal Code on the property located on Block A, Lot 24B, of the Pralle Addition. Frank Barnard seconded the motion and it carried unanimously.

VII. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 22A, OF THE PRALLE ADDITION.

Myra Pralle requested a variance from Chapter 18.12.140 of the Municipal Code on the basis of the width does not conform. The lot width is sixty feet instead of the required seventy feet.

Rod Courtney asked if the building will have the required set backs when built on the lot.

Myra Pralle responded that the homes will have the required set backs.

Close Public Hearing.

VIII. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to approve the variance from Chapter 18.12.140 of the Municipal Code on the property located on Block A, Lot 22A, of the Pralle Addition. Frank Barnard seconded the motion and it carried unanimously.

IX. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 22B, OF THE PRALLE ADDITION.

Myra Pralle requested a variance from Chapter 18.12.140 of

the Municipal Code on the basis of the width does not conform. The lot width is sixty feet instead of the required seventy feet.

Rod Courtney asked if the building will have the required set backs when built on the lot.

Myra Pralle responded that the homes will have the required set backs.

Close Public Hearing.

X. ACTION FROM PUBLIC HEARING.

Clyde Edwards moved to approve the variance from Chapter 18.12.140 of the Municipal Code on the property located on Block A, Lot 22B, of the Pralle Addition. Frank Barnard seconded the motion and it carried unanimously.

XI. REQUEST FROM MIKE CONWAY FOR AN ADJUSTMENT OF THE SIXTY-FIVE FEET MAXIMUM SIGN HEIGHT AT I-35 AND SWISHER ROAD-ACTION.

Bob Willis reported that he met with Mike Conway and a sign company at the site, the sign will need to be seventy-five feet high in order to clear the billboard. The billboard is at a height of fifty feet.

Rod Courtney said that Mr. Conway presented a good case as to the need for the seventy-five feet adjustment of the maximum sign height requested. The Board had originally thought that the billboard was only thirty-five feet high.

Frances Poteet moved to approve the increase in original sign height variance from sixty-five feet to seventy-five feet. Frank Barnard seconded the motion and it carried unanimously.

XII. ADJOURNMENT-ACTION.

Rusty Meadows moved to adjourn the meeting. Frank Barnard seconded the motion and it carried unanimously. The meeting adjourned at 7:25 P.M.

ATTEST: _____
RODNEY COURTNEY, CHAIRMAN

_____
BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON SEPTEMBER 5, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 29TH DAY OF AUGUST, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 24A, OF THE PRALLE ADDITION.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 24B, OF THE PRALLE ADDITION.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 22A, OF THE PRALLE ADDITION.

VIII. ACTION FROM PUBLIC HEARING.

IX. PUBLIC HEARING: PETITION OF MYRA PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.140 OF THE MUNICIPAL CODE RELATIVE TO LOT WIDTH ON THE PROPERTY LOCATED ON BLOCK A, LOT 22B, OF THE PRALLE ADDITION.

X. ACTION FROM PUBLIC HEARING.

XI. REQUEST FROM MIKE CONWAY FOR AN ADJUSTMENT OF THE SIXTY-FIVE FEET MAXIMUM SIGN HEIGHT AT I-35 AND SWISHER ROAD-ACTION.

XII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R1-7200 (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM LAKE DALLAS MUNICIPAL CODE CHAPTER 18.13.140 ON THE BASIS OF WIDTH DOES NOT CONFORM

THE SAID PROPERTY IS LOCATED AT 110 HILLCREST

AND IS FURTHER DESCRIBED AS: BLOCK A LOT 24A OF PRAIRIE ADDITION

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 11 DAY OF August ,1995.

NAME: MYRA PRAIRIE

SIGNITURE: Myra Prairie

ADDRESS: PO Box 366
LAKE DALLAS TX
75065

PHONE: 817-321-2821

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R1-7200 (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM LAKE DALLAS MUNICIPAL CODE CHAPTER 18.13.140 ON THE BASIS OF WIDTH DOES NOT CONFORM

THE SAID PROPERTY IS LOCATED AT 108 HILLCREST

AND IS FURTHER DESCRIBED AS: BLOCK A LOT 345 OF THE PRAIRE ADDITION

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 11 DAY OF August ,1995.

NAME: MYRA PRAIRE

SIGNITURE: Myra Prairie

ADDRESS: PO BOX 366
LAKE DALLAS TX
75065

PHONE: 817-321-2821

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R2 (ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM LAKE DALLAS MUNICIPAL CODE CHAPTER 18.13.140 ON THE BASIS OF WIDTH DOES NOT CONFORM

THE SAID PROPERTY IS LOCATED AT 111 Swisher AND IS FURTHER DESCRIBED AS: Block A Lot 33A Of PRAlle ADDITION

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 11 DAY OF August ,1995.

NAME: MYRA PRAlle

SIGNITURE: Myra Prall

ADDRESS: PO Box 366
LAKE DALLAS TX
75065

PHONE: 817-321-2821

CITY OF LAKE DALLAS 817-497-2227

PETITION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT

THE UNDERSIGNED, OWNER OF ALL THE PROPERTY HEREIN DESCRIBED, DOES HEREBY FILE THIS PETITION, ASKING THAT A VARIANCE BE GRANTED ON SAID PROPERTY LOCATED WITHIN THE R2-

(ZONE) DISTRICT. THE VARIANCE IS REQUESTED FROM LAKE DALLAS MUNICIPAL CODE CHAPTER 18.13.140

ON THE BASIS OF WIDTH DOES NOT CONFORM

THE SAID PROPERTY IS LOCATED AT 113 SWISHER

AND IS FURTHER DESCRIBED AS: BLOCK A LOT 22 & OF PRAIRIE ADDITION

ACCOMPANYING THIS APPLICATION IS ATTACHED AN ACCURATE SURVEY OF THE PROPERTY PLUS ANY COMMENTS, IN WRITING, THE APPLICANT WISHES TO MAKE. A SITE PLAN WILL ALSO BE ATTACHED, IF NOT A PART OF THE SURVEYOR'S NOTES. A FILING FEE OF $250.00 WILL ACCOMPANY THIS APPLICATION.

SUBMITTED THIS 11 DAY OF August, 1995.

NAME: MYRA PRAIRIE

SIGNITURE: Myra Prairie

ADDRESS: PO BOX 366
LAKE DALLAS TX
75065

PHONE: 817-321-2821

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date: August 17, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Tuesday, September 5, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the properties listed below:

Legal description of properties involved;

1) Pralle Addition, Block A, Lot 24A
variance request relative to lot width.

2) Pralle Addition, Block A, Lot 24B
variance request relative to lot width.

3) Pralle Addition, Block A, Lot 22A
variance request relative to lot width.

4) Pralle Addition, Block A, Lot 22B
variance request relative to lot width.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 24A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 24B of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 22A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 22B of the Pralle Addition.
Barbara Starkey, City Secretary

Posted 8.18.95

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 24B of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on block A, Lot 22A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on September 5, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Myra Pralle requesting a variance from Chapter 18.12.140 of the Municipal Code relative to lot width. This property is located on Block A, Lot 22B of the Pralle Addition.
Barbara Starkey, City Secretary

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the C-3 (zone) District. The variance is requested from the current sign ordinance on the basis of the need to install a large enough sign at this intersection that will be visible to the North and South bound motoring public on I-35. This intersection has a high 30 foot overpass over Swisher Road and a large 50 foot billboard located on it. Any on site signage that if built to the current sign code or built less than 75 feet in the air, will not be visible to the motoring public on I-35 due to these conditions. I have enclosed two drawings showing what a 65 foot sign and a 75 foot sign would look like on this property and a drawing showing the type of sign that I am proposing to build.

The said property is located at the Southeast corner of I-35 and Swisher Road and is further described as: See attached legal survey.

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached if not a part of the surveyor's notes. A filing fee of $250.00 will accompany this application.

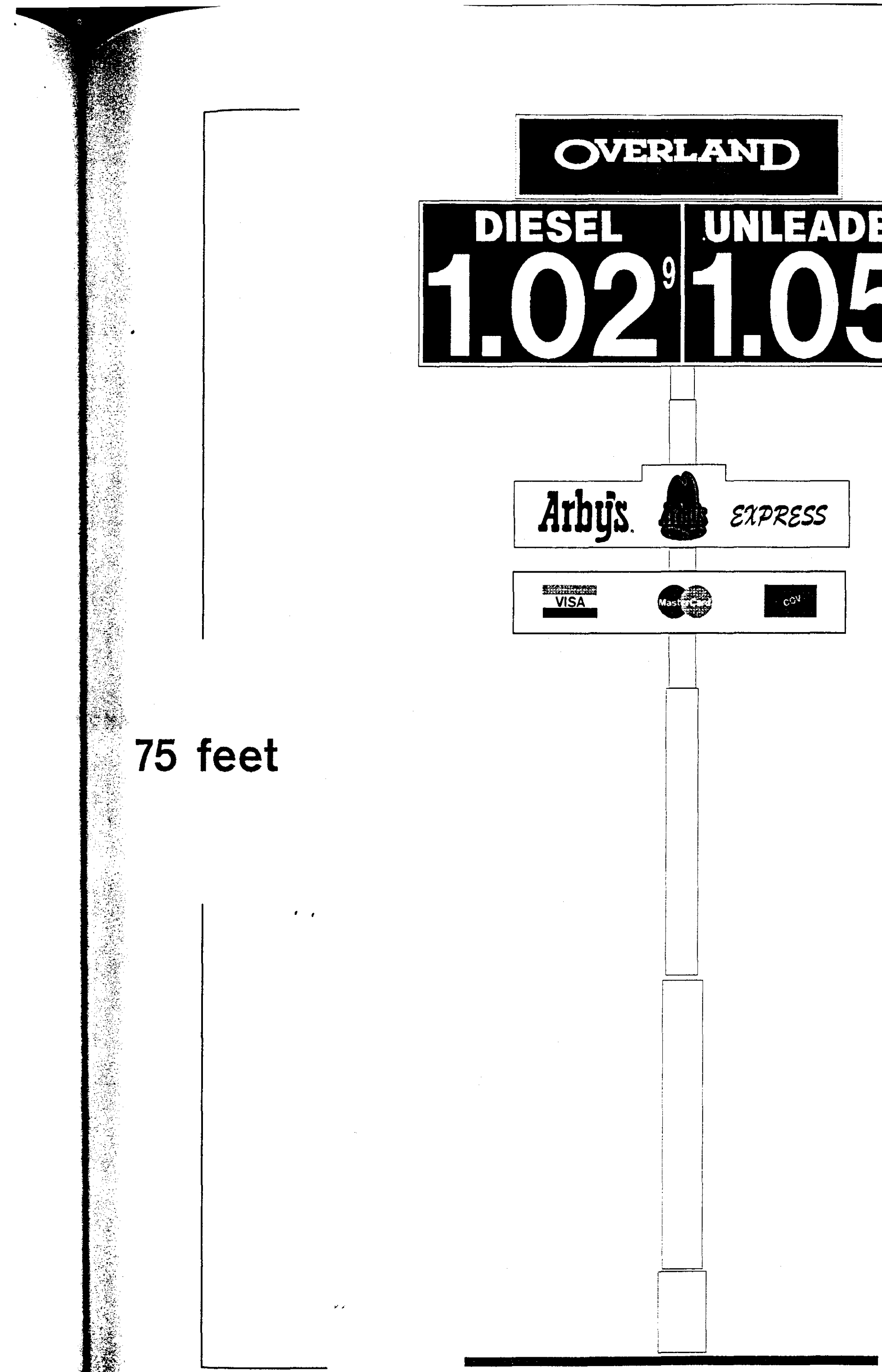
Submitted this 1 day of Sept, 1995.

Name: Mike Conway

Signature: Mike Conway

Address: PO Box 1224
Sherman Tx
75091

Phone: 903-892-8560


OVERLAND
DIESEL
1.02 9
UNLEADED
1.05 9
Arby's
EXPRESS
VISA
75 feet

High Rise Sign

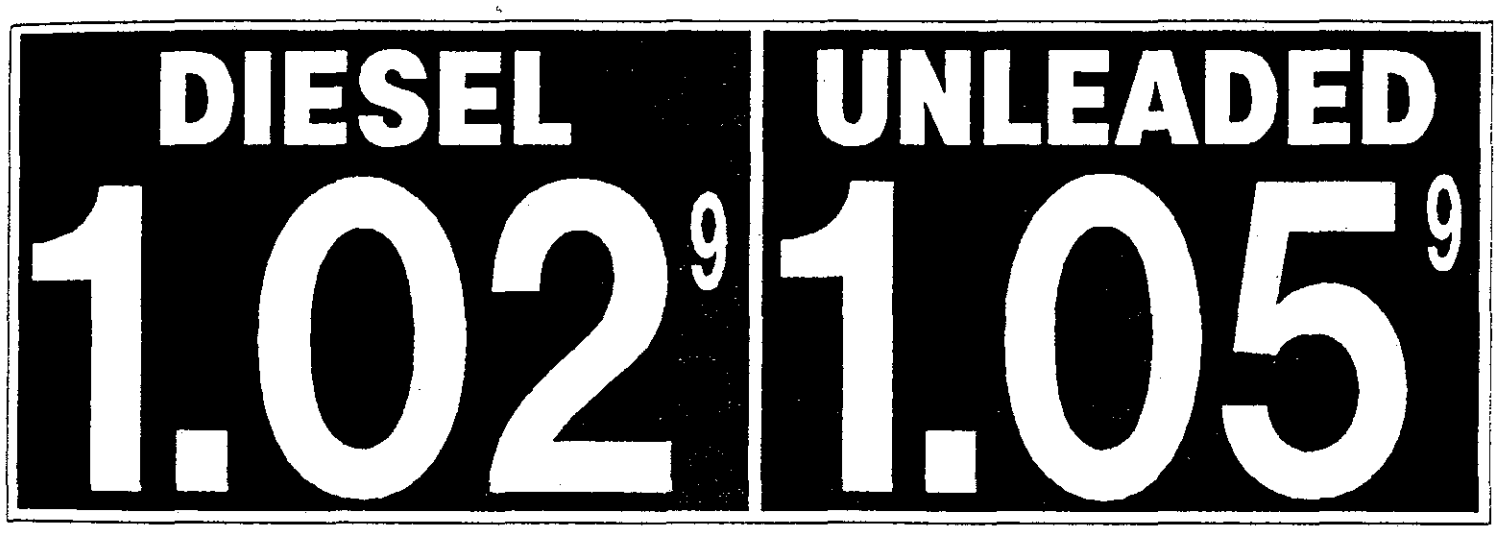
20 feet

5 feet

100 sq ft. total

32 feet

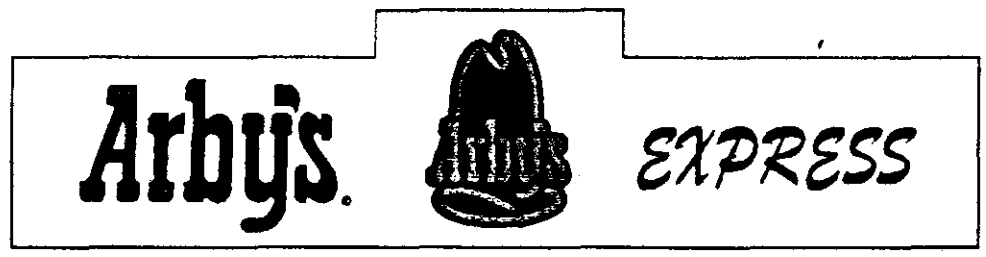
10 feet



320 sq ft. total

20 feet

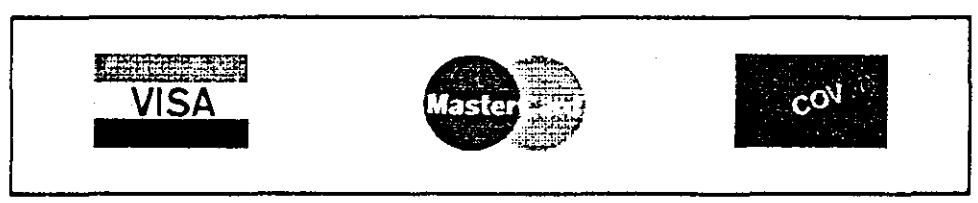
4 feet



80 sq. ft. total

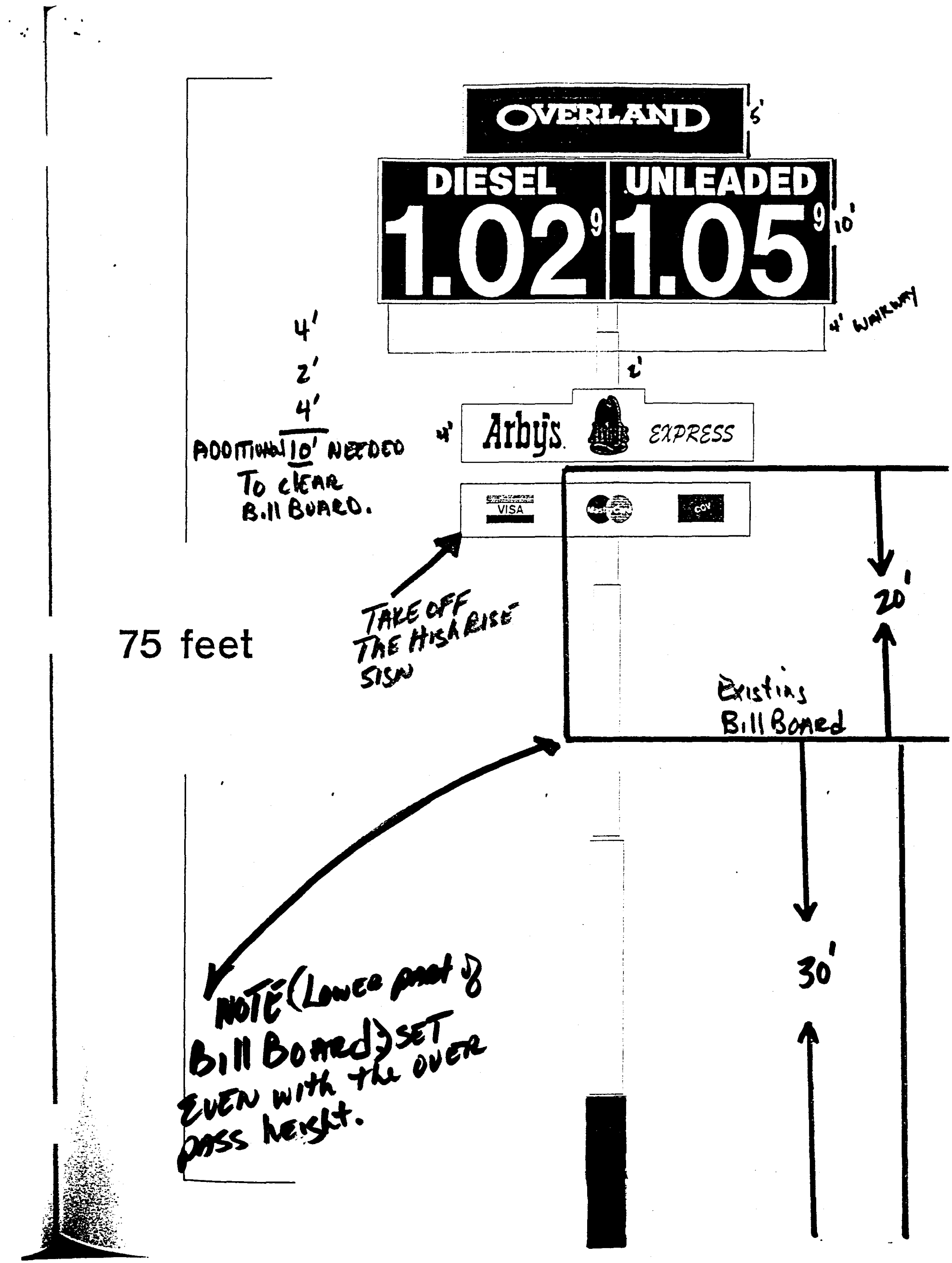
20 feet

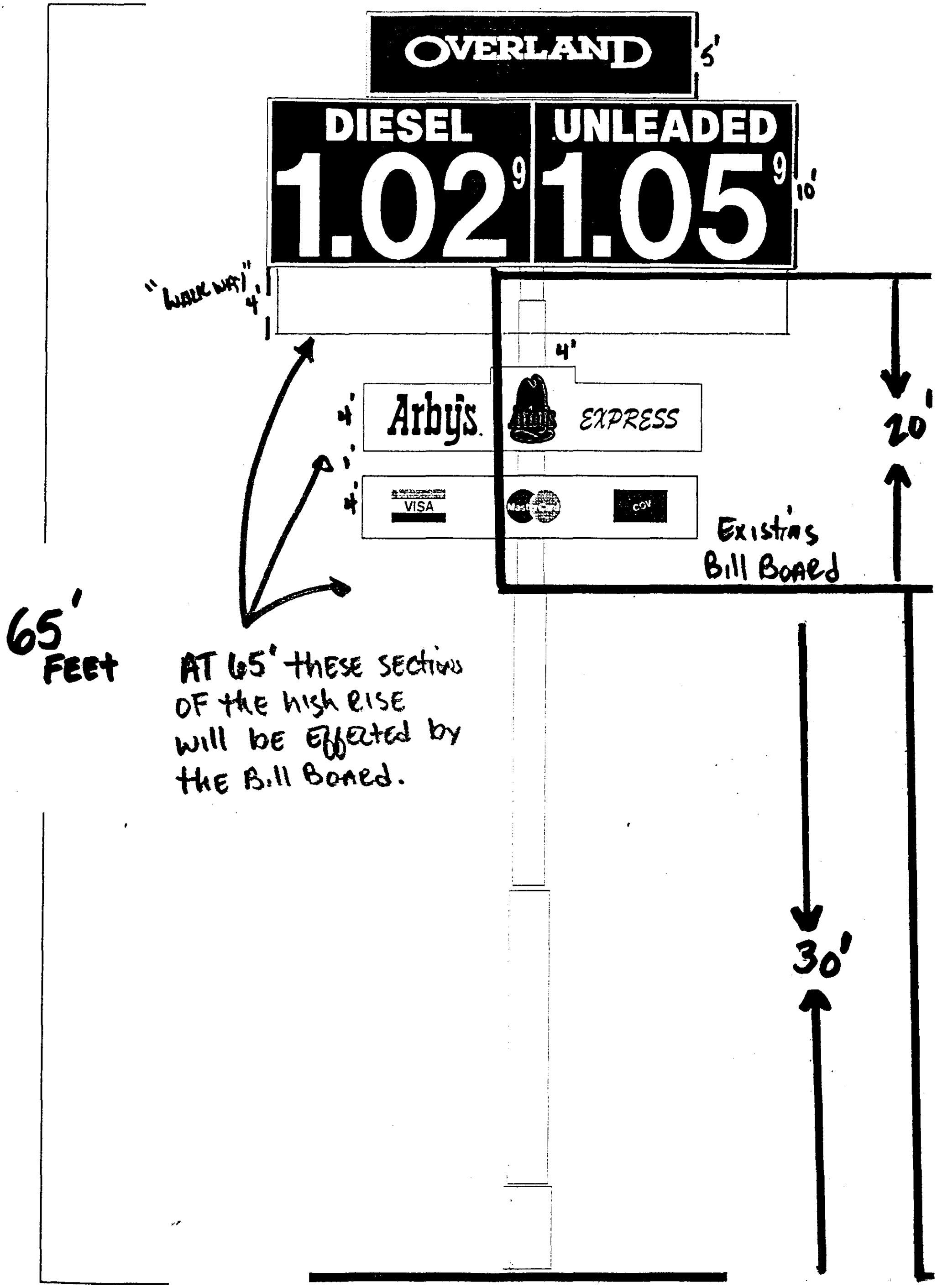
4 feet



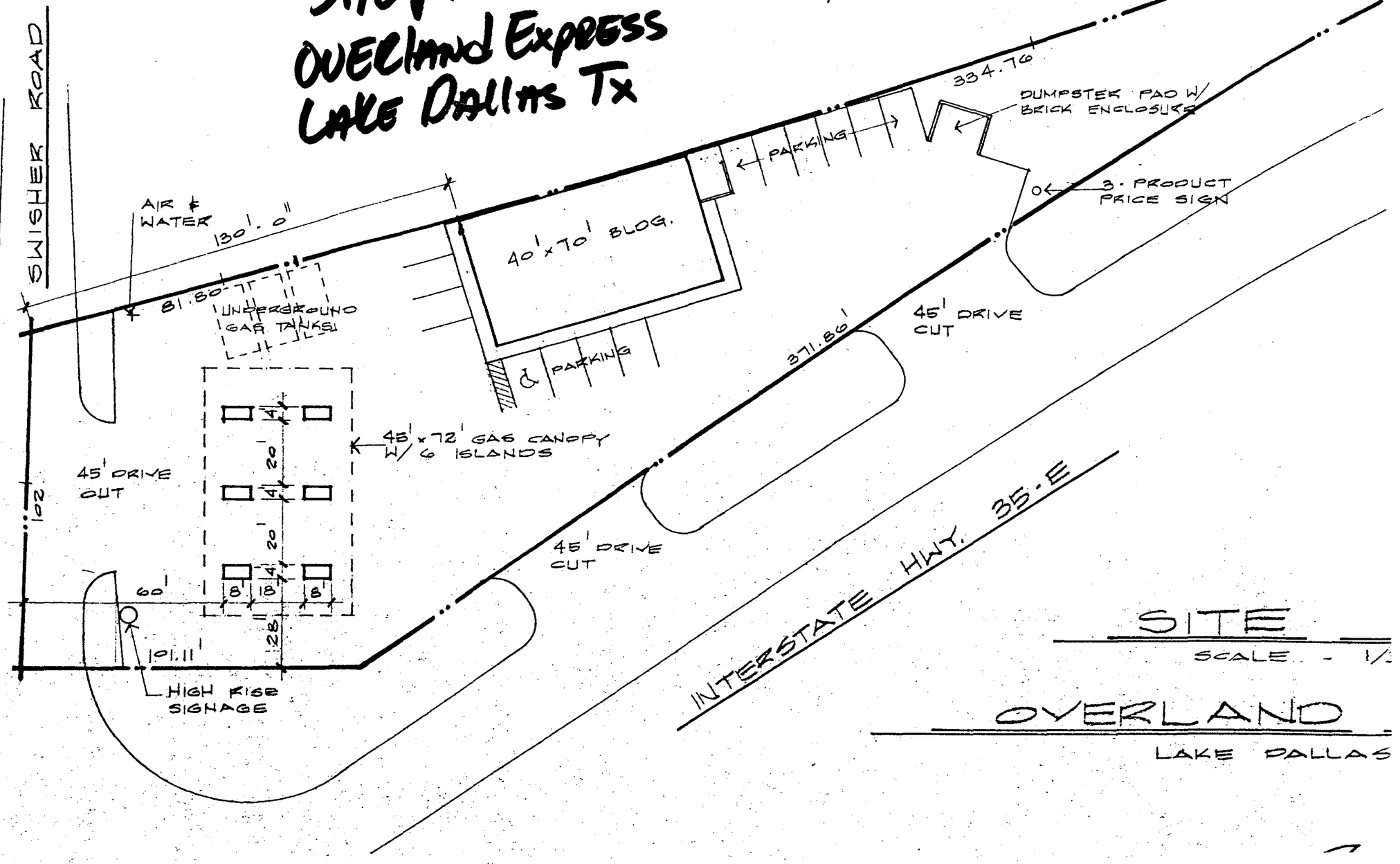
80 sq. ft. total

Total sq. ft. of all signs 580 sq ft.


OVERLAND
5'
DIESEL
1.02 9
UNLEADED
1.05 9
10'
4' WALKWAY
4'
2'
2'
4'
ADDITIONAL 10' NEEDED TO CLEAR B.11 BOARD.
4'
Arby's
EXPRESS
VISA
MasterCard
DISC
75 feet
TAKE OFF THE HIGH RISE SIGN
20'
Existing Bill Board
30'
NOTE (Lower part of Bill Board) SET EVEN with the over pass height.


OVERLAND
5'
DIESEL
1.02 9
UNLEADED
1.05 9
10'
"WALK WAY"
4'
4'
4'
4'
Arby's.
EXPRESS
VISA
20'
Existing
Bill Board
65'
FEET
AT 65' these sections
OF the high RISE
will be Effected by
the Bill Boned.
30'

SITE PLAN
OVERLAND EXPRESS
LAKE DALLAS TX



SITE

SCALE - 1/

OVERLAND

LAKE DALLAS

POINT OF BEGINNING
"P.K." NAIL SET

EDGE OF ASPHALT

"P.K." NAIL SET

N89° 59'36"E 102.00'

SWISHER F

(VARIABLE WIDTH PAVEME

EDGE OF ASPHALT

CABLE TV MARKER

O/H UTIL

GUY ANCHOR

UTILITY POLE

S16° 48'00"E 81.80'

101.11'

N01° 40'19"W

TRAFFIC SIGNS

TRAFFIC SIGNAL SUPPORT

10' WIDE UTILITY EASEMENT
VOLUME 665, PAGE 409, D.R.D.C.T.

O/H UTIL

WOODEN SIGN

5/8" IRON ROD SET

5/8" IRON ROD FOUND

0.7491 ACRES
32,631 SQUARE FEET

EDGE OF ASPHALT

UTILITY POLE

WOODEN SIGN

O/H UTIL

B. L. ARCHER
VOLUME 2204, PAGE 808
D.R.D.C.T.

BILLBOARD EASEMENT
VOLUME 2793, PAGE 70
D.R.D.C.T.

METAL BILLBOARD ON 36" STEEL PYLON

M. K. & T. R
(100' WIDE RIGHT-OF-W

Δ=05° 39'40"
R=3389.46'
L=334.90'
T=167.58'
L.C.=S19° 37'51"
334.76'

INTERSTATE HIGHWAY NO. 35-E
(MULTI-LANE HIGHWAY - VARIABLE WIDTH R.O.W.)

Δ=03° 43'09"
R=5729.58'
L=371.93'
T=186.03'
L.C.=N35° 57'33"W
371.86'

26' WIDE ASPHALT SERVICE ROAD

EDGE OF ASPHALT

UTILITY POLE

WOODEN SIGN

O/H UTIL

GUY

WOODEN POST FOUND

S63° 14'58"
18.81'

0 90
CH TO 30 FEET

eing Exit Joint Venture, First American Title
le of Texas, Inc.

of July, 1995 this survey was made on
my supervision as per the field notes shown on
egal description of the subject property by
the recorded plat of the subject property; (ii)
and square feet) of the subject property;
s and improvements thereon (if any);
ace parking spaces on the subject property;
of all paved surfaces, including sidewalks,
acc ingress and egress, and other
ji the subject property; (vi) the
en ing setback lines and other
wledge or have been advised, whether or not
(with recording information indicated);
ect property; (viii) all abutting
dth and name thereof; (ix) other
rly; (b) all monuments shown actually
shown; (c) the distance to the nearest
) except as shown hereon, on the plat,
ct property by improvements on adjacent
erty, streets, alleys, building setback
he subject property; (iii) party walls; (e)

STATE OF TEXAS
REGISTERED
J. T. MULLER
4522
PROFESSIONAL
LAND SURVEYOR

EDGE OF ASPH

INTERSTATE
(MULTI-LANE HIGHWAY

SURVEYOR'S CERTIFICATION

To: Conway Petroleum Marketing, Inc., Boeing Exit Joint Venture, First American Title Insurance Company and Republic Title of Texas, Inc.

I hereby certify that: (a) on the 17th day of July, 1995 this survey was made on the ground by the undersigned or under my supervision as per the field notes shown on this survey and correctly shows: (i) the legal description of the subject property by metes and bounds, and by reference to the recorded plat of the subject property; (ii) the boundaries and area (in both acres and square feet) of the subject property; (iii) the size, location and type of buildings and improvements thereon (if any); (iv) the location and total number of surface parking spaces on the subject property; (v) the location on the subject property of all paved surfaces, including sidewalks, walkways, fire lanes, drive ways, areas of access, ingress and egress, and other similar items, and any curb cuts on or adjacent to the subject property; (vi) the location of all existing right-of-way, easements, building setback lines and other matters of record (or of which I have knowledge or have been advised, whether or not of record) affecting the subject property (with recording information indicated); (vii) the location of all fences on the subject property; (viii) all abutting dedicated public rights-of-way with the width and name thereof; (ix) other significant items located on subject property; (b) all monuments shown actually exist, and the location thereof is correctly shown; (c) the distance to the nearest intersecting street is as shown hereon; (d) except as shown hereon, on the plat, there are no (i) intrusions upon the subject property by improvements on adjacent property; (ii) protrusions on adjacent property, streets, alleys, building setback lines, or easements by improvements on the subject property; (iii) party walls; (e) subject property abuts a public road.

James Muller Land Surveying, Inc.

James T. Muller
Registered Professional Land Surveyor
Texas Registration Number 4522

STATE OF TEXAS
REGISTERED
J. T. MULLER
4522
PROFESSIONAL
LAND SURVEYOR

PROPERTY DESCRIPTION

BEING a tract of land situated in the J.W. SIMMONS SURVEY, ABSTRACT NUMBER 1163, City of Lake Dallas, Denton County, Texas and thebeing the same tract of land conveyed to B.L. Archer by deed recorded in Volume 2204, Page 808, Deed Records, Denton County, Texas and further described as follows:

BEGINNING at a P.K. nail set on the westerly line of the M. K. & T. Railroad (a 100 foot wide Right-of-Way) and on the called center of Swisher Road (a variable width Right-of-Way);

THENCE South 16 degrees 48 minutes 00 seconds East, along said westerly line, 81.80 feet to a 5/8 inch iron rod set at the beginning of a curve to the left;

THENCE 334.90 feet along the arc of said curve, having a central angle of 05 degrees 39 minutes 40 seconds, a radius of 3389.46 feet and whose long chord bears South 19 degrees 37 minutes 51 seconds East, 334.76 feet to a 1/2 inch iron rod found on the easterly line of Interstate Highway No. 35-E (a variable width Right-of-Way);

THENCE along said easterly line as follows:

South 63 degrees 14 minutes 58 seconds West, 18.81 feet to a wooden post found at the beginning of a non-tangent curve to the left;

371.93 feet along the arc of said curve, having a central angle of 03 degrees 43 minutes 09 seconds, a radius of 5729.58 feet and whose long chord bears North 35 degrees 57 minutes 33 seconds West, 371.86 feet to a 5/8 inch iron rod found;

North 01 degrees 40 minutes 19 seconds West, 101.11 feet to a P.K. nail set on the aforementioned center of Swisher Road;

THENCE North 89 degrees 59 minutes 36 seconds East, 102.00 feet to the POINT OF BEGINNING and CONTAINING 0.7491 acres (32,631 square feet) of land.

NOTES:

(1) This survey was based on that certain deed recorded in Volume 2204, Page 808

Bill Barred Easement

VOL 2793 PG0070

EASEMENT AGREEMENT

REAL PROPERTY RECORDS

STATE OF TEXAS §

COUNTY OF DENTON §

25975

Grant of Easement

1. That B. L. Archer ("Grantor"), for the sum of $1.00 and other valuable consideration paid by Jimmy F. Mitchell or assigns ("Grantee"), does hereby grant, sell, and convey unto Grantee an easement ("Easement") and right - of - way ("Right - of - Way") upon and across the following described property (the "Property") of the Grantor:

The property is the property described on Exhibit "A attached hereto.

Character of Easement

2. The Easement is appurtenant to the dominant tenement.

Location of Easement

3. The Easement and right-of-way hereby conveyed shall be placed at the point on the Property where the East to West Property line is 64 feet wide with a width of 20 feet from the North to the South. Grantee shall not be entitled to construct a billboard on or move the Billboard to any other part of the Property under any circumstances.

Purpose of Easement

4. The Right-of-Way, Easement, and all other rights and privileges herein granted (the Right-of-Way and all such other rights and privileges being sometimes collectively referred to herein as the "Rights" shall be used only for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding and replacing a 48x14 at 45 feet high single pole double-faced billboard support pole being placed as close to the east Property line as legally possible. (the "Billboard"), (these purposes being sometimes collectively referred to herein as the "Purposes".

6-7-90

Duration of Easement

5. The Easement and Rights granted herein shall be perpetual.

Exclusivity of Easement

6. The Easement and Rights granted herein are not exclusive, but Grantor covenants that he will not convey any other easement or rights conflicting with the Easement or Rights within the area covered by this grant, or restricting any visibility of the Billboard.

Secondary Easements

7. In addition to the Easement and Rights herein conveyed, Grantee shall have the right to use so much of the surface of the Property of Grantor within the Right-of-Way granted hereby as may be reasonably necessary to construct and install the Billboard. Upon completion of any installation or maintenance of said Billboard, Grantee shall restore the surface of said Property to the same condition as before work was done, as reasonably possible.

Encroachments

8. Grantee shall have the right to cut and trim trees or shrubbery which restrict the view (from any public road) of the Billboard, and Grantee shall dispose of all cuttings and trimmings by loading and hauling away from the premises.

Failure to Perform

9. Should Grantee fail to perform any covenant, undertaking, or obligation in paragraphs 3, 4, and 16, hereunder within sixty (60) days after receiving written notice from Grantor, all rights granted hereby shall terminate, and this agreement shall be of no further force or effect.

Rights Reserved

10. Grantor retains and reserves, and shall continue to enjoy the use of, the surface of the Property for any and

all purposes which do not unreasonably interfere with and prevent the use by Grantee of the Easement, including the right to build and use the surface of the area subject to the Easement (the "Easement Area") for drainage ditches and private streets, roads, driveways, alleys, walks or parking areas, or other similar uses and/or to dedicate all or any part of the surface of the Property affected by this easement to any city for use as a public street, road, or alley; provided that none of the foregoing acts of Grantor or any acts of any transferee of Grantor shall unreasonably interfere with Grantee's use of the Easement Area and Grantee shall be entitled at its expense to excavate, remove or alter any structure placed by any party in the Easement Area to the extent necessary to repair, replace or maintain the Billboard, so long as Grantee restores any improvements or structures removed or altered to their condition as it existed prior to the repair, replacement or maintenance of the Billboard.

Warranties and Representations

11. Grantor warrants and represents that Grantor owns the Property in fee simple. Grantor further warrants and represents that the grant of the Easement does not conflict with any rights created in or under any easement, lease, license, "profit a prendre" or other similar agreement relating to the Property or any interest therein or otherwise. Grantor will furnish Grantee a title policy insuring this easement at Grantor's expense.

Entire Agreement

12. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect to the extent effected by a subsequent modification in writing, signed by the party against whom enforcement is sought.

Attorney's Fees

13. In the event of any controversy, claim, or dispute relating to this instrument or the breach hereof, the prevailing party shall be entitled to recover from the non-prevailing party reasonable expenses, attorneys' fees,

paralegal fees and costs.

Binding Effect

14. This Easement Agreement shall bind and inure to the benefit of the respective parties, their heirs, their personal representatives, successors, and assigns.

Indemnity

15. Grantee hereby agrees to indemnify Grantor against any and all liabilities, losses, damages or expense (including without limitation attorney's fees) incurred by Grantor by reason of any negligent or willful act or failure to act by Grantee or Grantee's agents in connection with any activity which is or should be performed by Grantee or Grantees agents with respect to the Property, the billboard or the easement granted herein. Payment of any amount owed to Grantor by Grantee pursuant to this indemnity shall be made upon demand by Grantor.

Insurance

16. Grantee agrees to obtain public liability insurance with respect to the Billboard in an amount not less than $100,000/250,000, and to provide Grantor with certificates of such insurance showing Grantor as an additional named insured, and showing that such insurance shall not be cancellable except upon not less than ten (10) days' notice to Grantor.

Removal

17. It is agreed that, at Grantor's option, any structures, equipment, materials and fixtures placed upon the Property by Grantee in connection with the Billboard shall become the property of Grantor unless Grantee, within thirty (30) days after any termination of the rights granted hereunder, removes the Billboard and such property. Grantee agrees that upon any termination, as stipulated under paragraphs 3, 4, and 16 of this agreement, Grantee upon Grantor's request shall remove any and all structures, property or other items placed upon the Property by Grantee, within ~~fifteen~~ ~~(15)~~ 30 days after termination of the agreement,

ADD Thirty

and repair any damage or defacing occasioned to the Property by such removal. In the event that Grantee fails to perform the foregoing, Grantor shall be entitled to receive from Grantee any and all costs of whatsoever nature incurred by Grantor in effecting such removals and restoring, which costs shall be payable upon demand by Grantor to Grantee.

Indemnity Regarding the Liens

18. Grantee and Grantor agree to indemnify each other against any and all damages, losses, costs and expenses, including without limitation attorneys' fees and legal costs, which Grantor suffers in connection with any liens, whether valid or not, created by or arising from the actions of Grantee or the construction, placement or existence of any of Grantee's property, fixtures or signs on Grantor's property, and Grantee agrees to pay any such amounts to Grantor upon demand.

Government Proceedings

19. Grantor and Grantee each shall be entitled to their own individual damages in the event of condemnation proceedings.

Removing Billboard for Safety Purposes

20. Grantor shall have the right to remove said Billboard after fifteen (15) days notification if Billboard becomes a hazzard or a danger to the public at Grantee's expense.

Visibility

21. It is the understanding of the parties that visibility of the Billboard to the traveling public is of the essence of this agreement and forms a significant element of consideration. Grantor grants to Grantee and Grantee's authorized agents a reasonable right of ingress and egress to and from the Billboard over property owned or controlled by Grantor for all purposes reasonably necessary for the proper erecting, placing, maintaining and removing of the

Billboard, including but not limited to the trimming, cutting or removing of brush, trees, shrubs or any vegetation or the lawful removal of obstructions of any kind which limit the visibility of the sign structure(s) to the traveling public.

IN WITNESS WHEREOF, this instrument is executed as of October 19, 1989.

B. L. Archer, by Alyce Archer Lockhart Attorney in fact
B. L. ARCHER, Individually

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Hunt

This instrument was acknowledged before me on the 19th day of October, 1989, by B. L. Archer, who is known to me to be the person who executed the foregoing instrument and acknowledged to me that the same was of his own free act for the purposes and consideration and in the capacity therein expressed.

Janna K. Hammons
Notary Public, State of Texas

JANNA K. HAMMONS
Notary Public's Printed Name

My commission expires:
August 15, 1993

JANNA K. HAMMONS
Notary Public, State of Texas
My Commission Expires Aug. 15, 1993

EXHIBIT "A"

BEING a tract of land situated in the J.W. Simmons Survey, Abstract No. 1163, Denton County, Texas, and being the same tract of land as described as "Second Tract" in a deed to W.D. Pardue, recorded in Volume 626, Page 47, Deed Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner in the west right-of-way line of the M.K. & T. Railroad and in the center of Swisher Road; said point also being the northeast corner of the hereinabove mentioned tract;

THENCE South 16° 48' 00" East along the west right-of-way line of the M.K. & T. Railroad a distance of 81.80 feet to an iron rod set for a corner at the point of curvature of a circular curve to the left having a central angle of 5° 39' 40" a radius of 3389.46 feet a tangent of 167.58 feet and a chord that bears South 19° 37' 51" East 334.76 feet;

THENCE around said curve in a southeasterly direction along the west right-of-way line of the M.K. & T. Railroad an arc distance of 334.90 feet to an iron rod set for a corner at the southeast corner of the hereinabove mentioned tract;

THENCE South 63° 14'58" West a distance of 18.81 feet to a wooden monument for a corner on the easterly right-of-way line of I.H. No. 35; said point also being on a circular curve to the left having a central angle of 3° 43' 09", a radius of 5729.58 feet, a tangent of 186.03 feet and a chord that bears North 35° 57' 33" West 371.86 feet;

THENCE Around said curve in a northwesterly direction along the easterly right-of-way line of I.H. No. 35 an arc distance of 371. 93 feet to an iron rod found for a corner;

THENCE North 1° 40' 19" West along the east right-of-way line of I.H. No. 35 a distance of 101.11 feet to an iron rod set for a corner in the center of Swisher Road; said point also being the northwest corner of the hereinabove mentioned tract;

THENCE North 89° 59' 36" East along the center of Swisher Road, a distance of 102.00 feet to the POINT OF BEGINNING and containing 32,631 sq.ft. or 0.7491 acres of land.

TOTAL P.09

VOL 2793 PAGE 077

025975

EASEMENT AGREEMENT

FROM:

B. L. ARCHEER

TO:

JIMMY F. MITCHELL

DATED: October 19, 1989

RECORDED ON THE

_____DAY OF _____
1989

VOLUME_____PAGE_____

Return to:
TexOma ADVERTISING CO., INC.
JERRY A. RODAWAY
214/456-7704
3115 WELLINGTON
GREENVILLE, TEXAS 75401

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN SPECIAL SESSION ON AUGUST 28, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 22TH DAY OF AUGUST, 1995.

AGENDA:

I. ROLL CALL.

II. WORKSHOP.

DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE BOARD OF ADJUSTMENT.

III. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON AUGUST 17, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 11TH DAY OF AUGUST, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF MIKE CONWAY REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO MAXIMUM GROUND SIGN HEIGHT AND CHAPTER 13.04.030 OF THE MUNICIPAL CODE RELATIVE TO PRIVATE SEWAGE SYSTEMS ON THE PROPERTY LOCATED ON TRACT 4, OF THE J. W. SIMMONS SURVEY, A-1163.

VI. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF LAKE CITIES MUNICIPAL UTILITY AUTHORITY REQUESTING A VARIANCE FROM CHAPTER 18.20.100 AMENDED BY ORDINANCE #94-13 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT C-1 AT 504 MEADOWBROOK.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

AUGUST 17, 1995

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
CELESTA DOUGLAS
FRANK BARNARD
FRANCES POTEET
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
DARLA SAMS
ROBERT (RUSTY) MEADOWS, JR.

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:15 P.M. and noted that all members were present, except Darla Sams and Rusty Meadows.

II. APPROVAL OF MINUTES-ACTION.

Frances Poteet moved to approve the minutes of the meeting held on July 27, 1995. Frank Barnard seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF MIKE CONWAY REQUESTING A VARIANCE FROM CHAPTER 15.16.250 OF THE MUNICIPAL CODE RELATIVE TO MAXIMUM GROUND SIGN HEIGHT AND CHAPTER 13.04.030 OF THE MUNICIPAL CODE RELATIVE TO PRIVATE SEWAGE SYSTEMS ON THE PROPERTY LOCATED ON TRACT 4, OF THE J. W. SIMMONS SURVEY, A-1163.

Mike Conway request a variance from Chapter 15.16.250 of the Municipal Code on the basis of two situations, the first being the overpass at I-35 and Swisher Road, with his property sitting below I-35 and trying to attract customers traveling I-35. The second situation being a billboard on the property owned by Patrick Media of Dallas, they own a perpetual easement of the property that does not allow for anything to be constructed that would obstruct the visibility of their billboard. Mike Conway has attempted to negotiate with them to work out a lease for the billboard. Patrick Media is not interested in working with Mike Conway. Mike Conway's request is for the sign to be at a height of seventy-five feet so as not to obstruct the visibility of the billboard.

Close Public Hearing.

IV. ACTION FROM PUBLIC HEARING.

France Poteet moved to approve the variance requested by Mike Conway with a sign height limitation to be set according to what is absolutely necessary to clear the sign owned by Patrick Media, with a maximum sign height of sixty-five feet at I-35 and Swisher Road, with the condition that if the sixty-five feet does not allow for clearance of the Patrick Media billboard the Board of Adjustment will look at adjusting the maximum sign height, also with the condition that Mike Conway submit a written agreement that he will not use the sign to advertise cigarettes, alcoholic beverages, or sexually oriented businesses or products, and that the City will be allowed to use the sign, if available, for community service. Frank Barnard seconded the motion and it carried unanimously.

Rodney Courtney stated that in regard to the private sewage system according to the regulation it is automatically accepted if the cost of hooking up to the city sewer system exceeds two hundred percent of the cost of your Aerobic System then the private sewage system is automatically accepted.

V. PUBLIC HEARING: PETITION OF LAKE CITIES MUNICIPAL UTILITY AUTHORITY REQUESTING A VARIANCE FROM CHAPTER 18.12.100 AMENDED BY ORDINANCE #94-13 OF THE MUNICIPAL CODE RELATIVE TO EXTERIOR SURFACES OF STRUCTURES IN DISTRICT C-1 AT 504 MEADOWBROOK.

Rodney Courtney noted that the variance request application was submitted by Johnny Harris, Manager of Lake Cities Municipal Utility Authority and he is not in attendance. The application for variance request did not include the required plat and sight plan.

Joe Tisdell, 506 Meadowbrook would like some information on what Lake Cities Municipal Utility Authority is planning to build at 504 Meadowbrook.

Close Public Hearing.

VI. ACTION FROM PUBLIC HEARING.

Frank Barnard moved to deny the variance requested by Lake Cities Municipal Utility Authority. Celesta Douglas seconded the motion and it carried, with Clyde Edwards abstaining.

VII. ADJOURNMENT-ACTION.

Clyde Edwards moved to adjourn the meeting. Frank Barnard seconded the motion and it carried unanimously. The meeting adjourned at 8:15 P.M.

ATTEST: _____
RODNEY COURTNEY, CHAIRMAN

_____
BARBARA STARKEY, CITY SECRETARY

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the C-2. Rezoned to C-3 (zone) District. The variance is requested from Signage and Sewage system Regs. on the basis of the need to have a pole mounted sign that will be high enough to raise above the overpass on Swisher Rd. and I-35, and the installation of a current up to date Aerobic Treatment system due to the lack of an available sewage line in the area.

The said property is located at I-35 and Swisher Rd South East Corner. and is further described as

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached, if not a part of the surveyor's notes. A filing fee of $ 250. will accompany this application.

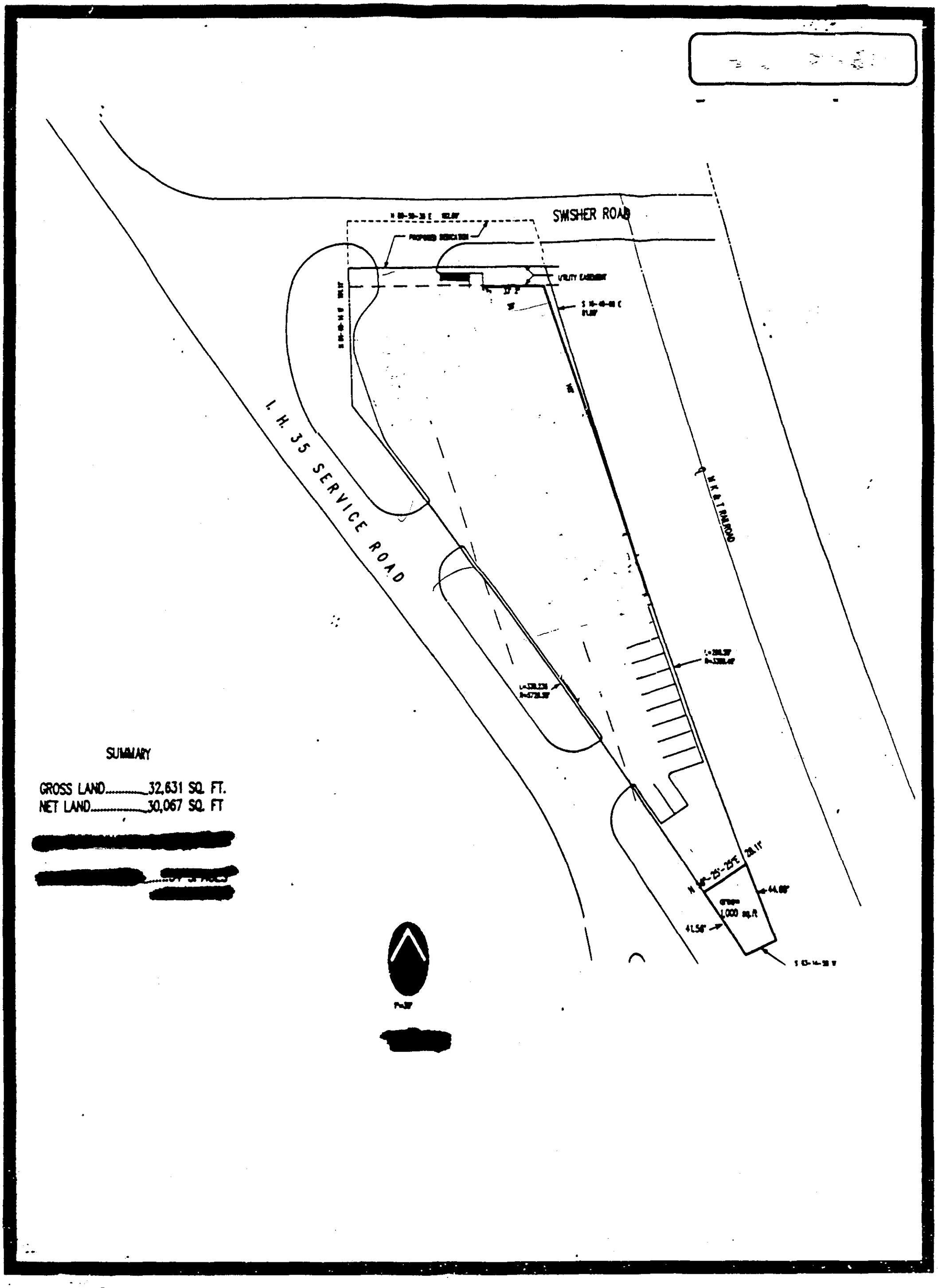
Submitted this 21st day of July, 1995.

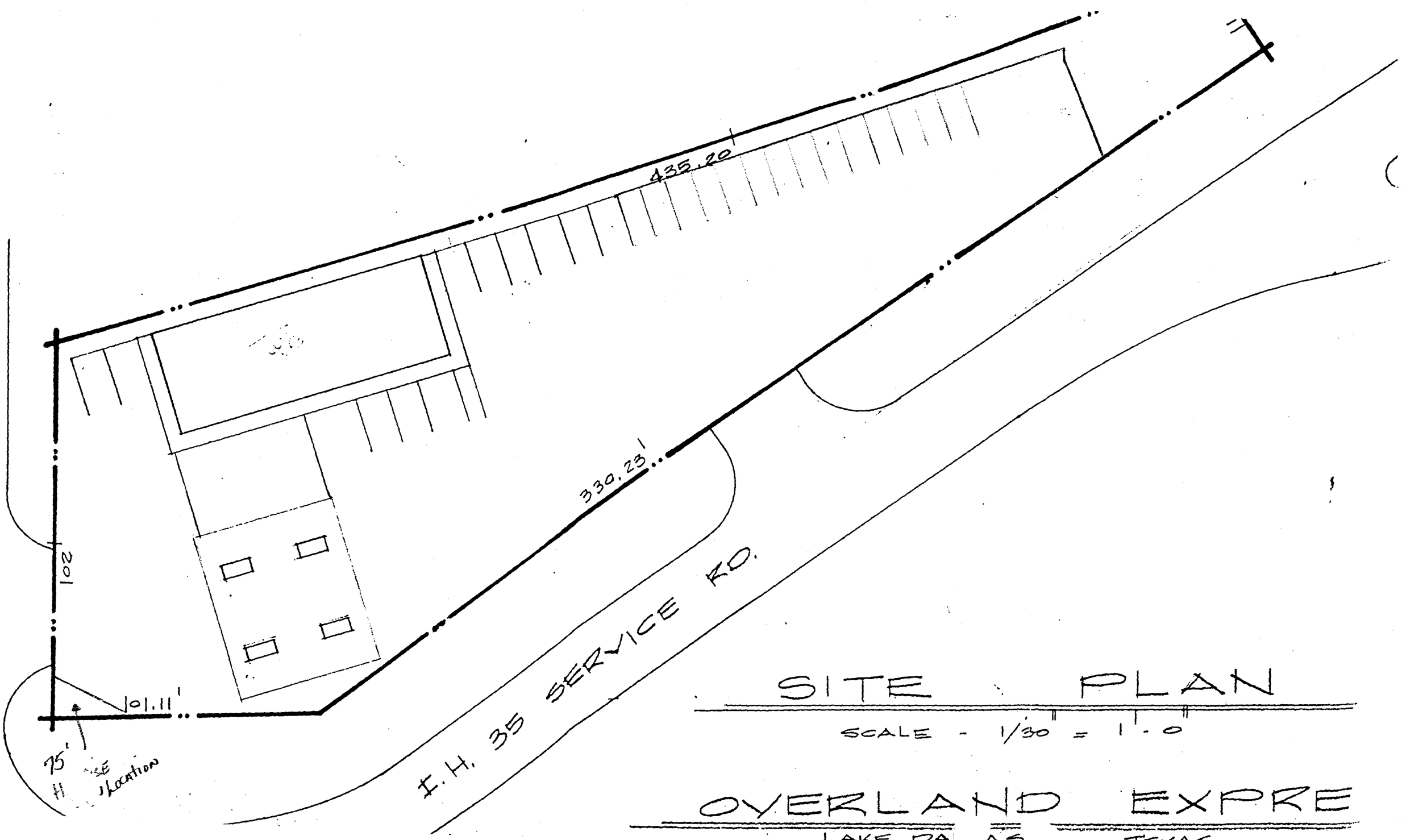
Name: Mike Conway

Signature: Mike Conway

Address: P.O. Box 1224
Sherman Tx 75091

Phone: 903-892-8960


SWISHER ROAD
I. H. 35 SERVICE ROAD
M.K.&T. RAILROAD
SUMMARY
GROSS LAND.....32,631 SQ. FT.
NET LAND.....30,067 SQ. FT



SITE PLAN

SCALE - 1/30 = 1'-0

OVERLAND EXPRE

LAKE DA AS TEXAS

1125 S. BURLESON BLVD.
P.O. BOX 40
BURLESON, TEXAS 76097

TEXAS WASTEWATER TREATMENT SYSTEMS INC.

817-295-3701
METRO 572-4481
FAX 572-4225

A HI-TECH COMPANY DEDICATED TO PROTECTING THE ENVIRONMENT

CELEBRATING SEVENTEEN YEARS OF EXCELLENCE

QUOTATION # 950721-01

July21, 1995

Mr. Mike Conway
Conway Petroleum & Makreting
Post Office Box 1224
Sherman, Texas 75091

We are pleased to offer the following for your consideration

1	500 Gallon Tank Pretreatment Tank
1	500 GPD *HYDRO-ACTION* Model G-500, which produces a class 1 effluent
1	500 Gallon Effluent Pump Tank With Service Riser & Lid
1	Effluent Pump Goulds 10GS05421, & Effluent pump liquid level control
1	Tablet Chlorinator, & 25 Lb. Pail of Tablet Chlorine
1	High Water Alarm
20'	PVC Interconnect & Fittings
300'	PVC Sprinkler Lines & Fittings
5	S-700 L.A. Sprinkler Heads
1	Load Base Sand/Backfill
1	Wiring Our Equipment & Control
1	Engineering & Submittals
1	2-year operation and maintenance contract

AREOBIC Treatment EST.

Installation of above equipment, finish is rough grade.

TOTAL, TAX INCLUDED **$7,000.00**

NOT INCLUDED: Removal of impenetrable rock formations, trees, or stumps. Final Grading and seeding, Permit Fee, Wiring two 115 volt circuits to J-box at plumbing stub out.

TERMS: **$1,500.00 Down Payment, Balance on Completion.**

This quotation can become a contract by execution of your signature and date in the space provided below. This quotation and acceptance of it by both parties hereto constitute the entire agreement between the parties hereto with reference to the sale of the products listed hereon and the delivery of same as herein above stated there being no oral agreements, representations, conditions, warranties, express or implied, in addition to said written instruments. Ownership of above stated material and equipment remains with seller until paid for in full. All sums are due and payable at Texas Wastewater Treatment Systems Incorporated. 1125 South Burleson Boulevard, Burleson, Johnson County, Texas 76028. ***This quotation includes a TWO YEAR MANUFACTURERS LIMITED WARRANTY on ALL mechanical and electrical components of this system, including labor, starting from the date of installation.***

BY: Clene C. Weyenberg Sr **DATE:** 7-21-95
Texas Wastewater Treatment Systems, Inc.

ACCEPTED: _____ **DATE:** _____
Mike Conway

TEXAS WASTEWATER TREATMENT SYSTEMS INCORPORATED
YESTERDAY'S EXPERIENCE---TOMORROW'S TECHNOLOGY---TODAY'S DEDICATION

WASTELINE
ENGINEERING, INC.
P.O. Box 3441 Fort Worth, TX 76113

Facsimile Cover Sheet

Total Number of Pages: 2

Date: July 27, 1995
Time: 10:30 hrs.

To: Mr. Mike Conway
Conway Petro & Marketing
903-813-0140

From: Glenn Breisch

Subject: Tract at Swisher Road (FM 2181) and I-35E

Comments: Mike, the attached is a takeoff we did for Bud Archer about five years ago. The costs presented are still relatively close to current pricing.

Should you need additional information, please call.

*1990 SEWER EST. 21,860 00

WASTELINE ENGINEERING, inc.
Consulting Engineers
FORT WORTH, TEXAS

ENGINEER'S ESTIMATE

Date January 30, 1990 Job No. _____ Page No. 1 of 1

OWNER Archer Company

PROJECT DESCRIPTION Intersection of F.M. 2181 and I.H. 35

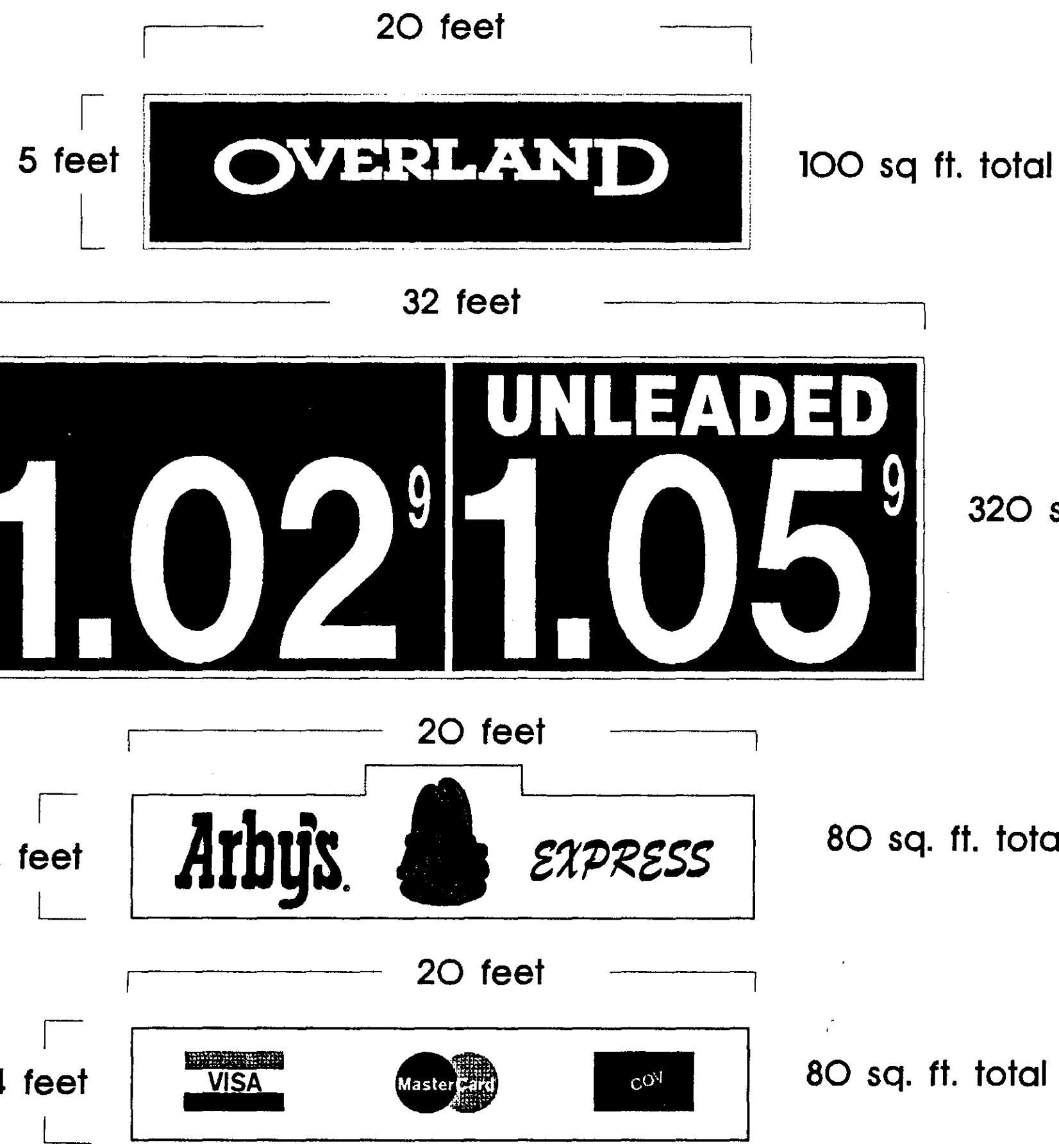
Item No.	Description of Item	Total Quantity	Unit	Unit Price	Cost
~~1~~	~~6" PVC WATER LINE~~	~~1250~~	~~L.F.~~	~~10.00~~	~~12,500.00~~
~~2~~	~~6" GATE VALVE~~	~~3~~	~~EA.~~	~~350.00~~	~~1,050.00~~
~~3~~	~~FIRE HYDRANT ASSEMBLY~~	~~1~~	~~EA.~~	~~850.00~~	~~850.00~~
~~4~~	~~FITTINGS~~	~~.2~~	~~TONS~~	~~1,900.00~~	~~380.00~~
~~5~~	~~2" WATER SERVICES~~	~~2~~	~~EA.~~	~~500.00~~	~~1,000.00~~
~~6~~	~~30 INCH STEEL CASING (IN TRENCH)~~	~~255~~	~~L.F.~~	~~100.00~~	~~25,500.00~~
~~7~~	~~BORE FRONTAGE ROADS~~	~~140~~	~~L.F.~~	~~185.00~~	~~25,900.00~~
~~8~~	~~TRENCH SAFETY~~	~~1~~	~~L.S.~~	~~6000.00~~	~~6,000.00~~
9	2" SANITARY SEWER FORCE MAIN	2105 ~~2,500~~	L.F.	4.00	① 8420.00 ~~10,000.00~~
10	GRINDER PUMP STATION	1 ~~2~~	EA.	2,500.00	② 2,500.00 ~~5,000.00~~
~~11~~	~~8 INCH STEEL CASING (INSIDE 30" CASING)~~	~~395~~	~~L.F.~~	~~15.00~~	~~5,925.00~~
12	RAILROAD BORE (SEWER ONLY)	50	L.F.	100.00	③ 5,000.00
13	PAVEMENT REPAIR	660	S.Y.	9.00	④ 5,940.00

1990 est

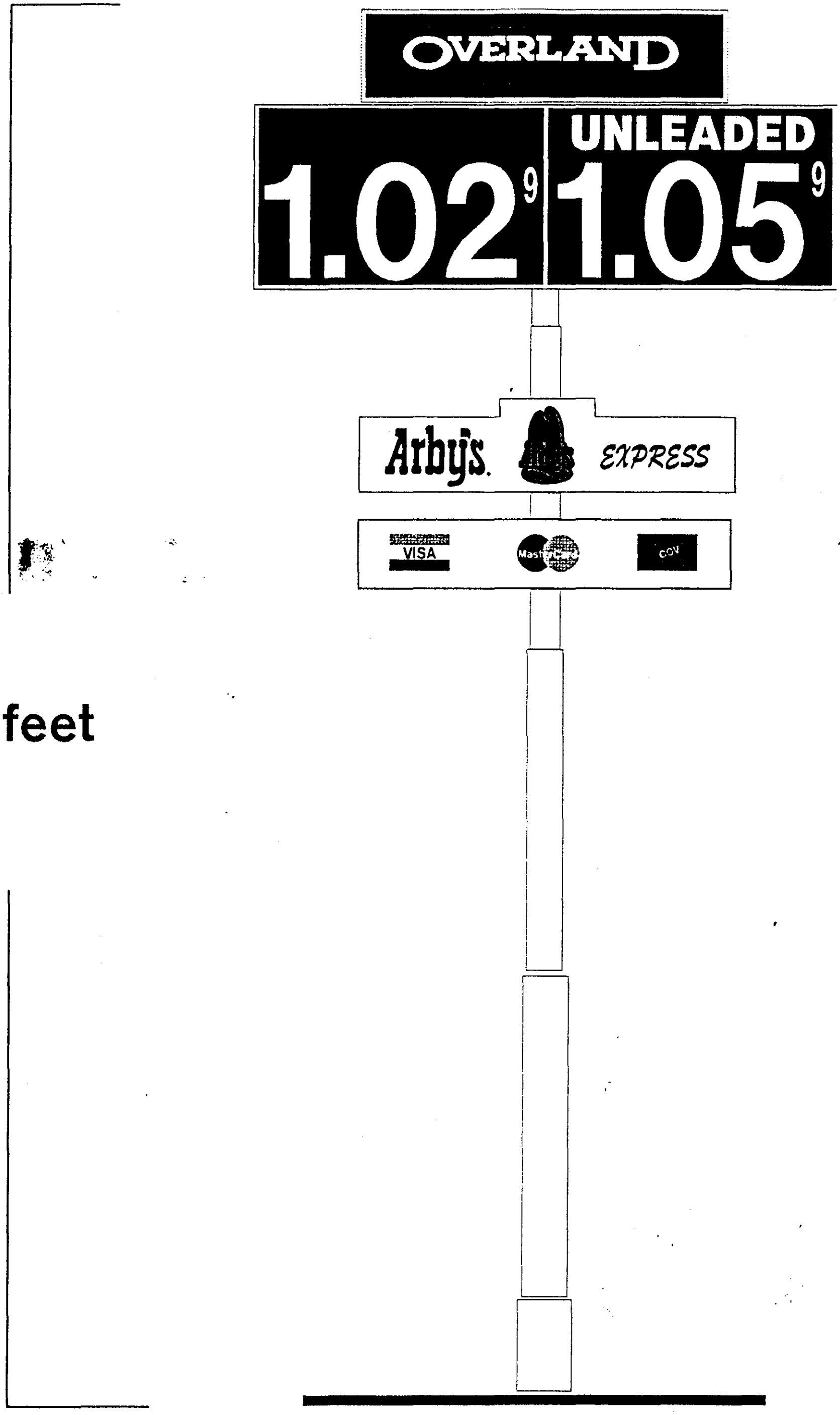
① 8420
② 2500
③ 5000
④ 5940
$ 21,860.00

SUBTOTAL	~~$104,045.00~~
CONTINGENCIES (15%)	~~$ 15,600.00~~
TOTAL CONSTRUCTION	~~$119,045.00~~
ENGINEERING	~~$ 8,500.00~~
DESIGN SURVEYING	~~$ 1,500.00~~
TOTAL	~~$129,645.00~~

High Rise Sign



Total sq. ft. of all signs 580 sq ft.



75 feet

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date: July 27, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Thursday, August 17, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

J. W. Simmons Survey, A-1163, Tract 4
variance request relative to maximum ground sign height and private sewage systems.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the C-1 (zone) District. The variance is requested from Chapter 18.20.100 Amended by Ordinance # 94-13 on the basis of Matching other structure which is metal packing shed for vehicles & equipment.

The said property is located at Behind LCMUA Office and is further described as Blk K Lot 28, Oak Lakes Subdivision Address 504 Meadowbrook

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached, if not a part of the surveyor's notes. A filing fee of $ 250. will accompany this application.

Submitted this 24 day of July, 1995.

Name: Lake Cities MUA

Signature: Johnny D. Harris

Address: P.O Box 355
501 N. Stemmons Rd
Lake Dallas, TX 75065

Phone: 817 497 2999

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on August 17, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Mike Conway requesting a variance from Chapter 15.16.250 of the Municipal Code relative to maximum ground sign height. The petitioner is requesting to construct a pole mounted sign high enough to raise above the overpass at Swisher Road and I-35. The petitioner is also requesting a variance from Chapter 13.04.030 of the Municipal Code relative to private sewage systems. The petitioner is requesting to install a current up to date Aeropic Treatment system. This property is located on Tract 4, of the J. W. Simmons Survey, A-1163.

Barbara Starkey, City Secretary

Posted 7-27-95

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on August 17, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Lake Cities Municipal Utility Authority requesting a variance from Chapter 18.20.100 amended by ordinance #94-13 of the Municipal Code relative to exterior surfaces of structures in district C-1 shall consist of approved masonry materials covering no less than eighty percent of total exterior surfaces exclusive of windows, doors, and gables. The petitioner is requesting to construct a metal parking shed for vehicles and equipment at 504 Meadowbrook. This property is located on Block K, Lot 28, of the Oak Lakes Subdivision.

Barbara Starkey, City Secretary

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date: July 27, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of the City of Lake Dallas, Texas will hold a public hearing on Thursday, August 17, 1995 at 7:00 P.M. in the Council Chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal description of property involved;

Oak Lakes Subdivision, Block K, Lot 28
variance request relative to exterior surfaces shall be no less than eighty percent approved masonry materials.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

Announcement

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on August 17, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Lake Cities Municipal Utility Authority requesting a variance from Chapter 18.20.100 amended by ordinance #94-13 of the Municipal Code relative to exterior surfaces of structures in district C-1 shall consist of approved masonry materials covering no less than eighty percent of total exterior surfaces exclusive of windows, doors and gables. The petitioner is requesting to construct a metal parking shed for vehicles and equipment at 504 Meadowbrook. This property is located on Block K, Lot 28, of the Oak Lakes subdivision.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on August 17, 1995 at 7:00 pm in the Council Chambers of the City Hall Building to consider the petition of Mike Conway requesting a variance from Chapter 15.16.250 of the Municipal Code relative to the maximum ground sign height enough to raise above the overpass at Swisher Road and I-35. The petitioner is also requesting a variance from Chapter 13.04.030 of the Municipal Code relative to private sewage systems. The petitioner is requesting to install a current up to date Aeropic Treatment system. This property is located on Tract 4, of the J.W. Simmons Survey, A-1163.
Barbara Starkey, City Secretary

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JULY 27, 1995

MEMBERS PRESENT:
RODNEY COURTNEY, CHAIRMAN
CLYDE EDWARDS, VICE-CHAIRMAN
CELESTA DOUGLAS
FRANK BARNARD
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
DARLA SAMS
FRANCES POTEET
ROBERT (RUSTY) MEADOWS, JR.

I. ROLL CALL.

Chairman Rodney Courtney called the meeting to order at 7:18 P.M. and noted that all members were present, except Darla Sams, Frances Poteet and Rusty Meadows.

II. APPROVAL OF MINUTES-ACTION.

Celesta Douglas moved to approve the minutes of the meeting held on June 19, 1995. Frank Barnard seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 736 CEDAR LEAF CIRCLE.

No public comment.

IV. ACTION FROM PUBLIC HEARING.

No action taken as no representative from Pulte present to answer questions.

V. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 738 CEDAR LEAF CIRCLE.

No public comment.

VI. ACTION FROM PUBLIC HEARING.

No action taken as no representative from Pulte present to answer questions.

VII. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 AND CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 749 CEDAR LEAF CIRCLE.

No public comment.

VIII. ACTION FROM PUBLIC HEARING.

No action taken as no representative from Pulte present to answer questions.

IX. ADJOURNMENT-ACTION.

Clyde Edwards moved to adjourn the meeting. Frank Barnard seconded the motion and it carried unanimously. The meeting adjourned at 7:22 P.M.

ATTEST: _____
Rodney Courtney, Chairman

_____
BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JULY 27, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 20TH DAY OF JULY, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 736 CEDAR LEAF CIRCLE.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 738 CEDAR LEAF CIRCLE.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM CHAPTER 18.12.100 AND CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 749 CEDAR LEAF CIRCLE.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot front building line instead of the required twenty five foot, at 736 Cedar Leaf Circle. This property is located on Block H, Lot 1, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot front building line instead of the required twenty five foot, at 738 Cedar Leaf Circle. This property is located on Block H, Lot 2, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 and Chapter 18.12.120 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot front building line instead of the required twenty five foot, and a fifteen foot rear building line instead of the required thirty foot, at 749 Cedar Leaf Circle. This property is located on Block H, Lot 11, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

Posted 7-7-95

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot front building line instead of the required twenty five foot, at 738 Cedar Leaf Cicle. This property is located on Block H, Lot 1, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 of the Municipal Code to construct a residence with a twenty foot front building line instead of the required twenty five foot, at 738 Cedar Leaf Circle. This property is located on Block H, Lot 2, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on July 27, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes requesting a variance from Chapter 18.12.100 and Chapter 18.12.120 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twnety foot front building line instead of the required twenty give foot, and a fifteen feet rear building line instead of the required thirty foot, at 749 Cedar Leaf Circle. This property is located on Block H, Lot 11, of the Thousand Oaks Addition Phase Two.
Barbara Starkey, City Secretary

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JUNE 19, 1995

MEMBERS PRESENT:
CLYDE EDWARDS, VICE-CHAIRMAN
FRANCES POTEET
DARLA SAMS
ROBERT (RUSTY) MEADOWS, JR.
CELESTA DOUGLAS
FRANK BARNARD
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
ROD COURTNEY, CHAIRMAN

I. ROLL CALL.

Vice-Chairman Clyde Edwards called the meeting to order at 7:05 P.M. and noted that all members were present except Chairman Rod Courtney.

II. APPROVAL OF MINUTES-ACTION.

Darla Sams moved to approve the minutes of the meeting held on May 30, 1995. Frances Poteet seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF BEN GILBERT REQUESTING A VARIANCE FROM CHAPTER 18.17.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 709 NICK STREET.

Rusty Meadows, how many cars does the carport and the garage handle?

Ben Gilbert, a one car carport and a two car garage.

Rusty Meadows, the dimensions on the plan look like the carport is bigger than the garage.

Ben Gilbert, on the original plans it was that way, but I have swapped the location of the carport and garage.

Clyde Edwards request to see the current plans for the house. He understands that at the previous meeting it was discussed that Mr. Gilbert would change the plans to include only a garage and eliminate the carport.

Clyde Edwards, variance requests are based on a hardship. The request for a two car garage and a one car carport that would only allow for a fifteen foot rear building line does not create a hardship. Several individuals have also noted that there could also be a potential water flow problem.

Ben Gilbert, if my vehicles get hail damage that's not a hardship?

Rusty Meadows, hardship means something that is unfair to you that is available to someone else. The city ordinance only requires two covered parking spaces. The hardship would be if the lot was the size where you could not have two car covered parking, and you have asked for an extra car parking area.

Clyde Edwards, even with the two car garage you are still not with in the required thirty foot rear building line, you only have twenty six feet.

Celesta Douglas, would like to know if the house could be moved over one foot so as not to extend over the fifteen foot corner side building line, because of a water line.

Ben Gilbert, the fireplace would not interfere with the water line.

Darla Sams, if the carport is eliminated what is the actual measurement for the rear yard with only the two car garage?

Rusty Meadows, the rear yard looks to be twenty seven feet.

David Decresce owns the property behind Mr. Gilbert's property and does not have a problem with Mr. Gilbert's request that his home be built with a fifteen foot back yard, but he would like the board to know that a drainage problem has been created by the homes being built at the top of the hill on Nick Street.

Clyde Edwards, the water flow problem would have to be addressed to the city council. If the grade has been changed the city employees and city council would have to address the problem.

Linwood Gilliland appreciates the fine job the board has done and would like to welcome Mr. Gilbert to his neighborhood. Bob has got caught up in the problems that were created by the past building inspector.

IV. ACTION FROM PUBLIC HEARING.

Rusty Meadows moved to approve a variance for a two car garage allowing for a twenty six foot rear building line, a variance for the fireplace to extend one foot into the corner side building line, and a variance for the front porch to extend four feet into the front building line. Frances Poteet seconded the motion and it carried unanimously.

V. ADJOURNMENT-ACTION.

Frances Poteet moved to adjourn the meeting. Celesta Douglas seconded the motion and it carried unanimously. The meeting adjourned at 7:30 P.M.

Clyde E. Edwards

ATTEST: Clyde Edwards, Vice-Chairman

BARBARA STARKEY, CITY SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON JUNE 19, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 9TH DAY OF JUNE, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF BEN GILBERT REQUESTING A VARIANCE FROM CHAPTER 18.17.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 709 NICK STREET.

IV. ACTION FROM PUBLIC HEARING.

V. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the R1-6000 (zone) District. The variance is requested from Ben Gilbert _____ on the basis of Needing of Parking Coverage for cars as to 18.14.110 of the off Street Parking as the building Line will be 15' Instead of Required 30' The front needs to be covered so people will not have to stand in the Rain it will Extend 4' past the 25' Required Setback The fireplace would extend 1' out of the required 15' setback on the side yard and would be 5' long .

The said property is located at 709 Nick ST.
and is further described as Attached is the survey

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached, if not a part of the surveyor's notes. A filing fee of $ 250. will accompany this application.

Submitted this 5 day of April, 1995.

Name: Ben Gilbert

Signature: B J Nitt

Address: 723 E. Hundley

Lake Dallas, TX 75065

Phone: 321-5639

Ben gilbert
Lot 709 Nick St.

TRACT 2

JAMES H. DOWDY & ASSOCIATES, INC.

MARCH 4, 1986

FIELD NOTES FOR A 0.243 ACRE TRACT OF LAND OUT OF THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 924, DENTON COUNTY, TEXAS.

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE TOWN OF LAKE DALLAS, COUNTY OF DENTON, STATE OF TEXAS, AND BEING OUT OF THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NO. 924, BEING PART OF A CERTAIN (CALLED) 1.634 ACRE TRACT CONVEYED BY DEED AS SHOWN OF RECORD IN VOLUME 1806, PAGE 191, OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, AND BEING

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4" IRON FENCE POST AT THE SOUTHWEST CORNER OF SAID 1.634 ACRE TRACT;

THENCE NORTH 86 DEGREES 57 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 1.634 ACRE TRACT AND ALONG OR NEAR A FENCE LINE, 179.75 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01 DEGREES 41 MINUTES 00 SECONDS EAST, 135.46 FEET TO AN IRON ROD FOR CORNER IN THE NORTH LINE OF SAID 1.634 ACRE TRACT;

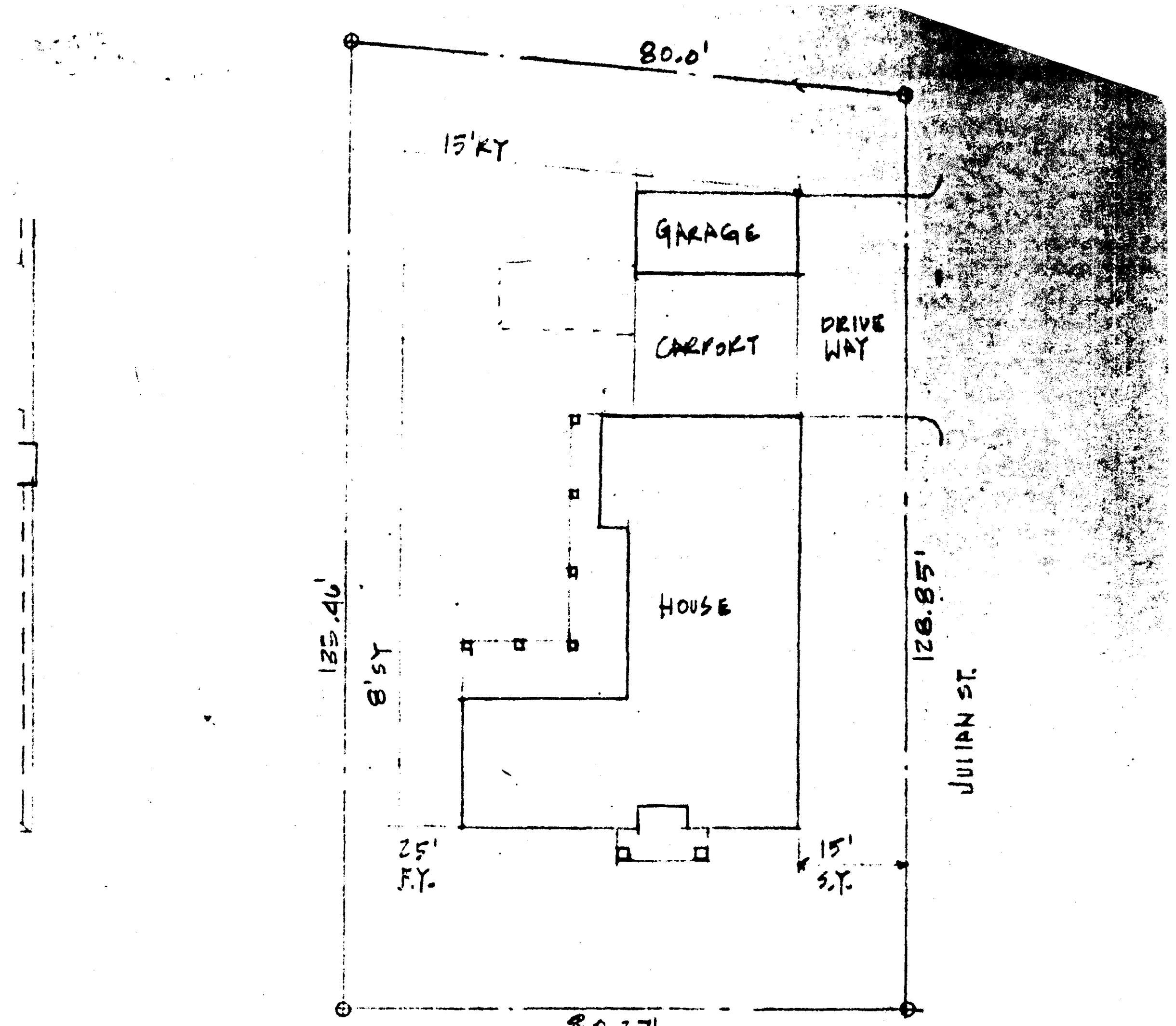
THENCE SOUTH 88 DEGREES 19 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID 1.634 ACRE TRACT AND ALONG OR NEAR A FENCE LINE, 80.00 FEET TO AN IRON ROD FOR CORNER;

THENCE SOUTH 01 DEGREES 41 MINUTES 00 SECONDS WEST, 128.85 FEET TO AN IRON ROD FOR CORNER IN THE SOUTH LINE OF SAID 1.634 ACRE TRACT;

THENCE SOUTH 86 DEGREES 57 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 1.634 ACRE TRACT AND ALONG OR NEAR A FENCE LINE, 80.27 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.243 ACRES OF LAND MORE OR LESS.

P.O. BOX 803 • BEDFORD, TEXAS 76021
Phone 817/654-4441

TEXAS SURVEYORS ASSOCIATION
REGISTERED MEMBER



709 NICK ST.

NORTH

(3) SITE PLAN

1"=20'

LAKE DALLAS, TEX

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on June 19, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Ben Gilbert requesting a variance from Chapter 18.14.070 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a fifteen foot rear building line instead of the required thirty feet, a twenty one foot front building line instead of the required twenty five foot, and a fourteen foot corner side lot line instead of the required fifteen foot at 709 Nick Street. This property is located on Block A, Lot 1 of the Honse Addition.

Barbara Starkey, City Secretary

Posted 6-2-95

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date : June 9, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of The City of Lake Dallas, Texas will hold a public hearing on Monday, June 19, 1995 at 7:00 P.M. in the council chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal descriptions of property involved;

Honse Addition, Lot #1, Block A,
variance request relative to building setbacks.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the city of Lake Dallas will hold a public hearing on June 19, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Ben Gilbert requesting a variance from Chapter 18.14.070 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a fifteen foot rear building line instead of the required thirty feet, a twenty one foot front building line instead of the required twenty five foot, and a fourteen foot corner side lot instead of the required fifteen foot at 709 Nick Street. This property is located on Block A, Lot 1 of the Honse addition.

Barbara Starkey, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS HOLD A WORKSHOP AND MEET IN OPEN SESSION ON MAY 30, 1995, AT 6:30 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 25TH DAY OF MAY, 1995.

AGENDA:

I. ROLL CALL.

II. WORKSHOP WITH BOARD OF ADJUSTMENT MEMBERS AND BUILDING INSPECTOR.

III. APPROVAL OF MINUTES-ACTION.

IV. PUBLIC HEARING: PETITION OF PULTE HOMES, INC. REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 315 ASHLEY OAK LANE.

V. ACTION FROM PUBLIC HEARING.

VI. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
CITY SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

MAY 30, 1995

MEMBERS PRESENT:
ROD COURTNEY, CHAIRMAN
FRANCES POTEET
DARLA SAMS
ROBERT MEADOWS, JR.
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
CLYDE EDWARDS
KURT ABBRAT, ALTERNATE
CELESTA DOUGLAS, ALTERNATE

I. ROLL CALL.

Chairman Rod Courtney called the meeting to order at 7:05 P.M. and noted that all members were present except Clyde Edwards.

II. WORKSHOP WITH BOARD OF ADJUSTMENT MEMBERS AND BUILDING INSPECTOR.

No workshop was held as newly appointed alternate members were not present.

III. APPROVAL OF MINUTES-ACTION.

Frances Poteet moved to approve the minutes of the meeting held on April 27, 1995. Robert Meadows seconded the motion and it carried unanimously.

IV. PUBLIC HEARING: PETITION OF PULTE HOMES, INC. REQUESTING A VARIANCE FROM CHAPTER 18.12.120 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 315 ASHLEY OAK LANE.

Bob Willis, City Building Inspector reports that Pulte Homes is asking for a variance of the rear building line in that the home extends nine feet eight inches past the required thirty foot building line, due to the odd shape of the lot.

Brad Anderson with Pulte Homes, Inc. reports the lot is located on a serpentine street which makes the lot a parallelogram which makes the house extend past the rear building line on one side of the lot.

V. ACTION FROM PUBLIC HEARING.

Robert Meadows moved to approve the variance request of Pulte Homes, Inc. at 315 Ashley Oak Lane. Darla Sams seconded the motion and it carried unanimously.

VII. ADJOURNMENT-ACTION.

Darla Sams moved to adjourn the meeting. Robert Meadows seconded the motion and it carried unanimously. The meeting adjourned at 7:15 P.M.

ATTEST: _____
Rod Courtney, Chairman

_____
BARBARA STARKEY, CITY SECRETARY

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the R1720 (zone) District. The variance is requested from PULTE HOMES INC on the basis of HOUSE WILL EXTEND PAST 30' REAR BUILDING LINE

The said property is located at 315 ASHLEY OAK LN and is further described as

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached, if not a part of the surveyor's notes. A filing fee of $ 250. will accompany this application.

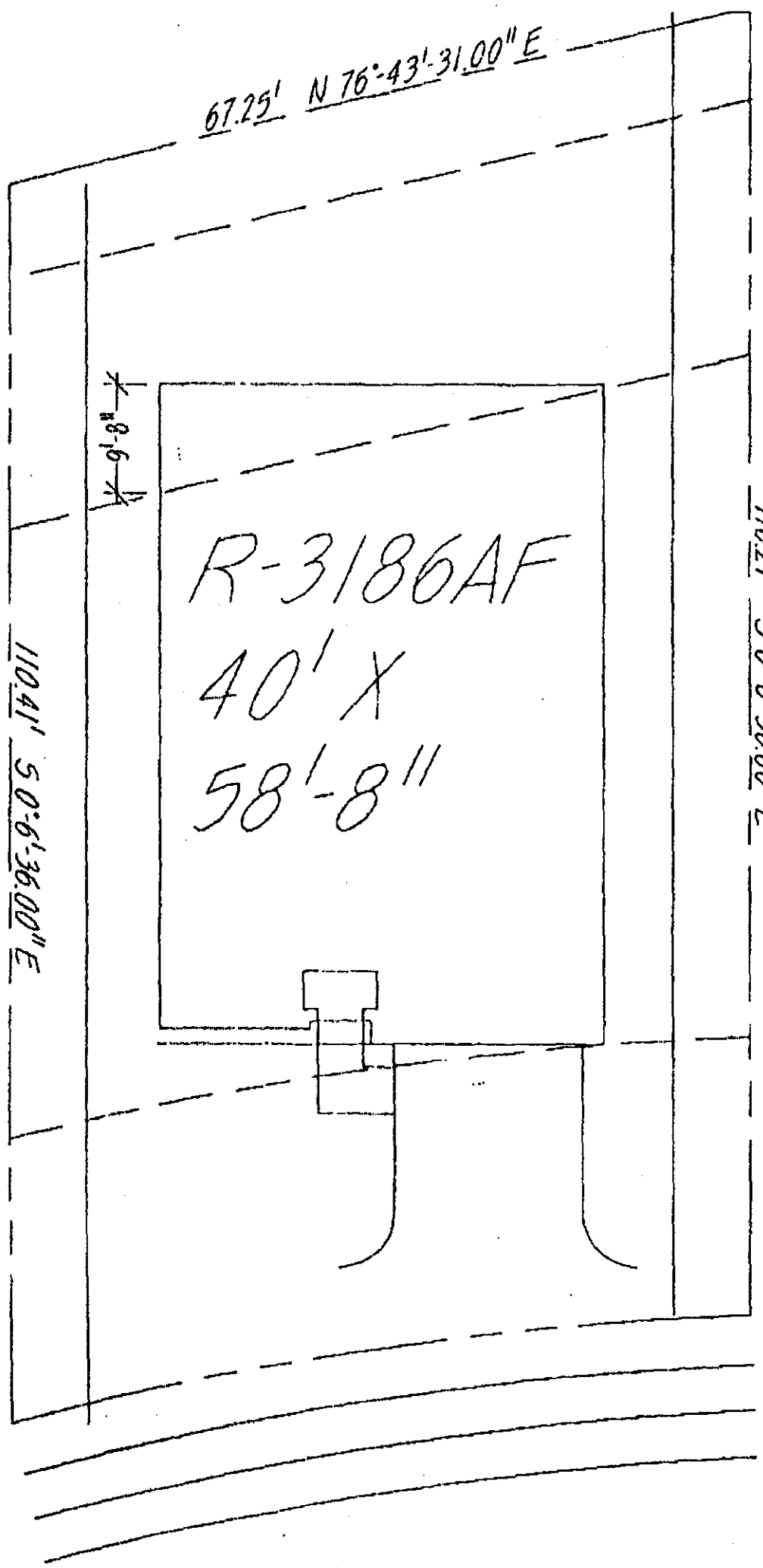
Submitted this 4 day of May, 1995.

Name: PULTE HOMES INC

Signature: B L L

Address: PULTE HOMES INC
1431 GREENWAY DR. SUITE 700
IRVING, TX. 75038

Phone: 817-321-6087



R-3186AF-C
315 ASHLEY OAK LANE
LOT 3 BLOCK 1

City of Lake Dallas

303 Alamo St., P.O. Box 368, Lake Dallas, TX 75065
817-497-2226

NOTICE OF PUBLIC HEARING ON A
PROPOSED VARIANCE REQUEST

Date : May 12, 1995

Dear Property Owner:

You are hereby notified that the Board of Adjustment of The City of Lake Dallas, Texas will hold a public hearing on Tuesday, May 30, 1995 at 7:00 P.M. in the council chambers of the City Hall Building located at 303 Alamo, to consider a variance request for the property listed below:

Legal descriptions of property involved;

Thousand Oaks Addition, Lot #3, Block I,
variance request relative to building setbacks.

This notice is sent to you as an owner of real property located within 200 feet of the above mentioned property. The City of Lake Dallas would like to invite you to attend this hearing and remind you that your input is greatly appreciated.

Barbara Starkey

Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on May 30, 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes, Inc. requesting a variance from Chapter 18.12.120 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot, four inch rear building line instead of the required thirty feet at 315 Ashley Oak Lane. This property is located on Lot 3 Block I, of the Thousand Oaks Addition.

Barbara Starkey, City Secretary

Notice of Public Hearing

Notice is hereby given that the Board of Adjustment of the City of Lake [illegible] will hold a public hearing on [illegible] 1995 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Pulte Homes, Inc. requesting a variance from [illegible] 18.12.120 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a twenty foot, four inch rear building line instead of the required thirty feet at 315 Ashley Oak Lane. This property is located on Lot 3 Block 1, of the Thousand Oaks Addition. Barbara Bagley, City Secretary.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON APRIL 27, 1995, AT 7:30 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO.

POSTED THIS 21ST DAY OF APRIL, 1995.

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES-ACTION.

III. PUBLIC HEARING: PETITION OF BEN GILBERT REQUESTING A VARIANCE FROM CHAPTER 18.17.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 709 NICK STREET.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: PETITION OF TOM PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.130 OF THE MUNICIPAL CODE RELATIVE TO LOT AREA PER FAMILY AT 110 HILLCREST, 108 HILLCREST, 111 SWISHER, AND 113 SWISHER.

VI. ACTION FROM PUBLIC HEARING.

VII. ADJOURNMENT-ACTION.

Barbara Starkey

BARBARA STARKEY
SECRETARY

CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

APRIL 27, 1995

MEMBERS PRESENT:
ROD COURTNEY, CHAIRMAN
FRANCES POTEET
CLYDE EDWARDS
BARBARA STARKEY, CITY SECRETARY

MEMBERS ABSENT:
DARLA SAMS
ROBERT MEADOWS, JR.

I. ROLL CALL.

Chairman Rod Courtney called the meeting to order at 7:35 P.M. and noted that all members were present except Darla Sams and Robert Meadows, Jr.

II. APPROVAL OF MINUTES-ACTION.

Frances Poteet moved to approve the minutes of the meeting held on January 19, 1995. Clyde Edwards seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF BEN GILBERT REQUESTING A VARIANCE FROM CHAPTER 18.17.070 OF THE MUNICIPAL CODE RELATIVE TO BUILDING SETBACKS AT 709 NICK STREET.

Bob Willis, Code Enforcement Officer reported that the lot has not been platted by a registered surveyor.

Ben Gilbert stated that he is in the process of getting a surveyor to plat the land. Ben Gilbert stated he would like to include a garage and carport to his home which would require that the rear yard line be fifteen feet. Also the fireplace would extend one foot out into the required fifteen foot setback for side yard.

IV. ACTION FROM PUBLIC HEARING.

No action taken as a quorum did not exist.

V. PUBLIC HEARING: PETITION OF TOM PRALLE REQUESTING A VARIANCE FROM CHAPTER 18.12.130 OF THE MUNICIPAL CODE RELATIVE TO LOT AREA PER FAMILY AT 110 HILLCREST, 108 HILLCREST, 111 SWISHER, AND 113 SWISHER.

Rod Courtney and Clyde Edwards do not feel that the proper fees were paid for the requested variance.

Tom Pralle states that he paid the fee that was told to him, and that he has a problem with paying any additional fees.

VI. ACTION FROM PUBLIC HEARING.

No action taken as a quorum did not exist.

VII. ADJOURNMENT-ACTION.

Clyde Edwards moved to adjourn the meeting. Frances Poteet seconded the motion and it carried unanimously. The meeting adjourned at 8:05 P.M.

ATTEST:

Rod Courtney, Chairman

BARBARA STARKEY, CITY SECRETARY

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Ben Gilbert requesting a variance from Chapter 18.14.070 of the Municipal Code relative to building setbacks. The petitioner is requesting to construct a residence with a fifteen foot rear building line instead of the required thirty feet, a twenty one foot front building line instead of the required twenty five foot, and a fourteen foot corner side lot line instead of the required fifteen foot at 709 Nick Street. This property is located on Block D, Lot 1 (80.27' strip west from Julian Street and 128.85' north along Julian Street) of the Lake View Camp Addition.

Barbara Starkey, City Secretary

Petition for Variance

To the Board of Adjustment:

The undersigned, owner of all the property herein described, does hereby file this petition, asking that a Variance be granted on said property located within the R1-7200 & Multi-family (zone) District. The variance is requested from Tom Proialle Proille on the basis of Lot size for R-1 7200

Proalle Addition - Block A, Lot 24A, - 59.98' along North Property line - 119.59' along West Property Line - 119.83' along East Property line - 59.88' along South Property line. - 7174.21 sq. ft.

110 Hillcrest

The said property is located at and is further described as SWISHER RD TO HILLCREST

H.H. SWISHER SUR A61220

See ATTACHED SURVEY

Accompanying this application is attached an accurate survey of the property, plus any comments, in writing, the applicant wishes to make. A site plan will also be attached, if not a part of the surveyor's notes. A filing fee of $ 250. will accompany this application.

Submitted this 14th day of April, 1995.

Name: _____

Signature: Thomas B Proille

Address: P.O. BX 366

LAKE DALLAS

Phone: 812-321-2821

108 Hillcrest

Block A, Lot 24B - 59.88' along North Property line - 120.08' along East Property line - 119.83' along West Property line - 59.88' along South Property line. - total 7182.9 sq. ft.

111 Swisher

Block A, Lot 22A - 59.88' along North Property line - 120' along East and West Property line - 59.88' along South Property line. - total 7185.6 sq. ft.

113 Swisher

Block A, Lot 22B - 59.88' along North Property line - 59.78' along South Property line, 120' along East and West Property lines. for total 7179.6 sq. ft.

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,174.21 square feet per family instead of the required 7,200 square feet per family at 110 Hillcrest. This property is located on Block A, Lot 24A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,182.9 square feet per family instead of the required 7,200 square feet per family at 108 Hillcrest. This property is located on Block A, Lot 24B of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,185.6 square feet per family instead of the required 7,200 square feet per family at 111 Swisher. This property is located on Block A, Lot 22A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,179.6 square feet per family instead of the required 7,200 square feet per family at 113 Swisher. This property is located on Block A, Lot 22B of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,185.6 square feet per family instead of the required 7,200 square feet per family at 111 Swisher. This property is located on Block A, Lot 22A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,179.6 square feet per family instead of the required 7,200 square feet per family at 113 Swisher. This property is located on Block A, Lot 22A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Ben Gilbert requesting a variance from Chapter 18.14.070 of the Municipal Code relative to building set backs. The petitioner is requesting to construct a residence with a fifteen foot rear building line instead of the required thirty feet, a twenty one foot front building line instead of the required twenty five foot, and a fourteen foot corner side lot line instead of the required fifteen foot at 709 Nick Street. This property is located on Block D, Lot 1 (80.27' strip west from Julian Street and 128.85' north along Julian Street) of the Lake View Camp Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is herby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,174.21 square feet per family instead of the required 7,200 square feet per family at 110 Hillcrest. This property is located on Block A, Lot 24A of the Pralle Addition.
Barbara Starkey, City Secretary

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on April 27, 1995 at 7:30 p.m. in the Council Chambers of the City Hall Building to consider the petition of Tom Pralle requesting a variance from Chapter 18.12.130 of the Municipal Code relative to lot area per family. The petitioner is requesting to plat a lot area with 7,182.9 square feet per family instead of the required 7,200 square feet per family at 108 Hillcrest. This property is located on Block A, Lot 24B of the Pralle Addition
Barbara Starkey, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION JANUARY 19, 1995 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 3RD DAY OF JANUARY, 1995.

Donna Hamilton

DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Approval of minutes from December 29, 1994 meeting - Action.

III. Public Hearing: Petition of General Homes requesting a variance from Municipal Code 18.12.120 relative to rear yard building setbacks at 733 Winding Oak Bend.

IV. Petition of General Homes requesting a variance from Municipal Code, Chapter 18.12.120 relative to rear building lines at 733 Winding Oak Bend - Action.

V. Adjournment - Action.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
JANUARY 19, 1995

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rod Courtney, Chairman
Frances Poteet
Darla Sams
Robert Meadows, Jr.
Clyde Edwards

With all members present the following business was conducted:

II. APPROVAL OF MINUTES.

Darla Sams moved to approve the minutes from the December 29, 1994 meeting. Robert Meadows seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.12.120 RELATIVE TO REAR YARD BUILDING SETBACKS AT 733 WINDING OAK BEND.

A representative of General Homes stated that in order to retain a large oak tree it would require setting the home 3'4" farther into the rear yard on one side but would have an overall average building line of thirty feet.

There were no public comments.

IV. PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM BUILDING LINE SETBACKS AT 733 WINDING OAK BEND.

Frances Poteet moved to approve the variance request. Darla Sams seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Robert Meadows moved to adjourn the meeting. Darla Sams seconded the motion and it carried unanimously.

Rodney E Courtney
Rod Courtney, Chairman

ATTEST:

Barbara Starkey
Barbara Starkey, Administrative Assistant

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION DECEMBER 29, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 12TH DAY OF DECEMBER, 1994.

Donna Hamilton

DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Approval of minutes from December 12, 1994 meeting - Action.

III. Public Hearing: Petition of Pulte Homes Corp. requesting a variance from Municipal Code 18.12.120 relative to rear yard building setbacks at 727 Winding Oak Bend.

IV. Petition of Pulte Homes Corp. requesting a variance from Municipal Code, Chapter 18.12.120 relative to rear building lines at 727 Winding Oak Bend - Action.

V. Public Hearing: Petition of Pulte Homes Corp. requesting a variance from Municipal Code, Chapter 18.12.120 relative to rear yard building setbacks at 725 Winding Oaks Bend.

VI. Petition of of Pulte Homes Corp. requesting a variance from Municipal Code, Chapter 18.12.120 relative to rear building lines at 725 Winding Oaks Bend - Action.

VII. Adjournment - Action.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
DECEMBER 29, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rod Courtney, Chairman
Frances Poteet
Darla Sams
Robert Meadows, Jr.

With Clyde Edwards absent the following business was conducted:

II. APPROVAL OF MINUTES.

Robert Meadows moved to approve the minutes from the December 12, 1994 meeting. Darla Sams seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.12.120 RELATIVE TO REAR YARD BUILDING SETBACKS AT 727 WINDING OAK BEND.

Mike McCary, Building Inspector, stated that a variance has been requested by Pulte Homes because three large trees are located in the building area of the lot. A representative of Pulte Homes stated that in order to retain these trees it would require setting the home eight foot farther into the rear yard therefore having a twenty two foot year yard instead of the required thirty.

There were no public comments.

IV. PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM BUILDING LINE SETBACKS AT 727 WINDING OAK BEND.

Chairman Courtney expressed concern that the Board of Adjustment was receiving petitions for variances for buildings that were already under construction before the Board reviewed the case.

Robert Meadows, Jr. moved to approve a variance from Chapter 18.12 of the Municipal Code relative to rear yard setbacks. Frances Poteet seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE, CHAPTER 18.12.120 RELATIVE TO REAR YARD BUILDING SETBACKS AT 725 WINDING OAKS BEND.

Mike McCary, Building Inspector, stated that a building permit had been issued in error for this home which has been partially completed but that a variance was needed to construct the building nine foot beyond the rear yard line to save a large oak tree in the front yard. The construction foreman for Pulte stated that he started construction on the home because he thought that this lot had already been granted a variance and he had received a permit.

There were no public comments.

VI. PETITION OF PULTE HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE, CHAPTER 18.12.120 RELATIVE TO REAR BUILDING LINES AT 725 WINDING OAKS BEND.

Darla Sams moved to approve the variance for rear building setbacks at 725 Winding Oaks Bend. Robert Meadows, Jr. seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Robert Meadows moved to adjourn the meeting. Darla Sams seconded the motion and it carried unanimously.

Rodney Courtney
Rod Courtney, Chairman

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
DECEMBER 12, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rod Courtney, Chairman
Clyde Edwards
Darla Sams
Robert Meadows, Jr.

With Frances Poteet absent the following business was conducted:

II. APPROVAL OF MINUTES.

Clyde Edwards moved to approve the minutes from the July 11, 1994 meeting. Darla Sams seconded the motion and it carried unanimously.

III. PUBLIC HEARING: PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.12 RELATIVE TO FRONT AND SIDE YARD BUILDING SETBACKS AT 314 THOUSAND OAKS DRIVE.

David Stockel, General Homes representative, explained that they were requesting a variance to construct a home two feet over the front building line and one foot over the side yard line. The purpose of this request is to save large oak trees.

There were no public comments.

IV. PETITION OF GENERAL HOMES REQUESTING A VARIANCE FROM BUILDING LINE SETBACKS AT 314 THOUSAND OAKS.

Clyde Edwards moved to approve a variance from Chapter 18.12 of the Municipal Code relative to front and side yard setbacks. Darla Sams seconded the motion and it carried unanimously.

V. ADJOURNMENT.

Robert Meadows moved to adjourn the meeting. Darla Sams seconded the motion and it carried unanimously.

Rodney Courtney
Rod Courtney, Chairman

ATTEST:

Donna Hamilton

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION DECEMBER 12, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 23RD DAY OF NOVEMBER, 1994.

Donna Hamilton

DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Approval of minutes from July 11, 1994 meeting - Action.

III. Public Hearing: Petition of General Homes, Inc. requesting a variance from Municipal Code 18.12 relative to front and side yard building setbacks at 314 Thousand Oaks Drive.

IV. Petition of General Homes requesting a variance from building lines at 314 Thousand Oaks Drive - Action.

V. Adjournment - Action.

THE CITY OF LAKE DALLAS

MEETING OF THE BOARD OF ADJUSTMENT

JULY 11, 1994

I. ROLL CALL

THE MEETING WAS CALLED TO ORDER AT 7:05 P.M. BY CHAIRMAN ROD COURTNEY WITH THE FOLLOWING MEMBERS PRESENT:

ROD COURTNEY, CHAIRMAN
TERY FARMER
FRANCES POTEET
CLYDE EDWARDS

WITH ROBERT MEADOWS ABSENT, THE FOLLOWING BUSINESS WAS CONDUCTED:

II. PUBLIC HEARING: CONDEMNATION OF RESIDENTIAL BUILDING LOCATED AT 5301 PRINCE DRIVE, LOT 9, BLOCK I, KINGS MANOR SUBDIVISION.

CODE ENFORCEMENT OFFICER MIKE MCCARY ADVISED THE BOARD THAT MS. GEESLIN HAD DONE VERY LITTLE TO HER PROPERTY. SHE HAD TAKEN SOME OF THE TRASH OUT OF HER RESIDENCE AND HAD THROWN IT IN HER BACK YARD. MCCARY MADE A SUGGESTION TO CLEAN THE PROPERTY UP WITHIN FORTY-EIGHT HOURS, SECURE THE AREA AND DEMOLISH THE RESIDENCE WITHIN THIRTY (30) DAYS.

MS. GEESLIN SPOKE TO THE BOARD. SHE SAID THAT SHE HAD A CREW AT HER RESIDENCE TO CLEAN THE PLACE UP. ONE OF THE TRACTORS BROKE DOWN AND THE WORK HAD STOPPED, DUE TO THE FACT THAT THE TRACTOR BROKE AND ALL THE RAIN WE HAD. MS. GEESLIN ALSO ADVISED THE BOARD THAT SHE SPOKE WITH THE TEXAS HEALTH DEPARTMENT IN REFERENCE TO THE TRASH IN THE BACK YARD AND THEY SAID THAT IT WAS NOT A HEALTH HAZARD. A FRIEND OF MS. GEESLIN'S HAD BROUGHT SOIL SAMPLES IN TO SHOW THE BOARD.

CITY ATTORNEY DAVID BERMAN ADVISED THE BOARD THAT THE CLEAN-UP WAS TO BE COMPLETED BY JUNE 22, 1994.

III. RECONSIDER ADOPTION OF ORDER REQUIRING DEMOLITION OF STRUCTURE AT 5301 PRINCE DRIVE AND ANY FURTHER ACTION NECESSARY.

CLYDE EDWARDS MADE A MOTION TO PROCEED WITH DEMOLITION, SECURE AREA WITHIN 72 HOURS AND DEMOLITION TO BEGIN IN 7 DAYS AND COMPLETED WITHIN NINETY (90) DAYS, IT WAS SECONDED BY FRANCES POTEET AND CARRIED UNANIMOUSLY.

IV. CONSIDER ADOPTION OF ORDER REQUESTING THAT, IN THE EVENT WORK IS NOT COMPLETED AS SPECIFIED AT 5301 PRINCE DRIVE, THE CITY OF LAKE DALLAS CAUSE THE WORK TO BE DONE AND CHARGE AGAINST THE PROPERTY AND THE OWNER.

FRANCES POTEET MADE A MOTION TO SECURE THE STRUCTURE AND TO GIVE MS. GEESLIN SEVEN (7) DAYS TO SECURE PERMITS FOR DEMOLITION AND IF THE PERMITS ARE NOT OBTAINED, THEN THE CITY CAN START DEMOLITION WITH THE EXPENSE BEING CHARGED AGAINST THE PROPERTY AND THE OWNER, IT WAS SECONDED BY CLYDE EDWARDS AND CARRIED UNANIMOUSLY.

V. CONSIDER IMPOSING A CIVIL PENALTY AGAINST THE OWNER OF THE PROPERTY LOCATED AT 5301 PRINCE DRIVE FOR MAINTAINING PROPERTY IN VIOLATION OF THE MINIMUM HOUSING AND BUILDING STANDARDS CODE.

IT WAS MOVED BY TERRY FARMER THAT THE EXTERIOR OF THE PROPERTY BE BROUGHT UP TO CODE WITHIN SEVEN(7) DAYS, IF NOT, THE CODE ENFORCEMENT OFFICER HAS THE AUTHORITY TO WRITE CITATIONS EVERYDAY UNTIL THE PROPERTY IS BROUGHT UP TO CODE, IT WAS SECONDED BY CLYDE EDWARDS AND CARRIED UNANIMOUSLY.

VI. ADJOURNMENT

IT WAS MOVED BY FRANCES POTEET, SECONDED BY TERRY FARMER AND CARRIED UNANIMOUSLY TO ADJOURN THE MEETING. THE MEETING ADJOURNED AT 8:35 P.M.

Rodney Courtney

RODNEY COURTNEY, CHAIRMAN

ATTEST:

JODY BROOKS, SECRETARY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION JULY 11, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 27TH DAY OF JUNE, 1994.

Donna Hamilton
DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Public Hearing: Condemnation of residential building located at 5301 Prince Drive, Lot 9, Block I, Kings Manor Subdivision.

III. Reconsider adoption of Order requiring demolition of structure at 5301Prince Drive and any further action necessary - Action.

IV. Consider adoption of Order requesting that, in the event demolition work is not completed as specified at 5301 Prince Drive, the City of Lake Dallas cause the work to be done and charge the costs against the property and the owner- Action.

V. Consider imposing a civil penalty against the Owner of the property at 5301Prince Drive for maintaining property in violation of the Minimum Housing and Building Standards Code - Action.

VI. Adjournment - Action.

NOTICE OF PUBLIC HEARING
OF THE BOARD OF ADJUSTMENT
OF THE CITY OF LAKE DALLAS, TEXAS

DATE: June 24, 1994

TO: ALL INTERESTED PARTIES

RE: PROPERTY OWNER: KATHRYN GEESLIN

PROPERTY: 5301 PRINCE DRIVE
LAKE DALLAS, TEXAS 75065

BEING LOT 9, BLOCK 1, KINGS MANOR ADDITION, CITY OF LAKE DALLAS, DENTON COUNTY, TEXAS.

DATE OF HEARING: July 11, 1994, 7:00 P.M.

The Property referenced above has been determined by the Board of Adjustment of the City of Lake Dallas, Texas, to be in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas and that a structure on said property is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance. A public hearing will be held at 7:00, P.M., July 11, 1994, at City Hall at which time and place the Board will consider adopting an Order which:

1) requires the property owner to demolish the structure;
2) requires the demolition work to commence and be completed within specific time periods;
3) requires that the property owner submit regular progress reports detailing the progress of the demolition work;
4) requires that the property owner obtain appropriate permits and City inspections for the work and comply with any other laws, ordinances or regulations which may apply; and,
5) imposing any other condition or requirement which the Board may deem reasonable and appropriate.

The Board will further consider adopting an Order requesting that, in the event that the above-stated work is not commenced on the date specified or is not proceeding satisfactorily, the City of Lake Dallas cause the work to be done and charge the costs thereof against the property and the owner.

The Board may further consider imposing a civil penalty against the Owner for maintaining property in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
JUNE 22, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rod Courtney, Chairman
Clyde Edwards, Vice-Chairman
Darla Sams
Frances Poteet
Robert Meadows, Jr.

With all regular members present the following business was conducted:

II. CONSIDERATION OF COMPLIANCE WITH BOA ORDER AT 5301 PRINCE DRIVE AND ANY FURTHER ACTION.

Kathryn Geeslin informed the Board that she had contacted a pest control company that has treated her home one time and will come back as the trash and litter are removed layer by layer. Ms. Geeslin had contacted a clean up company that did not show up but has an appointment on Thursday with Alberto Martinez, another cleaning company. She has also contacted David Lee Construction Company to make repairs and they are to give her an estimate next week.

Charles Binham, a co-worker of Ms. Geeslin, stated that he was helping her with cleaning until he was told that the City required a professional company to do the job. Mr. Binham was informed that the City had not required a professional company.

Frances Poteet moved to relinquish this case to the City Council. Darla Sams seconded the motion. The Board discussed this motion and Frances Poteet moved to rescind her motion with a second by Darla Sams.

Frances Poteet moved to recommend that the structure at 5301 Prince Drive be demolished and the case relinquished to City Council. Rusty Meadows seconded the motion and it carried unanimously.

III. PUBLIC HEARING: REQUEST FOR A VARIANCE FROM SECTION 18.14.100 AND 18.14.110 OF THE MUNICIPAL CODE RELATIVE TO MINIMUM DWELLING SIZE AND OFF-STREET PARKING REQUIREMENTS AT 305 ADOLPHUS, LOTS 9 & 10, BLOCK E, GARZA BEACH ESTATES.

Beverly Sisk presented her case before the Board.

IV. VARIANCE REQUEST BY BEVERLY SISK AT 305 ADOLPHUS.

Darla Sams moved to deny the request for a variance from minimum dwelling size and off-street parking requirements. Clyde Edwards seconded the motion and it carried with the following vote: Ayes: Darla Sams, Clyde Edwards, Frances Poteet, Rod Courtney. Noes: Robert Meadows, Jr.

V. APPROVAL OF MINUTES OF MEETINGS HELD IN MAY, 1994.

Clyde Edwards moved to approve the minutes of meetings held in May, 1994. Robert Meadows, Jr. seconded the motion and it carried unanimously.

XI. ADJOURNMENT.

Clyde Edwards moved to adjourn the meeting. Darla Sams seconded the motion and it carried unanimously.

Rod Courtney, Chairman

ATTEST:

Donna Hamilton, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION ON JUNE 22, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 14TH DAY OF JUNE, 1994.

Donna Hamilton
DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Consideration of compliance with order at 5301 Prince Drive and any further action necessary - Action.

III. Request for a variance from Section 18.14.100 and 18.14.110 of the Municipal Code relative to minimum dwelling size and off-street parking requirements at 305 Adolphus, Lots 9 and 10, Block E, Garza Beach Estates - Action.

IV. Consider changing regular meeting date due to conflict of meeting schedules - Action.

V. Approval of minutes of meeting held June 7,1994 - Action.

VI. Adjournment - Action.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
JUNE 7, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rod Courtney, Chairman
Clyde Edwards, Vice-Chairman
Darla Sams
Frances Poteet
Robert Meadows, Jr.
Terry Farmer, Alternate

With all regular members present the following business was conducted:

II. PUBLIC HEARING: CONDEMNATION OF RESIDENTIAL BUILDING LOCATED AT 5301 PRINCE DRIVE, LOT 9, BLOCK I, KINGS MANOR SUBDIVISION.

Kathryn Geeslin informed the Board that she has $3,000.00 to use for cleaning and repairing her property.

Robbie Robertson, a neighbor, requested complete fumigation for pests before cleanup.

III. CONDEMNATION OF RESIDENTIAL BUILDING AT 5301 PRINCE DRIVE - ACTION.

Robert Meadows, Jr. made a motion to order the following:

1. Kathryn Geeslin shall obtain and perform pest and rodent control on or before June 14, 1994;
2. all rubbish, trash and debris be removed from the interior and exterior of the premises, and that the property be cleaned on or before June 22, 1994;
3. Kathryn Geeslin shall obtain and submit to the Board cost estimates for the repair and refurbishing of the premises and to seal the concrete foundation slab, and to repair the premises such that all Code violations are removed, at the Board's hearing on June 22, 1994;
4. the property be vacated and secured from unlawful entry on or before the expiration of forty-eight (48) hours from the time of this determination, to wit: 9:00 p.m., June 9, 1994;
5. the Board shall retain jurisdiction of this matter to determine compliance with the orders contained herein and shall retain jurisdiction to modify or change these Orders in the event of noncompliance.

6. the property will be completely cleaned and repaired by September 15, 1994.
7. the Board shall reconvene and conduct a hearing on this matter on June 22, 1994.

The motion was seconded by Terry Farmer and carried unanimously.

IV. PUBLIC HEARING: REQUEST FOR A VARIANCE FROM SECTION 18.14.100 AND 18.14.110 OF THE MUNICIPAL CODE RELATIVE TO MINIMUM DWELLING SIZE AND OFF-STREET PARKING REQUIREMENTS AT 305 ADOLPHUS, LOTS 9 & 10, BLOCK E, GARZA BEACH ESTATES.

Beverly Sisk presented her case before the Board.

V. VARIANCE REQUEST BY BEVERLY SISK AT 305 ADOLPHUS.

Clyde Edwards moved to table a decision on this request until June 22, 1994 at which time Ms. Sisk is to bring the Board a detailed plot plan of her property. Darla Sams seconded the motion and it carried unanimously.

VI. PUBLIC HEARING: REQUEST FOR A VARIANCE FROM SECTION 18.12.020 AND 18.12.060 OF THE MUNICIPAL CODE RELATIVE TO ACCESSORY USES BEING LOCATED ON THE SAME LOT AS THE DWELLING AT 725 LAKE, LOTS 15, 16, 31, & 32, BLOCK E, GARZA BEACH ESTATES.

Ray Weikum presented his case to the Board stating that the previous City Building Inspector has issued him a permit for this building and showed his receipts.

VII. VARIANCE REQUEST BY RAY WEIKUM AT 725 LAKE.

Robert Meadows, Jr. moved to grant the request for a variance at 725 Lake. Darla Sams seconded the motion and it carried with the following vote: Ayes: Robert Meadows, Darla Sams, Rod Courtney, Terry Farmer. Noes: Clyde Edwards.

VIII. REQUEST FOR A VARIANCE FROM SECTIONS 18.14.080 AND 18.14.070 OF THE MUNICIPAL CODE RELATIVE TO REAR YARD SETBACKS AND LOT AREA PER FAMILY REQUIREMENTS AT 305 NORTH LAKEVIEW DRIVE, GARZA BEACH ESTATES SUBDIVISION.

Ron Denny, Casa Homes, presented his request for a variance at 305 North Lakeview Drive.

IX. VARIANCE REQUEST BY CASA HOMES AT 305 NORTH LAKEVIEW DRIVE.

Darla Sams moved to approve a variance request by Casa Homes at North Lakeview Drive. Robert Meadows, Jr. seconded the motion and it carried with the following votes: Ayes: Darla Sams, Robert Meadows, Clyde Edwards, Rod Courtney Noes: Terry Farmer.

X. APPROVAL OF MINUTES OF MEETINGS HELD IN APRIL, 1994.

Robert Meadows, Jr. moved to approve the minutes of meetings held in April, 1994. Darla Sams seconded the motion and it carried unanimously.

XI. ADJOURNMENT.

Darla Sams moved to adjourn the meeting. Terry Farmer seconded the motion and it carried unanimously.

Rod Courtney, Chairman

ATTEST:

Donna Hamilton, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION ON JUNE 7, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 20TH DAY OF MAY, 1994.

Donna Hamilton
DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Public Hearing: Comdemnation of residential building located at 5301 Prince Drive, Lot 9, Block I, Kings Manor Subdivision.

III. Condemnation of residential building at 5301 Prince Drive - Action.

IV. Public Hearing: Request for a variance from Section 18.14.100 and 18.14.110 of the Municipal Code relative to minimum dwelling size and off-street parking requirements at 305 Adolphus, Lots 9 and 10, Block E, Garza Beach Estates.

V. Variance request by Beverly Sisk at 305 Adolphus - Action.

VI. Public Hearing: Request for a variance from Section 18.12.020 and 18.12.060 of the Municipal Code relative to accessory uses being located on the same lot as the dwelling at 725 Lake, Lots 15, 16, 31, & 32, Lake Dallas Shores Subdivision.

VII. Variance request by Ray Weikum at 725 Lake - Action.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on June 7, 1994 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider condemnation of a residential building located at 5301 Prince Drive. This property is located on Lot 9, Block I of the Kings Manor Subdivision. The Building Inspector has determined the dwelling on the above mentioned property is in violation of Chapter 15.12, Minimum Housing and Building Standards Code and that it should be vacated and demolished.

Donna Hamilton
City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on June 7, 1994 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Beverly Sisk who is requesting a variance from Section 18.14.100 and 18.14.110 of the Municipal Code relative to minimum dwelling size and off-street parking requirements. The petitioner is requesting that she not be required to make an addition to the dwelling or add another parking space because it would require removal of a large tree. This property is located on lots 9 & 10, block E of Garza Beach Subdivision.

Donna Hamilton
City Secretary

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Adjustment of the City of Lake Dallas will hold a public hearing on June 7, 1994 at 7:00 p.m. in the Council Chambers of the City Hall Building to consider the petition of Casa Homes who is requesting a variance from Section 18.14.080 and 18.14.070 of the Municipal Code relative to rear yard setbacks and lot area per family requirements. The petitioner is requesting that he be allowed to extend his building into the rear yard an additional five feet due to the small lot size. This property is located 305 North Lakeview Drive in the Garza Beach Subdivision.

Donna Hamilton
City Secretary

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
APRIL 26, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Vice-Chairman Clyde Edwards with the following members present:

Clyde Edwards, Vice-Chairman
Darla Sams
Frances Poteet
Robert Meadows, Jr.

With Rod Courtney absent, the following business was conducted:

II. PUBLIC HEARING: PETITION OF FRANK BARNARD REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.20.010 RELATIVE TO RESIDENTIAL USE OF COMMERCIALLY ZONED PROPERTY AT 403 ALAMO.

Frank Barnard presented his case for a variance stating that commercial use of this property would be a hardship due to the lack of parking, non exposure to Main Street and that the properties on both sides are used for residents.

Chick Anderson spoke in opposition to the variance due to loss of commercial property taxes and that it might harm other businesses.

III. VARIANCE REQUEST BY FRANK BARNARD.

Darla Sams moved to approve the variance request to allow residential use of the property located at 403 Alamo with the stipulation that the variance would have to be renewed every five years and the variance fees would be waived. Frances Poteet seconded the motion and it carried with the following vote:
Ayes: 4, Noes: 0.

IV. APPROVAL OF MINUTES.

Robert Meadows moved to approve the minutes for the March 21, 1994 and the April 14, 1994 meetings. Darla Sams seconded the motion and it carried unanimously.

V. SET DATE FOR REGULAR BOARD OF ADJUSTMENT MEETINGS.

Robert Meadows moved to have the regular Board of Adjustment meetings the first Tuesday of each month at 7:00 p.m. beginning June 7, 1994. Darla Sams seconded the motion and it carried unanimously.

VI. ADJOURNMENT.

Clyde Edwards moved to adjourn the meeting. Robert Meadows seconded the motion and it carried unanimously.

Clyde Edwards
Clyde Edwards, Vice-Chairman

ATTEST:

Donna Hamilton
Donna Hamilton, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION ON APRIL 26, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 7TH DAY OF APRIL, 1994.

Donna Hamilton

DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Public Hearing: Frank Barnard requesting a variance form Municipal Code 18.20.010 relative to residential use of commercially zoned property at 403 Alamo.

III. Variance request by Frank Barnard - Action.

IV. Adjournment - Action.

SUPPLEMENTAL POSTING:

i. Approval of minutes - Action.

ii. Set date for regular Board of Adjustment meetings - Action.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
MARCH 21, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Chairman Rod Courtney with the following members present:

Rodney Courtney, Chairman
Darla Sams
Gary Johnson
Robert Meadows, Jr.

With Clyde Edwards absent, the following business was conducted:

II. PUBLIC HEARING: PETITION OF CASA HOMES REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.14.110 RELATIVE TO OFF-STREET PARKING AT 303 N. LAKEVIEW DRIVE.

Ron Denney presented his request for a variance.

Linwood Gilliland spoke in opposition to the request to have only a one car garage stating that this could possibly create parking on Lakeview Drive which is already too narrow. Matt Flanagan stated that he agreed with Mr. Gilliland.

Two favorable responses were received from neighboring property owners.

III. VARIANCE REQUEST BY CASA HOMES.

Robert Meadows moved to approve the variance request to allow a one car garage at 303 N. Lakeview Drive with the stipulation that two paved parking places would be provided. Gary Johnson seconded the motion and it carried with the following vote: Ayes: 4, Noes: 0.

IV. PUBLIC HEARING: PETITION OF STANLEY MOORE REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.14.070 RELATIVE TO REAR YARD SETBACKS AT 5502 PAWN COURT.

Stanley Moore presented his petition for a variance.
There was no public response.

V. VARIANCE REQUEST BY STANLEY MOORE.

Gary Johnson moved to approve the request to allow Mr. Moore to build an addition to his home which extends beyond the rear building line setback. Robert Meadows seconded the motion and it carried with the following vote: Ayes: 4, Noes: 0.

VI. PUBLIC HEARING: PETITION OF JAMES R. DOUGLAS, JR. REQUESTING A VARIANCE FROM MUNICIPAL CODE 18.12.110 AND 18.12.112 RELATIVE TO SIDE YARD AND REAR YARD SETBACKS IN THE THOUSAND OAKS SUBDIVISION.

Jim Douglas presented his petition for a variance. Linwood Gilliland spoke in favor of the petition. There was not any negative response.

Chairman Courtney stated that Mayor McCutcheon had authorized a variance for a home in the Thousand Oaks Subdivision without approval of the Board of Adjustment and if the Mayor is going to grant variances the City doesn't need a Board of Adjustment.

VII. VARIANCE REQUEST BY JAMES R. DOUGLAS, JR.

Darla Sams moved to approve the variance to allow ten percent (10%) side yard setbacks on lots 53 - 70 of block "B" and to allow twenty foot rear yard setbacks on lots platted 110 feet in depth or less. Gary Johnson seconded the motion and it carried with the following vote: Ayes: 4, Noes: 0.

VIII. ADJOURNMENT.

Robert Meadows moved to adjourn the meeting. Gary Johnson seconded the motion and it carried unanimously.

Rodney Courtney, Chairman

ATTEST:

Donna Hamilton, City Secretary

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION ON MARCH 21, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 7TH DAY OF MARCH, 1994.

Donna Hamilton
DONNA HAMILTON, TRMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Public Hearing: Petition of Casa Homes requesting a variance form Municipal Code 18.14.110 relative to off-street parking requirements at 303 N. Lakeview Dr..

III. Variance request by Casa Homes - Action.

IV. Public Hearing: Petition of Stanley Moore requesting a variance from Municipal Code 18.14.070 relative to rear yard setbacks at 5502 Pawn Court.

V. Variance request by Stanley Moore - Action.

VI. Public Hearing: Petition of James R. Douglas, Jr. requesting a variance from Municipal Code 18.12.110 and 18.12.112 relative to side yard and rear yard setbacks in the Thousand Oaks Subdivision.

VII. Variance request by James R. Douglas, Jr. - Action.

VIII. Adjournment - Action.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO ALL PERSONS THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS WILL MEET IN OPEN SESSION ON JANUARY10, 1994 AT 7:00 P.M. IN THE CITY HALL BUILDING FOR THE PURPOSE OF CONSIDERING THE BUSINESS INDICATED ON THE AGENDA POSTED BELOW:

POSTED THIS THE 20TH DAY OF DECEMBER, 1993.

Donna Hamilton

DONNA HAMILTON, CMC
CITY SECRETARY

AGENDA:

I. Roll Call.

II. Oath of Office by Board of Adjustment members - Action.

III. Election of Chairman of the Board of Adjustment - Action.

IV. Election of Vice-Chairman of the Board of Adjustment - Action.

V. Public Hearing: Petition of TexMich, Inc. requesting a variance form Municipal Code 15.16 relative to heightrequirements for construction of a sign at 5008 South Stemmons.

VI. Request by TexMich for a variance from the height requirements of Municipal Code 15.16 - Action.

VI. Adjournment - Action.

CITY OF LAKE DALLAS
MEETING OF THE BOARD OF ADJUSTMENT
JANUARY 10, 1994

I. ROLL CALL.

The meeting was called to order at 7:00 p. m. by Donna Hamilton with the following members present:

Rodney Courtney
Clyde Edwards
Darla Sams
Gary Johnson
Robert Meadows, Jr.

With all members present, the following business was conducted:

II. OATH OF OFFICE BY BOARD MEMBERS.

Donna Hamilton administered the Oath of Office to the Board of Adjustment members.

III. ELECTION OF CHAIRMAN.

Clyde Edwards nominated Rodney Courtney as Chairman of the Board of Adjustment. Darla Sams seconded the motion and it carried unanimously.

IV. ELECTION OF VICE-CHAIRMAN.

Rodney Courtney moved to nominate Clyde Edwards as Vice-Chairman of the Board of Adjustment. Gary Johnson seconded the motion and it carried unanimously.

V. PUBLIC HEARING: PETITION OF TEXMICH REQUESTING A VARIANCE FROM MUNICIPAL CODE 15.16 AT 5008 SOUTH STEMMONS.

Mr. Terry Kafka presented the petition for a variance on the height requirements for signs in the C-3 Commercial Zoning District. He stated that the overpass just south of this property blocks the view of the sign if it is thirty five feet in height, therefore the request is to extend the height to forty two feet.

Bill Johnson, owner of the D & J property located just south of the petitioned property, stated that he opposed the variance because he felt that it might block a sign on his property.

VI. VARIANCE REQUEST BY TEXMICH, INC. FROM THE HEIGHT REQUIREMENTS OF THE SIGN CODE.

Clyde Edwards moved to approve the petition for a variance from the height requirements of the Sign Code to construct a forty two feet sign at 5008 South Stemmons with the condition that Mr. Kafka submit a written agreement that he will not use the sign to advertize cigarettes, hard liquor or sexually oriented businesses or products and that the City will be allowed to use the sign, if available, for community service. Robert Meadows seconded the motion and it carried unanimously.

VII. ADJOURNMENT.

Gary Johnson moved to adjourn the meeting. Darla Sams seconded the motion and it carried unanimously.

_____

Rodney Courtney, Chairman

ATTEST:

_____

Donna Hamilton, City Secretary

BOARD OF ADJUSTMENT MEMBERS

NAME	TELEPHONE	START DATE	MANDATORY TERM. DATE	
Rodney Courtney-Chairman 162 Kingswood Dr. Lake Dallas, TX 75065	321-4773	12/93	12/95	Y
Clyde Edwards 108 Dobbs Road Denton, TX 76208	321-2461	12/93	12/95	Y
Robert (Rusty) Meadows 401 Stockard Lake Dallas, TX 75065	321-2954	12/93	12/95	Y
Darla Sams 525 Meadowbrook Lake Dallas, TX 75065	321-6236	12/93	12/95	?
Frances Poteet P.O. Box 849 Lake Dallas, TX 75065	321-2493	12/93	12/95	Y

ALTERNATES

Celesta Douglas 726 Thousand Oaks Lake Dallas, TX 75065	321-5613	05/95	05/97	
Kurt Abbrat 740 Winding Oak Bend Lake Dallas, TX 75065	497-3713	05/95	05/97	
Frank Barnard 328 Betchan St. Lake Dallas, TX 75065	321-3150	06/95	06/97	

MINUTES OF A SPECIAL MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

SETTING AS THE BOARD OF ADJUSTMENT

HELD AT CITY HALL, JUNE 9, 1988

The meeting was called to order at 7:05 P. M. with the Mayor Pro Tem P. O. Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

There being no one absent, the following business was transacted:

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 430 NORTH LAKEVIEW DRIVE WHICH HAS BEEN DEEMED UNSAFE BY THE BUILDING INSPECTOR

Charlie Berry, Building Inspector for the City of Lake Dallas, reviewed the facts regarding this condemnation.

Mrs. Sadie Hansen, Mother of the owner of the property (Ruth Hendry) advised the Board that she had been attempting to get the signatures of her children to allow her to sell the property.

It was moved by Councilmember Payne, seconded by Councilmember Bills and carried unanimously to allow the owners of the property located at 430 North Lakeview Drive thirty (30) days to start the removal of the building.

III. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 440 BETCHAN WHICH HAS BEEN DEEMED UNSAFE BY THE BUILDING INSPECTOR

Mr. Ivan Bounds, owner of property located at 440 Betchan, informed the Board regarding the activities that have occurred on the two condemned buildings. He explained that he had been working on the problem, but due to the lack of time from his job, he would need additional time to complete the work.

It was moved by Councilmember Payne and seconded by Councilmember Gilliland to condemn both buildings and allow three (3) months to complete the demolition of one of the buildings and the bringing up to Minimum Standard or demolition of the other building. The motion passed by the following vote:

AYES: Councilmember Bills, Gilliland, Payne
NOES: Councilmember Kennedy

IV. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Kennedy and carried unanimously to adjourn this meeting. Meeting adjourned at 7:43 P.M.

P. O. Byers, Mayor Pro Tem

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, MAY 12, 1988

The meeting was called to order at 7:04 P. M. with Mayor Pro Tem Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

With no persons absent, the following business was transacted:

II. PUBLIC HEARING: PETITION FOR A VARIANCE ON FRONT AND REAR YARD SETBACKS AT 724 SUMMERS LANE

Mayor Pro Tem Byers opened the Public Hearing by asking for comments from the audience. Several questions were asked by the Council members and the City Secretary informed the Council that there was no opposition from the neighbors. Only one letter was received in favor of the variance.

III. PETITION FOR VARIANCE: JOE TISDALE, 724 SUMMERS LANE

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to allow the variance on front and rear yard setbacks at 724 Summers Lane.

IV. PUBLIC HEARING: PETITION FOR A VARIANCE ON FRONT AND REAR YARD SETBACKS AT 722 SUMMERS LANE

Mayor Pro Tem Byers asked for public comments. No further comments or questions.

V. PETITION FOR VARIANCE: JOE TISDALE, 722 SUMMERS LANE

It was moved by Councilmember Kennedy, seconded by Councilmember Payne and carried unanimously to allow the variance on front and rear yard setbacks at 722 Summers Lane.

VI. PUBLIC HEARING: PETITION FOR A VARIANCE ON HEIGHT REQUIREMENTS FOR A SIGN LOCATED AT 5000 S. STEMMONS

A representative from Archway Homes explained the need for the variance is due to the tall trees located on the lot. Rather than cutting down trees, they are requesting a variance to extend above the tree line. After allowing all to speak who desired to do so, the Public Hearing was closed.

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, JANUARY 14, 1988

The meeting was called to order at 7:00 P.M. with the Mayor presiding in the absence of Mayor Pro Tem P. O. Byers and the following present:

Ronald E. (Bill) Honse, Mayor
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Donna Hamilton, City Secretary

The following business was transacted:

II. CONDEMNATION HEARING - 229 SOUTH LAKEVIEW

Mr. James L. Stone presented the members of the board with a copy of the Texas Manufactured Housing Standards Act and advised the members that it was his belief that the City of Lake Dallas had no authority to force him to move the mobile home from the present location at 229 South Lakeview.

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to condemn the mobile home since it does not conform with the Zoning Code of the City of Lake Dallas.

Mr. Stone was given thirty (30) days to remove the mobile home from its location.

IV. ADJOURNMENT

The meeting was adjourned at 7:40 P.M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

MINUTES OF A SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
SETTING AS THE BOARD OF ADJUSTMENT
HELD AT CITY HALL, DECEMBER 10, 1987

The meeting was called to order at 7:05 P. M. with Mayor Pro Tem Byers presiding and the following persons present:

P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Sandy Payne, Councilmember
Ronald E. (Bill) Honse, Mayor
Donna Hamilton, City Secretary

There being no one absent from this meeting, the following business was transacted:

II. CONDEMNATION HEARING - 229 SOUTH LAKEVIEW

Charlie Berry, Building Inspector for the City of Lake Dallas, gave the Board of Adjustment the facts regarding the proposed condemnation of this mobile home.

The owner of the mobile home, James L. Stone, advised the Board that he had received a complaint from the City in August of 1985. At this time, he claims the mobile home was covered by the "Grandfather Clause" and that at the present time it is zoned as a mobile home park.

It was moved by Councilmember Gilliland, seconded by Councilmember Payne and carried unanimously to table this matter pending further investigation and advice from the Attorney for the City.

III. ADJOURNMENT

It was moved by Councilmember Bills, seconded by Councilmember Gilliland and carried unanimously to adjourn this meeting. The meeting was adjourned at 7:45 P. M.

_____
P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

_____
Donna Hamilton, City Secretary

MINUTES OF THE CITY COUNCIL

OF THE CITY OF LAKE DALLAS

SETTING AS THE BOARD OF ADJUSTMENT

HELD AT CITY HALL JULY 9, 1987

The meeting was called to order at 7:17 P. M. with Mayor Pro Tem P. O. Byers presiding. The following Councilmembers were present:

P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

With Councilmember Garry Bills absent, the following business was transacted:

II. CONSIDERATION OF CONDEMNATION OF BUILDING LOCATED AT 612 E. HUNDLEY DRIVE WHICH HAS BEEN DEEMED UNSAFE BY BUILDING INSPECTOR

Mr. Charlie Berry, Building Inspector for the City of Lake Dallas, reported on the building located at 612 East Hundley Drive and legally described as Block 1, Lot 7, W. W. Little Survey. He also advised the Council of the efforts that had been made to have this structure brought up to Minimum Standards .

Mr. Winston Harper, owner of the property, was given an opportunity to comment on the proposed condemnation. He disagreed with the Inspector as to the severity of the violations and asked the Board of Adjustments to allow him to bring the structure up to standard rather than it being condemned.

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland and carried unanimously to allow Mr. Harper ninety (90) days to bring the property up the Minimum Standards as outlined in Ordinance No. 193 (Section 92-B).

III. ADJOURNMENT

It was moved by Councilmember Crossland, seconded by Councilmember Kennedy and carried unanimously to adjourn this meeting. The meeting was adjourned at 7:45 P. M.

_____

P. O. Byers, Mayor Pro Tem
CITY OF LAKE DALLAS, TEXAS

_____

Donna Hamilton, City Secretary

MINUTES OF A REGULAR MEETING OF THE

CITY COUNCIL OF THE CITY OF LAKE DALLAS

HELD AT CITY HALL, JULY 9, 1987

The meeting was called to order at 7:45 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Jeff Crossland, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Councilmember Garry Bills was absent from this meeting. The following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance to the flag was given and the Invocation was led by Pete Looney, Pastor of Lake Cities Independent Baptist Church.

III. APPROVAL OF MINUTES

Councilmember Crossland moved for the suspension of any rule requiring that the minutes of the meetings of June 11 and June 19, 1987 be read aloud, and that said minutes be approved as presented in writing by City Secretary. The motion was seconded by Councilmember Kennedy and carried unanimously.

IV. PUBLIC HEARING: AMENDMENT OF ZONING ORDINANCE NO. 25 RELATING TO LOCATION OF SEXUALLY ORIENTED BUSINESSES AND MOVIE THEATERS

Councilmember Linwood Gilliland gave the Council a review of the activities of the Planning and Zoning Commission relating to zoning for location of sexually oriented businesses and movie theaters.

Mayor Honse called for any citizen input or comments on the matter. After allowing all to speak who wished to do so, the Public Hearing was closed.

V. ORDINANCE AMENDING ORDINANCE NO. 25

It was moved by Councilmember Crossland, seconded by Councilmember Gilliland, and carried unanimously to approve the Ordinance Amending Ordinance No. 25.

VI. ORDINANCE REPEALING ORDINANCE NO. 53 PERTAINING TO REQUIRING GENERAL CONTRACTORS AND SUBCONTRACTORS TO POSE BONDS

It was moved by Councilmember Kennedy, seconded by Councilmember Byers and carried unanimously to repeal Ordinance No. 53 pertaining to requiring general contractors and subcontractors to post bonds.

the franchise check from Texas Power and Light Company had been received and the City is now operating in a solvent status.

B. It was moved by Councilmember Byers, seconded by Councilmember Gilliland and carried unanimously to authorize and direct City Secretary to cause to be paid all those accounts due and payable by the City within the month of July.

C. The Municipal Court report for June was reviewed.

XV. OLD BUSINESS

A. The workshop scheduled for July 16, 1987 regarding the proposed Parking Ordinance was discussed. Mayor Honse instructed City Secretary to have an article published prior to the workshop that the meeting would be open to the public for their suggestions and comments.

B. Due to the lack of tax figures from Denton County Appraisal District, it was necessary to postpone the 1987-88 Budget Workshop. The Workshop will be held on August 6,7,and 8, 1987.

XVI. NEW BUSINESS

No new business.

XVII. ADJOURNMENT

It was moved by Councilmember Kennedy, seconded by Councilmember Gilliland and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:30 P. M.

_____

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

_____

Donna Hamilton, City Secretary

MINUTES OF A WORKSHOP MEETING OF THE
CITY COUNCIL OF THE CITY OF LAKE DALLAS
HELD AT CITY HALL, JULY 16, 1987

The meeting was called to order at 7:30 P. M. with the Mayor presiding and the following persons present:

Ronald E. (Bill) Honse, Mayor
P. O. Byers, Mayor Pro Tem
Garry Bills, Councilmember
Linwood Gilliland, Councilmember
Anne Kennedy, Councilmember
Donna Hamilton, City Secretary

Councilmember Jeff Crossland was absent from this meeting. Mayor Honse requested the City Secretary to write Mr. Crossland informing him of the importance of his being at the meetings and being prompt for the meetings. The following business was then transacted:

II. PARKING ORDINANCE

Mayor Honse called for public comment on this proposed Parking Ordinance. Several citizens commented on their ideas for the Ordinance. Changes were made to the proposed ordinance reflecting the citizens' and councilmembers' suggestions.

A Public Hearing will be held at the August Council meeting on the proposed ordinance, and the Council will then vote on the ordinance at the same meeting.

III. ADJOURNMENT

It was moved by Councilmember Byers, seconded by Councilmember Kennedy, and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:20 P. M.

Ronald E. (Bill) Honse, Mayor
CITY OF LAKE DALLAS, TEXAS

Donna Hamilton, City Secretary

Ray & Crystal Hopper
507 Ridgewood Drive
Lake Dallas, Texas 75065

December 21, 1995

Board of Adjustments
City of Lake Dallas
303 Alamo Street
Lake Dallas. Texas 75065

Re: Flamingo Homes

Dear Sirs:

We understand that Mr. Dennis Morales of Flamingo Homes has asked your Committee for a variance at 219 Addison Road in the Oak Lakes Division of Lake Dallas. We would like our letter to go on record with your Committee and the City of Lake Dallas that there are several dissatisfied Flamingo Homes Owners in this same sub division.

We still have several punch list items that Flamingo Homes refuses to address. Mr. Morales has been contacted both in writing and verbally regarding these problems and to date seems to be ignoring all of us. We feel strongly that we'd hate to see another potential neighbor move into a house and experience the same problems we are having. Therefore we're hoping that the City won't allow him to do anything else in our wonderful City that is sub-standard in workmanship.

We all moved to this City to watch our children grow up in a safe environment, and bought newly built homes so we could enjoy the rest of our lives here, and Flamingo Homes has only brought us a tremendous amount of grief and frustration. We've complained since April 1995 about the drainage problem at 507, 509 and 511 Ridgewood Drive, which according to a licensed engineer (copy of report enclosed), is causing erosion and future foundation damage. To date, we have not been able to get any assistance from Flamingo Homes, and now the winter weather is here and these three properties are going to remain muddy and flooded until Spring.

We're only suggesting that prior to issuing another variance to Flamingo Homes, that you realize and make sure that everything at the two properties he's currently building in our City is done properly and correctly so the future home buyers don't end up having the same problems we all are having now.

Sincerely,

Ray Hopper

NOAKES ENGINEERING CO., INC.
ED D. NOAKES, P.E.
Consulting Engineer

August 30, 1995

Mrs. Teri McCool
509 Ridgewood
Lake Dallas, Texas 75065

Subject: Storm Water Drainage
509 Ridgewood
Lake Dallas, Texas

Mrs. McCool,

At your request, on 5/12/95, I made an evaluation of the storm drainage at the above referenced property.

Due to the existing elevations and contours of the properties located to the north and northwest of 509 Ridgewood, storm water flows south and east across your property. The inadequate street drainage in this area causes additional water to flow across this property.

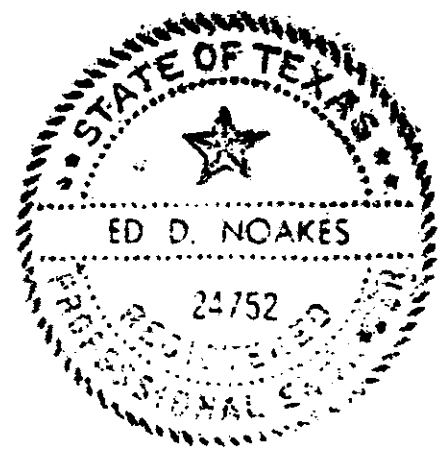
I recommend that you construct an earth berm along the west side of your property from north to south, to channel the water to the drainage ditch along Ridgewood. This berm should be approximately 30 inches height and 48 inches width. This berm can be rounded to allow for planting or mowing.

Continued water flows across your property will cause additional eroding and if not corrected, can cause foundation and or structural damage to this property.

Should you have any questions, please contact my office.

Sincerely,
Naokes Engineering Company, Inc.

Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas No. 24752



2723 Avenue E East, Suite 716 • Arlington, Texas 76011 • Metro (817) 640-8930 • Fax (817) 633-1750

ENGINEER'S REPORT

OAK LAKES SUBDIVISION
CITY OF LAKE DALLAS
DENTON COUNTY, TEXAS

June 7, 1995

File No. 95517

Prepared by: Ed D. Noakes, P.E.
Noakes Engineering Company
2723 Avenue E East, S-716
Arlington, Texas 76011
Metro (817) 640-0607

Prepared for: Mr. Dennis Morales
Flamingo Homes, Inc.
Lake Dallas, Texas

5/12/95 - Walter Lipscomb of Noakes Engineering Company met with Mr. Dennis Morales of Flamingo Homes to discuss the damages to some of the lots along Oakcrest and Ridgewood Streets.

Mr. Morales authorized Noakes Engineering Company to conduct an investigation and analysis of this section of Block H, Oak Lakes Subdivision.

Since a topographical survey was not available , Mr. Morales made available a photo copy of a plat of Oak Lakes Subdivision, dated January 10, 1963. We worked from this plat drawing.

5/18/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location and with the aid of a laser level made spot elevation readings. A temporary benchmark was established as a reference elevation of 100.00'. This benchmark is the top of a water valve in the street intersection of Ridgewood Street and Hillcrest Street.

Elevation readings were made along Hillcrest Street from north of Oakcrest Street to south of Ridgewood Street, along Oakcrest Street from Hillcrest Street east approximately 300', along Ridgewood Street from Hillcrest Street east approximately 200', along the west sides of lots 9 and 14, and along east sides of lots 10 and 13.

5/18/95 (cont'd.)
Some of these spot elevations are recorded on the not to scale drawing number 1, attached to this report.

5/19/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location during a period of heavy rainfall to observe the surface water drainage conditions during and just after a rainfall.

5/20/95 Walter Lipscomb and staff of Noakes Engineering went to the site location to make visual observations and to make photographs of some of the drainage areas. Copies of these photographs numbered P-1, P-2, and P-3 are attached to this report.

5/23/95 Ed D. Noakes, P.E. and Walter Lipscomb of Noakes Engineering Company went to the site location to make visual observations and to confirm elevation and other findings.

GENERAL OBSERVATIONS

In general, surface water flows from Northwest to Southeast along paved streets and drainage ditches to a creek located along the southeast area of the Oak Lakes Subdivision.

The drainage ditch along the west side of Hillcrest Street and south of Oakcrest Street transports surface water adequately.

The drainage ditch along the west side of Hillcrest Street north of Oakcrest is too shallow to transport the water adequately therefore overflowing across the intersection of Oakcrest and Hillcrest Streets and flowing onto Oakcrest Street.

The drainage ditch along the east side of Hillcrest South of Oakcrest Street transports surface water adequately.

The drainage ditch along the east side of Hillcrest north of Oakcrest Street is too shallow to transport the water adequately, therefore overflowing at the intersection of Oakcrest and Hill crest Streets.

The drainage ditch along the north side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately

General Observations (Cont'd.)

85 feet east of the intersection with Hillcrest. The steel culvert pipe at this location (north to south across Oakcrest Street) extends beyond the drainage ditch along the south side. Therefore water from the north ditch does not empty into the south ditch, but is carried on the surface north to south between the Lots 10-13 and 9-14. water then ponds at the north side drainage ditch along Ridgewood Street between Lots 9 and 10.

The drainage ditch along the south side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately 85 feet east of the intersection with Hillcrest Street.

The drainage ditches along both sides of Ridgewood Street are too shallow to adequately transport water as designed from west to east along Ridgewood Street, therefor water overflows both ditches and flows south southeast across the lots located south of Ridgewood Street.

Due to natural surface contours and to inadequate storm drainage system a tremendous amount of storm water accumulates at the low elevation of Oakcrest Street (85 feet east of Hillcrest) and flows south over the surface between Lots 10-13 and 9-14. The drainage ditch along the north side of Ridgewood Street is inadequate to transport this amount of water, therefore this water tends to pond and erode the south portion of Lots 9 and 10. This continued ponding of water and surface erosion can adversely affect the integrity of the house foundations on Lots 9 and 10.

All of the drainage ditches along Ridgewood and Oakcrest Streets have silted over the years to an existing depth of zero feet to one and one-half feet. These drainage ditches are not performing as designed to transport storm water.

Photographs P-1 and P-2 are photographs of these drainage ditches and are attached to this report.

Photograph P-3, is a photograph looking north from Ridgewood Street between Lots 9 and 10. This photograph is attached to this report.

Drawing No. 1 shows a graphical view of the above observations.

RECOMMENDATIONS

There are two options for correcting some of the above reference surface flow problems.

OPTION I

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Ridgewood. This will eliminate the existing east to west flow that occurs approximately 200 feet east of Hillcrest Street. This option would require the lowering of several driveway culvert pipes along Oakcrest Street.

The Oakcrest street culvert pipe (north/south -85 feet west Hillcrest) should be reworked, graded and cut to the north edge of the south drainage ditch to prevent flowing south to Ridgewood Street.

The drainage ditches along Ridgewood Street can be excavated and graded to drain west to east.

Drawing No. 2 shows a graphical view of these recommendations and shows a typical section view of the proposed drainage ditch excavation.

The effects on the area east of this location have not been investigated with this option.

OPTION II

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east for approximately 85 feet and then east to west for approximately 200 feet from the intersection of Hillcrest. (See Drawing No. 2 for a section view of the proposed drainage ditch excavation.) This will cause a natural concentration of water at the low point (approximately 85 feet east of Hillcrest). At this point a Catch Basin with a grate top should be constructed to catch the water and then install a Storm Drain Pipe (approximately 24" Dia.) to run south from the catch basin approximately 150 feet to a concrete flume that extends to the north drainage ditch on Ridgewood Street.

Where the concrete flume intersects with the drainage ditch, a concrete headwall should be constructed and the drainage ditch should be concrete lined for a distance east and west of this headwall to prevent eroding of the drainage ditch.

The drainage ditches along Ridgewood Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Oakcrest.

OPTION II Cont'd.

The effects on the area east of this location have not been investigated with this option.

Drawing No. 3 shows a graphical view of these recommendations and a section view of the proposed flume and headwall.

CONCLUSIONS

The storm drain system for the Oak Lakes Subdivision was designed to make use of paved steets with graded drainage dithces on each side to transport storm water to a creek located on the east side of the subdivision.

Since the drainage ditches have not been maintained, they have filled with silt and no longer function as a strom drainage system.

A complete topographical survey should be conducted by a Registered Land Surveyor and a complete Hydrology Analysis conducted by a Registered Professional Engineer for the entire subdivision.

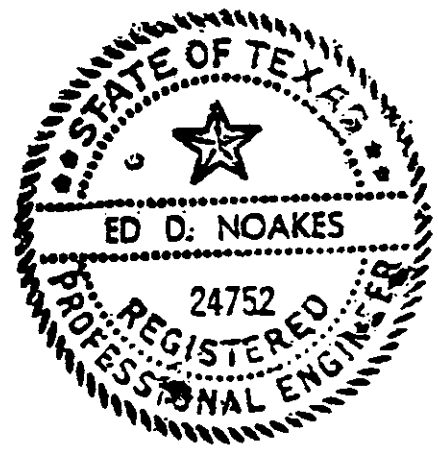
This investigation has only analyized the causes of the concentrated water flows at this location.

These corrective recommendations are only estimates based on an analysis using a 1963 Plat of the subdivision and spot elevation recordings.

It is my recommendation that some type of corrective action should taken immediately to prevent further damage to the lots as described in this report.

Submitted by;
NOAKES ENGINEERING COMPANY

Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas Registration No. 24752



Ken & Barbara Stapleton
511 Ridgewood Drive
Lake Dallas, Texas 75065

December 21, 1995

Board of Adjustments
City of Lake Dallas
303 Alamo Street
Lake Dallas. Texas 75065

Re: Flamingo Homes

Dear Sirs:

We understand that Mr. Dennis Morales of Flamingo Homes has asked your Committee for a variance at 219 Addison Road in the Oak Lakes Division of Lake Dallas. We would like our letter to go on record with your Committee and the City of Lake Dallas that there are several dissatisfied Flamingo Homes Owners in this same sub division.

We still have several punch list items that Flamingo Homes refuses to address. Mr. Morales has been contacted both in writing and verbally regarding these problems and to date seems to be ignoring all of us. We feel strongly that we'd hate to see another potential neighbor move into a house and experience the same problems we are having. Therefore we're hoping that the City won't allow him to do anything else in our wonderful City that is sub-standard in workmanship.

We all moved to this City to watch our children grow up in a safe environment, and bought newly built homes so we could enjoy the rest of our lives here, and Flamingo Homes has only brought us a tremendous amount of grief and frustration. We've complained since April 1995 about the drainage problem at 507, 509 and 511 Ridgewood Drive, which according to a licensed engineer (copy of report enclosed), is causing erosion and future foundation damage. To date, we have not been able to get any assistance from Flamingo Homes, and now the winter weather is here and these three properties are going to remain muddy and flooded until Spring.

We're only suggesting that prior to issuing another variance to Flamingo Homes, that you realize and make sure that everything at the two properties he's currently building in our City is done properly and correctly so the future home buyers don't end up having the same problems we all are having now.

Sincerely,

Ken & Barbara Stapleton

NOAKES ENGINEERING CO., INC.
ED D. NOAKES, P.E.
Consulting Engineer

August 30, 1995

Mrs. Teri McCool
509 Ridgewood
Lake Dallas, Texas 75065

Subject: Storm Water Drainage
509 Ridgewood
Lake Dallas, Texas

Mrs. McCool,

At your request, on 5/12/95, I made an evaluation of the storm drainage at the above referenced property.

Due to the existing elevations and contours of the properties located to the north and northwest of 509 Ridgewood, storm water flows south and east across your property. The inadequate street drainage in this area causes additional water to flow across this property.

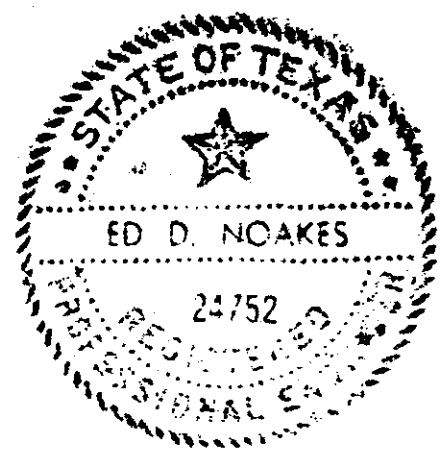
I recommend that you construct an earth berm along the west side of your property from north to south, to channel the water to the drainage ditch along Ridgewood. This berm should be approximately 30 inches height and 48 inches width. This berm can be rounded to allow for planting or mowing.

Continued water flows across your property will cause additional eroding and if not corrected, can cause foundation and or structural damage to this property.

Should you have any questions, please contact my office.

Sincerely,
Naokes Engineering Company, Inc.

Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas No. 24752



2723 Avenue E East, Suite 716 • Arlington, Texas 76011 • Metro (817) 640-8930 • Fax (817) 633-1750

ENGINEER'S REPORT

OAK LAKES SUBDIVISION
CITY OF LAKE DALLAS
DENTON COUNTY, TEXAS

June 7, 1995

File No. 95517

Prepared by: Ed D. Noakes, P.E.
Noakes Engineering Company
2723 Avenue E East, S-716
Arlington, Texas 76011
Metro (817) 640-0607

Prepared for: Mr. Dennis Morales
Flamingo Homes, Inc.
Lake Dallas, Texas

5/12/95 - Walter Lipscomb of Noakes Engineering Company met with Mr. Dennis Morales of Flamingo Homes to discuss the damages to some of the lots along Oakcrest and Ridgewood Streets.

Mr. Morales authorized Noakes Engineering Company to conduct an investigation and analysis of this section of Block H, Oak Lakes Subdivision.

Since a topographical survey was not available , Mr. Morales made available a photo copy of a plat of Oak Lakes Subdivision, dated January 10, 1963. We worked from this plat drawing.

5/18/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location and with the aid of a laser level made spot elevation readings. A temporary benchmark was established as a reference elevation of 100.00'. This benchmark is the top of a water valve in the street intersection of Ridgewood Street and Hillcrest Street.

Elevation readings were made along Hillcrest Street from north of Oakcrest Street to south of Ridgewood Street, along Oakcrest Street from Hillcrest Street east approximately 300', along Ridgewood Street from Hillcrest Street east approximately 200', along the west sides of lots 9 and 14, and along east sides of lots 10 and 13.

5/18/95 (cont'd.)
Some of these spot elevations are recorded on the not to scale drawing number 1, attached to this report.

5/19/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location during a period of heavy rainfall to observe the surface water drainage conditions during and just after a rainfall.

5/20/95 Walter Lipscomb and staff of Noakes Engineering went to the site location to make visual observations and to make photographs of some of the drainage areas. Copies of these photographs numbered P-1, P-2, and P-3 are attached to this report.

5/23/95 Ed D. Noakes, P.E. and Walter Lipscomb of Noakes Engineering Company went to the site location to make visual observations and to confirm elevation and other findings.

GENERAL OBSERVATIONS

In general, surface water flows from Northwest to Southeast along paved streets and drainage ditches to a creek located along the southeast area of the Oak Lakes Subdivision.

The drainage ditch along the west side of Hillcrest Street and south of Oakcrest Street transports surface water adequately.

The drainage ditch along the west side of Hillcrest Street north of Oakcrest is too shallow to transport the water adequately therefore overflowing across the intersection of Oakcrest and Hillcrest Streets and flowing onto Oakcrest Street.

The drainage ditch along the east side of Hillcrest South of Oakcrest Street transports surface water adequately.

The drainage ditch along the east side of Hillcrest north of Oakcrest Street is too shallow to transport the water adequately, therefore overflowing at the intersection of Oakcrest and Hill crest Streets.

The drainage ditch along the north side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately

General Observations (Cont'd.)

85 feet east of the intersection with Hillcrest. The steel culvert pipe at this location (north to south across Oakcrest Street) extends beyond the drainage ditch along the south side. Therefore water from the north ditch does not empty into the south ditch, but is carried on the surface north to south between the Lots 10-13 and 9-14, water then ponds at the north side drainage ditch along Ridgewood Street between Lots 9 and 10.

The drainage ditch along the south side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately 85 feet east of the intersection with Hillcrest Street.

The drainage ditches along both sides of Ridgewood Street are too shallow to adequately transport water as designed from west to east along Ridgewood Street, therefor water overflows both ditches and flows south southeast across the lots located south of Ridgewood Street.

Due to natural surface contours and to inadequate storm drainage system a tremendous amount of storm water accumulates at the low elevation of Oakcrest Street (85 feet east of Hillcrest) and flows south over the surface between Lots 10-13 and 9-14. The drainage ditch along the north side of Ridgewood Street is inadequate to transport this amount of water, therefore this water tends to pond and erode the south portion of Lots 9 and 10. This continued ponding of water and surface erosion can adversely affect the integrity of the house foundations on Lots 9 and 10.

All of the drainage ditches along Ridgewood and Oakcrest Streets have silted over the years to an existing depth of zero feet to one and one-half feet. These drainage ditches are not performing as designed to transport storm water.

Photographs P-1 and P-2 are photographs of these drainage ditches and are attached to this report.

Photograph P-3, is a photograph looking north from Ridgewood Street between Lots 9 and 10. This photograph is attached to this report.

Drawing No. 1 shows a graphical view of the above observations.

RECOMMENDATIONS

There are two options for correcting some of the above reference surface flow problems.

OPTION I

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Ridgewood. This will eliminate the existing east to west flow that occurs approximately 200 feet east of Hillcrest Street. This option would require the lowering of several driveway culvert pipes along Oakcrest Street.

The Oakcrest street culvert pipe (north/south -85 feet west Hillcrest) should be reworked, graded and cut to the north edge of the south drainage ditch to prevent flowing south to Ridgewood Street.

The drainage ditches along Ridgewood Street can be excavated and graded to drain west to east.

Drawing No. 2 shows a graphical view of these recommendations and shows a typical section view of the proposed drainage ditch excavation.

The effects on the area east of this location have not been investigated with this option.

OPTION II

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east for approximately 85 feet and then east to west for approximately 200 feet from the intersection of Hillcrest. (See Drawing No. 2 for a section view of the proposed drainage ditch excavation.) This will cause a natural concentration of water at the low point (approximately 85 feet east of Hillcrest). At this point a Catch Basin with a grate top should be constructed to catch the water and then install a Storm Drain Pipe (approximately 24" Dia.) to run south from the catch basin approximately 150 feet to a concrete flume that extends to the north drainage ditch on Ridgewood Street.

Where the concrete flume intersects with the drainage ditch, a concrete headwall should be constructed and the drainage ditch should be concrete lined for a distance east and west of this headwall to prevent eroding of the drainage ditch.

The drainage ditches along Ridgewood Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Oakcrest.

OPTION II Cont'd.

The effects on the area east of this location have not been investigated with this option.

Drawing No. 3 shows a graphical view of these recommendations and a section view of the proposed flume and headwall.

CONCLUSIONS

The storm drain system for the Oak Lakes Subdivision was designed to make use of paved steets with graded drainage dithces on each side to transport storm water to a creek located on the east side of the subdivision.

Since the drainage ditches have not been maintained, they have filled with silt and no longer function as a strom drainage system.

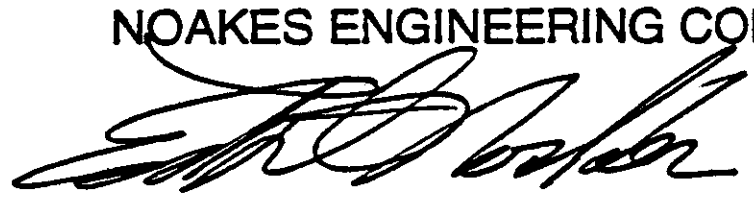
A complete topographical survey should be conducted by a Registered Land Surveyor and a complete Hydrology Analysis conducted by a Registered Professional Engineer for the entire subdivision.

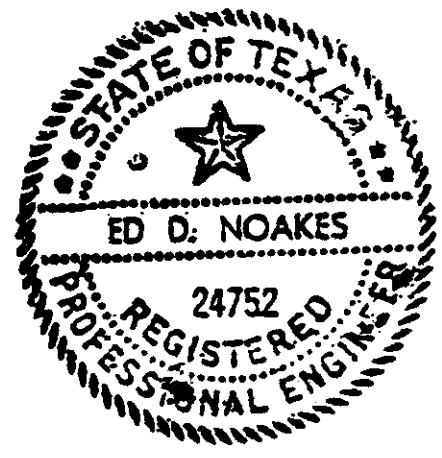
This investigation has only analyized the causes of the concentrated water flows at this location.

These corrective recommendations are only estimates based on an analysis using a 1963 Plat of the subdivision and spot elevation recordings.

It is my recommendation that some type of corrective action should taken immediately to prevent further damage to the lots as described in this report.

Submitted by;
NOAKES ENGINEERING COMPANY





Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas Registration No. 24752

Bob & Teri McCool
509 Ridgewood Drive
Lake Dallas, Texas 75065

December 21, 1995

Board of Adjustments
City of Lake Dallas
303 Alamo Street
Lake Dallas. Texas 75065

Re: Flamingo Homes

Dear Sirs:

We understand that Mr. Dennis Morales of Flamingo Homes has asked your Committee for a variance at 219 Addison Road in the Oak Lakes Division of Lake Dallas. We would like our letter to go on record with your Committee and the City of Lake Dallas that there are several dissatisfied Flamingo Homes Owners in this same sub division.

We still have several punch list items that Flamingo Homes refuses to address. Mr. Morales has been contacted both in writing and verbally regarding these problems and to date seems to be ignoring all of us. We feel strongly that we'd hate to see another potential neighbor move into a house and experience the same problems we are having. Therefore we're hoping that the City won't allow him to do anything else in our wonderful City that is sub-standard in workmanship.

We all moved to this City to watch our children grow up in a safe environment, and bought newly built homes so we could enjoy the rest of our lives here, and Flamingo Homes has only brought us a tremendous amount of grief and frustration. We've complained since April 1995 about the drainage problem at 507, 509 and 511 Ridgewood Drive, which according to a licensed engineer (copy of report enclosed), is causing erosion and future foundation damage. To date, we have not been able to get any assistance from Flamingo Homes, and now the winter weather is here and these three properties are going to remain muddy and flooded until Spring.

We're only suggesting that prior to issuing another variance to Flamingo Homes, that you realize and make sure that everything at the two properties he's currently building in our City is done properly and correctly so the future home buyers don't end up having the same problems we all are having now.

Sincerely,

Teri Lynn McCool

NOAKES ENGINEERING CO., INC.
ED D. NOAKES, P.E.
Consulting Engineer

August 30, 1995

Mrs. Teri McCool
509 Ridgewood
Lake Dallas, Texas 75065

Subject: Storm Water Drainage
509 Ridgewood
Lake Dallas, Texas

Mrs. McCool,

At your request, on 5/12/95, I made an evaluation of the storm drainage at the above referenced property.

Due to the existing elevations and contours of the properties located to the north and northwest of 509 Ridgewood, storm water flows south and east across your property. The inadequate street drainage in this area causes additional water to flow across this property.

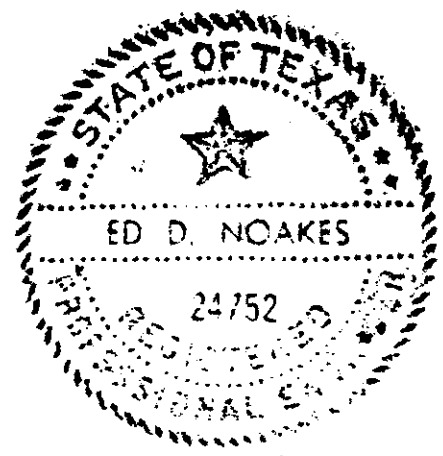
I recommend that you construct an earth berm along the west side of your property from north to south, to channel the water to the drainage ditch along Ridgewood. This berm should be approximately 30 inches height and 48 inches width. This berm can be rounded to allow for planting or mowing.

Continued water flows across your property will cause additional eroding and if not corrected, can cause foundation and or structural damage to this property.

Should you have any questions, please contact my office.

Sincerely,
Naokes Engineering Company, Inc.

Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas No. 24752



2723 Avenue E East, Suite 716 • Arlington, Texas 76011 • Metro (817) 640-8930 • Fax (817) 633-1750

ENGINEER'S REPORT

OAK LAKES SUBDIVISION
CITY OF LAKE DALLAS
DENTON COUNTY, TEXAS

June 7, 1995

File No. 95517

Prepared by: Ed D. Noakes, P.E.
Noakes Engineering Company
2723 Avenue E East, S-716
Arlington, Texas 76011
Metro (817) 640-0607

Prepared for: Mr. Dennis Morales
Flamingo Homes, Inc.
Lake Dallas, Texas

5/12/95 - Walter Lipscomb of Noakes Engineering Company met with Mr. Dennis Morales of Flamingo Homes to discuss the damages to some of the lots along Oakcrest and Ridgewood Streets.

Mr. Morales authorized Noakes Engineering Company to conduct an investigation and analysis of this section of Block H, Oak Lakes Subdivision.

Since a topographical survey was not available , Mr. Morales made available a photo copy of a plat of Oak Lakes Subdivision, dated January 10, 1963. We worked from this plat drawing.

5/18/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location and with the aid of a laser level made spot elevation readings. A temporary benchmark was established as a reference elevation of 100.00'. This benchmark is the top of a water valve in the street intersection of Ridgewood Street and Hillcrest Street.

Elevation readings were made along Hillcrest Street from north of Oakcrest Street to south of Ridgewood Street, along Oakcrest Street from Hillcrest Street east approximately 300', along Ridgewood Street from Hillcrest Street east approximately 200', along the west sides of lots 9 and 14, and along east sides of lots 10 and 13.

5/18/95 (cont'd.)
Some of these spot elevations are recorded on the not to scale drawing number 1, attached to this report.

5/19/95 Walter Lipscomb and staff of Noakes Engineering Company went to the site location during a period of heavy rainfall to observe the surface water drainage conditions during and just after a rainfall.

5/20/95 Walter Lipscomb and staff of Noakes Engineering went to the site location to make visual observations and to make photographs of some of the drainage areas. Copies of these photographs numbered P-1, P-2, and P-3 are attached to this report.

5/23/95 Ed D. Noakes, P.E. and Walter Lipscomb of Noakes Engineering Company went to the site location to make visual observations and to confirm elevation and other findings.

GENERAL OBSERVATIONS

In general, surface water flows from Northwest to Southeast along paved streets and drainage ditches to a creek located along the southeast area of the Oak Lakes Subdivision.

The drainage ditch along the west side of Hillcrest Street and south of Oakcrest Street transports surface water adequately.

The drainage ditch along the west side of Hillcrest Street north of Oakcrest is too shallow to transport the water adequately therefore overflowing across the intersection of Oakcrest and Hillcrest Streets and flowing onto Oakcrest Street.

The drainage ditch along the east side of Hillcrest South of Oakcrest Street transports surface water adequately.

The drainage ditch along the east side of Hillcrest north of Oakcrest Street is too shallow to transport the water adequately, therefore overflowing at the intersection of Oakcrest and Hill crest Streets.

The drainage ditch along the north side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately

General Observations (Cont'd.)

85 feet east of the intersection with Hillcrest. The steel culvert pipe at this location (north to south across Oakcrest Street) extends beyond the drainage ditch along the south side. Therefore water from the north ditch does not empty into the south ditch, but is carried on the surface north to south between the Lots 10-13 and 9-14. water then ponds at the north side drainage ditch along Ridgewood Street between Lots 9 and 10.

The drainage ditch along the south side of Oakcrest Street is too shallow to adequately transport water adequately. This ditch flows west to east from the intersection with Hillcrest approximately 85 feet then flows east to west for approximately 200 feet. This causes a concentration of water at the lowest section of the ditch approximately 85 feet east of the intersection with Hillcrest Street.

The drainage ditches along both sides of Ridgewood Street are too shallow to adequately transport water as designed from west to east along Ridgewood Street, therefor water overflows both ditches and flows south southeast across the lots located south of Ridgewood Street.

Due to natural surface contours and to inadequate storm drainage system a tremendous amount of storm water accumulates at the low elevation of Oakcrest Street (85 feet east of Hillcrest) and flows south over the surface between Lots 10-13 and 9-14. The drainage ditch along the north side of Ridgewood Street is inadequate to transport this amount of water, therefore this water tends to pond and erode the south portion of Lots 9 and 10. This continued ponding of water and surface erosion can adversely affect the integrity of the house foundations on Lots 9 and 10.

All of the drainage ditches along Ridgewood and Oakcrest Streets have silted over the years to an existing depth of zero feet to one and one-half feet. These drainage ditches are not performing as designed to transport storm water.

Photographs P-1 and P-2 are photographs of these drainage ditches and are attached to this report.

Photograph P-3, is a photograph looking north from Ridgewood Street between Lots 9 and 10. This photograph is attached to this report.

Drawing No. 1 shows a graphical view of the above observations.

RECOMMENDATIONS

There are two options for correcting some of the above reference surface flow problems.

OPTION I

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Ridgewood. This will eliminate the existing east to west flow that occurs approximately 200 feet east of Hillcrest Street. This option would require the lowering of several driveway culvert pipes along Oakcrest Street.

The Oakcrest street culvert pipe (north/south -85 feet west Hillcrest) should be reworked, graded and cut to the north edge of the south drainage ditch to prevent flowing south to Ridgewood Street.

The drainage ditches along Ridgewood Street can be excavated and graded to drain west to east.

Drawing No. 2 shows a graphical view of these recommendations and shows a typical section view of the proposed drainage ditch excavation.

The effects on the area east of this location have not been investigated with this option.

OPTION II

The drainage ditches along Oakcrest Street can be excavated and graded to drain from west to east for approximately 85 feet and then east to west for approximately 200 feet from the intersection of Hillcrest. (See Drawing No. 2 for a section view of the proposed drainage ditch excavation.) This will cause a natural concentration of water at the low point (approximately 85 feet east of Hillcrest). At this point a Catch Basin with a grate top should be constructed to catch the water and then install a Storm Drain Pipe (approximately 24" Dia.) to run south from the catch basin approximately 150 feet to a concrete flume that extends to the north drainage ditch on Ridgewood Street.

Where the concrete flume intersects with the drainage ditch, a concrete headwall should be constructed and the drainage ditch should be concrete lined for a distance east and west of this headwall to prevent eroding of the drainage ditch.

The drainage ditches along Ridgewood Street can be excavated and graded to drain from west to east from the intersection of Hillcrest to the intersection with Oakcrest.

OPTION II Cont'd.

The effects on the area east of this location have not been investigated with this option.

Drawing No. 3 shows a graphical view of these recommendations and a section view of the proposed flume and headwall.

CONCLUSIONS

The storm drain system for the Oak Lakes Subdivision was designed to make use of paved steets with graded drainage dithces on each side to transport storm water to a creek located on the east side of the subdivision.

Since the drainage ditches have not been maintained, they have filled with silt and no longer function as a strom drainage system.

A complete topographical survey should be conducted by a Registered Land Surveyor and a complete Hydrology Analysis conducted by a Registered Professional Engineer for the entire subdivision.

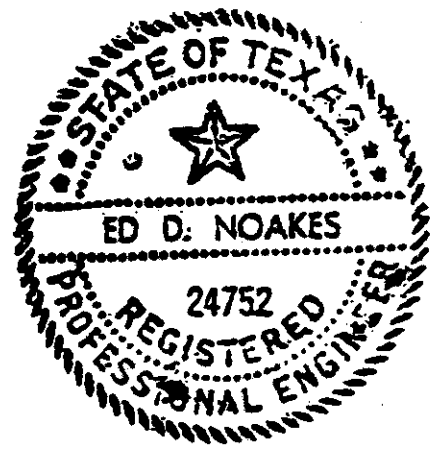
This investigation has only analyized the causes of the concentrated water flows at this location.

These corrective recommendations are only estimates based on an analysis using a 1963 Plat of the subdivision and spot elevation recordings.

It is my recommendation that some type of corrective action should taken immediately to prevent further damage to the lots as described in this report.

Submitted by;
NOAKES ENGINEERING COMPANY

Ed D. Noakes, P.E.
Registered Professional Engineer
State of Texas Registration No. 24752



CITY OF LAKE DALLAS

BOARD OF ADJUSTMENT

2000 HANDBOOK

Copied from 1998 Handbook
Prepared by
David M. Berman

NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P.

TABLE OF CONTENTS

	PAGE
CONDUCTING MEETINGS AND HEARINGS	3
Role of the Chairperson	3
Streamlining Meetings	4
Regulating Talk	5
Shortening the Agenda	5
"Consent" Agenda Items	5
Mechanical Aids	6
Work Sessions	6
Public Hearings	6
THE BOARD OF ADJUSTMENT	7
Administrative Decisions	7
Variances	7
Special Exceptions	8
Determination of Nonconforming Use Status	9
Amortization of Nonconforming uses	9
Board Membership and Voting Procedures	10
Required Formalities for Board Proceedings	10
Standing Required	11
Procedure for Appeals	11
Board's Lack of Authority to Reverse Planning Commission Actions	12
"GOLDEN RULES" FOR THE BOARD OF ADJUSTMENT	13
APPENDIX "A"	
Local Government Code Sections and Case	
APPENDIX "B"	
Sample Motions for Board of Adjustment	
APPENDIX "C"	
Municipal Code Chapter 18.46	

CONDUCTING MEETINGS AND HEARINGS

Role of the Chairperson

The Chairperson, as presiding officer, has the primary responsibility for seeing to it that the Board's rules of procedure are followed and for maintaining the dignity of the meetings. The chairperson calls the meeting to order, and confines the discussion to the agreed order of business. He or she recognizes members for motions and statements, and allows audience participation at appropriate times. The chairperson sees to it that speakers limit their remarks to the item being considered and, as necessary, calls down people who are out of order.

Presiding effectively at a meeting is an art that no book or person can fully teach. The tactful presiding officer knows how to courteously discourage Boards who talk too much or too often, and how to encourage shy Boards who are hesitant to speak at all.

Meetings are governed by the Texas Open Meetings Act. Any person has a right to be present at the meeting. But a significant and fundamental difference exists between open meetings and public hearings. A public hearing involves a right by interested persons to speak and address the board. An open meeting is one in which people may attend and observe but does not necessarily involve a citizen's right to speak. Unless the agenda includes a public hearing or contains an item which authorizes members of the general public to address the board, it is optional - not mandatory - for the board to hear what people in attendance have to say.

Open Meetings Act Guidelines

The Board of Adjustment is subject to the provisions of the Texas Open Meetings Act. (Chapter 551, Tex.Gov't Code). The Act imposes requirements regarding the conduct of meetings and imposes penalties, including criminal sanctions, against persons who violate the Act.

All meetings of the Board, with few exceptions, are "open." Any person has the right to attend and observe the meeting unless that person becomes unduly disruptive. Any person, including the media, has the right to record or videotape the proceedings. The use of recording equipment can not be prohibited unless the use or operation unduly disrupts the

meeting. However, as noted above, attendance is not the same as participation. The Act confers the right to attend but not to participate. When the Board is deliberating in open session on an agenda item, the public does not have the right to participate, to address the board, to ask questions of the board, or to present any information. The board has the option to allow people in attendance to speak. Note that this is the opposite of public hearings where the public has the right to speak and address the board.

There must never be any discussion of the business of the Board between or among three or more members unless the discussion occurs at a duly posted open meeting. The meeting's agenda must be posted at least 72 hours in advance of the meeting. There must never be a discussion of any board business at a meeting which is not on the posted agenda, unless it is to consider placing the matter on a future agenda. It is a criminal offense for less than a quorum of the members to conspire to circumvent the Act by engaging in secret deliberations. It is a crime for a member to call or participate in a closed meeting when a closed meeting is not authorized. It is a crime to conduct a closed meeting without keeping a certified agenda or a recording of the meeting or to disclose the certified agenda or the recording to a member of the general public.

Closed meetings are authorized under limited circumstances. Virtually none of the exceptions to open meetings apply to the Board of Adjustment. The only relevant exception is for consultation with the city attorney on matters involving pending or contemplated litigation or on matters which relate to the provision of confidential legal advice. Typically, the closed session must be listed on the posted agenda and identified as a closed session item.

Violations of the Act can have a variety of consequences. Any action taken in violation of the Act is void. A violation can result in lawsuits against the City and the Board of Adjustment. Most importantly, serious violations can result in the filing of criminal charges which may include fines and/or a jail term as a possible punishment. The City can not pay for a board member's legal defense if charged with a crime.

Streamlining Meetings

Even the best planned meetings can deteriorate into endurance contests. These are not necessarily the exceptional meetings, nor are they necessarily those meetings with long agendas. Long meetings have a tendency to discourage people from volunteering their time and effort as a board member and often create a high level of frustration among members and citizens which may ultimately discredit the City. Meetings should be made efficient without sacrificing the quality of public service afforded by the Board and its members.

Efficiency can be promoted by regulating talk, shortening the agenda, employing a consent agenda, using mechanical aids, and using work sessions.

Regulating Talk

Too much talking is the most common cause of lengthy meetings. Talking can assume a variety of forms - bickering or tiresome exchanges of personal opinions among Boards, endless speeches by citizens, or unnecessarily long and detailed reports by staff.

All of these problems can be overcome by tactful action on the part of the chairperson. If citizens ramble on and on, the chairperson may have no choice but to tell them to confine their remarks to the subject at hand and conclude as quickly as possible. If the problem is created by a talkative Board member, a simple statement to the effect that "it's getting late and we must move along" usually will suffice, though private visits by the chairperson may be needed to handle chronic talkers.

It is proper to adopt and impose a time limit on speakers. Depending on the nature of the issue and/or the number of persons wishing to speak, it is not uncommon for councils and boards to adopt a three-minute rule. It is also proper for the chairperson to insist that speakers refrain from reiterating the same facts or positions as prior speakers. When a highly controversial issue is on the agenda, a sign-in sheet may be used from which speakers may be called.

Shortening the Agenda

Having too many items on the agenda is a frequent cause of lengthy meetings. The agenda may be loaded with items that are included for reasons of custom, rather than necessity, some of which could be handled by staff. If too much meeting time is needed to explain the various items, perhaps a requirement that the more complex ones be explained in writing in advance of the meeting would help.

"Consent" Agenda Items

Agendas need not be cluttered with noncontroversial, recurring items that are included because they require formal approval. Examples include approval of the minutes of previous meetings. These items generate little discussion, but each requires time by requiring a separate motion to approve, a second and a vote. This problem can be overcome by establishing a "consent" agenda category which includes routine items that are approved

by a single motion and a vote, without debate. If a member objects to a consent item, it is removed from the list and added to the regular agenda at the appropriate spot. If a member questions a consent item, but not so strongly as to require that it be removed from the list, his or her "no" vote or abstention can be entered in the minutes when the consent vote is taken.

Mechanical Aids

The time needed to explain an agenda item can be reduced by using graphics to supplement or replace written reports. A simple map to show the location of a project, or photographs can provide the extra perspective that written words sometimes fail to convey.

Work Sessions

Informal work sessions may be needed from time to time to study certain matters in detail. Regular meetings may not provide enough time. Work sessions are useful when policy questions must be decided, or when a complicated ordinance comes before the Board.

Public Hearings

The purpose of a public hearing is to present evidence on both sides of an issue. Interested persons have a right to speak and address the board. Since the board of adjustment is quasi-judicial in nature, its decisions should be based on the evidence presented at the public hearing.

The proper conduct of a public hearing is no less important than for a regular meeting. Each should begin promptly and be conducted in an orderly manner in conformance with established rules of procedure.

At the start of the hearing, the chairperson should clearly state the subject to be discussed. If the subject is controversial, the following order can be followed: proponents' presentation; opponents' presentation; proponents' rebuttal; opponents' rebuttal; questions for the Board.

Remember that numbers don't always count. There are some topics which naturally draw large, highly-biased crowds. Vocal minorities often fill public hearings to show widespread support. The size of the crowd does not necessarily indicate that the cause is

just. The Board is appointed to serve all the citizens, and a Board must look at the overall picture, and not just at the view presented by one partisan group.

When a decision is announced, the Board does not have to give the reasons why the decision was reached, although a brief explanation will help prevent the feeling that the outcome of the hearing was decided in advance, and that the applicant wasted time.

THE BOARD OF ADJUSTMENT

The board of adjustment is one of the two citizen-staffed bodies that are traditionally involved in municipal zoning. The other body is the zoning commission. These two zoning entities perform separate and distinctly different functions. The zoning commission performs an advisory function and develops the original comprehensive zoning plan. After the ordinance is adopted, the commission preserves the integrity of the comprehensive plan by reviewing and reporting on proposed zoning ordinance amendments. The board of adjustment, is an action agency which oversees the permitting process by taking appeals from decisions by administrative officials; and authorizes variances when strict application of setback, sideyard, area, and height limits would cause individual property owners unnecessary hardship.

Administrative Decisions

The board reviews Administrative Decisions of staff as to correctness of interpretation. The board may hear and decide appeals when error is alleged in any order, requirement, decision, or determination by an administrative official in enforcement of the act or the zoning ordinance. The permit officer has no discretionary power and must issue or deny permits solely on the basis of compliance or non-compliance with the ordinance.

Without the board, persons complaining about the denial or issuance of permits would have to appeal to the City Council or to the court. The City Council would be tempted to grant relief by ordinance and thereby amend the basic zoning in an ad hoc manner. On appeal, the only question for the board is whether the permit officer correctly applied the ordinance and its regulations.

Variances

A "variance" is defined as permission to depart from the literal requirements of a zoning ordinance by virtue of unique hardship due to special circumstances regarding a

person's property. It is a waiver of the strict requirements of the zoning ordinance. An administrative official of a city cannot approve a variance.

The theory of variance is to relax the strict requirements in situations in which, because of unusual circumstances, strict application of zoning regulations will produce unnecessary hardship. Variances relate to technical zoning matters such as area, setback, and height regulations. Variances are restricted to relaxation of these technical regulations.

Current Texas zoning law holds that no matter how much hardship a use regulation creates, the board of adjustment has no power to relax it. Only the City Council can change or relax the uses that are allowed in the various districts. An illegal use variance is void. Accordingly, a contestant can attack it collaterally and need not appeal by certiorari.

Variances are permissible only if strict application of the zoning ordinance would cause unnecessary hardship. When considering applications for variances, the board should require some evidence of hardship. A variance is not authorized merely to accommodate the highest and best use of the property, but when the zoning ordinance does not permit any reasonable use of the lot. "Special conditions" means that the property is not environmentally suited to be adapted to a conforming use.

When determining whether or not a hardship exists, the Board should keep the following in mind:

1. Hardship is not self-imposed.

2. Hardship is unique to the property (size, shape, topography of lot or tract).

3. Hardship is not financial in nature.

4. Hardship does not include property that cannot be used for its highest and best use, or frustrated development objectives.

Special Exceptions

The Board also grants exceptions when specifically authorized by the ordinance. A special exception refers to uses that a zoning ordinance permits, but that are specially reviewed and approved by the Board for situational suitability. Special exceptions do not require a showing of hardship, unlike variances. There is no authority to grant a special exception unless the zoning ordinance specifies that special exceptions may be granted. Thus, the zoning ordinance must specify the conditions that must be met for a special

exception to be granted or the standards that the Board is to employ when granting a special exception.

Determination of Nonconforming Use Status

Applicants may claim that a nonconforming use or structure existed before the regulations applied, and that the use or structure is entitled to continue, either by constitutional right or applicable ordinance exemptions. Municipalities can allow nonconforming uses simply to continue without formal action, or they can require that such uses be identified and registered for inventory and possible termination under an amortization program.

Nonconforming-use claimants must secure permits when they rebuild, expand, remodel or change use under circumstances that require permitting under customary ordinance provisions. The permit officer then determines entitlement. If the officer grants the permit, neighbors can contest entitlement and appeal to the board; if the officer denies the permit, the applicant can appeal to the board. In either case, the board must determine prior nonconforming-use status to decide the appeal.

The building inspector is entitled to make the initial determination of nonconforming use. The decision can be appealed to the board, and the board's decision is viewed on writ of certiorari and affirmed unless an abuse of discretion is shown.

Amortization of Nonconforming Uses

A board of adjustment is also authorized by law to order the termination of a nonconforming use. A property owner has a vested right to use his/her property in any lawful manner subject to preexisting zoning regulations. A nonconforming use, although lawful, may be injurious to surrounding property and detrimental to the safety or welfare of the public. A city, through its board of adjustment, may lawfully cause a termination of the use and induce compliance with zoning regulations. However, this infringes on the owner's rights and should, therefore, be reviewed carefully and judiciously. Most decisions relating to a board's termination of nonconforming uses involve converting a commercial use to residential. Since a city can not deprive a property owner of vested rights without just compensation, any termination must consider the value of the owner's investment. Since a board of adjustment does not typically have a budget or access to funds with which to pay private owners, a termination must make provisions for the owner's recoupment of his/her investment. This is done by amortizing the investment over time.

An amortization of investment should ultimately be based on a comparison between the investment and the income stream generated by the use. An oversimplified example is as follows: A proper owner's investment in the enterprise is $100. Immediately following the purchase of and investment in the property, the zoning regulations change from commercial use to residential use, thereby rendering the operation of the enterprise a lawful nonconforming use. The use generates income of $50 per year. A proper amortization would result in a termination of the commercial use upon the expiration of two years (or whatever period which would be sufficient to allow the income to attain the equivalent of the $100 investment).

Provisions in zoning ordinances for amortization of nonconforming uses are valid if they are reasonable and fair in operation; a determination of reasonableness of such provisions should involve consideration of such factors as the character of neighborhood in general, the amount an owner has invested in the property, the amount of his recoupment during the grace period, the protection afforded to the public, the zoning classification and use of nearby property, the availability and location of other sites, the extent to which property values are adversely affected by nonconforming use, and the amount of loss which would be suffered by owner upon termination of use.

Board Membership and Voting Procedures

A board of adjustment consists of five members, each appointed for a term of two years. Alternate members may also be appointed to serve when one or more regular members are absent. Members may be removed for cause, on written charges, after hearing; vacancies will be filled for the unexpired term of the vacant member. All cases must be heard by a minimum of four members (75% of the members). The concurring vote of at least four members is required to reverse administrative decisions, grant special exceptions, authorize variances, and take any other action authorized by the ordinance.

The voting requirements are mandatory and jurisdictional. A variance authorized by a vote of only three members of the board is invalid and subject to collateral attack after expiration of the time for regular appeal.

Required Formalities for Board Proceedings

The enabling act requires that the board adopt rules in accordance with the zoning ordinance. Meetings are held at the call of the chairman or as the board determines. At least four members must hear the case. The chairman or acting chairman can administer

oaths and compel attendance of witnesses. All meetings must be open to the public. The board must keep minutes of its proceedings, showing the vote of each member of its examinations and other official actions and maintain them as a public record in the board's office. When deciding appeals the board must fix a reasonable time for hearing, give notice to the public and the parties, and decide the appealed matter within a reasonable time. Parties can appear in person or by agent or attorney.

The concurring vote of at least four members (75%) is required to reverse any administrative action or to decide in favor of any applicant or grant a variance. The board can reverse, affirm (wholly or partly) or modify the administrative determination. The board has power to act in the stead of the officer from whose action the appeal was taken.

The law does not establish a formal procedure for the board to follow. The board, however, should give public notice of hearings on variances and appeals from the permit officer's ministerial denial of a permit.

Standing Required

The enabling act allows appeal to the board by any person aggrieved or by any officer, department, board, or bureau of the City affected by any decision of the administrative officer. Nearby landowners are "persons aggrieved." Cities are proper parties to take appeals, even though their own official granted a contested permit.

Procedure for Appeals

Appeal is accomplished by filing a notice with the administrative officer from whose decision appeal is taken and with the board of adjustment. The notice must state the grounds for the appeal. When notice is filed, the administrative officer must immediately transmit to the board all papers constituting the record on which the action appealed from was taken.

The appeal stays all proceedings unless the administrative officer whose decision has been appealed certifies after notice of appeal that a stay would in his opinion cause imminent peril to life or property. If this written statement is filed, then the administrative proceedings can be stayed only by a restraining order granted by the board or by a court.

If appeal is not taken to the board of adjustment, the permit officer's decision to issue or deny a permit becomes incontestable as to matter within the officer's jurisdiction.

The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make it as it ought to be made. The Board has all of the powers of the officer from whom the appeal is taken to accomplish that proper end.

The concurring votes of four members of the board are required to reverse any administrative order or decision that is appealed to the board.

Board's Lack of Authority to Reverse Planning Commission Actions

The zoning commission does not overlap the board of adjustment's delegated authority. It is a recommending agency that acts on zoning amendments, not variances and appeals.

Subdivision regulation differs from zoning, but the two functions can overlap. Both subdivision regulations and zoning ordinances can set minimum lot sizes and impose setbacks. A landowner who proposes to build on a lot that does not meet the zoning requirements for size can appeal to the board of adjustment for a variance. The board does not, however, have jurisdiction over subdivision regulations applied by the planning commission. The board of adjustment has no authority to take appeals from planning commission decisions on subdivision plat approval.

"Golden Rules" for the Board of Adjustment

1. Avoid personal attacks.
2. Treat all similarly.
3. Avoid pandering to citizens - it only confuses the process.
4. Frame comments in objective terms - avoid discussion of personal likes and dislikes.
5. Keep accurate minutes of meetings.
6. Don't take on added maintenance/repair responsibilities for your city.
7. Educate other members to their responsibilities.
8. No discrimination (unfair housing claims).
9. Do keep an open mind.
10. Do not participate if own property within two hundred (200) feet of the area of the request.
11. Do not bargain or try to extract improvements or other concessions from the application.
12. Do ask questions of the applicant or staff.
13. Do require the applicant to meet the zoning requirements.
14. Do not hear case if notice of public hearing is defective - readvertise.
15. Do rely on hardship considerations in making a variance decision.
16. Do keep silent - do not need to justify your vote or decision.
17. Grant or deny what is advertised.
18. If necessary, blame it on the city attorney. But, WHEN IN DOUBT, ASK YOUR CITY ATTORNEY!

Sec. 211.008. Board of Adjustment

(a) The governing body of a municipality may provide for the appointment of a board of adjustment. In the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

(b) A board of adjustment must consist of at least five members to be appointed for terms of two years. The governing body must provide the procedure for appointment. The governing body may authorize each member of the governing body, including the mayor, to appoint one member to the board. The appointing authority may remove a board member for cause, as found by the appointing authority, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.

(c) The governing body, by charter or ordinance, may provide for the appointment of alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

(d) Each case before the board of adjustment must be heard by at least 75 percent of the members.

(e) The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter. Meetings of the board are held at the call of the presiding officer and at other times as determined by the board. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.

(f) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(g) The governing body of a Type A general-law municipality by ordinance may grant the members of the governing body the authority to act as a board of adjustment under this chapter.

NOTES OF DECISIONS

1. Delegation of authority by city

Delegation of authority from home-rule city to its board of adjustment to initially hear and determine questions relating to nonconforming use of property was a valid exercise of city's police power. *White v. City of Dallas* (Civ.App.1974) 517 S.W.2d 344.

2. Minutes

Failure of San Antonio Board of Adjustment to make findings required by ordinance to be incorporated in its official minutes when it grants special exception rendered grant of special exception void. *Metzger v. City of San Antonio* (Civ.App.1965) 384 S.W.2d 901.

3. Members

Governing body of a city cannot, consistent with this chapter, act as a zoning board of adjustment pursuant to a local ordinance, nor may members of the governing body be appointed to serve on a separate board of adjustment. Op.Atty.Gen. 1989, No. JM-1069.

Sec. 211.009. Authority of Board

(a) The board of adjustment may:

(1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;

(2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;

(3) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and

(4) hear and decide other matters authorized by an ordinance adopted under this subchapter.

(b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

(c) The concurring vote of 75 percent of the members of the board is necessary to:

(1) reverse an order, requirement, decision, or determination of an administrative official;

(2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or

(3) authorize a variation from the terms of a zoning ordinance.

NOTES OF DECISIONS

1. Jurisdiction of board

Primary jurisdiction of city board of adjustment to act on grant of special exception was terminated when action was duly appealed to district court. *Metzger v. City of San Antonio* (Civ.App.1965) 384 S.W.2d 901.

Any action of board of adjustment in attempting to exercise appellate jurisdiction over a lawfully created and functioning planning commission, in its subdivision plat approval process, was void; final authority for subdivision plat approval was granted by Vernon's Ann.Civ.St. art. 974a (repealed; see, now, Sec. 212.006) to the planning commission. *Lacy v. Hoff*

2. Variances and exceptions from zoning ordinance

In general Board of adjustment, in granting zoning variances, acts as a quasi-judicial body, and, having no statutory power to legislate, any provision of municipal ordinance that undertakes to confer legislative functions on such board would be invalid as constituting unlawful delegation of legislative powers. *Swain v. Board of Adjustment of City of University Park* (Civ.App.1968) 433 S.W.2d 727, ref. n.r.e., *certiorari denied* 90 S.Ct. 563, 396 U.S. 277, 24 L.Ed.2d 465, *rehearing denied* 90 S.Ct. 1085, 397 U.S. 977, 25 L.Ed.2d 274.

A variance is authorized where the zoning ordinance does not permit any reasonable use of a lot, not merely to accommodate the highest and best use of the property. *Board of Adjustment of City of San Antonio v. Willie* (Civ.App.1974) 511 S.W.2d 591, ref. n.r.e.

When faced with request for a variance, it is the duty of a zoning board of adjustment to determine whether literal application of the zoning ordinance to the particular piece of property would be unreasonable in light of the general statutory purpose to secure reasonable zoning; the reasonableness test is viewed in light of the practical difficulty of applying the ordinance to the property in question. *Currey v. Kimple* (Civ.App.1978) 577 S.W.2d 508, ref. n.r.e.

City board of adjustment has no power to grant zoning exceptions or variances that amount to an ordinance amendment, and where the approval of a "specific use permit" constitutes a zoning ordinance amendment, only the city council may approve or disapprove such permit. Op.Atty.Gen.1986, No. JM-493.

3. Hardship, variances and exceptions

Fact that property owners wanted to build a tennis court on their irregularly shaped property did not constitute a self-created or personal hardship warranting denial of requested variance from setback requirements; configuration of the lot created the hardship and evidence did not reveal that owners wanted the variance for personal reasons not connected with the configuration of the lot. *Currey v. Kimple* (Civ.App.1978) 577 S.W.2d 508, ref. n.r.e.

Board of adjustment was not required to authorize variance from requirements of setback ordinance where there was no evidence that enforcement of ordinance would have worked "unnecessary hardship" on landowner. *Reiter v. City of Keene* (Civ.App.1980) 601 S.W.2d 547, error dismissed, *certiorari denied* 101 S.Ct. 3118, 452 U.S. 965, 69 L.Ed.2d 977, *rehearing denied* 102 S.Ct. 891, 453 U.S. 928, 69 L.Ed.2d 1024.

Fact that with variances landowner could create 44 lots and without them could only create 40 lots was merely financial hardship, not "special condition" or "unnecessary hardship" warranting grant of variances from lot width and set back requirements. *Battles v. Board of Adjustment and Appeals of City of Irving* (App. 5 Dist.1986) 711 S.W.2d 297.

4. Nonconforming use, variances and exceptions

Where, at time filling station owner's predecessors in title were granted right in 1933 to construct nonconforming filling station, existing ordinance prohibited use of property as business, act of board in allowing intrusion of business within residential area amounted to legislative decision changing basic purpose and intent of zoning ordinance and was void ab initio. *Swain v. Board of Adjustment of City of University Park* (Civ.App.1968) 433 S.W.2d 727, ref. n.r.e., *certiorari denied* 90 S.Ct. 563, 396 U.S. 277, 24 L.Ed.2d 465 *rehearing denied* 90 S.Ct. 1085, 397 U.S. 977, 25 L.Ed.2d 274.

Zoning ordinance requiring discontinuance of nonconforming gasoline filling station after expiration of 25 years of use was valid and reasonable. *Swain v. Board of Adjustment of City of University Park* (Civ.App.1968) 433 S.W.2d 727, ref. n.r.e., *certiorari denied* 90 S.Ct. 563, 396 U.S. 277, 24 L.Ed.2d 465 *rehearing denied* 90 S.Ct. 1085, 397 U.S. 977, 25 L.Ed.2d 274.

Provisions in zoning ordinances for amortization of nonconforming uses are valid if they are reasonable and fair in operation; a determination of reasonableness of such provisions should involve consideration of such factors as character of neighborhood in general, the amount an owner has invested in the property, the amount of his recoupment during the grace period, protection afforded to the public, zoning classification and use of nearby property, availability and location of other sites, extent to which property values are adversely affected by nonconforming use, and amount of loss which would be suffered by owner upon termination of use. *Benners v. City of University Park* (Civ.App.1972) 477 S.W.2d 326, *reversed on other grounds* 485 S.W.2d 773, *appeal dismissed* 93 S.Ct. 1530,

411 U.S. 901, 36 L.Ed.2d 191, *rehearing denied* 93 S.Ct. 2142, 411 U.S. 977, 36 L.Ed.2d 700.

Even if property had been used as automobile wrecking yard before adoption of home-rule city ordinance annexing such property, such nonconforming use, which detracted from general use of other property in neighborhood and depreciated value of such property, could be ordered discontinued by city board of adjustment pursuant to city code provisions requiring continuance of a nonconforming use under plan whereby full value of structure could be amortized within definite period of time. *White v. City of Dallas* (Civ.App.1974) 517 S.W.2d 344.

Nonconforming use consisting of motorcycle, bicycle, and lawnmower sale and repair facility in residential zone would not be "extended" in violation of zoning ordinance by construction of additional steel building on premises, where such building would be used to reduce noise level of some of the activities already carried out and to store materials presently left in boxes outside the premises, and where no new or added activities would be carried out and there was no showing that the volume of business would be increased. *City of Spring Valley v. Hurst* (Civ.App.1975) 530 S.W.2d 599, ref. n.r.e.

Unsuccessful attempt of prior owner to establish metal manufacturing plant was in no sense conclusive of abandonment of nonconforming use and in fact showed intention not to abandon, and evidence before city board of adjustment, was such that reasonable minds could reach conclusion that there had been no abandonment of nonconforming use. *McDonald v. Board of Adjustment, City of San Antonio* (Civ.App.1977) 561 S.W.2d 218.

Where manufacturing activities of sign company had ceased and last sign had been sold, property owner had abandoned nonconforming use of property for sign-manufacturing business which had existed at time land was annexed to city and neighborhood was zoned as residential. *Board of Adjustment of City of San Antonio v. Nelson* (Sup.1979) 584 S.W.2d 701.

Taking of property by city which left property owners in violation of zoning ordinance did not leave property owners with a valid nonconforming use, as nonconforming use does not apply to an impermissible use or condition created after an ordinance becomes effective. *Austin v. City of Lubbock* (Civ.App.1981) 618 S.W.2d 552, reversed on other grounds 628 S.W.2d 49.

5. Concurrence of members

Where minutes of zoning board of adjustment disclosed that only three members had concurred in granting of variance, although grant of variance required concurrence of four members, order granting variance was invalid and void and could be attacked at any

time and place, directly or collaterally. *City of Lufkin v. McVicker* (Civ.App.1973) 510 S.W.2d 141.

6. Findings of board

City zoning board of adjustment was not required to include findings of fact with its decision denying landowner a special exception for public utility installation where city ordinance made no mention of findings being required when application for special exception was denied and subsec. (e) of this article required concurring vote of four or five members of board to obtain special exception rather than a majority. *Zoning Bd. of Adjustment of City of El Paso v. Knapp* (Civ.App.1981) 618 S.W.2d 137.

Where fact-findings which zoning ordinance required zoning board of adjustment to make before it granted special exceptions were not incorporated into the official minutes for the board meeting at which special exception was authorized, action of board in granting special exception was void for failure to comply with ordinance. *Board of Adjustment of City of San Antonio v. Leon* (Civ.App.1981) 621 S.W.2d 431.

Sec. 211.010. Appeal to Board

(a) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official:

(1) a person aggrieved by the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed within a reasonable time as determined by the rules of the board. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal within a reasonable time.

(e) A member of the governing body of the municipality who serves on the board of adjustment under Section 211.008(g) may not bring an appeal under this section.

NOTES OF DECISIONS

1. Exhaustion of administrative remedies

When a statute directs that zoning action be taken in a certain way, it may be performed in no other manner. *Smart v. Lloyd* (Civ.App.1963) 370 S.W.2d 245.

Where property owner who asserted matured right to use land as mobile home park at time land was annexed by city and temporarily zoned for single family dwelling purposes, made no effort to obtain administrative determination as to whether he would be permitted to continue his project as nonconforming use under temporary zoning ordinance, property owner failed to make use of administrative remedies available to him, and his declaratory judgment action was properly dismissed for want of jurisdiction. *Thomas v. City of San Marcos* (Civ.App.1972) 477 S.W.2d 322.

When applicability of zoning ordinance was questioned, administrative remedies afforded by Vernon's Ann.Civ.St. art. 1011g (repealed; see, now, this section) had to be exhausted before redress could be obtained from the courts. *City of Dallas v. Gaechter* (Civ.App.1975) 524 S.W.2d 400, error dismissed.

2. Standing

Where neighborhoods council and individual appellants made no showing that they had been injured by issuance of building permit other than as members of general public, nor that they were "officer, department, board, or bureau of municipality affected," and corporation to whom permit was issued raised objection to their standing at every stage of procedure, council and individual appellants had no standing to challenge issuance of building permit. *Austin Neighborhoods Council, Inc. v. Board of Adjustment of City of Austin* (App.1982) 644 S.W.2d 560, ref. n.r.e.

Where appeal of issuance of building permit by city councilman was neither within scope of his authority as councilman, nor ratified or adopted by governing body of city, his appeal was as private individual, and not as representative of people of city. *Austin Neighborhoods Council, Inc. v. Board of Adjustment of City of Austin* (App.1982) 644 S.W.2d 560, ref. n.r.e.

Where individuals challenging issuance of a building permit by city building department presented uncontested evidence to city board of adjustment of their aggrievement showing some unique harm done to them other than as members of general public, individuals had standing to challenge permit's issuance, even though such evidence was very weak at best. *Texans to Save the Capitol, Inc. v. Board of Adjustment of City of Austin* (App.1983) 647 S.W.2d 773, ref. n.r.e.

An individual must present some evidence to city board of adjustment to show how he has been injured or damaged other than as a member of the general public in order for him to rightfully appeal to board of adjustment an administrative officer's decision issuing a building permit. *Texans to Save the Capitol, Inc. v. Board of Adjustment of City of Austin* (App.1983) 647 S.W.2d 773, ref. n.r.e.

3. Timing of appeal

Six-month delay between issuance of building permit for reconstruction of nightclub partially destroyed by fire and perfection of appeal to zoning board contesting issuance of permit was unreasonable as matter of law, and thus, appeal was time barred, where owner of building had invested substantial sum in restoration of building, and appellant possessed sufficient facts concerning reconstruction of nightclub to require him to diligently pursue matter. *Zoning Bd. of Adjustment of City of Lubbock v. Graham & Associates, Inc.* (App. 7 Dist.1984) 664 S.W.2d 430.

4. Stay of proceedings

Two-year period within which city ordinance required that construction be completed should be tolled commencing with filing of intervenors' appeal with board of adjustment from granting of building permits and until final judgment validating permit. *Gala Homes, Inc. v. Board of Adjustment of City of Killeen* (Civ.App.1966) 405 S.W.2d 165, ref. n.r.e.

5. Scope of board's review

Refusal to abate suit, in which plaintiff sought injunctive relief and writ of mandamus to compel city engineer to issue permit to allow repair of building damaged by fire and which had been prematurely filed, insofar as suit concerned issues as to constitutionality of city zoning ordinance provisions was proper. *Adcock v. King* (Civ.App.1975) 520 S.W.2d 418.

6. Discretion of board

Where city board of adjustment was fully informed of its past and present interpretation of local zoning ordinance governing building height limitations and was also fully apprised of structural dimensions of proposed building, which was designed in such a manner as to, according to provisions of ordinance, be entitled to an additional 198 feet over and above 200-foot height limitation, which, taken together, was exact height of proposed building, board did not abuse its discretion in affirming issuance of building permit. *Texans to Save the Capitol, Inc. v. Board of Adjustment of City of Austin* (App.1983) 647 S.W.2d 773, ref. n.r.e.

SAMPLE MOTIONS FOR BOARD OF ADJUSTMENT

Appeal of a Decision of the Building Official

"I move that the Board of Adjustment in this case (affirm) (reverse) (modify in the following respects: _____) the decision of the Building Official and his determination of the meaning of Section _____ of the Zoning Ordinance as applied in this case because our investigation and the facts and evidence produced at the public hearing show that there (is) (is not) an error in the order, requirement, decision or determination made by the Building Official in the enforcement of the Zoning Ordinance as applied in this case."

Variance

A. To grant the variance

"I move that the Board of Adjustment in this case grant the variance for (state the variance) because our investigation and our determination from the facts and evidence produced at the public hearing indicate that such a variance will not be contrary to the public interest, and literal enforcement of the provisions of the ordinance will result in unnecessary hardship."

B. To deny the variance

"I move that the Board of Adjustment deny the variance for (state the variance) because our investigation and our determination from the facts and evidence produced at the public hearing indicate that such a variance will be contrary to public interest, and literal enforcement of the provisions of the ordinance will not result in unnecessary hardship."

Reconstruction of a Non-Conforming Structure

A. To permit reconstruction

"I move that the Board of Adjustment permit the reconstruction of the non-conforming building or structure at ___(address)___ which structure has been damaged by explosion, fire, act of god, or the public enemy, to the extent of more than 50% of its fair market value because our investigation and our determination from the facts and evidence produced at the public hearing indicate some compelling necessity requiring a continuance of the non-conforming use and the primary purpose of continuing the non-conforming use is not to continue a monopoly."

B. To deny reconstruction

"I move that the Board of Adjustment deny the reconstruction of the non-conforming building or structure at (address) which structure has been damaged by explosion, fire, act of god, or the public enemy, to the extent of more than 50% of its fair market value, because we find there is no compelling necessity requiring a continuance of the non-conforming building or structure."

of egress, and there shall be unobstructed access from each lodging unit to be the means of egress. (Ord. No. 193, part 1, § 78, 1985; Code 1989, § 15.12.620)

Secs. 22-139—22-160. Reserved.

DIVISION 4. BOARD OF ADJUSTMENT*

Sec. 22-161. Jurisdiction.

(a) When in its judgment the public convenience, health, welfare, safety or morals will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the board of adjustment may, in specific cases after public notice and public hearing and subject to appropriate conditions and safeguards, take action relative to the continuance, discontinuance or abatement of nuies, blighted, deteriorated, obsolete and substandard structures within the meaning of this article, provided that in enforcing the ordinances pertaining to substandard buildings, the city will comply with the requirements of V.T.C.A., Local Government Code § 214.001.

(1) Hear and decide appeals where it is alleged there is any error, requirement, decision or determination made by the building department or consider, on its own motion, plans, surveys and specifications for any proposed repair of structures coming under the board's jurisdiction;

(2) Require the repair of substandard structures subject to certain requirements pertaining to the structure or premises as may be deemed necessary to protect adjoining property owners;

(3) Hold public hearings to determine whether any structure is in violation of the standards set out in this article and, if so, require that the building or structure be vacated, secured, repaired, removed or demolished by the owner within a reasonable time and to require that the occupants of the structure be relocated within a reasonable time;

(4) Require the demolition of structures deemed to be substandard, dilapidated, unfit for human use and habitation, and a hazard to the public health, safety and welfare;

(5) Require the abatement of any substandard structure or any nuisance by repair, rehabilitation, demolition, removal or vacation.

(b) A variance to the requirements of this article may be granted when literal interpretation would result in an unreasonable or unnecessary hardship and such variance would not be contrary to the public interest.
(Ord. No. 193, part 1, § 12, 1985; Ord. No. 94-03, § 1, 1994; Code 1989, § 15.12.630)

Sec. 22-162. Operation procedure.

The board of adjustment shall adopt rules to govern its proceedings provided that such rules are not inconsistent with this article or state law. Meetings of the board shall be held at the call of the chairman or in his absence, the vice-chairman or a designated acting chairman or at such other times as the board may determine. The chairman or acting chairman may administer oaths and compel the attendance of witnesses.
(Ord. No. 193, part 1, § 13, 1985; Code 1989, § 15.12.640)

Sec. 22-163. Public meetings.

All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep a record of its meetings and other official actions, all of which shall be immediately filed in the office of the city inspector and shall be a public record.
(Ord. No. 193, part 1, § 14, 1985; Code 1989, § 15.12.650)

---

oss reference—Boards and commissions, § 2-131 et seq.

Sec. 22-164. Appeals.

Appeals to the board may be taken by any person aggrieved or by any officer, department or board of the city affected by any decision of the city inspector. Such appeal shall be taken within ten days after the decision has been rendered by the inspector by filing in the city hall a notice of appeal specifying the grounds of appeal. The inspector shall cause all documents constituting the records upon which the action was appealed from to be forwarded to the board.
(Ord. No. 193, part 1, § 15, 1985; Code 1989, § 15.12.660)

Sec. 22-165. Stay of proceedings.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the inspector certifies to the satisfaction of the board that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.
(Ord. No. 193, part 1, § 16, 1985; Code 1989, § 15.12.670)

Sec. 22-166. Notice of intent to demolish.

Whenever the inspector or his designated representative has taken all necessary steps prescribed under this article and has not been successful in requiring compliance on structures that are unfit for human use or habitation or that are obsolete, dilapidated or substandard, he shall issue a notice of intent to demolish to the board and to the owner, occupant, agent, lessee, lessor or any other person provided for by section 22-164. The notice of intent to demolish shall cause the board to make an examination of the case and render a decision. If the board upholds the intent to demolish by the inspector, the board shall issue an order to demolish the substandard structure.
(Ord. No. 193, part 1, § 17, 1985; Code 1989, § 15.12.680)

Sec. 22-167. Notice of hearing.

The board shall hold a public hearing on all appeals made to it, and written notice of such public hearing shall be sent to the applicant and others who are owners of real property lying within 200 feet of the property on which the appeal is made. Such notice shall be given not less than ten days before the date set for hearing to all such owners who have rendered their property for city taxes as the ownership appears on the last city tax roll. Such notice may be served by depositing it properly addressed and postage paid in the United States post office. Notice shall also be given by publishing the notice in the official newspaper of the city at least ten days prior to the date set for the hearing, which notice shall state the time and place of such hearings.
(Ord. No. 193, part 1, § 18, 1985; Code 1989, § 15.12.690)

Sec. 22-168. Hearings.

At a public hearing relative to any appeal, any interested party may appear in person, by his agent or by his attorney. The burden of proof shall be on the applicant to establish the necessary facts to the satisfaction of the board that the order of the city inspector should be set aside or qualified.
(Ord. No. 193, part 1, § 19, 1985; Code 1989, § 15.12.700)

Sec. 22-169. Appeal to court of competent jurisdiction.

It is not the intent of this article to declare, and it does not so declare, anything to be a nuisance which is not such in fact. Any person to whom any order is directed, or against whose property any action is taken or proposed to be taken under the terms and provisions of this article shall have the right to appeal such order or action to any court of competent jurisdiction after having first exhausted the remedies provided by this article and provided that such action is filed within 30 days after the decision of the board has been publicly announced, or entered in the minutes at a public meeting.
(Ord. No. 193, part 1, § 21, 1985; Code 1989, § 15.12.710)

Secs. 22-170—22-190. Reserved.

DIVISION 5. ENFORCEMENT

Sec. 22-191. Declaration of nuisance; applicability of building code.

(a) Any structure, building or premises in violation of the minimum standards set forth in this

CITY OF LAKE DALLAS

HOME RULE CHARTER

Section 8.03.03 Board of Adjustment

The City Council shall appoint a Board of Adjustment consisting of five (5) members and four (4) alternate members who shall serve in accordance with State law. Members of the board shall be appointed for two-year terms with three (3) members' terms expiring in off-numbered years and two (2) members' terms expiring in even-numbered years. Members of the board shall elect a chairperson each October from their membership and shall meet at the call of the chairperson within thirty (30) days of receipt of written notice from anyone aggrieved as a result of the refusal of a building permit or administrative decision by the city building official.

ETHICS AND DECISION MAKING FOR PUBLIC OFFICIALS:

A discussion of conflicts of interest for public officials.

Presented at:
The Southwestern Legal Foundation's
Eighth Short Course
on
Planning and Zoning for Public Officials and their Lawyers
June 18, 1997

H. LOUIS NICHOLS

NICHOLS, JACKSON, DILLARD,
HAGER & SMITH, L.L.P.

1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201

(214) 965-9900
(214) 965-0010 Fax

© 1997

ETHICS AND DECISION MAKING FOR PUBLIC OFFICIALS

Ethical considerations in the decision making process of public officials in the planning and zoning arena is at the forefront of public scrutiny. Even the mere appearance of impropriety impacts the effectiveness of local public officials. Public confidence and respect can best be promoted if public officials, whether paid or unpaid, whether elected or appointed, uniformly treat all citizens with courtesy, impartiality, fairness and equality under the law and avoid both actual and potential conflicts between their private self-interest and the public trust.

Ethics is often defined as principle of right and good conduct; a system of moral turpitude; the study of the general nature of morals and the specific moral choices to be made by the individual in his or her relationship with others.

In Texas, as in all jurisdictions the conduct of local public officials is governed by Charter, local ordinance, policy and state law. Members of the City Council, planning and zoning commission and board of adjustment must be knowledgeable of the laws and policies regarding ethics when participating in and making decisions in the planning and zoning process.

Home Rule Charters

Some City Charters expressly prohibit certain conduct by local public officials which may not be prohibited or covered by state law. For example, charters commonly prohibit any officer (which includes council members, planning and zoning commissioners and members of the board of adjustment) or employee of the City from having a direct or indirect interest in any contract with the City, except as an employee. Although state law, Chapter 573 TEX. GOV'T CODE provides nepotism prohibitions, city charters often contain similar or more stringent nepotism prohibitions. Thus a local public official involved in the planning and zoning process should review the City Charter to ensure there are no provisions which govern the member's decision.

Code of Conduct/Ethics

Some cities have adopted a Code of Conduct. These ethical standards can be in the form of an ordinance, order, resolution or a simple policy, and may apply to planning and zoning decisions. These local standards can mirror state law and contain different or stricter standards than found in state law. Here are some examples of such standards:

Standard of Conduct for Officers

No officer of the City nor a relative of an officer shall knowingly:

A. Have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service.

The "financial interest" contemplated under this section and under the City Charter requires that the officer receive an actual financial benefit from the transaction with the City. An actual financial benefit from the transaction shall not include:

(1) An ownership in the entity transacting the business with the City where the ownership interest is less than ten (10%) percent.

(2) Compensation as an employee, officer, or director of the entity transacting business with the City where such compensation is not affected by the entity's transaction with the City.

B. Participate in a vote or decision on any matter in which the officer has a direct or indirect "financial interest," or in which a relative of the officer has a direct or indirect "financial interest." An investment or ownership in a publicly held company in an amount less than $5,000 does not constitute a prohibited "financial interest" under this Article.

C. Represent or appear on behalf of the private interests of others before the board, commission or committee of which the officer is a member, or before the City Council or other board on an appeal from such board, commission or committee concerning such matter.

D. Use such person's official position or knowledge from the official position to secure special privileges or exemptions for the purpose of achieving monetary gain for such person or others.

E. Grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group.

F. Disclose or reveal any information, or the contents of any discussion, considered during an executive session or closed meeting conducted pursuant to the Texas Open Meetings Act, Tex. Gov't Code, Chapter 551, as amended, held by the City Council, any City agency, board, commission, committee, or department except as may be authorized by a majority vote of that body.

G. Disclose confidential information.

H. Directly or indirectly use any confidential information which was gained by reason of such person's official position for such person's own personal gain or benefit or for the benefit of others. Disclose or reveal any information or the contents of any discussion which would violate the provisions of the Texas Public Information Act, TEX. GOV'T CODE Chapter 552, as amended, or the Texas Open Meetings Act, TEX. GOV'T CODE Chapter 551, as amended.

I. Knowingly engage in any outside activities which will conflict, or be incompatible with such person's position as an officer of the City.

J. Accept other employment incompatible with the full and proper discharge of such person's duties and responsibilities with the City, or which might impair the officer's independent judgment in the performance of public duty.

K. Receive any fee or compensation for services as an officer of the City from any source other than the City, except as may otherwise be provided by law. This shall not prohibit an officer of the City from performing the same or other services for a private organization that such person performs for the City if there is no conflict with such person's duties and responsibilities.

Additional Standard of Conduct for Council Members:

A. In any zoning matter which may appear before the City Council, any City Council Member who has a financial interest in any property within two hundred (200) feet of the Zoning request shall disclose the existence of such interest to other Council Members, and thereafter abstain from

voting in the matter, and refrain from attempting to influence the vote of any other Council Member.

B. In the event that any matter comes before the City Council involving directly or indirectly the interest of a present business client/customer of any City Council Member or the interest of a person or entity who has been a business client/customer of any Council Member within the prior twelve (12) months and funds received by the Council Member is employed, from the past/present business client/customer amount to the sum of $5,000 or more in gross income during such twelve (12) month period, and such fact is known to the Council Member, then that Council Member shall disclose the existence of such interest to the other Council Member, and thereafter abstain from voting in the matter, and refrain from attempting to influence the vote of any other Council Member.

C. With the exception of those proceedings allowed under this Article, Council Members shall not personally appear in their own behalf before the City Council, or any board, commission, or committee, but may designate and be represented by a person of their choice in any such personal matter.

D. No City Council Member shall represent or appear on behalf of, private interests of others before any agency of the City or any City board, commission or committee, nor shall such person represent any private interest of others in any action or proceeding involving the City, nor voluntarily participate on behalf of others in any litigation to which the City might be a party.

Thus local ethics standards can impact the participation and decision-making in planning and zoning matters.

State Law

Chapter 171 of the Texas Local Government Code governs conflicts of interest and applies to local public officials who exercise responsibilities beyond those that are advisory in nature. This is the case irrespective of whether the official is:

- elected or appointed
- paid or unpaid

and includes officials of any:

- district
- city
- central appraisal district
- county
- or other local governmental entity.

and applies to:

- Mayor
- Council Member
- planning and zoning commission
- board of adjustment member

The purpose of Chapter 171 is to prevent local public officials from using their positions for hidden personal financial gain. A local public official who has a substantial interest in any matter pending before the body

of which the official is a member, must: (1) file an affidavit with the official record keeper of the board, commission or council as the case may be disclosing the nature and extent of the interest prior to any vote or decision on the matter; and (2) abstain from further participation in the matter, if a special economic benefit will result.

An official has a substantial interest in a business entity if the issue at hand will yield a special economic benefit to the business entity distinguishable from the effect on the public and:

- the person owns at least a ten percent (10%) percent of the voting stock or shares of the business entity, or owns either at least ten (10%) percent or at least $5,000 of the fair market value of the business entity; or

- funds received by the person from the business entity exceed ten percent (10%) of the person's gross income for the previous year.

Alternatively, a person has a substantial interest in real property if it is reasonably foreseeable that an action on the matter will have a special economic effect distinguishable from its effect in the public, and the official's interest is an equitable or legal ownership with a fair market value of $2,500 or more. Furthermore, a local public official is considered to have a substantial interest if a relative in the first degree of the public official, by either consanguinity or affinity, would have a substantial interest in a business entity or real property under the these test.

Relatives in the First Degree

Consanguinity:	Affinity:
Parents	Spouse of those listed under consanguinity
Children	Spouse
	Spouse's parents
	Spouse's children
	Stepparents or Stepchildren

Relatives in the Second Degree

Consanguinity:	Affinity:
Grandparents	Spouse of those listed under consanguinity
Grandchildren	Spouse's grandparents
Sisters & brothers	Spouse's grandchildren
	Spouse's siblings

Relatives in the Third Degree

Consanguinity:	Affinity:
Great grandparents	Spouse of those listed under consanguinity
Great grandchildren	Spouse's great grandparents
Aunts & uncles	Spouse's great grandchildren
Nieces & nephews	Spouse's aunts & uncles
	Spouse's nephews & nieces

A local public official who has a substantial interest in a business entity or real property must: (1) file an affidavit stating the nature and extent of the interest, and (2) abstain from further participation in the matter. If however, a majority of the members of the council, board or commission, as the case may be, to which the public official is a member are likewise required to file and do file affidavits, then all of the officials, including those substantially interested, may participate and vote on the matter. *See* § 171.004(c), TEX. LOC. GOV'T CODE.

Additional Statutory Requirements for Municipal Authority Responsible for Approving Plats

Members of the City Council and municipal planning and zoning commissions must be aware of the further requirements of Section 212.017 of the Tex. Loc. Gov't Code. The municipal authority responsible for approving plats can be the planning and zoning commission or both City Council and Planning and Zoning Commission if by ordinance the approval of the City Council is required in addition to that of the planning and zoning commission. A member is held to have a substantial interest in a subdivided tract if the person:

(1) has an equitable or legal ownership interest with a fair market value of $2,500 or more; or

(2) acts as developer of the tract; or

(3) owns 10-percent or more of the voting stock or shares or ten-percent or more or $5,000 or more of a business entity which:

  (a) has equitable or legal interest with a fair market value of $2500 or more; or

  (b) acts as developer

(4) receives funds equal to ten-percent ore more of annual gross income from a business entity meeting 3, above; or

(5) is related in the first degree by consanguinity or affinity to someone who has substantial interest.

This section mirrors the provisions of Chapter 171, Tex. Loc. Gov't Code. The only addition is the "acts a developer" prohibition. Planning and zoning commission members are likewise required to: (1) file an affidavit disclosing their substantial interest with the appropriate secretary or clerk; and (2) abstain from participating in the discussion or vote. Failure to do so is a Class A misdemeanor punishable by a maximum fine of $4,000 and/or up to one year in prison; and the action is void only if that member's vote was determinative. However, unlike Chapter 171, TEX. LOC. GOV'T CODE, Section 212.017 does not provide that substantially interested members may vote if a majority of the members are substantially interested.

Conclusion

Members of the City Council, planning and zoning commission and board of adjustment should become familiar with the Charter and local regulations, as well as state law governing conflicts of interest. Local officials before participating in discussions and voting on matters should confirm that they or a relative do not have a substantial interest in a business entity or real property prior to the issue at hand. The timely filing of an affidavit will save the official from public embarrassment, possible prosecution and will preserve the action of the body.

EXAMPLES:

1. Home rule city council member may be abstain from voting on zoning matter affecting territory in which the member's residence is located. TEX. ATTY. GEN. OP. No. DM-130(1992).

2. Member of City Council, planning and zoning commission or board of adjustment who is employed by or receives more than 10% of the member's gross income from a business entity or who owns 10% or more of the stock or $5,000 or more of the value of a business entity may not deliberate and/or participate in a vote affecting the entity.

3. Members of City Council, planning and zoning commission or board of adjustment who receive a campaign contribution from a developer who seeks a zoning change or plat approval do not have a statutory conflict.

PROCEDURES FOR ABATEMENT OF SUBSTANDARD STRUCTURES AND NUISANCES FOR THE CITY OF LAKE DALLAS

The following is an outline of the procedures that should generally be followed in connection with the inspection, review, and civil enforcement of the Minimum Housing and Building Standards Code of the City of Lake Dallas. This list is by no means exhaustive and does not address other procedures involving criminal prosecutions or civil litigation. These procedures are based on the provisions of Chapter 15.12 of the Lake Dallas Code of Ordinances.

1) Initial Inspection: City Inspector inspects and makes determination that structure is substandard or is unfit for human habitation or use and constitutes a hazard to the public health, safety or welfare. (Note: a substandard building may not, of itself, be unfit for human habitation and hazardous to public health)

2) Issue Notice of Violation (§15.12.830): City Inspector issues notice, after inspection, to owner/occupant of specific violations requiring compliance with Code. The Notice of Violation must:

   a) identify the property by street address and/or legal description sufficient to identify the premises,
   b) contain a brief and concise description of the conditions found to render the building dangerous or substandard and should identify specific violations,
   c) if the building must be repaired, the Notice must require that all necessary permits be secured and the work be commenced and completed within a reasonable time,
   d) if inspector determines that the building must be vacated, the Notice shall require that it be vacated within a certain reasonable time,
   e) if inspector determines that building must be demolished, Notice must require that building be vacated, that all necessary permits be secured, and that demolition work be commenced and completed within a specific reasonable time. The city inspector must take all necessary steps to obtain compliance before demolition can be imposed.
   f) if inspector determines building to be unfit for human habitation or use, the Notice must also state the inspector intends to bring the violation before the Board of Adjustment for their consideration and decision.
   g) contain statement advising that if demolition or repair work is not commenced within the specified time, the City will order the building vacated and posted to prevent further occupancy and may proceed to cause the work to be done and charge the costs thereof against the property or the owner.

h) contain a statement that the owner has the right to appeal the inspector's determination to the Board of Adjustment by filing a written notice of appeal in City Hall within ten (10) days of the date of the Notice of Violation.

3) Re-Inspection: After expiration of the time stated in the Notice of Violation for the work to be commenced, the inspector must re-inspect to determine that the owner/occupant has failed to comply. However, if no permits have been applied for and if a visual inspection of the exterior of the structure clearly reveals that no work has been commenced, a formal re-inspection is not necessary.

4) Issue Notice of Public Hearing If a hearing must be held by the Board, because: 1) a property owner has timely filed a notice of appeal, 2) the property is determined by the inspector to be unfit for human habitation or use and has been ordered demolished, or 3) the repair work required to be done in the Notice of Violation has not been commenced within the allotted time and the City may cause the work to be done, proper notice must be issued and served.

Notice of Hearing must be served on the occupant, the property owner, any lienholders or mortgagees of record, (diligent search of public records is required), and all property owners (per tax rolls) who own property within 200 feet of the subject real estate, at least ten (10) days before the hearing. The Notice must be published in the local paper at least ten (10) days prior to the hearing. The Notice of Hearing must state:

a) the date, time and location of the hearing,
b) the street address and legal description of the property,
c) the particular violations occurring at the property, and
c) the board's proposed action to order that the property be repaired, vacated, secured, or demolished.

5) Board of Adjustment Review and Order The Board of Adjustment is to review the evidence presented at the public hearing and shall determine whether the inspector's determination of violations are substantiated. If the building has been ordered by the inspector to be repaired, vacated, secured or demolished, the Board must hear evidence from both the City inspector as well as any other interested party to determine whether the inspector's order of repair or demolition has been complied with and whether it should be upheld.

If the Board finds from the evidence that the property should be demolished, it must issue a written order requiring that the property be demolished. The order must:

a) require that the owner, occupant, lienholder or mortgagee demolish the property within thirty (30) days of the date of the Order,

b) contain a statement that the failure to comply with the Order may result in the assessment of civil penalties, the City's performing the work, and the assessment of the penalties and expenses as a lien against the property.

c) the order should also state that if the work is not commenced or completed within the given time, the inspector is to report this failure to the City Council so that the Council can decide whether or not to cause the demolition work to be done.

d) the order must also accurately identify the property and should identify the owners, occupants, and lienholders.

6) <u>City Council Referral and Action:</u> Following the failure to comply with the Order, the board or City inspector shall notify the City council of the failure. The council, at the next succeeding meeting, must decide whether to incur the expense to cause the work to be done. This issue must be contained in the agenda which is to be posted in accordance with the provisions of the Texas Open Meetings Act. If the council decides to repair or demolish the property, it may do so using city employees or may, if the cost of work will exceed $5,000, advertise to solicit bids for prospective contractors. A final notice must issue to all owners, occupants and lienholders notifying that the property will demolished and that a lien will be filed assessing the expenses against the property. Following completion of the work, if the property was not occupied as a residence homestead, a lien affidavit must be filed with the Denton County Clerk's Office to establish the lien as a matter of record.

NOTICE OF VIOLATION

DATE: _____

TO: _____
_____
_____
_____

PROPERTY: _____
_____
_____

The undersigned, as the building official of the City of Lake Dallas, Texas, has inspected the property referenced above, owned or occupied by you. The inspection has revealed the following specific violations:

1)
2)
3)
4)
5)

The property has been determined to be unfit for human use or occupancy and constitutes a hazard to the public health, safety and welfare. Accordingly, the building must be demolished. You are hereby given notice that the demolition work required herein must be commenced with _____ days of the date of this Notice and must be completed with _____ days thereafter. These violations will be brought before the Board of Adjustment of the City of Lake Dallas for consideration and decision. If the appropriate permits are not secured and if the work is not commenced and completed within the time stated herein, the City will order the building vacated and posted to prevent further occupancy and may proceed to cause the work to be done and charge the costs thereof against the property or the owner.

You have the right to appeal this determination to the Board of Adjustment by filing a written notice of appeal in City Hall within ten (10) days of the date of this Notice of Violation. Failure to so appeal will constitute a waiver of this right.

_____
Building Inspector, City of Lake Dallas

ORDER OF THE BOARD OF ADJUSTMENT
OF THE CITY OF LAKE DALLAS, TEXAS

RE: _____
(Name of Owner/Occupant)

_____
_____
_____
(Lienholders)

PROPERTY: _____
(Street Address)
_____
_____
_____
(Legal Description)

STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON)

On the _____ day of _____, 199___, came on to be heard a matter involving the above stated person and property, wherein it has been alleged that the property is in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas and that a structure on said property is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance. After consideration of the documents and testimony presented herein, and following the conclusion of a public hearing, the Board of Adjustment of the City of Lake Dallas hereby makes the following findings and orders:

1) The structure situated at the location described above is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance.

2) The Order of Demolition issued by the City Inspector is substantiated and should be upheld;

3) The structure and property must be immediately vacated;

4) The structure on said property be and is hereby ordered to be demolished. All necessary permits must be obtained and the demolition work must be commenced within _____ days of the date of this Order;

5) The demolition work required herein shall be completed within thirty (30) days of the date of this order;

6) If the necessary permits are not secured, the work is not commenced, or the demolition is not completed within the time stated herein, the City Inspector shall report this failure to the City Council and shall provide the Council with a true and correct copy of this Order, which is to serve as this Board's recommendation that the Council cause the work to be done and the expenses thereof be assessed as a lien against the property;

7) The failure to comply with the demolition required herein may result in the assessment of civil penalties, the City's performing the work, and the assessment of the penalties and expenses as a lien against the property;

8) A copy of this Order shall be delivered to the Owner of the property, the occupant thereof, and any and all lienholders of record forthwith.

SIGNED AND EXECUTED this _____ day of _____, 199____.

_____
CHAIRMAN, BOARD OF ADJUSTMENT
CITY OF LAKE DALLAS, TEXAS

* Minutes - May BOA - 6' rear

Executive session tapes - where

* Did we get certification back on BOA letter

* Copy of 99 BOA manual to review
* Copy of Charter
* Copy of Code

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE DALLAS, TEXAS WILL MEET IN OPEN SESSION ON NOVEMBER 18, 1996 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE CITY HALL BUILDING LOCATED AT 303 ALAMO ST. TO CONSIDER THE ITEMS POSTED ON THE AGENDA BELOW:

AGENDA:

I. ROLL CALL.

II. APPROVAL OF MINUTES.

III. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 110 W. HUNDLEY. THIS PROPERTY IS LOCATED ON TRACT 6, OF THE MCCARROLL SURVEY.

IV. ACTION FROM PUBLIC HEARING.

V. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 103 MARKET ST. THIS PROPERTY IS LOCATED ON BLOCK 1, LOT 9, OF THE GOTCHER ADDITION.

VI. ACTION FROM PUBLIC HEARING.

VII. PUBLIC HEARING: CONSIDER THE DEMOLITION IN ACCORDANCE WITH CHAPTER 15.12 OF THE MUNICIPAL CODE OF THE HOUSE AT 311 STARFISH. THIS PROPERTY IS LOCATED ON LOT 6, OF THE J.V. THOMPSON ADDITION.

VIII. ACTION FROM PUBLIC HEARING.

IX. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL, 303 ALAMO, LAKE DALLAS, TEXAS ON NOVEMBER 14, 1996 AT 11:30 A.M.

Diane Lowrimore

DIANE LOWRIMORE, SECRETARY

Meeting is delayed til 7:15 pm due to lack of members

AGENDA November 18, 1996
7:00 pm

I. ROLL CALL
Celeste Douglas
Rod Courtney
Ken Stapleton

Absent: Frances Potter
Rusty - Resigned
Clyde Edwards - stepped down

II. APPROVAL OF MINUTES

Words to have a meeting as soon as possible - Check time limit

III. PUBLIC HEARING ON 110 W. HUNDLEY

IV. ACTION FROM PUBLIC HEARING ON 110 W. HUNDLEY

V. PUBLIC HEARING ON 103 MARKET ST.

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO ST.
LAKE DALLAS, TX 75065
817-497-2226

APPLICATION REQUESTING A HEARING BEFORE THE BOARD OF ADJUSTMENT

TO THE BOARD OF ADJUSTMENT:

THE BUILDING INSPECTOR OF THE CITY OF LAKE DALLAS, DOES HEREBY FILE THIS PETITION ASKING FOR THE BOARD OF ADJUSTMENT TO UPHOLD THE INTENT TO DEMOLISH IN ACCORDANCE WITH CHAPTER 15.12, SECTION 15.12.680 OF LAKE DALLAS MUNICIPAL CODE. THE HEREIN DESCRIBED PROPERTY WHICH THE BUILDING INSPECTOR HAS REQUESTED THE OWNER DEMOLISH BECAUSE SAID PROPERTY IS UNFIT FOR HUMAN USE OR HABITATION; SAID PROPERTY LOCATED WITHIN THE C-1 ZONING DISTRICT. THE HEARING IS REQUESTED FROM CHAPTER 15.12 OF THE LAKE DALLAS MUNICIPAL CODE. THE HEARING IS REQUESTED BASED ON THE FOLLOWING INFORMATION;

1. 15.12: MINIMUM HOUSING AND BUILDING STANDARDS CODE
2. 15.12.130: DEPRECIATION OF SURROUND PROPERTY
3. 15.12.140: STRUCTURAL REQUIREMENTS
4. 15.12.170: STRUCTURES TO BE WEATHERTIGHT & WATERTIGHT
5. 15.12.180: PROTECTIVE COATING FOR WOOD REQUIRED

HEARING REQUESTED ON PROPERTY LOCATED AT 110 W. HUNDLEY
LEGAL DESCRIPTION OF PROPERTY, TRACT #6 OF THE MCCARROLL SURVEY.

COPIES OF ALL CORRESPONDENCE TO THE PROPERTY OWNER MUST BE ATTACHED TO THIS APPLICATION. YOU MUST SPECIFY THE GROUNDS FOR THE HEARING.

SUBMITTED THIS 18th DAY OF NOVEMBER, 1996.

NAME: TRUMAN HARP, BUILDING INSPECTOR

ADDRESS: 303 ALAMO ST.
LAKE DALLAS, TX 75065

TELEPHONE: 817-497-2226

SIGNATURE: Truman Harp

ORDER OF THE BOARD OF ADJUSTMENT
OF THE CITY OF LAKE DALLAS, TEXAS

RE: KERMIT FONTENO

PROPERTY: 110 W. HUNDLEY
LAKE DALLAS, TX 75065

TRACT #6, OF THE MCCARROLL SURVEY

STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON)

On the 18th day of November, 1996, came on to be heard a matter involving the above stated person and property, wherein it has been alleged that the property is in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas and that a structure on said property is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance. After consideration of the documents and testimony presented herein, and following findings and orders:

1) The structure situated at the location described above is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance.

2) The Order of Demolition issued by the City Inspector is substantiated and should be upheld;

3) The structure and property must be immediately vacated;

4) The structure on said property be and hereby ordered to be demolished. All necessary permits must be obtained and the demolition work must be commenced within 30 days of the date of this Order;

5) The demolition work required herein shall be completed within ninety (90) days of the date of this order;

6) If the necessary permits are not secured, the work is not commenced, or the demolition is not completed within the time stated herein, the City Inspector shall report this failure to the City Council and shall provide the Council with a true and correct copy of this Order, which is to serve as this Board's recommendation that the Council cause the work to be done and the expenses thereof be assessed as a lien against the property;

7) The failure to comply with the demolition required herein may result in the assessment of civil penalties, the City's performing the work, and the assessment of the penalties and expenses as a lien against the property;

8) A copy of this Order shall be delivered to the Owner of the property, the occupant thereof, and any and all lienholders of record forthwith.

SIGNED AND EXECUTED this 18th day of November, 1996.

Truman Harp

TRUMAN HARP/BUILDING INSPECTOR
CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO ST.
LAKE DALLAS, TX 75065
817-497-2226

APPLICATION REQUESTING A HEARING BEFORE THE BOARD OF ADJUSTMENT

TO THE BOARD OF ADJUSTMENT:

THE BUILDING INSPECTOR OF THE CITY OF LAKE DALLAS, DOES HEREBY FILE THIS PETITION ASKING FOR THE BOARD OF ADJUSTMENT TO UPHOLD THE INTENT TO DEMOLISH IN ACCORDANCE WITH CHAPTER 15.12, SECTION 15.12.680 OF LAKE DALLAS MUNICIPAL CODE. THE HEREIN DESCRIBED PROPERTY WHICH THE BUILDING INSPECTOR HAS REQUESTED THE OWNER DEMOLISH BECAUSE SAID PROPERTY IS UNFIT FOR HUMAN USE OR HABITATION; SAID PROPERTY LOCATED WITHIN THE C-1 ZONING DISTRICT. THE HEARING IS REQUESTED FROM CHAPTER 15.12 OF THE LAKE DALLAS MUNICIPAL CODE. THE HEARING IS REQUESTED BASED ON THE FOLLOWING INFORMATION;

1. 15.12: MINIMUM HOUSING AND BUILDING STANDARDS CODE
2. 15.12.110: LAND AREA TO BE FREE OF INSECT AND RODENT HARBORAGE.
3. 15.12.240: SUPPORTING STRUCTURAL MEMBERS TO BE SOUND
4. 15.12.140: STRUCTURAL REQUIREMENTS
5. 15.12.270: FLOORS, WALLS AND CEILINGS
6. 15.12.490: FLUSH TOILET AND LAVATORY BASIN REQUIRED

HEARING REQUESTED ON PROPERTY LOCATED AT 103 MARKET ST.
LEGAL DESCRIPTION OF PROPERTY, BLOCK 1 LOT 9, OF THE GOTCHER ADDITION.

COPIES OF ALL CORRESPONDENCE TO THE PROPERTY OWNER MUST BE ATTACHED TO THIS APPLICATION. YOU MUST SPECIFY THE GROUNDS FOR THE HEARING.

SUBMITTED THIS 18th DAY OF NOVEMBER, 1996.

NAME: TRUMAN HARP, BUILDING INSPECTOR

ADDRESS: 303 ALAMO ST.
LAKE DALLAS, TX 75065

TELEPHONE: 817-497-2226

SIGNATURE: Truman Harp

ORDER OF THE BOARD OF ADJUSTMENT
OF THE CITY OF LAKE DALLAS, TEXAS

RE: TERRY LANTRIP

PROPERTY: 103 MARKET ST.
LAKE DALLAS, TX 75065

BLOCK 1, LOT 9, OF THE GOTCHER ADDITION

STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON)

On the 18th day of November, 1996, came on to be heard a matter involving the above stated person and property, wherein it has been alleged that the property is in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas and that a structure on said property is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance. After consideration of the documents and testimony presented herein, and following findings and orders:

1) The structure situated at the location described above is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance.

2) The Order of Demolition issued by the City Inspector is substantiated and should be upheld;

3) The structure and property must be immediately vacated;

4) The structure on said property be and hereby ordered to be demolished. All necessary permits must be obtained and the demolition work must be commenced within 30 days of the date of this Order;

5) The demolition work required herein shall be completed within ninety (90) days of the date of this order;

6) If the necessary permits are not secured, the work is not commenced, or the demolition is not completed within the time stated herein, the City Inspector shall report this failure to the City Council and shall provide the Council with a true and correct copy of this Order, which is to serve as this Board's recommendation that the Council cause the work to be done and the expenses thereof be assessed as a lien against the property;

7) The failure to comply with the demolition required herein may result in the assessment of civil penalties, the City's performing the work, and the assessment of the penalties and expenses as a lien against the property;

8) A copy of this Order shall be delivered to the Owner of the property, the occupant thereof, and any and all lienholders of record forthwith.

SIGNED AND EXECUTED this 18th day of November, 1996.

TRUMAN HARP/BUILDING INSPECTOR
CITY OF LAKE DALLAS, TEXAS

CITY OF LAKE DALLAS
P.O. BOX 368
303 ALAMO ST.
LAKE DALLAS, TX 75065
817-497-2226

APPLICATION REQUESTING A HEARING BEFORE THE BOARD OF ADJUSTMENT

TO THE BOARD OF ADJUSTMENT:

THE BUILDING INSPECTOR OF THE CITY OF LAKE DALLAS, DOES HEREBY FILE THIS PETITION ASKING FOR THE BOARD OF ADJUSTMENT TO UPHOLD THE INTENT TO DEMOLISH IN ACCORDANCE WITH CHAPTER 15.12, SECTION 15.12.680 OF LAKE DALLAS MUNICIPAL CODE. THE HEREIN DESCRIBED PROPERTY WHICH THE BUILDING INSPECTOR HAS REQUESTED THE OWNER DEMOLISH BECAUSE SAID PROPERTY IS UNFIT FOR HUMAN USE OR HABITATION; SAID PROPERTY LOCATED WITHIN THE R-1-6000 ZONING DISTRICT. THE HEARING IS REQUESTED FROM CHAPTER 15.12 OF THE LAKE DALLAS MUNICIPAL CODE. THE HEARING IS REQUESTED BASED ON THE FOLLOWING INFORMATION;

1. 15.12: MINIMUM HOUSING AND BUILDING STANDARDS CODE
2. 15.12.110: LAND AREA TO BE FREE OF INSECT AND RODENT HARBORAGE.
3. 15.12.240: SUPPORTING STRUCTURAL MEMBERS TO BE SOUND
4. 15.12.140: STRUCTURAL REQUIREMENTS
5. 15.12.270: FLOORS, WALLS AND CEILINGS
6. 15.12.490: FLUSH TOILET AND LAVATORY BASIN REQUIRED
7. 15.12.150: FOUNDATION WALLS
8. 15.12.170: STRUCTURE TO BE WEATHERTIGHT & WATERTIGHT
9. 15.12.870: DESIGNATION OF UNFIT STRUCTURE

HEARING REQUESTED ON PROPERTY LOCATED AT 311 STARFISH
LEGAL DESCRIPTION OF PROPERTY, LOT 6, OF J.V. THOMPSON ADDN.

COPIES OF ALL CORRESPONDENCE TO THE PROPERTY OWNER MUST BE ATTACHED TO THIS APPLICATION. YOU MUST SPECIFY THE GROUNDS FOR THE HEARING.

SUBMITTED THIS 18th DAY OF NOVEMBER, 1996.

NAME: TRUMAN HARP, BUILDING INSPECTOR

ADDRESS: 303 ALAMO ST.
LAKE DALLAS, TX 75065

TELEPHONE: 817-497-2226

SIGNATURE: Truman Harp

ORDER OF THE BOARD OF ADJUSTMENT
OF THE CITY OF LAKE DALLAS, TEXAS

RE: JON SCHARBER

PROPERTY: 311 STARFISH
LAKE DALLAS, TX 75065

LOT 6
J.V. THOMPSON ADDN.

STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DENTON)

On the 18th day of November, 1996, came on to be heard a matter involving the above stated person and property, wherein it has been alleged that the property is in violation of the Minimum Housing and Building Standards Code of the City of Lake Dallas and that a structure on said property is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance. After consideration of the documents and testimony presented herein, and following findings and orders:

1) The structure situated at the location described above is substandard, is unfit for human habitation or use, constitutes a hazard to the public health, safety or welfare, and constitutes a public nuisance.

2) The Order of Demolition issued by the City Inspector is substantiated and should be upheld;

3) The structure and property must be immediately vacated;

4) The structure on said property be and hereby ordered to be demolished. All necessary permits must be obtained and the demolition work must be commenced within 30 days of the date of this Order;

5) The demolition work required herein shall be completed within ninety (90) days of the date of this order;

6) If the necessary permits are not secured, the work is not commenced, or the demolition is not completed within the time stated herein, the City Inspector shall report this failure to the City Council and shall provide the Council with a true and correct copy of this Order, which is to serve as this Board's recommendation that the Council cause the work to be done and the expenses thereof be assessed as a lien against the property;

7) The failure to comply with the demolition required herein may result in the assessment of civil penalties, the City's performing the work, and the assessment of the penalties and expenses as a lien against the property;

8) A copy of this Order shall be delivered to the Owner of the property, the occupant thereof, and any and all lienholders of record forthwith.

SIGNED AND EXECUTED this 18th day of November, 1996.

Truman Harp

TRUMAN HARP/BUILDING INSPECTOR
CITY OF LAKE DALLAS, TEXAS

ORDINANCE NO. 93-09

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING 18.46 OF THE LAKE DALLAS MUNICIPAL CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION I. Chapter 18.46 of the Lake Dallas Municipal Code are hereby amended to read as follows:

SECTION II. Organization. There is hereby created a Board of Adjustment consisting of five (5) members, each to be appointed by the City Council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Two (2) members heretofore appointed shall serve until October 30, 1994, or until their successors are appointed and three (3) members, as heretofore appointed, shall serve until October 30, 1995, or until their successors are appointed, and thereafter each member reappointed or each new appointee shall serve for a full term of two (2) years, unless removed as hereinabove provided. Provided, however that the City Council may appoint two (2) alternate members of the Board of Adjustment who shall serve in the absence of one or more of the regular members when requested to do so by the Mayor so that all cases to be heard by the Board of Adjustment will always be heard by a minimum number of four (4) members. The alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner, and they shall be subject to removal the same as the regular members.

SECTION III. Procedure. The Board shall adopt rules to govern its proceedings; provided, however, that such rules are not inconsistent with this ordinance or statutes of the State of Texas. Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meeting of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board, and shall be a public record.

SECTION IV. Appeals.

(1) Appeals to the Board of Adjustment can be taken by any person aggrieved,

or by an officer, department or board of the municipality affected by the decision of the Building Inspector. Such appeal shall be taken within fifteen (15) days after the decision has been rendered by the building inspector, by filing with the officer from who the appeal is taken and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

(2) An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise, than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and due cause shown.

(3) The Board of Adjustment shall fix a reasonable time for the hearing of an appeal, give the public notice thereof by posting such notice in the mail addressed to all owners of real property located within two hundred (200) feet of the property on which the appeal is made and by publishing notice of such hearing in a newspaper of general circulation in the City of Lake Dallas. Both the posted and published notice shall be given at least ten (10) days prior to the date set for the hearing. Upon the hearing, any party may appear in person or by attorney or by agent.

SECTION V. Jurisdiction. When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established.

(1) Permit the reconstruction, extension or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use and permit the expansion of off-street parking or off-street loading for a nonconforming use.

(2) Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.

(3) Require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance. All actions to discontinue a nonconforming use of land and structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and conservation and preservation of property. The Board shall, from time to time, on its own motion or upon cause presented by interested property owners, inquire into the existence, continuation or maintenance of any nonconforming use within the City of Lake Dallas.

SECTION VI. Actions of the Board.

(1) In exercising its powers, the Board may, in conformity with the provisions of Articles 1011-A and including 1011-J of the Civil Statutes of Texas, as amended, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination as ought to be made, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.

(2) The concurring vote of four (4) members of the Board shall be necessary to revise any order, requirement, decision or determination of any such building inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to affect any variance in said ordinance.

(3) Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision in the office of the Board and not thereafter.

SECTION VII. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VIII. Should any section, paragraph., sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

SECTION IX. There being an emergency and public necessity that this ordinance be passed without delay, and any and all rules requiring three (3) separate readings is hereby waived, and this ordinance shall become effective immediately from and after its passage as the law provides.

PASSED AND APPROVED this the 14th day of October, 1993.

Terry McCutcheon, Mayor

ATTEST:

Donna Hamilton, City Secretary